

ROYAL BOROUGH
OF
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

OTHER



OTH

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

Amdega,
Faverdale Industrial Estate,
Darlington,
Co. Durham,
DL3 0PW

APPLICATION NO: PP/02/00201

APPLICATION DATED: 20/01/2002

DATE ACKNOWLEDGED: 01 February 2002

APPLICATION COMPLETE: 31/01/2002

DATE TO BE DECIDED BY: 28/03/2002

SITE: 5A Lansdowne Road, London, W11 3AL

PROPOSAL: Erection of a single storey timber framed glazed conservatory upon a dwarf wall at rear of building at ground floor level.

ADDRESSES TO BE CONSULTED

- 1.
2. - 1, 3 + 5 (EXCLUDING 5A) LANSLOWNE ROAD
- 3.
4. - 80 LADBROKE ROAD
- 5.
6. - 12 + 14 CLARENDON ROAD
- 7.
8. 16, 16 1/2 } LANSLOWNE WALK
9. 17 }
10. 18 }
- 11.
- 12.
- 13.
- 14.
- 15.

CONSULT STATUTORILY

English Heritage Listed Bdgs - CATEGORY: ...
English Heritage Setting of Bdgs Grade I or II ...
English Heritage Demolition in Cons. Area ...
Demolition Bodies ...
DoT Trunk Road - Increased traffic ...
DoT Westway etc., ...
Neighbouring Local Authority ...
Strategic view authorities ...
Kensington Palace ...
Civil Aviation Authority (over 300') ...
Theatres Trust ...
National Rivers Authority ...
Thames Water ...
Crossrail ...
LRT/Chelsea-Hackney Line ...
Victorian Society ...
DTLR Dept. Transport Loc.Gov.& Regions ...

ADVERTISE

Effect on CA ...
Setting of Listed Building ...
Works to Listed Building ...
Departure from UDP ...
Demolition in CA ...
"Major Development" ...
Environmental Assessment ...
No Site Notice Required ...
Notice Required other reason ...
Police ...
L.P.A.C ...
British Waterways ...
Environmental Health ...
GLA - CATEGORY: ...
Govt. Office for London ...
Twentieth Century Society ...

✓
BB.
4/2

DEVELOPMENT CONTROL

TECHNICAL INFORMATION

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

ADDRESS

5A, Lansdowne Road,

5A LANSDOWNE ROAD

POLLING DISTRICT

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
3			1/74						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:

Systems
 For notifications
 see Agents
 site plans.

Green.

Royal Borough of Kensington and Chelsea

GGP Point in Polygon Search Results

Corporate Land and Property Gazetteer

Buildings and their Units

Building		12	Clarendon Road	W11 3AB
Building		14	Clarendon Road	W11 3AB
Building		80	Ladbroke Road	W11 3NU
Unit	Lower Flat	80	Ladbroke Road	W11 3NU
Unit	Upper Flat	80	Ladbroke Road	W11 3NU
Building		3	Lansdowne Road	W11 3AL
Unit	Flat A	3	Lansdowne Road	W11 3AL
Unit	Flat B	3	Lansdowne Road	W11 3AL
Unit	Flat C	3	Lansdowne Road	W11 3AL
Unit	Flat D	3	Lansdowne Road	W11 3AL
Unit	Flat E	3	Lansdowne Road	W11 3AL
Unit	Flat F	3	Lansdowne Road	W11 3AL
Unit	Flat G	3	Lansdowne Road	W11 3AL
Building		5	Lansdowne Road	W11 3AL
Unit	Flat A	5	Lansdowne Road	W11 3AL
Unit	Flat B	5	Lansdowne Road	W11 3AL
Unit	Flat C	5	Lansdowne Road	W11 3AL
Unit	Flat D	5	Lansdowne Road	W11 3AL
Unit	Flat E	5	Lansdowne Road	W11 3AL

Unit	Flat F	5	Lansdowne Road	W11 3AL
Unit	Flat G	5	Lansdowne Road	W11 3AL
Building		15	Lansdowne Walk	W11 3AH
Building		16	Lansdowne Walk	W11 3AH
Building	And A Half	16	Lansdowne Walk	W11 3AH
Building		17	Lansdowne Walk	W11 3AH
Building		18	Lansdowne Walk	W11 3AH

Total Number of Buildings and Units Found 26

Royal Borough of Kensington and Chelsea
GGP Point in Polygon Search Results
Corporate Land and Property Gazetteer
Buildings and their Units

Building	1 Lansdowne Road			W11 3AL
Unit	Basement Flat	1	Lansdowne Road	W11 3AL
Unit	House Excluding Basement	1	Lansdowne Road	W11 3AL

Total Number of Buildings and Units Found 3

APPEALS TIMETABLE

ADMINISTRATION

Initials

Time
Hours

Cost
LAWJ

- (1) Notification of appeal to third parties
- (2) Pre Statement Inquiry/hearing
- (3) Preparation of Statement and Documentation
- (4) Notification of appeal decision

CASE OFFICER

- (1) Preparation
 - (2) Meeting
- Legal
Counsel
Transportation
Design
Policy
BEHO
Other Parties

- (3) Statement
- (4) Public Inquiry/Local Hearing

Policy

Preparation
Meetings
Statement if applicable

Design

Preparation
Meetings
Statement if applicable

Transportation

Preparation
Meetings
Statement if applicable

MEMORANDUM

TO: FOR FILE USE ONLY

**From: EXECUTIVE DIRECTOR
PLANNING & CONSERVATION**

My Ref: PP/02/00201/IW. CODE A1
Room No:

Date: 04 February 2002

DEVELOPMENT AT:

5A Lansdowne Road, London, W11 3AL

DEVELOPMENT:

Erection of a single storey timber framed glazed conservatory upon a dwarf wall at rear of building at ground floor level.

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

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



KENSINGTON
AND CHELSEA

File Copy

1 2079/ 2080

020-7361- 2079/ 2080

Switchboard: 020-7937-5464

Extension:

Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Please ask Date: 04 February 2002

My Ref: DPS/DCN/PP/02/00201/IW

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 5A Lansdowne Road, London, W11 3AL

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. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

Proposal for which permission is sought

Erection of a single storey timber framed glazed conservatory upon a dwarf wall at rear of building at ground floor level.

Applicant Mrs. Ylvisaker, 5A Lansdowne Road, Holland Park, London W11 3AL

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

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 PP / 02 / 201

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

In the case of this application, there has been a delay, **beyond 8 weeks**,

of.....

I have been unable to ensure that this case has been determined within the 8 week period for the following reason(s) *[highlight – there may be more than one reason!]*

- 1) Delay in arranging initial Site Visit *[a date for this should be fixed up in the first week after you receive the case!]*
- 2) Delays due to internal Consultation *[highlight as many as necessary]*
 - (i) Design – Discussions/initial Obs.
 - (ii) Design – Formal Obs.
 - (iii) Transportation
 - (iv) Policy
 - (v) Environmental Health
 - (vi) Trees
 - (vii) Other
- 3) Further neighbour notification/external consultation necessary *(spread or time period – please specify)*
- 4) Revisions not requested in time
Remember – Request all revisions by end of fourth week to stand reasonable chance of renotifying and determining case within 8 weeks !
- 5) Revisions requested in time, but not received in time
- 6) Revisions received but inadequate – further revisions requested
- 7) Revisions received but reconsultation necessary
- 8) Awaiting Direction from English Heritage/other EH delays...
- 9) Because of the Committee cycle
- 10) Applicant's instruction
- 11) OTHER REASON *Please state*.....

Signed..... (Case Officer)

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:

KENSINGTON
AND CHELSEA

- (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. 0171-361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 0171-727-6583.

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.

SCHEDULE

Reference: PP/02/00201/IW

Date: 08/02/2002

5A Lansdowne Road, London, W11 3AL

Erection of a single storey timber framed glazed conservatory upon a dwarf wall at rear of building at ground floor level.

APPLICANT Mrs. Ylvisaker,

*Lamp post
DW 5/2/01*

Site:	3a, Lansdowne Rd.	File reference:
Subject:		
R.B.K. & C Planning Services		Site <input type="checkbox"/> Office <input type="checkbox"/>
NOTES OF MEETING		Date:

Names of
persons
attending:

Officers

I.W.

Applicant/Agent/Resident

Matters
discussed:

- Not listed.
- Conservation Area 'Ladbroke'.
- Does not have an important rear elevation as identified on the CAPS.
- Has an important gap between N°3 & N°5.

Site Visit

- Explained to owner that the proposal is too large as it is and must be reduced in size.
- The Conservatory should be reduced in height to 2.7m and reduced in depth to 1.2m. This is a significant reduction in terms of the original proposal.

- This case then be assessed and considered.

Signatures:

✓ PAN 18-02-02. objection AD Act → IW.

3F Lansdowne Road London W11 3AL 020 7727 8947

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

Your Reference: DPS/DCN/PP/02/00201/IW

EX DIR	HDC	TP	CAC	AD	CLU	AO
R.B. K.C.	18 FEB 2002				PENDING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Proposed development at 5A Lansdowne Road London W11 3AL

My comments on the design are as follows:

The proposed conservatory is too big and looks clumsy in this particular situation.
The roof line projects above adjacent windows in Flat C.
The front of the conservatory projects beyond the line of the existing conservatories.

I believe that something much smaller and simpler might be acceptable but it would have to be designed to fit in more sympathetically with the existing structure.

Jenny Young
(Mrs) Jenny Young

14th February 2002

objection AO Act → IW,

1/2
20/2

5c Lansdowne Road

London W11 3AL

Tel: 020 7727 2078

AK	HDC	TP	CAC	AD	CLU	AO
AK						AK
R.B.	19 FEB 2002				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

71

M. J. French
Executive Director
Planning and Conservation
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton St
London W8 7NX

16th February, 2002

Dear Sir,

Your ref : DPS/DCN/PP/02/00201/IW

Proposed development at 5a Lansdowne Road, London, W11 3AL

I wish to object to the above proposed development on the following grounds :

- The structure is inappropriate to the house and would damage the appearance and the symmetry of the houses at 3 and 5 Lansdowne Road (which are in a Conservation Area).
- The structure would block access to my windows for cleaning and to the windows and walls of the house for decorating and for maintenance.
- The structure would partially obstruct my view of the garden, especially from the full-height windows in my kitchen / dining area.

Yours faithfully,

Mark Latham

Mark Latham

objection to Adm 1W

OR ✓
20/2

SIR BRIAN SHAW

**3A LANSDOWNE ROAD
LONDON W11 3AL
Tel: 0207 221 4066**

EX	HDC	TP	CAC	AD	CLU	AOI
DIR						AK
R.B. K.C.		19 FEB 2002			PLANNING	
N	V	C	S	N	SE	APP
						IO
				ARB	FPLN	DES
						FEES

16 February 2002

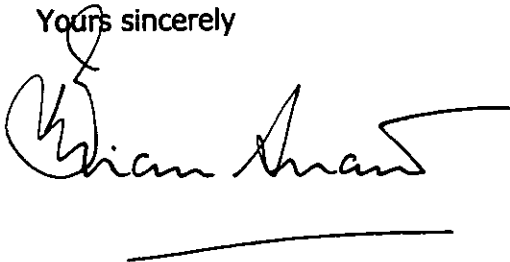
Mr M J French
Executive Director, Planning and Conservation
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX

Dear Mr French

TOWN AND COUNTRY PLANNING ACT 1990
Proposed development at 5A Lansdowne Road W11 3AL

In response to your letter of 4 February, 2002, in which you invite comments on the above scheme, I wish to register my objections on the grounds that the proposed development would seriously impair the uniformity and balance of the rear elevations of the connected properties at 3/5 Lansdowne Road.

Yours sincerely



(42)

The Ladbroke Association

Please reply to

Robert Meadows
19 Stanley Crescent
W11 2NA

Director of Planning Services
The Town Hall
Hornton Street
W8 7NX

18 February 2002



Dear Sir

At a recent meeting of our committee we discussed the Planning Applications currently before you regarding buildings in this Conservation Area. We would like to comment on some of them, as follows.

