



SHEET 1 OF 1.

PP041549

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OFKENSINGTON  
AND CHELSEA

ADDRESS

22 Scarsdale Villas

POLLING DISTRICT

ABB

HB Buildings of Architectural Interest  
AMI Areas of Metropolitan Importance  
MDO Major Sites with Development Opportunities  
MOL Metropolitan Open Land  
SBA Small Business Area  
PSC Principal Shopping Centre (Core or Non-core)

LSC Local Shopping Centre  
AI Sites of Archeological Importance  
SV Designated View of St. Paul's from Richmond  
SNCI Sites of Nature Conservation Importance  
REG 7 Restricted size and use of Estate Agent Boards  
ART IV Restrictions of Permitted Development Rights

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic Use	PSC	LSC	AI	SV	SNCI	REG 7	ART IV
8									C	N					

	Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
	Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area Proposed	
Proposed Plot Ratio	

Daylighting	Complies	
	Infringes	

Car Parking	Spaces Required	
	Spaces Proposed	

Notes:

## 22 SCARSDALE VILLAS

Property Card N° : 0970 023 00

Sitename :  
Comment :  
TP Arch/History : H 13919  
See Also :

PP041549

Xref :  
Notes :

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TP No                      Brief Description of Proposal      1    of   4  
FORM CAR PARK SPACE IN FRONT GARDEN.  
  
FOR ADJACENT OCCUPIERS USE.

Received                      Decision & Date  
Completd                      Conditional                      21/03/1968  
Revised

---

TP No TP/84/0833      Brief Description of Proposal      2    of   4  
DEMOLITION OF PART OF BOUNDARY WALL BETWEEN FRONT YARD TO  
CREATE ONE CAR PARKING SPACE FOR PHYSICALLY HANDICAPPED  
PERSON.  
WITHDRAWN BY COUNCIL'S LETTER JUNE 1984

Received 16/04/1984      Decision & Date  
Completd                      Withdrawn                      13/07/1984?  
Revised                      01/06/1984

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TP No TP/84/0834      Brief Description of Proposal      3    of   4  
DEMOLITION OF WALL TO CREATE ONE CAR PARKING SPACE ON  
FORECOURT

Received 03/05/1984      Decision & Date  
Completd                      Conditional                      02/07/1984  
Revised                      LBC

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TP No PP/04/0314      Brief Description of Proposal      4    of   4  
REAR EXTENSION AT BASEMENT, GROUND FLOOR, 1ST FLOOR HALF  
LANDING AND 2ND FLOOR HALF LANDING.  
\*\*\*\*WITHDRAWN BY APPLICANT'S LETTER DATED 26/03/2004\*\*\*\*

Received 09/02/2004      Decision & Date  
Completd 09/02/2004      Withdrawn                      26/03/2004L  
Revised



PP041549

D'ARCY ASSOCIATES  
9 LAMINGTON STREET  
LONDON  
W6 OHU

Re. :22 Scarsdale Villas W8

Ref. :2323PP02.ltr

Date :8<sup>th</sup> July 2004

TEL :020-8741 1193  
FAX :020-8563 7784

RBK&C  
Planning & Conservation  
The Town Hall  
Hornton St  
London W8 7NX

Attention : Planning Department

Dear Sirs,

We wish to apply for Full Planning Permission on behalf of Mr & Mrs Marrero for the following work.

"Rear Extension at Basement, Ground Floor, & 1<sup>st</sup> Floor half landing."

Please find enclosed:

- 4 Copies of the Planning Application Form TP1-Part 1.
- 4 Copies of the Certificate of Ownership 'A' , signed and dated.
- A Planning Fee is not required because the previous application ref. DPS/DCC/PP/04/00314 was withdrawn.
- 4 Copies of the Following Drawings:

## SURVEY DRAWINGS

2323/1 -Ground &amp; Basement Plans

-Site Location Plan

2323/2 -First &amp; Second Floor Plans

2323/3 -Rear and Side Elevation

2323/4 -Section

2323/9 -Photographs of the Existing

## PROPOSAL DRAWINGS

2323/5 rev.B -Ground &amp; Basement Plans

-Site Location Plan

2323/6 rev. B -First &amp; Second Floor Plans

2323/7 rev. B -Rear and Side Elevation

2323/8 rev. B -Sections

Please contact me if you require further information and when you wish to visit the house.

Yours

Damien D'Arcy

Encl.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 JUL 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER 726 2662 32

**MEMORANDUM**

**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

**My Ref: PP/04/01549/ER**

**CODE A1**

**Room No:**

**NEWSPAPER DATE: 23/07/2004**

**Date: 14 July 2004**

**DEVELOPMENT AT:**

**22 Scarsdale Villas, London, W8 6PR**

**DEVELOPMENT:**

**Erection of rear extension at basement, ground floor and 1st floor half landing.**

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990  
(development affecting the character or appearance of a Conservation Area or  
adjoining Conservation Area)

**M.J. French**

Executive Director, Planning & Conservation

**RBKC**  
**Observations**

## CONSERVATION AND DESIGN

<b>Address:</b>  22 and 24 Scarsdale Villas, W8	<b>Appl. No:</b>  04/1549 & 1550	<b>D.C. Officer:</b>  ER	<b>L.B.</b>  -	<b>C.A.</b>  8	<b>Area:</b>  C
<b>Description:</b> Rear extensions at basement, ground and first floor levels to both buildings and some new side elevation windows at no. 24			<b>C&amp;D Officer</b>  HB		<b>Code:</b> X, EA

**Comments:**

The current proposals have hardly changed from our site meeting with the agents. The changes are very minor and do not overcome any of our fundamental disagreements.

The existing buildings represent possibly the last unaltered pair of semi-detached villas on this north east side of Scarsdale Villas. The rear façade of this pair survives in its original un-extended scale and with all original window openings. A number of the other pairs of houses have been insensitively extended and altered in the past, but if I remember none recently. Many show just the sort of unwelcome over-development, covering up of the original main rear walls with bulky extensions and insensitive details which the current conservation control is trying to prevent.

The current proposals still show continuous full width solid extension across the lower ground floor elevation, virtually full width extension cover across the upper ground floor level and half-width 1<sup>st</sup> floor extensions.

Whilst half-width extensions at all three floor levels may be acceptable here, the full width elements are not really welcome anywhere, other than perhaps in a recessed position and designed as a light-weight conservatory at the lower ground floor level. This guidance given by us to the agents is quite generous on this site as there are no extensions here at all at present. The proposal which involves covering up of more than half of the main rear wall with extensions would seriously erode the surviving original scale and elevational appearance of this pair.

A definite refusal in my view.

Helena Benes  
20/7/04



## Trees and Planting



There will be a general presumption in favour of the retention of trees, irrespective of their age, unless they are potentially a public danger or, exceptionally, when removal is required in a replanting programme. New planting will be encouraged during the next decade, so that semi-mature trees will be established when older ones have to be removed, which is bound to happen since a great many trees in the Borough were planted over fifty years ago.

