

P.P.S.

24/00221

Phillips Planning Services Ltd.
Town Planning and Development Consultants

My Ref; PWJMS/032949

5th December 2003

Mr. Darren McCreery
The Royal Borough of Kensington and Chelsea
The Town Hall
Horton Street
LONDON
W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.R. K.C.	15 NOV 2006				PLANNING	
M	C	S	APP	IO	REC	
FPS			ARB	FDLN	DES	FEEES

Dear Mr. McCreery

Re: Proposed Rear Extension of No. 5 Tedworth Square, London SW3

Further to our brief telephone conversation of 4th December 2003, please find attached two plans showing the above property, its previous extensions and details of the rear extension which the owners now seek to erect.

The Permitted Development Regulations:

As you are aware, the Town & Country Planning (General Permitted Development) Order 1995, Schedule 2, Part 1, Class A, enables certain extensions to be constructed without the need for planning permission.

As No. 5 Tedworth Square is within a Conservation Area and forms part of a terrace, Class A advises that any enlargement of the dwelling should not exceed either 50m³ or 10%, whichever is the greater.

No. 5 is a fairly substantial property, the cubic volume of which has been calculated by Casson Conder Architects to be approximately 1,300 m³. (This is the original building as it was in 1948 and as required excludes the subsequent extensions, which are discussed below.)

Therefore, 10% of the 1,300m³ gives a permitted development tolerance of 130m³. However, Class A.1(a)(iii) advises that the maximum permitted development tolerance in any case can only be 115m³.

We consider that this maximum of 115m³ applies to No. 5 Tedworth Square.

As you will note from your planning records that some previous extensions have been built at the property. Again Casson Conder have carefully assessed the size of these and the details are shown on the attached plans. They comprise:

1. Small infill porch at basement level = 7m^3
2. Attic room extension at roof level = 47m^3

(*All calculations have been based on external measurements as required.*)

You will note on the basement plan that an annotation is present stating that a previous extension to the kitchen is to be removed. We have not therefore included this in terms of the calculations as it will not be present at the site when the proposed new extension would be commenced and therefore would not count against the permitted development tolerance of 115m^3 .

You will note that the proposed extension would project from the existing kitchen area which would become a dining room. This proposed new addition has been calculated by Casson Conder to have a volume of 48m^3 .

If this 48m^3 is added to the existing porch and roof extensions, this gives a total of 102m^3 .

This is 13m^3 inside the tolerance under Class A.

Of course, Class A includes a number of other criteria, which must be adhered to. These are summarised below:

- Class A1 (b) The extension would not exceed the height of the highest part of the original building.
- Class A1 (c) The extension would not project nearer to any highway which bounds the curtilage than the original dwelling, or be within 20 metres of a highway.
- Class A1 (d) No part of the extension would be within 2 metres of the curtilage and exceed 4 metres in height (the height will be approximately 2.6 metres).
- Class A1 (e) The total area of the proposed extension and the porch would not exceed 50% of the original curtilage area:

- Floorspace of proposed extension 19.20m^2
- Floorspace of existing porch 2.65m^2
- TOTAL 21.85m^2

- Total area of curtilage
Excluding original
Dwelling:

- $43.73\text{m}^2 - 21.85\text{m}^2 =$

EX	43.73m ² P	CAC	AD	CLU	AO
DIR					AK
21.88m ²		5 NOV 2006		PLANNING	
K.C.					
N	C	S	APP	IO	REF
HBS					

Class A1 (f) The development does not involve a satellite antenna.

Class A1 (g) No. 5 Tedworth Square is not a Listed Building.

Class A1 (h) No alteration to the building's roof is proposed.

Conclusion:

On this basis, we seek your confirmation that the proposed extension could be constructed as permitted development not requiring planning permission.

We thank you for your consideration of this matter and if, as you suggested on the telephone, a response could be provided before the Christmas break, this would be much appreciated.

We trust that this letter and the accompanying plans are clear and adequately explain our assumptions and calculations. However, should you require anything further, please do not hesitate to contact us.

