

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN PLANNING DEVELOPMENT CONTROL

PP Number

PP 101/1529

Date
Opened

11/7/01

Cons Area 9C

PROPERTY

21 Eldon Road, W8

L-TPDC

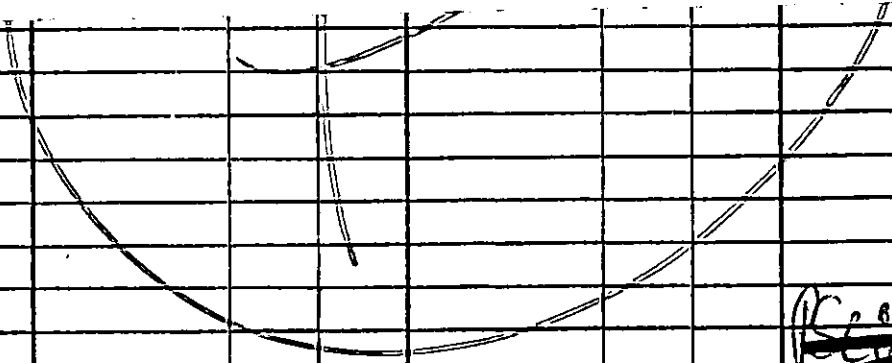
Referred to	Date	Min. or Encl.	Referred to	Date	Min. or Encl.	Referred to	Date	Min. or Encl.	Referred to	Date	Min. or Encl.
PP											

U R G E N T

TARGET APPLICATION

TARGET DATE 21-8-01

DECISION DATE 9-9-01

																	
												Recd 27/10/15					

APPEALS TIMETABLE

ADMINISTRATION

Initials

Time
Hours

Cost
LAWJ

- (1) Notification of appeal to third parties
- (2) Pre Statement Inquiry/hearing
- (3) Preparation of Statement and Documentation
- (4) Notification of appeal decision

CASE OFFICER

- (1) Preparation
- (2) Meeting
Legal
Counsel
Transportation
Design
Policy
BEHO
Other Parties
- (3) Statement
- (4) Public Inquiry/Local Hearing

Policy

Preparation
Meetings
Statement if applicable

Design

Preparation
Meetings
Statement if applicable

Transportation

Preparation
Meetings
Statement if applicable

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

Grant Architects Limited,
112 Battersea Business Centre,
Lavender Hill,
Battersea, London

SW11 5QL

APPLICATION NO: PP/01/01529

APPLICATION DATED: 06/07/2001

DATE ACKNOWLEDGED: 10 July 2001

APPLICATION COMPLETE: 10/07/2001

DATE TO BE DECIDED BY: 04/09/2001

SITE: 21 Eldon Road, London, W8 5PT

PROPOSAL: Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

ADDRESSES TO BE CONSULTED

- 1. 19-23 (consec.) Eldon Road
2.
3. 10-14 (evens) Cottessmore Gardens
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.

Handwritten notes: 8 in a circle, 4/7, CBB

CONSULT STATUTORILY

- English Heritage Listed Bdgs - CATEGORY:
English Heritage Setting of Bdgs Grade I or II
English Heritage Demolition in Cons. Area
Demolition Bodies
DoT Trunk Road - Increased traffic
DoT Westway etc.,
Neighbouring Local Authority
Strategic view authorities
Kensington Palace
Civil Aviation Authority (over 300')
Theatres Trust
National Rivers Authority
Thames Water
Crossrail
LRT/Chelsea-Hackney Line
Victorian Society

ADVERTISE

- Effect on CA
Setting of Listed Building
Works to Listed Building
Departure from UDP
Demolition in CA
"Major Development"
Environmental Assessment
No Site Notice Required
Notice Required other reason
Police
L.P.A.C
British Waterways
Environmental Health
GLA - CATEGORY:
Govt. Office for London
Twentieth Century Society

Handwritten notes: checkmark, 1, CBB, 4/7

Royal Borough of Kensington and Chelsea
GGP Point in Polygon Search Results
Corporate Land and Property Gazetteer
Buildings and their Units

Building	10	Cottesmore Gardens	W8 5PR
Building	12	Cottesmore Gardens	W8 5PR
Building	14	Cottesmore Gardens	W8 5PR
Building	19	Eldon Road	W8 5PT
Building	20	Eldon Road	W8 5PT
Building	21	Eldon Road	W8 5PT
Building	22	Eldon Road	W8 5PT
Building	23	Eldon Road	W8 5PT

Total Number of Buildings and Units Found 8

File Copy

PLANNING AND CONSERVATION

THE ROYAL BOROUGH OF

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M.J. FRENCH FRICS Dip TP MRTPL Cert TS



KENSINGTON AND CHELSEA

Grant Architects Limited,
112 Battersea Business Centre,
Lavender Hill,
Battersea, London
SW11 5QL

Switchboard: 020-7937-5464
Direct Line: 020-7361-3190
Extension: 3190
Facsimile: 020-7361-3463

07 May 2002

My Ref: DPS/DCC/PP/01/01529
Your Ref: ELDON ROAD

Please ask for: Alice Horan

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT, 1990
21 Eldon Road, London, W8 5PT

I refer to your application dated 06/07/2001, completed 10/07/2001. This application has now been considered by the Council and the Council is minded to Refuse permission/consent for the following reason(s):-

REASON(S) FOR BEING MINDED TO REFUSE:

1. **The proposed development would result in a soil depth in the rear garden which is not adequate to allow an acceptable landscaping scheme, and therefore is contrary to policies within the Unitary Development Plan, particularly Policy CD27a.**
2. **The operational plant associated with the proposed development would result in unacceptable levels of noise which would have a detrimental impact on the surrounding residential properties and therefore is contrary to policies in the Unitary Development Plan, particularly Policies CD34 and CD44b.**

INFORMATIVE(S)

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 STRAT5, STRAT6, CD25, CD27a, CD28, CD30, CD34, CD41, CD44, CD44b, CD48, CD49, CD52 and CD53. (151)

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

TO: SEE DISTRIBUTION LIST

FROM: EXECUTIVE DIRECTOR OF
PLANNING &
CONSERVATION

MY REF(S): RAG/PP/01/1529/NC

YOUR REF:
SEE DISTRIBUTION LIST

ROOM NO: 324

EXTN: 2081

DATE: ...18 September 2002...

TOWN AND COUNTRY PLANNING ACT, 1990

APPEAL21 Eldon Road, W8

I attach for your information a copy of the decision for the appeal on the above-mentioned premises.

EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

DISTRIBUTION LIST:

COUNCILLOR TIM AHERN, CHAIRMAN, PLANNING SERVICES COMMITTEE
COUNCILLOR L. A. HOLT, VICE CHAIRMAN, PLANNING SERVICES COMMITTEE
COUNCILLOR IAN DONALDSON
COUNCILLOR RIMA HORTON
COUNCILLOR BARRY PHELPS, CABINET MEMBER FOR PLANNING POLICY
TOWN CLERK & CHIEF EXECUTIVE C.CAMPBELL RM: 253
DIRECTOR OF LAW AND ADMINISTRATION...L. PARKER RM: 315
LEGAL ASSISTANT (ENFORCEMENT ONLY).. H. VIECHWEG RM: 315
LAND CHARGES..... M. IRELAND RM: 306
COUNCIL TAX ACCOUNTS MANAGER..... T. RAWLINSON RM: G29
TRANSPORTATION.....B.MOUNT RM: 230
EXECUTIVE DIRECTOR OF PLANNING & CONSERVATION
HEAD OF DEVELOPMENT CONTROL
APPEALS OFFICER
NORTH
CENTRAL
SOUTH-EAST
SOUTH-WEST
INFORMATION OFFICE
FORWARD PLANNING..... G. FOSTER
DESIGN..... D. MCDONALD
STATUTORY REGISTER
FILE(S)
SYSTEMS..... C.STAPLETON



The Planning Inspectorate

3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-8930

Ms R Gill (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: DPS/DCC/PP/01/01529
Our Ref: APP/K5600/A/02/1088164
Date: 18 September 2002

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY RICHARD PEASE
SITE AT 21 ELDON RD, LONDON, W8 5PT**

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252

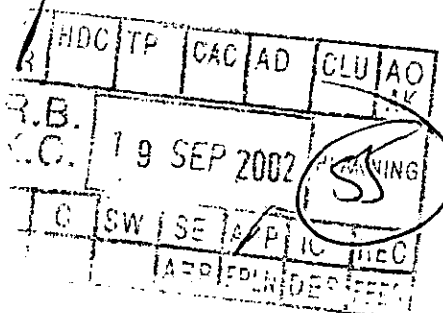
Fax No. 0117 372 8139

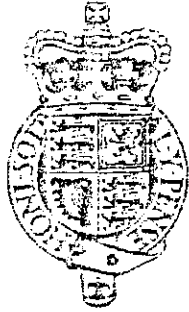
E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

Mr Dave Shorland

COVERDLI





Appeal Decision

Site visit made on 14 August 2002

by **Terry G Phillimore MA MCD MRTPI**

an Inspector appointed by the First Secretary of State

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk

Date

18 SEP 2002

Appeal Ref: APP/K5600/A/02/1088164

21 Eldon Road, Kensington, London W8

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Richard Pease against the Council of the Royal Borough of Kensington & Chelsea.
- The application (Ref. PP/01/01529/CHSE), is dated 6 July 2001.
- The development proposed is a single storey extension to lower ground floor and excavation beneath garden to allow for new pool area below.

Summary of Decision: The appeal is allowed and planning permission granted subject to conditions set out in the Formal Decision below.

Procedural Matters

1. Revised drawings showing detailed changes to the scheme were submitted to the Council subsequent to the original application. These were referred to in the report to the Council's Planning Services Committee dated 22 April 2002, and were taken into account by the Council in reaching its views on the proposal. I shall determine the appeal on the same basis.
2. At the time of my visit building works were taking place on the site. The Council advises that planning permissions have been granted for other extensions to the property, and that a Certificate of Lawfulness has been issued with respect to the lower ground floor extension forming part of the appeal scheme on the basis that this comprises permitted development under the Town and Country Planning (General Permitted Development) Order 1995. I am also informed that a pear tree within the rear garden of the property which was the subject of a tree preservation order has been felled with the benefit of consent from the Council.

Main Issues

3. I consider the main issues in this case to be the effect the proposal would have on:
 - a) the character and appearance of the locality with respect to landscaping of the rear garden of the property, having regard to the location of the site within the De Vere Conservation Area; and
 - b) the living conditions of the occupiers of neighbouring residential properties with particular reference to disturbance by plant noise.

Planning Policy

4. The development plan for the area comprises the Kensington & Chelsea Unitary Development Plan, adopted in May 2002.
5. Strategic policy STRAT 5 seeks to preserve and enhance the residential character of the Royal Borough, and STRAT 6 the character or appearance of its conservation areas. Policies CD48, CD49, CD52 and CD53 contain further requirements relating to conservation areas in pursuance of the strategic objective.
6. Policy CD25 seeks a high standard of design and compatibility with the character of the surroundings for all development. Policy CD41 indicates that a proposed extension will be resisted where it would significantly reduce garden space of amenity value, or spoil the sense of garden openness when viewed from properties around, among other circumstances. Policy CD44 permits alterations only where the external appearance of buildings or the surrounding area would not be harmed. Policy CD27a sets out a number of circumstances where subterranean developments will be resisted, including where the amenity of adjoining properties would be adversely affected, and a satisfactory scheme of landscaping including adequate soil depth has not been provided.
7. Policies CD28 and CD30 deal with protecting adjoining sunlight, daylight and privacy. Policy C34 indicates that proposals where the noise generated by the use or activity would cause material disturbance to the occupiers of surrounding properties will be resisted. More specifically, under policy CD44b the installation of plant and equipment will be resisted where material harm to the appearance of the building or the character of the area, or material disturbance or nuisance to the occupiers of surrounding properties from noise, vibration, or odours, would be caused.

Reasons

Character and appearance

8. The site is located within the De Vere Conservation Area and I am required under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area. From what I saw of the Area, its main significant features relate to the layout and architecture of the buildings. I have been provided with a limited extract of the Council's Conservation Areas Proposals Statement relating to the De Vere, Kensington Court and Cornwall Conservation Areas. Within Eldon Road, the Statement refers to its north side, where the appeal property is located, as having undergone more fundamental changes than the properties on the south side, particularly involving alterations to front facades. With respect to rear extensions, the Statement indicates that maximum retention of garden space will generally be considered a higher priority than reducing the height of extensions. In the vicinity of the appeal site, I saw that there has been some extension of built form into rear garden areas, but I also noted the presence of trees and shrubs together with elements of hard landscaping. Based on what I saw, I consider that the open areas to the rears of the houses and the incorporation of planting within these contribute to the character and appearance of the Conservation Area.
9. As revised, the scheme provides for a soil depth of 350mm above the proposed lower basement swimming pool to the rear of the house, with the depth gradually increasing to

1 metre towards the end of the garden. The Council considers that the soil depth would be inadequate to allow for an acceptable landscaping scheme within the rear garden, and would prefer a depth of 1 metre over the whole garden. Differing conclusions have been drawn regarding compliance of the scheme with the recommendations contained in BS 4428:1989 in this respect. Nevertheless, the advice of the Council's Arboricultural Officer as expressed in the Committee report is that the proposed soil depth plus drainage layer would be satisfactory for the growth of grass and shrubs. I recognise the likely need for artificial irrigation during periods of low rainfall, and the requirement for adequate drainage. However, having regard to the advice in BS 4428 and the depth of soil proposed, I consider that such a scheme need not be unduly difficult to maintain or unsustainable. Although part of the garden would need to be raised above its existing level, this applies only to the area near to the house.

10. In addition, I note that the pool would not extend under the whole of the rear garden, but would be set in from the side and rear boundaries, with the un-excavated area widening to the rear on the west side. The submitted sketch landscaping scheme indicates how these areas could be used for tree and shrub planting, with an area of lawn above the pool. The details of landscaping could be secured by planning condition. In my opinion such a scheme would provide for a degree of planting that would be appropriate within the retained open garden area and be in keeping with the locality.
11. I conclude that the proposal would allow for a landscaping scheme of the rear garden that would preserve the character and appearance of the Conservation Area, and that the proposal does not conflict with the UDP in this respect.

Neighbouring living conditions

12. Plant equipment would need to be installed in conjunction with the proposed swimming pool. The scheme includes a plant room at lower basement level between the pool and the house, with ventilation to be provided within an external courtyard immediately above this. The noise requirement specified by the Council seeks to ensure that there would be no noise disturbance to the occupiers of adjoining properties from such plant. Measurements by the appellant's acoustic consultant indicate a low level of background noise level in the area. As a result, there is no dispute that compliance with the requirement would be onerous in view of the proximity of the ventilation to neighbouring properties, and is likely to involve the installation of silencers of substantial size.
13. According to the Council, the degree of noise reduction required to ensure inaudibility within adjacent properties would not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary. However, the technical evidence before me suggests that the necessary attenuation could be achieved and that adequate space appears to exist to accommodate the silencers. I am satisfied that with an appropriate condition the proposal need not generate a level of noise that would be harmful to the living conditions of adjoining occupiers.
14. Some local residents are concerned about odours from the proposed pool. The Council accepts that with the ventilation and filtration system proposed the pool would not adversely affect adjoining properties by way of odours. Subject to an appropriate condition, I see no reason to reach a different conclusion.

15. In my opinion the raised height of the garden adjacent to the house would be insufficient to give rise to a material loss of privacy to neighbouring occupiers by way of overlooking.
16. I therefore find that the proposal would not have a significant adverse effect on the living conditions of adjoining occupiers, and meets the relevant requirements of the UDP.

Other matters

17. I recognise that construction of the swimming pool would involve substantial excavation and other works, involving the movement of large vehicles. However, I agree with the Council that this is a matter more appropriately dealt with under other controls.
18. Concern has been raised regarding the potential structural impact on neighbouring properties. Having regard to the degree of separation of the proposed excavation from the adjoining properties, I consider that such matters can be adequately addressed under other legislation.

Conditions

19. I have considered the conditions suggested by the Council in the light of advice contained in Circular 11/95. Where appropriate I shall make detailed changes to wording or substitute model conditions from the Circular.
20. I shall impose the standard time period for commencement. I have already referred to the need for conditions relating to landscaping, noise and odours. Details of a replacement tree would be covered by the landscaping condition. Since the permission is based on the approved plans, and with other conditions controlling detailed aspects, I consider that a requirement for the works to be carried out only in accordance with the drawings and other particulars to be unnecessary. Similarly, with these conditions I regard the suggested removal of permitted development rights as unwarranted in this case.

Conclusion

21. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should succeed.

Formal Decision

22. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for a single storey extension to lower ground floor and excavation beneath garden to allow for new pool area below at 21 Eldon Road, Kensington, London W8 in accordance with the terms of the application Ref. PP/01/01529/CHSE dated 6 July 2001, and the plans submitted therewith as subsequently amended, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 - 2) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include: means of enclosure; hard surfacing materials; tree/shrub planting scheme and planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species,

plant sizes and proposed numbers/densities where appropriate; existing tree/shrub retention; implementation programme.

- 3) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
- 4) Noise emitted by all plant installed in conjunction with the development hereby permitted including air-conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0 metre from the nearest residential window or at a height of 1.2 metres above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The plant shall be mounted in a way which will minimise transmission of structure borne sound. The installation of the plant shall be carried out in accordance with a fully detailed noise control specification together with drawings and design report that has first been submitted to and agreed in writing by the local planning authority.
- 5) The use of the pool hereby permitted shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the local planning authority, and such measures have been implemented.

Information

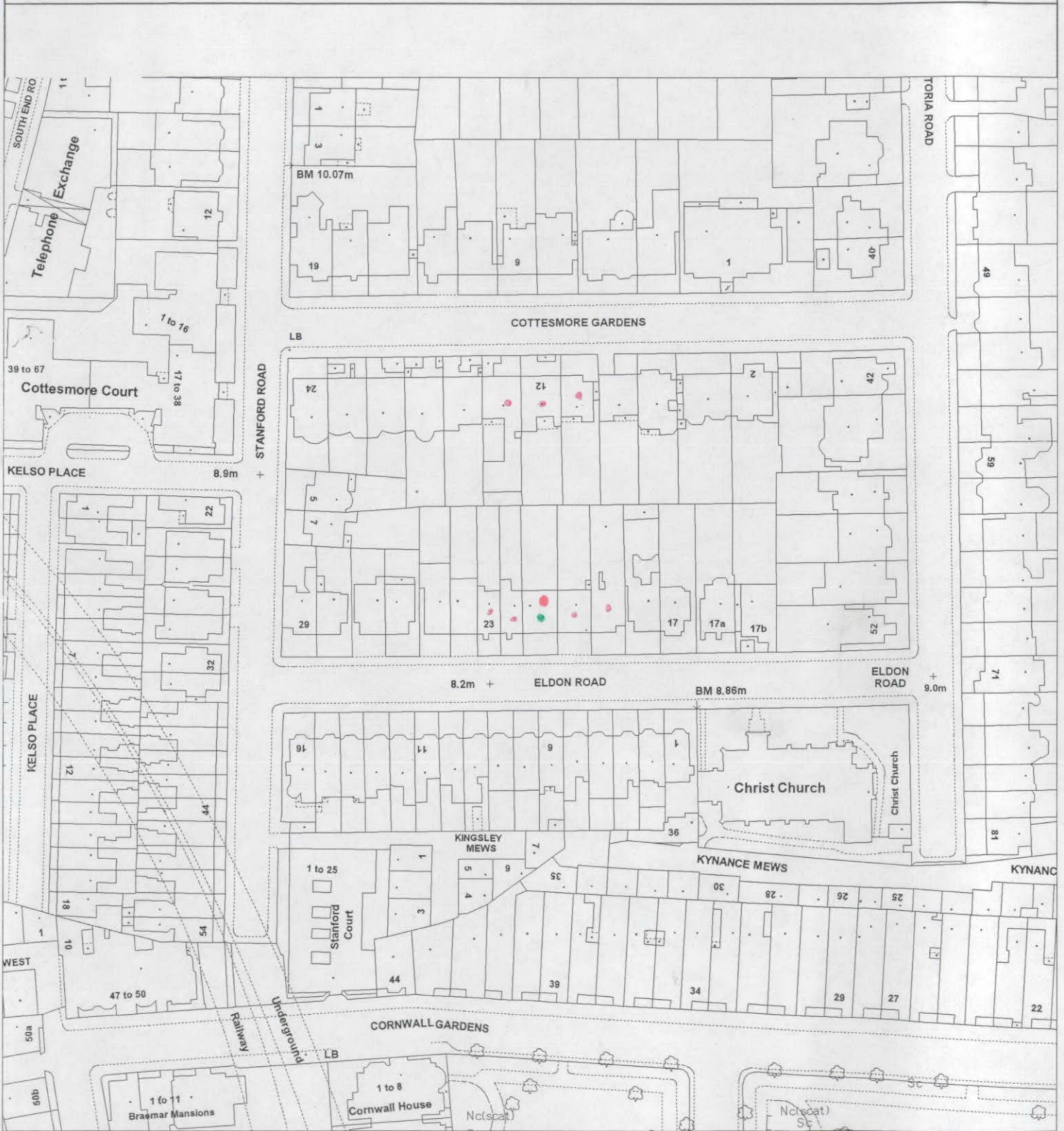
23. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court within 6 weeks from the date of this decision.
24. This decision does not convey any approval or consent that may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.
25. An applicant for any approval required by a condition attached to this permission has a statutory right of appeal to the Secretary of State if that approval is refused or granted conditionally or if the authority fails to give notice of its decision within the prescribed period.
26. Attention is drawn to the enclosed note relating to the requirements of the Chronically Sick and Disabled Persons Act 1970, as amended.

T.G. 

INSPECTOR

PP011529

RBKC - Planning and Conservation - Card Index - Site Map

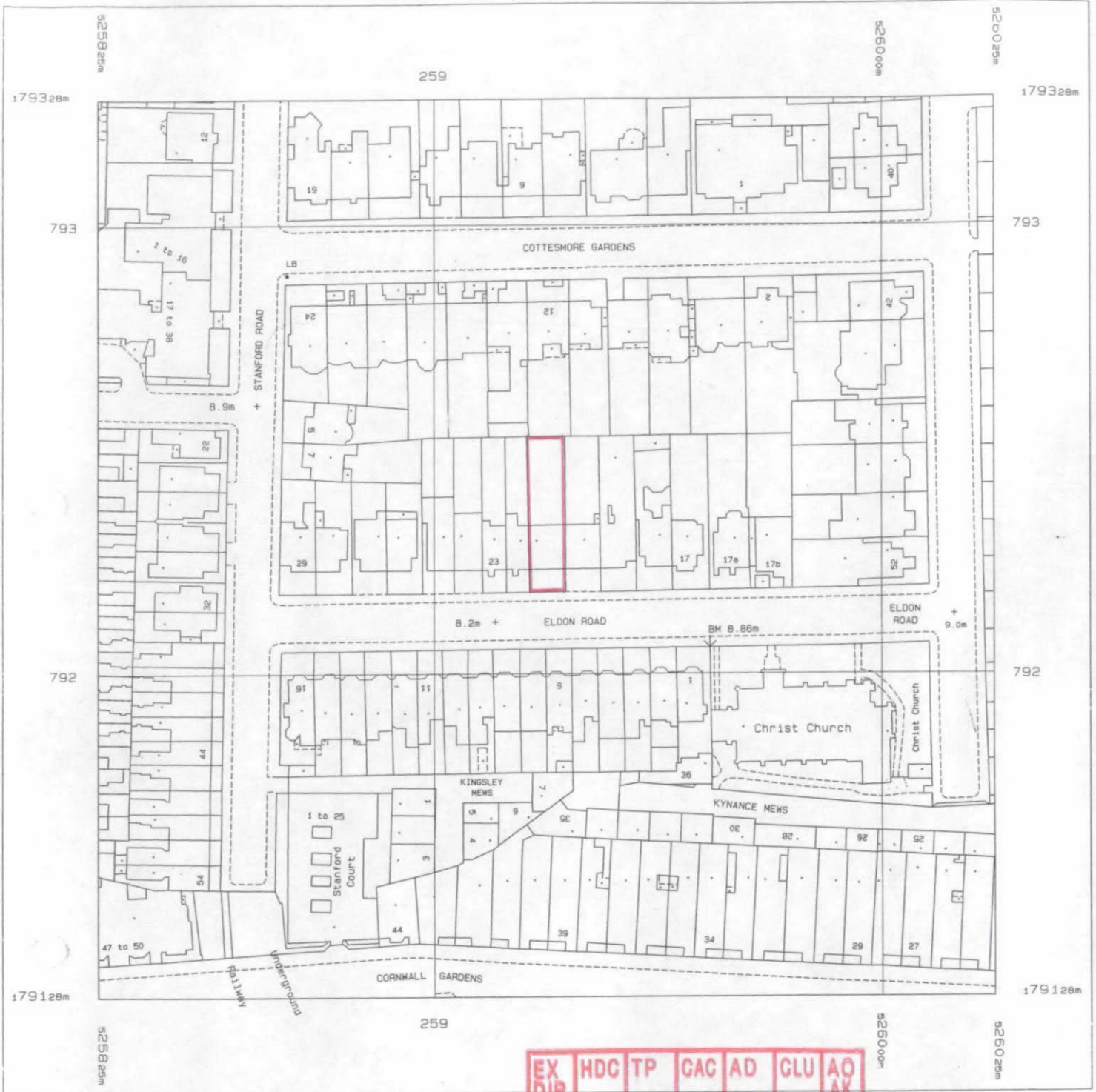


Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(10/07/01)

Map width : 243.74m

Scale 1 : 1250



EX DIR	HDC	TP	CAC	AD	GLU	AO
						AK
R.B.	12 APR 2007				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
				ARB	FPLN	DES FEES

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Scale 1:1250

National Grid sheet reference at centre of this Superplan: TQ2579SE

The representation of a road, track or path is no evidence of a right of way.

This Superplan product does not contain all recorded map information.

TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR

BUILDINGS OR PLANNING PERMISSION

FOR OFFICE USE ONLY

Fee £ 95.00

Cheque / Postal Order / Cash 001135

Receipt No. Issued 0276374 09/07/01

Borough Ref
 Registered No.
 Date Received 10 JUL 2001

APPLICATION COMPLETE

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	
	FEE (where applicable)	£ 95

1. APPLICANT (in block capitals)
 Name RICHARD PEASE
 Address 34 CAMPDEN HILL GARDENS
LONDON
W8 7A7
 Tel. No. 7 314 4739

AGENT (if any) to whom correspondence should be sent
 Name GRANIT ARCHITECTS LIMITED
 Address 112 BATTERSEA BUSINESS CENTRE
LAURENCE HILL, BATTERSEA
LONDON N15 1SQ
 Tel. No. 020 7924 4555 Ref. ELDON RD

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies
21 ELDON ROAD, KENSINGTON, W8

(b) Site area
SAME AS ABOVE

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use.
TO REAR GARDEN
24M² SINGLE STOREY EXTENSION TO LOWER GROUND FLOOR, EXCAVATION BENEATH GARDEN TO ALLOW FOR NEW POOL AREA BELOW. REMOVAL & REPLACEMENT OF EXISTING TREE

(d) State whether applicant owns or controls any adjoining land and if so, give its location.
NO

(e) State whether the proposal involves:-
 (i) New building(s) or extension(s) to existing building(s) YES **State Yes or No**
 If "Yes" state gross floor area of proposed building(s). 24 m²

RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	SW	SE	ENF	AG	ACK		
10 JUL 2001									
(ii) Alterations <input checked="" type="checkbox"/> YES									
(iii) Change of use <input checked="" type="checkbox"/> NO									
(iv) Construction of new access to a highway									
(v) Alteration of an existing access to a highway									

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.
CONSERVATORY

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).
/
 Hectares/m²

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

- (i) Outline planning permission NO
- (ii) Full planning permission YES
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted. NO
- (iv) Consideration under Section 72 only (Industry) NO

If "Yes" strike out any of the following which are not to be determined at this stage.