Edwardes Square is the crowning glory of the area's vegetation, a tribute to care and maintenance by the Garden Committee, and its long term consideration of planting over so many years. The large gardens behind Earls Terrace combine with the Square itself to create an atmosphere of 'rus in urbe' of supreme importance to the setting of this listed building, and to its occupants' amenity. A wall cherished by many for its contribution to the lane-like quality of North Edwardes Square is that bounding these gardens, and its preservation unbreached will be one of the Council's conservation objectives.

Obviously the garden squares dominate the surrounding street scene, and leafy front gardens as at the north of Warwick Gardens contribute to it significantly. Back gardens are more especially important to the houses surrounding them.



New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring

gardens, is important either to the character of the particular area or to the general character of the urban scene.

The health and maintenance of planting of all kinds of course determines whether it contributes to or detracts from the immediate environment. Overgrown front gardens conceal even the finest building condition, and unclipped hedges obstruct the footway and look incongruous fronting buildings of formal style. Climbing plants can be beautiful supplements to buildings when controlled or curious interruptions to their character when unrestrained.

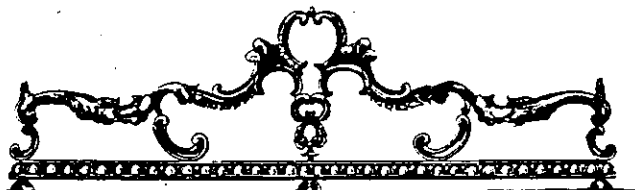
Judiciously positioned trees can greatly reduce the visual impact of car parking as well as contributing to the pleasant leafiness of the area. This characteristic depends as much on private planting as on street trees, of which the area has many — perhaps the most spectacular being the cherries at the south end of Abingdon Road when the total canopy of blossom is out.

All trees in conservation area are subject to controls requiring notice of any proposals to remove, lop or prune them to be given to the Council (see Appendix). As well as this general provision, many of the trees are covered by Tree Preservation Orders, of which the Council's Arboriculturist can give further details.

The york stone coping to the dwarf wall enclosing the central garden area to Edwardes Square has deteriorated to such an extent as to detract from its original visual appearance and safety standards and should therefore be restored.

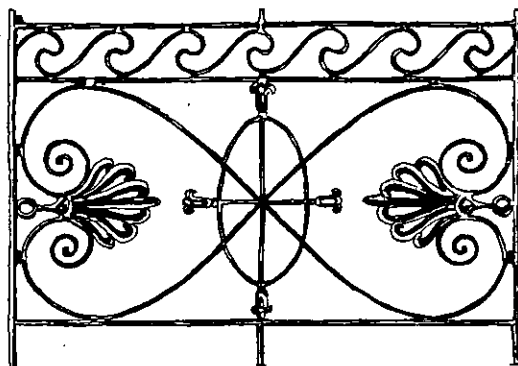


Pot Guards and Balcony Rails



The Edwardes Square, Scarsdale and Abingdon area has an interesting variety of balcony rails and pot guards. These range from the decorative shell castings and simple grid patterns of Edwardes Square through the delightful lightweight wheel and heart-shaped castings of Pembroke Square and the north end of Abingdon Road to the rather heavier pot guards of the south end of Abingdon Road and Villas.

These brittle castings are easily broken but difficult to repair, nor are they easily replaced by reproductions. Whilst fortunately they are retained in the two Georgian squares they are sadly missed on a number of the Victorian terraces.



B. 30 JUL 2004

SW	SE	APP	IO
ARB	FPLN	DES	FL

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

# NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

- (a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 020-7361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 020-7727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice. Please note that all letters of representation are public documents and can be seen by any interested parties.

## SCHEDULE

Reference: PP/04/01549/ER

Date: 23/07/2004

22 Scarsdale Villas, London, W8 6PR

Erection of rear extension at basement, ground floor and 1st floor half landing.

APPLICANT Mr. & Mrs. Marrero,

*Handwritten signature and date 21/7*

PP041549

D'ARCY ASSOCIATES  
9 LAMINGTON STREET

Re. :22 Scarsdale Villas W8

LONDON

W6 OHV

Ref. :2323PP02.ltr

Date :8<sup>th</sup> July 2004

TEL :020-8741 1193

FAX :020-8563 7784

RBK&amp;C

Planning &amp; Conservation

The Town Hall

Hornton St

London W8 7NX

Attention : Planning Department

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"Rear Extension at Basement, Ground Floor, & 1<sup>st</sup> Floor half landing."

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Yours



Damien D'Arcy

Encl.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 JUL 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPUN	DES	FEES

P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER:726 2662 32



# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

FILE COPY

FILE COPY

Switchboard: 020-7937-5464  
Extension: 2079/ 2080  
Direct Line: 020-7361- 2079/ 2080

Facsimile: 020-7361-3463  
Date: 14 July 2004

My Reference: PS/DCC/PP/04/01349/ER

Please ask for Planning Information Office

Dear Sir/Madam,

THE TOWN HALL HORNTON STREET LONDON W8 7NX

## TOWN AND COUNTRY PLANNING ACT 1990

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**Proposed development at: 22 Scarsdale Villas, London, W8 6PR**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Please telephone should you require further information.

**Proposal for which permission is sought Erection of rear extension at basement, ground floor and 1st floor half landing.**

My Reference: PS/DCC/PP/04/01349/ER

**Applicant Mr. & Mrs. Marrero, 22 Scarsdale Villas, London, W8 6PR**

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Yours faithfully

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**M. J. FRENCH**

**Executive Director, Planning and Conservation**

My Reference: PS/DCC/PP/04/01349/ER

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

### **WHAT MATTERS CAN BE TAKEN INTO ACCOUNT**

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

### **WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT**

Often people may wish to object on grounds that, unfortunately, **cannot** be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

### **WHAT HAPPENS TO YOUR LETTER**

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public, including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

**If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.**

### **WHERE TO SEE THE PLANS**

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

***PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY***

## REASON FOR DELAY

CASE NO. 04/1549

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of.....

We have been unable to pass through the case within the target period for the following reason(s) [highlight as necessary]

Delays due to internal Consultation  
[highlight one or all]

- (i) Design
- (ii) Transportation
- (iii) Policy
- (iv) Environmental Health
- (v) Trees
- (vi) Other

Further neighbour notification/external consultation necessary (spread over time period)

Awaiting Direction from English Heritage/other EH delays...

Revisions requested, but not received in time

Revisions received but inadequate - further revisions requested

Revisions received but reconsultation necessary

Of the Committee cycle

Applicant's instruction

OTHER REASON.....

..... (Case Officer)

**26 ABINGDON VILLAS  
LONDON W8 6BX**

TEL/FAX: 020 7937 9148  
E-MAIL: sarahlawton@lineone.net

(ER)  
obj  
✓  
123  
3/8

M.J. French Esq.  
Executive Director, Planning and Conservation  
RBK&C  
The Town Hall  
Hornton Street  
London W8 7NX

30 July 2004

Dear Sir,

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.		2 AUG 2004			PLANNING	
N	C	SW	SE	APP	ID	REC
			ARB	FPLN	DES	FEES

(126)

**Town and Country Planning Act 1990**  
**Proposed development at 22 Scarsdale Villas, London W8 6PR**  
**Your ref: PS/DCC/PP/04/01349/ER**

1549

Further to your letter of 14<sup>th</sup> July, I am once again writing regarding the proposals to build out at the back of No. 22 Scarsdale Villas, which lies immediately behind our house.