134 Kensington Park Road. The proposed back extension etc seems generally acceptable, but will the roof terrace in-fringe the privacy of the neighbours ?

170 Kensington Park Road. The standard of design of the back extension etc is poor. 'Spatial Innovations' should think again !

1. W. 5A Lansdowne Road. The design of the conservatory is inappropriate alongside the large central feature between the two houses.

43-45 Ladbroke Road. Seems generally acceptable, but the front garden fence with No 47 should be replaced by railings to match the rest of the terrace.

We refer to our letter of 17 December regarding No 10 Kensington Park Gardens, and in particular the large store and railing in the front area. Is Enforcement Action being taken over this matter ?

Yours faithfully

Robert Meadows

EX	HDC	TP	CD	AD	CL	AO
DIR						AK
R.B.		K.C.		20 FEB 2002		37
N	C	SW	SE	AP	IO	REC
			ARB	FPLN	DES	FEE



conservatories

A M D E G A

ESTABLISHED 1874

summerhouses

Ref: C4479/PL/GTE

20th March 2002

Kensington & Chelsea Borough Council
Planning Department
Attn. : Ian Williams
Town Hall
Hornton Street
London
W8 7NX

AMDEGA LIMITED
FAVERDALE
DARLINGTON
Co. DURHAM DL3 0PW
TELEPHONE: 01325 468522
FAX: 01325 489209
www.amdega.com

① PC
② W

JK
WS

Dear Ian,

Proposed Conservatory - 5a Lansdowne Road, Holland Park
Your Ref. : 02/00201

Please find enclosed six copies of drawing number PC4479-S2 which are to be read in conjunction with the above application. These show the reduction in the projection as requested by yourselves.

Should you require any further information please do not hesitate to contact the undersigned as soon as possible and I look forward to hearing from shortly..

Kind Regards

Gareth Elvidge

Gareth Elvidge
Planning Co-ordinator

enc.

DE

**COPY OF PLANS
TO INFORMATION
OFFICE PLEASE**

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C. 25 MAR 2002 PLANNING						
	C	SW	SE	APP	IO	REC
ADDITIONAL FEES						

Amdega Ltd.

Fax Cover This is a confidential message, intended solely for the person to whom it is addressed. If you receive this message in error, please forward it to the correct person, or mail it back to us. Thank you.

To Kensington & Chelsea Council
Planning Department - Attn Mr I Williams

Fax No. 0207 361 3463

From Amdega

Date/Time 27/03/02 at 2:26

Subject Rear Conservatory - 5a Lansdowne Road W11
Your Ref. 02/00201

Pages 1, including this one

Ian,

Further to our discussion, please could you process the above application on the original plans submitted, PC4479 and not the amended plans PC4479-S2.

Regards



Gareth Elvidge

Planning Co-ordinator

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		27 MAR 2002			PLANNING	
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEES	

AC

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT, 1972

To: Chief Administrative Officer (Planning)
From: The Executive Director, Planning & Conservation

Date: 27 March 2002
Our Ref: PP/02/00201

Application Date: 20/01/2002 Complete Date: 31/01/2002

Revised Date:

Agent: Amdega, Faverdale Industrial Estate, Darlington, Co. Durham, DL3 0PW
Address: 5A Lansdowne Road, London, W11 3AL

This application is for a class of development to be determined under powers delegated to me by the Council on 18th July, 2001 and is not a major, controversial or sensitive application nor one which a Ward Councillor has asked to be considered by Planning Services Committee.

*Class - 8th Schedule development

Class - Listed building consent for above Classes.

Class - shop fronts

Class - Conservation area consent

Class - conversion from non
s/c dwellings etc

Class - approval of facing materials

Class - amendments as required
by T.P. Committee

Class - grant of planning permission for a change
from one kind of non-residential use to
another non-residential use except where this
would involve the loss of a shop in a

Principal

core shopping frontage.

Class - grant or refuse certificates of
Lawful development
under

Class - grant permission license or no objection

Class - Crossover under S.108 of the
Highways Act 1980

Sections 73, 74, 138, 143, 152, 153, 177 &
180 of the Highways Act

Consent under T&CP Control of Advertisement Regulations 1984-90; incl. refusal of consent for Reg. 15 applications.

DESCRIPTION OF PROPOSED DEVELOPMENT

Erection of a single storey timber framed glazed conservatory at rear of building at ground floor level.

RECOMMENDED DECISION Refuse planning permission

RBK&C drawing(s) No. PP/02/00201

Applicant's drawing(s) No. PC4479 and photographs dated 01/02/2002.

Number of Objections - 4

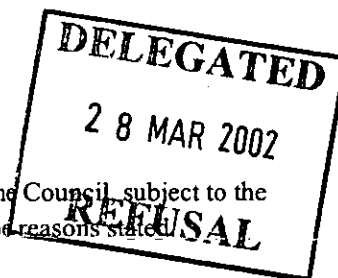
I hereby determine and refuse this application under the powers delegated to me by the Council, subject to the condition(s) indicated below imposed for the reason(s) appearing thereunder, or for the reasons stated.

Exec. Director, Planning and Conservation

Head of Development Control

Area Planning Officer

PP/02/00201: 1



[Handwritten signature]
27/3/02

[Handwritten signature]
27/3/02

[Handwritten signature] 27/3/02

REASONS FOR REFUSAL

1. **The proposed conservatory would be of a size and height unsympathetic to the existing building. It would not be in keeping with the style, character, scale, bulk and proportion of the main building and would not preserve or enhance but would harm the rear elevation of the property, the terrace as a whole and the Ladbroke Conservation Area and is therefore contrary to the Council's Policies which seek to maintain and enhance the character and appearance of the Borough as stated in the Council's Unitary Development Plan, in particular, policies CD25, CD42, CD44, CD52, CD53 and STRAT 5.**

INFORMATIVES

1. You are advised that a number of relevant policies of the Unitary Development Plan and proposed alterations thereto were used in the determination of this case, in particular, Policies CD25, CD42, CD44, CD52, CD53 and Strategic Policy STRAT 5 (I51).

1.0 THE SITE

- 1.1 The property is located on the west side of Lansdowne Road, north of its junction with Ladbroke Road and south of its junction with Lansdowne Walk.
- 1.2 The property is not listed although is within the Ladbroke Conservation Area.
- 1.3 The property is within a terrace of three numbered 1-5 (odd) within Lansdowne Road. Nos. 3 and 5 are identical properties.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Planning permission was granted on 21st June 1960 for the erection of a lean-to shed to be used for storage purposes at the side of the property.
- 2.2 Planning permission was granted on 22nd January 1987 for the conversion of properties no. 3 & 5, into 14 self contained flats, together with associated rear extensions, roof alterations, elevational alterations and a linking extension between the two.

3.0 THE PROPOSAL

- 3.1 Planning permission is sought for the erection of a single storey timber framed glazed conservatory at ground floor level at the rear of the property. The proposed conservatory is 3.6 metres in height, 4.0 metres in width and 2.70 metres in depth.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration in the determination of this application is the effect the proposal has on the character of the property, the effect on the adjoining terrace and the cumulative effect on the Ladbroke Conservation Area. Also for consideration is the effect of the proposal on the current level of amenity enjoyed by the surrounding residents.
- 4.2 The relevant policies are contained within the Unitary Development Plan and the Proposed Modifications dated February 2002. Policies CD25, CD42, CD44, CD52, CD53 and Strategic Policy STRAT 5 are of particular importance to this application.
- 4.3 The rear elevations of nos.3 & 5 are identical. The properties have already been significantly altered in the past, as detailed in the planning history and these alterations are mirrored at both.
- 4.4 The proposed conservatory is considered to be an over dominant structure, of a considerable width and height in relation to the rear elevation and is of a size and design which is unsympathetic to the main building. As such, the proposal is considered to conflict with policy CD42.

- 4.5 The council accepts that within this terrace conservatories and rear extensions, if appropriately located, can be acceptable garden additions and features. In this instance the proposal extends rearward beyond the building line and as such is considered to be insensitive to and incompatible with the scale, height, bulk and character of the main building, the adjoining property or the terrace as a whole and as such, conflicts with CD25.
- 4.6 Given the height of the proposal above the raised ground floor window the conservatory is not in keeping with the style of the original building and does not preserve or enhance the rear elevation. The proposal is considered to be an over dominant, alien feature which is uncharacteristic to the property, the terrace as a whole and the Ladbroke Conservation Area of which this property forms a part. As such, this proposal is considered to conflict with CD44, CD52, CD53 and Strategic Policy STRAT 5.

5.0 CONSULTATION

- 5.1 Twenty three letters of notification were sent out to properties within Lansdowne Road, Ladbroke Road, Clarendon Road and Lansdowne Walk W11 and a yellow site notice was displayed outside the property for a period of 21 days.
- 5.2 To date there have been four letters of objection to this proposal. The objections are on the grounds that the proposal is inappropriate to the building and would damage the appearance, uniformity and symmetry of properties 3 & 5, the proposal is of a height which would obscure the view from the windows at raised ground floor level.

These objections have been addressed in the body of this report.

6.0 RECOMMENDATION

- 6.1 Refuse Planning Permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of file PP/02/00201 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: IW
Report Approved By: DT/LAWJ *Dr Laws*
Date Report Approved: 27/3/02

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our diversity helpline on 0117 372 8939.

Please use a separate form for each appeal

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

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 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name MRS YLVISAKER

Address 5A LANSLOWNE ROAD Daytime phone no _____

HOLLAND PARK, LONDON Fax no _____

Postcode W11 3AL E-mail address _____

B. AGENT DETAILS (if any)

Name CARTER JONAS

Address REGENT HOUSE Your reference _____

13-15 ALBERT STREET Daytime phone no 01423 523423

HARROGATE Fax no 01423 521373

Postcode HG1 1JX E-mail address Fiona.cuttie@carterjonas.co.uk

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA ROYAL BOROUGHS OF KENSINGTON & CHELSEA LPA's application reference no PP/C2/CO201/CHSE/

Date of the planning application 20.01.02 Date of LPA's decision notice (if issued) 28.03.02

D. APPEAL SITE ADDRESS

Address SA LANSDOWNE ROAD
LONDON

Postcode W11 3AL

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box. ☐

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed with the LPA)

ERECTION OF A SINGLE STOREY TIMBER FRAMED GLAZED
CONSERVATORY UPON A DWARF WALL

Size of the whole appeal site (in hectares)

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

N/A

13.07m²

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 in Section E. ☒
 2. Grant planning permission for the development subject to conditions to which you object. ☐
 3. Refuse approval of details required by a previous outline planning permission. ☐
 4. Grant approval of details required by a previous 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) of an application for permission or approval. ☐

G. CHOICE OF PROCEDURE

CHOOSE ONE PROCEDURE ONLY

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

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

Please tick **one** box only



1. WRITTEN REPRESENTATIONS _____



The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING _____



A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY _____



This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

H. GROUNDS OF APPEAL

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, please provide a brief outline of your grounds.

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

Please continue on a separate sheet if necessary.

PLEASE REFER TO ATTACHED REPORT

H. GROUNDS OF APPEAL (continued)

I. APPEAL SITE OWNERSHIP DETAILS

We need to know who owns the appeal site. If you do not own the appeal site or if you own only 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 to everyone 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

PLEASE SEE ATTACHED SHEET.

CERTIFICATES C and 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 'Tenant's 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

The documents listed in 1–6 below, **must** be sent with your appeal form; 7–10 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 6 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 and copies of all **plans, drawings and documents** sent to the LPA as part of the application. ☒
6. A list and copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes). ☒

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

7. **Additional plans or drawings** 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 grant permission for 'details' imposed on a grant of 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

(Signed forms together with all supporting documents must be received by us within the 6 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 F.M. Couttie of Carter Jonas

(on behalf of) MRS YLVISAKER

Name (in capitals) F.M. COUTTIE OF CARTER JONAS

Date 3 SEPTEMBER 2002

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

- **1 COPY to us at:**

The Planning Inspectorate
Customer Support Unit
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

We do not currently accept
appeals by e-mail or fax.

