

**ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA**

**DOCUMENT SEPARATOR**

**DOCUMENT TYPE:**

**COMMITTEE REPORT**

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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
DELEGATED

APP NO. PP/02/00242  
AGENDA ITEM NO.

ADDRESS/SUBJECT OF REPORT:

51 Pelham Street,  
London, SW7 2NJ

APPLICATION DATED 01/02/2002

APPLICATION REVISED

APPLICATION COMPLETE 04/02/2002

APPLICANT/AGENT ADDRESS:

Paul Archer  
Design,  
13 Canonbury Place,  
Canonbury,  
London  
N1 2NQ

CONS. AREA 13A CAPS Yes

ARTICLE '4' Yes WARD O

LISTED BUILDING No

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET.

RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

(17)  
48

**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: 15 March 2002  
Our Ref: PP/02/00242

Application Date: 01/02/2002 Complete Date: 04/02/2002

Revised Date:

Agent: Paul Archer Design, 13 Canonbury Place, Canonbury, London N1 2NQ  
Address: 51 Pelham Street, London, SW7 2NJ

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**

Existing 2nd floor roof terrace to be lowered and railings to front facade removed.  
Existing roof access to be replaced with new mansard roof to rear half of roof terrace,  
creating new 2nd floor room; replacement of lantern-style rooflight to rear of basement  
with flat glazed roof below parapet level.

**RECOMMENDED DECISION Refuse planning permission**

RBK&C drawing(s) No. PP/02/00242 Applicant's drawing(s)

No.237.002b;237.003;237.004;237.005;237.006;237.007a;237.008b;237.009;237.020;237.021c;  
237.022f;237.023b;237.024c;237.025b;237.026d;237.027c;237.028c,and 237.029d.

**Number of Objections - 0**

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

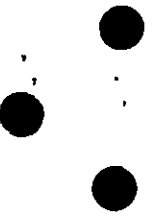
Area Planning Officer

PP/02/00242/1

*[Signature]*  
18/3/02

*[Signature]*  
15/3/02

*[Signature]*  
15/3



## REASONS FOR REFUSAL

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1. The proposed roof addition, by rising above a uniform parapet in a terrace that is unbroken by additional storeys and is harmed by old and isolated roof structures, and due to its materials and detailed design, would be harmful to the character and appearance of the Thurloe Estate/Smith Charity Conservation Area, contrary to policy that is set out in Chapter 4 of the Unitary Development Plan, in particular Policies CD25, CD38, CD39, CD48, CD52, CD53, CD54, and STRAT6.

## 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, STRAT 6, CD38, CD39, CD48, CD52, CD53 and CD54. (I51)



**DELEGATED REPORT**

**PP/02/00242**

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**M.J. FRENCH**

**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

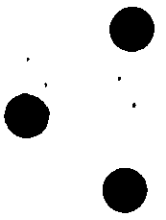
**Background Papers**

**The contents of file PP/02/00242 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: BC**

**Report Approved By: BC/LAWJ**

**Date Report Approved:**





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**1.0 INTRODUCTION**

- 1.1 This report concerns an application for planning permission to carry out roof level alterations to a property in Pelham Street. The proposed works are considered not to comply with the development plan and are accordingly recommended to be refused.

**2.0 THE PROPERTY**

- 2.1 No. 51 is situated at the west end of a short terrace of six properties which is located on the north side of Pelham Street between its junctions with Thurloe Square and Brompton Road/ Fulham Road.
- 2.2 The property comprises basement, ground and first floors and is occupied as a single family dwelling. It has a roof terrace on the main roof, accessed via a stair housing located in the north-west corner of the roof, and enclosed by a metal railing on both the front and rear elevations.
- 2.3 Pelham Street is situated within the Thurloe Estate/ Smith's Charity Conservation Area.

**3.0 THE PROPOSAL**

- 3.1 The applicants are applying for planning permission for proposals which involve lowering of the roof terrace, removal of the railings to the front facade, erection of a mansard roof on the rear half of the terrace and replacement of the lantern-style rooflight at basement level with a flat glazed roof.
- 3.2 The proposed roof addition would take the form of full width aluminium framed glazed doors on the front elevation, a copper roof and a glazed slope to the rear.
- 3.3 The proposed glazed flat roof at basement level would be installed below parapet levels.

**4.0 RELEVANT PLANNING HISTORY**

- 4.1 Planning permission was granted in August 1961 for alterations and additions and conversion into a maisonette with caretaker's flat in the basement.
- 4.2 Planning permission was granted in January 1990 for infilling the existing rear courtyard by construction of a glazed roof.

- 4.3 Planning permission was refused in November 2001 for the erection of a roof addition over the rear half of the existing roof terrace at second floor level and for the erection of a full width glazed rear extension infilling the existing lightwell at ground and first floor levels.

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## 5.0 PLANNING CONSIDERATIONS

- 5.1 The principal considerations are compliance with the relevant policies in the Unitary Development Plan towards roof additions; towards work in Conservation Areas and towards Conservation Areas generally.
- 5.2 The policies towards roof additions - CD38 and CD39 - one designed to be read as a pair, with CD38 indicating the circumstances where planning permission will be refused and CD39 setting out the limited circumstances where planning permission will normally be granted.
- 5.3 Policies CD52 and CD53 refer to development in Conservation Areas. Policies CD48 and STRAT 6 reflect the statutory duty to preserve or enhance the character or appearance of Conservation Areas. Policy CD54 refers to views.
- 5.4 The policies set out in the Thurloe Estate and Smith's Charity Conservation Area Policy Statement are also a material consideration. The policy set out in Pages 31 and 32 towards additional storeys and roof alterations states that additional storeys will not be permitted in this terrace.
- 5.5 The property was inspected on 20th February. The terrace of six properties is of attractive appearance with the roofline being set by the parapet on both the front and rear elevations - the rear elevation is visible from the public highway in Thurloe Square and it is estimated that the roofline is highly visible from any surrounding properties. The skyline is marred by structures on the roof of the end two properties - Nos. 51 and 61. Research does not indicate any planning permission for these structures, but it is evident that they are of an age which would make them immune from enforcement action.
- 5.6 Analysing the proposed roof extension against Policy CD38, the terrace is one which is unimpaired by authorised roof extensions but which is broken by old isolated unauthorised structures. Further roof extensions would infringe Policy CD38. Even if this were set aside, the detailed design of the proposed extension, due to its materials, is not architecturally sympathetic to the age and character of the building, and Policy CD39 would not be complied with.
- 5.7 Although the existing roof stair housing and railings are considered to be harmful to the character and appearance of the Conservation Area, replacement by a larger roof addition which would also be harmful to the character and appearance of the Conservation Area does not comply with Policies STRAT 6, CD48, CD52 and CD53. In this regard, although sight lines are included on the submitted drawings which indicate that the proposed extension would not be visible from the footway immediately opposite the

property, site inspection indicates that it will be highly visible in oblique views and it is estimated that it will be highly visible from many nearby properties. Policy CD54 will be accordingly infringed.

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- 5.8 The proposed basement level glass roof is considered to comply with Policies CD48, CD52, CD53 and STRAT 6 and will not be highly visible.

## **6.0 PUBLIC CONSULTATION**

- 6.1 The occupiers of fifteen nearby properties in Pelham Street and Thurloe Square have been notified, and the applications were advertised by notices posted on site and in the press on 15th February. To date, no replies have been received.

## **7.0 RECOMMENDATION**

- 7.1 Refuse planning permission.

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

### **Background Papers**

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**Report Prepared By: BC**  
**Report Approved By: BC/LAWJ**  
**Date Report Approved: 15/03/2002**