

**ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA**

**DOCUMENT SEPARATOR**

**DOCUMENT TYPE:**

**COMMITTEE REPORT**



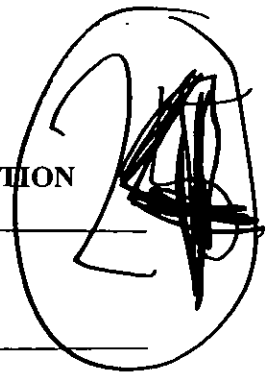
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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
DELEGATED

APP NO. PP/02/00073  
AGENDA ITEM NO.



ADDRESS/SUBJECT OF REPORT:

41A, Portland  
Road, London,  
W11 4LH

APPLICATION DATED 05/11/2001

APPLICATION REVISED

APPLICATION COMPLETE 10/01/2002

APPLICANT/AGENT ADDRESS:

Sedley Place,  
68 Venn Street,  
London  
SW4 0AX

CONS. AREA 2 CAPS Yes

ARTICLE '4' No WARD F

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:

**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: 25 February 2002  
Our Ref: PP/02/00073

AE  
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Application Date: 05/11/2001 Complete Date: 10/01/2002

Revised Date:

Agent: Sedley Place, 68 Venn Street, London SW4 0AX  
Address: 41A, Portland Road, London, W11 4LH

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.

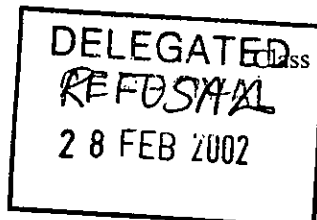
Class - shop fronts

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 an extension to the rear between first and second floors to provide new bathroom.**

**RECOMMENDED DECISION Refuse planning permission**

RBK&C drawing(s) No. PP/02/00073 Applicant's drawing(s) No. RJ01/1/010 and RJ01/1/011.

**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

*[Signature]*  
28/2/02

*[Signature]*  
28/2/02

*[Signature]* 27/2/2

## REASONS FOR REFUSAL

1. **The proposed rear extension which would project beyond the general rear building line, by reason of its height would cause harm to the appearance of the building, the adjoining terrace, and the Conservation Area in which it is situated. On this basis, it would be contrary to the Council's policies as contained within the "Conservation and Development" Chapter of the Unitary Development Plan, in particular Policies CD25, CD41, CD52 and CD53.**

## 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, CD28, CD30, CD30a, CD41, CD52 and CD53. (I51)

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**1.0 THE SITE**

- 1.1 The application relates to a three storey property located on the western side of the Portland Road with the junction of Pottery Lane. The building is located at the end of the terrace and adjoins the Prince of Wales public house.
- 1.2 The property is located within the Norland Conservation Area. It is not a listed building. It is a single family dwelling house.

**2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of a rear extension at second floor level.

**3.0 RELEVANT PLANNING HISTORY**

- 3.1 Planning permission was granted on appeal in 1997 for the replacement of the existing valley roof with a flat roof terrace, building up the rear parapet and erection of new door hatch.
- 3.2 Planning permission was refused on 24<sup>th</sup> October 2001 for the erection of an extension to the rear between first and second floor to provide new bathroom and the erection of a glass enclosure. There were two reasons for refusal. The first reason related to the rear extension which was considered to be harmful to the appearance of the building, terrace and conservation area by reason of its height, design and glazed roof. The second reason for refusal related to the roof structure which was refused on the grounds that, by reason of its projection above the parapet, design and amount of glazing, it would be harmful to the character and appearance of the building, terrace and conservation area.
- 3.3 This application has omitted the proposal for the roof structure and has reduced the height of the proposed extension by omitting the glazed 45 degrees pitched roof.

**4.0 PLANNING CONSIDERATIONS**

- 4.1 The relevant policies for consideration of the Council's Unitary Development Plan include CD25, CD28, CD30, CD30a, CD41, CD52 and CD53.
- 4.2 The property has an existing two storey extension which abuts the neighbouring public house. It is proposed to extend this existing rear extension at second floor landing level. The extension would be constructed in brick to match the existing building.
- 4.3 The property is an addition to the terrace and it is set back from the general building line. The other properties in the terrace do not have extensions at this level. Policy CD41 states that rear extensions will normally be resisted if the

extension would rise above the height of neighbouring and nearby extensions. This proposed extension would rise above the height of neighbouring extensions, contrary to Policy CD41.

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- 4.4 Since the existing building is set back from the general building line, it already dominates the terrace and it is considered that an addition at this level would be detrimental to the appearance of the terrace. The proposed extension would be clearly visible from the street and it is considered that this increase in height and bulk on the flank elevation of the building would be detrimental to the mews character of Pottery Lane. It is considered that the proposed extension would be harmful to the appearance of the building and the rest of the terrace, contrary to CD41. It is considered that it would cause harm to the character and appearance of the conservation area, contrary to Policy CD52 and CD53.
- 4.7 It is not considered that the proposed extension will cause any significant harm to the amenity of the neighbouring properties. The extension is set away from the boundary with no. 41 Portland Road and will not result in any loss of light or increased sense of enclosure to occupiers of this property. There will be some marginal increase in the sense of enclosure to the occupiers of the property to the rear (no. 12 and 13 Princedale Road). There will be some marginal increase in overlooking to neighbouring gardens resulting from the proposed window in the side elevation of the rear extension, but this is not considered to be significant as the gardens are already overlooked by other properties. The proposal is therefore considered to comply with policy CD28 and CD30.

## **5.0 PUBLIC CONSULTATION**

- 5.1 Fifteen letters sent to neighbouring properties. No response received to date.

## **6.0 RECOMMENDATION**


- 6.1 Refuse Planning Permission

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

### **Background Papers**

**The contents of file PP/02/00073 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

Report Prepared By: SG

Report Approved By: 

Date Report Approved: 28/2/02