# ROYAL BOROUGH OF KENSINGTON & CHELSEA

# **DOCUMENT SEPARATOR**

**DOCUMENT TYPE:** 

**COMMITTEE REPORT** 





# ROYAL BOROUGH OF KENSINGTON & CHELSEA,

# REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE PLANNING SERVICES COMMITTEE DELEGATED		P NO. PP/02/0162 ENDA ITEM NO.		/
ADDRESS/SUBJECT OF REPORT:				
18 Addison Avenue, London, W11 4QR	APPLICA	ATION DATED	15/07/2002	
	APPLICATION REVISED			
	APPLICA'	TION COMPLET	E 23/07/2002	7
APPLICANT/AGENT ADDRESS:	CONS. AREA	2	CAPS Yes	
Andrews Downie and Partners,	ARTICLE '4'	No	WARD NOB	
6 Addison Avenue, London W11 4QR	LISTED I	BUILDING	No	
	HBMC DIRECTION			
	CONSUL	ГED	OBJ.	
	SUPPORT		PET.	
RECOMMENDED PROPOSAL:			· · · · · · · · · · · · · · · · · · ·	
			·	
RBK& C DRAWING NO(S):				
RECOMMENDED DECISION:				

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

### ROYAL BOROUGH OF KENSINGTON & CHELSEA

# REPORT BY EXECUTIVE DIRECTOR, PLANNING & **CONSERVATION**

PLANNING SERVICES COMMITTEE 16/09/2002

APP NO.PP/02/01628/CHSE AGENDA ITEM NO. 64

ADDRESS

18 Addison Avenue, London, W11 4QR

APPLICATION DATED

/07/2002

23/07/2002

N/A

APPLICANT/AGENT ADDRESS:

**CONSERVATION AREA** 

Norland

**CAPS** 

Yes

**Andrews Downie** and Partners,

ARTICLE '4'

No

WARD

Norland

6 Addison Avenue,

London

LISTED BUILDING

No

W11 4QR

**HBMC DIRECTION** 

N/A

**OBJECTIONS** 

**PETITION** 

Ð

**SUPPORT** 

Applicant SLT Limited

## **PROPOSAL:**

Erection of a single storey double garage at the rear east end of the back garden involving the raising of the existing rear wall fronting Queensdale Walk and the insertion of door openings.

**RBK&C Drawing No(s):** 

PP/02/01628

Applicant's Drawing No(s):

3230/23, 24, 3230/P01, /S04 and /P02

**RECOMMENDED DECISION:** Grant planning permission

15 SEP 2002

REFUSAL REF.



The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)

<u>Reason</u> - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)

2. The garage accommodation hereby permitted shall be available at all times for car parking and shall not be adapted for living, commercial, or other purposes. (C028)

<u>Reason</u> - To protect the amenity of the area. (R028)

3. The garage doors hereby approved shall not open out onto the highway and so maintained.

Reason - To ensure the cars can be parked safely.

- 4. The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)

  Reason The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
- All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation, in writing. (C071)

  Reason To preserve and enhance the character and appearance of the Conservation Area. (R072)

#### **INFORMATIVES**

- 1. I09
- 2. I10
- 3. I21
- 4. I30
- 5. I31 PP/02/01628: 2





7. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD46, CD52, CD53, TR47 and TR48. (I51)

PP/02/01628: 3



# THE SITE

The property is located on the East side of Addison Avenue, approximately 60m. from its junction with Holland Park Avenue. The property is the first in a terrace 16-36 (even) Addison Avenue which extends to the junction with Queensdale Road. The rear garden of the property faces onto Queensdale Walk, a small cul de sac that runs parallel to the rear of the terrace.

1.2 The property is a single family dwelling comprising ground and first floors. It is not a Listed Building but it is located with the Norland Conservation Area.

# 2.0 PROPOSAL

2.1 It is proposed to erect a single storey double garage at the bottom of the rear garden, opening onto Queensdale Walk. The proposal involves raising the height of the existing rear garden wall fronting Queensdale Walk.

