



Appeal Decision

Site visit made on 8 November 2004

by **Richard A Mordey BA (Hons) MCD MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
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Date

NC

Appeal Refs: APP/K5600/A/04/1149100 & APP/K5600/A/04/1156470

24, Holland Villas Road, London, W14 8DH

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against refusals to grant planning permission.
- The appeals are made by Mr & Mrs Khoury against the decisions of the Council of the Royal Borough of Kensington and Chelsea.
- The applications, Appeal A, ref: PP/03/02534/CHSE, dated 1 December 2003, was refused by notice dated 29 January 2004; Appeal B, ref: PP/04/00659/CHSE, dated 12 March 2004, was refused by notice dated 14 May 2004.
- The developments proposed are, Appeal A, front and rear basements, rear extension comprising lower ground with part terrace and part ground floor extension over, enlargement of roof space including front and rear dormer windows; Appeal B, alterations and extension to roof including two dormer windows.

Summary of Decision: The appeals are dismissed.

Main Issues

1. From my visit to the appeal site and the surrounding area and from my reading of all the written submissions, I have come to the conclusion that the main issues are firstly, whether the proposals would have an adverse impact upon the appearance of No.24 and the surrounding area and secondly whether they would preserve or enhance the character or appearance of the Holland Park Conservation Area, thirdly, as far as Appeal A is concerned, whether the proposed ground floor terrace would have a detrimental impact upon occupants of No. 23, Holland Villas Road by reason of overlooking and disturbance.

Development Plan and other planning policies

2. The development plan which applies in this case is the adopted Royal Borough of Kensington and Chelsea Unitary Development Plan. Policies in the Plan seek to ensure that all development is of a high standard of design, sympathetic to its surroundings, and to protect residential amenity. Policies CD44, 45, 46 and 47 relate to roof alterations and other extensions. Policy 61 broadly echoes Government Guidance and aims to ensure that any development in a conservation area preserves and enhances the character or appearance of such an area. Policy 62 seeks to ensure that all development in conservation areas is of a high standard of design. The Council has also published a Conservation Area Proposals Statement for the Holland Park Conservation Area. As this has been through a process of consultation and adoption, I am able to afford it significant weight. This states that there have been a number of losses of cornices, ugly roof extensions and insensitive alterations in the area. Whether roof extensions are likely to cause a problem or not depends on the design of the building, the terrace or

street. The document provides guidance on the type of roof alterations and additions which might be acceptable.

Reasons

The first and second issues

3. The Holland Park Conservation Area is characterised by substantial nineteenth century villas and terraces. Holland Villas Road consists largely of detached villas. My walks along the full length of the street bore out the concerns expressed in the Conservation Area Statement. There has been considerable dilution of the original architectural qualities. Nevertheless, the streetscape as a whole continues to contribute to what the preamble of Policy CD57 refers to as the special nature of the designated area. The photographs submitted on behalf of the appellants clearly illustrate the incongruous appearance of a number of the dormers which have been constructed, as well as the ungainly proportions of several of the roofs which have been extended. As the Council points out, dwellings in the immediate vicinity of the appeal property also retain hipped roofs, thereby maintaining much of their original architectural integrity.
4. I have come to the conclusion that both appeal proposals would further erode the special nature of the Conservation Area. As far as Appeal A is concerned, I accept that the appellant architect has undertaken a holistic approach to the alterations and have noted that some existing extensions would be removed. However, notwithstanding the views submitted on behalf of the appellant, there is no doubt in my mind that, because of its bulk and the extensive use of large glass panels, the proposed rear extension would not relate sympathetically to the existing building and would unacceptably dominate the rear façade. Although the building has already been extended, the proposed roof extensions, the removal of the roof hips and the introduction of four substantial dormers would lead to an over dominant roof which would have an adverse impact upon the proportions of both facades of the building and upon the roofscape in the vicinity. I have borne in mind the points relating to different roof heights in coming to this conclusion.
5. As far as Appeal B is concerned, the impact of the proposed extensions would clearly be less severe than in the case of Appeal A. However, the substantial side-extensions, the large dormers and the location of the northern dormer would have a serious adverse impact upon the appearance of the appeal property and destroy some of its fundamental qualities. Additionally, as submitted by the Council, it would be dominant on this part of the western side of the street. Clearly the proposals do not accord with policies that I have cited in paragraph 2 of this decision notice. It also follows that not only would they not preserve nor enhance the character or appearance of the Holland Park Conservation Area, they would have a detrimental impact upon it.

The third issue

6. The proposed roof terrace which is part of the earlier application (Appeal A) would be substantially larger than that which is existing. The present situation in terms of privacy and overlooking at the rear of the appeal property and its neighbours is far from satisfactory. The larger roof terrace despite the set-back from the boundary, would provide the possibility of extensive and close overlooking of the neighbouring garden together with the possibility of some disturbance, thereby exacerbating the existing shortcomings. This would also be contrary to established policy.