- **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 us receiving further information or representations.

YOU MUST KEEP TO THE TIMETABLE

If you do not follow the timetable, your appeal may be refused. If you need more time, you must ask for it before the deadline. If you do not ask for more time, we will not accept your appeal.

- 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.

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Norwich NR3 1BQ



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

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

Your Ref: PP/02/00201/CHSE/
Our Ref: APP/K5600/A/02/1098465
Date: 5 September 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS YLVISAKER
SITE AT 5A LANSDOWNE RD, LONDON, LONDON, W11 3AL

EX	HDC	TP	CAC	AD	CLU	AO
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R.B. K.C. 09 SEP 2002						PLANNING
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			ARB	FPLN	DES	FEES

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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*. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. 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.

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 **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

J. Rice

pp Mr Dave Shorland

102(BPR)

CARTER JONAS

PROPERTY CONSULTANTS
www.carterjonas.co.uk

Regent House, 13-15 Albert Street, Harrogate HG1 1JX Telephone 01423 523423 Facsimile 01423 521373

3 September 2002

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

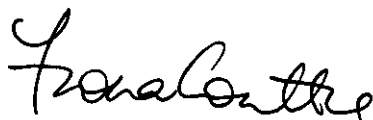
Direct Dial: 01423 707820
Secretary: 01423 707822
Our Reference: FMC/KH/M27/24
Your Reference: PP/02/00201/CHSE/

Dear Sir or Madam,

PLANNING APPEAL: 5A LANSDOWNE ROAD, LONDON

Please find enclosed a copy of a planning appeal against the refusal of the Royal Borough of Kensington & Chelsea Council to grant planning permission for a conservatory at the above address. A copy of this appeal has been sent today to the Planning Inspectorate.

Yours sincerely



FIONA M COUTTIE MRTPI
fiona.couttie@carterjonas.co.uk

EX	HDC	TP	CAC	AD	CLU	AO	AK
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R.B.	5 SEP 2002					PLANNING	
K.C.							
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Residential Rural Commercial Minerals Planning & Development Building Consultancy

London Cambridge Harrogate Huddersfield Kendal Leeds Marlborough North Wales Oxford Peterborough Shrewsbury Worcester York

A list of partners is available at the above address





PROPERTY CONSULTANTS
www.carterjonas.co.uk

Regent House, 13-15 Albert Street, Harrogate HG1 1JX Telephone 01423 523423 Facsimile 01423 521373

3 September 2002

The Owner/Occupier
Lansdowne Road
Holland Park
London
W11 3Al

Direct Dial: 01423 707820
Secretary: 01423 707822
Our Reference: FMC/KH/M27/24
Your Reference:

Dear Sir or Madam,

PLANNING APPEAL: 5A LANSDOWNE ROAD, LONDON

I am writing to inform you that an appeal has been lodged against the Royal Borough of Kensington and Chelsea Council's decision to refuse planning permission for the erection of a single storey timber framed glazed conservatory at 5A Lansdowne Road.

A copy of the appeal has been sent to the Local Planning Authority should you wish to view it.

Yours sincerely

FIONA M COUTTIE MRTPI

fiona.couttie@carterjonas.co.uk

cc: See attached list

Residential Rural Commercial Minerals Planning & Development Building Consultancy

London Cambridge Harrogate Huddersfield Kendal Leeds Marlborough North Wales Oxford Peterborough Shrewsbury Worcester York

A list of partners is available at the above address



NEIGHBOUR NOTIFICATION FOR PROPOSED CONSERVATORY

5A LANSDOWNE ROAD, HOLLAND PARK, W11 3AL

<u>OWNER'S NAME</u>	<u>ADDRESS NOTICE SERVED</u>	<u>DATE NOTICE SERVED</u>
Mr J Datnow	5b Lansdowne Road	30 January 2002
Mr M Latham	5c Lansdowne Road	30 January 2002
Mr & Mrs Pegum	5d Lansdowne Road	30 January 2002
Mr E Datnow	5e Lansdowne Road	30 January 2002
Mr Uriate	5f Lansdowne Road	30 January 2002
Mr Ullivari	5g Lansdowne Road	30 January 2002
Sir Brian & Lady Shaw	3a Lansdowne Road	30 January 2002
Mrs J Goessens	3b Lansdowne Road	30 January 2002
Mrs K Thirkell	3c Lansdowne Road	30 January 2002
Lord Sainsbury	3d Lansdowne Road	30 January 2002
Mrs K Fleming	3e Lansdowne Road	30 January 2002
Mrs J Young	3f Lansdowne Road	30 January 2002
Dr & Mrs Leong	3g Lansdowne Road	30 January 2002

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**

Carter Jonas
Regent House
13-15 Albert Street
Harrogate
HG1 1JX

Switchboard: 020-7937-5464
Direct Line: 020-7361- 2734
Extension: 2734
Facsimile: 020-7361-3463

Date: 18 September 2002

My Ref: DPS/DCN/PP/02/00201/IW
ODPM's Reference: App/K5600/A/02/1098465 Please ask for: Mr.I. Williams

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990
Appeal relating to: 5A Lansdowne Road, London, W11 3AL

With reference to your appeal on the above address(es), enclosed you will find the Council's Questionnaire and attached documents as necessary.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

NOTICE OF A PLANNING APPEAL

Reasons for Refusal

1. The proposed conservatory would be of a size and height unsympathetic to the existing building. It would not be in keeping with the style, character, scale, bulk and proportion of the main building and would not preserve or enhance but would harm the rear elevation of the property, the terrace as a whole and the Ladbroke Conservation Area and is therefore contrary to the Council's Policies which seek to maintain and enhance the character and appearance of the Borough as stated in the Council's Unitary Development Plan, in particular, policies CD25, CD42, CD44, CD52, CD53 and STRAT 5.

Property

5A Lansdowne Road, London, W11 3AL

Proposal

Erection of a single storey timber framed glazed conservatory at rear of building at ground floor level.

Plans and drawings are/are not available for inspection.

(If plans are available, these may be seen in the Planning Information Office between the hours of 9.15 a.m and 4.30 p.m Mondays to Thursdays and between 9.15 a.m and 4.00 p.m on Fridays)

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Office of the Deputy Prime Minister,
3/07 KiteWing,
Temple Quay House,
2 The Square, Temple Quay,
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimile: 020-7361-3463

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Date: 18 September 2002

My Ref: DPS/DCN/PP/02/00201/IW

ODPM's Reference: App/K5600/A/02/1098465

Please ask for: Rebecca Gill

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Appeal relating to: 5A Lansdowne Road, London, W11 3AL

With reference to the appeal on the above premises, I return the completed questionnaire, together with supporting documents. In the event of this appeal proceeding by way of a local Inquiry the Inspector should be advised that Committee Rooms in the Town Hall must be vacated at 5.00 p.m. unless prior arrangements have been made for the Inquiry to continue after 5.00 p.m.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

OUR REF: PP/02/201

APPEAL REF: APP/K5600/A/02/1098465

GRID REF:

APPEAL BY: MRS YLVISAKER

SITE: SA LANSLOWNE ROAD, W11

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from 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?

YES/NO

OR Do you wish to be heard by an Inspector at: a. a local inquiry?

YES/NO

or b. a hearing?

YES/NO

2. If the written procedure is agreed, could the Inspector make an unaccompanied site visit?

YES/NO

(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)

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

YES/NO

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

YES/NO/NA

5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?

YES/NO

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

Please specify which

YES / ☒ NO

7. 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

8. 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

9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)

☒ YES / NO

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

YES / ☒ NO

11.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 11a 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 Q13.)

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

YES / ☒ NO

13.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~~

14.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

15. 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 — Sch 2 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

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;

Number of Documents Enclosed

N/A

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 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 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);

4

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.

EXTRACT FROM CONS. AREA PROPOSAL STATEMENT

✓

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

NOT CONSIDERED IF APPROPRIATE YET.

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?

Notif. letter dated ->

17.10.02
18.9.02

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

Number of Documents Enclosed

N/A

4

✓

✓

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal?
If NO, please send 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 our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

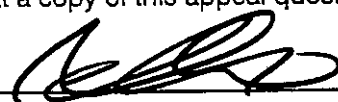
a. Was it necessary to notify the Mayor of London about the application?
If YES, please attach a copy of that notification.

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:  on behalf of RBRIC Council

Date sent to us and the appellant 18th September 2002

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

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

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Her Majesty's Stationery Office
St Clements House
2-16 Colgate
Norwich NR3 1BQ

NEW APPEAL

DATE: 5-9-02

TO: DEREK TAYLOR / PAUL KELSEY
JOHN THORNE / BRUCE COEY

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

SA LANSDOWNE ROAD, W11

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

IW

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

APPEAL NOTIFICATIONS

Re: SA LANSDOWNE ROAD, W11

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 David Lindsay - 26, Avondale Park Gdns, W11 4PR.
2. Cllr Ernest P. Tomlin. - 43, Wallingford Avenue, W10 6PZ.
3. Cllr Richard Walker-Arnott, DL. - 27, Fenstock Road, W10 6LU.

☒

KENSINGTON SOCIETY (Ms Susie Symes, 19 Denbigh Terrace,
London W11 2QJ)

☐

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

☐

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

1.

2.

3.

☒

ALL 3RD PARTIES ORIGINALLY NOTIFIED

☒

ALL OBJECTORS/SUPPORTERS

☐

STATUTORY BODIES ORIGINALLY NOTIFIED

☐

ENGLISH HERITAGE

☐

OTHERS:.....

Jh.

X 29

18/9.

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

Direct Line: 020-7361-2734

Extension: 2734

Facsimilie:

Switchboard: 020-7937-5464

020-7361-3463

Date: 18 September 2002

My Ref: DPS/DCN/PP/02/00201

ODPM's Reference: App/K5600/A/02/1098465

Please ask for: Mr.I. Williams

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Notice of a Planning Appeal relating to: 5A Lansdowne Road, London, W11 3AL

A Planning Appeal has been made by Mrs. Ylvisaker, to the Planning Inspectorate in respect of the above property. This appeal is against the Council's decision to refuse planning permission for: Erection of a single storey timber framed glazed conservatory at rear of building at ground floor level.. This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to:

The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Please send 3 copies and quote the ODPM's reference given above. **The Inspectorate must receive your representations by 17/10/02 for them to be taken into account.** (Representations made in respect of the planning application have already been copied to the Inspectorate, and these will be considered when determining the appeal unless they are withdrawn before 17/10/02). Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

I attach a copy of the Council's reasons for refusal and the Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office after 17/10/02 (**please telephone ahead in order to ensure that these are available**). If you have any further queries, please do not hesitate to contact the case officer on the above extension.

Yours faithfully

M.J. FRENCH

Executive Director, Planning and Conservation



The Planning Inspectorate

1W

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

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

Your Ref: PP/02/00201/CHSE/
Our Ref: APP/K5600/A/02/1098465
Date: 4 October 2002

Dear Madam

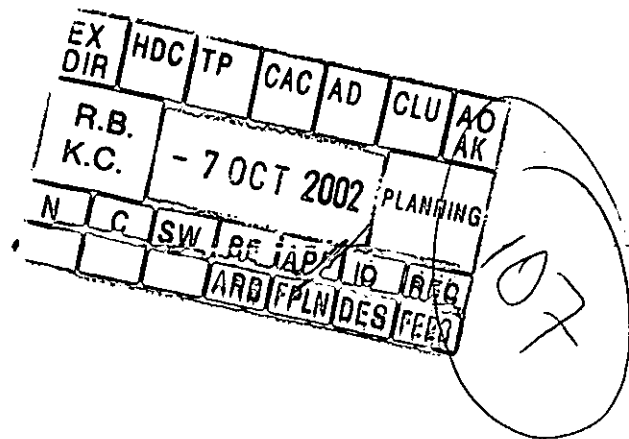
TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MRS YLVISAKER
SITE AT 5A LANSDOWNE RD, LONDON, LONDON, W11 3AL

I am writing to tell you that the appeal, reference number APP/K5600/A/02/1098465 has been withdrawn and we will be taking no further action on it.