# 3.0 PLANNING HISTORY

3.1 The Council granted planning permission on 28th June 2002, for alterations and extensions in association with the use of the property as a single family dwelling house. The work approved included the construction of a new basement floor, a new front lightwell, and erection of a rear ground floor extension and first floor extension.

### 4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations that have to be addressed when determining this application relate to the Council's policies regarding construction in rear gardens, the provision of off-street car parking, and the effect of such a proposal upon the character and appearance of the area, the Conservation Area and the residential amenity of neighbouring residents.
- 4.2 The existing rear boundary wall fronting onto Queensdale Walk measures approximately 1.6 metres in height with a trellis fence above it measuring approximately 15m. in height, the total height being approximately 3.1m.. The trellis fencing and part of the boundary wall are covered with a creeping plant.
- 4.3 The proposed new boundary wall which would form the rear elevation of the garden, containing two timber panelled garage doors, will measure approximately 2.9m. in height, approximately 200mm lower than the existing combined boundary wall and trellis fence. The elevation would be London Stock bricks to match the existing boundary wall.
- 4.4 The height of the proposed garage will therefore measure approximately 2.9m., it has been designed to contain two pitched roofs with a valley gutter extending rearwards into the garden a distance of approximately 5m.

- 4.5 The Council does not specifically address the subject of building in rear gardens; however, Policy CD46 does address off-street car parking in forecourts and gardens. The proposal does not result in the loss of a material part of the rear garden, as it measures approximately 22m. in length and the proposed garage will not exceed 5m. in depth, leaving approximately 17m. of garden. The garage will not result in the loss of any trees. The proposal is therefore consistent with Policy CD46(a) and (b). Policy CD46(d) relates to forecourt parking, and therefore, is not relevant.
- 4.6 Policy CD46(c) is considered relevant and states:

"TO RESIST OFF-STREET CAR PARKING IN FORECOURTS AND GARDENS IF THE PROPOSAL WOULD RESULT IN THE DEMOLITION OF MOST OF THE STREET GARDEN WALL OR RAILINGS, OR LEAD TO AN UNSIGHTLY BREACH IN IT, PARTICULARLY WHERE THE WALL OR RAILINGS FORM PART OF A UNIFORM MEANS OF ENCLOSURE TO A TERRACE AND AN ESSENTIAL FEATURE OF STREET ARCHITECTURE".

- 4.7 The proposal will not alter the height of the existing rear boundary fronting onto Queensdale Walk, it will in effect slightly reduce it. The trellis fencing will be replaced with London Stock brick to match the existing wall and two timber garage doors will be inserted. Each door will measure 2.1m. in height and 2.1m. in width with a 500mm. brick pier dividing the two doors. The doors will match two existing doors located in the boundary wall on the adjoining premises, which measure 3.1m. in width and 2.1m. in height.
- 4.8 It is considered that the proposed garage and the alterations to the rear boundary wall do not have a detrimental effect upon the character or appearance of the boundary wall and thus Queensdale Walk, and are therefore in accordance with Policies CD52 and CD53 which seek to maintain and enhance the character and appearance of the Borough as a whole and its Conservation Areas. The proposal is therefore considered to be consistent with Policy CD46(c).
- 4.9 The Council does not have a policy to encourage the development of off-street car parking garages to existing residential properties, but it does have a policy that resists the loss of off-street residential parking with Policy TR47.
- 4.10 The "Transportation" Chapter of the Unitary Development Plan does, however, seek to resist development which would result in the net loss of on-street residents parking with Policy TR48. The west side of Queensdale Walk contains residents car parking bays along the rear boundary walls of Nos. 20-22, 24, 26 and 28 Addison Avenue but not No. 18 which has a single yellow line.
- 4.10 The proposal will not result in a loss of on-street residents car parking spaces and is therefore in accord with Policy TR48.
- 4.11 The final consideration that has to be addressed is the effect the garage parking will have upon the amenity of the residents who live in Queensdale Walk.