Other Considerations

7. I appreciate the appellants' reasons for wishing to extend but these do not override the objections to the proposal. Extensive references have been made to the extensions and alterations which have already taken place in Holland Villas Road as well as to the extensions which have been permitted at No.25. I am only aware of the planning circumstances of the latter but, in any event, I have determined these appeals on their merits in the context of adopted policy. I see no objections to the proposals relating to the basement but as they are part and parcel of the holistic scheme and because of the extant planning permission I do not consider it appropriate to allow this element of Appeal A on its own.

Conclusion

8. For the reasons given and having regard to all matters raised, I have come to the conclusion that there are a number of objections to the schemes. Consequently, the appeals should be dismissed.

Formal Decision

9. The appeals are dismissed.

Richard A. Mordey

INSPECTOR

Villa Analysis - In-Progress

Survey of Existing Similar Villas

34 Villas Total

West Side of Street								East Side of Street								
House No.	No. Floors	North Addition (a)	South Addition (a)	HVR Dormer (b)	Side Roof Extension (c)	2 Storey Bay	Rear Extension (d)	House No.	No. Floors	North Addition (a)	South Addition (a)	HVR Dormer (b)	Side Roof Extension (c)	2 Storey Bay	Rear Extension (d)	
KEY	4/5							18	5		1					
21	5		1				M	17	5		1				M	
22	5		2					16	4		1				L	
23	5		1				S***	15	5		2				M	
24	5		2				S	14	5		2					
25	5		2				S	13	5		2		DR		S	
26	4		2				L	12	5		2				M	
27	5		2				L	11	5		2	1			L	
28	4							10	5		1		DR		S	
29	4		1				M	9	5		2				L***	
30	5		2				S	8	5						M	
31	4		1				S	7	Apartment Building							
32	4		1				L	6	4						M	
33	4		2				S	5	4		1				S	
34	4		1				S	4	5		2	1				M
35	4		2				S	3	5		2	2		FL	L	
36	4		2					2	4		3			FL	L	
37	4		1				S	1	5		3				S	

(a) number in box shows number of floors in the addition

- (b) S Dormer less than 2 m wide
- M Dormer 2-3 m wide
- L Dormer more than 3 m wide
- * Windows within Mansard Roof

- (c) FL Flat roof extension
- DR Dormer extension
- ** Double pitch roof

(d) Main house extensions:

- S Extension less than 3 m from original tower
- M Extension 3 to 6 m from original tower
- L Extension more than 6 m from original tower
- *** Tower element non-existent

chaudhuri ARCHITECTS

FAX

From: MR. T. CHAUDHURI
 To: MS. LOUISA SUTTON / PLANNING DEPT.
 Company: ROYAL BOROUGH OF KENSINGTON & CHELSEA
 Fax No: 020-7361-3463
 Our Ref:
 Subject: 36 HOLLAND ~~VA~~ VILLAS ROAD, W14
 Date: 11 TH NOV. 2004
 Copies to: \rightarrow
 Pages including this cover sheet: 2

If any part of this transmission is not legible, kindly telephone us on +44 (0)20 8458 1200. Thank you.

••••

DEAR MS. SUTTON

I AM ATTACHING A COPY OF THE MINUTES OF MEETINGS BETWEEN KATE ORME AND STEPHEN WOOD OF PETER WOOD & PARTNERS HELD ON 10TH DECEMBER 2002.

T. CHAUDHURI.

EX	HSS	TR	CA	AD	CL	AC
DR						
R.B.		12 NOV 2004		PLANNING		
K.C.						
N	C	S	S	APP	C	REC
HSS			APP	PLN	DES	FEES

Received 28/10/04

28 OCT 2004

TC
AIT**PETER WOOD & PARTNERS**
ARCHITECTS22b Launceston Place, Kensington, London W8 5RL
TEL: +44(0)20 7937 3453 E-mail: mail@pwoodandpartners.com FAX: +44(0)20 7937 5234**MINUTES****36 Holland Villa's Road London W14 8DH****Pre-application meeting held on site Tuesday 10th December 02 at 2.00pm**

Those present:

Kate Orme
Stephen WoodPlanning Design Officer
PartnerRBK&C
Peter Wood and Partners**1.0 Matters arising:**

