

APPROVED BY
 PLANNING SERVICES CTTEE
 - 4 JUL 2001

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 19/06/2001 APP NO. PP/00/02785/CHSE
 AGENDA ITEM NO. 2049

ADDRESS

13 Albert Place, London,
 W8 5PD

APPLICATION DATED 04/12/2000

APPLICATION COMPLETE 06/12/2000

APPLICATION REVISED 21/03/2001 &
 30/03/2001

| | | | | |
|---|--------------------------|---------|------------------------|--------------|
| APPLICANT/AGENT ADDRESS: | <u>CONSERVATION AREA</u> | De Vere | <u>CAPS</u> | Yes |
| Crawford & Gray Architects, 3A Portobello Mews, London, W11 3DQ | <u>ARTICLE '4'</u> | No | <u>WARD</u> | Queen's Gate |
| | | | <u>LISTED BUILDING</u> | No |
| | | | <u>HBMC DIRECTION</u> | N/A |
| | <u>CONSULTED</u> | 17 | <u>OBJECTIONS</u> | 7 |
| | <u>SUPPORT</u> | 0 | <u>PETITION</u> | 0 |

DEFERRED

Applicant Mr. & Mrs. Z. Amroliya,

PROPOSAL:

Formation of a swimming pool, changing rooms, gym and plant room at basement level together with the erection of a side extension at lower ground floor level, rebuilding of the wall to the existing rear stairwell at lower ground floor, ground floor and first floor levels, formation of two dormer windows to the side roof slope, formation of one dormer to the rear roof slope and the installation of two air conditioning units to the roof of the side extension.

RBK&C Drawing No(s): PP/00/02785, PP/00/02785/A and PP/00/02785/B
 Applicant's Drawing No(s): 191/S01 A, 191/S02, 191/S03, 191/S04 A, 191/01 B,
 191/02 B, 191/03 A, 191/04 B, 191/05 A and 191/06 A

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)

2. **Full particulars of the methods by which all the existing trees on the site are to be protected during building and other operations on the site shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences, and the protection so approved shall be provided before the commencement of the development and maintained for the duration of building and other operations on site. (C021)**
Reason - To ensure that the trees are adequately protected, to safeguard their contribution to the amenity of the area. (R021)

3. **Full particulars of the following shall be submitted to, and approved in writing by, the Local Planning Authority before the development hereby permitted commences, and the development shall not be carried out otherwise than in accordance with the details so approved:**
 - (a) a landscaping and tree/shrub planting scheme;
 - (b) which trees/shrubs are to be retained;
 - (c) a hard landscaping scheme, including any paths and the surfacing materials to be used;
 - (d) any walls, fences, railings, gates, or other boundaries or enclosures. (C016)*Reason - To ensure the appearance of the development is satisfactory, and to safeguard the amenity of the area. (R016)*

4. **No tree within the curtilage of the site shall be lopped, topped, or felled, without the prior written approval of the Local Planning Authority. (C023)**
Reason - To safeguard the tree(s), and preserve its/their contribution to the amenity of the area. (R023)

5. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)

6. **No plumbing or pipes other than those shown on the drawings hereby approved shall be fixed on the external faces of the building without the prior written approval of the Local Planning Authority. (C086)**
Reason - To ensure a satisfactory standard of external appearance (R071)

7. **All new external windows, doors and framing thereof shall be of painted timber and so maintained.**
Reason - To ensure a satisfactory standard of external appearance.

8. **The air conditioning units hereby permitted shall operate at no more than 2dB (A) above the lowest background level when measured one metre from the facade of the nearest residential property. The units shall be serviced regularly in accordance with manufacturer's instructions, or as necessary to ensure that the requirements of the condition are met. (C57a)**
Reason:- To protect the amenities of neighbouring residential occupiers.

9. **Full details relating to the plant equipment for the swimming pool shall be submitted to and approved in writing by the Executive Director, Planning and Conservation prior to the commencement of the development hereby approved.**
Reason - To protect the amenities of neighbouring residential occupiers.

