

COMMITTEE REPORT

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THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING SERVICES COMMITTEE

13/01/98

APPLICATION NO.

AGENDA ITEM

TP/98/1912/G/52

07

REPORT BY THE EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

APPLICANTS NAME/ADDRESS

Application dated 23/09/98

Mr. S. Sergiou,
136 Woodcock Hill,
Kenton,
Middlesex HA2 0JN

Revised 10/12/98,
11/12/98,
16/12/98,
& 24/12/98
Completed 12/10/98

**RECOMMENDATION
ADOPTED.**

Polling Ward BA09

ON BEHALF OF : Mr. A. Americanos,
INTEREST : Not known

APPROVED BY
PSC 13/1/99

District Plan Proposals Map:

| Cons.Area | CAPS | Article 4 Direction | Listed Building | HBMC Direction | A/O Consulted | Objectors (to date) |
|-----------|------|------------------------|--------------------|-------------------|------------------|------------------------|
| 1 | YES | NO | NO | N/A | 49 | 0 |

RECOMMENDED DECISION :-

GRANT planning permission for erection of rear extension at ground floor level to extend retail shop (32a), rear extension at mezzanine level to form new studio flat, together with roof terrace on top, installation of rooflights to main roof, formation of studio flat in roof space, elevational alterations to front and rear and new shop front at No. 32a.

At: 32, 32A AND 32B ST. LAWRENCE TERRACE, KENSINGTON, W.10

As shown on submitted drawing(s) No(s): TP/98/1912, TP/98/1912/A, TP/98/1912/C and TP/98/1912/D

Applicant's drawing(s) No(s) : 1047-90, /91, /92A, /94B received 24/12/98, /95D and /96E

CONDITIONS

1. C.1
2. C.68
3. C.71
4. C.75 ... rear windows in mezzanine extension and rear window at upper second floor level.
5. C.78
6. C.82
7. C.83
8. All external windows and doors shall be of painted timber and shall be so maintained.
9. The shop front hereby permitted shall be of painted timber and shall be so maintained.

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REASONS FOR THE IMPOSITION OF CONDITIONS

- | | | | | |
|---------|---------|---------|---------|---------|
| 1. R.1 | 2. R.68 | 3. R.72 | 4. R.72 | 5. R.77 |
| 6. R.82 | 7. R.83 | 8. R.72 | 9. R.72 | |

INFORMATIVES

- | | | | | |
|---------|---------|---------|---------|--------|
| 1. I.10 | 2. I.11 | 3. I.21 | 4. I.30 | 5. I.2 |
|---------|---------|---------|---------|--------|

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1.0 The Site

- 1.1 No. 32 St. Lawrence Terrace is an unusual three storey (plus attic) mid terrace building, situated on the East side of St. Lawrence Terrace, on the corner with Chesterton Road. The property has a shop front at ground floor level, set back side additions and a half hipped roof. The front elevation includes Victorian Gothic detailing. Nos. 32a and 32b are two shop units which are located at either side of No. 32. The property is situated on a triangular site and, to the rear, there is a small yard area which backs on to the playground of the Spanish Bilingual School.
- 1.2 The property is in use as a vacant (32 and 32b) retail shop (32a) and a double unit (Class A2) employment agency on the ground floor with 2 two-bedroom residential flats above: one at first floor, and the other at second floor level.
- 1.3 The property is not Listed, but is within the Oxford Gardens Conservation Area.

2.0 Details of the Proposal

- 2.1 The proposal is for the erection of a full width rear extension at ground floor level to extend the retail shop (32a) and the erection of a full width rear extension above at mezzanine level to form a new studio flat, together with a roof terrace on top. It is also proposed to install rooflights in the main roof and form a studio flat in the roof space, together with elevational alterations to front and rear and new shop front at No. 32a.

3.0 Relevant Planning History

- 3.1 There is no relevant planning history in relation to this application.

4.0 Planning Considerations

- 4.1 The main consideration in this case is the impact of the proposal on the appearance of the property and the terrace, in which it is situated, together with the impact on the character and appearance of the Conservation Area. Also for consideration is the effect of the proposal on the amenities of neighbouring properties as well as the principle of the creation of 2 residential flats.
- 4.2 The relevant planning policies of the Unitary Development Plan are:
- CD28 (Sunlight and daylight)
 - CD30 (Privacy)

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- CD38 (Roof alterations)
- CD39 (Roof alterations)
- CD40 (Roof terraces)
- CD41 (Rear extensions)
- CD52 (Development in Conservation Areas)
- CD53 (Development in Conservation Areas - high standards of design)
- CD63 (Shop fronts)
- STRAT 13 (Increase dwelling stock)
- STRAT 16 (Increase amount and range of dwellings)

The property is also included in the Oxford Gardens Conservation Area Proposals Statement as having important side elevations and is Category I in respect of roof alterations.