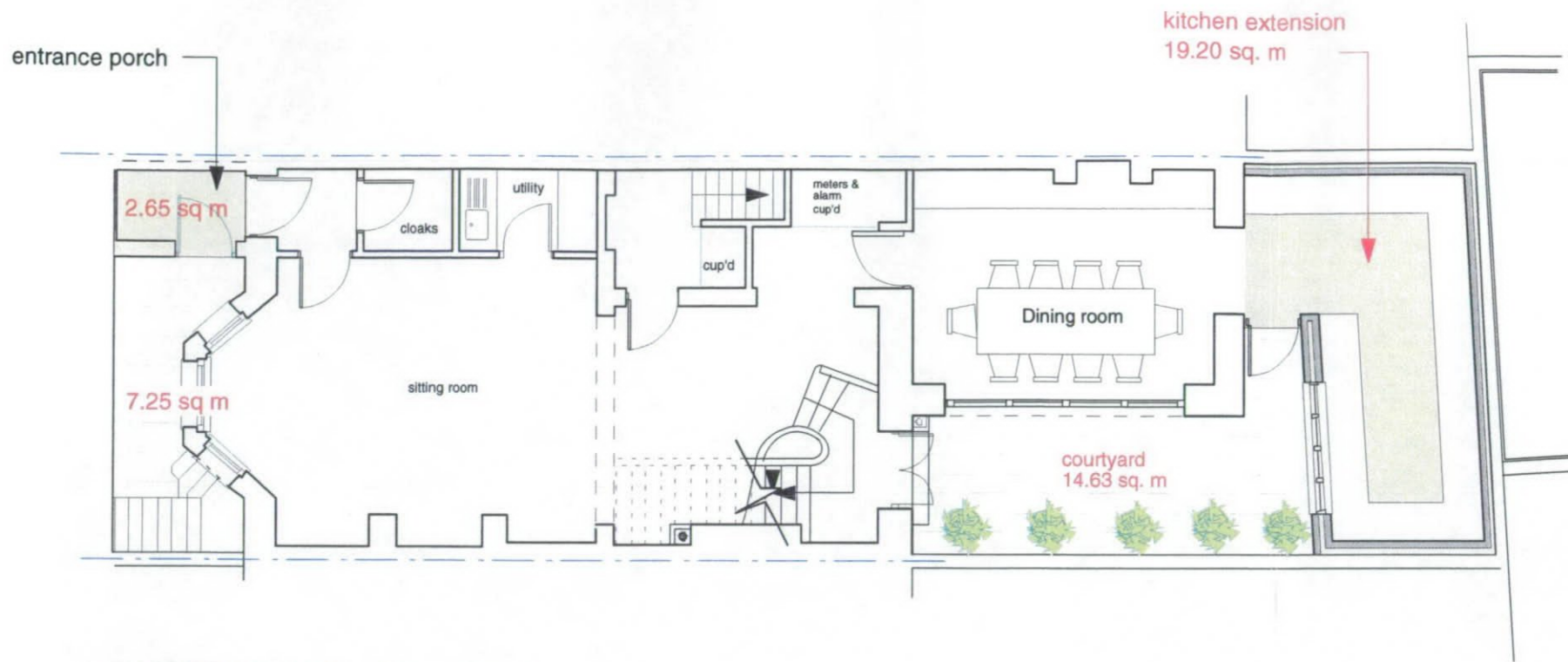
Yours sincerely



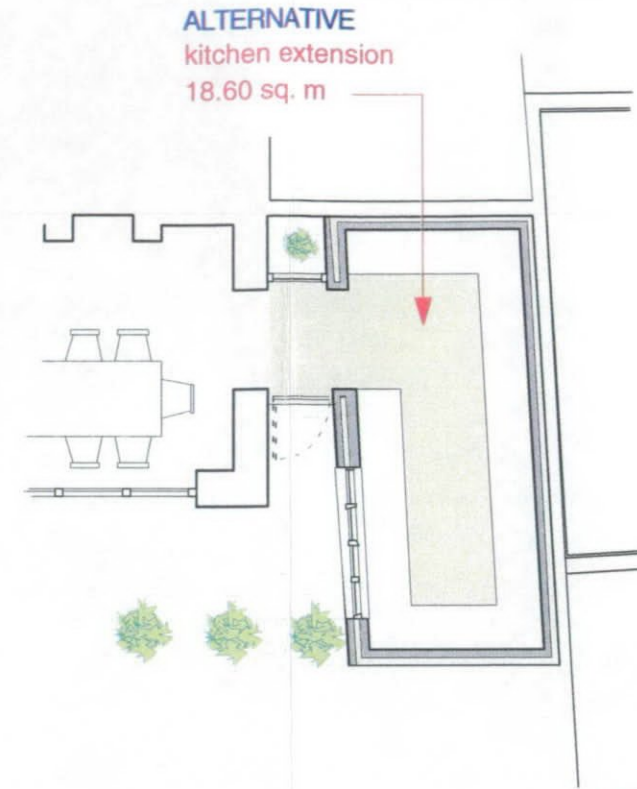
Paul Watson
PHILLIPS PLANNING SERVICES LTD.

Enc.