The revised plans do indicate an overall reduction as we previously requested, which is appreciated, but we do still have the following reservations:

1. The whole development extends 3.5m into the garden rather than being stepped back so that the upper floor was to be 3m or 2.5m (now not in the plan).
2. More worryingly, we feel that there is a reduction in the overall quality of the development proposed and that this is not in keeping with the integrity of the original Victorian structure. Scarsdale Villas is the premier road in this part of the Conservation Area and every effort should be made to maintain the highest standards in construction and visual appearance.

As an example of what concerns us, the side wooden panels and lean-to glass roof of what can only be described as a conservatory at first floor level is inferior to the previously planned overall brick structure with lantern roof and solid side wall. Furthermore, there is a real danger with the new plans in that wooden panels can easily be converted to glass in the future and this would certainly infringe on neighbours' privacy.

3. Furthermore, by reusing existing doors, the plans do not allow for uniformity in the doors/windows at the rear elevation on the ground and first floors, nor do they mirror the proposals at No. 24 Scarsdale Villas.

In conclusion, we think that the previous plans (your ref: DPS/DCC/PP/04/00314/ER), minus the second floor, were greatly preferable. We trust that planning permission for any development will take account of these views and will require an overall higher standard of development, giving particular attention to the points above.

Yours truly,

*Sarah Lawton*  
Sarah Lawton

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.		2 AUG 2004		PLANNING		
N	C	BW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE

30 Abington Villas  
W8 6BX

30 July 2004

(112)

Mr M S French FRICS  
Executive Director  
Planning and Conservation  
The Royal Borough of Kensington and Chelsea  
The Town Hall  
Hornham Street  
W8 7NX

Your Ref.: PS/DCC/PP/04/01549

Dear Mr. French,

Proposed Development at 22 Scandale Villas W8 6PR

Thank you for your letter of 14 July 2004.

As before, I feel I have to raise strong objections to this proposal.

A rear extension on THREE levels sounds like an abomination on this Victorian family house in Scandale Villas which is a perfect terrace of houses, a gem in this important Conservation Area in the Royal Borough. Why spoil the character of this Conservation Area? In addition it is proposed to reduce the back garden substantially. Our gardens - ~~unmistakable~~ - are part of everybody's amenity.

Finally I plead for our  
sources of light

air  
and sunshine

not to be reduced.

No doubt such structures once put up and in full use by the owners would be a source of substantially more noise.

In passing I note that successive applications - in tandem with no 24 - are being submitted at summer/Christmas holiday times when many residents are away from home.

I hope that this application will be turned down.

Yours sincerely  
Dr. R. Philpot  
(Dr. R. PHILPOT)

30 Abingdon Villas  
Kensington  
London W8 6BX  
29<sup>th</sup> July 2004

2004	DC	TP	CAC	AD	CLU	AD	AK
DIR							
R.B.	3/0 JUL 2004					PLANNING	
K.C.							
N	G	SW	SE	APP	IO	REC	
			ARB	FPLN	DES	FEES	

Mr M J French - Executive Director  
Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall - Hornton Street  
London - W8 7NX

Special Delivery

Dear Mr French ,



Application for erection of rear extension at basement, ground floor and 1st floor half landing at 22 Scarsdale Villas W8 .Ref PS/DCC/PP/04/1549/ER.

1/23 2/8

This is a letter of objection to the above application. I am a concerned resident. Please acknowledge this letter.

This proposed rear garden extension would take away daylight, sunlight, and privacy and cause noise and nuisance - both for me and my neighbours.

Conservatory. An intrusive ground floor conservatory is proposed. Though the applicants do not call it a conservatory - it is one. The appearance of this conservatory would spoil both the original 1860s Victorian house and the surrounding area.

Loss of daylight, sunlight and privacy. By building into a green garden space, both my neighbours and myself would suffer a loss of daylight, sunlight and privacy.

Noise and nuisance. This proposed extension would cause both noise and nuisance in the surrounding area by building too close to other houses, gardens and flats.

This application includes a false and misleading site location plan which shows a rear garden extension covering a substantial part of the rear garden of 26 Abingdon Villas. This rear garden extension was demolished in 1982. The rear garden of 26 Abingdon Villas is visible from 22 Scarsdale Villas. The rear gardens of 26 Abingdon Villas and 22 Scarsdale Villas back onto each other.

Missing the relevance and importance of the Conservation Area? The applicants have not declared in this application that they have read the relevant and important document for this Conservation Area - namely the Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement produced by RBKC.

I quote from p49 of the above document ' New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring gardens, is important either to the character or the particular area or the general character of the urban scene'.

*I contend it is important to both. I enclose a copy of p49 of this document. This conservation area was one of the first two conservation areas in the Royal Borough of Kensington and Chelsea.*

Lack of understanding of the conservation area. The applicants have not declared in this application that they have consulted any of the neighbours. This from applicants whose last application for a rear garden extension was withdrawn following numerous objections.

They are perfectly within their rights in not consulting the neighbours. Equally the neighbours are perfectly within their rights in objecting to this application which is out of harmony with the area.

I have been a resident in this Royal Borough since 1959. I call upon the Royal Borough of Kensington and Chelsea to oppose this overlarge rear garden extension in a green and historic Conservation Area in the heart of Kensington.

Yours

James Philpot

NB. One enclosure. One copy with marked passage of p49 of the RBKC Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		30 JUL 2004				PLANNING
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PP041549

D'ARCY ASSOCIATES  
9 LAMINGTON STREET

Re. :22 Scarsdale Villas W8

LONDON

W6 0HU

Ref. :2323PP02.ltr

Date :8<sup>th</sup> July 2004

TEL :020-8741 1193

FAX :020-8563 7784

RBK&amp;C

Planning &amp; Conservation

The Town Hall

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2323/9 -Photographs of the Existing

## PROPOSAL DRAWINGS

2323/5 rev.B -Ground &amp; Basement Plans

-Site Location Plan


2323/6 rev. B -First &amp; Second Floor Plans

2323/7 rev. B -Rear and Side Elevation

2323/8 rev. B -Sections

Please contact me if you require further information and when you wish to visit the house.

Yours



Damien D'Arcy

Encl.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 JUL 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPN	DES	FEES

P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER 726 2662 32



Miss M. L. MAHIEU, D.O., (B.S.O.)

REGISTERED OFFICIAL

Planning Dept

Tel: 020 7584 3424

Fax: 020 7937 0160

28 ABINGDON VILLAS

LONDON W8 6BX

28 JUL 2004

27-7-4

ref PS (DCC/PP/04/1549/ER

Dear Mr French

This is my reply to the  
proposed building work  
done at N° 22 and 24  
Scarsdale Villas

I am amazed that such  
debate should be reger.

