

**ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA**

**DOCUMENT SEPARATOR**

**DOCUMENT TYPE:**

**COMMITTEE REPORT**



ROYAL BOROUGH OF KENSINGTON & CHELSEA

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REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
DELEGATED

APP NO. PP/02/02818  
AGENDA ITEM NO.

ADDRESS/SUBJECT OF REPORT:

1 Swanscombe  
Road, London,  
W11 4SU

APPLICATION DATED 03/12/2002

APPLICATION REVISED

APPLICATION COMPLETE 09/12/2002

APPLICANT/AGENT ADDRESS:

R. R. Stagg,  
11 Arbury Banks,  
Chpping Warden,  
Banbury, Oxon.,  
OX17 1LT

CONS. AREA 2

CAPS Yes

ARTICLE '4' No

WARD NOB

LISTED BUILDING No

HBMC DIRECTION

CONSULTED

OBJ.

SUPPORT

PET.

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RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

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**1.0 THE SITE**

- 1.1 This is a two storey residential building located on the South side of Swanscombe Road, built in what was originally the rear garden to no. 33 St. Ann's Villas.
- 1.2 The property is not Listed although the nearby properties of St. Ann's Villas (including no.33) are. It is within the Norland Conservation Area.

**2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the addition of a second floor to the building in the form of a mansard storey. The additional storey would be in the form of a mansards roof, providing a studio flat of approximately 50 sq.m and accessed by an external spiral stair from ground level.

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**3.0 RELEVANT PLANNING HISTORY**

- 3.1 An application seeking permission for an additional storey was withdrawn in 1988.

**4.0 PLANNING CONSIDERATIONS**

- 4.1 The main considerations are the impact of the proposed additional storey upon the character and appearance of the Conservation Area and on the levels of amenity currently enjoyed by neighbouring residential properties. The relevant planning policies are contained within the "Conservation and Development" Chapter of the Unitary Development Plan, of particular relevance being Policies H2, CD25, CD28, CD30, CD30a, CD38, CD39, CD44, CD48, CD52, CD53, and CD61.
- 4.2 This property is a 'one-off' following planning permission granted for the rear garden of no.33 St. Ann's Villas in 1961; it is a unique building, not part of a terrace or group of similar buildings.
- 4.3 Being built in the original garden to no.33, which is Listed, there is clearly a sensitivity between the two in both physical townscape terms and amenity terms. With a distance of only 9.9m between the main rear wall of no.33 and the flank of the application property, and 6.15m between the rear extension of no.33 and the flank of the application property, it must be the case that an inappropriate form of development on no.1 could have quite a significant impact upon no.33.
- 4.4 Taking the overall townscape impact before looking specifically at no.33, this property is unusual locally in being just of two storeys. All of its neighbours are taller by at least one storey, and there is therefore a certain simple logic that the addition of a further floor to this building would be compatible with the bulk and scale of surrounding development, in compliance with Policy CD25.

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- 4.5 However, the context of no.1 is that it plays an important 'dividing' role between the three storey development at no.3 adjacent and no.33 close by. When this side of Swanscombe Road is viewed from the North, the 'step-down' provided by no.1 is very important in townscape terms, forming a clear break between the Listed St. Ann's Villas properties and no.3 beyond. The present appeal proposal (decision awaited) for the site beyond at no.7 Swanscombe Road adopts this same principle; the architects for that scheme stepped their five storey proposal down to three adjacent to no.3 on its eastern side, and in turn the further step down to two storeys at no.1 supported that logic. If the appeal for the five/three storey development at no.7 is allowed, then it is important that no.1 should remain as a two storey building to preserve that logic. And that logic would also still remain if the appeal at no.7 is dismissed. In these respects, it is concluded that Policies CD25, CD52 and CD53 would be compromised by this proposal.
- 4.6 The proposed external spiral staircase would be an unusual feature, which in design terms would relate very poorly to the surrounding buildings and, it is considered, appear to be an incoherent and visually obtrusive feature.
- 4.7 Viewed from the former Organ Factory at 3 Swanscombe Road, a residential property with no street frontage, the additional storey would add a further sense of enclosure to that property and the yard forming part of that site. It is considered that this would be contrary to Policy CD30a.
- 4.8 Turning to no.33 St. Ann's Villas, the building at no.1 already creates an enclosing feel to the West (rear) of that property. It is not considered that the proposed additional storey would harm the *setting* of the Listed building as such, but it is considered that it would add, materially and harmfully, to the sense of enclosure at the rear of the property. This would particularly be the case within the rear facing habitable rooms at ground and first floor levels in no.33, and also from the rear garden space. It is concluded that this effect would be contrary to Policy CD30a.
- 4.9 There would be no East facing windows in the proposed additional storey, which is just as well given the proximity of the two buildings which are well below the 18m recommended in the UDP as the minimum for facing windows. However, given the small distances here the spiral staircase and entrance door would to an extent afford overlooking to no.33, by a sufficient degree to justify an objection in terms of Policy CD30.
- 4.10 Daylight guidelines recommend that a new building should not result in an angle of greater than 25 degrees taken from 2m on the flank of an existing building. In this case, the proposed additional storey would result in a 40 degree angle taken from 2m high on the main rear wall of no.33, which is a habitable room (living room). It is concluded that there would in all likelihood be a material decrease in daylight to the rear of no.33, contrary to Policy CD28 of the UDP. This effect would be most marked on the lower ground floor of no.33.
- 4.11 It is acknowledged that Policy H2 and guidance for London supports the creation of a new residential unit, but it is considered that this benefit is greatly outweighed by the negative effects that would result from the proposed additional storey, as discussed above.

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**5.0 PUBLIC CONSULTATION**

- 5.1 Seventeen letters of notification were sent to neighbouring properties in St. Ann's Villas and Swanscombe Road , and a Site Notice displayed.
- 5.2 One objection has been received, from the occupants of no. 33 St. Ann's Villas.
- 5.3 This objection mentions three main grounds of concern, namely a reduction in natural light to the rear of their house, increased sense of enclosure to the rear of their house, and reduced privacy.
- 5.4 It is agreed that each of these is a valid concern in this case, and each is discussed in the main body of the report.

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

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**Background Papers**

**The contents of file PP/02/02818 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

Report Prepared By: DT  
Report Approved By: LAWJ *Law*  
Date Report Approved: 3/2/03