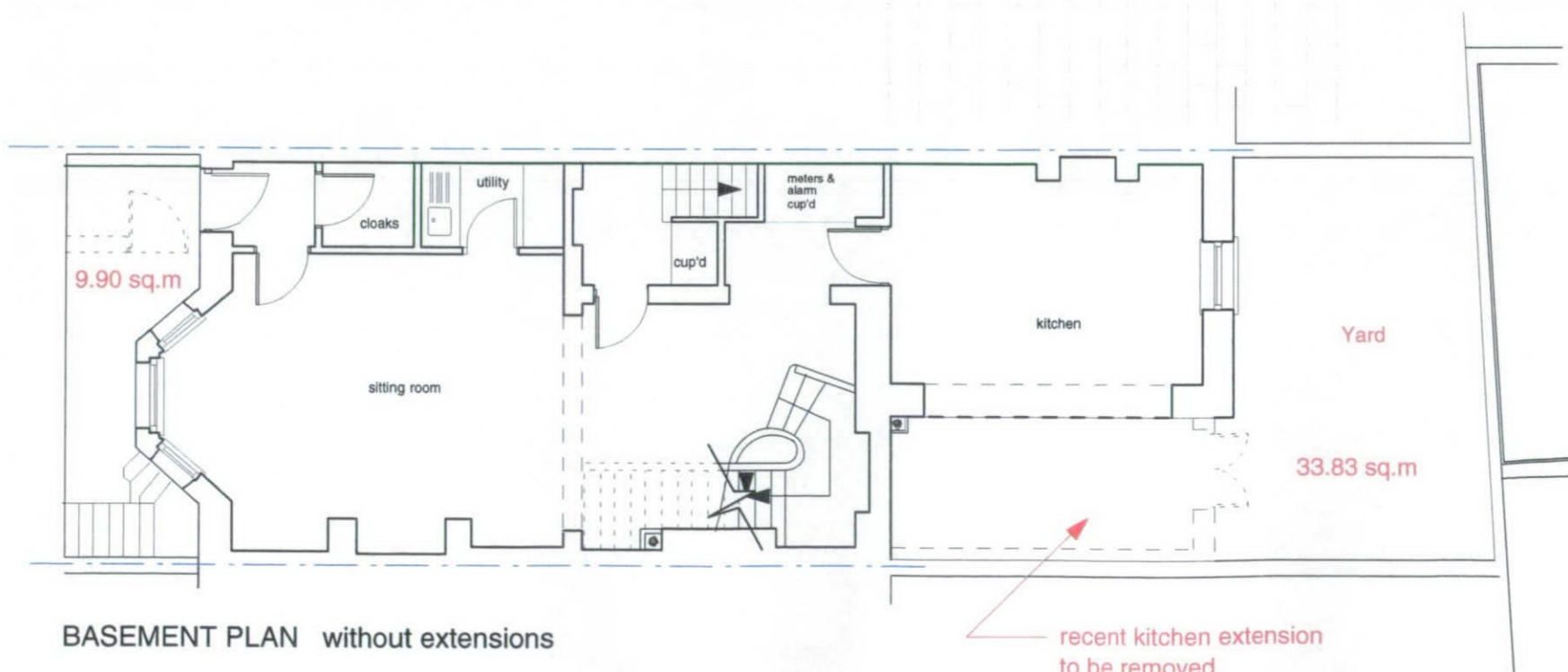
EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
R.E.		15 NOV 2006			PLANNING	
K.C.						
N	C	S	APP	IO	REC	
HBS			ARB	FPLN	DES	FEEES