- 1.1 SRW had previously handed the following drawings to Warren Williamson on 26th November 2002: -
Survey drawings: 1345/S01, S02, S03, S04, S05, S06, S07, S08, S10.
Proposed drawings: 1345/SK1A, SK2A, SK3A, SK4A, SK7, SK8A.
- 1.2 Due to illness of Tracey Rust, chief information officer. Warren Williamson was unable to attend.
- 1.3 **Additional storey issue:** the most RBK&C would permit is an extension at main roof level to be an infill between the main chimney stacks and the sloping roof pitch. All as allowed at no 35 Holland Villas Road.
- 1.4 **Dormer window issue to the front.** No 35 has one smaller dormer window to the front whereas number 37 has three smaller dormers which are visually better stated SW.
- 1.5 **Appeal:** KO stated they had in recent years RBK&C won an appeal to prevent an additional storey at this end of the street. Research had been carried out and some of the properties originally had additional stories and some did not, this created a diversity in the street and this is its character. The properties at the top end of the street (i.e. 21, 22, 24) are treated separately by RBK&C.
- 1.6 **Security Shutters:** Neighbouring property had external security shutters mounted above windows. Royal Borough of Kensington and Chelsea had to allow them under 'permitted development' as they did not project beyond the building line.
- ~~1.7 **Rear extensions:**~~
- 1.7.1 There is considerable scope for rear extensions and Conservatories. Guidelines to be observed are 1.0: Conservatory should line up with the line of the Main rear building approx 2.0 metres away from the Garden Wall.
- 1.7.2 Terrace will be permitted but overlooming of other properties is an issue especially to no 35 Holland Villa's Road.
- 1.7.3 With regard to projection of rear extensions. These should line up with the others on this side of the street. Access to other properties should ideally be obtained alternatively from Town Planning Approved Drawings. This is sometimes extremely difficult if drawings on microfiche at RBK&C records department. Stated KO
- 1.8 **Rear Garden wall** - it is likely that brick wall can be raised approximately seven brick courses in second hand London stock to match existing. All to match no 35 Holland Villa's Road.
- 1.9 Policy at present is not to allow 2-storey extension either side of main house but only allow it on one side. In our case side extensions had been carried out to both sides and that was fine but it does make street scope look like a terrace not detached villa's.

Distribution:

Mrs Elgin, Jeremy Elgin & PWP file

PETER R WOOD AA DIPL RIBA STEPHEN R WOOD Dip Arch RIBA
ASSOCIATE, STEPHEN C. MAHSHIP BA (Hons) Dip Arch RIBA
PHONE NO. :

15 May 2004 03:08PM PJ

FROM :

8th November 2004
Our ref: 410 /L /4.1/081104

Ms. Louisa Sutton
Planning Officer
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
LONDON W8 7NX

Dear Ms. Sutton,

36 HOLLAND VILLAS ROAD, London W14

Following our meeting at your offices on 28th October, we have photographed many of the properties in Holland Villas Road and attach a set of 4 particular photographs as we are restricted in the number we can physically send by e-mail. We would like to show you the entire portfolio of photographs and hope to do so at our next visit to your office.

The photographs are as follows:

- A. This photograph shows 36 Holland Villas Road on the left and 35 on the right. You can see how the roof accommodation has been extended by means of connecting the chimney stacks on each flank of the building, thereby creating a gable end with window. This happens on both flanks. The owner has rendered the chimney stacks and the infill at 2nd floor level creating a contrasting feature to the brickwork of the rest of the house.
- B. This photograph shows 36 Holland Villas Road on the left and 37 on the right. This is a rear view of the two properties. Here again, the roof accommodation has been extended with a window in the gable wall created by the joining of the chimney stacks.
- C. This is a photograph of the 2-storey high rear extension at No. 37 Holland Villas Road. It extends from the central block at the rear of the house up to the right side boundary of the property, as viewed from the rear.
- D. This last photograph shows the rear elevation of No. 35 Holland Villas Road with two dormers, one on each side of the central block at the rear.

The purpose of submitting these 4 photographs is to offer preliminary evidence of the house styles immediately adjacent to the proposed application property, and the local

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Date: 8th November 2004
Ref: 36 Holland Villas Road, London W14

vernacular. You will recall that the proposals I was indicating to you were essentially of a similar nature.

In addition to these photographs, I would like to draw your attention to a meeting that was held between Kate Orme, Planning Design Officer in your office and Stephen Wood of Peter Wood & Partners, Architects on 10th December 2002. Mr. Wood was acting on behalf of the then owner of the house to investigate the possibility of extending it. I have a copy of the minutes he recorded and would be pleased to pass you a copy as well. In these minutes, it is stated that the RBKC would permit a roof extension as had been undertaken at 35 Holland Villas Road. The minutes further state that "there is considerable scope for rear extensions and conservatories", and go on to suggest some guidelines.