Yours faithfully

Mr Dave Shorland

208B



1W

LANDSDOWNE PROPERTIES LIMITED

Your Ref: DPS/DCN/PP/02/00201
ODPM's Reference: App/K5600/A/02/1098465
Our Ref: PLW/LJ/C/D

BY FAX AND MAIL

Fax Number: 020 7 361 3463

No. of Pages: - 1 -

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

17th October, 2002

Attention of: Mr. I. Williams

Dear Sirs,

Notice of Planning Appeal relating to 5A Lansdowne Road, London, W11 3AL.

We write with reference to your letter of 18th September 2002, in connection with the Appeal against the Council's decision to refuse planning permission for the erection of a single story timber framed glazed conservatory at ground floor level at the rear of 5A Lansdowne Road, London, W11 3AL.

As the owners of Flat 5B Lansdowne Road, we believe that if the Appeal were allowed, the erection of the conservatory would have a negative effect on the amenity and privacy at present enjoyed by the occupiers of Flat 5B Lansdowne Road.

Yours faithfully,
For and on behalf of
LANDSDOWNE PROPERTIES LIMITED


Peter L. Watts
Director

EX	HDC	TP	CAC	AD	GLU	AO
JIR						AK
R.B.	21 OCT 2002					PLAZING
K.C.						38
N	C	SW	SE	APP	IO	HEC
			ARB	FPLN	DES	FEES

P.O. Box 829, Charles House, Charles Street, St. Helier, Jersey, JE4 0UE Channel Islands.

Telephone: Jersey 01534 768446 International (44) 1534 768446

Facsimile: Jersey 01534 732843 International (44) 1534 732843

e-mail: continental@confinserv.com

LANSDOWNE PROPERTIES LIMITED

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PP/02/201

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APPEAL BY MRS YLVISAKER
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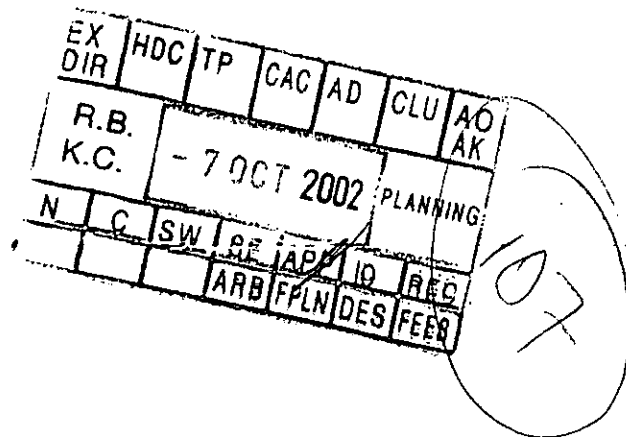
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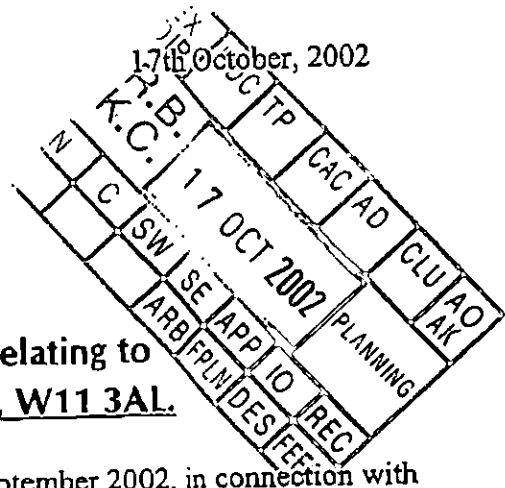
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PP/02/201



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Facsimile: Jersey 01534 732843 International (44) 1534 732843
e-mail: continental@confinserv.com*

APPEAL

TO: DT

FROM: RAG

DATE RECEIVED: 5-9-02

EXTN: 2081

APPEAL

CASE OFFICER: IW

APPEAL

ADMIN OFFICER: JR

OUR REF: PP102/201

DTLR REF: A102/1098465

ADDRESS: 5A LANSDowne ROAD

W11

REASON FOR APPEAL: REF.

THE APPEAL WILL BE DETERMINED BY WAY OF:

WRITTEN

REPRESENTATIONS



INFORMAL

HEARING



PUBLIC

INQUIRY



START DATE OF APPEAL: 5th September

3RD PARTY LETTERS DUE: 19/9/02 SENT: 18/9/02

QUESTIONNAIRE DUE: 19/9/02 SENT: 18/9/02

WRITTEN REPS STAT DUE: 17/10/02 SENT: _____

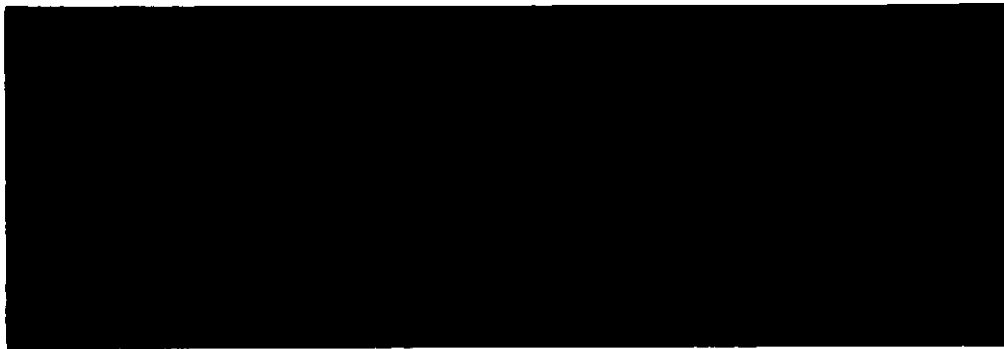
INFORMAL HEARING STAT DUE: _____ SENT: _____

PUBLIC INQUIRY RULE 6/8 DUE: _____ SENT: _____

PROOF EXCHANGE DUE: _____ SENT: _____

APPEAL WITH DRAWN LETTER
DATED 18/10/02.

CARTER JONAS



CONTENTS

	<u>Page No</u>
1.0 INTRODUCTION	3
2.0 PLANNING POLICY	4
3.0 ASSESSMENT	5
4.0 CONCLUSIONS	8

Appendices

Appendix A:	Copy of the Appeal Application
Appendix B:	Copy of the Amended Scheme
Appendix C:	Copy of the Decision Notice
Appendix D:	Copy of the Relevant UDP Policies
Appendix E:	Copy of Photographs of the Site
Appendix F:	Amdega Brochure

CARTER JONAS

**PLANNING APPEAL
5A LANSDOWNE ROAD, LONDON, W11 3AL
ON BEHALF OF MRS YLVISAKER
LPA REF: PP/02/00201/CHSE/**

**Carter Jonas
Regent House
13-15 Albert Street
Harrogate
HG1 1JX
Tel: 01423 523423**

September 2002

1.0 INTRODUCTION

The Site

- 1.1 The Appeal property is a five storey dwelling situated at the end of a row of four similar properties. They are located on Lansdowne Road, a short street linking Ladbroke Road and Lansdowne Walk. The surrounding properties are of a similar form and height, although the detailed design and plot size varies considerably.
- 1.2 The house is of brick construction under a tiled roof. It is converted to seven flats. The appeal relates number 5A which is a ground floor flat.
- 1.3 The property has a two-storey outshoot at the rear with curved roof. This encloses, and opens out onto, one side of a paved terrace adjoining the appeal property. The terrace is enclosed on the south side by a small trellis fence leaving the west side open to the communal garden. The ground floor flat has a further two doors opening onto the terrace from the main building which is used solely by the appeal flat.

++

Planning History

- 1.4 On 20 January 2002 Amdega submitted a full planning application on behalf of the owner to erect a single storey rear conservatory. A copy of which is attached as Appendix A. The conservatory would be constructed in red cedar wood on a brick base wall. All the woodwork was to be painted in a suitable colour as agreed with the Local Planning Authority. The structure would project 3.048 metres from the back of the existing dwelling with a width of 4.287 metres and would cover the full area of the paved terrace. The conservatory would be glazed on two sides with a hipped glazed roof.
- 1.5 The application was refused by The Royal Borough of Kensington and Chelsea on 28 March 2002 for the following reason:

The proposed conservatory would be of a size and height unsympathetic to the existing building. It would not be in keeping with the style, character, scale, bulk and proportion of the main building and would not preserve or enhance but would harm the rear elevation of the property, the terrace as a whole and the Ladbroke Conservation Area and is therefore contrary to the Council's Policies which seek to maintain and enhance the character and appearance of the Borough as stated in the Council's Unitary Development Plan, in particular, policies CD25, CD42, CD44, CD52, CD53 and STRAT 5.

- 1.6 An amended design was then submitted to the Council for discussion however the Council still advised that the recommendation would be refusal should this be submitted for planning approval. A copy of this amended scheme is attached as Appendix B for information. The scheme reduced the depth of the conservatory to 1.5 metres and the height to 2.933 metres. The appeal is for the original scheme.
- 1.7 A copy of the decision notice is attached at Appendix C.
- 1.8 It is our view that the original scheme is appropriate in design and form for this position. We strongly disagree with the Council's contentions that it would be harmful to the character and appearance of the building, the terrace or the area.
- 1.9 We consider the proposal does not harm any material interest and is in accordance with the Development Plan policies. We consider the Council's reasoning is fundamentally flawed and consequently we appeal this decision.
- 2.0 **PLANNING POLICY**
- 2.1 Section 54A of the Town and Country Planning Act 1990 requires that where a development plan contains relevant policies, applications for development which are in accordance with the plan shall be allowed unless material considerations indicate otherwise. Those deciding Applications or Appeals should always take into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance. The weight to be attached to policies in the plan depends on the stage of plan preparation or review and guidance on this is set out in paragraph 48 to PPG1.
- 2.2 In the context of this Appeal this guidance is important. The application was refused on the basis of policies CD25, CD42, CD44, CD52, CD53 and STRAT 4 of the adopted Kensington and Chelsea Unitary Development Plan. We examine the status of the UDP and the weight we consider the Inspector should accord them. We question the Council's contention that the development is contrary to this policy. We consider the scheme does not cause harm to any material interest.
- 2.3 The Courts are arbiters of what constitutes a material consideration or material interest of acknowledged importance. Over the years these have been clarified. All the fundamentals such as the external appearance of buildings and the impact on the neighbourhood are included. We set out in this report what we consider to be the material interests or the main issues of the case. The question of whether the development causes demonstrable harm to those interests is a matter of judgement and interpretation. In this case we consider the Council's reasoning to be fundamentally flawed because the development,

in our judgement, causes insufficient harm to any material interest to warrant refusal.

- 2.4 The original Kensington and Chelsea UDP was statutorily adopted in August 1995. The Council have conducted a review and Proposed Modifications have recently been published and adopted in May this year (2002). For the purposes of this appeal the recently adopted version is the most relevant and its policies should carry considerable weight.
- 2.5 Copies of policies CD25, CD42, CD44, CD52, CD53 and STRAT 5 from the recently adopted version are provided at Appendix D.

3.0 ASSESSMENT

- 3.1 The Council refused this application on 28 March 2002 for the reason set out on the decision notice. We consider the main issue in determining this appeal is whether the proposed extension would adversely affect the appearance and character of the building itself, the terrace and the locality such that it would be contrary to policies CD25, CD42, CD44, CD52, CD53 and STRAT 5.
- 3.2 The Council raise no concerns over any reduction to amenity.