- 1. Siting
- 2. Design
- 3. Landscaping
- 4. External appearance
- 5. Means of access

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

- (i) Present use of buildings/land RESIDENTIAL
- (ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

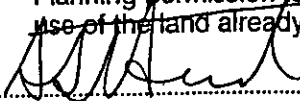
EXISTING LOWER & UPPER GROUND PLANS & REAR ELEVATION & SECTION. DRG NO.S 0115-L(02, 03, 08, 10). PROPOSED PLANS, REAR ELEVATION & SECTIONS, DRWG NO.S 0105-L (13, 14, 20, 24, 25).

6. ADDITIONAL INFORMATION State Yes or No

- (a) Is the application for non-residential development NO If "Yes" complete PART THREE of this form (See PART THREE for exemptions)
- (b) Does the application include the winning and working of minerals NO If "Yes" complete PART FOUR of this form
- (c) Does the proposed development involve the felling of any trees YES If "Yes" state numbers and indicate precise position on plan 1 NO. TO BE REPLACED.
- (d) (i) How will surface water be disposed of? VIA DRAINS TO EXISTING DRAINAGE SYSTEM
- (ii) How will foul sewage be dealt with? AS ABOVE
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
 - (i) Walls RENDER
 - (ii) Roof CONCRETE SLAB WITH TIMBER DECKING
 - (iii) Means of enclosure CONCRETE BLOCKS / CONCRETE

We hereby apply for (strike out whichever is inapplicable)

- (a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith
- (b) Planning permission to ~~retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed  on behalf of MR R. PEASE. Date 06.07.01

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.


CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is unapplicable.
- 1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
- 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
- 3. ~~I have / the applicant has given requisite notice to every person other than myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-~~

(a) "Owner" means a person having freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Name and Address of Tenant

Date of Service of Notice

Signed  on behalf of MR R. PEASE Date 06.07.01

Additional information:

E. ESSENTIAL SUPPORTING DOCUMENTS

5. Other relevant correspondence with the LPA; please identify to correspondence by date or otherwise:

Date:	Title
12.07.2001	Validation letter from the LPA, confirming receipt of the application, and request for all drawings to be resubmitted at scale 1:50, together with a photograph of existing Rear elevation
17.07.01	Return slip, returned with information requested
09.10.01	letter from Granit (Chartered Architects) to Mr French (director of Planning and conservation)
24.10.01	letter from Granit to Ms Flight (Local Planning Authority)
30.10.01	letter from Granit to Mr French (director of Planning and conservation)
29.11.01	letter from Granit to Ms Cowley (Local Planning Authority), together with minutes for planning meeting (23.11.02)
24.01.2002	letter from Granit to Ms Cowley (Local Planning Authority), together with revised drawings
04.02.02	letter from Ms Cowley (Local Planning Authority) to Granit
19.02.02	letter from Granit to Mr Kelsey (Local Planning Authority), together with information sheet on Ozone Systems, for pool plant room
19.02.02	letter from Granit to Ms Cowley (Local Planning Authority), together with Noise Control Consideration Report from AIRO (Acoustical Investigation & Research Organisation Ltd)
12.03.02	fax from Ms Cowley (Local Planning Authority) to Granit
03.04.02	letter from Granit to Ms Cowley (Local Planning Authority), together with report on the establishment on planting above submerged pool from Philip Cave (Landscape Architect/Horticultural Consultant), Report from AIRO regarding the noise-control of the proposed pool-plant-equipment, Revised Drawings
09.04.02	Fax from Granit to Mr Kelsey (Local Planning Authority), together with an extract from British Standards BS4428 (Code of practice for general landscape operations)
10.04.02	Fax from Granit to Mr Kelsey (Local Planning Authority)

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

RECEIVED 12 JUL 2001

Grant Architects Limited,
112 Battersea Business Centre,
Lavender Hill,
Battersea, London
SW11 5QL

Switchboard: 020-7937-5464
Direct Line: 020-7361-3260
Extension: 3260
Facsimile: 020-7361-3463

Date: 10 July 2001

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

My Ref: **DPS/DCC/PP/01/01529** Your ref: **ELDON ROAD**

Please ask for: Ms. A. Flight

2 - objections

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

Application for Planning Permission at: 21 Eldon Road, London, W8 5PT

Proposal: Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

Dated: 06/07/2001

Complete: 10/07/2001 Decision due by: 04/09/2001

Fee Received: £95.00

I acknowledge receipt of your application.

If you have not been notified by the Council of its decision within 8 weeks of the date of completion above you are entitled to appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990. You may, by agreement in writing with the Council, extend the period within which the decision is to be given. The Council decides on applications as soon as possible. Many applications can be determined in six weeks or less, although there will often be reasons why a longer period is necessary.

Proposals that may affect the character or appearance of a Conservation Area, or the special character or setting of a Listed building, and some other proposals, must be advertised on site and in a local newspaper. Therefore, these applications often take longer to determine. Many applications, including all those to which objections are received, must be presented to the Planning Services Committee, which may also mean a short delay. Should you wish to discuss the progress of your application, please contact the Case Officer on the above number.

You are reminded that it may be unlawful to begin the development forming the subject of this application prior to receipt of a written Planning Permission from the Council, and you are strongly advised against doing so.

Yours faithfully

M.J. FRENCH

Executive Director, Planning and Conservation

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

THE ROYAL BOROUGH OF



KENSINGTON AND CHELSEA

RECEIVED 12 JUL 2001

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

M. J. FRENCH, FRICS, Dip. T. P. MRTP1, Cert TS
Executive Director of Planning and Conservation

Grant Architects Ltd,
112 Battersea Business Centre,
Lavender Hill,
London, SW11 5QR

Switchboard: 020 7937 5464
Extension: 2010
Direct Line: 020 7361 2010
Facsimile: 020 7361 3463

11/7/01

My reference: TP/PEND/

Your reference:

Please ask for:

Dear Sir (Madam),

**Town and Country Planning Act. 1990 - Town and Country Planning
(General Permitted Development) Order 1995 and (Application) Regulations 1988**

**Town and Country Planning (Fees for Applications and Deemed Applications)
(Amendment) Regulations 1993 et seq**

I refer to your Town Planning Application dated 6/7/01 for 21 Eldon Rd.

In support of your application could you please supply me with the following information:-

- Photograph (s) of ~~existing~~ rear elevation.
- Copies of 4 sets of all drawings already submitted at a 1:50 Scale

In the meantime your application will be registered; however, you are requested to note that the processing of the application will be delayed unless the requested information is received within 14 days of the date of this letter.

Yours faithfully,

M.J. French
Executive Director of Planning and Conservation

PLEASE RETURN TEAR OFF SLIP BELOW WITH INFORMATION REQUIRED

REF: TP/ C /APP/PEND Mr. M. J. French ATT/PM

Address: 21 Eldon Rd.

To be completed by applicant: Please find enclosed the following:-

PHOTOGRAPH OF REAR ELEVATION Signed [Signature]
4 SETS OF ALL DRAWINGS Date 17.07.01
SUBMITTED @ 1:50 SCALE

D4/2239



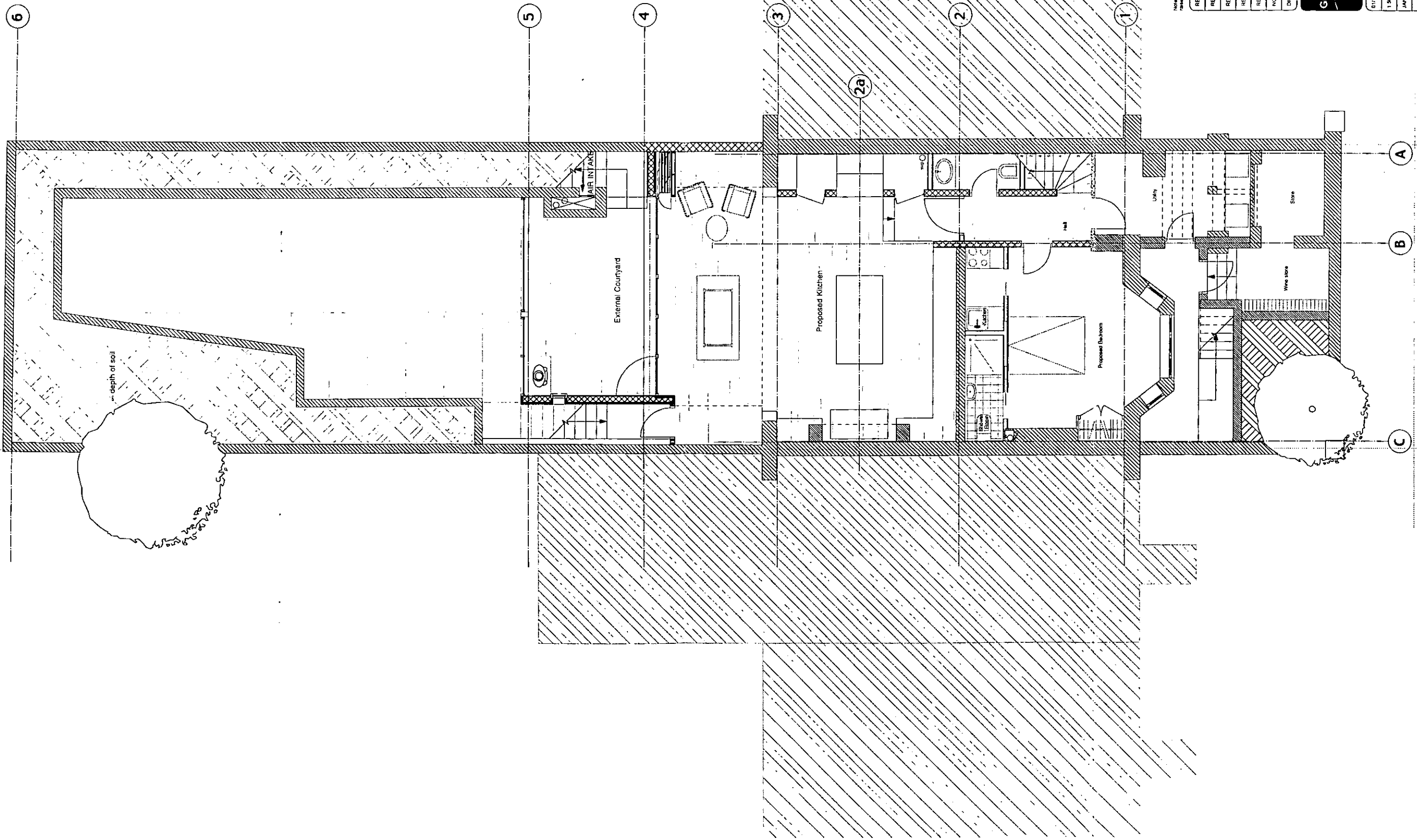
NOTES : DO NOT SCALE FROM THESE DRAWINGS. ALL

DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects

112 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON, SW11 5QL
t 020 7924 4555, f 020 7924 5686

01/15/29	21 Eklon Road, Kensington,
SCALE : 1:100	London, W8 5PT
JULY 01	Existing Plans
APL	Rear Photo of 21 Eklon Road



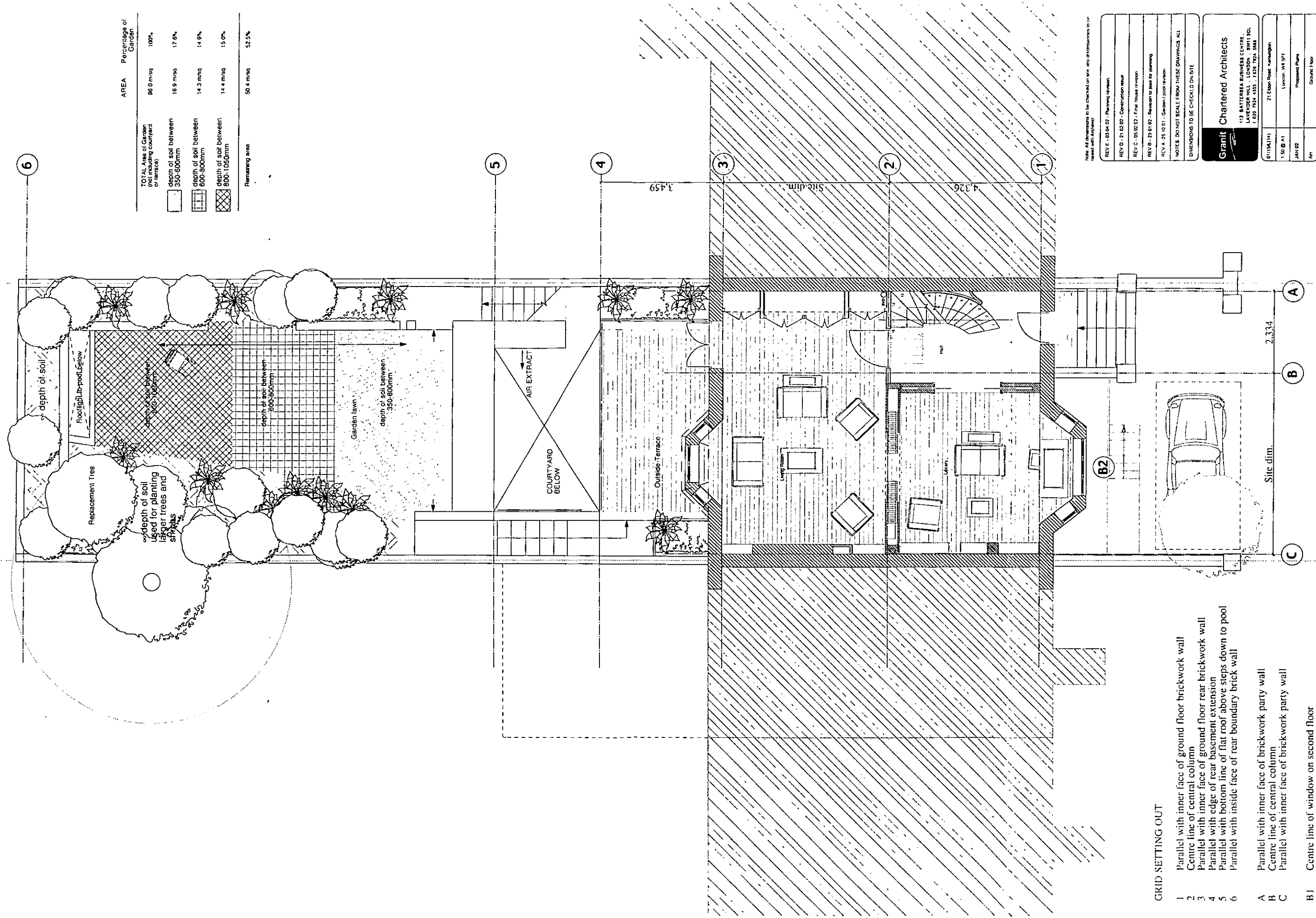
Note: All dimensions to be checked on site with determination to be made with Architect

REV E - 03/04/02 - Planning revision
REV D - 21/02/02 - Construction note
REV C - 05/02/02 - Final house revision
REV B - 23/01/02 - Revision to pool for planning
REV A - 25/10/01 - Garden / pool revision

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE.

Granit Chartered Architects
 117 WATERLOO BUSINESS CENTRE
 WATERLOO HILL, LONDON, SW11 1HL
 T: 020 7321 1222 F: 020 7321 2800

01/15/01/13	21 Eton Road Kensington
1:50 @ A1	London W8 5PT
JAN 02	Proposed Plans
AM	Basement Floor



AREA	Percentage of Garden
TOTAL Area of Garden (not including courtyard or terrace)	100%
depth of soil between 350-600mm	17.6%
depth of soil between 600-900mm	14.9%
depth of soil between 800-1050mm	15.0%
Remaining area	52.5%

GRID SETTING OUT

- 1 Parallel with inner face of ground floor brickwork wall
- 2 Centre line of central column
- 3 Parallel with inner face of ground floor rear brickwork wall
- 4 Parallel with edge of rear basement extension
- 5 Parallel with bottom line of flat roof above steps down to pool
- 6 Parallel with inside face of rear boundary brick wall
- A Parallel with inner face of brickwork party wall
- B Centre line of central column
- C Parallel with inner face of brickwork party wall
- B1 Centre line of window on second floor
- B2 Centre line taken from mid point of front central bay window at each floor
- B3 Centre line of window on second floor

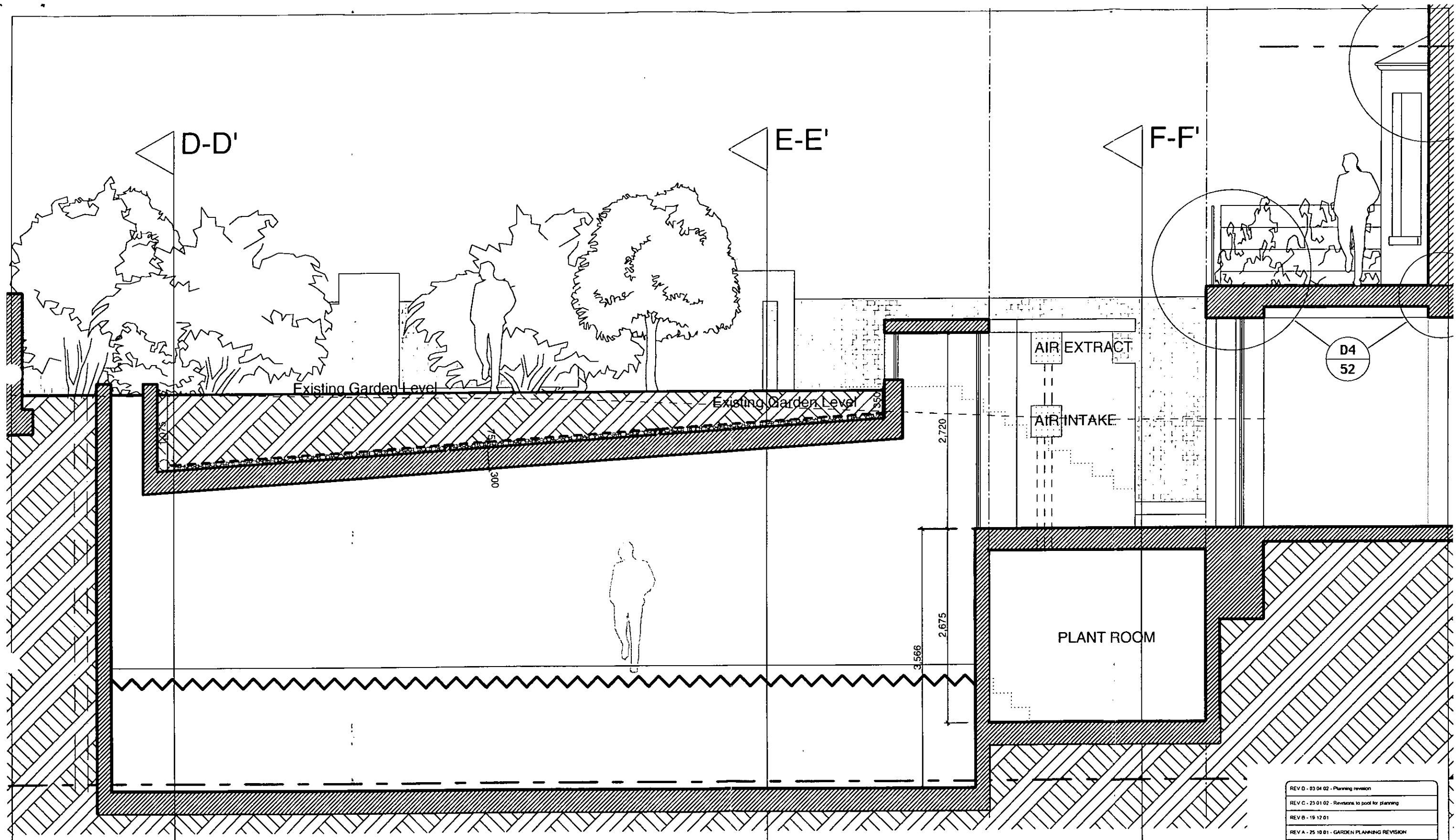
Note: All dimensions to be checked on site, any discrepancies to be noted with Architect

REV E - 03/04/07 - Planning revision
REV D - 21/02/07 - Construction issue
REV C - 05/02/07 - Final house revision
REV B - 23/01/07 - Revision to pool for planning
REV A - 25/10/07 - Garden / pool revision

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 117 BATTERSEA BUSINESS CENTRE,
 117 BATTERSEA ROAD, LONDON, SW11 9DL
 T: 020 7224 4333 F: 020 7224 3474

01/15AL/14	21 Eton Road, Kensington
1:50 @ A1	London, W8 5PT
JAN 07	Proposed Plans
A1	Ground Floor

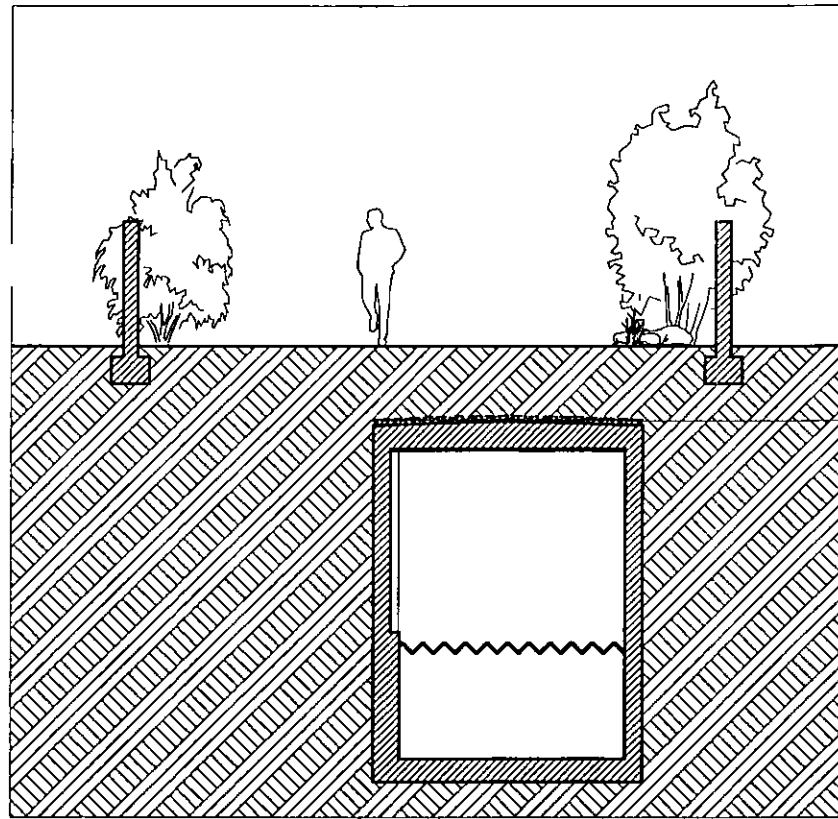


SECTION C-C

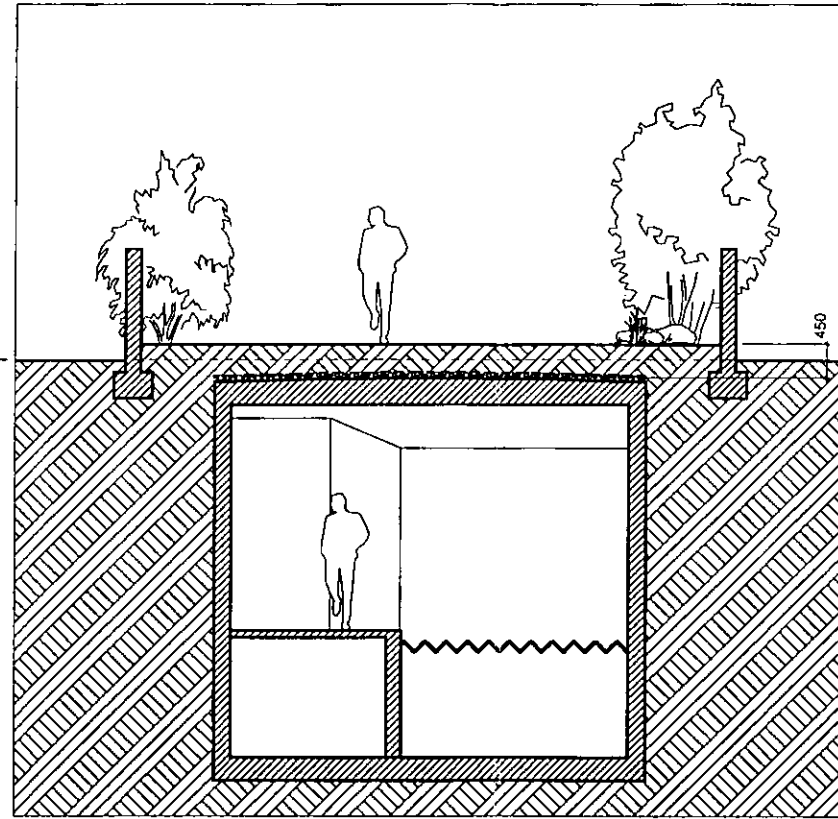
REV D - 03 04 02 - Planning revision
REV C - 23 01 02 - Revisions to pool for planning
REV B - 19 12 01
REV A - 25 10 01 - GARDEN PLANNING REVISION
NOTES DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4355, F 020 7924 5666

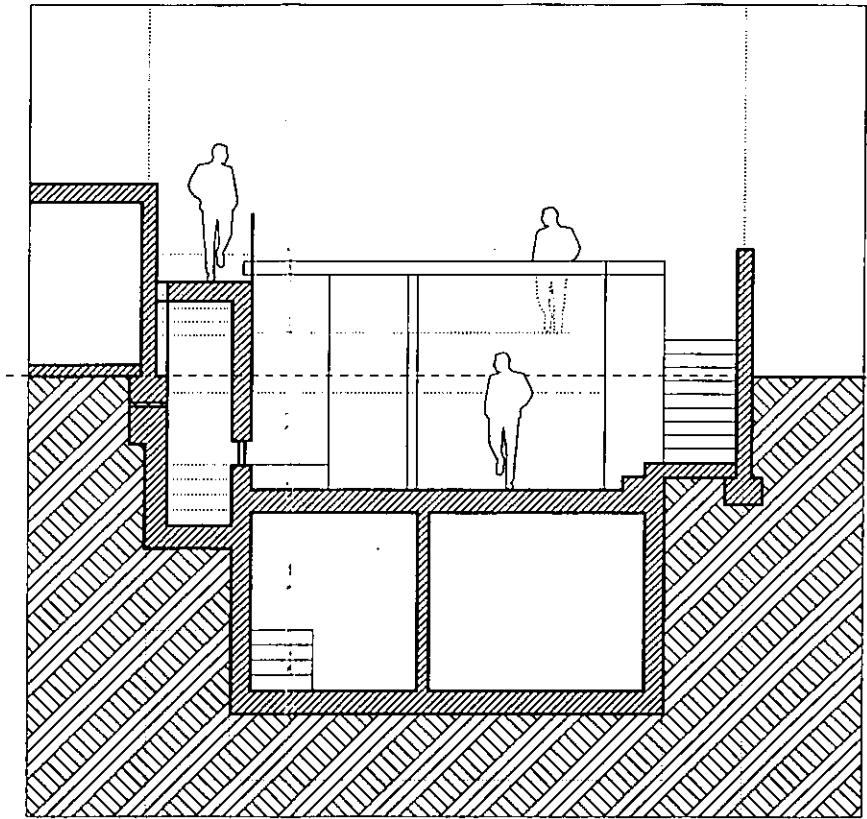
01156 (24)	21 Eikon Road, Kensington
1:50 @ A1	London W8 5PT
MAY 01	Proposed Plans
AH	Section C-C



SECTION D-D



SECTION E-E'



SECTION F-F'

Note: All dimensions to be checked on site, any discrepancies to be raised with Architect

REV A - 03/04/02 - Planning revision

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL

DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects

112 BATTERSEA BUSINESS CENTRE
LAVENDER HILL, LONDON, SW11 5QL
T 020 7924 4555, F 020 7924 5666

01/15/07	21 Eton Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F

FAX FROM

THE ROYAL
BOROUGH OF

NAME: Nicola Conley

THE DIRECTORATE OF PLANNING SERVICES ON

DATE: 12/8/02

MAIN TELEPHONE NUMBER: 020 7937 5464

DIRECT LINE: 020 7361

FAX NUMBER (if different from below): _____



KENSINGTON
AND CHELSEA

TO

NAME: Robert Wilson

OF: Granit Architects

ADDRESS: _____

_____ POSTAL CODE _____

FAX NUMBER: 02079245666

NUMBER OF PAGES TO FOLLOW: 2

COMMENTS AND/OR INSTRUCTIONS (if any)

21 Eton Road - Observations as discussed.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	12 APR 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

OUR FAX NUMBER IS: 020 7361 3463

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 27 February 2002 16:00
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road

Nicola

There is no indication of the plant which is to be installed and I think if you are minded to grant permission maybe could do so on the basis of conditions to be discharged before the excavation, as follows:-

- 1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The excavation of the pool shall not commence until a fully detailed noise control specification together with manufacturers and builders drawings and consultants design report has been submitted to and agreed in writing by the LPA. The design report shall show how this condition will be met. Thereafter compliance monitoring shall be undertaken to ensure this condition has been discharged.*
- 2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.*
- 3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.*

Ian Hooper

Specialist Noise Officer

RURAL ARBORETTAL OBSERVATIONS			
Address	Application No.	App. Officer	Date of Obs.
21 Eldon Road	PP/01/1529/	AJF	12/2/02
Development	Site No.	Site Area	Na. Obs.
Rear extension and underground pool			
Number of Trees	CA No.	CA No. (Special)	Year of Application
	C9	13/01	
Comments			

Further to my previous observations of the 21st November 2001 my comments on the revised drawings are as follows.