4117

Queensdale Walk is a quiet cul de sac that contains residential dwellings along its eastern side with its western side mainly consisting of the rear boundary walls of the properties 18-28 Addison Avenue. The western side is as stated above set aside mainly for on-street car parking in the form of residents' parking bays.

- 4.13 What has to be considered therefore, is whether the additional two cars that would be parked in the proposed garages, would result in additional vehicular activity to the detriment of the residential amenity of the residents who live in Queensdale Walk.
- 4.14 Queensdale Walk currently has the capacity to allow eleven cars to park within the residents' parking bays. There is no control to stop cars entering Queensdale Walk seeking to park on the residents car parking bays. The two additional cars which would be housed in the proposed garage will be entering Queensdale Walk to park in a designated car parking space off-street. It is considered that the two additional cars will not therefore be of detriment to the residential amenity of the residents of Queensdale Walk.
- 4.15 During the consultation process, local residents advised of their concern that if this proposal were allowed, it would create a precedent for each of the other garages that back onto Queensdale Walk to follow the proposal and create garages opening onto Queensdale Walk.
- 4.16 The other properties within the terrace 20-28 (even) Addison Avenue that back onto Queensdale Walk are all set against residents car parking bays and the Council with Policy TR48 seek to resist development which would result in the net loss of on-street residents' parking. The Council would therefore have a policy objection to the loss of the residents parking bays and, accordingly, any proposal to erect off-street parking at the above mentioned properties would be resisted.

# 5.0 PUBLIC CONSULTATION

- 5.1 The Council notified fourteen addresses of the proposal and has, to date, received fourteen letters of objection to it.
- 5.2 The objections to the proposal are best summed up by the contents of the letter below:
  - "I am writing to state my objections to the proposed development at 18 Addison Avenue. My main points are as follows:-
  - a) It is proposed that the existing wall be raised, all the creeper removed, and an additional garden door plus two garage doors be inserted. This would destroy the green, quiet character of this end of Queensdale Walk.
  - b) If this development is approved, it would set a precedent for other property owners on Addison Avenue who have gardens facing Queensdale Walk to build garages. This would result in the loss of existing residents permit parking spaces on Queensdale Walk which would mean the residents on Queensdale

Walk who use these spaces will have to park on either Queensdale Road of Addison Avenue, away from their properties.

- c) There is already adequate residents parking for the property owners on Addison Avenue, directly in front of their properties, without having to attract more traffic down our quiet cul de sac. More traffic will make it unsafe for the residents' children and pets on Queensdale Walk without strict supervision which is currently unnecessary.
- d) The noise of the garage doors, whether manually or electronically operated at all hours and the noise of the cars turning within 3-4 feel of 11 & 12 Queensdale Walk and 5 Addison Avenue (which has one elevation facing the end of Queensdale Walk) will cause significant nuisance to the residents at this end of the cul de sac.
- e) The turning circle at the end of Queensdale Walk is tight. The proposed garage size (5.4m depth) implies that large cars will be parked in these garages. This will require significant manoeuvring within several feet of the houses in the immediate vicinity which will cause a severe nuisance to the residents of these properties.
- f) Both 11 Queensdale Walk and 5 Addison Avenue already have garage doors opening onto this end of the road.

Consequently, I believe that this planning application should be refused on both environmental and practical grounds".

- 5.3 The majority of the points raised have already been discussed in the main body of this report except points (d) and (e).
- 5.4 The noise of the garage doors will not, it is considered, be such that it could be justifiably argued that it would result in a disturbance to the neighbours to warrant a refusal of planning permission.
- 5.5 The Director of Transportation and Highways has given his observations upon the proposal and does not foresee a problem with the turning circle. It should be stated that the turning circle will be better than the circle currently afforded to the cars parking on the on-street parking bays.