Each of us has paid dearly  
for our space, light and  
greenery; and our forever  
increasing rates reflect  
these precious commodities  
each year!

If the proposed project  
goes through I shall lose  
light and most certainly  
my privacy due to their

raised G.F., and more so  
their 12<sup>th</sup> floor!

In the case of the Legans  
at N<sup>o</sup> 24 they are 3 in  
a five bedroom house,  
let alone the other rooms.  
One of them a young  
adult clearly on his  
way out. The house  
had not been lived in  
for 16 years so moderni-  
-sing & enlarging would  
make financial sense.  
.... This is all very well  
if it wasn't at the  
expense of our lives  
and "conservation" green  
space, which premium  
we would like you to  
protect.

Yours sincerely

Mahen

Y/mw ref. PS/DCC/PP/04/01<sup>5</sup>49/ER

32 ABINGDON VILLAS  
LONDON W8 6BX  
020 7937 7023

OBJ

gm  
29/7

Mr French  
Planning & Conservation  
R.B.K.C

26-06-2004

R.B.K.C Planning Dept

AOACK  
DCC

27 JUL 2004 (101)

Dear Mr French

Town & Country Planning Act 1990  
Proposed development at  
22 Sandale Villas W86PR

Thank you for your letter of revised  
14th July. I have studied the  
plans for the above and still  
object to the intrusiveness of  
the proposals. I also note that  
the application has been re-  
submitted whilst many neighbours  
are away on holiday!

Yours Sincerely  
(LADY WARNER) Sylvia Warner

22. Abingdon Villas,  
London W.8 6 BX.

ER

obj  
✓  
M3  
3/9

July 29<sup>TH</sup>

Ref. PS/DCC/PP/04/01549/ER

Dear M<sup>r</sup> French,

Proposed development at 22, Scarsdale Villas

I object to this plan as it intrudes into garden space. I thought this was not allowed in a conservation area.

Yours sincerely,

Jean Wonside

EX DIR	WBC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		2 AUG 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

62

D'ARCY ASSOCIATES  
9 LAMINGTON STREET  
LONDON  
W6 OHU

TEL :020-8741 1193  
FAX :020-8563 7784

1 November 2004

The Royal Borough of Kensington and Chelsea  
Planning and Conservation  
The Town Hall  
Hornton Street  
London W8 7NX

**Appeals - 22 and 24 Scarsdale Villas, London W8**  
**Rear extensions at basement, ground floor and 1<sup>st</sup> floor half landing**

Dear Sirs

We write to enclose copies of two planning appeals lodged today with the Planning Inspectorate. These relate to the above two houses which comprise a pair of semi-detached villas. The appeals are for the rear extensions (mirror image).

The Council's decisions are dated 3 September 2004. This appeal is therefore with the three month period for submission.

Yours faithfully

D'Arcy Associates

16

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		- 3 NOV 2004			PLANNING	
N	C	SW	SE	APV	IO	REC
HBS			ARB	FPLN	DES	FEE



P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER 726 2662 32

# The Planning Inspectorate

Further information about us and the planning appeal system is available on our website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

FOR OFFICIAL  
USE ONLY (Date  
received)

## PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 0117 372 6372.

**Please use a separate form for each appeal.**

Your appeal and essential supporting documents must reach the Inspectorate within 3 months of the date shown on the Local Planning Authority's decision notice or, for 'failure' appeals, within 3 months of the date by which they should have decided the application (or within 6 months in the case of applications made before 5 September 2003).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

**WARNING:** If any of the 'Essential supporting documents' listed in Section J are not received by us within the 3 month period, the appeal will not be accepted.

**Please print clearly in capitals using black ink.**

### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mr and Mrs Marrero

Address 22 Scarsdale Villas

Daytime phone no.

London

Fax no

Postcode W8 6PR

E-mail address

### B. AGENT DETAILS FOR THE APPEAL (if any)

Name D'Arcy Associates

Address 9 Lamington Street

Your reference 2323

London

Daytime phone no. 020 8741 1193

Fax no 020 8563 7784

Postcode W6 0HU

E-mail address

### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Royal Borough of Kensington and Chelsea

LPA's application reference no. PP/04/01549

Date of the planning application 08/07/04

Date of the LPA's decision (if issued) 03/09/04

## D. APPEAL SITE ADDRESS

D

Address 22 Scarsdale Villas  
London

Postcode W8 6PR

Note: Failure to provide the full postcode may delay the processing of your appeal.

Is the appeal site within a Green Belt? YES ☐ NO ☒

## E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares)

Area of floor space of proposed development (in square metres)

Has the description of the development changed from that stated on the application form? YES ☐ NO ☒

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

## F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

- 1 Refuse planning permission for the development described on the application form or in Section E. ☒
  - 2 Grant planning permission for the development subject to conditions to which you object. ☐
  - 3 Refuse approval of the matters reserved under an outline planning permission. ☐
  - 4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
  - 5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above). ☐
- or**
- 6 The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐

## G. CHOICE OF PROCEDURE

G

Choose **ONE** procedure only.

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short, there are 3 possible methods:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views.

Please tick 4

### 1. WRITTEN REPRESENTATIONS ☒

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions to buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

**Note: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.**

- |  |   |
|--|---|
| a). If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? | YES <input type="checkbox"/>            |
|  | NO <input checked="" type="checkbox"/>  |
| b). Is it essential for the Inspector to enter the site to check measurements or other relevant facts?                     | YES <input checked="" type="checkbox"/> |
|  | NO <input type="checkbox"/>             |

If the answer to 1b is 'YES' please explain:

### 2.(a) HEARINGS ☐

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

### (b) INQUIRIES ☐

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that:

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.



## H. GROUNDS OF APPEAL

H

● If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

SEE ENCLOSED SHEETS

**H. GROUNDS OF APPEAL (continued)**

**H**

See Enclosed Sheets

## I. APPEAL SITE OWNERSHIP DETAILS

I

We need to know who owns the appeal site. If you do not own the appeal site or if you only own a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. **YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.** Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, certificate A will apply:

Please tick **one** box only ✓

### CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

☒

OR

### CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

☐

Owner's name

Address at which the notice was served

Date the notice was served

### CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

☐

### AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b). **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenants name'.**

✓

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding:

☒

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

☐

Tenant's name

Address at which the notice was served

Date the notice was served

## J. ESSENTIAL SUPPORTING DOCUMENTS

J

The documents listed in 1-6 below, must be sent with your appeal form; 7-11 must also be sent if appropriate. If we do not receive all your appeal documents by the end of the 3 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

- 1 A copy of the original **planning application** sent to the LPA. ☒
- 2 A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☒
- 3 A copy of the **LPA's decision notice** (if issued). ☒
- 4 A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map). ☒
- 5 A list (stating drawing numbers) and copies of all **plans, drawings and documents** sent to the LPA as part of the application. ☒
- 6 A list (stating drawing numbers) and copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes). ☒

Copies of the following must also be sent, if appropriate:

- 7 **Additional plans, drawings or documents** relating to the application but not previously seen by the LPA. ☒  
Please number them clearly and list the numbers here:
- 8 Any relevant **correspondence** with the LPA. ☒
- 9 If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
  - (a) the relevant outline application; ☐
  - (b) all plans sent at outline application stage; ☐
  - (c) the original outline planning permission. ☐
- 10 If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached. ☐
- 11 A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
- 12 If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers. ☐

**PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED**

**K. PLEASE SIGN BELOW****K**

(Signed forms together with all supporting documents must be received by us within the 3 month time limit)

- 1 I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (if you do not, your appeal will not normally be accepted).
- 2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature D'Arcy Associates (on behalf of) Mr and Mrs Marrero  
Name (in capitals) D'Arcy Associates Date 1 November 2004

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

**NOW SEND****● 1 COPY to us at:**

The Planning Inspectorate  
Customer Support Unit  
Room 3/15 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

**● 1 COPY to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

**● 1 COPY for you to keep**

When we receive your appeal form, we will:

- 1) Tell you if it is valid and who is dealing with it.
- 2) Tell you and the LPA the procedure for your appeal.
- 3) Tell you the timetable for sending further information or representations.

**YOU MUST KEEP TO THE TIMETABLE**

**If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will sent back to you.**

- 4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

## Grounds of Appeal – 22 Scarsdale Villas, London W8 6PR

1. This planning appeal relates to an unlisted building within a Conservation Area in the Royal Borough of Kensington and Chelsea. The appellants are Mr and Mrs Marrero. The property is a semi-detached Victorian villa set back from the road and with a generous garden. It has a lower ground floor level with a garden at its mid-point. The photographs enclosed illustrate the level variations and the range of rear extensions on each pair of villas on either side of Numbers 22 and 24 Scarsdale Villas.
2. The subject of the appeal is a proposal which the Local Planning Authority refused planning permission on 3 September 2004, for the erection of a rear extension at basement, ground floor and 1<sup>st</sup> floor half landing (PP/04/01549/CHSE).
3. The application followed extensive discussion with the Authority (including previous proposals) but no agreement could be reached on the width of the extension at rear ground floor level. Revisions were submitted to the Council in the hope of achieving consent. However, the Council's Officers want to see a half-width extension only. All other parts of the proposal were acceptable to the Officers. The appeal plans are:  
  
-2323/PP1, /PP2, /PP3, /PP4, /PP5B, /PP6B, /PP7B, /PP8B, and photographs /PP9.
4. This appeal is lodged because the owner requires a wide extension at ground floor level to provide good quality accommodation internally. The proposed design is one which creates a conservatory style extension added onto a brick extension. It is considered that this preserves and indeed enhances the Conservation Area.
5. The need for the appeal proposal is mainly to increase the internal space at ground floor level where the kitchen, dining room and living rooms are located; these are the principal rooms for family use and guests. These are the personal circumstances surrounding the appeal but these do not lessen the design approach which is explained below and satisfies all forms of planning policy and townscape analysis.
6. This appeal should be considered in conjunction with a mirrored proposal at No. 24 Scarsdale Villas. This was refused by the Local Planning Authority also on 3 September 2004 (ref PP/04/01550/CHSE).

*need to emphasise the level of discussion given*

*for material planning*

7. The Council refused planning permission for both schemes for the exact same reasons:

- the proposal was considered excessive in terms of bulk and scale and will lead to the further erosion of the character and appearance of the property
- the proposal would result in considerable harm to the Conservation Area and fails to preserve or enhance it
- the proposal would not comply with UDP Policies CD27, CD47, CD48, CD57, CD61 and CD62
- the proposal, if undertaken in isolation to No.22, would result in a sense of enclosure and loss of light to that property in particular, and would not comply with UDP Policies CD33 and CD36.

8. The Council's policies quoted in the decision notice are as follows:

- high standard of design required (Policy CD27)
- sensitive and compatible with the scale, height, bulk, materials and character of the surroundings (Policy CD27)
- protection of dwellings against significant reduction in sunlight and daylight (Policy CD33)
- protection from harmful sense of enclosure to properties (Policy CD36)
- resist extensions in certain circumstances (Policy CD47)
- resist conservatories in certain circumstances (Policy CD48)
- preserve and enhance character and appearance of a Conservation Area (Policy CD57 and CD61)
- high standard of design compatible with character of Conservation Area (Policy CD62)

9. This paper now sets out the grounds of appeal which are common to the appeals for both No. 22 as well as No. 24 Scarsdale Villas (subject of a separate appeal but submitted jointly).

10. The basic grounds of appeal are that:

- (i) Policies CD47 and CD48 are principal considerations and the proposal complies with the Council's UDP criteria for determining extensions and conservatories.
- (ii) the proposal relates to the rear of the premises which is relevant when considering the potential impact on the Conservation Area. In any event, the proposal through its design would comply with Policies CD27, CD57 and CD61.
- (iii) the joint proposal with No.22 provides a unique situation to preserve and enhance these two buildings, something which has been missed with other surrounding buildings – see photographs. In so doing, compliance can be demonstrated with Policies CD33 and CD36.
- (iv) the proposed design is of significant quality thus in accordance with Policies CD27 and CD62.

**Planning History**

11. The planning history relating to the appeal premises is relevant and an A3 sized brochure of all the drawings has been produced to illustrate the changes made by the appellant in order to secure a planning permission. The pages are numbered to coincide with the following documents.

**Scheme 1 - Application No.1 (ref. PP/04/00314) – Brochure Page 3**

The first scheme produced by D'Arcy Associates was submitted 29 January 2004. This was to match the scheme for No. 24 Scarsdale Villas. The main drawing number was 2323/PP7. This application was withdrawn.

**Scheme 2 - Revision No.2 – Brochure Page 4**

A meeting was held at the Council's Offices to discuss a way forward. The scheme contained in drawing no. 2323/PP7A was subsequently sent to the Council for consideration. A meeting took place on site and changes were made to the scheme for Application 3.

**Scheme 4 - Application No.3 (ref PP/04/01549 - the appeal) – Brochure Page 5**

The proposal outlined in drawing no. 2322/PP7B was submitted on 8 July 2004. It was considered that this took account of the concerns of the Council.

The drawing in the Brochure on Page 6 demonstrates how the appeal scheme would look, when combined with the appeal proposal for No.24 Scarsdale Villas.



12. The detailed grounds of appeal are now set out:

**Policies CD47 and CD48 - Extensions and Conservatories**

13. Policy CD47 resists an extension if it:

- results in the rear building line of adjacent extensions being exceeded
- reduces significantly the garden amenity area
- rises above the general height of neighbouring properties
- is not visually subordinate to the parent building
- results in a cliff-like effect along any boundary
- spoils or disrupts the even rhythm of rear additions; full width extensions will not usually be allowed
- reduces daylight and sunlight to neighbouring dwellings
- leads to significant overlooking
- has details and materials which are not in character with the building
- breaches the front building line
- blocks or diminishes an important or historic gap

14. Through careful design, the appeal proposal results in none of these problems. It should be assumed therefore that permission should have been granted at the application stage.