In my view the revised proposals are not acceptable for the following reasons. The required depth of 1 metre of top soil/ drainage layer is not maintained over the underground development. The sloping roof may result in water logging at the low point where it meets the roof light for the pool. (does the pool need a roof light?) I therefore suggest that the development is far enough below existing ground level to permit a one metre depth of soil/ drainage layer to be installed which brings the finished level back up to existing ground level. This will permit the roots of larger growing trees to exploit all of the garden soil. It should also be borne in mind that even grass, let a lone shrubs, can utilise available soil water a metre below the surface. Shallow soil profiles will result in the plants becoming drought stressed or dying during summer dry spells.

I also suggest that the applicant submit for approval a landscaping scheme to include at least one tree (species to be agreed) of a stem diameter not less than 25cm.

Condition C16(a) should cover this.

Signed: *C. Colwell* Date: 12.2.02

Mr M. J. French,
Executive Director Planning and Conservation,
The Town Hall,
Hornton St,
London,
W8 7NX.

09.10.01

Dear Mr French,

RE: 21 ELDON RD.

We have two applications for planning under consideration at present. One for an extension of existing attic rooms and one for a basement and subterranean pool. These were submitted on the 15.06.01 and the 06.07.01 with due decision dates 14.08.01 and 04.09.01 respectively. Some two months after these dates we are still no closer to determining the councils views and policies on either application.

A meeting was eventually held on site (after it was cancelled at a days notice) on the 13.09.01 with Ms. H. Benesch and Ms. L. Reed who stood in for Ms A. Flight, the allocated case officer, who, on sick leave, had yet to visit the site or even agree to discuss the proposal on the phone at this stage.

The meeting was very enlightening, principally because of the contradiction of advice given at an initial outline discussion with Tracy Smith who suggested we would be able to raise garden level, with no mention of your apparent policy for 1m of topsoil on our subterranean pool; a point critical to the feasibility of the initial scheme.

Nevertheless we were assured a letter to confirm this guidance note and the councils judgement on the proposed neighbours mansard roof development. Again, nearly a month later we are still awaiting a written response.

A subsequent phone conversation with Ms. Reed revealed she was leaving on the 17.10.01 and that our applications were to move back to Ms. Flight, who, to my knowledge to date, has still not visited the site, nor discussed the proposal with us.

A subsequent conversation with Mr Kelsey further revealed a lack of interest. Ms. Flight, still on sick leave, had another project, deemed 'Urgent', that was to take precedent; Alison would be unavailable until next week.

Clearly this kind of service is not acceptable.

Still, we are keen to participate in intelligent discussion, and I outline some of the points below that I expect to receive your immediate attention.

- 1.) Our consultant, Mr Appleyard of ACS Consulting, has recently submitted a report in support of our application, highlighting the condition of the existing pear tree. We would expect a swift response to enable amendments and development of our application if necessary.
- 2.) We are still awaiting written confirmation of the new guidance in your latest UDP note 27 on depth of required topsoil above subterranean development, in our case the proposed swimming pool.
- 3.) A written letter of confirmation on your stance to the neighbours proposed mansard roof extension is also needed. I understand that this is unlikely to receive permission because the identical mansard adjoining it is not considered a precedent, having been built before changes in your permitted development policy.

Forgive me for being abrupt but our client is getting increasingly anxious at the visible lack of progress since June and is putting severe pressure on us to resolve this. When his 3m Kensington property is sitting vacant costing him 4k per week you can understand why. A punctual response would therefore be appreciated.

Yours faithfully,

Alex Head.
for Granit Chartered Architects Ltd.

Ms A. Flight
Royal Borough of Kensington & Chelsea,
Planning & Conservation,
Town Hall,
Hornton Street,
W8 7NX

24.10.01

Dear Ms Flight,

REF: - 21 Eldon Rd.

We have appealed in conjunction with no.20 Eldon against your refusal of their proposed roof extension including the mansard, please see attached documentation. We will shortly be submitting a further simplified application should our, and the neighbours, appeal be unsuccessful.

I would like to take this opportunity to clarify the situation on the basement / pool application, Ref: 01529. We are currently working on a revised garden layout taking into account the LPA's guidance under CD27 of the UDP and its horticulturalists recommendation for 1m of topsoil. This we will shortly be submitting in conjunction with a supporting document from our horticultural consultant, Mr Appleyard, setting out a proposal for soil depths to allow 'a satisfactory scheme of landscaping'. We understand you are still considering his report, submitted on the 8.10.01, for the replacement of the pear tree, and would appreciate a punctual confirmation on this matter, along with any conditions that may be attached so that we can make allowance for this in our revised proposal.

Yours sincerely

Alex Head
Granit Chartered Architects Ltd.

MJ French.
Director of Planning
Royal Borough of Kensington & Chelsea,
Town Hall,
Hornton Street,
W8 7NX

30.10.01

Dear Mr French,

REF: - 21 Eldon Rd.
DPS/DCC/PP/01/01374
DPS/DCC/PP/01/529

I am writing in the futile belief that someone will read this letter and respond. This has not been the case since these applications were submitted in June this year.

We are now some months past the decision date, with very little communication from yourselves.

We had a pre-application consultation with a Ms Russ, but it seems all the information given was contrary to policy.

We sent in applications based on the information offered before, and were assigned Ms Flight as case officer, sadly she has been so unwell and so over worked she has yet to visit the site. But after much badgering her erstwhile team leader came to a site meeting with a conservation officer, Ms Banoush (I don't have that name in writing so am unsure of the spelling) They were helpful, they thought the schemes might be against policies, but they would confirm in writing. I am still waiting for this.

The conservation officer seemed to feel that, at lower ground floor level, a terrace type (full width) extension was inappropriate for a terraced building and thought an extension creating a dead space between it and a party wall more appropriate, especially since the neighbour wanted to do the same as us. With one barely considered opinion she has decided it is better to double the external wall area and triple the amount of wall needed to be built, to create two areas for the collection of leaves and dead matter, irrespective of the nature of all other extensions in the area. At roof level she seemed to think that matching 80% of the other roofscapes visible in the garden area inappropriate preferring to retain a shanty dormer to our neighbour and a roof unlike any other to our client's property. The works do not require conservation area consent and the officers attitude seem obstructive, environmentally unsound, and financially restrictive. But all this was to have been confirmed with policy concerning subterranean pools. Nothing!!

Please can we have some formal response to our correspondence, some formal response to the site meeting, and some justification for the whimsical nature of the views given so far? Please can you let us know if there are any objections, which we may be able to respond to? Since these applications will clearly have to go to appeal at this rate maybe it is not too late to resolve the issues.

When can we expect this matter to be dealt with?

I await your response

Yours sincerely

Robert Wilson.

Granit Chartered Architects Ltd.

Nicola Cowley,
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

29.11.01

RE: 21 ELDON RD

Dear Nicola,

Following our very helpful meeting last Friday I enclose a copy of our minutes setting out the decisions reached and what action is to be taken in revising the various applications.

I anticipate posting the loft drawings to you this Friday so you will have them Monday for review.

Yours sincerely

Alex Head
for Granit Chartered Architects.

PROJECT: 21 ELDON RD

MINUTES for PLANNING MEETING ON 23.11.01 at 3.00pm.

Those present: Helena Benes – conservation officer for no.21 Eldon
Helen Homard – conservation officer for no.20 Eldon (for item 1 only)
Nicola Cowley – planning case officer for no's 20 & 21 Eldon
Robert Wilson – for Granit Chartered Architects Ltd
Peter Jones – for Jones Lambell Architecture and Design (for item 1 only)
Alex Head – for Granit Chartered Architects Ltd

Items of discussion:

- The Roof Extension
- The Garden / Subterranean Pool
- The Lower Ground Floor Extension

1. The Roof Extension

- The proposed mansard is to be set back from the edge of the existing eaves line at a raked angle to reduce the visual impact.
- No.21's proposed mansard is to be re-drawn at an angle of 70 degrees to match that shown in no.20's drawings.
- The outer line of the proposed mansard is to notionally line through with the outside face of the brickwork wall to align structurally.
- The roof and mansard of both properties is to be finished in a natural slate.
- The proposed dormer windows facing the street are to be re-drawn with marginal glazing bars to match those existing windows below. Both no.20 and 21 are to match in terms of size, style, detail and location.
- The sill detail of the front dormers is to be as shown on no.21's section, with sloped lead piece as opposed to projecting sill.
- The proposed rear dormers of no.20 and 21 are to match. They do not have to be the same style as the front.
- 1:50 plans and sections will be submitted from no.21.
- As no objections have been received regarding the roof applications it would be possible for the planning authority to reach a decision by delegated powers rather than committee.
- The proposals of no.20 and 21 will be revised to match.
- A 106 agreement may need to be entered into.

2. The Garden / Subterranean Pool

Mr Jones and Ms. Homard leave.

- The proposed garden level above the pool is to be revised to align with the existing. This is to be calculated by taking the mean height across the length of the site.

- Additional drawings are to be submitted illustrating the cross sectional condition through the garden at several distances from the house.
- Under the revised UDP, chapter 4, CD27a, d, states to resist subterranean development where 'a satisfactory scheme of landscaping including adequate soil depth has not been provided.' The amount of 'adequate' soil is evaluated for each development by the LPA horticultural department that suggests a minimum of 1m of soil would be necessary.
- A revised proposal was discussed where a varying level of soil depth from 0.4 to 1m would be proposed.
- The area of the shallow soil should be kept to a minimum.
- A revised proposal would be viewed as a whole based on its 'satisfactory landscape proposal.'
- The advice of the LPA tree consultant, Mr Colwell, is that the tree can be removed but must be replaced. Its replacement is not limited to the same location and could be replaced at the rear of the garden.
- No structured pavilion is to be placed at the end of the garden.
- A request is made to the LPA to confirm whether a structure can be added at a later date under PD.
- Several objections apply to the application concerning noise from any plant and concerns over loss of trees; re-notification may be required. If this issue is resolved it may be dealt with under delegated powers.
- The application will go to committee if the objections are still appropriate.

3. The Lower Ground Floor Extension

- The access walkway to the indoor pool adjacent to the boundary of no.20 is not seen as appropriate and could be flipped with the garden steps to the other side.
- No terrace will be permitted adjacent to the boundary of no.20 to avoid overlooking.
- A terrace will be permitted along the remainder of the extension and adjacent to no.22.
- LPA to confirm whether extension and terrace application is possible under PD as per application.
- LPA to confirm whether a certificate of lawfulness is required before starting work or if an application is required before starting work.
- Permission is not necessary for the alterations to the rear elevation but the recommendations below would be viewed favourably. LPA indicated that alterations could be controlled on the rear elevation by use of a Section 4 notice if they were not appropriate.
- The existing rear steps and ground floor door should be maintained to match the neighbour's proposal.
- A revised proposal will be drawn up to maintain the rear steps, as the floor level will be altered the door will have to be altered to match.
- The existing small cloakroom window should be maintained, although blocking in the opening from inside would be acceptable.

- The proposed raised window above the doorway should be adjusted so the sill lines through with the neighbours.
- The widening of the doorway would not be viewed favourably.
- Double French doors onto the terrace from the bay window would be acceptable.
- Recommendation to keep the terrace extension and garden pool application as one to allow review and discussion as a whole.

Ms N Cowley,
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

24.01.02

RE: 21 ELDON RD

Dear Nicola,

As discussed I enclose 3 copies of the revised drawings for the garden/pool application at 21 Eldon Rd, Ref: 01529.

Taking on board your comments we have revised the proposal.

The pool roof has been reduced to allow 1m of topsoil at the rear of the garden reducing to 400mm adjacent to the courtyard. The rear terrace has been articulated to reduce the height at both boundaries and a handrail has been pulled back to give better privacy to no.20. The pool plant has also been relocated under the courtyard with air intake and extracts located within the space, directed away from the neighbours. The replacement tree has been situated to the rear most corner, where natural soil depths allow generous room for growth and other localised planting of shrubs and bushes.

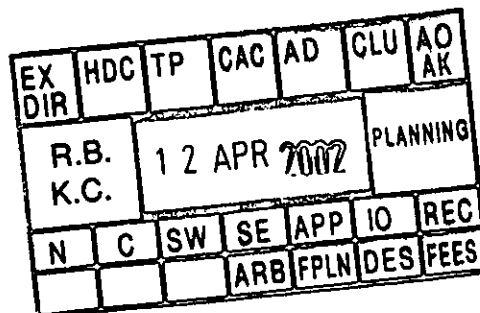
We are keen to reach a quick agreement on this remaining application and as such would appreciate a call to discuss once you have reviewed the drawings.

Yours sincerely

Alex Head
for Granit Chartered Architects.

Code of practice for general landscape operations (excluding hard surfaces)

UDC 712.3/.7:(083.75)



Committees responsible for this British Standard

The preparation of this British Standard was entrusted by the Basic Data and Performance Criteria for Civil Engineering and Building Structures Standards Committee (BDB/-) to Technical Committee BDB/5, upon which the following bodies were represented:

Arboricultural Association
 Association of County Councils
 Association of District Councils
 Association of Metropolitan Authorities
 Building Employers' Confederation
 Construction Health and Safety Group
 Department of the Environment, Property Services Agency
 Engineering Equipment and Materials Users' Association
 Federation of Civil Engineering Contractors
 Federation of Manufacturers of Construction Equipment and Cranes
 Federation of Piling Specialists
 Health and Safety Executive
 Incorporated Association of Architects and Surveyors
 Institute of Building Control
 Institute of Clerks of Works of Great Britain Inc.
 Institution of Civil Engineers
 Institution of Environmental Health Officers
 Institution of Structural Engineers
 Landscape Institute
 National Council of Building Materials Producers
 National Federation of Demolition Contractors
 Royal Institute of British Architects
 Royal Institution of Chartered Surveyors
 Scottish Development Department
 Trades Union Congress

The following bodies were also represented in the drafting of the standard, through subcommittees and panels:

Association of Playing Fields Officers and Landscape Managers
 British Aggregate Construction Materials Industries
 British Association of Landscape Industries
 British Railways Board
 Electricity Supply Industry in England and Wales
 Forestry Commission
 Horticultural Trades Association
 Institute of Groundsmanship
 Institute of Leisure and Amenity Management
 National Playing Fields Association
 Royal Town Planning Institute
 Sand and Gravel Association Limited

This British Standard, having been prepared under the direction of the Basic Data and Performance Criteria for Civil Engineering and Building Structures Standards Committee, was published under the authority of the Board of BSI and comes into effect on 31 August 1989

First published April 1969
 First revision August 1989

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The following BSI references relate to the work on this standard:
 Committee reference BDB/5
 Draft for comment 87/10155 DC

ISBN 0 580 17194 9

Amendments issued since publication

Amd. No.	Date of issue	Comments
6784	September 1991	Indicated by a sideline in the margin

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Foreword

This British Standard has been prepared under the direction of the Basic Data and Performance Criteria for Civil Engineering and Building Structures Standards Committee. It is a revision of BS 4428:1969, which is now withdrawn.

Attention is drawn to BS 3998, BS 4043 and BS 5837. A British Standard concerning recommendations for grounds maintenance, including the maintenance of grass areas is being prepared.

Attention is also drawn to Practice Note 3: Building near Trees, published by and available from the National House-Building Council, Chiltern Avenue, Amersham, Buckinghamshire.

A British Standard does not purport to include all the necessary provisions of a contract. Users of British Standards are responsible for their correct application.

Compliance with a British Standard does not of itself confer immunity from legal obligations.

Summary of pages

This document comprises a front cover, an inside front cover, pages i to iv, pages 1 to 32, an inside back cover and a back cover.

This standard has been updated (see copyright date) and may have had amendments incorporated. This will be indicated in the amendment table on the inside front cover.

Section 1. General

1.1 Scope

This British Standard code of practice gives recommendations for the following general landscape operations (excluding hard surfaces):

- a) preliminary investigations;
- b) drainage;
- c) grading and cultivation;
- d) seeding of grass areas;
- e) turfing;
- f) amenity tree planting;
- g) woodland planting;
- h) planting of shrubs, herbaceous plants and bulbs.

The recommendations of the code of practice take account of current techniques, equipment and materials; and are restricted to general landscape operations. Intensively used and specialized sports areas such as playing fields, bowling greens, cricket tables and golf greens are excluded from the revision, both because they are specialized and because they are covered by Sports Ground Construction/Specification: 1975 issued by the National Playing Fields Association and the Sports Turf Research Institute.

The code of practice does, however, include recommendations for the gradients of sports fields that are not covered by the National Playing Fields Association technical publication Gradients for Outdoor Sports Facilities: 1983 (see 4.2.3).

The code does not cover the planting of alpine and aquatic plants.

NOTE The titles of the publications referred to in this standard are listed on page 32.

1.2 Definitions

For the purposes of this British Standard the definitions given in BS 2468 and BS 6100 apply, together with the following.

1.2.1

major grading

adjustment of contours when final levels can only be achieved by the removal of organic and partially organic surface soils (topsoil and subsoil) and by excavating and grading inert soils beneath the subsoil layer

1.2.2

minor grading

formation of true running contours by blade grading and movement of subsoil following the removal of topsoil

1.2.3

regulating

formation of true running contours by blade grading and movement of topsoil only

1.2.4

subsoil

layer immediately below topsoil and above inert parent material, which is less well structured and less biologically active than topsoil but which acts as a source of plant nutrients and moisture

1.2.5

topsoil

original surface layer of grassland or cultivated land; usually a darker shade of brown, grey or red than the subsoil that lies immediately beneath it because it contains organic matter intimately mixed with the mineral matter

4.7.4 Impeded drainage

When there is evidence of impeded drainage, subsoiling should be considered.

NOTE It is normally most economical to draw the subsoiler at centres equal to twice the depth of cultivation, e.g. at 1.2 m centres to a depth of 600 mm.

4.7.5 Disc ploughing or rotary or fixed tine cultivation

Land treated as in 4.7.2, 4.7.3 and 4.7.4 should be treated by disc plough or rotary or fixed tine cultivator, provided that the implement is capable of reaching the full depth of topsoil.

4.7.6 Woody roots

Where trees and scrub have been cleared, woody roots within the cultivated depth should be brought to the surface and should be removed from the site.

4.7.7 Vegetable matter and large stones

Tufts of grass and other vegetable matter should be raked out and removed or burned. Large stones (75 mm and over) should be removed from the site.

4.8 Topsoil

4.8.1 General

Topsoil should comply with BS 3882.

4.8.2 Spreading

Topsoil should be handled carefully during spreading to avoid damage to structure by machine induced compaction. Replacement of topsoil should not be carried out in wet conditions.

Topsoil should be spread evenly in layers not exceeding 150 mm thick. Finished thicknesses should be as follows (see also Figure 4):

- a) grass areas: 100 mm to 150 mm, according to use, after firming;
- b) shrub areas: 400 mm minimum after firming;
- c) tree areas: 600 mm minimum after firming.

4.8.3 Stored topsoil

Poor storage can lead to a loss of the "crumb" structure, usually as a result of compaction of wet topsoil when put into store, loss of aeration, water logging and anaerobic decay of organic matter. This state can be partly rectified by adding organic matter such as a manure, peat, compost, or proprietary soil ameliorants, and should be minimized by moving the material only in dry conditions and with appropriate machinery so as to avoid compaction.

If material to improve the soil structure and texture is used, it should be applied before the last cultivations prior to seeding.

Tests should be undertaken on samples of topsoil after respreading to assess the extent of any nutrient deficiencies and the need for any subsequent addition of fertilizers.

4.8.4 Cultivation of topsoil

After spreading, the topsoil should be cultivated to a condition suitable for blade grading. Large and unwanted material (75 mm and over) should be picked off and removed.

4.8.5 Shrub beds and tree pits

When shrub beds and tree pits occur in large grass areas, formation levels should be prepared at the specified depth for grass over the whole area. Further excavation should be subsequently carried out to the additional depth for shrub and tree planting.

In all cases, when excavation is necessary to obtain adequate depth for shrub beds and tree pits, existing topsoil that is suitable for re-use should be kept separate from subsoil and other excavated material.

4.9 Fallow period

If possible, and where the potential danger of erosion by wind and water is not a consideration, topsoil areas should be cleaned by allowing them to lie fallow for a period of several months, preferably in late spring or summer.

During this period weeds should not be allowed to seed, and growing weeds should be eliminated by cultivation or chemical control as appropriate.

NOTE Despite the difficulty of programming, the provision of a fallow period in landscape work is one of the simplest and most effective ways of increasing the success of establishment and the ease of economy of maintenance in subsequent planting. With the efficiency of modern broad spectrum non-residual herbicides, soil cleaning can be achieved at relatively low cost.

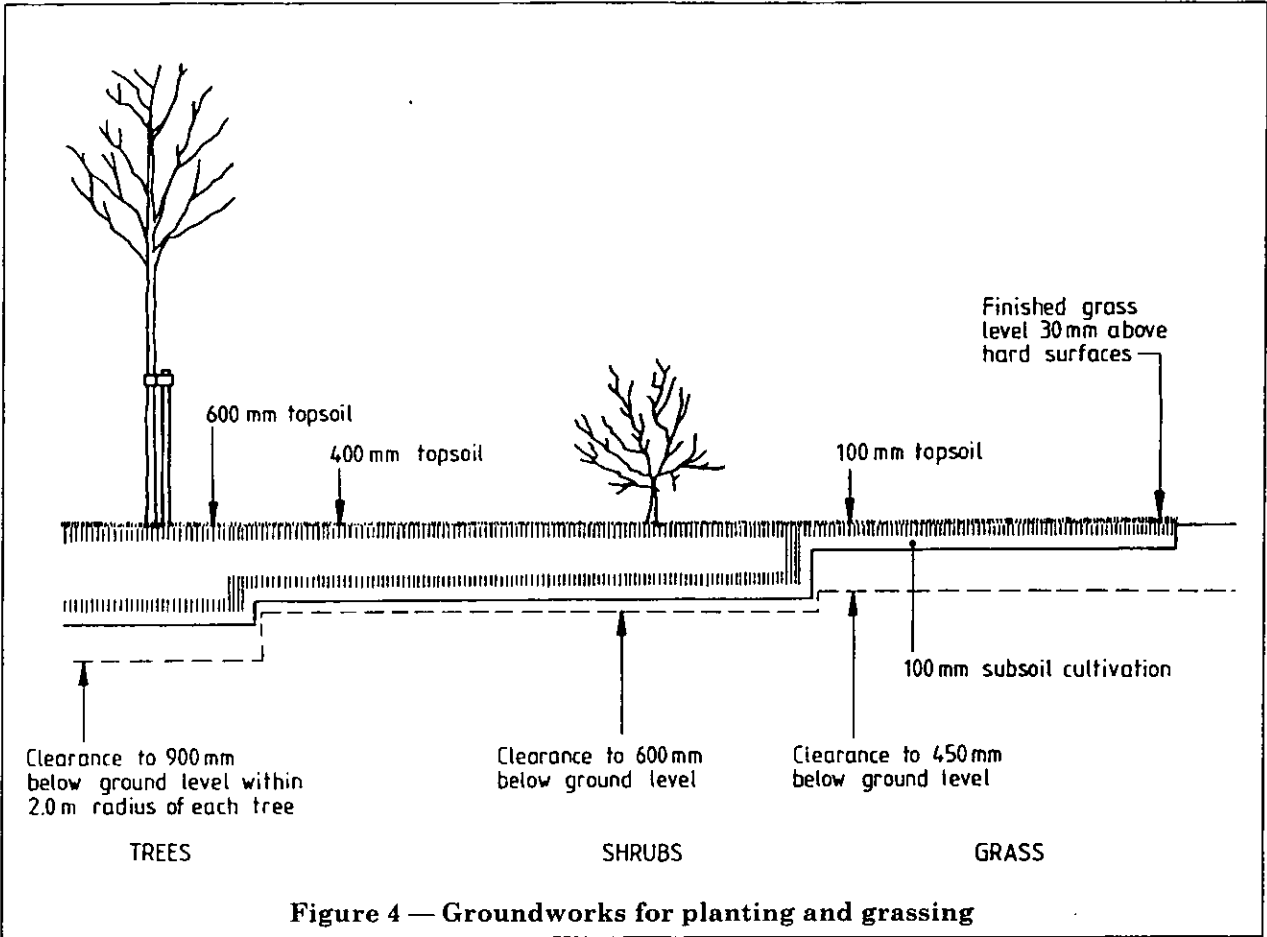
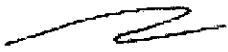


Figure 4 — Groundworks for planting and grassing



Fax Transmission

FAO **Mr P. Kelsey** DATE 10.04.02
RE 21 Eldon Rd FAX NO. **7 361 3463**
FROM ROBERT WILSON PAGES **1** of which this is page 1
GRANIT CHARTERED ARCHITECTS

The information in this fax transmission is confidential and intended for the named recipient only.
Should this fax be received in error please telephone the sender on 020 7924 4555

Dear Mr Kelsey,

RE: 21 Eldon Rd.