Impact on the Character and Appearance of the Building

- 3.3 As can be seen from the photographs of the site, attached as Appendix E, the building has a small paved area to the rear. This is enclosed by the appeal property, by a two-storey rear outshoot, a trellis fence and the rear of the dwelling.
- 3.4 The conservatory proposed is at the rear of the property. It cannot be seen from the street scene at all. The character of the conservation area is derived, in our view, from the elegant frontages of the properties and the pleasant street scene created.
- 3.5 The appeal building is a substantial five storey property. By design, it was a detached home but is now physically linked to number three. This link comprises a ground floor flat roofed element with open stairs and a balcony upon which sits a modern glazed conservatory. This is widely visible from the street but has not been deemed unsuitable by the Council.
- 3.6 The rear elevation to the property (and others in the vicinity) is not uniform but comprises various elements. The overall appearance is one of a mixture of architectural elements, features and alterations which together form an interesting rear elevation.

- 3.7 The conservatory proposed would add another feature, albeit a small one, to this busy elevation. The design of the conservatory does reflect the existing architectural elements in terms of scale, proportion and window design. As such it does not detract from the back of the property.
- 3.8 Furthermore, this rear elevation is essentially a private one, unseen by the general public. It does not contribute significantly to the street scene or the character of the area.
- 3.9 The proposal is not contrary to any of the criteria contained in policies CD25, CD42 or CD44 of the UDP as outlined below.

CD25 – This policy concerns standards of design in the Borough. It aims to ensure that *“all development in any part of the Borough is to a high standard of design and is sensitive to and compatible with the scale, height, bulk, materials and character of the surroundings”*.

The extension is sympathetic to the main dwelling and the surrounding dwellings in terms of its scale and height. It is a small single storey extension, subordinate to the main dwelling. The design of the conservatory reflects the existing and is therefore in character of the existing building. It is of appropriate materials which will be adapted to match the existing as necessary.

CD42 – This policy concerns conservatories. The proposed conservatory is not contrary to any of the criteria contained in this policy as outlined below:

- a) It is not located at roof level
- b) It is not located significantly above ground level
- c) It does not cover the whole width of the property
- d) It is not located on a corner site

We therefore consider this policy should not have been used in the reasons for refusal and challenge the Council to justify why it is relevant. The policy does not require a subjective judgement but has four very clear criteria which do not apply in this case.

CD44 – This policy concerns other alterations to dwellings and will permit alterations *“only where the external appearance of buildings or the surrounding area would not be harmed”*.

We consider that the conservatory would not harm the external appearance and character of the property or the adjacent properties. It does not cause harm to the street scene as it will be barely visible from any rear view.

We therefore consider the proposal is not contrary to any of the policy criteria nor does it harm the character of the existing building in any way.

Impact on the Character and Appearance of the Terrace

- 3.10 This is a terrace of only four dwellings whose rear elevation is characterised by a variety of form and design rather than uniformity. In our view it is the quality of the various elements which creates the attractive environment. Resisting any change that is different is not the appropriate way to preserve or enhance character. It is the appearance and quality of the proposal which is important.
- 3.11 Amdega have an excellent heritage when it comes to designing conservatories. These are not standard, off-the-peg designs. Each conservatory is individually designed and crafted to suit the building and its setting. Evidence of the quality and character of Amdega conservatories is provided in their brochure at Appendix F. These have been provided on many outstanding listed buildings in other authority areas.
- 3.12 It is not the Council's role to prevent any change to buildings but to ensure that development proposals do not result in harm to material interests or result in gradual erosion to the character of the area.
- 3.13 The conservatory is not contrary to any of the criteria contained in policies CD52, CD53 or STRAT 5 of the UDP as follows.

Policies CD52 and CD53 concern development in conservation areas.

CD52 - This policy aims "*to ensure that any development in a conservation area preserves and enhances the character or appearance of the area*".

We strongly contest the Council's view that this conservatory would harm the character or the appearance of the terrace or the conservation area. We consider the proposal will visually improve this terrace. It will be an attractive and high quality development, barely visible from any public viewpoint. Consequently, we consider the Council's reasoning to be flawed.

CD53 - This policy aims to ensure "*that all development in conservation areas is to a high standard of design and is compatible with...surrounding development*". We consider that the proposal is not contrary to any of the criteria contained within this policy as outlined below.

- a) The design has been tailored to respect the character, scale and pattern of the surrounding buildings.
- b) The conservatory is not out of proportion with the existing bulk and height of the buildings. The properties are large five-storey dwellings and the conservatory only reaches the height of the first storey.
- c) The conservatory respects the proportion and rhythm of the dwellings, with detailing of the windows designed to match the existing outshoots.

- d) The extension is single storey and will not harm the roofscape of surrounding development.
- e) The materials are to match the existing development as necessary.
- f) The extension would have no harmful effect on the landscaping and boundaries of the original dwelling or the surrounding houses.

3.14 **STRAT 5** - This policy seeks "*to ensure that all development preserves and enhances the residential character of the Royal Borough*". We strongly contest the Council's view that this simple single storey extension will harm the appearance of the Royal Borough, as explained in the reasons above.

4.0 CONCLUSIONS

- 4.1 We believe we have demonstrated substantial flaws in the Council's reasons for refusal. We consider the proposed conservatory is an acceptable form of development on this rear elevation. There will be no demonstrable harm to the character of the area or to the property.
- 4.2 The extension is a simple design and blends in very easily with the existing building.
- 4.3 There will be no adverse effect on the amenity. The Council raise no concerns on these grounds.
- 4.4 The UDP policies aim to encourage high standards of design and to minimise the harmful effects of developments. However, the Council have not objectively assessed this proposal. They have looked at it, and rigidly applied a policy which was designed to allow some flexibility.
- 4.5 We consider the conservatory will be an attractive and simple feature on this rear elevation.
- 4.6 The overall effect will be a tidy simple extension with minimal visual impact.
- 4.7 In conclusion the proposal is fully in accordance with the development plan policies and causes no harm to any interests of acknowledged importance. There is insufficient harm to warrant refusal and the Inspector is respectfully requested to allow this Appeal.

F M COUTTIE MRTPI

CARTER JONAS

APPENDIX A

COPY OF THE APPEAL APPLICATION

TOWN & COUNTRY PLANNING ACT 1990 APPLICATION FOR PLANNING PERMISSION

FORM TP1

4 COPIES OF THIS FORM AND 4 COPIES OF ALL DRAWINGS MUST BE SUBMITTED WITH EACH APPLICATION

For Official Use Only. Site Ref. No: / Register No: /

PLEASE READ THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable.	
	FEE (where applicable)	£ 95.00

1. APPLICANT (in block capitals)

Name MRS YLWISAKEL
 Address 5A LANSLOWNE ROAD
HOLLAND PARK LONDON
 Post Code W11 3AL
 Tel. No: 0207 727 1589

AGENT (If any) to whom all correspondence will be sent

Name ANDREA
 Address FAVERDALE
DARLINGTON
70 DOHAM Post Code DL3 0PW
 Tel. No: 01325 468522 Ref: C4479

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application relates

5A LANSLOWNE ROAD, HOLLAND PARK,
LONDON, W11 3AL

(b) Site area

2068m²

hectares

(c) Give details of proposal indicating the purpose for which land/buildings are to be used and including any change(s) of use.

ERECTION OF A SINGLE STOREY
TIMBER FRAMED GLAZED CONSERVATORY
UPON A DWARF WALL

(d) State whether applicant owns or controls any adjoining land and if so, give its location.

NO

(e) State whether the proposal involves:-

(i) New building(s) or extension(s) to existing building(s)

State Yes or No

☒ YES

If "Yes" state gross floor area of proposed building(s).

13

m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

N/A

(ii) Alterations..... ☐ NO

(iii) Change of use..... ☐ NO

(iv) Construction of new access to a highway } vehicular..... ☐ NO
 } pedestrian..... ☐ NO

(v) Alteration of an existing access to } vehicular..... ☐ NO
 } pedestrian..... ☐ NO

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).

3. PARTICULARS OF APPLICATION

State whether this application is for:-

(i) Outline planning permission

State Yes or No

NO

(ii) Full planning permission

YES

(iii) Retention of buildings or works/continued use of land undertaken in accordance with a limited period planning permission.

NO

(iv) Retention of buildings or works/continued use of land undertaken without planning permission.

NO

If Yes indicate which of the following are to be determined at this stage.

- | | | | |
|----------------|--------|------------------------|--------|
| 1. siting | Yes/No | 4. external appearance | Yes/No |
| 2. design | Yes/No | 5. means of access | Yes/No |
| 3. landscaping | Yes/No | | |

If Yes state the date and number of previous permission and identify the particular condition.

Date Number

The condition:-

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State:-

(i) Present use of building(s) / land

Domestic Dwelling

(ii) If vacant the last previous use and period of use with relevant dates.

5. LIST OF ALL DRAWINGS, CERTIFICATES, DOCUMENTS ETC which form part of this application. (Give all plans a number and include a site location plan, showing the application site edged in red and other land in the ownership or control of the applicant edged in blue)

Plan 479, Block + location Plans.

6. ADDITIONAL INFORMATION

State Yes or No

(a) Is the application for non-residential development

NO

If Yes complete **PART THREE** of this form (See **PART THREE** for exemptions)

(b) Does the application include the winning and working of minerals

NO

If Yes complete **PART FOUR** of this form

(c) (i) Do any trees exist on, or close to, the site

NO

If Yes give details of the trees (tree survey) on plan

(ii) Does the proposed development involve the felling of any trees

NO

If Yes state numbers and indicate precise position on plan.

(d) (i) How will surface water be disposed of?

SOMEHOW

(ii) How will foul sewage be dealt with?

N/A

(e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:

(i) Walls

N/A

(ii) Roof

TIMBER FRAMED GLAZED UNITS

(iii) Means of enclosure

N/A

(f) Will the development affect a public right of way?

YES / NO

I/We hereby apply for (strike out whichever is inapplicable)

(a) planning permission to carry out the development described in this application and the accompanying plans in accordance therewith.

OR

(b) planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of land already instituted as described on this application and accompanying plans.

Signed Paul Elledge on behalf of NRS 4 LUSAGE Date 20/1/02

AN APPROPRIATE CERTIFICATE OF OWNERSHIP MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land on the date 21 days before the date of this application, complete Certificate A below. If otherwise see **PART TWO** of this form.

CERTIFICATE A UNDER ARTICLE 7 OF THE TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

I CERTIFY THAT:

- (i) On the day 21 days before the date of the accompanying application nobody, except the applicant, was the owner (a) of any part of the land to which the application relates.
- (ii) None of the land to which the application relates is, or is part of, an agricultural holding.

(a) 'owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years.

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

Certificate Under Article 7

(Please complete both Part 1 and Part 2)

CERTIFICATE B (see note (a))

Part 1

I certify that:

I have/The applicant has* given the requisite notice to everyone else who, on the day 21 days before the date of the accompanying application, was the owner (see note (b)) of any part of land to which the application relates, as listed below.

Owner's name
(See Note b)

Address at which notice
was served

Date on which notice
was served

SEE ATTACHED SHEET

Part 2

Agricultural Holdings Certificate (see note (c))

Whichever is appropriate of the following alternatives must form part of the Certificate.
Only 1 of the alternatives must be deleted.

- * None of the land to which the application relates is, or is part of, an agricultural holding.

☒ OR

- * ~~I have/The applicant has* given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:~~

~~Tenant's name~~

~~Address at which notice
was served~~

~~Date on which notice
was served~~

Signed C. J. Elledge

* delete where inappropriate

* On behalf of: MRS YLWISAKER

Date: 30 JAN 2002

NOTES: (a) Certificate B should be completed if the applicant is not the sole owner of all the land to which the application relates and you know who the other owner(s) are. If you do not know the identity of the other owner(s) please complete certificate C or D which can be obtained from the planning department.

(b) "Owner" means a person having a freehold interest or a leasehold interest, the unexpired term of which is not less than 7 years, or in case of development consisting of the winning and working of minerals, a person entitled to an interest in the mineral in the land (other than oil, gas, coal, gold or silver).