- 4.3 The rear yard area of the property is an awkward triangular shape and has been partially infilled by single storey lavatory and storage buildings which are ancillary to the retail shop. This rear yard area is enclosed on two sides by the high flank walls of Nos. 30 St. Lawrence Terrace and No. 21 Chesterton Road and by a high boundary wall to the rear.
- 4.4 The proposed ground floor rear extension will take up the whole of the rear yard area, covering the full width of the property and will provide additional floor space for the retail shop at No. 32a. The proposed mezzanine level rear extension will provide a new studio flat and will take up the full width of the property, but will be stepped back at the rear. Part of the flat roof of this extension is to be used as a roof terrace by the existing first floor flat, accessed from new french doors in the rear elevation. The extensions will be of brick construction and, due to the unusual triangular shape of the rear yard area, their rear elevations will be very narrow.
- 4.5 The proposed rear extension at mezzanine level is contrary to part (f) of Policy CD41 of the Unitary Development Plan, because this element of the proposal involves a full width rear extension above ground floor level. However, it is considered that the extension will not be significantly visible because of the enclosed nature of the rear elevation. Indeed, it is considered that only oblique views of it will be attainable from the second floor level roof terraces of No. 30 St. Lawrence Terrace and No. 21 Chesterton Road, on either side of the property. Furthermore, because of the high rear boundary wall, the extensions will not be visible from the playground of the school to the rear. It should also be noted that the property stands out as being of a different design and form to the surrounding development and is very much an individual building.

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Therefore, it is considered that the rhythm of rear additions in the terrace will not be disrupted by the proposal. Having also taken into account the enclosed nature of the rear elevation, it is considered that an exception to Policy CD41 is justified in this case and the appearance of the building and the terrace in which it is situated will not be harmed. In addition, the Conservation and Design Officer considers the detailed design of the extensions and the roof terrace to be acceptable. Consequently, it is concluded that the character and appearance of the Conservation Area will be preserved.

- 4.6 It is not considered that the rear extensions will lead to a loss of light affecting neighbouring properties. This is because the extensions will abut the high flank walls of the properties on either side which do not contain any windows. In a similar manner, it is not considered that the proposed roof terrace at first floor level will lead to any problems of overlooking affecting neighbouring properties because of its enclosed nature. Furthermore, the plans have been revised to reduce the size of this roof terrace in order to ensure that its use will not lead to significant noise disturbance.
- 4.7 The proposed roof alterations involve the installation of 2 rooflights in one side of the main roof and 3 rooflights in the other side. The roof space is to be converted into a studio flat. It was originally proposed to erect two dormer windows, however, the plans have been amended following negotiations with officers. The property is included in the Conservation Area Proposals Statement as Category 1 for roof alterations. This states that no change to roofs or dormers will be permitted. The existing roof is visible from along St. Lawrence Terrace and is clad in inappropriate concrete tiles. Following negotiations, the applicant has agreed to replace these concrete tiles with more appropriate slates. The Conservation and Design Officer considers this element of the proposal to be welcome and considers the introduction of rooflights should be weighed against this. The rooflights have also been reduced in size and set further back on the roof to make them less visible at the request of officers. Furthermore, the proposal will not set a precedent as the property is different from the remainder of the buildings in the terrace which all appear to have valley roof forms. Therefore, it is considered that an exception to the Conservation Area Proposals Statement is justified in the circumstances, and this element of the proposal is acceptable, on balance.
- 4.8 The provision of the two new studio flats in the rear mezzanine extension and in the roof space is supported by the Policies of the Unitary Development Plan, listed earlier in this report. The new flats are also considered to be acceptable in terms of size and internal layout. Furthermore, it is not considered that the creation of these two small units will have a significant effect on on-street parking demand in the local area.

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4.9 The existing shop front at No. 32a is fairly old and has inappropriate proportions and detailing, together with a stepped entrance. It is also understood that this shop has been vacant for many years. The proposed new shop front will be timber framed and will have improved proportions with a lower stall riser and a larger area of glazing. It will also incorporate a ramped entrance. This new shop front will be in line with the proportions of the other two shop fronts on the property. It is concluded that the appearance of the property and the character and appearance of the Conservation Area will be enhanced by this element of the proposal.

4.10 The alterations to the front elevation include the installation of a small circular timber window at upper second floor level which will serve the new studio flat in the attic space. This window is considered to be in character with the design of the existing building and the symmetry and appearance of the front elevation will not be harmed. To the rear, it is proposed to replace one window at first floor level and form a new window opening at upper second floor level. These alterations are considered to be acceptable and the appearance of the building and the character and appearance of the Conservation Area will not be harmed.

5.0 Public Consultation

5.1 Occupiers of forty nine neighbouring properties in St. Lawrence Terrace, Chesterton Road and Portobello Road were notified of this application.

5.2 To date, no representations have been received.

6.0 Recommendation

6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of the file number TP/98/1912 referred to at the head of this report save for exempt or confidential information as defined by the Local Government (Access to Information) Act, 1985.