Just to be sure you are aware.

The British standard recommends 800mm for the growth of trees, clearly it would be undesirable to grow trees over the whole area, the perimeter and a part of the main garden, over 65% of the garden area has more than 800mm of soil.

It recommends over 600mm for shrubs, 80% of the garden has more than this.

The remaining area has between 350mm and 600mm and is more than adequate for lawn and would support small shrubs.

Can you really say that this will not maintain the viability of the garden as an amenity space?

Yours sincerely

Robert Wilson

For Granit Chartered Architects

Granit Chartered Architects

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL · LONDON · SW11 5QL

tel: 020 7924 4555 · fax: 020 7924 5666 · web: www.granit.co.uk · email: info@granit.co.uk

GRANIT CHARTERED ARCHITECTS LIMITED, COMPANY NO 357 4451

Fax Transmission

FAO

Mr P. Kelsey

DATE 9.04.02

RE

21 Eldon Rd

FAX NO. **7 361 3463**

FROM

ROBERT WILSON
GRANIT CHARTERED ARCHITECTS

PAGES

2 of which this is
page 1

The information in this fax transmission is confidential and intended for the named recipient only.
Should this fax be received in error please telephone the sender on 020 7924 4555

Dear Mr Kelsey,

RE: 21 Eldon Rd.

Following our telephone conversation re the soil depth required for a sustainable garden. I am very disappointed in your response and feel we were misled as to the credence given to guidelines, when clearly these are treated as rules.

Does the council have more faith in its Tree officer than the relevant British standard see attached and Horticultural expert, (BSc hons, MA, MIHort MLI) registered by the Landscape Institute?

If the intention is to minimise disruption this action will only serve to extend the period of building work and thus disruption, probably well into next year.

Yours sincerely

Robert Wilson

For Granit Chartered Architects

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	12 APR 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		12 APR 2007			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Nicola Cowley, / Paul Kelsey
 Planning Department,
 Royal Borough of Kensington and Chelsea,
 The Town Hall,
 Hornton St,
 London,
 W8 7NX.

4.3.02

RE: 21 ELDON RD, PP/01/1529

Dear Nicola.

Attached are documents, in response to the comments in your draft report and further conversation since then, and in support of the proposals before you.

The Pear tree. We understand that this is no longer an issue, due to the dangerous state of the tree. Thus we will be removing it and replacing with an agreed species and size. This will either be as part of a grant of consent or under a separate tree order.

Sustainability of a garden, after the underground work is complete. I have discussed this with Mr Colwell. He seemed to think that our belief, that the connection between the main house and the underground space is relevant to its viability. Thus if the space is sunk deeper to maintain a full metre of soil below existing ground level throughout the garden, the space will only be connected by a stairway, with no visual relationship to the house, very limited natural lights and unduly detrimental to its amenity.

Soil depths generally, we enclose a report by a horticultural expert on planting requirements and the plans indicate the soil depth in the various parts and their percentage of the garden area, and an indicative landscaping plan, showing it is easily possible to sustain a garden such as exists and is common to most of London, with plenty of scope for variation.

Drainage, we have looked at this issue and altered the plans to give a slope to the sides of the roof and a series of upstands and a drain to stop water logging at the deep soil end.

Sound from the plant for the poolroom. We have had a full design of the pool equipment and the air handling system. The issue is that the sound of the machinery may travel out through the supply and extract ducts. This noise is controllable by attenuators to meet with the sound requirements given by you, enclosed are the details and specification. These attenuators will need to be specially constructed for the

purpose to the specification given, and only finally verifiable after that, so you may still wish to safeguard yourselves with a condition.

Disruption during building works. Though we all understand this is not a planning issues and should not be a reason for consent being refused, we are aware that this is a concern of the residents and may unduly influence the committee. Following our discussions we have had a brief conversation with the highways department with a view to agreeing a method or controls and if this were needed we would be happy to agree to a condition. We have calculated that just under 500 cubic metres of soil will need to be removed. Allowing for this to bulk up on extraction, 750 cubic metres, The least disruptive and cleanest method would be by grab truck, taking 7.5 cubic meters, i.e. 100 lorries, each taking approximately 15min per truck, apparently 5-8 per day is possible. (The pick up times could be controlled to avoid sensitive times of day within accepted working hours) Otherwise approx. 2 1/2 -4 working weeks. We would be happy to take on any suggestions to ease the process. Sadly our original intention to reduce the period of disruption during building has been thwarted by the extended planning period.

It is my clients intention to use this house as his private family home, this is not a money making enterprise, and he and his family are anxious that they should not alienate themselves from their neighbours while attaining their ideal home, as such they do not wish to spoil the ambience of the area, or disrupt its peaceful enjoyment any longer than is necessary, further delay on this application will only serve to extend the building process, and the disruption.

If you feel there is need for control to limit possible rogue action please do this by reasonable conditions, and enforcement rather than obstacles that will only delay.

Yours sincerely

Robert Wilson
for Granit Chartered Architects.

C.C.
Mr P. Kelsey, Planning Department, Borough of Kensington and Chelsea,
Mr Colwel, Tree conservation, Borough of Kensington and Chelsea,
Richard Pease, Owner.

REPORT ON ESTABLISHMENT OF PLANTING ABOVE SUBMERGED SWIMMING POOL AT 21 ELDON ROAD, LONDON W8

The Brief

Philip Cave was asked to review and make recommendations on soil profile over the slab of the submerged swimming pool and other measures to ensure the growth of plant material.

Drawings Reviewed

Granit Architects Drawings Nos. 01/15L(13E,14E,24D,27A)

Review and Recommendations

In order to grow and thrive, plants need the following

- Sufficient soil depth to anchor the plants and provide a reserve of water and nutrients
- Drainage through the soil layer to prevent water-logging
- Sufficient water from natural rainfall or irrigation

Different soil depths are required for different plants and can be reduced if permanent irrigation is installed. The minimum top-soil depth for grass is 250mm and for shrubs is 500mm with permanent irrigation. Below this there needs to be a drainage layer of say 75mm depth, giving an overall minimum depth from ground level of 325mm for grass and 575mm for shrubs.

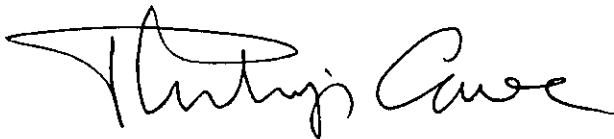
The topsoil would be a good quality loam or sandy loam and the drainage layer would be 75mm of gravel with no fines or leca (clay granules) overlaid by a porous woven geo-textile. The top of the concrete slab, forming the roof of the pool, would be laid to a shallow fall to a land drain, in order to collect excess water from the drainage layer. This land drain would be a perforated pipe surrounded by gravel, laid to a fall into a catch pit (to collect any silt), which would discharge into a soak-away or the surface water system.

2

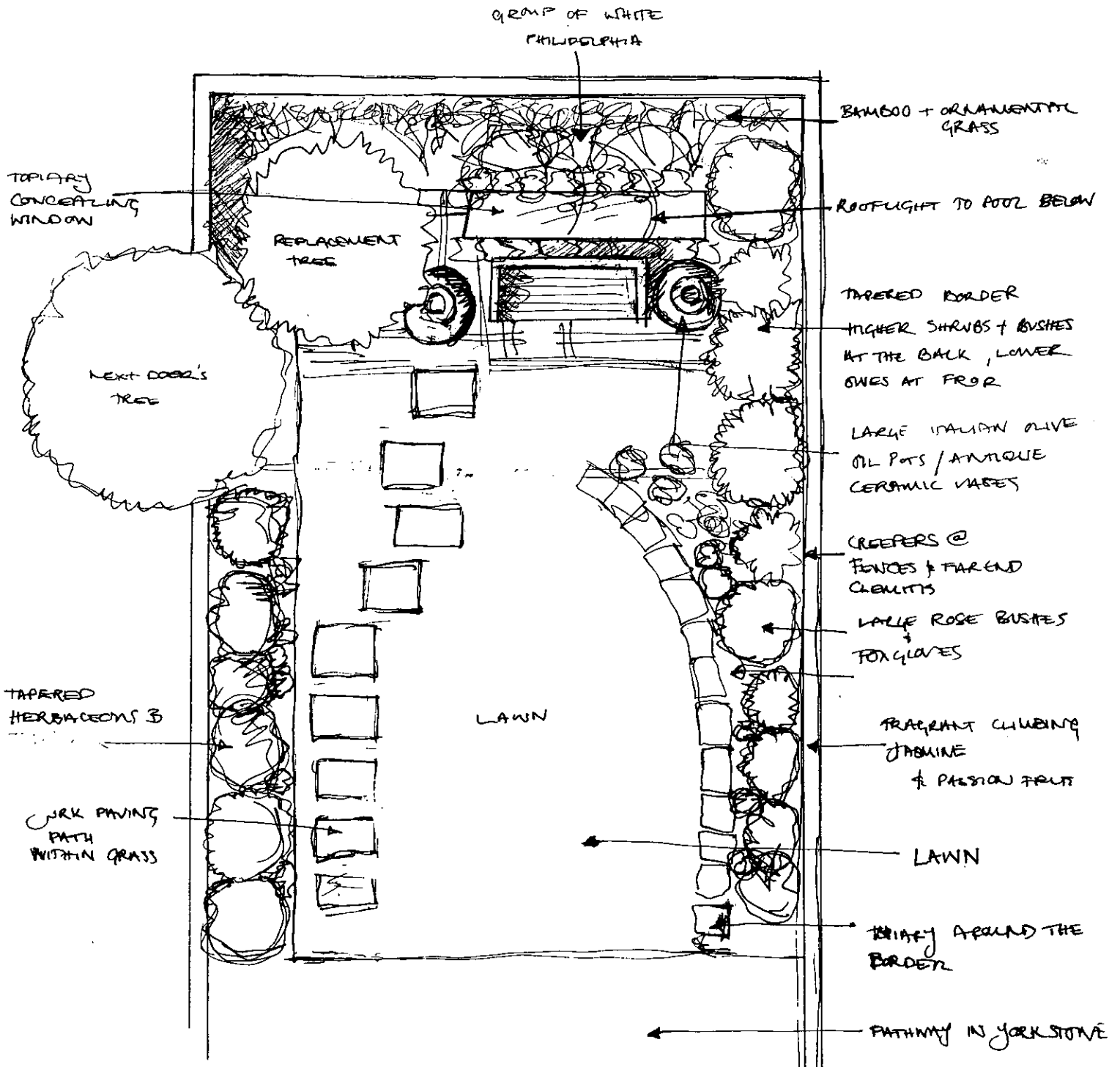
To ensure that the plants grow and thrive, it is recommended that shrubs or grass lawn are established on areas with a minimum depth over the slab of 575mm. However where this minimum cannot be achieved then only grass should be established and then only where the minimum depth is 325mm.

The drainage layer and land drain should be constructed as described above with the land drain located at the North end of the slab at the greatest top-soil depth. Permanent irrigation should be installed to provide the plants with sufficient water as the top-soil is not situated over a natural sub-soil. The concrete slab should be waterproofed to prevent ingress of water through the concrete.

Most plants are tolerant of these conditions and no special selection is required.

A handwritten signature in black ink, appearing to read 'Philip Cave', with a stylized flourish at the beginning.

Philip Cave, Principal,
Philip Cave Associates
Landscape Architects
4 April 2002



Jessie Mae
 4/4/02
 21 ELDON ROAD



RECEIVED 05 APR 2002

Consultants in Acoustics, Noise Control
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Duxons Turn
Maylands Avenue
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Hertfordshire
HP2 4SB

Registered in England No. 603110 Secretary R C Harding BSc ACMA

Director
A J Jones BSc PhD CPhys MInstP FIOA
Principal Consultants
R C Hill BSc FIOA MBCS
W R Stevens MIOA
Laboratory Supervisor
M Sawyer MIOA

Telephone: 01442 247146
Facsimile: 01442 256749
E-mail: AIRO@bcs.org.uk
URL: <http://www.airo.co.uk/>

WRS/BB/4880/L2

Mr Alexander Dusterloh
Granit Chartered Architects Ltd
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

3 April 2002

Dear Mr Dusterloh

21 ELDON ROAD - SWIMMING POOL

We have now had an opportunity to examine the layout and specification of the Phoenix 1000 AHU to be installed in the basement plant-room and can make the following observations in relation to noise control.

Discussions with the suppliers of the unit indicate that the only two items of plantroom equipment which generate noise are the main pump and the AHU, the pump generally being considered the noisier of the two. Jetform inform us that two pumps are being considered for the installation, these being a Calpeda which generates 70dB(A) @1m and an Ingersoll Dresser which generates between 60-65dB(A) @1m. We would recommend that the quieter model be selected and that all reasonable efforts be taken to further contain noise emissions.

It is understood that the pump manufacturer is able to supply an enclosure to reduce emissions, furthermore it is possible to externally clad the AHU to reduce noise breakout. Under these circumstances the reverberant field noise levels within the plantroom should be no greater than 50-60dB(A). The roof of the plantroom is substantial, comprising a 150mm thick concrete slab, with a 75mm overlay of polyfoam insulation supporting 40mm thick portland stone slabs or similar. Noise leakage through the roof is not therefore considered to be a problem, it is nonetheless recommended that all reasonable efforts be made to reduce noise levels in the plantroom in order to ensure the comfort of the residents of 21 Eldon Road.

The principle source of noise to atmosphere will be via the ventilation system. Noise from the AHU will make its way through the intake and extract ducts, these ducts being of the order of three metres long. A small measure of attenuation will be provided by the ducts and the 90 degree bends leading to the inlet/outlet grilles. In order to increase the level of ductwork attenuation and reduce as far as possible the specifications for the silencers it is recommended that the inner surfaces of the bends be lined with 30mm thick Rockwool RWA45 mineral fibre to a distance of 300mm either side of the inner edge of the bend.

The noise data relating to the Phoenix AHU is presented in terms of octave-band 'A' weighted sound power levels derived from octave-band 'A' weighted sound pressure levels at a distance of 3 metres from the unit. With appropriate corrections applied for the 'A' weighting the octave band sound power levels are typically of the order of 89dB over the frequency range 63Hz-2kHz. It is clear therefore that substantial silencers will be needed if the required performance criteria detailed in our Report No WRS/4880 are to be satisfied.

Our previous report recommends that ventilation system noise levels, measured outside at a distance of 3 metres from the intake and extract openings, should be no greater than 37dB, L_{Aeq} during the daytime and 32dB, L_{Aeq} during the night-time. We have calculated the minimum insertion loss performance specifications for the intake and extract silencers required to meet the night-time criteria, these being included in the following table.

Table 1 Insertion Loss Specifications for intake/extract ducts - dB

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	13	27	39	39	42	42	38	30

The requirements are certainly onerous and will necessitate the installation of substantial silencers, reference to manufacturers literature suggesting that these may need to be of the order of 2-3 metres long. There does however appear to be space to accommodate such silencers, we would therefore recommend that the manufacturers be contacted to advise on the suitability of their products, a list of manufacturers of air distribution silencers being included on the attached information sheet. It should be noted that substantial silencers of the type required will impair airflow, the suppliers/installers of the AHU should therefore liaise closely with the silencer manufacturers to ensure suitability under normal operating conditions.

If the AHU is only to be operated during the daytime then the insertion loss specifications for the silencers may be reduced by 5dB in each octave-band. Alternatively a 5dB reduction in performance specifications could also be permitted if the AHU ventilation fan speed were reduced by 50% during the night-time.

The AHU will also generate noise levels within the swimming pool area, and this noise could pass through the glass patio doors to atmosphere. Double glazed patio doors are typically capable of achieved a Weighted Sound Reduction Index (R_w) of around 28-30dB and this will certainly help to contain emissions. However in order to further reduce emissions and ensure the comfort of the occupants of No 21 Eldon Road silencers will also need to be installed on the 'job' side of the AHU. Space restrictions limit what can be provided on the return air side, it should nonetheless be possible to obtain a reasonable measure of noise reduction by lining the inner surfaces of the ductwork with 30mm Rockwool RWA45 and installing a high performance acoustic louvre in preference to a simple return air grille.

An in-line silencer should be fitted to the supply air duct, selected on the basis of providing the following minimum insertion loss performance specifications.

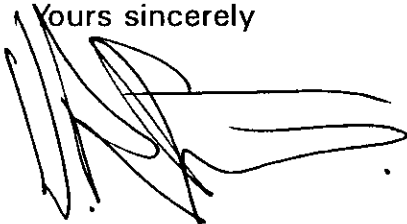
Table 2 Insertion Loss Specifications for supply duct - dB

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	3	10	22	23	25	25	23	16

The supply duct silencer should be fitted within the plantroom as close as possible to the point at which it passes through the plantroom roof. Furthermore care should be taken to ensure that the supply, intake and extract ducts and silencers are effectively sealed around the points at which they pass through the roof of the plantroom.

We trust that these observations and recommendations provide you with all the information you require at present, no doubt we shall discuss the matter further after you have obtained tenders from the silencer manufacturers and discussed our proposals with the AHU suppliers/installers.

Yours sincerely



W R Stevens

Enc.

AIRO

SILENCERS - AIR DISTRIBUTION

Acoustic Engineering Services Ltd
PO Box 322
West Byfleet
Surrey
KT14 6YN

Tel : 01932 352 733
Fax : 01932 355 265

E-mail:
Web : www.aesuk.co.uk

Burgess Industrial Acoustics Ltd
Vulcan Road
Bilston
West Midlands
WV14 7JG

Tel : 01902 357 130
Fax : 01902 492 962

E-mail: sales@burgessacoustics.co.uk
Web : www.burgessacoustics.co.uk

IAC Ltd
IAC House
Moorside Road
Winchester
Hants
SO23 7US

Tel : 01962 873 000
Fax : 01962 873 111

E-mail: info@iac.co.uk
Web : www.iac.co.uk

Industrial & Marine Silencers Ltd
Old Station Close
Shepshed
Leicestershire
LE12 9NJ

Tel : 01509 650 630
Fax : 01509 650 990

E-mail: sales@silencers.co.uk
Web : www.silencers.co.uk

Isolated Systems Ltd
Adams Close
Heanor Gate Industrial Park
Heanor
Derbyshire
DE75 7SW

Tel : 0870 727 4210
Fax : 0870 727 4211

E-mail: sales@isolatedsystems.co.uk
Web : www.isolatedsystems.com

LBJ Fabrications Ltd
Brookhill Industrial Estate
Brookhill Road
Pinxton
Nottinghamshire
NG16 6NT

Tel : 01773 812321
Fax : 01773 812141

E-mail:
Web : www.lbj.co.uk

Oscar Engineering
Michaels Lane
Ash
Kent
TN15 7HT

Tel : 01474 873 122
Fax : 01474 879 554

E-mail: oscareng@netcomuk.co.uk
Web : www.oscar-acoustics.co.uk

Trane (UK) Ltd
Northern Cross
Basing View
Basingstoke
Hampshire
RG21 4HH

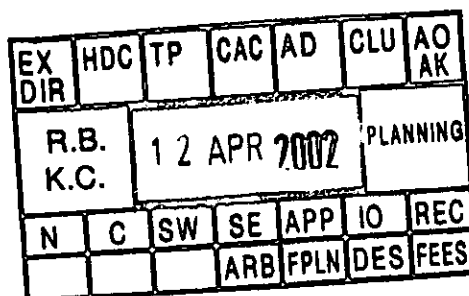
Tel : 01256 306 000
Fax : 01256 306 001

E-mail: mandy_newsonwebb@trane.com
Web : www.trane.com

Nicola Cowley,
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

19.02.02

RE: 21 ELDON RD, PP/01/1529



Dear Nicola,

In response to your letter I enclose the information required to enable the application to proceed to committee, a hard copy is in the post.

A report from our consultants, AIRO, deals with our proposed measures to deal with noise levels raised in point 1 of your letter. Your concern over odour, raised in point 2, is resolved in my letter to Mr Kelsey attached with the relevant technical data.

I trust this will enable us to meet the committee meeting of the 5th March.

Yours sincerely

Alex Head
for Granit Chartered Architects.

AIRO

Report No. WRS/4880

Page 1 of 7

for
Granit Chartered Architects Ltd
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

Dated : 19 February 2002

**PROPOSED SWIMMING POOL
AT
21 ELDON ROAD, LONDON, W8
NOISE CONTROL CONSIDERATIONS**

Report Author : W R Stevens MIOA

ACOUSTICAL INVESTIGATION & RESEARCH ORGANISATION LTD

Duxons Turn
Maylands Avenue
Hemel Hempstead
Hertfordshire
HP2 4SB

Telephone: 01442 247146
Facsimile: 01442 256749
E-mail: AIRO@bcs.org.uk
URL: <http://www.airo.co.uk/>

**PROPOSED SWIMMING POOL AT
21 ELDON ROAD, LONDON, W8
NOISE CONTROL CONSIDERATIONS**

1. INTRODUCTION

This report has been commissioned by Granit Chartered Architects Ltd acting on behalf of Mr R Pease, to consider and advise on the noise control aspects of a proposed new swimming pool to be located below the rear garden of No 21 Eldon Road, London, W8. Concerns have been raised by local residents regarding the possibility of noise emissions from the associated plant equipment, as a consequence the Local Authority has requested the following information be provided in support of the Planning Application.

'A fully detailed noise survey and report demonstrating that the noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating'

This is an onerous requirement which effectively requires that any emanating noise from the swimming pool plant equipment be at least 10dB(A) lower than the lowest residual background noise levels outside the nearest residential properties.

This report presents the results of a detailed environmental noise survey carried out over a representative weekend period to establish the lowest existing L_{A90} background noise levels at the rear of 21 Eldon Road. Consideration is also given in the report to the likely measures required to ensure that noise emissions from plant are contained in accordance with the requirements of the Local Authority.

The observations and recommendations made here are based on the results of existing daytime and night-time noise measurements carried out over a weekend period between Friday 15 February and Monday 18 February 2002, and on some technical information provided by Granit Architects Ltd relating to the proposed plant equipment and the construction of the swimming pool building shell.

2. SITE DETAILS

The proposed new swimming pool is to be located at lower basement level beneath the rear garden of 21 Eldon Road. The shell of the pool is to be a substantial concrete structure, the warm roof comprising 200mm concrete slab over which will be laid insulation and between 400mm - 1000mm of soil. The plant room is also to be located at lower basement level between the swimming pool and the house, the roof of the plantroom comprising 150mm concrete slab with a plasterboard underliner and with an upper layer comprising 40mm Portland Stone slabs laid over 75mm insulation. An external courtyard is located immediately above the plant room with air intake and discharge vents from the plant equipment being positioned on one of the side walls of the courtyard.

The proposed building shell will provide a substantial measure of sound insulation, it is considered unlikely therefore that noise leakage through the concrete shell will be a problem. Consideration will however need to be given to plant noise emanating from the ventilation openings, these being located only a few metres from the facades of the adjoining residential properties. Consideration will also need to be given to preventing noise from the plant equipment entering the building structure.

3. NOISE SURVEY LOCATIONS AND CONDITIONS

The rear gardens of Nos 20, 21 and 22 Eldon Road are all effectively screened from road traffic by the surrounding buildings, it was therefore considered that a representative indication of prevailing residual noise levels outside the adjoining properties could be made in the rear garden of 21 Eldon Road. Two noise measurement kits were installed in the rear garden, the first located at a distance of 1 metre from the rear facade of the building close to the boundary of Nos 21 & 22 Eldon Road, the second being located some 6 metres from the rear building facade close to the boundary of 20 & 21 Eldon Road.

It is understood that the pool plant equipment will probably need to operate on a 24-hour basis in order to balance pool hall conditions, for this reason long-term background noise measurements were carried out over a weekend period when the likelihood of both daytime and night-time disturbance is at its greatest. Weather conditions during the survey were generally good, being cold, dry and sunny with wind speeds well below 3km/h. One or two light showers were encountered during the early hours of Monday 18 February, these measurements were therefore discounted from the analysis.

4. NOISE MEASUREMENTS

Two Cirrus Research type 702 Data Logging Sound Level Meters were used for the environmental noise measurements on the site. The meters were programmed to provide data on the hourly equivalent 'A' weighted noise levels as well as the background L_{A90} noise levels recorded in each hourly measurement period. The meters were also programmed to continuously record short 2 second 'A' weighted equivalent noise levels throughout the duration of the survey to facilitate a more detailed examination of the daytime noise climate. Some supplementary measurements were taken for future reference to provide data on the spectral characteristics of the background noise to enable specifications for noise control measures to be prepared. Technical appendices are included at the end of this report which provide an explanation of the noise indices referred to here. AIRO is a UKAS accredited testing laboratory No 0483 and the equipment used for the noise measurements is incorporated into AIRO's calibration programme.

The results of the noise measurements, taken over the time period from 18:00 hours on Saturday 16 February until 06:00 hours on Monday 18 February, are given in tabular form in Data Sheets G/4880/1 and G/4880/2, a summary of these results being included in Table 1 below.

Table 1 Summary of Noise Measurements - dB

Location	L_{A90}
21-22 Eldon Road Garden Boundary:	
Typical Night-time Background Level	31.6
Typical Daytime Background Level	36.5
20-21 Eldon Road Garden Boundary:	
Typical Night-time Background Level	31.8
Typical Daytime Background Level	36.8

Agreement between the two sets of measurements was very good, both sets are therefore considered to provide a fair and reasonable indication of background noise levels outside the adjoining residential properties. It is possible that background noise levels could be higher at first and second floor levels due to the reduced measure of screening afforded by the surrounding properties, however for the purposes of this assessment the ground floor measurements have been used to determine the design criteria. Daytime background noise on the Friday afternoon and Saturday morning were hampered by the construction activities at Nos 20 & 21 Eldon Road, these have therefore been discounted from the analysis. Not surprisingly the lowest noise levels measured during the survey were recorded during the early hours of Sunday morning.

5. DESIGN CRITERIA

The prevailing residual background noise levels at the rear of 21 Eldon Road are very low, ranging from around 37dB, L_{A90} during the daytime to as low as 32dB, L_{A90} during the night-time. In order to satisfy the Local Authority requirements in relation to noise emissions it will be necessary to ensure that plant equipment noise levels, when measured outside the rear facades of the neighbouring residential properties, are at least 10dB(A) below these levels. Under these circumstances the combined noise emanating from all plant equipment should not exceed 27dB(A) during the daytime and 22dB(A) during the night-time.