10. **Full details relating to the provision of topsoil with associated drainage above the swimming pool in the rear garden shall be submitted to and approved in writing by the Executive Director, Planning and Conservation prior to the commencement of the development hereby approved, and these details shall be implemented and maintained only as so approved.**
Reason:- To ensure that vegetation can be maintained in the rear garden.

INFORMATIVES

1. Tree(s) on this site are protected by a Tree Preservation Order, Numbered 10 of 2001 and must not be cut down, lopped or topped without the prior written permission of the Council. The Arboriculturist of the Directorate of Planning Services, Town Hall, Hornton Street W8 7NX (020-7361-2767) will be pleased to advise on proposed works.(I07)

2. I09

3. I10

4. I11

5. I21

6. I30

7. I37

8. I38

9. 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 CD25, CD28, CD30, CD34, CD38, CD39, CD41, CD43, CD44, CD51, CD52, CD53 and CD56. (I51)

1.0 THE SITE

- 1.1 No.13 Albert Place is a two storey plus half-basement and attic floor, linked semi-detached property located on the south side of the road. The property is currently vacant; however, the last use appears to be as a single dwelling house.
- 1.2 The property is located within the De Vere Conservation Area. It is not listed.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the formation of a swimming pool, changing rooms, gym and plant room at basement level, under the existing building and rear garden, together with the erection of a side extension at lower ground floor level to form a store, demolition and rebuilding of the wall to the existing rear stairwell at lower ground floor, ground floor and first floor levels, formation of two dormer windows to the side roof slope, demolition of rear dormer and erection of a new centrally located rear dormer and the installation of two air conditioning units on the proposed flat roof to the existing side extension.
- 2.1 The removal of the existing shallow pitched roof to the side extension and its replacement with a flat roof, together with the replacement of windows, the removal of pebbledash to the external elevations to be replaced with render and the formation of a hard standing in the front garden, would constitute permitted development, in light of the status of the property as a single dwelling house.

3.0 PLANNING HISTORY

- 3.1 There is no planning history relating to No.13 Albert Place.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations relate to the effect of the proposed development on the amenities of neighbouring residential properties and upon the character and appearance of the Conservation Area.
- 4.2 The relevant policies are included in the 'Conservation and Development' Chapter of the Unitary Development Plan, in particular CD25, CD28, CD30, CD34, CD38, CD39, CD41, CD43, CD44, CD51, CD52, CD53 and CD56.
- 4.3 The proposed changing rooms, gym and plant room would be located at basement level, underneath the main house. The existing rear garden is 9.9 metres deep, at its shortest point, by 11.8 metres wide. The proposed swimming pool would extend under the existing rear garden by 7.25

metres and be 6.8 metres wide, adjacent to the boundary with No. 12 Albert Place. The proposal includes landscaping to the rear garden.

- 4.4 The proposed basement extension would not be visible from external views of the property, and therefore would not adversely affect the character and appearance of the Conservation Area or the amenities of adjoining occupiers by reason of loss of privacy, loss of sunlight or daylight or an increased sense of enclosure. A condition is recommended to ensure sufficient topsoil is provided.
- 4.5 The proposed plant room would be located at basement level, underneath the existing house. In order to ensure that the proposed plant equipment does not cause noise disturbance to neighbours it is recommended that a condition be attached to ensure details of such equipment are submitted to and approved in writing by the Executive Director, Planning and Conservation, prior to the commencement of the development.
- 4.6 The proposed side extension at lower ground floor level would be located adjacent to the boundary with No.12 Albert Place. Currently there is a wall approximately 2.6 metres high enclosing a small courtyard. The proposed single storey extension would incorporate the space currently occupied by the courtyard and therefore would not significantly affect the amenities of adjoining occupiers. The proposed extension would have a pair of doors with a total opening width of 1.6 metres that would replace an existing gate. The design and location of the proposed extension is not considered to harm the character or appearance of the Conservation Area.
- 4.7 The proposed alterations to the rear stair well include the demolition of the existing staggered extension, with the proposed building line following the original building line of the rear elevation. The proposed alteration would result in a recess between the two rear extensions to the property, with a double height sash window to the first floor, a standard height sash window to the ground floor and a pair of French doors to the lower ground floor level. A glazed canopy is proposed above the French doors at lower ground floor level.
- 4.8 The proposed alterations would not adversely affect the amenities of neighbouring properties, as the recessed nature of these alterations would marginally improve privacy to the rear and would not affect sunlight or daylight to other properties. The design of the proposed alterations are considered to be in keeping with the period of the property and would not harm the character or appearance of the Conservation Area.
- 4.9 With regard to the proposed alterations at roof level, the property is designated as a Category 3 within the De Vere Conservation Area Proposals Statement, which does allow the building of dormers or roof windows, subject to the detailed design matching other properties within the terrace. Rear dormers on properties with pitched roofs are also permissible. The property currently has a small single side dormer and a