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Officer Contact

The above documents can be inspected by prior appointment with Tracey Rust in the Planning Information Office, Room 325, The Town Hall, Telephone 0171-361-2080.

REPORT PREPARED BY: MC
REPORT APPROVED BY: RT/LAWJ
DATE REPORT APPROVED: 21/12/98

PSC9901/MC.REP

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
Director of Planning Services

30 31



Mr. S. Sergiou,
136 Woodcock Hill,
Kenton,
Middlesex.
HA2 0JN

Switchboard: 0171-937 5464
Direct Line: 0171-361 3266

Facsimile: 0171-361 3463

KENSINGTON
AND CHELSEA

15 JAN 1999

My reference:

Your reference:

Please ask for:

DPS/PA/TP/98/1912/G/52/07

North Area Team

FILE COPY

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

Permission for development (Conditional) (TP6a)

The Borough Council hereby permit the development referred to in the under-mentioned Schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is also drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT

Erection of rear extension at ground floor level to extend retail shop (No. 32a), rear extension at mezzanine level to form new studio flat, together with roof terrace on top, installation of rooflights to main roof, formation of studio flat in roof space, elevational alterations to front and rear and installation of new shop front at No. 32a, at 32, 32A AND 32B ST. LAWRENCE TERRACE, KENSINGTON, W.10, as shown on submitted drawing(s) No(s). TP/98/1912, TP/98/1912/A, TP/98/1912/C and TP/98/1912/D, Applicant's drawing(s) No(s). 1047/90, /91, /92A, /94B received 24/12/98, /95D and /96E, in accordance with your application dated 23/09/98, completed 12/10/98, revised 24/12/98.

/ CONDITIONS ...

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CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C.1)
2. 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. (C.68)
3. 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. (C.71)
4. The rear windows in mezzanine extension and rear window at upper second floor level shall be timber framed double hung sliding sashes. (C.75)
5. No water tank, lift motor room or other roof structure shall be erected which rises above the roof of the building, including the roof of any extensions. (C.78)
6. The railings to the roof terrace hereby permitted shall be painted black and so maintained. (C.82)
7. The rooflight hereby permitted shall be a traditional conservation-type. (C.83)
8. All external windows and doors shall be of painted timber and shall be so maintained.
9. The shop front hereby permitted shall be of painted timber and shall be so maintained.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. As required by Section 91 of the Town and Country Planning Act 1990 to avoid the accumulation of unexercised planning permissions. (R.1)
2. The details are considered to be material to the acceptability of the proposals and to safeguarding the amenities of the area. (R.68)
3. To preserve and enhance the character and appearance of the Conservation Area. (R.72)
4. To preserve and enhance the character and appearance of the Conservation Area. (R.72)
5. To safeguard the appearance of the building and area. (R.77)

/ 6. To safeguard...

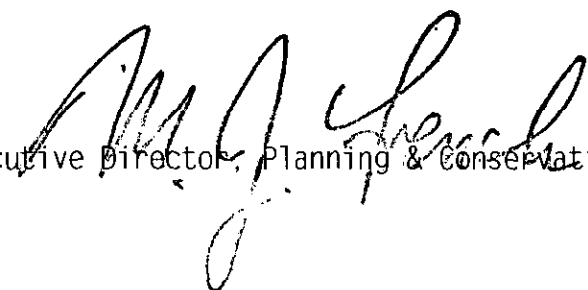
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6. To safeguard the appearance of the building/street. (R.82)
7. To safeguard the appearance of the building/street. (R.83)
8. To preserve and enhance the character and appearance of the Conservation Area. (R.72)
9. To preserve and enhance the character and appearance of the Conservation Area. (R.72)

INFORMATIVES

1. Your attention is drawn to the conditions of this approval and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act, 1990, as amended. (I.10)
2. This property is within a Conservation Area. Building works should therefore be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out you should consult the Directorate of Planning Services. (I.11)
3. Separate consent for the works hereby given approval under the Planning Acts may be required by the Building Act 1984 and the Building Regulations 1991, and this approval does not imply that such consent will be given. The Director of Building Control, Town Hall, Hornton Street, London W8 7NX, should be consulted before works commence. (I.21)
4. Demolition and building works are subject to the Environmental Protection Act, and appropriate controls over methods, noise and hours of work may be imposed by the Council. You are advised to consult the Director of Environmental Health, Council Offices, 102-108 Warwick Road, W14 8PT at an early stage. (I.30)
5. This permission does not permit the use of the premises as temporary sleeping accommodation (including holiday lets or short lets) or any purpose specified in Section 25 of the Greater London Council (General Powers) Act 1973 as substituted by the Greater London Council (General Powers) Act 1983 or as timeshare accommodation as specified in Section 5 of the Greater London Council (General Powers) Act 1984. Use for such purposes would constitute a change of use requiring planning permission and it is the Council's policy to resist such changes of use. (I.2)

Yours faithfully,


Executive Director, Planning & Conservation