The principal noise sources will be the intake and extract openings located on one of the side walls of the open courtyard. Some screening to No 20 Eldon Road is provided by the side wall of the courtyard, No 22 Eldon Road will however be more exposed to noise emissions, the nearest window of No 22 being in the region of 10 metres from the ventilation openings. If the plant equipment is to operate during the night-time then noise levels, measured in the open courtyard at a distance of 3 metres from the ventilation openings, should be no greater than 37dB, L_{Aeq} during the daytime and 32dB, L_{Aeq} during the night-time.

6. RECOMMENDATIONS

The design and layout of the air handling equipment and associated compressors and pumps is yet to be finalised and so it only possible at this time to provide formative guidance on the measures required to contain noise emissions. Some information provided by Jetform Services Ltd indicates that noise levels 3 metres from a 'Delta 2' AHU are 66dB(A) exhaust and 69dB(A) supply. Jetform suggest

that noise levels are likely to be 10dB(A) lower than this when ductwork with bends, plenum boxes and louvres are fitted. Under these circumstances the noise emissions will still be of the order of 60dB(A), ie some 23-28dB(A) in excess of the maximum permissible noise levels 3 metres from the exhaust and supply openings.

Noise attenuators will therefore need to be fitted to both the supply and extract ductwork, the specifications for these attenuators to be prepared once in-duct octave band sound power data is obtained from the manufacturers and ductwork layouts are finalised. It is likely that the attenuators will need to be quite large to achieve the required acoustic performance without unduly restricting airflow. Consideration may also need to be given to internally lining ducts and plenums with sound absorbing materials to further reduce noise levels though further guidance can only be given once the basic design and layout of the plant equipment has been prepared.

As a general observation it is recommended that all the items of plant equipment be selected on the basis of being quiet in operation, with breakout noise levels at a distance of 1 metre from each item of equipment ideally being no greater than 65dB(A). Although the concrete shell of the structure will provide a substantial measure of insulation to atmosphere there is still the possibility that airborne noise from the plant equipment may be audible within No 21 Eldon Road. The door of the plant room should be constructed from 54mm thick solid timber and should have wide jambs fitted with seals to ensure reasonably airtight conditions.

All moving plant equipment such as fans, pumps and compressors are potential sources of structure-borne vibration. The difficulty comes in identifying which particular items of plant equipment are likely to cause problems. Usually the manufacturers product information does not include data on the vibration levels and any information that is available is difficult to interpret as the building structure can both amplify and attenuate any induced vibration in an unpredictable fashion. In domestic noise sensitive situations of the type encountered here it is therefore generally recommended that all reasonable precautions be taken to minimise the possibility of structure-borne noise from plant equipment, these being:

- a) Support all moving plant equipment on anti-vibration mountings, such mountings being selected on the basis of providing typical dynamic deflections under load of no less than 6mm. For proprietary AHU packages it is often the case that internal items of moving plant equipment such as the fans are already fitted with isolators, if so then no additional isolation measures will be required.

-
- b) Install flexible couplings at appropriate positions along ventilation system ductwork to isolate it from the ventilation fan(s).
 - c) Isolate pipework and ductwork from the building structure and the associated plant equipment using soft rubber fittings and resilient hangers.
 - d) Avoid bridging of any isolated machinery to the structure (ie along electrical conduit or services pipework) by fitting flexible rather than rigid couplings.

Whilst it is considered unlikely that the immediate neighbours would be affected by structure-borne vibration there is a strong possibility that the occupiers of 21 Eldon Road may be, particularly in the rear basement bedroom closest to the lower basement plant room. Techniques of the type listed above will certainly help to minimise the likelihood of disturbance.

7. CONCLUSIONS

This report presents the results of environmental noise measurements carried out at the rear of 21 Eldon Road. The survey confirms that background noise levels in the area can be very low, particularly during the early hours of the morning. Consideration is given in the report to the methodology that will need to be adopted to contain noise emissions, with particular attention given to noise from the ventilation openings and associated plant equipment. Guidance is also given detailing the measures required to minimise the likelihood of structure-borne noise affecting the residents of the properties.

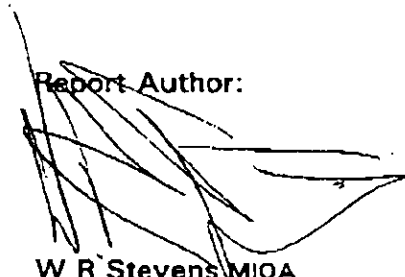
It is intended that the observations in this report provide a basis upon which decisions can be reached regarding the most appropriate arrangements for noise control methodology. It is recommended that the situation be reviewed and specifications for noise control measures finalised once more detailed technical information is available relating to the design and layout of the ventilation system and associated plant equipment.

Report Approved by:



A J Jones BSc PhD CPhys MInstP FIOA
Managing Director

Report Author:



W R Stevens MIOA
Principal Consultant

AIRO**DATA SHEET**

Date

FEBRUARY 2002

No.

G/4880/1

Client

Granit Chartered Architects Ltd

Tabulated printout detailing the results of the noise measurements taken
between 18:00hrs on 16/02/02 until 06:00hrs on 18/02/02
Location - Rear garden boundary of 20-21 Eldon Road.

Unit G AIRO Noise Survey
Rear Garden of 20-21 Eldon Road

Range Low Weighting A
Time Constant Slow Ln Fast
Short Leq start Time 11:03:02 15/02/02 Battery Ok

Level Peak Max Min Cal 1 Offset 1 Cal 2
Time 11:52 11:52 05:15 11:02 10:30 hr:min

Event	Start	Run Time	Max	Min	Leq	L 01	L 10	L 50	L 90
32Int1	18:00	1:00:00	52.9	36.0	40.7	49.2	42.1	38.0	36.5
33Int1	19:00	1:00:00	54.0	36.7	40.7	48.9	41.6	38.4	37.1
34Int1	20:00	1:00:00	48.1	37.3	39.7	44.2	41.0	38.4	37.2
35Int1	21:00	1:00:00	50.8	34.7	39.5	47.0	41.6	37.1	35.1
36Int1	22:00	1:00:00	48.1	33.8	37.5	44.3	39.3	35.3	34.1
37Int1	23:00	1:00:00	46.5	33.6	37.0	43.1	38.8	35.3	34.0
38Int1	00:00	1:00:00	50.7	32.8	35.8	42.2	36.3	34.3	33.0
39Int1	01:00	1:00:00	45.8	31.8	34.1	39.8	34.4	32.9	31.9
40Int1	02:00	1:00:00	40.1	30.9	32.3	35.3	32.7	31.5	30.6
41Int1	03:00	1:00:00	37.6	30.7	32.4	34.8	33.2	31.6	30.3
42Int1	04:00	1:00:00	44.7	30.6	32.2	35.7	32.6	31.3	30.2
43Int1	05:00	1:00:00	56.1	30.6	38.6	48.3	40.9	33.3	30.7
44Int1	06:00	1:00:00	56.9	31.8	42.1	52.6	44.5	36.5	32.4
45Int1	07:00	1:00:00	60.8	31.8	39.8	47.5	41.5	36.3	33.1
46Int1	08:00	1:00:00	65.5	31.8	40.9	49.3	42.3	35.9	32.7
47Int1	09:00	1:00:00	63.9	34.0	41.5	48.4	43.2	37.8	35.0
48Int1	10:00	1:00:00	66.2	35.4	45.8	55.8	47.1	41.0	36.6
49Int1	11:00	1:00:00	70.6	35.4	50.6	62.2	50.6	43.8	38.3
50Int1	12:00	1:00:00	64.2	34.4	47.5	56.9	50.2	43.0	36.9
51Int1	13:00	1:00:00	59.9	34.0	46.7	55.8	49.6	42.4	37.1
52Int1	14:00	1:00:00	62.6	34.7	46.3	55.7	49.0	41.4	36.5
53Int1	15:00	1:00:00	53.0	34.6	41.6	47.9	43.8	39.5	36.5
54Int1	16:00	1:00:00	71.3	35.5	47.8	56.8	47.4	40.6	36.7
55Int1	17:00	1:00:00	65.9	36.4	44.7	53.1	44.7	40.1	37.4
56Int1	18:00	1:00:00	71.5	37.1	46.9	53.3	44.3	40.1	37.9
57Int1	19:00	1:00:00	52.0	37.5	42.0	47.2	43.6	40.5	38.3
58Int1	20:00	1:00:00	61.1	37.2	43.6	53.3	44.1	40.1	38.1
59Int1	21:00	1:00:00	73.0	37.5	46.5	55.9	48.3	41.1	38.3
60Int1	22:00	1:00:00	55.9	36.4	41.9	50.2	43.8	38.9	37.2
61Int1	23:00	1:00:00	60.2	36.5	46.3	51.7	48.2	44.8	39.3
62Int1	00:00	1:00:00	53.9	34.1	41.8	48.4	44.3	39.5	35.2
63Int1	01:00	1:00:00	51.9	32.0	36.0	44.6	36.3	33.1	31.9
64Int1	02:00	1:00:00	46.3	30.7	34.2	40.9	34.5	32.5	31.2
65Int1	03:00	1:00:00	44.4	31.6	33.8	36.6	34.2	32.9	31.9
66Int1	04:00	1:00:00	60.8	32.6	43.7	55.4	45.7	34.5	32.9
67Int1	05:00	1:00:00	59.2	34.6	44.1	54.9	46.4	37.5	35.2

AIRO		DATA SHEET							
		Date	FEBRUARY 2002		No. G/4880/2				
Client Granit Chartered Architects Ltd									
Tabulated printout detailing the results of the noise measurements taken between 18:00hrs on 16/02/02 until 06:00hrs on 18/02/02 Location - Rear garden boundary of 21-22 Eldon Road.									
Unit L AIRO Noise Survey Rear Boundary of 21-22 Eldon Road									
Range	Low	Weighting		A					
Time Constant	Slow	Ln	Fast						
Reset Time	10:58:34 15/02/02	Battery	Ok						
Level	Peak	Max	Min	Cal 1	Offset 1 Cal 2				
Time	11:22	12:09	05:17	94.0	- 3.3 94.2 dB				
				10:58	10:40 hr:min.				
Event	Start	Run Time	Max	Min	Leq	L 01	L 10	L 50	L 90
33 Int1	18:00	1:00:00	50.9	35.6	39.0	45.1	40.5	37.3	35.9
34 Int1	19:00	1:00:00	53.9	36.7	40.8	50.3	41.6	38.1	36.8
35 Int1	20:00	1:00:00	46.9	36.6	39.2	43.1	40.1	38.1	37.0
36 Int1	21:00	1:00:00	50.8	35.3	39.5	46.4	41.3	37.5	35.4
37 Int1	22:00	1:00:00	49.0	33.5	37.6	44.5	39.7	35.2	33.8
38 Int1	23:00	1:00:00	47.5	33.4	36.6	42.4	38.1	35.1	33.8
39 Int1	00:00	1:00:00	46.3	33.0	35.9	42.0	36.9	34.4	33.3
40 Int1	01:00	1:00:00	50.3	31.7	34.0	39.1	34.2	32.8	31.8
41 Int1	02:00	1:00:00	43.9	30.4	32.2	35.2	32.6	31.3	30.1
42 Int1	03:00	1:00:00	38.1	30.3	32.1	34.5	32.8	31.3	30.0
43 Int1	04:00	1:00:00	42.3	30.1	31.7	34.9	32.2	30.8	29.8
44 Int1	05:00	1:00:00	57.2	30.0	37.3	48.1	38.6	31.4	29.8
45 Int1	06:00	1:00:00	56.0	31.4	41.8	51.2	44.8	36.0	31.8
46 Int1	07:00	1:00:00	57.3	32.4	41.4	50.0	44.1	37.3	33.4
47 Int1	08:00	1:00:00	53.0	31.3	39.2	47.5	41.6	35.7	32.0
48 Int1	09:00	1:00:00	59.3	32.8	40.4	47.8	42.6	36.9	33.9
49 Int1	10:00	1:00:00	65.9	34.4	45.3	53.4	46.8	40.0	35.7
50 Int1	11:00	1:00:00	68.4	35.0	49.8	61.1	50.3	43.4	37.6
51 Int1	12:00	1:00:00	61.2	34.5	47.7	56.4	50.5	43.3	37.4
52 Int1	13:00	1:00:00	61.3	33.5	47.1	56.3	50.0	42.7	37.0
53 Int1	14:00	1:00:00	61.6	34.6	46.9	55.9	49.7	42.5	37.1
54 Int1	15:00	1:00:00	58.7	34.3	42.4	50.4	44.3	39.5	36.0
55 Int1	16:00	1:00:00	71.4	35.0	46.8	54.2	46.0	40.0	36.4
56 Int1	17:00	1:00:00	61.8	35.8	43.4	52.0	44.5	39.8	36.8
57 Int1	18:00	1:00:00	67.5	36.5	44.4	50.8	44.2	39.9	37.6
58 Int1	19:00	1:00:00	68.4	37.2	45.9	53.1	43.9	40.4	38.0
59 Int1	20:00	1:00:00	50.8	36.8	41.8	46.9	43.6	40.1	37.9
60 Int1	21:00	1:00:00	70.0	37.2	46.5	57.4	44.0	40.0	37.8
61 Int1	22:00	1:00:00	58.5	36.2	44.8	53.4	48.1	40.1	37.0
62 Int1	23:00	1:00:00	63.0	35.8	52.3	60.3	55.6	47.0	37.0
63 Int1	00:00	1:00:00	65.6	40.0	54.3	62.5	56.9	50.1	42.6
64 Int1	01:00	1:00:00	58.5	32.2	42.6	52.0	44.0	36.7	32.8
65 Int1	02:00	1:00:00	59.8	31.8	41.5	50.7	41.3	34.1	32.0
66 Int1	03:00	1:00:00	56.9	31.5	36.9	45.2	35.6	33.0	31.7
67 Int1	04:00	1:00:00	65.3	32.5	43.9	56.1	43.7	33.7	32.5
68 Int1	05:00	1:00:00	60.2	34.0	44.5	56.2	46.5	36.2	34.2

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APPENDIX 1

The Decibel

The range in intensity of the sound pressure variations that can be detected by the human ear is quite dramatic, from as little as $20\mu\text{N/m}^2$ to more than 20N/m^2 . The range is so large (over a million to one) that acousticians have for convenience adopted a decibel scale based on a reference level of $20\mu\text{N/m}^2$, the minimum sound level that can be heard by a group of keen eared individuals. On a decibel scale based on a reference level of $20\mu\text{N/m}^2$ (ie 0dB) a pressure level one million times larger than the reference level would correspond to a sound level of 120dB. Further increases in the sound pressure level results in most people experiencing physical pain. The table below lists a number of common noise sources together with their noise levels.

Typical Noise Levels

Sheet metal workshop	110 dB
Printing Press	105 dB
Discotheque	105 dB
Very busy road (3m from kerbside)	90 dB
Average hi-fi system	85 dB
Portable radio	75 dB
Average conversation	65 dB
Electric fan heater	55 dB
Background level in quiet office	40 dB
Quiet house in country (night-time, internal)	25 dB
Threshold of hearing	0 dB

An increase in a sound pressure level of 10dB corresponds subjectively to a doubling of the loudness of a sound, thus the average hi-fi system as mentioned in the table above will be judged by a typical audience to be twice as loud as the average portable radio.

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APPENDIX 2

The 'A' Weighted Noise Level dB(A)

The human ear responds to frequency variations ranging from as low as 20 cycles per second (20Hz) to as high as 20,000 cycles per second (20kHz). Generally the ear is most sensitive to sound over the frequency range 800Hz - 6kHz. At low sound pressure levels (less than 40dB) the ear is particularly insensitive to frequencies below 200Hz or above 8kHz, but as the level of sound increases the ears response to bandwidth becomes increasingly more linear over the audible frequency range. Early attempts to simulate the ears natural response to sound sources of differing intensity resulted in three different weighting contours being incorporated into sound level meters, called the 'A', 'B' and 'C' weighting curves respectively.

It was originally intended that the 'A' weighting curve be used for measurement of noise levels of low intensity, the 'B' weighting curve be used for measuring noise levels of moderate intensity and the 'C' weighting curve by used only for noise levels of high intensity. Practical experience over the years has shown, however, that the 'A' weighting curve almost always gives a reasonable indication of the level of loudness regardless of its intensity or frequency content. For these reasons the 'A' weighting curve has now been almost universally adopted when specifying or measuring noise levels. Measurements taken with this curve are usually suffixed with an (A) after the decibel rating, ie 65dB(A).

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APPENDIX 3

The Statistical Assessment of Fluctuating Noise

Some noise sources do not radiate sound at a continuous steady level but tend to vary in level over a given time period. For fluctuating noise levels such as those found in industry or from road traffic a single instantaneous measurement taken using a basic portable sound level meter is virtually meaningless. The meter reading will tend to vary continuously depending on the characteristics of the noise and a meaningful interpretation of the noise tends to rely largely on the experience of the operator rather than on any objective assessment of the noise derived from the sound level meter reading.

To overcome this problem fluctuating noise levels are statistically analysed using special sound level meters. Such analysis enables the noise levels to be quoted that are exceeded for a given percentage of the measuring period. A measurement made in this way is usually suffixed by the letters L_n where n indicates the percentage of the measuring period that the noise level was exceeded. An L_{10} level of 63dB(A) for example would indicate that the noise level of 63dB(A) was exceeded for 10% of the time over the relevant measurement period. The L_{10} level is generally used to give a reasonable indication of the near maximum noise level whilst the L_{90} figure indicates the near minimum background noise level. It is now common practice to incorporate an indication of the presence of the 'A' weighting within the designation of the unit. L_{10} values in dB(A) are now generally designated L_{A10} and L_{eq} values have become L_{Aeq} . In addition the measured time period may be identified within the units, $L_{Aeq,2sec}$ denoting a 2-second L_{Aeq} whilst $L_{Aeq,16hr}$ would signify a 16-hour L_{eq} value.

The ballistics of the metering system also need to be considered when measuring fluctuating noises, commonly available ballistic settings being Slow, Fast and Impulse. A noise level of 60dB, L_{Amax} (FAST) would be the maximum 'A' weighted noise level recorded with the meter ballistics set to 'FAST' response.

In some cases it is more meaningful to obtain a single figure indication of a fluctuating noise level by measuring the 'Equivalent Noise Level' (L_{eq}), a notional steady noise level which at a given position and over a defined period of time would have the same acoustic energy as the fluctuating noise. For example a noise level of 60dB, $L_{Aeq,16hr}$ would be the equivalent continuous 'A' weighted noise level over the defined time period of 16 hours. Sophisticated sound level meters are available which measure L_{An} , L_{Aeq} and L_{Amax} directly.

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APPENDIX 4

Schedule of Measurement Equipment

Type	Serial No
Cirrus CRL 7.02 Data Logging Sound Level Meter (Unit G)	011182
CRL MK224 Electret Condenser Microphone	89668
CRL 511D Sound Level Calibrator	011970
Cirrus CRL 7.02 Data Logging Sound Level Meter (Unit L)	011308
CRL MK224 Electret Condenser Microphone	901818
CRL 511D Sound Level Calibrator	014087
B&K 2260 Modular Precision Sound Analyser	2234520
B&K 4189 ½" Condenser Microphone	2198103
B&K 4231 Acoustic Calibrator	1723556

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		12 APR 2002			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

Mr P. Kelsey,
 Planning Department,
 Royal Borough of Kensington and Chelsea,
 The Town Hall,
 Hornton St,
 London,
 W8 7NX.

19.02.02

RE: 21 ELDON RD, PP/01/1529 Point 2.

Dear Paul,

The proposed pool ventilation and filtration system is to be fitted with a supplementary ozone system, Prozone, which reduces the required chlorine needed to maintain the pool to 0.5 parts per million. This level is less than that found in tap water and therefore will not result in any detectable chemical odours, either poolside or in the external courtyard next to the extract. This therefore presents no cause for concern or annoyance to any adjacent occupied premises.

I enclose the technical information sheet for your information.

Yours sincerely

Alex Head
 for Granit Chartered Architects.

Clearwater Tech Inc International Ltd
 35-39 Myton Street, Hull.
 HU1 2PS
 ENGLAND
 Tel: 01482 221303 Fax: 01482 221304



OZONE

THE BENEFITS OF INSTALLING AN OZONE SYSTEM

The Water Quality:

- Adds brilliant clarity to water
- Water is softer
- Reduces total dissolved solids (TDS) by coagulating particulates
- Ozone has a neutral pH
- No undesirable residuals; no chloramine build-up
- Kills bacteria, viruses and algae thousands of times faster than chlorine
- No irritation to the eyes, nasal passages or throat
- No more dried out skin, bleached hair or faded swim wear
- Neutralizes body oils, soaps and their suds
- The by-products of ozone are heat, filterable solids and pure oxygen

The Cost Savings:

- Reduces chemical consumption up to 95%
- Ozone instantly turns combined chlorine into "free available" chlorine, making it 100% usable
- Reduces TDS, so you don't have to drain the pool, saving money on water costs
- Prolongs the life of the equipment by reducing calcium and scale build-up
- Because ozone is pH neutral, it will not affect the balance of the water

The Maintenance Savings:

- Weekly, rather than every other day, chemical check
- No need to store large quantities of toxic chemicals
- Pool requires fewer cleanings
- No calcium build-up on the plaster

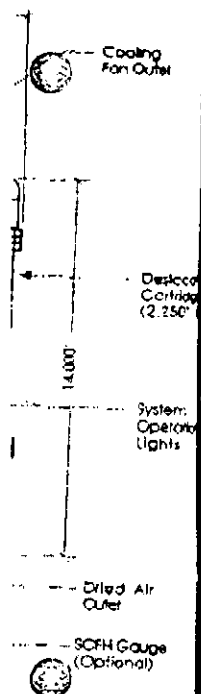
With Ozone, the water is disinfected - not the bather!

ClearWater Tech, Inc. • P.O. Box 15330, San Luis Obispo, CA 93406 • Tel: (805) 549-9724 • Fax: (805) 549-0300

2. After the procedure has been completed...

point of -60°F. (1) following reasons.

ardless of the relative humidity change, the feed air causes and increasing the



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

RECEIVED 08 FEB 2002



**KENSINGTON
AND CHELSEA**

Alex Head
Granit Chartered Architects
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

Switchboard: 020 7937 5464
Extension: 3190
Direct Line: 020 7361-3190
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk

04 February 2002

My reference: DPS/DCC/PP/01/ Your reference:
1529

Please ask for: Nicola Cowley

Dear Mr Head

Town and Country Planning Act, 1990
21 Eldon Road, W8
PP/01/1529

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		12 APR 2002			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

I refer to the amended plans you recently submitted for the above application. Thank you for also providing large scaled plans as requested by my assistant Nicola Cowley, and look forward to receiving an existing section of the garden and details of the existing neighbouring garden level in relation to the finished garden level proposed, as previously discussed.

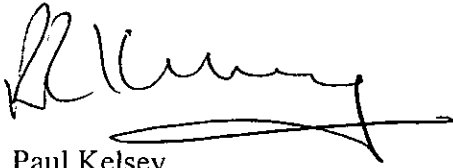
It is noted that the revised plans shift the location of the plant and air extract equipment. As you may be aware, several letters of objection have been received from nearby properties, and concerns raised with regards to noise and odour emitted from the proposed swimming pool and associated plant. The amended plans have been examined by Council's Environmental Health Officers and in the absence of detailed mechanical information, the following is necessary before an assessment of the impact on the surrounding properties can be made.

1. A fully detailed noise survey and report demonstrating that the noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating.
2. A detailed scheme indicating the measures used to control and minimize odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area to demonstrate that this shall not cause annoyance to any adjacent occupied premises.

Once this information has been received and assessed, a date for the presentation of this application to Planning Services Committee will be set.

If you would like any further assistance in this matter please contact my assistant, Nicola Cowley, on the above telephone number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Kelsey', with a long horizontal flourish extending to the right.