(c) Whichever is appropriate of the alternatives must be completed. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

TOWN & COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
ORDER 1995

Certificate Under Article 7 (Please complete both Part 1 and Part 2)

CERTIFICATE A (see note (a))

Part 1

I certify that :

on the day 21 days before the date of the accompanying application nobody, except the applicant, was the owner (see note (b)) of any part of the land to which the application relates.

Part 2
Agricultural Holdings Certificate (see note (c))

Whichever is appropriate of the following alternatives must form part of the Certificate. Only 1 of the alternatives must be deleted.

- * None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- * I have/The applicant has* given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's name

Address at which notice
was served

Date on which notice
was served

Signed:

* delete where inappropriate

* On behalf of:

Date:

NOTES: (a) Certificate A should be completed if the applicant is the sole owner of all the land to which the application relates. If land in other ownership is involved please complete Certificate B overleaf.

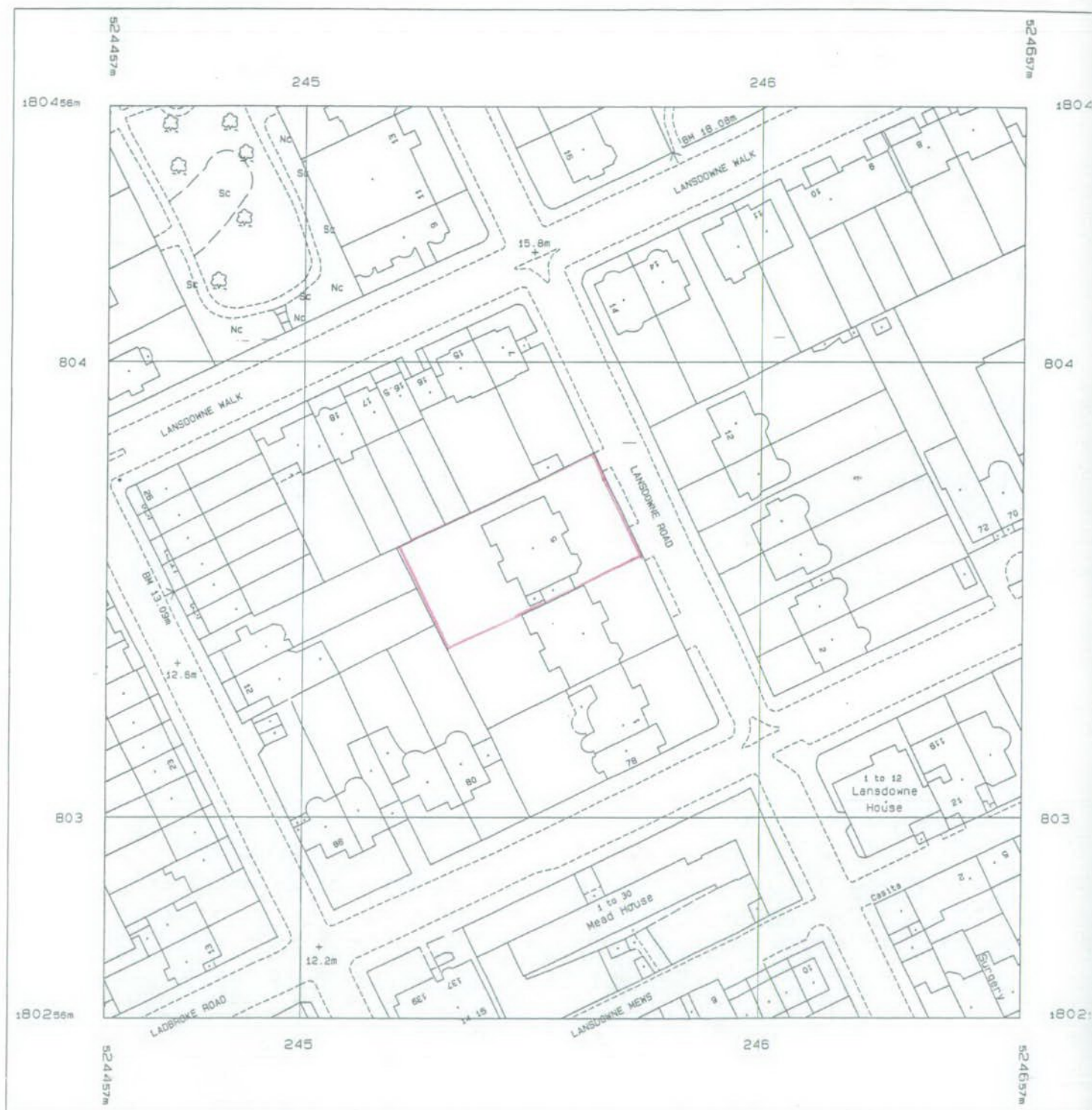
(b) "Owner" means a person having a freehold interest or a leasehold interest, the unexpired term of which is not less than 7 years, or in case of development consisting of the winning and working of minerals, a person entitled to an interest in the mineral in the land (other than oil, gas, coal, gold or silver).

(c) Whichever is appropriate of the alternatives must be completed. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

NEIGHBOUR NOTIFICATION FOR PROPOSED CONSERVATORY

5A LANSDOWNE ROAD, HOLLAND PARK, W11 3AL

<u>OWNER'S NAME</u>	<u>ADDRESS NOTICE SERVED</u>	<u>DATE NOTICE SERVED</u>
Mr J Datnow	5b Lansdowne Road	30 January 2002
Mr M Latham	5c Lansdowne Road	30 January 2002
Mr & Mrs Pegum	5d Lansdowne Road	30 January 2002
Mr E Datnow	5e Lansdowne Road	30 January 2002
Mr Uriate	5f Lansdowne Road	30 January 2002
Mr Ullivari	5g Lansdowne Road	30 January 2002
Sir Brian & Lady Shaw	3a Lansdowne Road	30 January 2002
Mrs J Goessens	3b Lansdowne Road	30 January 2002
Mrs K Thirkell	3c Lansdowne Road	30 January 2002
Lord Sainsbury	3d Lansdowne Road	30 January 2002
Mrs K Fleming	3e Lansdowne Road	30 January 2002
Mrs J Young	3f Lansdowne Road	30 January 2002
Dr & Mrs Leong	3g Lansdowne Road	30 January 2002



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Scale 1: 1250

National Grid sheet reference at centre of this Superplan: TQ2480SE

The representation of a road, track or path is no evidence of a right of way.

SCALE
1:500

LANDOWNE ROAD

Proposed
Conservatory

78

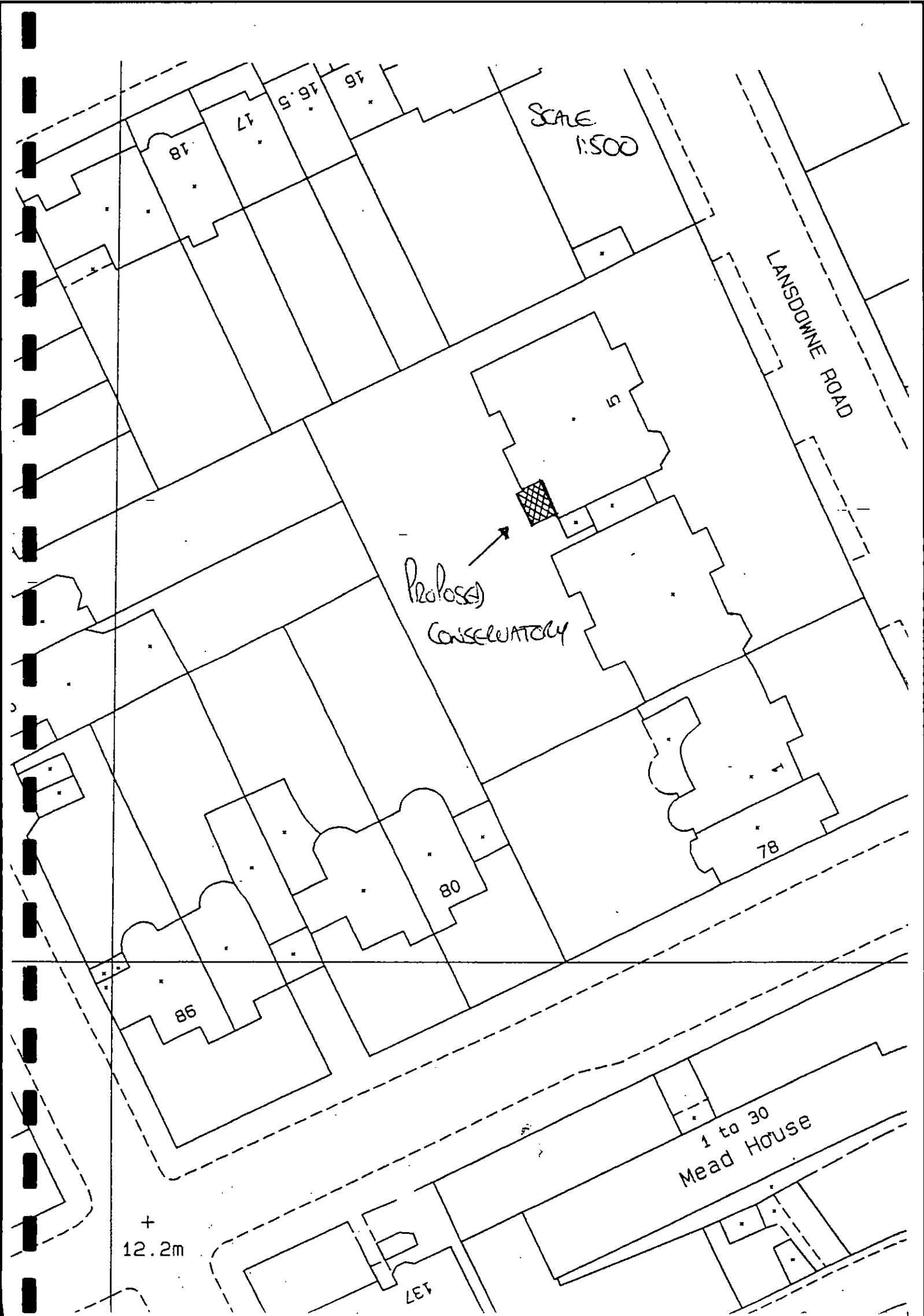
80

86

+
12.2m

1 to 30
Mead House

137



CARTER JONAS

APPENDIX B

COPY OF THE AMENDED SCHEME

CARTER JONAS

APPENDIX C

COPY OF THE DECISION NOTICE

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

Amdega,
Faverdale Industrial Estate,
Darlington,
Co. Durham,
DL3 0PW

Switchboard: 020-7937-5464
Direct Line: 020-7361-2734
Extension: 2734
Facsimile: 020-7361-3463

28 MAR 2002

My Ref: PP/02/00201/CHSE/
Your Ref: C4479

Please ask for: North Area Team

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

REFUSAL OF PERMISSION TO DEVELOP (DP2)

The Borough Council in pursuance of its powers under the above-mentioned Act and Order, hereby REFUSE to permit the development referred to in the under-mentioned Schedule as shown in the plans submitted. Your attention is drawn to the enclosed Information Sheet.