## 6.0 RECOMMENDATION

6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/02/01628 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By:

AP

Report Approved By:

DT/LAWJ

Date Report Approved: 05/09/2002

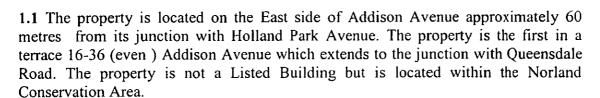
PSC0902/AP.REP

# **DELEGATED REPORT**

#### **18 ADDISON AVENUE**

### **KENSINGTON W11**

## 1.0 PLANNING CONSIDERATIONS



- 1.2 The property is currently vacant but was last used as two residential self contained flats but the applicant proposes to convert it into a single family dwelling house, which does not require planning permission. The property is therefore now considered to be a single family dwelling house.
- 1.3 The application proposes to ercet a rear first floor addition, a rear ground floor conservatory addition and create a basement floor under the existing house which would involve the provision of a front lightwell.
- 1.4 The existing property benefits from a rear outreach addition that extends at ground floor level a distance of approximately 8.9 metres and at first floor level a distance of 5.4 metres, with a ground floor addition in what could be described as the light well which extends approximately 6.9 metres. The property adjoining ,No20 Addison Avenue extends an additional 2.9 metres at ground floor level in the lightwell and approximately 5 metres in length on the outreach at both ground and first floor levels, beyond the rear additions at No 20 Addison Avenue.
- 1.5 The application seeks to extend the first floor outreach the an additional 3.5 metres so the rear outreach extends to first floor for the entire 8.9 metres of its length. The proposal also seeks to erect a ground floor conservatory that would wrap around the proposed outreach addition, the proposed conservatory would not extend beyond the rear building line of the adjoining addition and the extended first floor will not be as deep as the one at No20 Addison Avenue.
- 1.6 The Council address the subject of rear additions with Policy CD41 of the Conservation and Development chapter of the Unitary Development Plan and the proposed addition is considered to be accord with this policy. The subject of conservatory additions is addressed with Policy CD42 of the Unitary Development Plan and again it is considered that the proposal is consistent with Policy CD42. The proposed alterations to the rear are considered to maintain the character and appearance of the building, the terrace and the Conservation Area and is therefore considered to be in accordance with the aims of the Council as expressed in Policies CD52 and CD53 of the Unitary Development Plan, which seek to maintain and enhance both the character and appearance of the Borough as a whole and its Conservation Areas in particular.



- 1.7 The owner of the adjoining property has advised the Council that the first floor addition will reduce sunlight to the patio area of the property and the increase in the party boundary wall will create a sense of enclosure to the ground floor extension. The case officer visited the objectors property and found that the first floor addition would have a minor effect upon sunlight to the small patio area but certainly not to a degree that would be significant or to a level that would be detrimental to the property. The increase in the boundary wall will not create a sense of enclosure because the increase in height will be extend beyond the objectors rear glazed conservatory extension by a distance of approximately 1,9 metres and the additional 500mm on this section of wall will not lead to a sense of enclosure to the ground floor room created by the objector. It should also be stated that the boundary wall of the addition at no 20 Addison Avenue is approximately 250mm higher than that proposed by the application. The proposal will not it is considered result in a sense of enclosure, overlooking or loss of daylight or sunlight that would be detrimental to adjoining residential properties and is therefore considered to be in accordance with Policies CD28 and CD30 of the Unitary Development Plan which address these issues.
- 1.8 The proposed lightwell at the front of the building will measure approximately 1.2 metres in depth and 2.5 metres in width and follows other examples that have been created in the terrace and is not considered to be detrimental to the character or appearance of the premises, given its size. The remainder of the front garden area will be retained with railing erected that would match those found on the adjoining property No 20 Addison Avenue

# 2.0 PUBILC CONSULTATION

2.1 The Council notified twenty four addresses of the proposal and has to date received one letter of objection from the property adjoining at No 20 Addison Avenue. The letter of objection has been fully discussed in paragraph 1.7 of the report above.