rear dormer located asymmetrically on the roof slope.

- 4.10 The proposal includes the provision of two additional side dormers, of the same size and proportion as the existing dormer. This would reflect similar development on other properties within Albert Place. In addition, it is proposed to remove the rear dormer and locate a new rear dormer of similar proportions centrally in the rear roof slope. The design and location of the proposed dormers are not considered to adversely affect the character or appearance of the Conservation Area, or to significantly affect the amenities of neighbouring residential occupiers.
- 4.11 The applicant proposes to demolish the existing pitched roof to the three-storey side extension and to incorporate a flat roof behind the existing parapets. These works would not require planning permission. The proposal does however include the installation of two air conditioning units to be located behind the existing parapet wall, which would be retained. The air conditioning units would be lower than the parapet wall and would not be visible, therefore they would not affect the character or appearance of the Conservation Area. It is recommended that a condition be attached to ensure that the air conditioning units do not cause undue levels of noise and vibration nuisance.

5.0 CONSULTATION

- 5.1 A site notice has been displayed and thirteen individual letters of notification have been sent to the occupiers of neighbouring properties in Albert Place and Douro Place, and seven letters of objection have been received.
- 5.2 A letter has been received from the Victoria Road Area Residents' Association raising objections on the grounds that an underground swimming pool is totally unsuitable for a property of this type.
- 5.3 Six letters were received from residents in Albert Place and Douro Place, in response to the original consultation, all of which raised objections to the proposal. A further six letters from residents in Albert Place and Douro Place were received in response to the re-consultation process, in connection with revised drawings. The objections raised by residents in connection with the original consultation were reiterated with regard to the amended scheme.
- 5.3.1 Concern is raised on the grounds that the proposed basement floor will impact severely on neighbouring properties in terms of noise and vibration with regard to the equipment that would need to be used for the proposed pool.

The proposed plant room would be located at basement level, underneath the main house. A condition is recommended that details regarding plant equipment be submitted and approved in writing by the Executive

Director, Planning and Conservation, prior to the commencement of works, to ensure that the equipment does not give rise to noise and vibration disturbance.

- 5.3.2 The proposed basement extension into the garden would damage the roots of the trees both at No.13 and to adjacent properties. It would also result in the loss of garden vegetation, which provides screening between properties.

The Borough Arboriculturalist has visited the site and inspected the trees. The trees that would be removed are not considered to be of significant merit and two larger trees would be retained. A condition is recommended to ensure they are protected during construction works. A portion of the rear garden to the southern and eastern boundary would not be excavated and there would be 0.5 metres of topsoil retained above the swimming pool. This is considered to be sufficient to maintain planting to the rear garden.

- 5.3.3 The amount of engineering works required to form the basement extension would put at risk the stability of adjoining buildings, possibly resulting in subsidence and permanent damage to No.13 and to the adjacent properties.

Whilst the proposal would require substantial engineering works, this is not a material planning consideration. The works would however be subject to the building regulations relating to such development.

- 5.3.4 The three storey glazed extension would adversely affect privacy to neighbouring properties and would appear incongruous, thereby harming the character and appearance of the Conservation Area.

The proposed alterations to the stairwell would result in the demolition of an existing later addition, back to the building line of the original rear elevation. The windows would therefore be marginally further away from other properties, compared with the existing windows, and therefore would not adversely affect privacy. The proposal has been revised to reflect the original architectural style of the building and therefore would not harm the character or appearance of the Conservation Area.