SCHEDULE

<u>DEVELOPMENT:</u>	Erection of a single storey timber framed glazed conservatory at rear of building at ground floor level.
<u>SITE ADDRESS:</u>	5A Lansdowne Road, London, W11 3AL
<u>RBK&C Drawing Nos:</u>	PP/02/00201 and PP/02/00201/A
<u>Applicant's Drawing Nos:</u>	PC4479 and photographs dated 01/02/2002.
<u>Application Dated:</u>	20/01/2002
<u>Application Completed:</u>	31/01/2002

RECEIVED
- 4 APR 2002

REASON(S) FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF

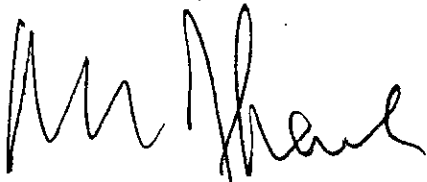
REASON(S) FOR REFUSAL:

1. The proposed conservatory would be of a size and height unsympathetic to the existing building. It would not be in keeping with the style, character, scale, bulk and proportion of the main building and would not preserve or enhance but would harm the rear elevation of the property, the terrace as a whole and the Ladbroke Conservation Area and is therefore contrary to the Council's Policies which seek to maintain and enhance the character and appearance of the Borough as stated in the Council's Unitary Development Plan, in particular, policies CD25, CD42, CD44, CD52, CD53 and STRAT 5.

INFORMATIVE(S)

1. You are advised that a number of relevant policies of the Unitary Development Plan and proposed alterations thereto were used in the determination of this case, in particular, Policies CD25, CD42, CD44, CD52, CD53 and Strategic Policy STRAT 5 (I51).

— Yours faithfully,



Michael J. French
Executive Director, Planning and Conservation

INFORMATION SHEET

When a permission or consent is given it does not convey any approval, consent, permission or licence under any Acts, Byelaws, Orders or Regulations other than those referred to in the permission or consent. Nothing in the permission or consent shall be regarded as dispensing with compliance with such other Acts or Byelaws etc., nor shall the permission or consent be deemed to be an approval, consent, permission or licence thereunder.

In respect of planning permission, your particular attention is drawn to the provisions of the London Building Act, 1930-1939, and the Byelaws in force thereunder and to the Building Regulations 1985 which must be complied with to the satisfaction of the Council's building control officers, whose address, in case of doubt may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any persons entitled to the benefits thereof.

Your attention is drawn to applicant's rights arising from the refusal of planning permission or Listed Building Consent, and from the grant of permission/consent subject to conditions, as follows:

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse planning permission, Listed Building Consent, or approval for the proposed development; or to grant permission or approval/consent subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and the Regions under the Town and Country Planning Act, 1990, within six months of the date of this notice. (Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. (Tel: 0117 372 8930) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of a local planning authority was based on a direction given by him.
- (2) If permission to develop land or Listed Building Consent is refused or granted subject to conditions whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the relevant authority where the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990, or Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 114 of the Town and Country Planning Act, 1990, or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

APPENDIX D

COPY OF THE RELEVANT UDP POLICIES

4.3 CONTROL OF DEVELOPMENT

4.3.1 The policies below apply in all parts of the Borough.

Standards of Design

4.3.2 The Council is concerned that the quality of architectural design of development in all areas of the Borough should be of a high standard. Development may also provide opportunities for environmental benefits such as sitting-out, sports or landscaped areas.

CD25 TO SEEK ENSURE THAT ALL DEVELOPMENT IN ANY PART OF THE BOROUGH IS TO A HIGH STANDARD OF DESIGN AND IS SENSITIVE TO AND COMPATIBLE WITH THE SCALE, HEIGHT, BULK, MATERIALS AND CHARACTER OF THE SURROUNDINGS.

Urban Design

4.3.2a Quality in urban design is an essential component in the control of development. It includes the relationship between different buildings; the relationship between buildings and the streets, squares, parks, trees and other vegetation, waterways and other spaces which make up the public domain; the nature and quality of the public domain itself; the relationship of one part of a city with other parts; and the patterns of movement and activity which are thereby established.

4.3.2b The policy below is intended to reinforce and enhance the traditional urban pattern of the Royal Borough in a number of ways: ~~First~~,

- By maintaining free movement, particularly of pedestrians, through the streets of the Borough (~~permeability~~); ~~Second~~;
- By preserving and creating features which contribute in a positive way to the legibility of the built environment (that is, the way the urban environment is recognised and understood) including landmarks, building lines, open spaces, views, vistas and key locations such as important cross roads, shopping centres or public gathering places; ~~Third~~;
- By ensuring visually interesting and secure streets by the provision of active frontages in appropriate locations, the maintenance of defensible space, and the provision of appropriate uses and design of upper floors to ensure informal surveillance of the public realm; ~~Fourth~~;
- By preserving and creating those features which contribute to the special character of the Royal Borough.

CD25a TO REQUIRE DEVELOPMENT TO BE PHYSICALLY AND VISUALLY INTEGRATED INTO ITS SURROUNDINGS BY:

- a) **PRESERVING EXISTING PUBLIC ROUTES, CREATING NEW ROUTES WHERE APPROPRIATE, AND EXTENDING LINKS TO MAINTAIN A HIGH LEVEL OF ACCESSIBILITY, (See Transportation Chapter)**

- j) THE EXTENSION WOULD BREACH THE ESTABLISHED FRONT BUILDING LINE;
- k) AN IMPORTANT OR HISTORIC GAP OR VIEW WOULD BE BLOCKED OR DIMINISHED.

Conservatories

- 4.4.9 In recent years, conservatories have become an increasingly popular way of adding to domestic accommodation. A small conservatory at garden level at the rear of a property may be considered to be an appropriate garden feature. However, it is important that such proposals fit in with the historic character of the Borough. In considering applications for conservatories their location in relation to the building and garden, their impact on neighbouring properties, their size and detailed design will be considered.

CD42 ~~NORMALLY~~ TO RESIST PROPOSALS FOR CONSERVATORIES IF:

- (a) LOCATED AT ROOF LEVEL;
- (b) LOCATED SIGNIFICANTLY ABOVE GARDEN LEVEL;
- (c) COVERING THE WHOLE WIDTH OF THE PROPERTY;
- (d) LOCATED ON A CORNER SITE;

Side Extensions and Gaps

- 4.4.10 Many streets in the Borough are characterised by the presence of mature rear gardens. This greenery softens the dense urban scene and provides relief and visual interest when viewed from the street through gaps between buildings or when a corner building has an open return frontage. A similar pleasant contrast may occur by a view of the sky or rear elevations of nearby properties. Gaps are often a planned feature of the layout of a Victorian estate. Side extensions may have an unfortunate effect in unbalancing an otherwise symmetrical elevation of a terrace, detached or semi-detached property. Conservation Area Proposals Statements will, where appropriate, identify important gaps and vistas where infilling would be inappropriate. The policy below also applies to free-standing buildings in gaps.

CD43 ~~NORMALLY~~ TO RESIST SIDE EXTENSIONS TO BUILDINGS IF:

- (a) THE ARCHITECTURAL SYMMETRY OF A BUILDING, TERRACE OR GROUP OF BUILDINGS WOULD BE IMPAIRED;
- (b) THE ORIGINAL ARCHITECTURAL FEATURES ON A FORMAL FLANK ELEVATION WOULD BE OBSCURED;
- (c) ACCESS TO THE REAR OF THE PROPERTY OR OF THOSE ADJOINING WOULD BE LOST OR REDUCED.

- 4.4.11 Single storey side extensions at garden level may be permitted where they would not conflict with the above policy, are in a style sympathetic to the original building, and are set back from the original front and rear building lines.

Other Alterations

- 4.4.12 Alterations and extensions are often necessary to modernise, adapt or extend the life of a building. If unsympathetically carried out they may individually spoil the appearance of buildings or collectively be detrimental to the townscape.

CD44 TO PERMIT ALTERATIONS ONLY WHERE THE EXTERNAL APPEARANCE OF BUILDINGS OR THE SURROUNDING AREA WOULD NOT BE HARMED.

- 4.4.13 Such alterations may include the following: the replacement of windows or glazing patterns; the replacement of panelled front entrance doors; the repair or replacement of stucco other than to the original design; the permanent removal of projecting mouldings; balustrades, chimneys or other architectural details; the permanent fixing of any form of equipment or structure to the facade; the rendering or painting of a brick-faced building; security works including alarms and cameras; shutters or grilles; ventilation/extract ducts and plant; front walls and railings; and signs which are not advertisements.

- 4.4.13a The Council will pay particular regard to those unsympathetic small-scale developments and extensions which may cause harm to the street scene, and the residential character or amenity, and The whose significance of these lies in the incremental and cumulative effects which can so easily be detrimental to the local environment.

CD44a ~~NORMALLY~~ TO RESIST - UNSYMPATHETIC SMALL-SCALE DEVELOPMENTS WHICH IN THEMSELVES CAUSE HARM AND WHERE THE CUMULATIVE EFFECT OF A NUMBER OF SIMILAR PROPOSALS WOULD BE DETRIMENTAL TO THE CHARACTER OF THE AREA.

Plant and Equipment

- 4.4.13b Increasingly buildings are incorporating air conditioning, and ventilation equipment, both on new buildings and as alterations to existing buildings. Not only can this equipment be unsightly, but it can cause harm to nearby residents by reason of noise and odours. It is important that all new plant and equipment is incorporated in a sympathetic manner. Ideally they should be incorporated inside the building, and any vents should be located so that they do not cause problems to residents or other occupiers of nearby buildings. Where plant and equipment is to be added to existing buildings, they should be sympathetically located so that they do not cause material harm to the building, or to the amenity of nearby residents. Where appropriate, ~~the~~ use of planning conditions/obligations will ~~normally~~ be used to control the noise levels of new plant and equipment. (See also paragraph 4.3.33 of this chapter).

Development in Conservation Areas

- 4.5.9 The Borough contains some of the best examples of Victorian and Edwardian townscape in London. Overall, the residential environment is of the highest quality. This environmental quality is evident not only in the public realm, but also at the rear and sides of properties, particularly, around areas of private gardens. Residents appreciation and enjoyment of the special character and appearance of conservation areas derives from both public viewpoints and views from within their dwellings. In applying these policies, the Council will consider not only the street scene, but views from other buildings and gardens, as these are also important to residents' amenities. ~~The Council, therefore, will seek to protect or enhance this by rigorously applying the policies in this chapter to control development in conservation areas. In exercising such control,~~ In particular, careful regard will be had to the content of Conservation Area Proposals Statements.

CD52 TO ENSURE THAT ANY DEVELOPMENT IN A CONSERVATION AREA PRESERVES AND OR ENHANCES THE CHARACTER OR APPEARANCE OF THE AREA.

CD53 TO ENSURE THAT ALL DEVELOPMENT IN CONSERVATION AREAS IS TO A HIGH STANDARD OF DESIGN AND IS COMPATIBLE WITH:

- a) CHARACTER, SCALE AND PATTERN;
 - b) BULK AND HEIGHT;
 - c) PROPORTION AND RHYTHM;
 - d) ROOFSCAPE;
 - e) MATERIALS;
 - f) LANDSCAPING AND BOUNDARY TREATMENT;
- OF SURROUNDING DEVELOPMENT.**

CD54 TO CONSIDER THE EFFECT OF PROPOSALS ON VIEWS IDENTIFIED IN THE COUNCIL'S CONSERVATION AREA PROPOSALS STATEMENTS, AND GENERALLY WITHIN, INTO, AND OUT OF CONSERVATION AREAS, AND THE EFFECT OF DEVELOPMENT ON SITES ADJACENT TO SUCH AREAS.

- 4.5.10 In order for the Council to consider fully and in detail any proposals for new buildings, alterations, or extensions which will affect the character or appearance of a conservation area, sufficient information must be supplied with any planning application.

- 4.vii. In order to contribute to London's overall environmental quality, the Council proposes the following strategic policies:

STRAT 5

TO SEEK TO ENSURE THAT ALL DEVELOPMENT PRESERVES AND OR ENHANCES THE RESIDENTIAL CHARACTER OF THE ROYAL BOROUGH.

STRAT 6

TO PROTECT LISTED BUILDINGS AND TO PRESERVE AND OR ENHANCE THE CHARACTER OR APPEARANCE OF CONSERVATION AREAS, AREAS OF METROPOLITAN IMPORTANCE, AREAS OF LOCAL CHARACTER, AND OTHER BUILDINGS OR PLACES OF INTEREST.