I would like to reiterate our intention to co-operatively work with your office in the course of preparing proposals for 36 Holland Villas Road. We would very much like to enhance the front of the building in keeping with other properties, but suggest that the rear requires considerable evaluation. The present owners are very keen to extend the house at the rear in a contemporary style, such as incorporating frameless glazing for instance. You mentioned this latter architectural element as being considered suitable by the RBKC and this is very encouraging.

I would appreciate it if you could take the time to consider the photographic evidence and the initial points I have raised, as part of a pre-application enquiry. Meanwhile, we are developing preliminary proposals, which we would like to discuss with you. Would you kindly contact us at your earliest convenience so that we may progress this scheme.

Thank you for your co-operation and assistance.

Yours sincerely,

T CHAUDHURI
Attachments









9th November 2004
Our ref: 410 /L /4.1/091104

Ms. Louisa Sutton
Planning Officer
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
LONDON W8 7NX

Dear Ms. Sutton,

36 HOLLAND VILLAS ROAD, London W14

Further to my letter of 8th November 2004 with attached photographs, and our subsequent telephone discussion today, I am sending you further images of the front and rear elevations. You will appreciate that owing to the restricted depth of the rear garden for photo-taking purposes, I can only send you multiple images of the rear. The front of the house does not present a problem. The captions on each photograph identify the image.

With regard to the proposals, the following description is what is intended:

2nd Floor/Loft

1. It is proposed that the 2 existing small bedrooms are enlarged in a manner very similar to that undertaken on each side of 36 Holland Villas Road, at nos. 35 and 37 Holland Villas Road. This involves connecting the two chimney stacks on each flank in bricks to match or in a render finish, with windows in a style to match the rest of the house. The two hip ends of the roof are altered to match the altered hip ends in Nos. 35 and 37.
2. The current proposals retain the 2 existing front dormers, but they may be refaced in lead or zinc sheets and generally improved in appearance.
3. It is proposed that another dormer is installed at the rear to identically match the existing rear dormer. This has been undertaken at no. 35 Holland Villas Road. Also, if possible, it is intended that part of the rear sloping roof tiles are replaced with either patent glazing or roof lights in order to bring in light to the central staircase which is relatively dark.
4. Defective gutters, eaves and fascia boards in poor condition will be repaired or replaced following closer inspection.

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1st Floor

5. There are no alterations proposed to the external façade at this level; only internal changes.

Upper Ground Floor

6. It is proposed that the floor level of the upper storey of the 2-storey side extension on the left hand side (closest to 37 Holland Villas Rd.) is lowered to the main house upper ground floor level. There should not be any noticeable change to the fenestration to the front elevation. Any replacement windows will be replicas of the original.
7. At the rear, it is proposed that the opening housing French windows (closest to 35 Holland Villas Road) is widened and a link created between the Upper Ground Floor and the Lower Ground Floor. This will be encased in an almost frameless glass structure and will extend only between the main house flank walls, stopping approximately 2.5 metres short of the boundary walls to adjacent properties.

Lower Ground Floor

8. In view of the precedence set by 37 Holland Villas Road, it is proposed that the almost frameless glass structure, referred to in item 7 above, will be 2 storeys tall.
9. It is proposed that the well areas in front of the two bay windows are increased in size to allow more light into the front rooms. There might be some design changes to the metal guarding etc. to improve the appearance. The cobbled driveway will remain intact.
10. We propose to transform the void space, closest to 37 Holland Villas Road, at this level into a habitable space, with a window in a matching style to others in the house, facing the street. This new space is to extend from the front to the back.
11. Part of the rear garden closest to the house will be lowered and the whole of the garden will be redesigned. The two Sycamore trees will of course be retained.

We are currently preparing drawings which incorporate the above proposals and suggest that we arrange a meeting at your offices to discuss them. Would you kindly telephone our office at your convenience? Thank you for your co-operation.

Yours sincerely,

T CHAUDHURI
Attachments

Sutton, Louisa Ruth: PC-PlanSvc

From: CHAUDHURI ARCHITECTS
Sent: 10 November 2004 00:20
To: louisa.sutton@rbkc.gov.uk
Subject: FW: 36 HOLLAND VILLAS ROAD, W14/ 2nd set of photographs

-----Original Message-----

From: CHAUDHURI ARCHITECTS [mailto:chaudhuri.architects@btinternet.com]
Sent: 09 November 2004 23:34
To: 'louisa.sutton@rbkc.gov.uk'
Subject: 36 HOLLAND VILLAS ROAD, W14/ 2nd set of photographs

Dear Ms. Sutton,

Thank you for your prompt response to my e-mail and photographic attachments. As requested, I attach further photographs showing the front and rear elevations of the house, together with my covering letter describing the proposals. If there is anything further, please let me know. Thank you.

Yours sincerely,

T CHAUDHURI
Attachments

