- 5.3.5 An application for a swimming pool at No.10 Albert Place was rejected on the grounds of noise from the circulating pumps and from contamination by chlorine fumes.

The planning history for No.10 Albert Place indicates that planning permission was granted conditionally for a rear extension at basement level and the formation of a roof terrace on 23rd May 1984.

- 5.3.6 The proposal constitutes an over development of the site.

The proposal has been considered on its planning merits and is not considered to be an over development of the site.

- 5.3.7 The proposed air conditioning units would generate noise which is intrusive and unpleasant.

The two air conditioning units would be located on the flat roof of the side extension to the property. The air conditioning units would be set down from the parapet and therefore would not be visible. A condition is recommended to ensure that the units do not cause undue noise disturbance.

- 5.3.8 The proposed hard standing would appear unattractive and be harmful to the street scene. Furthermore, it would result in the loss of on-street residents parking bays.

The hard standing does not require planning permission but approval will be required under the Highways Act for the crossover. This is the subject of a separate application on this Agenda. The original application did have a garage but this has now been deleted from the scheme.

6.0 RECOMMENDATION

- 6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/00/02785 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: LR
Report Approved By: PK/LAWJ
Date Report Approved: 06/06/2001

PSC0106/LR.REP



Map produced by the Royal Borough of Kensington and Chelsea
 Planning Services Department using GGP 11/06/2001: Scale 1:1250





ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 19/06/2001 APP NO.PP/00/02785/CHSE
AGENDA ITEM NO. 2049

ADDRESS

**13 Albert Place, London,
W8 5PD**

APPLICATION DATED 04/12/2000

APPLICATION COMPLETE 06/12/2000

**APPLICATION REVISED 21/03/2001 &
30/03/2001**

| | | | | |
|--|---------------------------------|-------------------------------|--------------------------|---------------------|
| APPLICANT/AGENT ADDRESS: | <u>CONSERVATION AREA</u> | De Vere | <u>CAPS</u> | Yes |
| Crawford & Gray Architects, 3A Portobello Mews, London, W11 3DQ | <u>ARTICLE '4'</u> | No | <u>WARD</u> | Queen's Gate |
| | | <u>LISTED BUILDING</u> | | No |
| | | <u>HBMC DIRECTION</u> | | N/A |
| | <u>CONSULTED</u> | 17 | <u>OBJECTIONS</u> | 7 |
| | <u>SUPPORT</u> | 0 | <u>PETITION</u> | 0 |

Applicant Mr. & Mrs. Z. Amroliya,

PROPOSAL:

Formation of a swimming pool, changing rooms, gym and plant room at basement level together with the erection of a side extension at lower ground floor level, rebuilding of the wall to the existing rear stairwell at lower ground floor, ground floor and first floor levels, formation of two dormer windows to the side roof slope, formation of one dormer to the rear roof slope and the installation of two air conditioning units to the roof of the side extension.

RBK&C Drawing No(s): PP/00/02785, PP/00/02785/A and PP/00/02785/B
Applicant's Drawing No(s): 191/S01 A, 191/S02, 191/S03, 191/S04 A, 191/01 B,
191/02 B, 191/03 A, 191/04 B, 191/05 A and 191/06 A

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)

2. **Full particulars of the methods by which all the existing trees on the site are to be protected during building and other operations on the site shall be submitted to, and approved in writing by, the Local Planning Authority before the development commences, and the protection so approved shall be provided before the commencement of the development and maintained for the duration of building and other operations on site. (C021)**
Reason - To ensure that the trees are adequately protected, to safeguard their contribution to the amenity of the area. (R021)

3. **Full particulars of the following shall be submitted to, and approved in writing by, the Local Planning Authority before the development hereby permitted commences, and the development shall not be carried out otherwise than in accordance with the details so approved:**
 - (a) a landscaping and tree/shrub planting scheme;
 - (b) which trees/shrubs are to be retained;
 - (c) a hard landscaping scheme, including any paths and the surfacing materials to be used;
 - (d) any walls, fences, railings, gates, or other boundaries or enclosures. (C016)*Reason - To ensure the appearance of the development is satisfactory, and to safeguard the amenity of the area. (R016)*