BASEMENT PLAN with proposed position of new kitchen extension



ALTERNATIVE kitchen extension 18.60 sq. m



BASEMENT PLAN without extensions

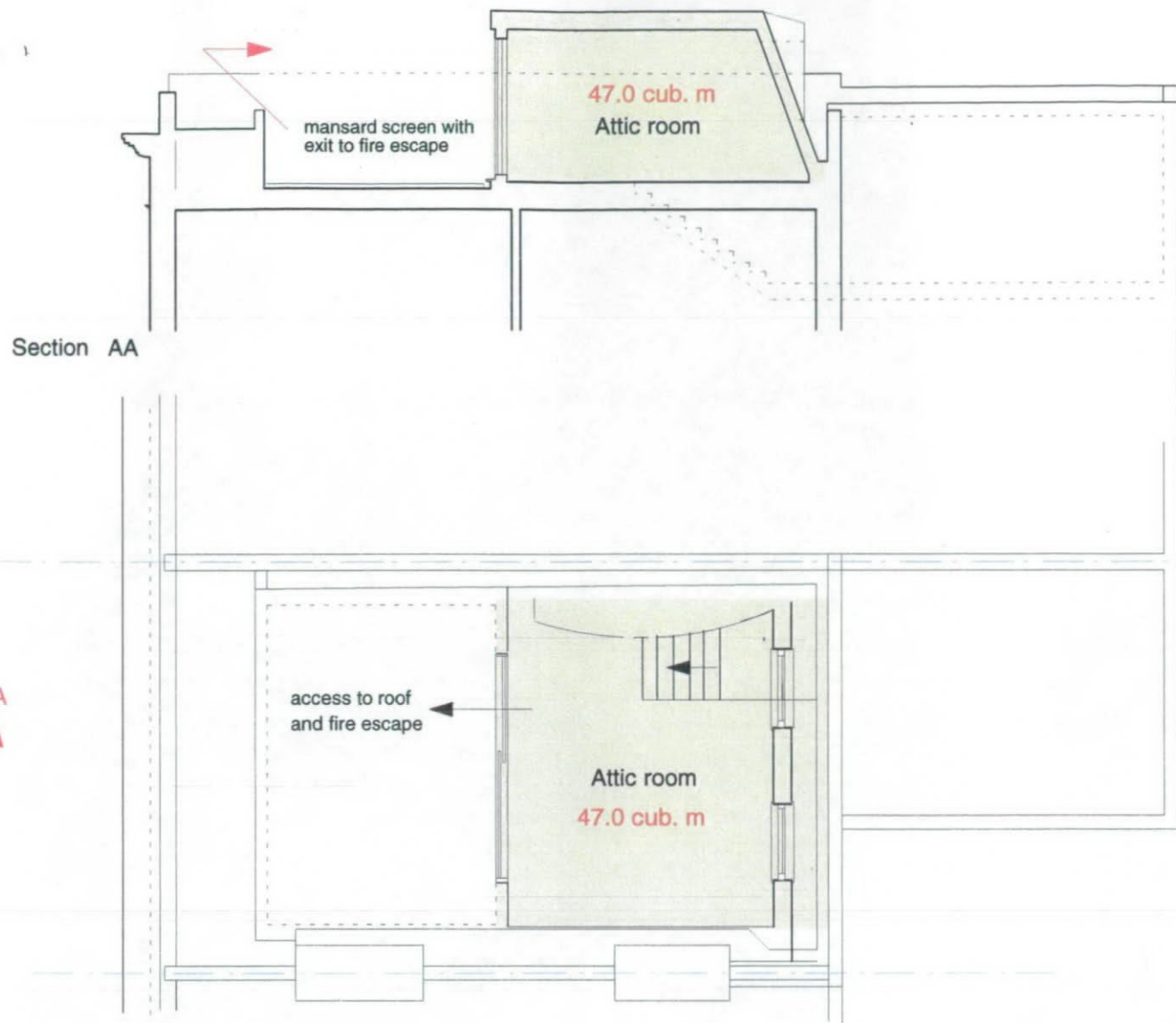
PLOT - AREA ANALYSIS

Pre 1948 external area	
front area	9.90 sq. m
rear garden	33.83 sq. m
TOTAL	43.73 sq. m

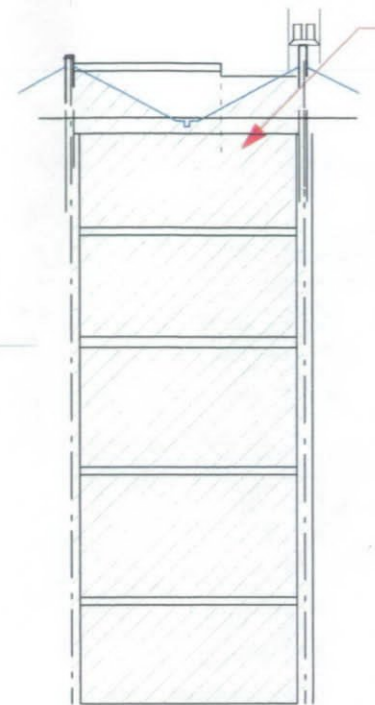
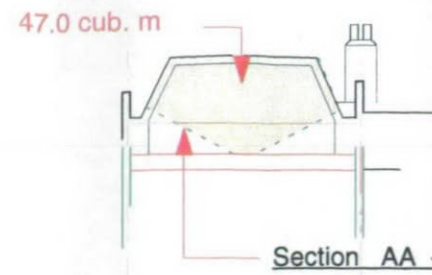
Proposal