15. Policy CD48 resists conservatories if they:

- are located at roof level
- are significantly above garden level
- cover the whole width of the property
- are located on a corner site

16. Again, the appeal proposal does not fall into any of these categories and should be said to comply with Policy CD48.

**Policies CD27, CD57 and CD61 - Preservation and Enhancement**

17. The appeal site can only be seen from the properties and gardens of those aligning Scarsdale Villas and certain facing properties. Any impact on the Conservation Area is therefore restricted to private views rather than from public roads or footpaths. The key question is whether the townscape would be unharmed and thus preserved.

18. Photographs of the surrounding garden areas were attached to the planning application to illustrate what has taken place in the immediate vicinity of the appeal site. There are examples of flat roofs, conservatories, differing window styles, high level extensions and building depths. These have all been given due regard in the proposed design which is now described below. In this way, it is considered to both preserve and enhance the character and appearance of the Conservation Area.


**Policies CD33 and CD36 - Residential Amenity**

19. The appeal proposal is to be undertaken jointly with a mirrored proposal at No. 22 Scarsdale Villas. This would lead to a joined central extension along the party wall of these semi-detached villas.

20. The appellants would accept a planning condition or a Section 106 Agreement for both schemes to be undertaken jointly – there would of course in any event be significant cost savings to this approach.

**Policies CD27 and CD62 - Design Quality**

21. The design quality of the appeal proposal is excellent. It encompasses:

- 
- brickwork to match existing type
  - reinstatement of original style windows
  - a narrow brick-built extension from basement to first floor
  - use of a lighter conservatory to complete the extension at ground floor
  - a flat roof above the first floor extension
  - a timber constructed conservatory in period style
  - typical width patio doors to basement level
  - matching brick arches where new windows or doors are inserted
  - re-use of existing balustrade to garden – in same position relative to rear of house
  - retention of original rear wall through to basement level
  - cutting back of conservatory from flank wall by 500mm (it is not full width)
  - cutting conservatory from full depth of brick extension (500mm)
  - solid side panel to external side of conservatory
  - maintaining the existing rear building line of other extensions
  - a top extension height lower than other rear extensions

22. All of these matters have been carefully thought through because of the need for a quality external appearance whilst addressing the changing internal and external levels of the house. Through clever use of the levels, this has enabled the ground floor of the rear extension to be placed lower down, thus further reducing any visual effect.

23. It is considered that the appeal should be allowed.

NEW APPEAL

DATE: 05/11/2004

TO: Mr.P. Kelsey

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA - FILE(S) ATTACHED. THE SITE ADDRESS IS:

22 Scarsdale Villas, London, W8 6PR

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING WITH THIS APPEAL.

*Elen Richards*

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE APPEAL TO BE DETERMINED.

- ✓ • WRITTEN REPRESENTATIONS
- HEARING
- PUBLIC INQUIRY

N.B. The appellant has requested Written Reps/a Hearing/an Inquiry. The appellant has the right to be heard. If the appellant wants a Hearing and you choose Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and you would prefer a Hearing, a letter outlining reasons why will normally be required.

3. **YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE AT THIS STAGE.**

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE APPEALS SECTION WITHIN **24 HOURS**

THANK YOU

File Copy  
Copied on  
9-11-04

To: Policy, Transportation,  
Conservation & Design

From: Lesley Jones  
Date: 05 November 2004

**NEW APPEAL**  
**ADVANCE WARNING**

YOU OR YOUR SECTION MAY BE INVOLVED IN  
THE PREPARATION OF A STATEMENT OR EVIDENCE

**ADDRESS: 22 Scarsdale Villas, London, W8 6PR**

**OUR REF: PP/04/01549 ODPM REF: App/K5600/A/04**

**DEVELOPMENT:** Erection of rear extension at basement, ground floor and  
1st floor half landing.

**TYPE OF APPEAL: Refusal of Permission**

**REASONS FOR REFUSAL:** See attached sheet

**D.C. CASE OFFICER:** Ms.E. Richards **D.C. AREA:** Central Area Team

It is anticipated at this stage that input will be required from the  
following sections:-

✓ Design	HS	Transportation
Policy		R & I
Trees		Environmental Health - Noise (Ian Hooper)
Housing		Housing (Stanley Logan)

Please contact the Case Officer for further details.

Thank you.

Lesley Jones  
Head of Development Control

PP/04/01549

REASON(S) FOR REFUSAL:

1. The proposal to construct a full-width extension at lower and upper ground floor levels as well as a half-width extension at first floor level on a largely unaltered property within a conservation area is considered excessive in terms of bulk and scale and will lead to the further erosion of the character and appearance of the property. The proposal is also considered to result in considerable harm to the character and appearance of the surrounding conservation area, which it fails to either preserve or enhance. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD27, CD47, CD48, CD57, CD61 and CD62.
2. The proposed extensions at No. 22, if constructed in isolation of the same scheme proposed at the adjoining property of No. 24, would result in a sense of enclosure and loss of light to that property in particular. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD33 and CD36.

## APPEAL NOTIFICATIONS

Re 22 Scarsdale Villas, London, W8 6PR

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

✓ WARD COUNCILLORS:

- ✓ 1. Cllr VICTORIA BORWICK.
- ✓ 2. HON. JOANNA GARDNER.
- ✓ 3. JAMES HUSBAND.

✓ KENSINGTON SOCIETY

✓ Mrs. Ethne Rudd, 15 Kensington Square, W8 5HH

CHELSEA SOCIETY (Mr. Terence Bendixson, 39 Elm Park Gardens, London,  
✓ SW10 9QF)

✓ RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

1. CSA.
- 2.
- 3.

✓ ALL 3RD PARTIES ORIGINALLY NOTIFIED

✓ ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS .....



# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Mrs R Townley (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/01549/CHSE  
Our Ref: APP/K5600/A/04/1167494  
Date: 12 November 2004

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.		1.5 NOV 2004				PLANNING
K.C.						
N	C	SW	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR & MRS MARRERO  
SITE AT 22 SCARSDALE VILLAS, LONDON, W8 6PR**

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

The following documents must be **submitted** within this timetable:

**Within 2 weeks from the starting date -**

**You** must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date**. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
- ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
- iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

**You** must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

**Within 6 weeks from the starting date -**

**You** must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000*. I will send you and the appellant a copy of any comments submitted by interested parties.

**Within 9 weeks from the starting date -**

**You** and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

**Site visit arrangements**

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

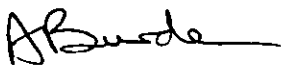
You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders. Please see attached annex with regard to attaching documents.

**Planning obligations - Section 106 agreements**

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy ten working days before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully



Mr Dave Shorland

102(BPR)



### Submission of appeal statements and proofs of evidence

We will shortly be introducing the Planning Casework Service ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)). When it is introduced you will be able to submit your appeal documents electronically.