4. **No tree within the curtilage of the site shall be lopped, topped, or felled, without the prior written approval of the Local Planning Authority. (C023)**
Reason - To safeguard the tree(s), and preserve its/their contribution to the amenity of the area. (R023)

5. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)

6. **No plumbing or pipes other than those shown on the drawings hereby approved shall be fixed on the external faces of the building without the prior written approval of the Local Planning Authority. (C086)**
Reason - To ensure a satisfactory standard of external appearance (R071)

7. **All new external windows, doors and framing thereof shall be of painted timber and so maintained.**
Reason - To ensure a satisfactory standard of external appearance.

8. **The air conditioning units hereby permitted shall operate at no more than 2dB (A) above the lowest background level when measured one metre from the facade of the nearest residential property. The units shall be serviced regularly in accordance with manufacturer's instructions, or as necessary to ensure that the requirements of the condition are met. (C57a)**
Reason:- To protect the amenities of neighbouring residential occupiers.

9. **Full details relating to the plant equipment for the swimming pool shall be submitted to and approved in writing by the Executive Director, Planning and Conservation prior to the commencement of the development hereby approved.**
Reason - To protect the amenities of neighbouring residential occupiers.

10. **Full details relating to the provision of topsoil with associated drainage above the swimming pool in the rear garden shall be submitted to and approved in writing by the Executive Director, Planning and Conservation prior to the commencement of the development hereby approved, and these details shall be implemented and maintained only as so approved.**
Reason:- To ensure that vegetation can be maintained in the rear garden.

INFORMATIVES

1. Tree(s) on this site are protected by a Tree Preservation Order, Numbered 10 of 2001 and must not be cut down, lopped or topped without the prior written permission of the Council. The Arboriculturist of the Directorate of Planning Services, Town Hall, Hornton Street W8 7NX (020-7361-2767) will be pleased to advise on proposed works.(I07)

2. I09

3. I10

4. I11

5. I21

6. I30

7. I37

8. I38

9. 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 CD25, CD28, CD30, CD34, CD38, CD39, CD41, CD43, CD44, CD51, CD52, CD53 and CD56. (I51)

1.0 THE SITE

- 1.1 No.13 Albert Place is a two storey plus half-basement and attic floor, linked semi-detached property located on the south side of the road. The property is currently vacant; however, the last use appears to be as a single dwelling house.
- 1.2 The property is located within the De Vere Conservation Area. It is not listed.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the formation of a swimming pool, changing rooms, gym and plant room at basement level, under the existing building and rear garden, together with the erection of a side extension at lower ground floor level to form a store, demolition and rebuilding of the wall to the existing rear stairwell at lower ground floor, ground floor and first floor levels, formation of two dormer windows to the side roof slope, demolition of rear dormer and erection of a new centrally located rear dormer and the installation of two air conditioning units on the proposed flat roof to the existing side extension.
- 2.1 The removal of the existing shallow pitched roof to the side extension and its replacement with a flat roof, together with the replacement of windows, the removal of pebbledash to the external elevations to be replaced with render and the formation of a hard standing in the front garden, would constitute permitted development, in light of the status of the property as a single dwelling house.

3.0 PLANNING HISTORY

- 3.1 There is no planning history relating to No.13 Albert Place.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations relate to the effect of the proposed development on the amenities of neighbouring residential properties and upon the character and appearance of the Conservation Area.
- 4.2 The relevant policies are included in the 'Conservation and Development' Chapter of the Unitary Development Plan, in particular CD25, CD28, CD30, CD34, CD38, CD39, CD41, CD43, CD44, CD51, CD52, CD53 and CD56.
- 4.3 The proposed changing rooms, gym and plant room would be located at basement level, underneath the main house. The existing rear garden is 9.9 metres deep, at its shortest point, by 11.8 metres wide. The proposed swimming pool would extend under the existing rear garden by 7.25

metres and be 6.8 metres wide, adjacent to the boundary with No. 12 Albert Place. The proposal includes landscaping to the rear garden.