rear kitchen extension	19.20 sq.m
front entrance porch	2.65
TOTAL	21.85 sq.m

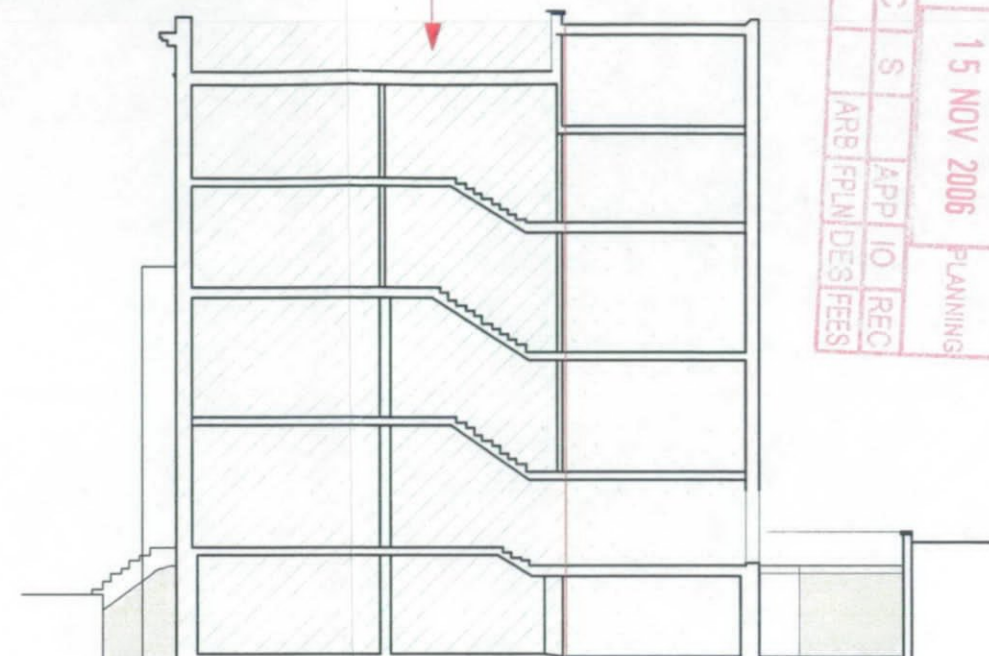




FOURTH FLOOR PLAN



Section AA - original building



Entrance porch
7.0 cub. m

Kitchen extension
48.0 cub. m

Original building shown



Recent and proposed extension shown



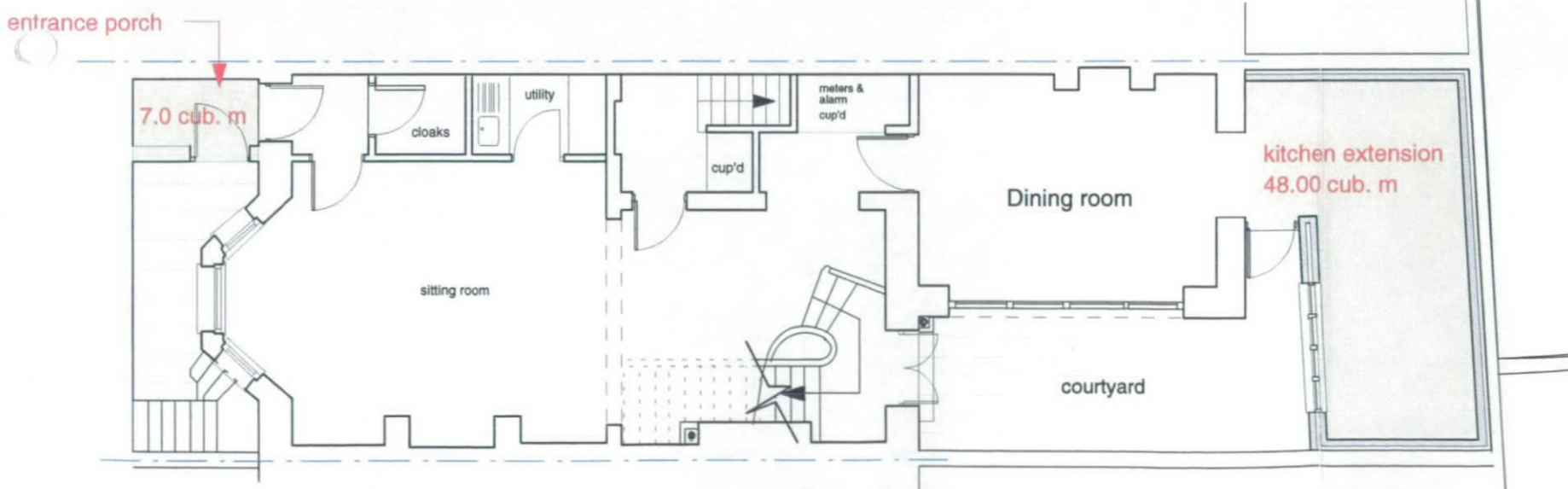
VOLUME ANALYSIS

Proposed

Ground level	Kitchen extension	48.0 cub. m
	front porch	7.0 cub. m
Roof level	playroom 4th floor	47.0 cub. m
	TOTAL VOLUME	102.0 cub. m

Existing building approx volume 1300 cub. m

DIR HDC/TP CAC/AD CLU/AD
 R.B. 15 NOV 2006 PLANNING
 K.C. ARB/FPLN/DES/FEE
 N C S APP/IO REC
 HBS ARB/FPLN/DES/FEE



BASEMENT PLAN with proposed position of new kitchen extension

SCALE 1/100

5 TEDWORTH SQUARE

SCALE 1/100 + 1/200

Casson Conder Partnership Architects
32a Thurloe Place London SW7 2HJ Tel 020-7584 4581

PW.