Paul Kelsey
Area Planning Officer
for the Executive Director, Planning and Conservation

EX DIR	HDC	TP	GAC	AD	CLU	AO
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE
R.B. K.C.			12 APR 2002		PLANNING	

Adjacent property terrace

Elevations of adjoining buildings indicative only

PLANT ROOM

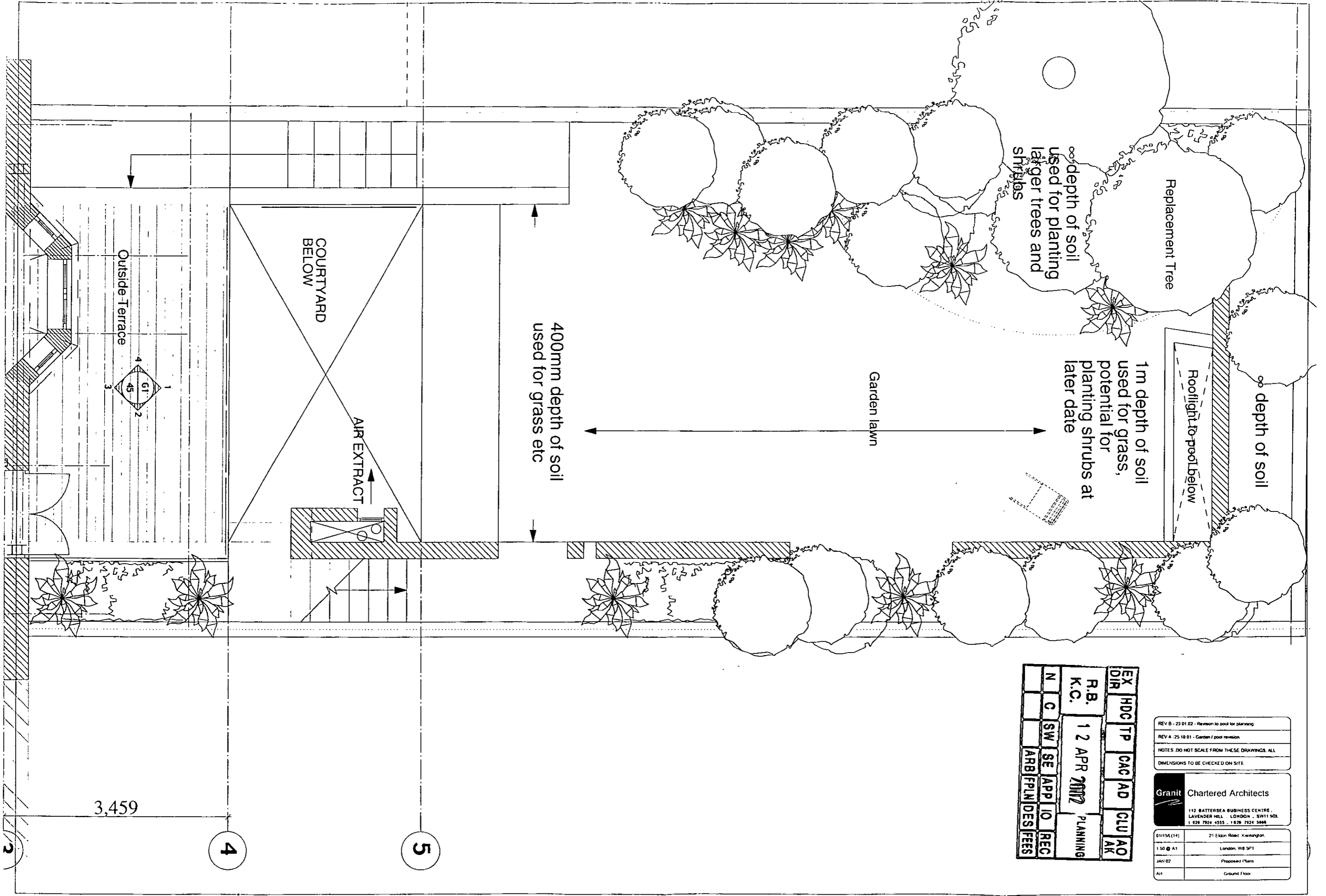
OUT
IN

DATUM 5.000

REV A - 23.01.02 - Revisions to pool for planning
 NOTES - DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 828 7824 4555 F 829 7824 5869

01/154 (19)	21 Elton Road, Harlington, London, W9 5PE
MAY 01	Proposed Plans
AH	Rear Elevation



EX DIR	HDC	TP	CAC	AD	CLU	AO
R.B.	K.C.	1 2	APR 2012	PLANNING		
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEE	

REV B - 23 01 02 - Revision to pool for planning
 REV A - 25 10 01 - Garden / pool revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 1 020 7924 4555, 1 020 7924 5886

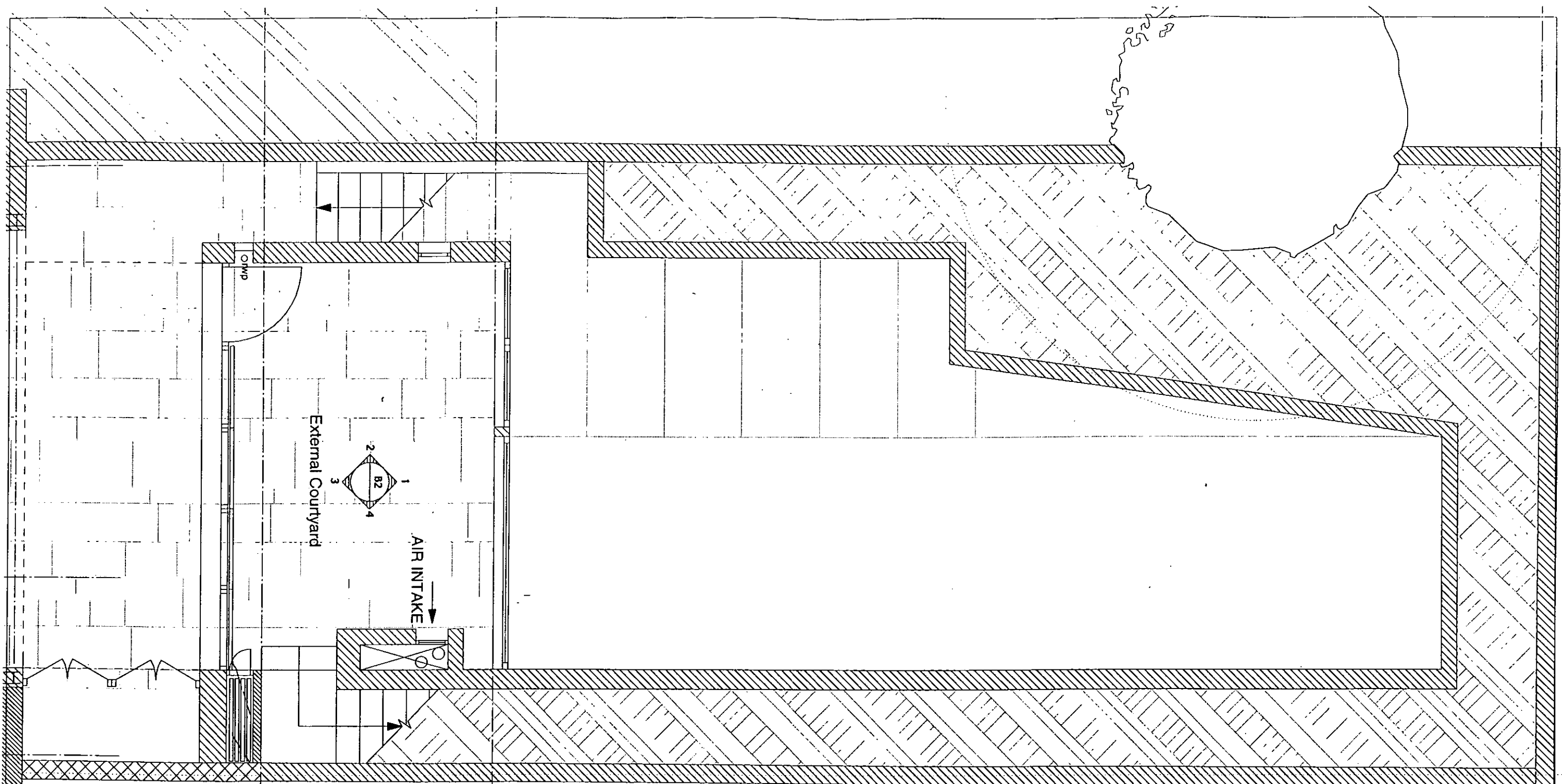
01/15/14	21 Elgon Road Kensington
1:50 @ A1	London W8 5PT
JAN 02	Proposed Plans
A1	Ground Floor

4

5

3,459

2



EX DIR	HDC	TP	GAC	AD	CLU	AO
R.B.	1 2	APR	2007	PLANNING		
K.C.	SW	SE	APP	IO	REC	
	ARB	PLN	DES	FEE		

4

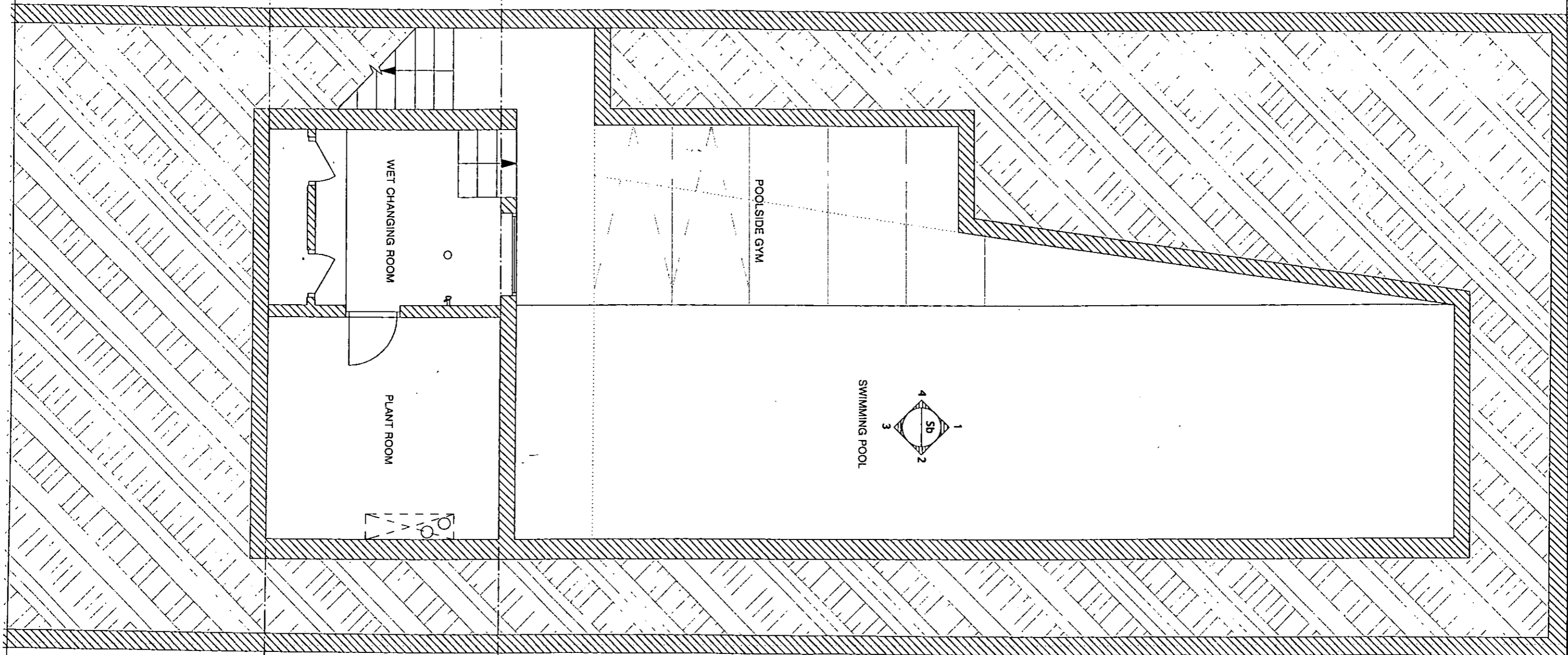
5

REV B - 23 01 02 - Revision to pool for planning
 REV A - 25 10 01 - Garden / pool revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555 F 020 7924 5666

01/156(13)	21 Eikon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 07	Proposed Plans
AK	Basement Floor

EX DIR	HDC	TP	GAC	AD	CLU	AO AK
R.B.	12 APR 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEE	



4

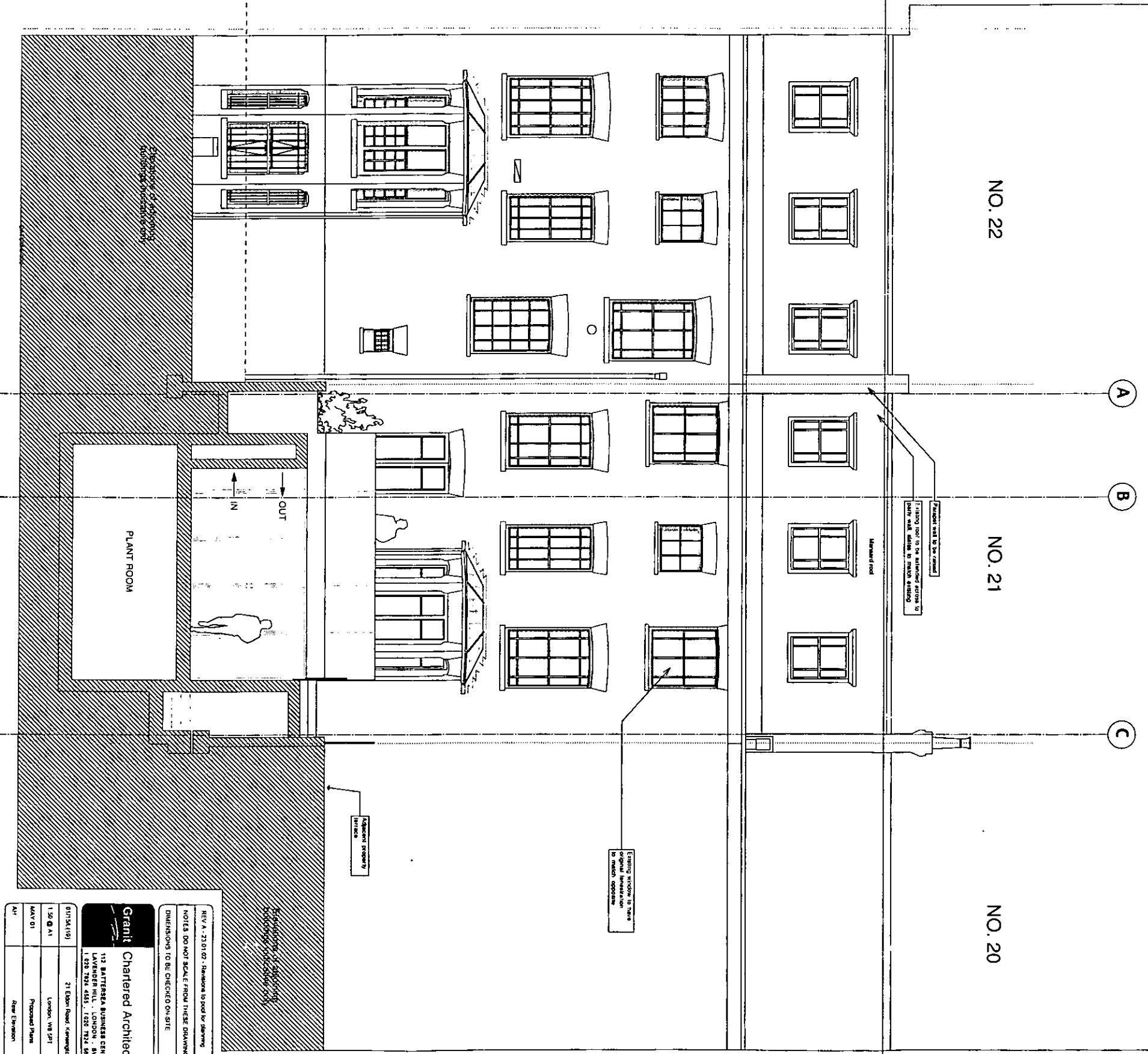
5

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7824 4555 F 020 7824 5666

01/15A(76)	21 Eton Road Kensington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Plans
APP	Sub-Basement Plan

EX	HDC	TP	QAC	AD	CLU	AO
DIR	R.B.	12 APR 2012		PLANNING		
	K.O.					
	N	C	SW	SE	APP	IO REC
					ARB	FPLN DES FEES

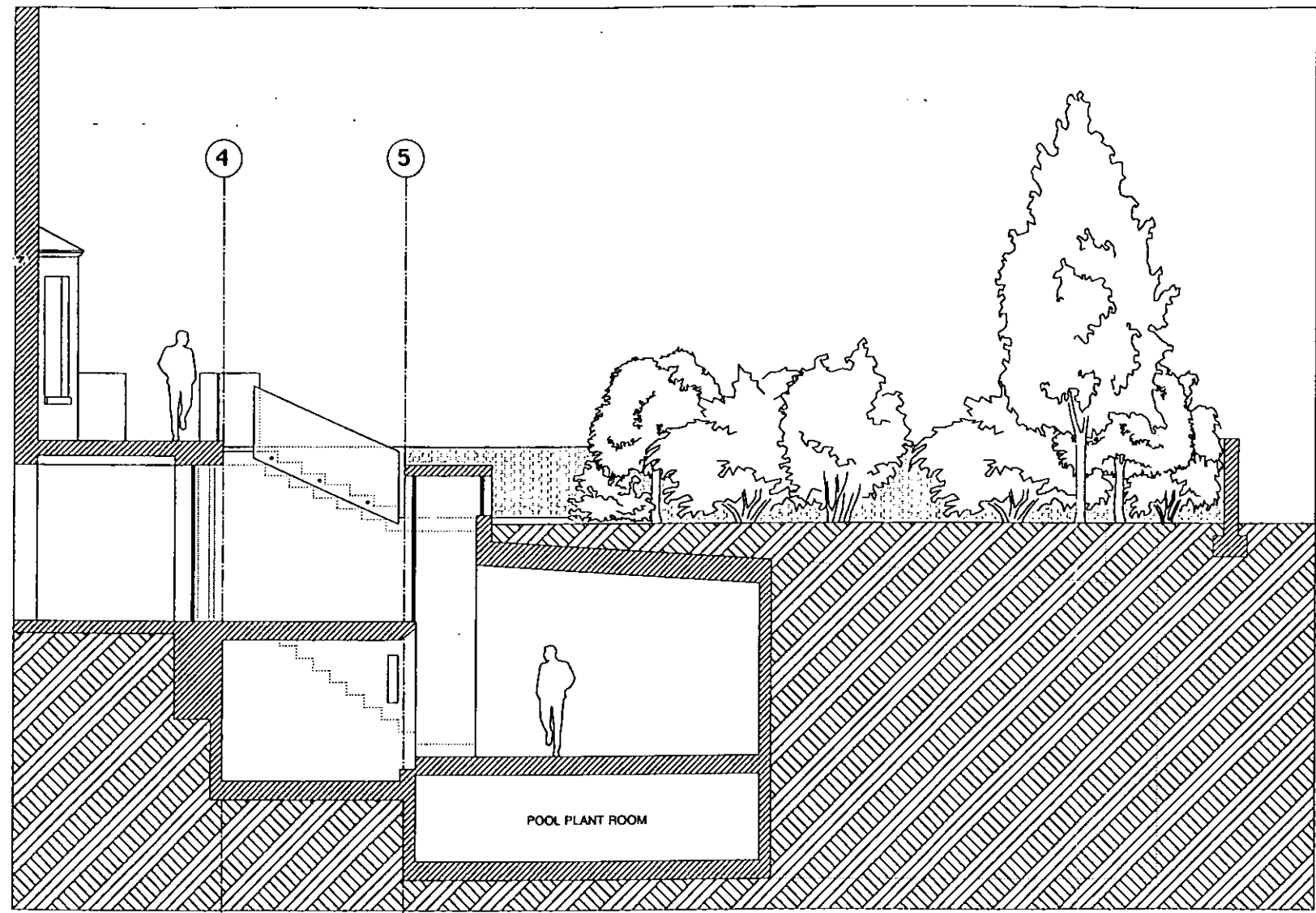


REV A - 23.01.02 - Revision to pool by drawing
 NOTES DO NOT SCALE FROM THESE DRAWINGS ALL
 DIMENSIONS TO BE CHECKED ON SITE

Grant Chartered Architects
 115 BATTERSEA BUSINESS CENTRE,
 LONDON W14 9SL
 1 832 782 828 1 832 782 888
 21 Essex Road, Kempston,
 Luton, LU1 3EH

DATE: 15.05.01
 DRAWN BY: M.A.V. 01
 PROJECT: Proposed Plans
 DRAWING NO: 1/4

EX DIR	HDC	TP	CAC	AD	CLU	AO
R.B.	12 APR 2007				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
				ARB	FPLN	DES FEES



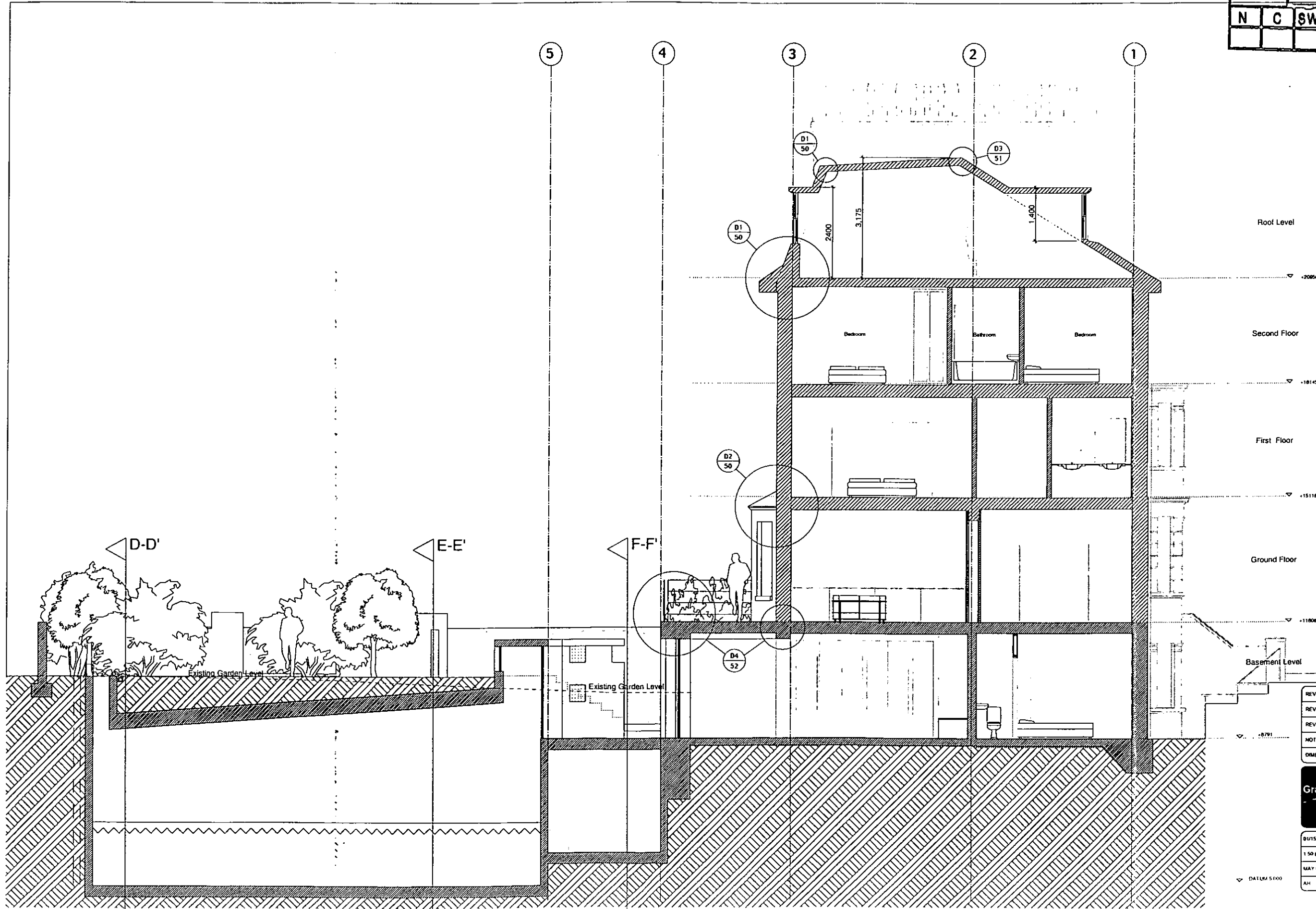
SECTION G-G'

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QJ
 T 020 7924 4555, F 020 7924 5666

01/15A (28)	21 Ecken Road, Kensington
1/50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	12 APR 2002			PLANNING		
K.C.	N	C	SW	SE	APP	IO REC
			ARB	FPLN	DES	FEE



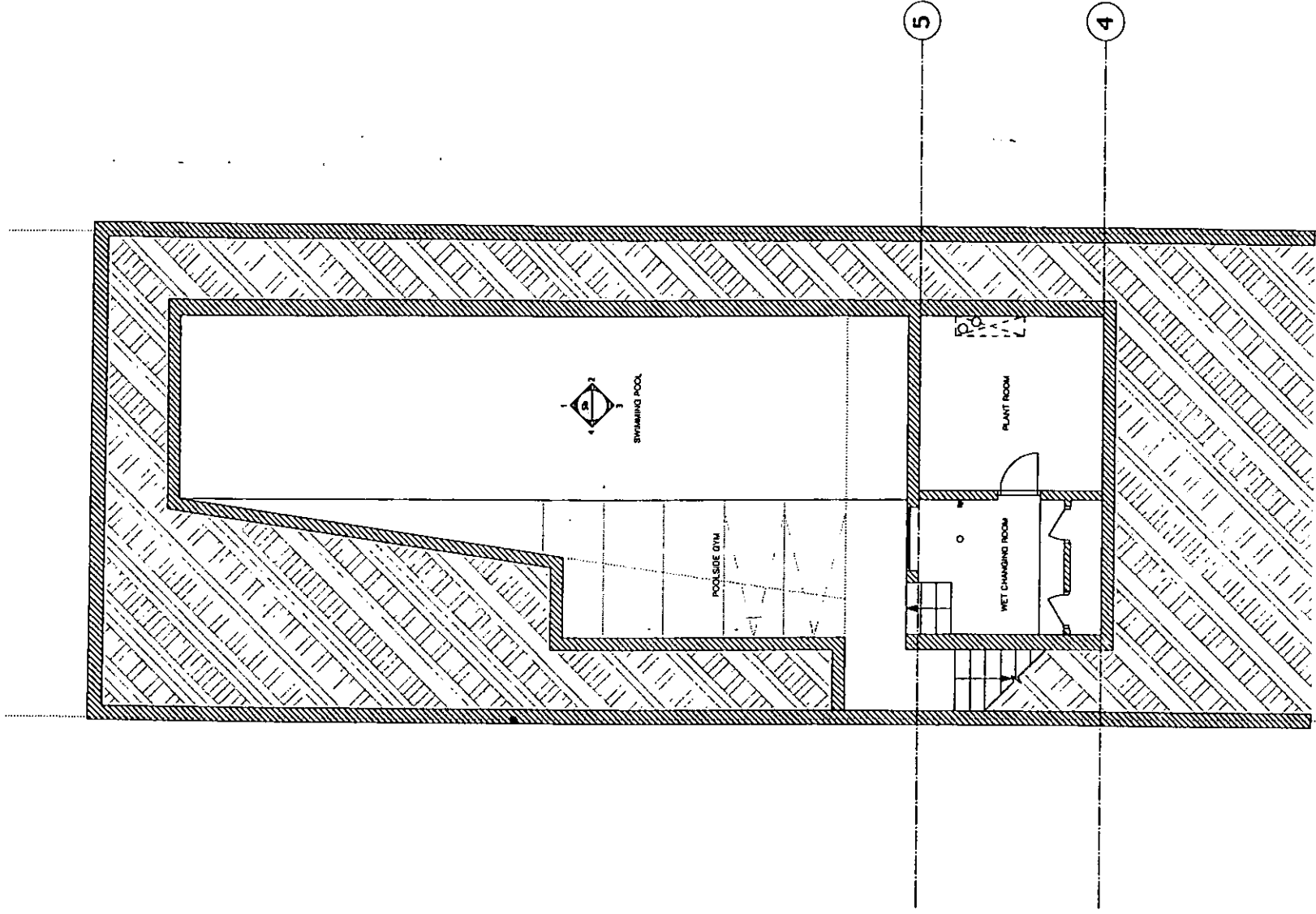
REV C - 23.01.02 - Reasons to post for planning
REV B - 19.12.01
REV A - 25.10.01 - GARDEN PLANNING REVISION
NOTES - DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 3QL
 T 020 7234 4555 F 020 7234 9666

BU154(24)	21 Eton Road, Kensington,
1:50 @ A1	London, W8 5PF
MAY 01	Proposed Plans
AH	Section C-C

SECTION C-C

EX	HDC	TP	GAC	AD	GLU	AO	DIR	R.B.	12 APR 2007	PLANNING							
								K.C.									
								N	C	SW	SE	APP	IO	REC			
														ARB	FPLN	DES	FEE