- 4.4 The proposed basement extension would not be visible from external views of the property, and therefore would not adversely affect the character and appearance of the Conservation Area or the amenities of adjoining occupiers by reason of loss of privacy, loss of sunlight or daylight or an increased sense of enclosure. A condition is recommended to ensure sufficient topsoil is provided.
- 4.5 The proposed plant room would be located at basement level, underneath the existing house. In order to ensure that the proposed plant equipment does not cause noise disturbance to neighbours it is recommended that a condition be attached to ensure details of such equipment are submitted to and approved in writing by the Executive Director, Planning and Conservation, prior to the commencement of the development.
- 4.6 The proposed side extension at lower ground floor level would be located adjacent to the boundary with No.12 Albert Place. Currently there is a wall approximately 2.6 metres high enclosing a small courtyard. The proposed single storey extension would incorporate the space currently occupied by the courtyard and therefore would not significantly affect the amenities of adjoining occupiers. The proposed extension would have a pair of doors with a total opening width of 1.6 metres that would replace an existing gate. The design and location of the proposed extension is not considered to harm the character or appearance of the Conservation Area.
- 4.7 The proposed alterations to the rear stair well include the demolition of the existing staggered extension, with the proposed building line following the original building line of the rear elevation. The proposed alteration would result in a recess between the two rear extensions to the property, with a double height sash window to the first floor, a standard height sash window to the ground floor and a pair of French doors to the lower ground floor level. A glazed canopy is proposed above the French doors at lower ground floor level.
- 4.8 The proposed alterations would not adversely affect the amenities of neighbouring properties, as the recessed nature of these alterations would marginally improve privacy to the rear and would not affect sunlight or daylight to other properties. The design of the proposed alterations are considered to be in keeping with the period of the property and would not harm the character or appearance of the Conservation Area.
- 4.9 With regard to the proposed alterations at roof level, the property is designated as a Category 3 within the De Vere Conservation Area Proposals Statement, which does allow the building of dormers or roof windows, subject to the detailed design matching other properties within the terrace. Rear dormers on properties with pitched roofs are also permissible. The property currently has a small single side dormer and a

rear dormer located asymmetrically on the roof slope.

- 4.10 The proposal includes the provision of two additional side dormers, of the same size and proportion as the existing dormer. This would reflect similar development on other properties within Albert Place. In addition, it is proposed to remove the rear dormer and locate a new rear dormer of similar proportions centrally in the rear roof slope. The design and location of the proposed dormers are not considered to adversely affect the character or appearance of the Conservation Area, or to significantly affect the amenities of neighbouring residential occupiers.
- 4.11 The applicant proposes to demolish the existing pitched roof to the three-storey side extension and to incorporate a flat roof behind the existing parapets. These works would not require planning permission. The proposal does however include the installation of two air conditioning units to be located behind the existing parapet wall, which would be retained. The air conditioning units would be lower than the parapet wall and would not be visible, therefore they would not affect the character or appearance of the Conservation Area. It is recommended that a condition be attached to ensure that the air conditioning units do not cause undue levels of noise and vibration nuisance.

5.0 CONSULTATION

- 5.1 A site notice has been displayed and thirteen individual letters of notification have been sent to the occupiers of neighbouring properties in Albert Place and Douro Place, and seven letters of objection have been received.
- 5.2 A letter has been received from the Victoria Road Area Residents' Association raising objections on the grounds that an underground swimming pool is totally unsuitable for a property of this type.
- 5.3 Six letters were received from residents in Albert Place and Douro Place, in response to the original consultation, all of which raised objections to the proposal. A further six letters from residents in Albert Place and Douro Place were received in response to the re-consultation process, in connection with revised drawings. The objections raised by residents in connection with the original consultation were reiterated with regard to the amended scheme.
- 5.3.1 Concern is raised on the grounds that the proposed basement floor will impact severely on neighbouring properties in terms of noise and vibration with regard to the equipment that would need to be used for the proposed pool.