STRAT 7

TO PROMOTE HIGH ENVIRONMENTAL AND ARCHITECTURAL DESIGN STANDARDS IN NEW DEVELOPMENTS AND ALTERATIONS AND IN ADDITIONS TO EXISTING BUILDINGS.

STRAT 8

TO PROTECT LONDON'S SKYLINE AND STRATEGIC VIEWS, PARTICULARLY THE STRATEGIC VIEW OF ST PAUL'S CATHEDRAL FROM KING HENRY'S MOUND.

STRAT 9

TO PROTECT THE RIVER THAMES AND ITS SETTING, TO ENHANCE ITS CHARACTER AND AMENITY AND ENSURE THAT THE INTEGRITY OF THE RIVER'S FLOOD DEFENCES IS MAINTAINED.

STRAT 10

TO ENSURE THAT PEOPLE WITH SPECIAL MOBILITY NEEDS HAVE EQUALITY OF PHYSICAL ACCESS THROUGHOUT THE BOROUGH.

STRAT 11

TO PROTECT ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL INTEREST.

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APPENDIX E

COPY OF PHOTOGRAPHS OF THE SITE



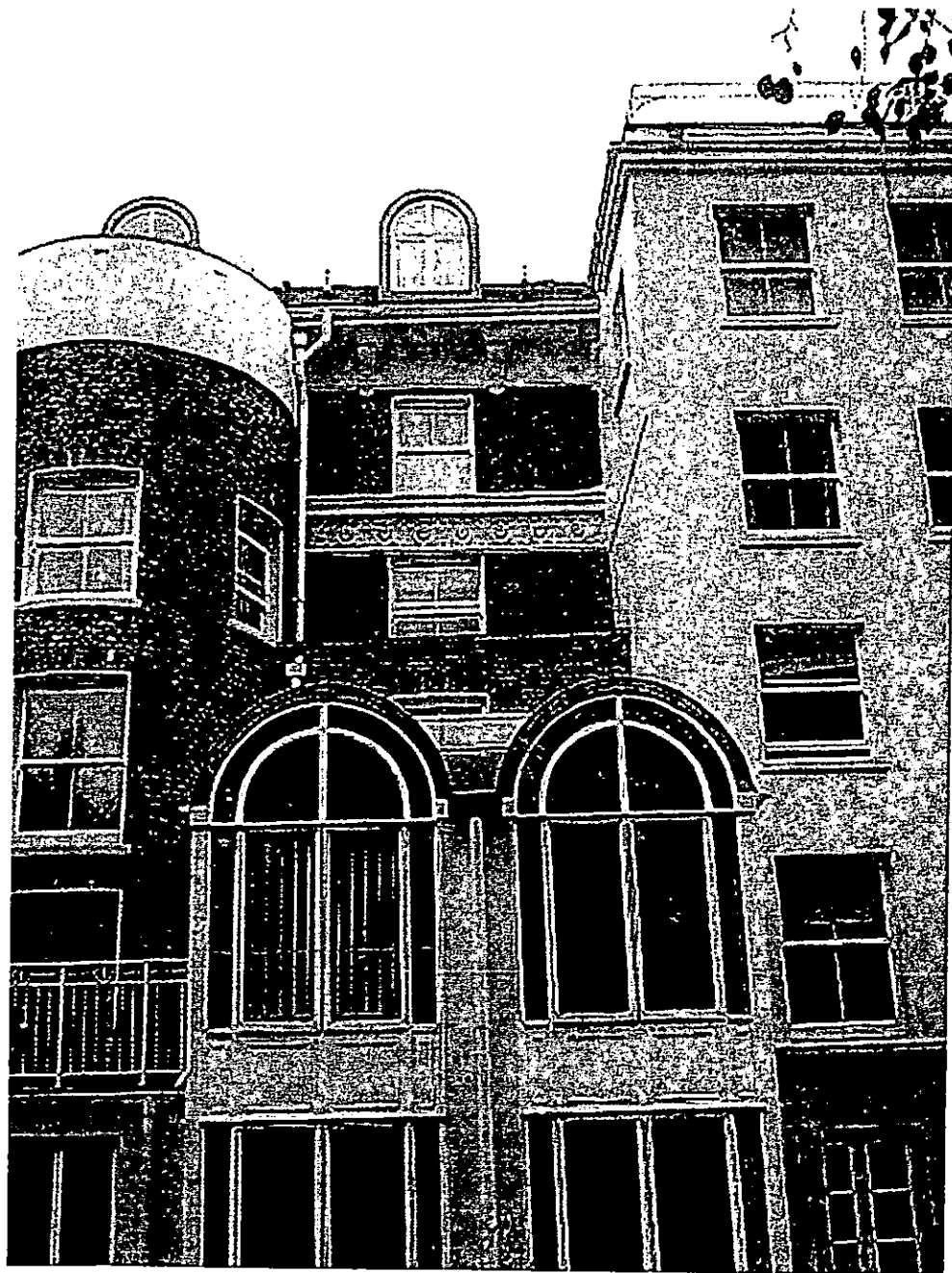
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YLVISAKKAL WII



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CARTER JONAS

APPENDIX F

AMDEGA BROCHURE

(See enclosed brochure)

CARTER JONAS

LONDON

53-54 Grosvenor Street,
London W1K 3HU
Tel 020 7629 7154 Fax 020 7629 9241

CAMBRIDGE

6-8 Hills Road,
Cambridge, Cambridgeshire CB2 1NH
Tel 01223 368771 Fax 01223 369950

HARROGATE

13-15 Albert Street
Harrogate, North Yorkshire HG1 1JX
Tel 01423 523423 Fax 01423 521373

HUDDERSFIELD

Manor House, Nabbs Lane, Slaithwaite
Huddersfield, West Yorkshire HD7 5AU
Tel 01484 842105 Fax 01484 842453

KENDAL

52 Kirkland, Kendal, Cumbria LA9 5AP
Tel 01539 722592 Fax 01539 729587

LEEDS

7-8 Park Place, Leeds, West Yorkshire LS1 2RU
Tel 0113 242 5155 Fax 0113 203 1066/1077

MARLBOROUGH

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Wiltshire SN8 1HQ
Tel 01672 514545 Fax 01672 514813

NORTH WALES

The Estate Office, Port Penrhyn, Bangor
Gwynedd LL57 4HN
Tel 01248 362536 Fax 01248 354184

OXFORD

Anchor House, 269 Banbury Road,
Oxford, Oxfordshire OX2 7LL
Tel 01865 511444 Fax 01865 310653

PETERBOROUGH

43 Priestgate, Peterborough
Cambridgeshire PE1 1AR
Tel 01733 568100 Fax 01733 564455

SHREWSBURY

Black Birches, Hadnall,
Shrewsbury, Shropshire SY4 3DH
Tel 01939 210440 Fax 01939 210535/210434

WORCESTER

The Croome Estate Office,
High Green, Severn Stoke,
Worcester, Worcestershire WR8 9JS
Tel 01905 371261 Fax 01905 371501

YORK

82 Micklegate, York, North Yorkshire YO1 6LF
Tel 01904 627436 Fax 01904 610869

Carter Jonas is a professional firm of property consultants offering advice on a broad range of management, agency and development issues. The firm works across the UK with an emphasis on developing long term and profitable relationships with clients

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

~~Executive Director~~ M J FRENCH FRICS Dip TP MRTPI Cert TS

File Copy

Direct Line: 020-7361-2734

Extension: 2734

Facsimile: 020-7361-3463

Switchboard: 020-7937-5464

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

My Ref: DPS/DCN/PP/02/00201

ODPM's Reference: App/K5600/ A/02/1098465

Date: 18/10/2002

Please ask for: Mr.I. Williams

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Planning Appeal relating to: 5A Lansdowne Road, London, W11 3AL

With reference to our recent letter notifying you of the appeal on the above-mentioned property, I would advise you that it has now been **WITHDRAWN**. The Secretary of State will take no further action on this appeal.

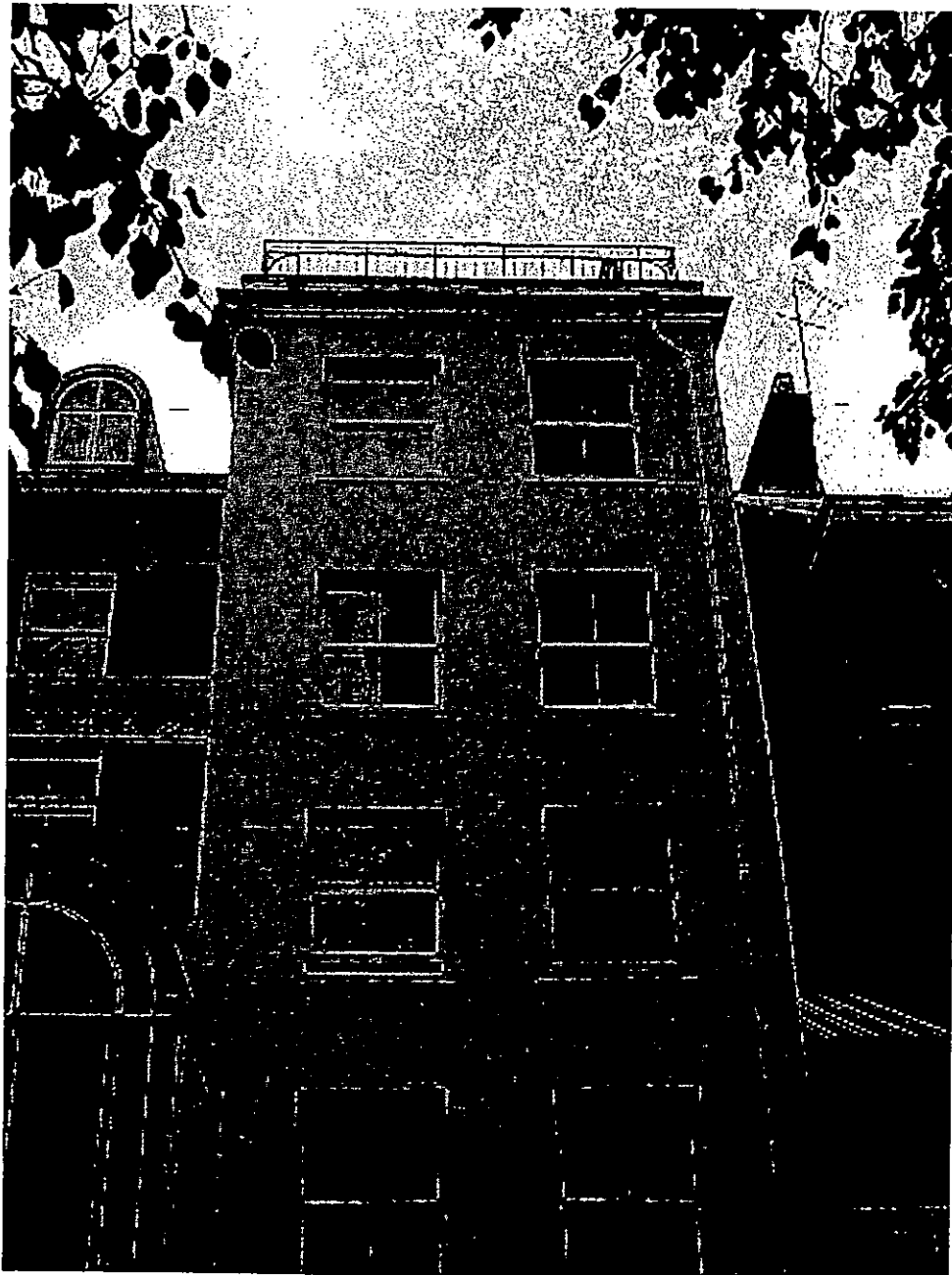
You will of course be notified of any further application which might be made on this property.

Yours faithfully

M.J. FRENCH

Executive Director, Planning and Conservation

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YLVISAKUL WII

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YLVISAAGA WII

DELEGATED
28 MAR 2002
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28 MAR 2002
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Y. VISAKAR W 11

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