In preparation for this, it would assist us greatly, if you could prepare your appeal documents in the following way:

1. Type the information using the 'sans serif' font sizes of at least 11 point. ('Sans serif' fonts are easier to read on screen, common examples are Arial and Verdana.)
2. Use A4 size paper wherever possible.
3. Print documents on both sides of a page if you want to, but please ensure that the quality of paper is such that images from one side of the page do not show through to the other side.
4. Use black ink and capitals if you need to write on a document.
5. Ensure photocopied documents are clear and legible.
6. Place photographs, maps, plans, etc., in a separate appendix and cross-reference them within the main body of the document. Do not stick photographs to sheets of paper. Put them in an envelope and write the site address or appeal reference number if known on the back.
7. Bind documents in such a way that bindings can be undone quickly without damaging the document. Avoid using wire or plastic spiral binders.
8. Avoid using cover sheets, sleeves or other bindings that do not add value or information.
9. Ensure that the pages of documents are clearly numbered.
10. Please do not send valuable original documents unless these are specifically requested.
11. Please do not include post-it notes or small attachments which might be easily dislodged or lost.



# The Planning Inspectorate

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Mrs R Townley (Dept Of Planning &  
Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/01549/CHSE  
Our Ref: APP/K5600/A/04/1167494  
Date: 12 November 2004

Dear Madam  
TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR & MRS MARRERO  
SITE AT 22 SCARSDALE VILLAS, LONDON, W8 6PR

## Site visit arrangements

As is stated in the enclosed letter, our aim is to arrange the visit within 12 weeks of the starting date. However, a steep rise in the number of appeals submitted means that there is currently a backlog, and as a result it may not be possible for the visit to take place until 45-50 weeks after the date of this letter.

We are doing everything we can to address the problem, including bringing forward site visits to take place of any that, for whatever reason, fall away at the last minute. For that reason we are still asking for the submission of statements within the existing timeframes.

Yours faithfully

Katrine Sporle  
Chief Executive

EX DIR	HDC	TP	C-C	AD	CLU	AO AK
R.B. K.C.		15 NOV 2004			PLANNING	
N	C	S.A.	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES



# The Planning Inspectorate

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Mrs R Townley (Dept Of Planning &  
Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/01549/CHSE  
Our Ref: APP/K5600/A/04/1167494  
& 1166835  
Date: 11 November 2004

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEALS BY MR & MRS MARRERO & MR & MRS LAJAM**  
**SITE AT 22 & 24 SCARSDALE VILLAS, LONDON, W8 6PR**

Please find enclosed a copy of the letter sent today to the agent.

Yours faithfully

Mr Dave Shorland

211B(BPR)

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		1.5 NOV 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES

44



# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

D'arcy Associates  
9 Lamington St  
London  
W6 0HU

Your Ref: 2323  
Our Ref: APP/K5600/A/04/1167494  
& 1166835  
Date: 11 November 2004

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990  
APPEALS BY MR & MRS MARRERO & MR & MRS LAJAM  
SITE AT 22 & 24 SCARSDALE VILLAS, LONDON, W8 6PR

Thank you for sending us the above appeals.

I have checked the appeal documents but you have not included **complete copies of the council's decisions – the pages with reasons for refusal are missing**. Please send one copy of these to me at the above address, as soon as possible. If you do not have them, you may be able to obtain copies from the LPA.

Please remember that there is a 6 month deadline for the submission of all your outstanding appeal documents. This deadline runs from the date of the LPA's refusal notice or, if your appeal is against the LPA's failure to make a decision, from the end of the 8 week period (or such longer period you have formally agreed) which the LPA had to determine the application. **If we have not received all your appeal documents by the 6 month deadline, we will not be able to proceed and your appeal will be turned away.**

If you have any queries about this letter, please phone or write to me.

Yours faithfully

Mr Dave Shorland

213(BPR)

EX DIR	HDC	TP	C-C	AD	CLU	AO AK
R.B. K.C.		1.5 NOV 2004			PLANNING	
N	C	S.H.	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES

# QUESTIONNAIRE

## PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

APPEAL REF: APP/K5600/A/04/1167494 GRID REF:                     APPEAL BY: Mr + Mrs MarreroSITE: 22 Scarsdale villas POSTCODE W8 6PR

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1. Do you agree to the written representations procedure?  
(An exchange of written statements, which will be studied by the Inspector, prior to visiting the site).

☒ YES ☐ NO

If NO,

Do you wish to be heard by an Inspector at (a) a local inquiry? or  
(b) a hearing?

☐ YES ☒ NO

☐ YES ☒ NO

**Note: If the written procedure is agreed the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.**

- 2a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?
- b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

☐ YES ☒ NO

☒ YES ☐ NO

If the answer to 2b is YES please explain:

To gain access

to all areas of the appeal site.

3. Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

Name

R. Downley

Telephone no.

0207361 2046

4. Does the appeal relate to an application for approval of reserved matters?
5. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?

☐ YES ☒ NO

☒ YES ☐ NO ☐ NA

6. Did you give publicity to the application?

☒ YES ☐ NO

Article 8 of the GDPO 1995

– Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990

– Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990

7. Is the appeal site within an approved Green Belt or AONB?

☐ YES ☒ NO

Please specify which

8. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES, please attach details.

☐ YES ☒ NO

9. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?  
If YES, please attach details and, where necessary, give our reference numbers.

☒ YES ☐ NO

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.

☐ YES ☒ NO

10. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q12.)

☒ YES ☐ NO

11. Does the appeal relate to an application for conservation area consent?

☐ YES ☒ NO

12. a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?

☐ YES ☒ NO  
Grade I / II\* / II  
☐ ☐ ☐

b. Would the proposed development affect the setting of a listed building?

☐ YES ☐ NO

If the answer to question 12a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q14.)

Date of listing

13. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

☐ YES ☒ NO

14. a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

☐ YES ☒ NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments.

☐ YES ☐ NO

15. Is any part of the site subject to a Tree Preservation Order?

If YES, please enclose a plan showing the extent of the Order and any relevant details.

☐ YES ☒ NO

16. a. Is the appeal site in or adjacent to or likely to affect an SSSI?

If YES, please attach the comments of English Nature.

☐ YES ☒ NO

b. Are any protected species likely to be affected by the proposals?  
If YES, please give details.

☐ YES ☐ NO

17. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, please indicate which Schedule.
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?
- c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.
- d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;
- e. Any representations received as a result of an Article 7 (or Regulation 6) notice;
- f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;
- g. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);
- h. Details of any other applications or matters you are currently considering relating to the same site;
- i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;* *Extracts from udp chapters 1-4 (Adopted May 2002)*
- j. Any supplementary planning guidance, together with its status, that you consider necessary; *Extracts from Cons. Area Proposal Statement*
- k. Any other relevant information or correspondence you consider we should be aware of;
- l. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. **You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.**

☐ YES ☒ NO  
Sch1 Sch2 col 1  
☐ ☐

☐ YES ☒ NO

☐ YES ☒ NO

Number of  
Documents  
Enclosed

N/A

✓

✓

1

6

✓

✓

✓

✓

Enclosed

To be sent  
within 6  
weeks from  
start date

✓

18. a. Please include:

- i) a copy of the letter in which you notified people of the appeal;
- ii) a list of the people you notified; and
- iii) the deadline you gave for their comments to be sent to us.

b. Copies of the following documents must, if appropriate, be enclosed with the questionnaire.