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

12 DEC 2003



Paul Watson
Phillips Planning Services Ltd
Kingsbrook House
7 Kingsway
Bedford, MK42 9BA

Switchboard: 020 7937 5464
Extension: 2977
Direct Line: 020 7361-2977
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk

EX DIR
AD C
R.C. 15 NOV 2006
PLANNING
08 December 2003

**KENSINGTON
AND CHELSEA**

My reference: DPS/IO/DAMC/H11

Your reference: PWJMS/032949

Please ask for: Darren McCreery

04/00221

Dear Mr Watson

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (General Permitted Development) Order 1995
5 Tedworth Square, SW3
Planning Permission – TP/91/1453

I refer to your letter dated 5th December 2003 and the accompanying plans in connection with the proposed rear extension at the above property.

Based on the information provided, it is my considered opinion that the above development will fall within Schedule Two- Part One, Class A of the above Order. Consequently the proposal will be permitted development and will not require planning permission. This opinion is based on the following information.

1. The building is not a listed building.
2. The Council has not removed by Article 4 direction any of the rights given by the above Order.
3. You have indicated that the property is now a single family dwelling house. Correspondence attached to the above permission also indicates this.
4. According to the figures provided, the space covered by all additions (including the proposal) will not exceed 115m³.
5. The proposal will not be closer to the highway than the original dwelling house.
6. The proposal will not exceed four metres in height or cover more than 50% of the space around the dwellinghouse.

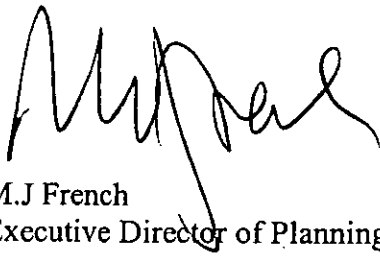
This view represents the opinion of a planning officer and not that of the planning services committees. For such a view and a formal determination on the matter I would suggest applying for a Certificate of Proposed Lawful Development (documents enclosed).



INVESTOR IN PEOPLE

If you have any further questions regarding this matter please do not hesitate to contact Darren McCreery on the above telephone number.

Yours sincerely



M.J French
Executive Director of Planning and Conservation

EX DIR	HDC	TR	CLU	AO
R.B.				AK
K.C.		15 NOV 2006	PLANNING	
N.C.			IO	REC
HBS			DES	FEES

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director MJ FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Phillips Planning Services Ltd,
Kingsbrook House,
7 Kingsway,
Bedford
MK42 9BA

CACIAD Switchboard: 020-7937-5464
Direct Line: 020-7361-2088
Extension: 2085
Facsimile: 020-7361-3463
15 NOV 2006
APP 10 230 FEB 2004

My Ref: CL/04/00221/COTH/
Your Ref:

Please ask for: South East Area Team

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990 AS AMENDED - SECTION 192 (DC3)
5 Tedworth Square, London, SW3 4DU

I refer to your application dated 19/01/2004, completed 28/01/2004, for a certificate of Lawful Proposed Use or Development in respect of the above-mentioned premises.

Your application has now been considered by the Council and I enclose for your attention the certificate.

Yours faithfully,

Michael J. French
Executive Director Planning and Conservation



TOWN AND COUNTRY PLANNING ACT, 1990 : SECTION 192

(AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991)

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988:
ARTICLE 26A

CERTIFICATE OF LAWFUL PROPOSED USE OR DEVELOPMENT (DC3)

The Royal Borough of Kensington and Chelsea Council hereby certify that on the 19/01/2004 the use/operations/matter described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged black on the plan attached to this certificate, was lawful within the meaning of Section 191 of the Town and Country Planning Act, 1990 as amended for the following reason:

The extension at basement level, in conjunction with the demolition of the existing rear conservatory at basement level and retention of the roof addition and front porch would fall within the 115 cubic metre permitted development allowance for the property.

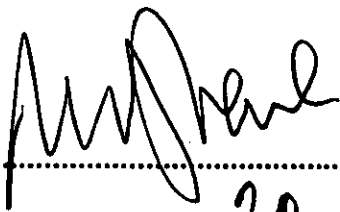
Signed.....
Date..... 20-2-04

EXHIBIT	CLU	AO
DIR		AK
R.B. K.C.	15 NOV 2006	PLANNING
N. C.		IO REC
HBS		DES FEES

On behalf of the Royal Borough of Kensington and Chelsea Council

Notes:

1. This certificate is issued solely for the purposes of Section 192 of the Town and Country Planning Act, 1990 as amended.
2. It certifies that the use/operation/matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus was not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use/operations/matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the certificate is also qualified by the proviso in Section 192 (4) of the 1990 Act as amended which states that the lawfulness of the described use or operation is only conclusively presumed where there has been no material change before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