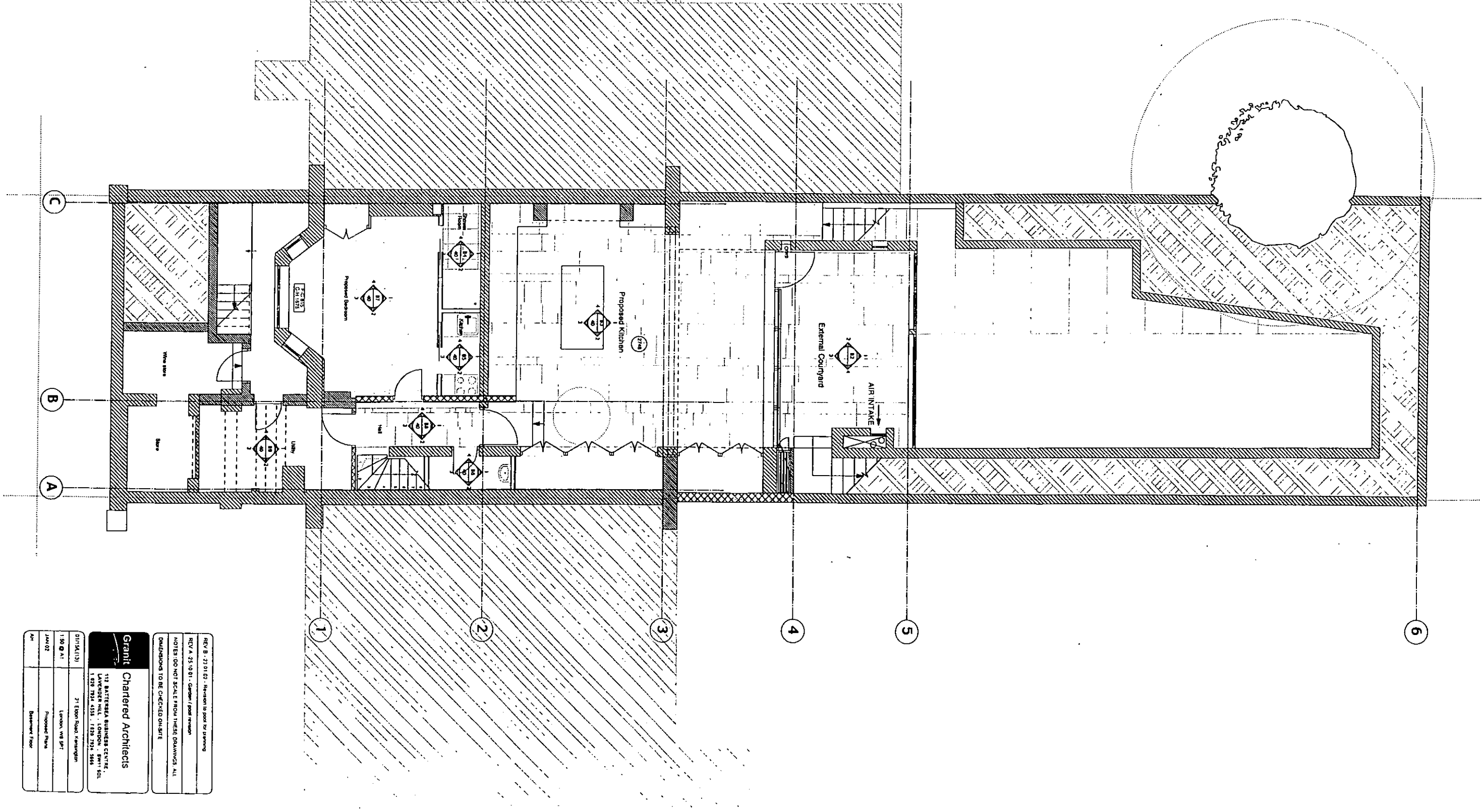


NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 MATTHESEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7524 4488 F 020 7524 3844

01151 (01)	21 Elton Road, Kensington, London, W8 5PT
1:50 @ A1	London, W8 5PT
JAN 07	Proposed Plans
A4	Sub-Basement Plan

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B.	12 APR 2002				PLANNING		
K.C.	N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE	



REV B - 21.01.02 - Revision to pool for planning

REV A - 25.10.01 - Garden / pool revision

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

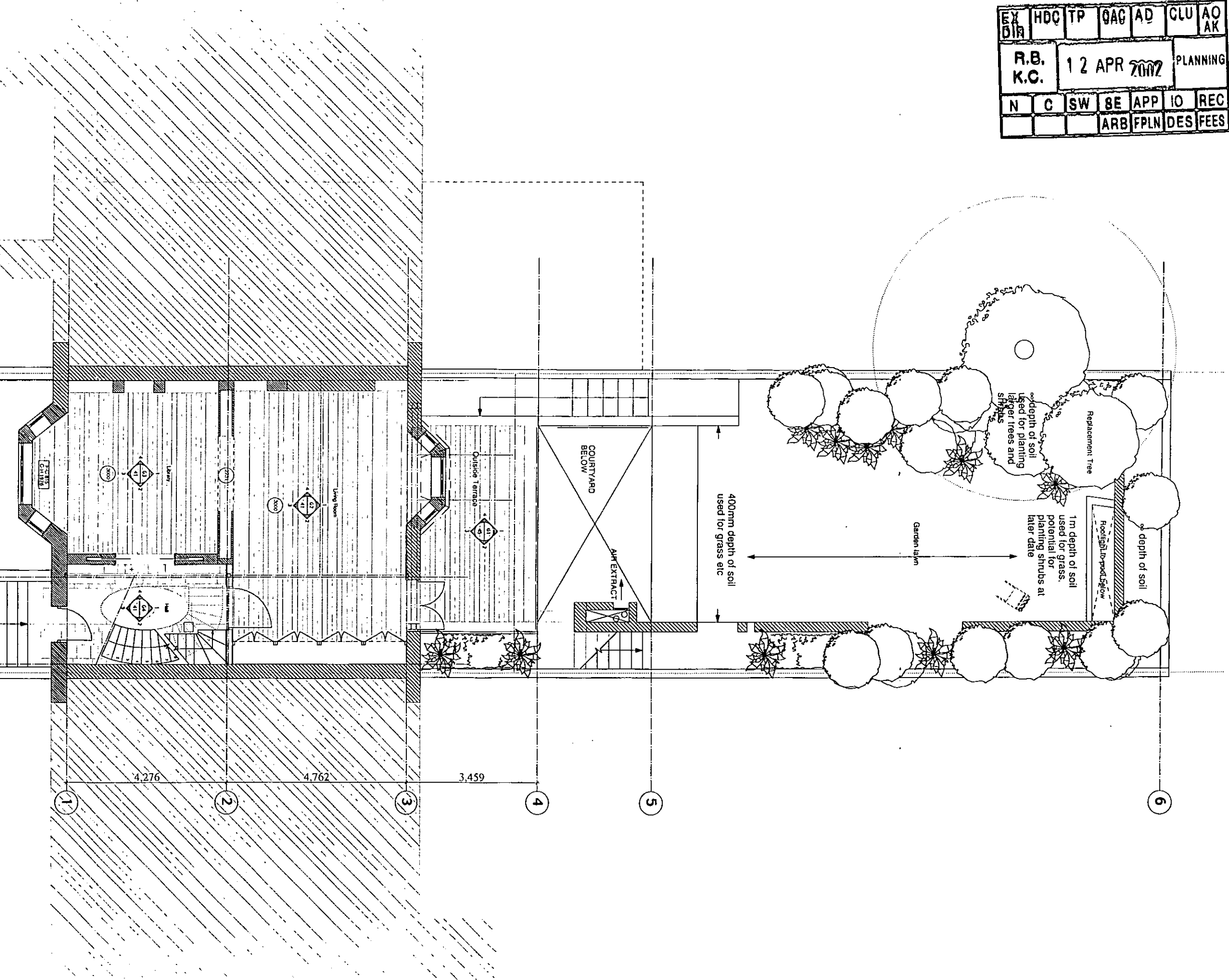
Grant Chartered Architects

115 BALTIMORE BUSINESS CENTRE
LAWRENCE HILL, LONDON, W11 1SL
1 519 7324 4334, 1 519 7324 5444

21 Eton Road, Kensington
London, W8 5PT
Proposed Plans
Basement Floor

DATE: 13/01/02
BY: [Signature]

EX DIR	HDC	TP	QAG	AD	CLU	AO	AK
R.B. K.C.		12 APR 2002			PLANNING		
N	C	SW	SE	APP	IO	REC	
		ARB	FPLN	DES	FEES		



GRID SETTING OUT

- 1 Parallel with inner face of brickwork wall
- 2 Intersects bottom right hand corner of central column
- 3 Parallel with inner face of rear brickwork wall
- 4 Parallel with edge of rear basement extension
- 5 Parallel with bottom line of flat roof above steps down to pool
- 6 Parallel with inside face of rear boundary brick wall

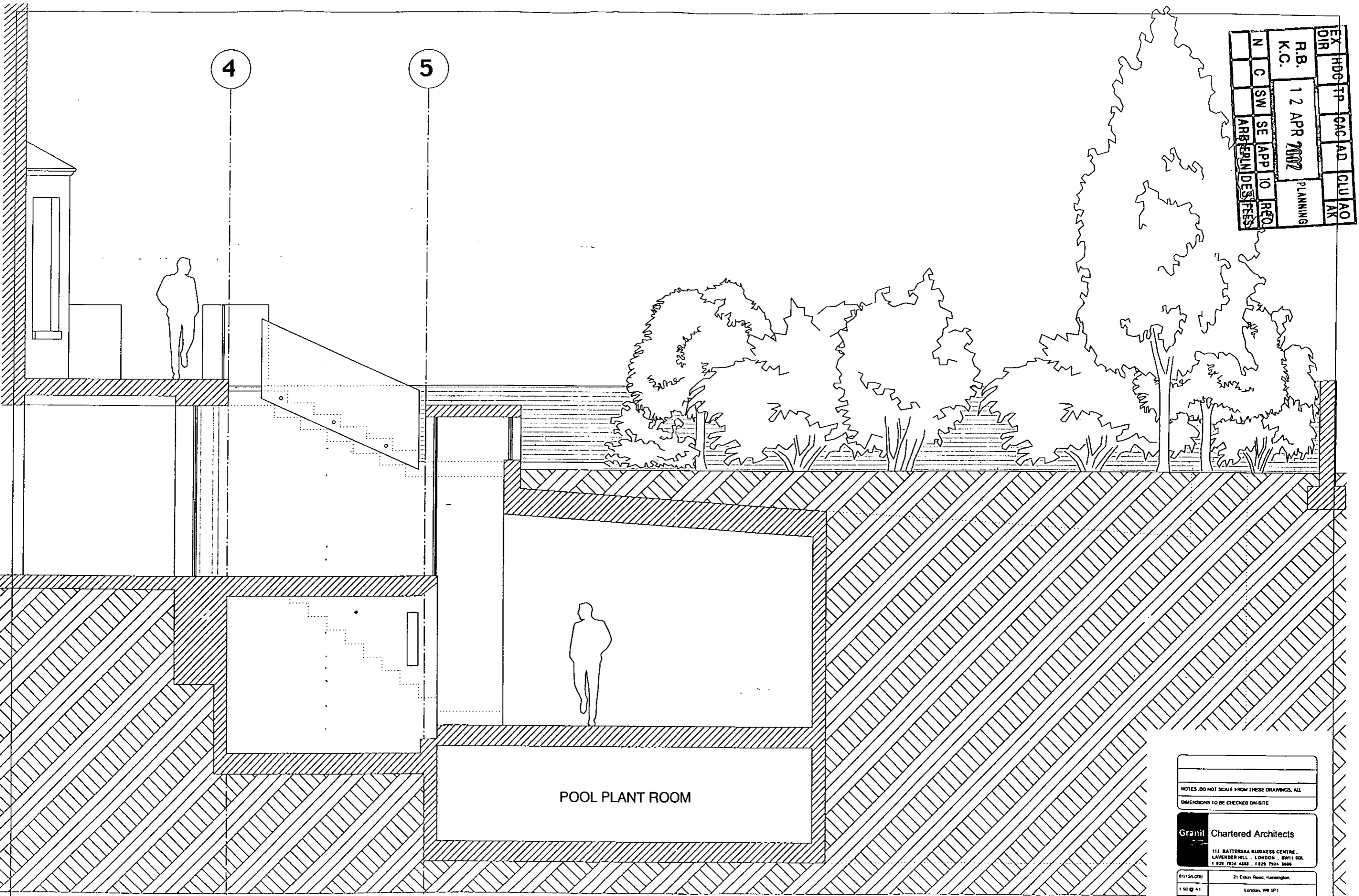
- A Parallel with inner face of brickwork party wall
- B Intersects bottom right hand corner of central column
- C Parallel with inner face of brickwork party wall

REV 0 - 22.01.02 - Revision to pool for planning
 REV A - 28.10.01 - General / pool revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Grant Chartered Architects
 112 MATTHEWS BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5DL
 T 020 7224 4333 / F 020 7224 2444

01/10/01	21 Eton Road, Kensington	London, W8 7PT	Proposed Plans
1.50 @ A1			
JAN 02			Ground Floor
A41			

EX DIR	HDB	TP	GAC	AD	CLU	AO
R.B. K.C.	1 2	APR	2002	PLANNING		
N	C	SW	SE	APP	IO	RFO
			ARB	PLN	DES	FRES



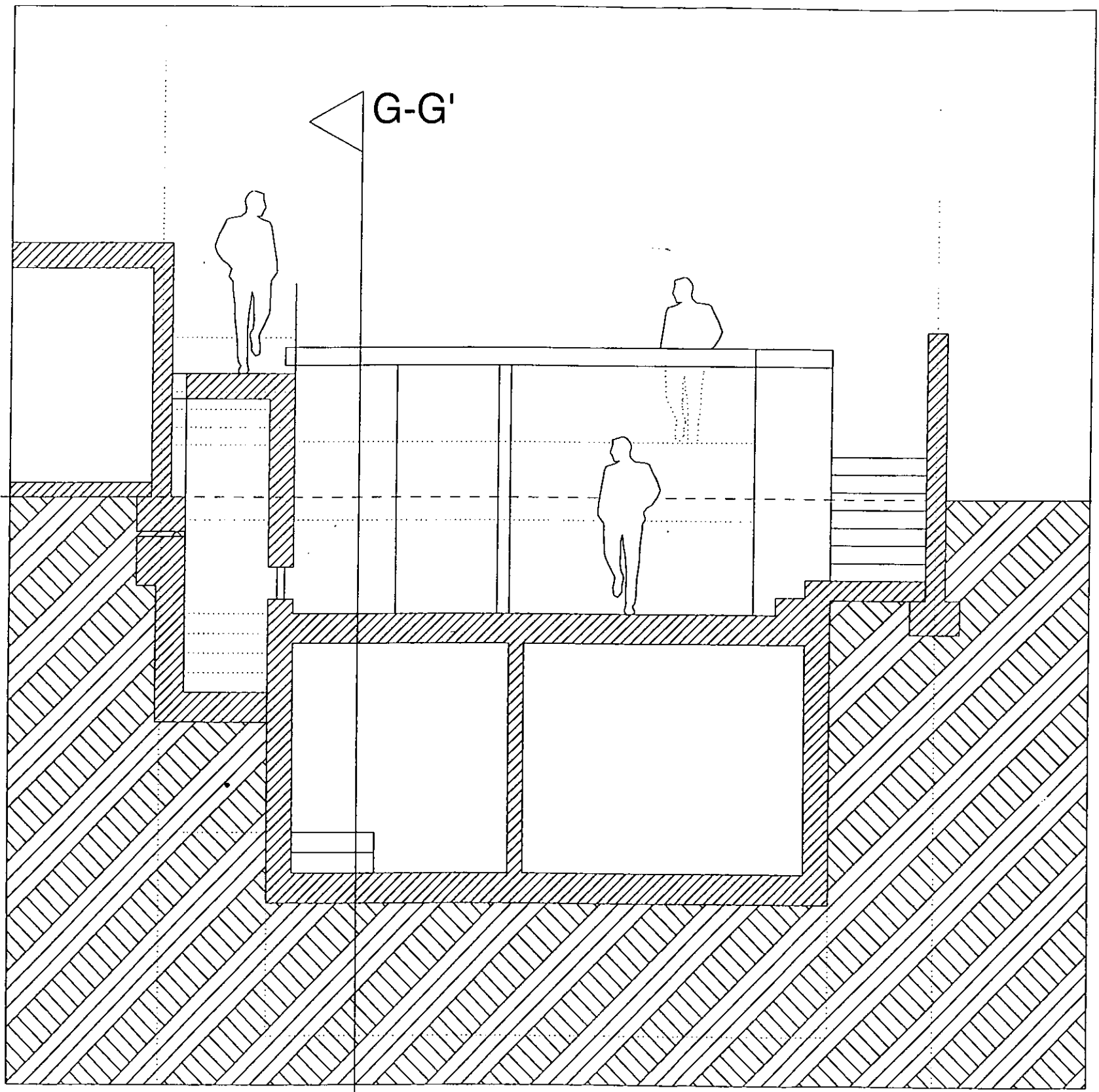
POOL PLANT ROOM

SECTION G-G'

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555 F 020 7924 5666

01/15/L2/01	21 Eden Road, Kensington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G



Existing garden level

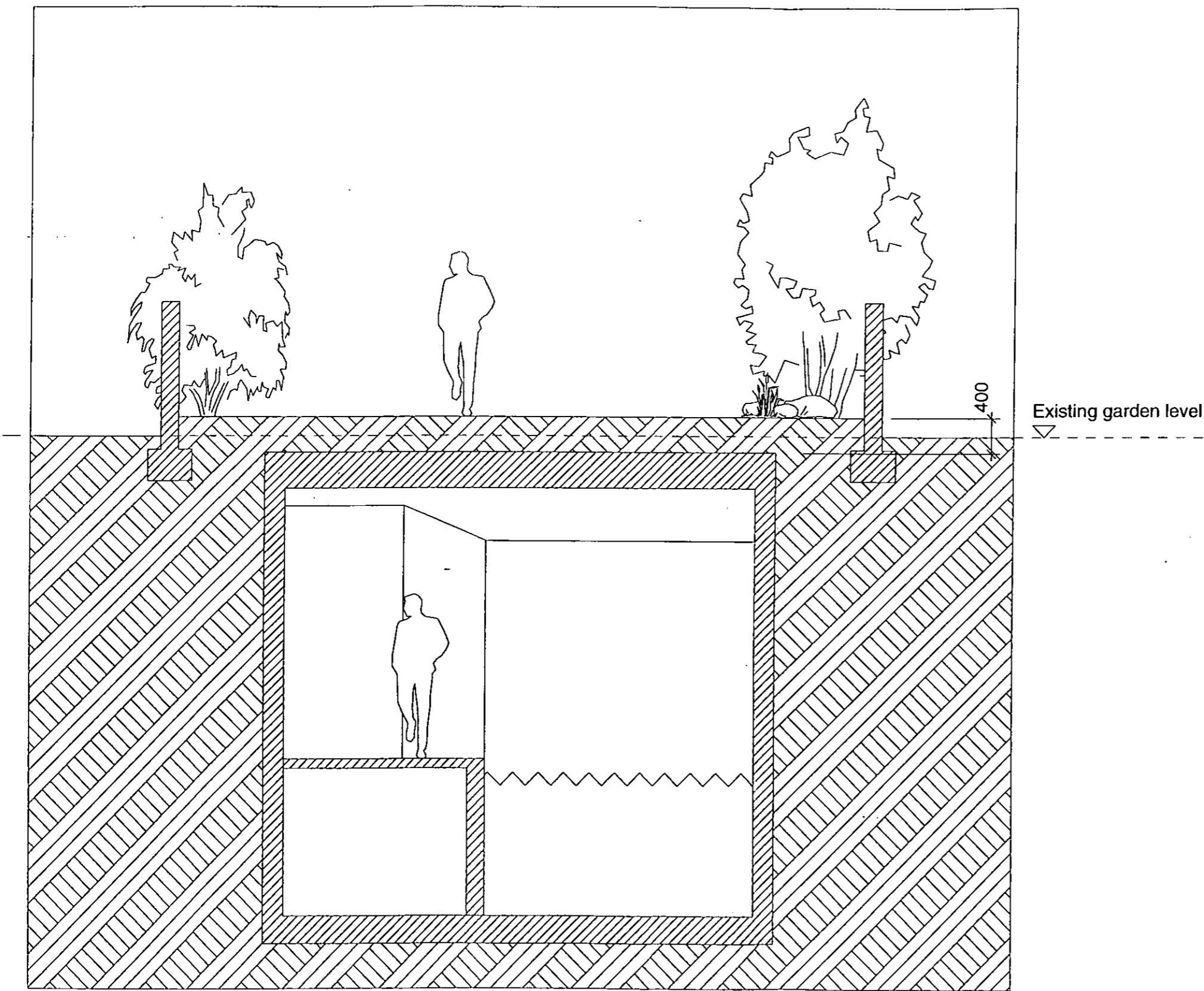
SECTION F-F'

EX DIR	HDC	TP	CAC	AD	GLU	AO AK
R.B. K.C.	12 APR 2007			PLANNING		
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
112 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON, SW11 5QL
T 020 7924 4553, F 020 7924 5888

01/15A.02/c	21 Eikon Road, Kensington
1:50 @ A1	London: W8 5PT
JAN 02	Proposed Sections
A11	Section D, E & F



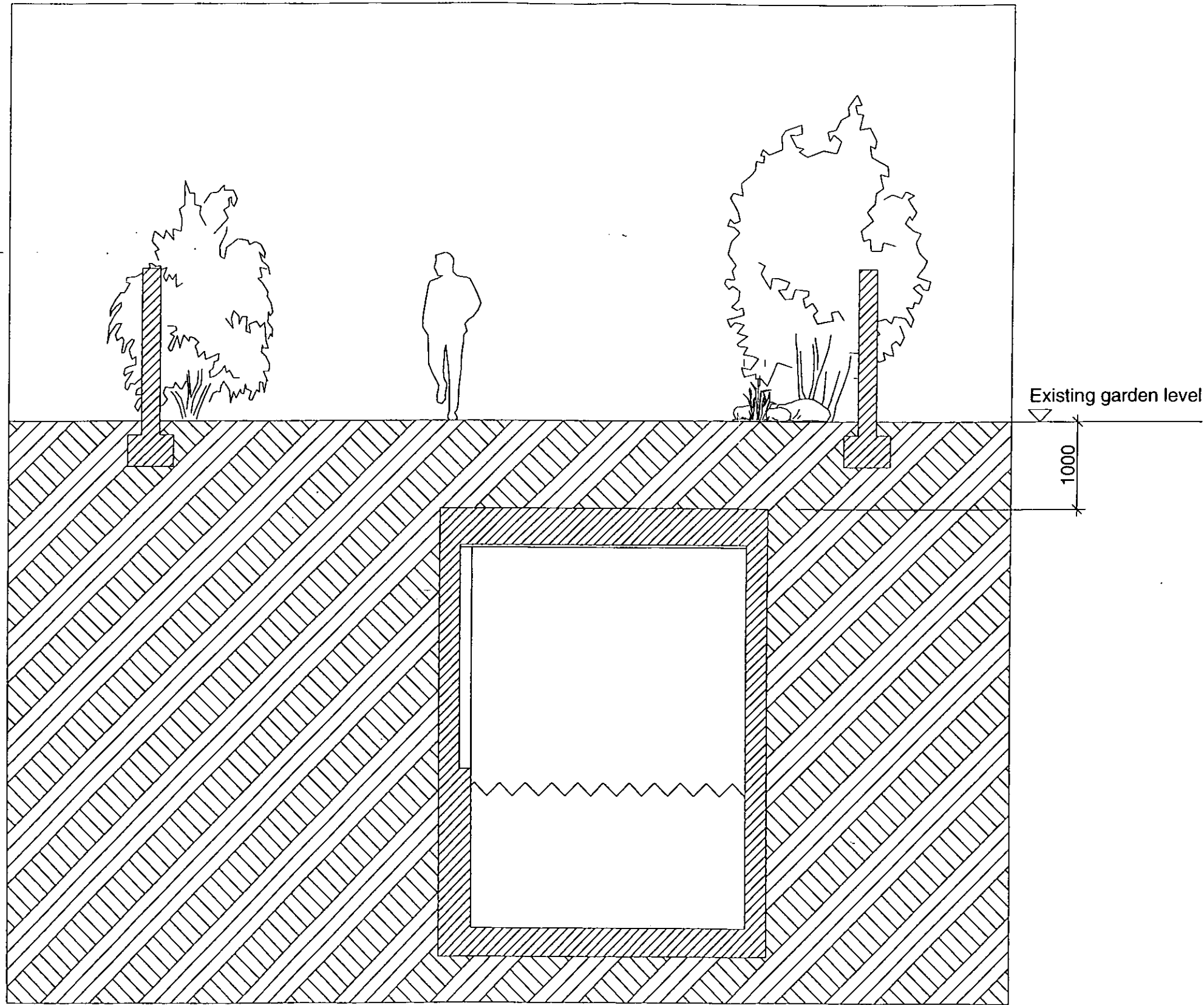
SECTION E-E'

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B.	12 APR 2002				PLANNING		
K.C.	N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEB	

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granil Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7824 4555 F 020 7824 5866

0115A(27)0	21 Elton Road Kensington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
A4	Section D, E & F



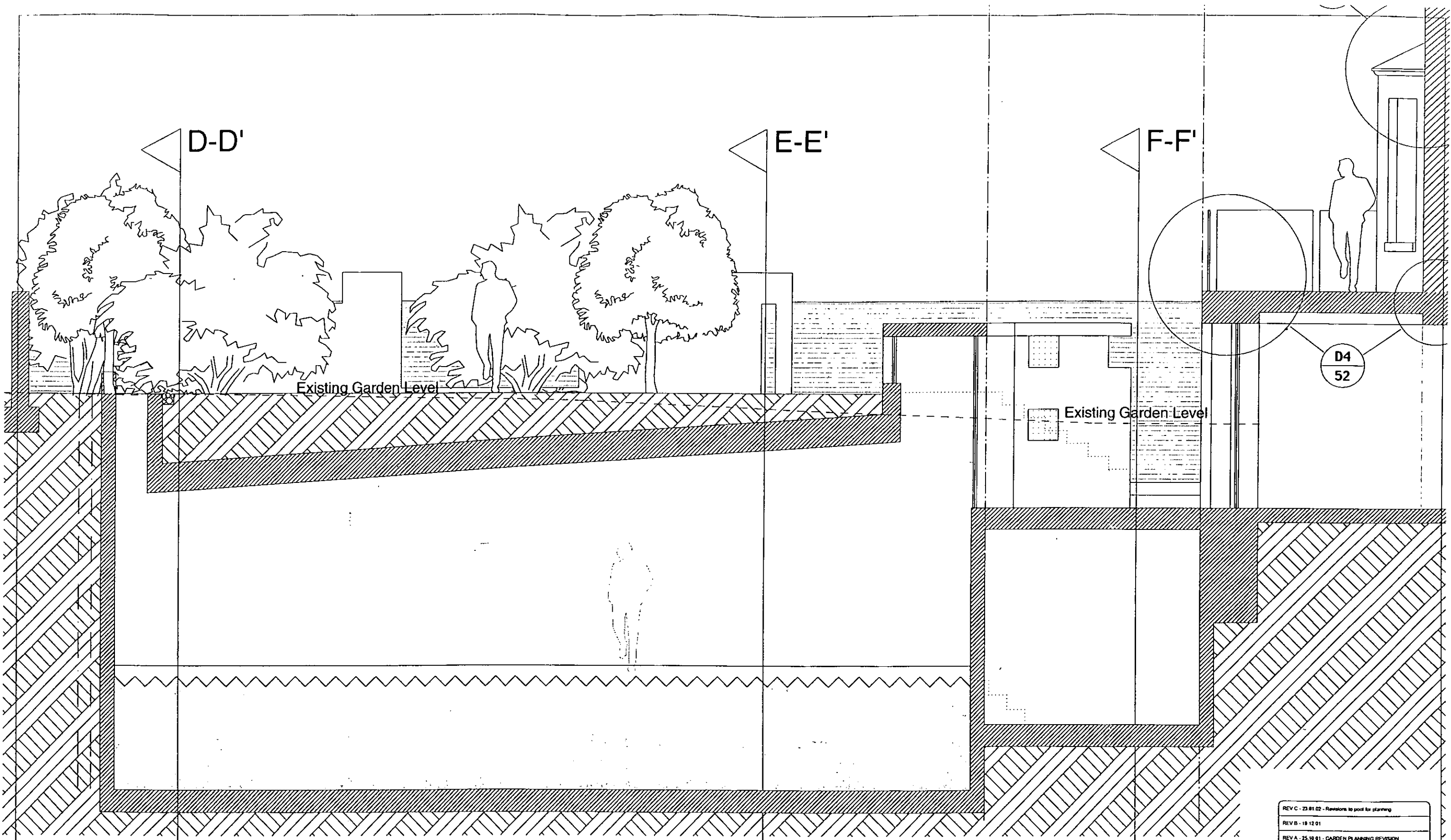
SECTION D-D

EX DIR	HDC	TP	GAG	AD	GLU	AO AK
R.B. K.C.	12 APR 2002				PLANNING	
N	G	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEE	