- i) representations received from interested parties about the original application;
- ii) the planning officer's report ~~to committee~~; **DELEGATED**
- iii) any relevant committee minute.

24.12.04

Number of  
Documents  
Enclosed

N/A

6

✓

✓

19. For appeals dealt with by written representations only

Do you intend to send another statement about this appeal?  
If NO, please enclose the following information:-

a. In non-determination cases:

- i) what the decision notice would have said;
- ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

- i) the relevant planning history;
- ii) any supplementary reasons for the decision on the application;
- iii) matters which you want the Inspector to note at the site visit.

☒ YES

☐ NO

~~20. The Mayor of London cases only~~

~~a. Was it necessary to notify the Mayor of London about the application?  
If YES, please attach a copy of that notification.~~

☐ YES

☐ NO

~~b. Did the Mayor of London issue a direction to refuse planning permission?  
If YES, please attach a copy of that direction.~~

☐ YES

☐ NO

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature [Signature] on behalf of RBK Council

Date sent to us and the appellant

24<sup>th</sup> NOV 04

Please tell us of any changes to the information you have given on this form.

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The Copyright Unit  
Her Majesty's Stationary Office  
St Clements House  
2-6 Colegate  
Norwich NR3 1BQ



**QUESTIONNAIRE****PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT**

APPEAL REF:

APP/K5600/A/04/116683S

GRID REF:

APPEAL BY:

Mr &amp; Mrs Lajam

SITE:

24 Scarsdale Villas

POSTCODE

W8 6PR

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to us and the appellant, **within 2 weeks of the 'starting date'** given in our letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.** Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

1. Do you agree to the written representations procedure?

(An exchange of written statements, which will be studied by the Inspector, prior to visiting the site).

if NO,

Do you wish to be heard by an Inspector at (a) a local inquiry? or

(b) a hearing?

☒ YES ☐ NO

☐ YES ☒ NO

☐ YES ☒ NO

**Note: If the written procedure is agreed the Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.**

- 2a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land?

☐ YES ☒ NO

- b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts?

☒ YES ☐ NO

If the answer to 2b is YES please explain:

To gain access

to all areas of the appeal site.

3. Please provide the name and telephone number of the officer we can contact to make arrangements for the site visit, hearing or inquiry.

Name

R. Townley

Telephone no.

02073612081

4. Does the appeal relate to an application for approval of reserved matters?

☐ YES ☒ NO

5. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?

☒ YES ☐ NO ☐ NA

6. Did you give publicity to the application?

☒ YES ☐ NO

Article 8 of the GDPO 1995

- Section 67/73 of the Planning (Listed Buildings & Conservation Areas) Act 1990

- Regulation 5 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990

7. Is the appeal site within an approved Green Belt or AONB?

☐ YES ☒ NO

Please specify which

8. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? If YES, please attach details.

☐ YES ☒ NO

9. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?  
If YES, please attach details and, where necessary, give our reference numbers.

☒ YES ☐ NO

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.

☐ YES ☒ NO

10. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q12.)

☒ YES ☐ NO

11. Does the appeal relate to an application for conservation area consent?

☐ YES ☒ NO

12. a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?

☐ YES ☒ NO  
Grade I / II\* / II  
☐ ☐ ☐

b. Would the proposed development affect the setting of a listed building?

☐ YES ☒ NO

If the answer to question 12a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q14.)

Date of listing

13. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

☐ YES ☒ NO

14. a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

☐ YES ☒ NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments.

☒ YES ☐ NO

15. Is any part of the site subject to a Tree Preservation Order?

If YES, please enclose a plan showing the extent of the Order and any relevant details.

☐ YES ☒ NO

16. a. Is the appeal site in or adjacent to or likely to affect an SSSI?

If YES, please attach the comments of English Nature.

☐ YES ☒ NO

b. Are any protected species likely to be affected by the proposals?  
If YES, please give details.

☒ YES ☐ NO

17. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999? If YES, please indicate which Schedule.

☐ YES ☒ NO  
Sch1 Sch2 col 1  
☐ ☐

b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?

☐ YES ☒ NO

c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.

☐ YES ☒ NO

Number of Documents Enclosed	N/A
------------------------------	-----

d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;

✓

e. Any representations received as a result of an Article 7 (or Regulation 6) notice;

✓

f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;

1

g. Any representations received as a result of a notice published under Article 8 and/or Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);

8

h. Details of any other applications or matters you are currently considering relating to the same site;

✓

i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan;

✓

(Adopted May 2002) Extracts from udg chapters 1-4

j. Any supplementary planning guidance, together with its status, that you consider necessary;

✓

Extracts from cons. Area proposal statement.

k. Any other relevant information or correspondence you consider we should be aware of;

✓

l. Please provide us with a list of conditions which you consider should be imposed if planning permission is granted. You need not submit this with the other questionnaire papers, but it should reach us within 6 weeks from the starting date. Being a questionnaire paper, the list should be submitted separately from your appeal statement.

Enclosed

To be sent within 6 weeks from start date

✓

18. a. Please include:

- i) a copy of the letter in which you notified people of the appeal;
- ii) a list of the people you notified; and
- iii) the deadline you gave for their comments to be sent to us.

b. Copies of the following documents must, if appropriate, be enclosed with the questionnaire.

- i) representations received from interested parties about the original application;
- ii) the planning officer's report ~~to committee~~ **DELEGATED**
- iii) any relevant committee minute.

24.12.04	
Number of Documents Enclosed	N/A
8	
✓	
	✓

19. For appeals dealt with by written representations only

Do you intend to send another statement about this appeal?  
If NO, please enclose the following information:-

☒ YES ☐ NO

a. In non-determination cases:

- i) what the decision notice would have said;
- ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

- i) the relevant planning history;
- ii) any supplementary reasons for the decision on the application;
- iii) matters which you want the Inspector to note at the site visit.

~~20. The Mayor of London cases only~~

~~a. Was it necessary to notify the Mayor of London about the application?  
If YES, please attach a copy of that notification~~

~~☐ YES ☐ NO~~

~~b. Did the Mayor of London issue a direction to refuse planning permission?  
If YES, please attach a copy of that direction.~~

~~☐ YES ☐ NO~~

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent:

Signature [Signature] on behalf of RBKC Council

Date sent to us and the appellant

24th NOV 04

Please tell us of any changes to the information you have given on this form.

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Norwich NR3 1BQ

22 Scarsdale Villas,

+ 24

The following documents have been sent with the questionnaire.

Site notice ✓ K2

Delegate/~~committee~~ report ✓ K2

Cons area map - Edward Square, Scarsdale +  
Abingdon ca map.

Listed building listing ✗

Udp policies - Cd27, 33, 36, 47, 48, 57, 61 + 62  
✓

Conservation area proposal statement -  
(page numbers)

7, 10, 12, 25, 39, 55  
✓

Other

6 Reps for 22 Scarsdale Villas

8 Reps for 24 Scarsdale Villas