The proposed plant room would be located at basement level, underneath the main house. A condition is recommended that details regarding plant equipment be submitted and approved in writing by the Executive

Director, Planning and Conservation, prior to the commencement of works, to ensure that the equipment does not give rise to noise and vibration disturbance.

- 5.3.2 The proposed basement extension into the garden would damage the roots of the trees both at No.13 and to adjacent properties. It would also result in the loss of garden vegetation, which provides screening between properties.

The Borough Arboriculturalist has visited the site and inspected the trees. The trees that would be removed are not considered to be of significant merit and two larger trees would be retained. A condition is recommended to ensure they are protected during construction works. A portion of the rear garden to the southern and eastern boundary would not be excavated and there would be 0.5 metres of topsoil retained above the swimming pool. This is considered to be sufficient to maintain planting to the rear garden.

- 5.3.3 The amount of engineering works required to form the basement extension would put at risk the stability of adjoining buildings, possibly resulting in subsidence and permanent damage to No.13 and to the adjacent properties.

Whilst the proposal would require substantial engineering works, this is not a material planning consideration. The works would however be subject to the building regulations relating to such development.

- 5.3.4 The three storey glazed extension would adversely affect privacy to neighbouring properties and would appear incongruous, thereby harming the character and appearance of the Conservation Area.

The proposed alterations to the stairwell would result in the demolition of an existing later addition, back to the building line of the original rear elevation. The windows would therefore be marginally further away from other properties, compared with the existing windows, and therefore would not adversely affect privacy. The proposal has been revised to reflect the original architectural style of the building and therefore would not harm the character or appearance of the Conservation Area.

- 5.3.5 An application for a swimming pool at No.10 Albert Place was rejected on the grounds of noise from the circulating pumps and from contamination by chlorine fumes.

The planning history for No.10 Albert Place indicates that planning permission was granted conditionally for a rear extension at basement level and the formation of a roof terrace on 23rd May 1984.

- 5.3.6 The proposal constitutes an over development of the site.

The proposal has been considered on its planning merits and is not considered to be an over development of the site.

- 5.3.7 The proposed air conditioning units would generate noise which is intrusive and unpleasant.

The two air conditioning units would be located on the flat roof of the side extension to the property. The air conditioning units would be set down from the parapet and therefore would not be visible. A condition is recommended to ensure that the units do not cause undue noise disturbance.

- 5.3.8 The proposed hard standing would appear unattractive and be harmful to the street scene. Furthermore, it would result in the loss of on-street residents parking bays.

The hard standing does not require planning permission but approval will be required under the Highways Act for the crossover. This is the subject of a separate application on this Agenda. The original application did have a garage but this has now been deleted from the scheme.

6.0 RECOMMENDATION

- 6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/00/02785 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: LR
Report Approved By: PK/LAWJ
Date Report Approved: 06/06/2001

PSC0106/LR.REP

13 ALBERT PLACE



KENSINGTON COURT

KENSINGTON COURT

PRINCE OF WALES

Kensington Court Mansions
51 to 59
52 to 58

KENSINGTON COURT

CAMBRIDGE PLACE

VICTORIA ROAD

Hotel

Hotel

ALBERT PLACE

ALBERT PLACE

DURWARD STREET

Kensington Ct Mews

Surgery

DOURO PLACE

KENSINGTON COURT PLACE
Kensington Court Gardens
1 to 14
15 to 28

Carting Passage

Dr. Venn Coats

St Albans Mansions
1 to 17

Westminster College
(Annexe)
1

ST ALBANS GROVE

VICTORIA ROAD

PO

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING SERVICES COMMITTEE 4TH JULY 2001

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR,
PLANNING AND CONSERVATION

13 ALBERT PLACE, W8

**RECOMMENDATION
ADOPTED.**

APPLICATION REF: PP/00/2785

*+ Extra Cond
as listed .*

The main report was before Planning Services Committee at their meeting of 19th June 2001, on which date the Committee deferred determination of the application in order to examine the structural implications of the proposal together with the weight this should be given as a material consideration.