FIRST SCHEDULE

Erection of a rear extension at basement level in conjunction with the demolition of an existing basement level conservatory

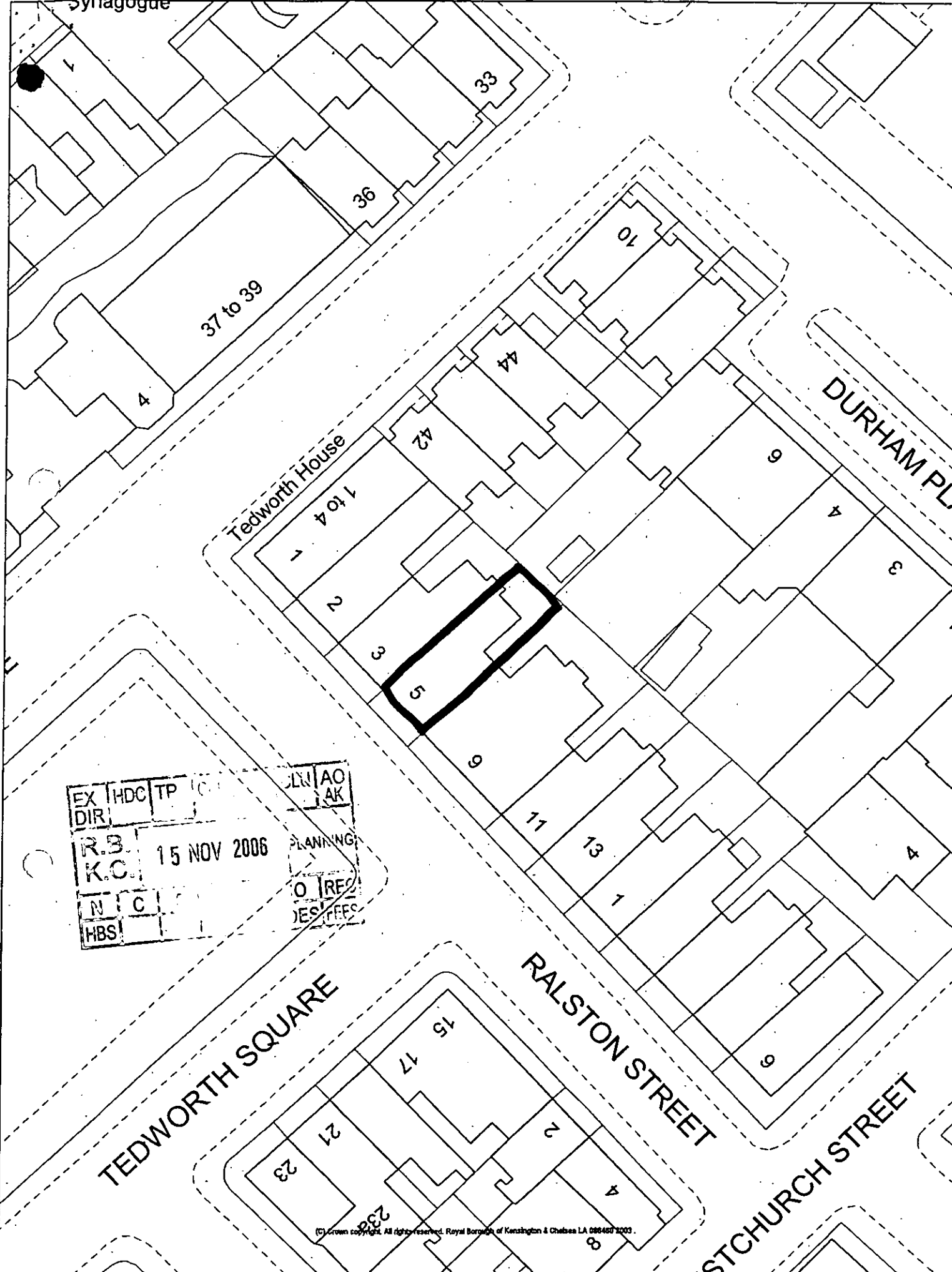
as shown on submitted drawing No(s): CL/04/00221

Applicant's drawing No(s): unnumbered basement plan as existing and proposed and unnumbered plan with sections received 22/01/2004

SECOND SCHEDULE

5 Tedworth Square, London, SW3 4DU

EX DIR	HDC	TP	CAC	AD	CLU	AO LAK
R.B. K.C.	15 NOV 2006			PLANNING		
N	C	S	APP	IO	DEL	
HBS			APP	CON	DIS	



EX	HDC	TP	10
DIR			
R.B.	15 NOV 2006		PLANNING
K.C.			
N	C		
HBS			

AO	AK
DES	REF

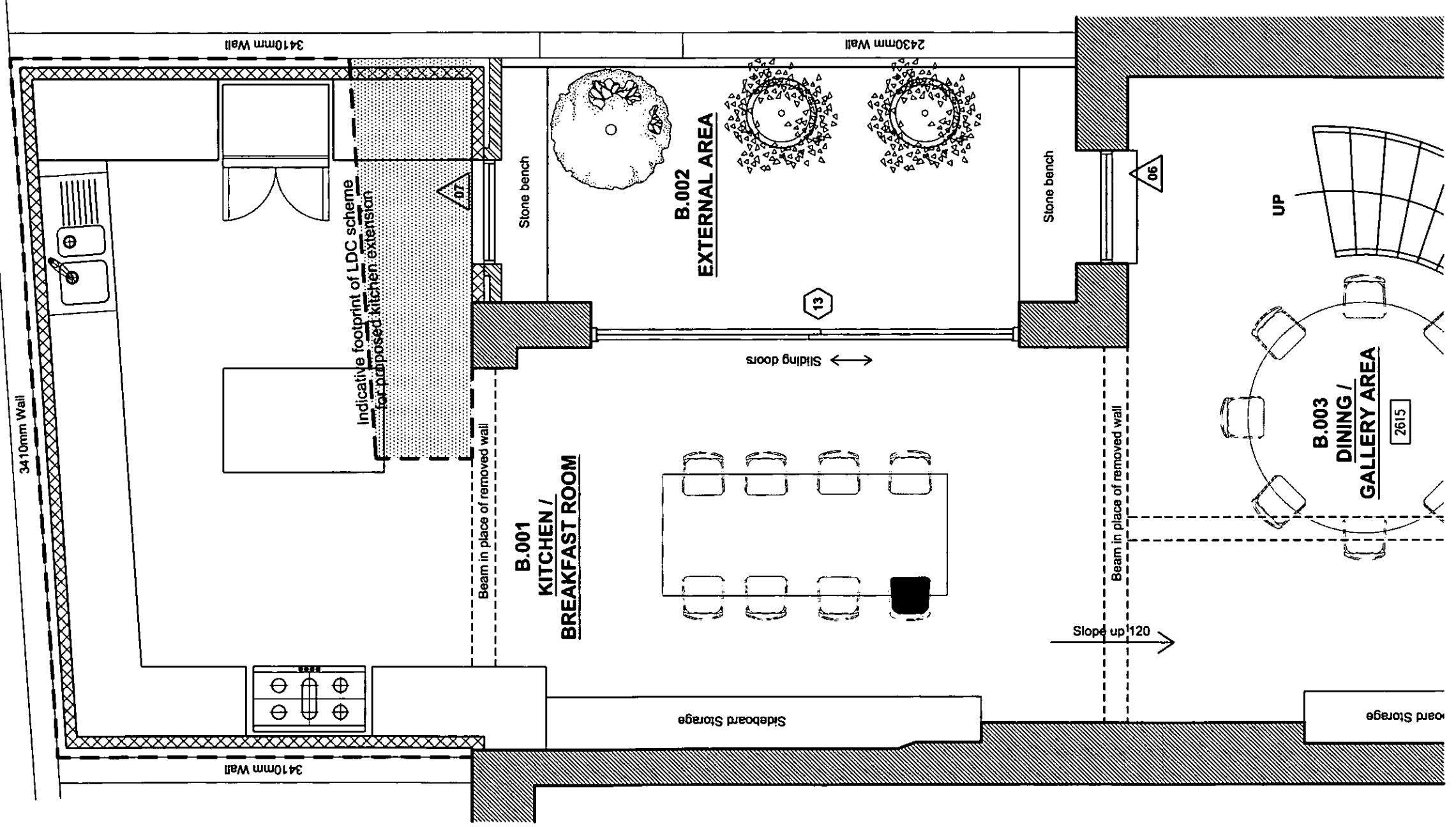
(C) Crown copyright. All rights reserved. Royal Borough of Kensington & Chelsea LA 080407 2003.

Map produced by the Royal Borough of Kensington and Chelsea
 Planning Services Department using GGP 29/01/2004: Scale 1:500



EX DIR DC TP CAC AD CLU AO LAK
 RE K 15 NOV 2006 PLANNING
 N C APP IO REC
 HBS

LEGEND	
Symbol	Description
	Floor to ceiling height
	Window reference
	Door reference



Proposed

JAM
 Studio 5
 The Gates House
 11 London Street
 London SW8 4EH
 L: 020 7731 0400 F: 020 7731 0240
 www.jam-architects.com

PROJECT
5 TEDWORTH SQUARE
 LONDON, SW3

DATE
 1:40@A3 Oct 06 482 / 385

PROPOSED KITCHEN EXTENSION