FOR DECISION

1.0 BACKGROUND

- 1.1 At their meeting on 19th June 2001 the Planning Services Committee considered an application on 13 Albert Place for the formation of an underground swimming pool, together with external alterations. The Committee report is appended.
- 1.2 Following further objections raised by a neighbouring resident, Committee deferred a decision on the application in order that the concerns, included in a letter dated 19th June 2001, could be fully considered. The concerns relate to the structural implications of the proposed swimming pool and whether this should be material to the consideration of the application.

2.0 FURTHER CONSIDERATION

- 2.1 The applicant has submitted further drawings and details relating to the structural aspects of the swimming pool. This information, together with a site visit, has been assessed by a District Surveyor within the Council's Building Control Department.
- 2.2 The District Surveyor has now given initial observations in writing.
- 2.3 The District Surveyor concludes that, based on the information submitted, the construction method of the underground swimming pool is appropriate in concept for this type of development. Full structural calculations will be required as part of the building control approval process.

- 2.4 The Council's Legal Services Department have been consulted with regard to the objectors concern that the structural implications of the proposal should be a material planning consideration.
- 2.5 The Director of Legal Services adviss that the structural integrity of a proposed development is not normally a material planning consideration. However, in this specific case, the structural implications are material to the consideration of this application in light of the possible effect that such major engineering works, if not carried ut satisfactorily, may have on the external appearance of the neighbouring buildings, and therefore upon the character and apearance of the Conservation Area.The weight to be attached to this material consideration, as with any other material consideration, is a metter for the Committee's judgement.
- 2.6 It is recommended that a condition be attached requiring that full structural calculations and associated documents with regard to the construction of the underground swimming pool be submitted to and approved in writing by the Executive Director prior to the commencement of this part of the development.

3.0 **RECOMMENDATION**

- 3.1 Grant planning permission.
- 3.2 Conditions as set out in previous report, and an additional condition:
11. **Full structural calculations and associated drawings and documents with regard to the excavation works at basement level and underneath the rear garden in connection with the construction of an underground swimming pool, changing rooms, plant room and gym shall be submitted to and approved in writing by the Executive Director, Planning and Conservation, prior to the commencement of this part of the development.**

Reason - To preserve the character and appearance of the Conservation Area.

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

List of Background Papers:

The contents of file PP/00/02785 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: LR
Report Approved By: PK/LAWJ
Date Report Approved: 26/06/2001

0601/LR

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

PLANNING SERVICES COMMITTEE 4 JULY 2001

The Planning Services Committee is asked to note and agree the following amendments to the Committee reports for the **CENTRAL** area.

AGENDA ITEM 2053
01/713

2 BUCKLEY HOUSE, 96 ADDISON ROAD, W14

Further objection that the extension will be built on land that is part of the "common area" of Buckley House, that the proposal will have an adverse effect on security, and involve the loss of an amenity area.

Land ownership queries are not a planning consideration. It is not considered that the security of the block will be adversely affected by the proposal. As mentioned in the report it is considered that this area currently provides a poor amenity area.

AGENDA ITEM
2056/2057
01/684 and 01/685

1A PHILIMORE GARDENS, W8

11 letters reiterating their objections to the revised plans. They consider that the proposed elevational alterations and the signs detract from the building and the conservation area. These points have already been covered in the report. It is considered that, following revisions, the changes are modest and appropriate for the building and the conservation area.

AGENDA ITEM A2
00/1123

1-3 MARLOES ROAD, W8

Letter of objection from an objector to the loss of affordable units from the Reservoirs site, who points out that the property is a hostel which is a form of affordable housing, and therefore would not provide a genuine increase in affordable units to replace those originally intended for the Reservoirs site.

AGENDA ITEM A3
00/2785

13 ALBERT PLACE, W8

Letter from the neighbour who objected to the application at the Committee on 19 June. He has seen the addendum report and will withdraw his objection provided he is kept informed of when the calculations, drawings and documents for the construction of the swimming pool are submitted for approval.

There is no objection to the neighbour being informed of these details. He would, in any event, be consulted as part of the party wall negotiations.