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555, F 020 7924 5866

01154 (27)	21 Edon Road, Kennington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F



SECTION C-C

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B. K.C.	12 APR 2012		PLANNING				
N	C	SW	SE	APP	IO	REC	
		ARB	FPLN	DES	FEEB		

REV C - 23.01.02 - Revisions to pool for planning
REV B - 18.10.01
REV A - 25.10.01 - GARDEN PLANNING REVISION
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555, F 020 7924 3666

01/154(24)	21 Ekton Road, Hemington
1:50 @ A1	London W8 5P1
MAY 01	Proposed Plans
AH	Section C-C



EX. HDCTP CAC AD QUU AO AX
 5th
 R.D. 12 APR 2017
 K.C.
 N. C. SW. SE APP. ID. REC.
 ABB PPLN DES FEES

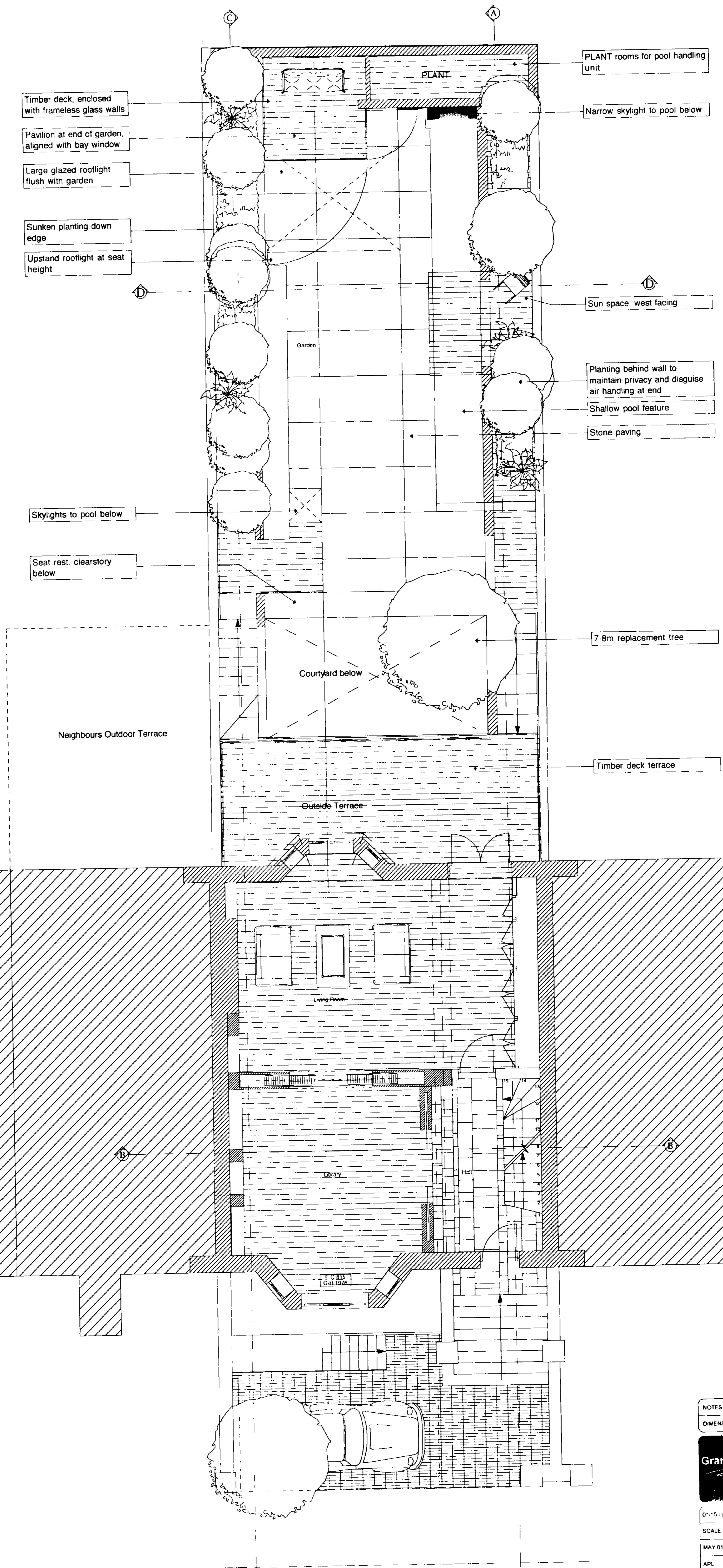
21 Eidon Road

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects

112 BATTERSEA BUSINESS CENTRE
LAVENDER HILL, LONDON SW11 5QL
T 020 7924 4555 F 020 7924 6666

01/15/19	21 Eidon Road, Kennington
SCALE 1:100	London W8 5PT
MAY 01	Proposed Plans
APL	Front Elevation



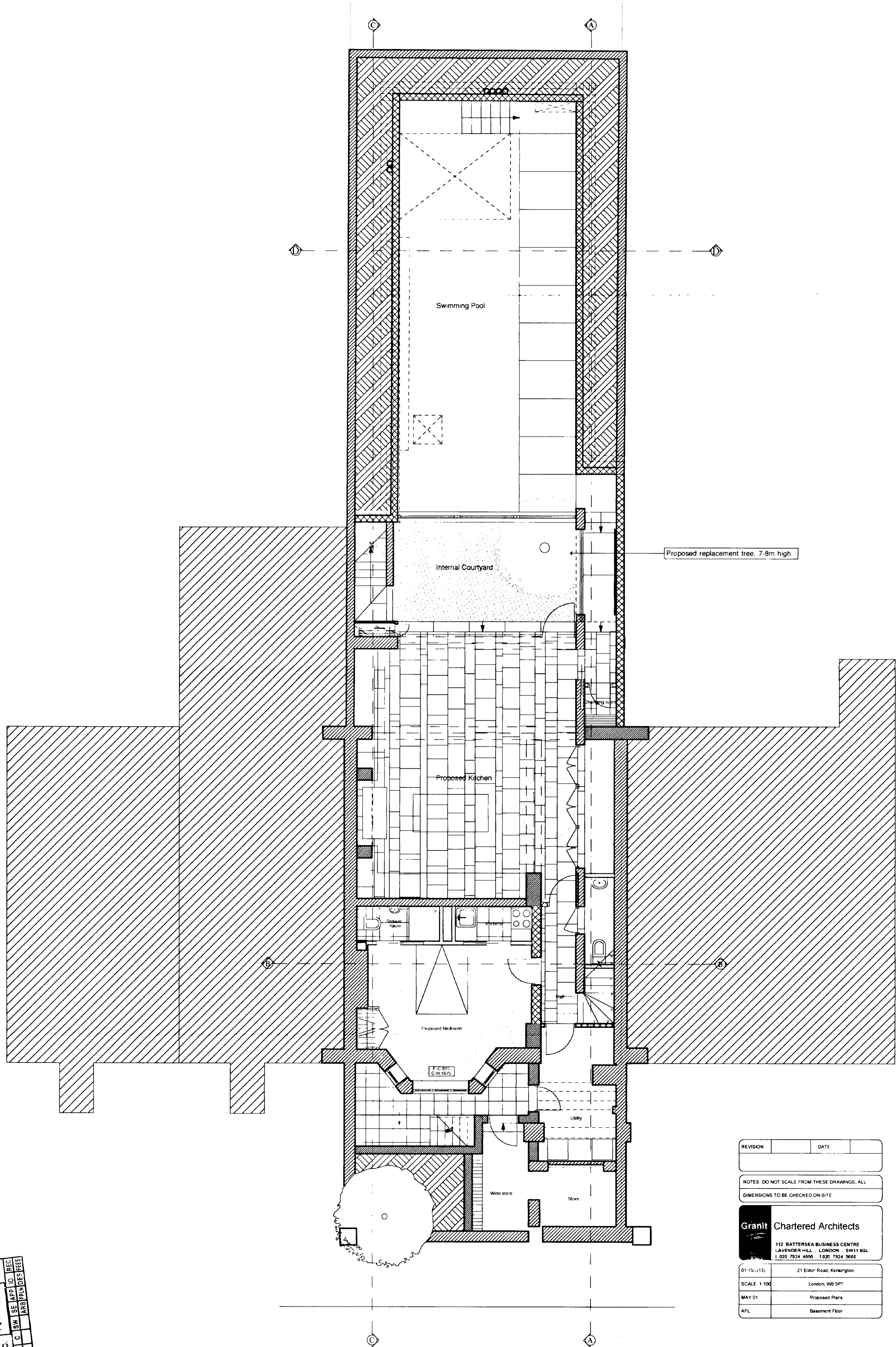
EX	HDC	TP	CAC	AD	CU	AO	AK
DIR	R.B.	K.C.	N	C	SW	SE	APP
	12	APR	2007				

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555 F 020 7924 5686

01753 11141 21 Eidon Road, Kensington,
 London, W8 5PT

SCALE 1:100
 MAY 01 Proposed Plans
 APL Ground Floor



Proposed replacement tree, 7.8m high.

T.C. 315
C.H. 16/25

REVISION	DATE

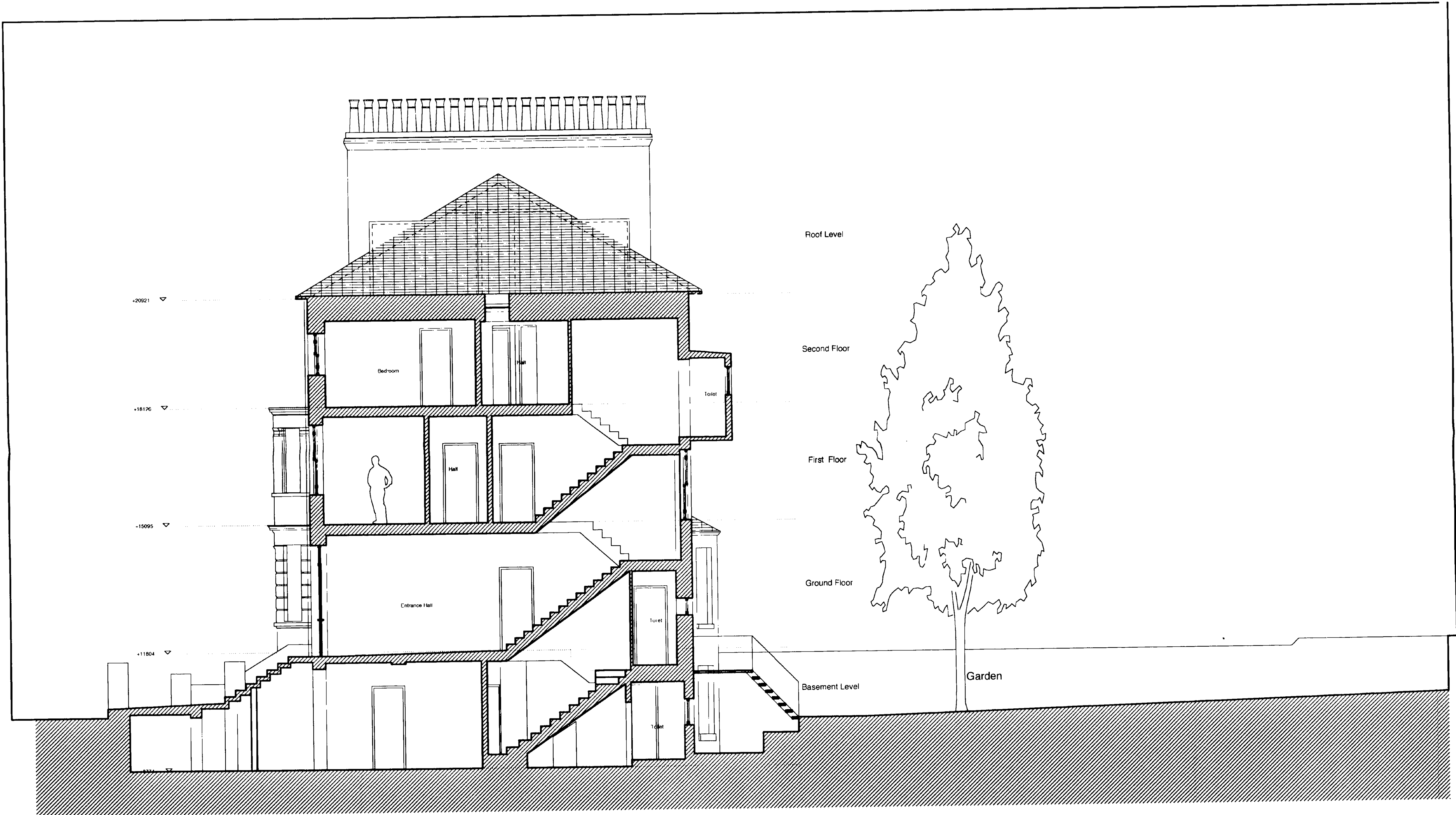
NOTES DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 6QL
 T 020 7924 4555 F 020 7924 5666

01-15-(13)	21 Eidor Road, Kennington.
SCALE 1:100	London, W8 5PT
MAY 01	Proposed Plans
APL	Basement Floor

12.10.01 TP 12.10.01 AD 12.10.01 AX
 PLANING
 1-2 APR 2002
 K.C.
 N C SW SE APP LO REC
 ARB/PLANS FEES

EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
R.B.	12 APR 2017			PLANNING		
K.C.						
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEE	

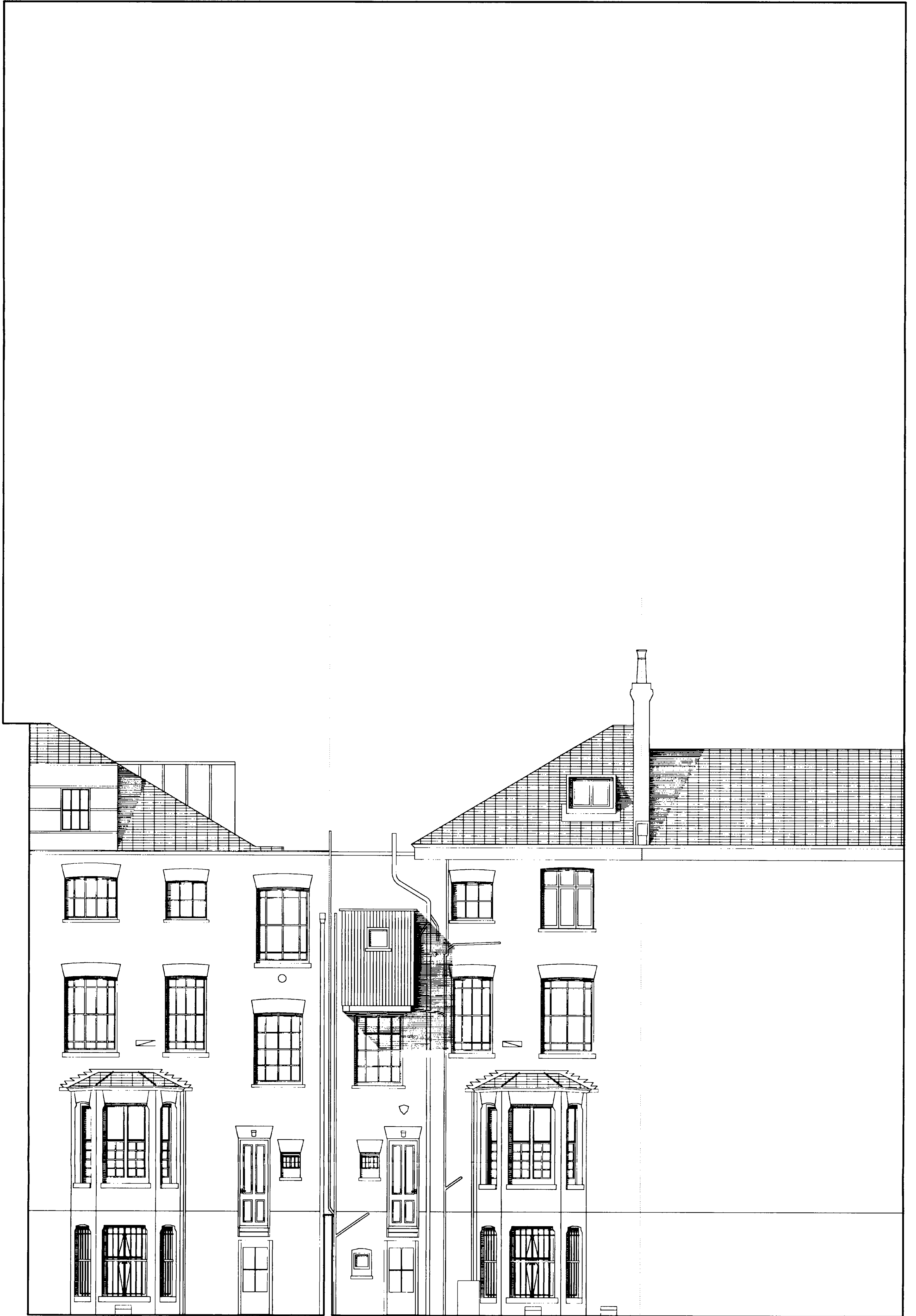


JATUM 5 003

NOTES DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL LONDON SW11 5QL
 T 020 7924 4555 F 020 7924 5666

01-5(L10)	21 Edon Road, Kensington.
SCALE 1:100	London W8 5PT
MAY 01	Existing Plans
APL	Section A-A



Elevations of adjoining buildings indicative only

Elevations of adjoining buildings indicative only

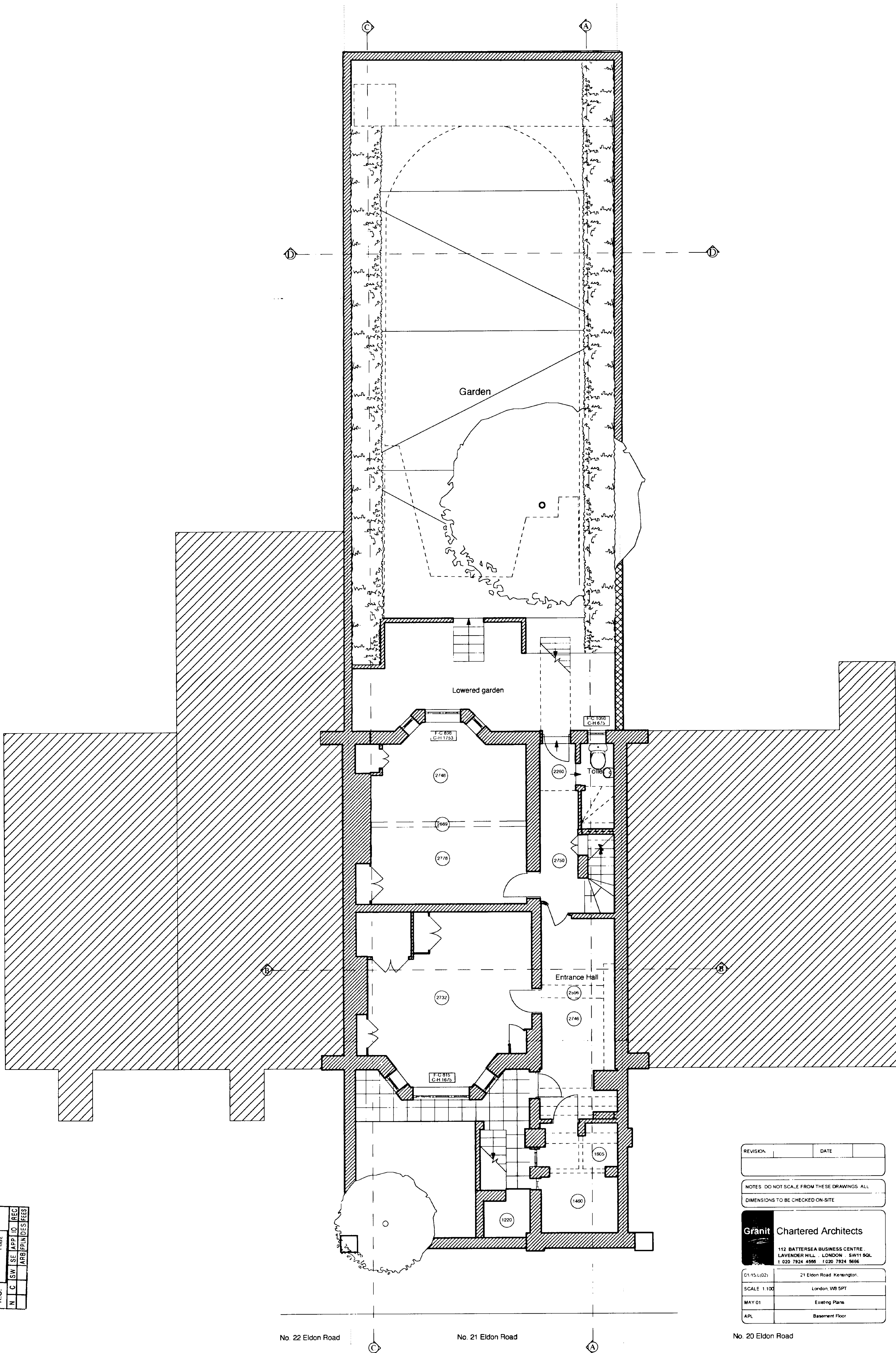
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Grähit Chartered Architects

112 BATTERSEA BUSINESS CENTRE
LAVENDER HILL LONDON SW11 5QL
T 020 7924 4555 F 020 7924 5666

01-5-L(08)	21 Eidon Road, Kensington
SCALE 1:100	London, W8 5PT
MAY 01	Existing Plans
APL	Rear Elevation

EX	HDC	TP	GAC	AD	CU	AO	AK
DIR							
R.B.	K.C.	1-2	APR	7/17			
N	C	SW	SE	APP	O	REC	
				ARB	FR	DES	FEE



EX DIR	HDC	TP	CAC	AD	CLU	AO	AL
R.B.	K.C.C.	1-2	APR	7/07	PLANNING		
N	C	SW	SE	APP	IO	REC	
		ARB	P/IN	DES	FEES		

No. 22 Eldon Road

No. 21 Eldon Road

No. 20 Eldon Road

REVISION	DATE

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4595 F 020 7924 5656

C1:15.L(02)	21 Eldon Road Kensington,
SCALE 1:100	London, W8 5PT
MAY 01	Existing Plans
APL	Basement Floor



F.B.A. & C.
 TOWN PLANNING
 10/11/2011
 ID:

ALL DIMENSIONS IN METERS UNLESS OTHERWISE SPECIFIED
 UNLESS OTHERWISE SPECIFIED

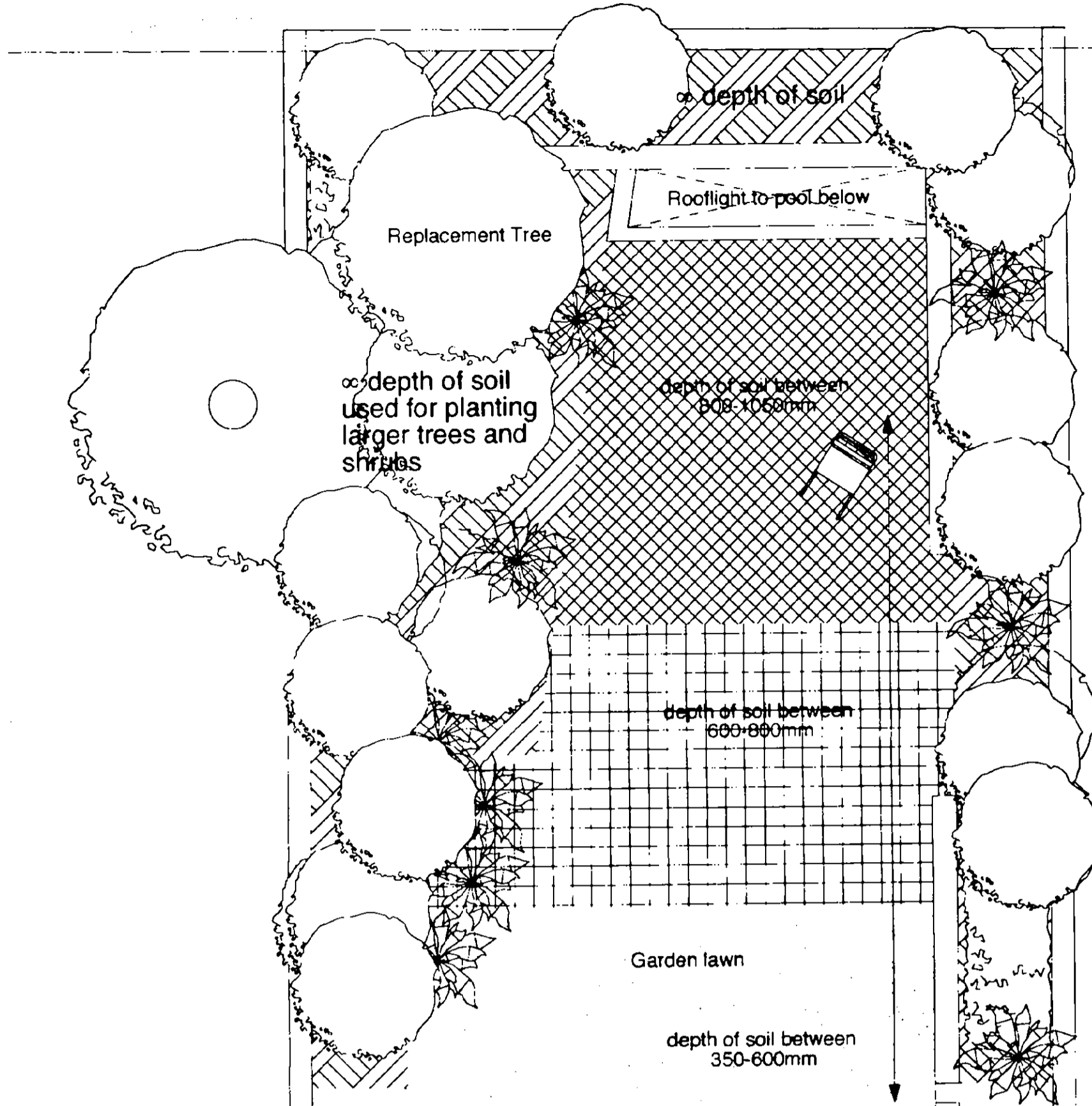
Granit Chartered Architects

115-117 THE SQUARE, LONDON, E14 9EJ
 TEL: 020 7553 4444 FAX: 020 7553 4444

01/15/L(23)

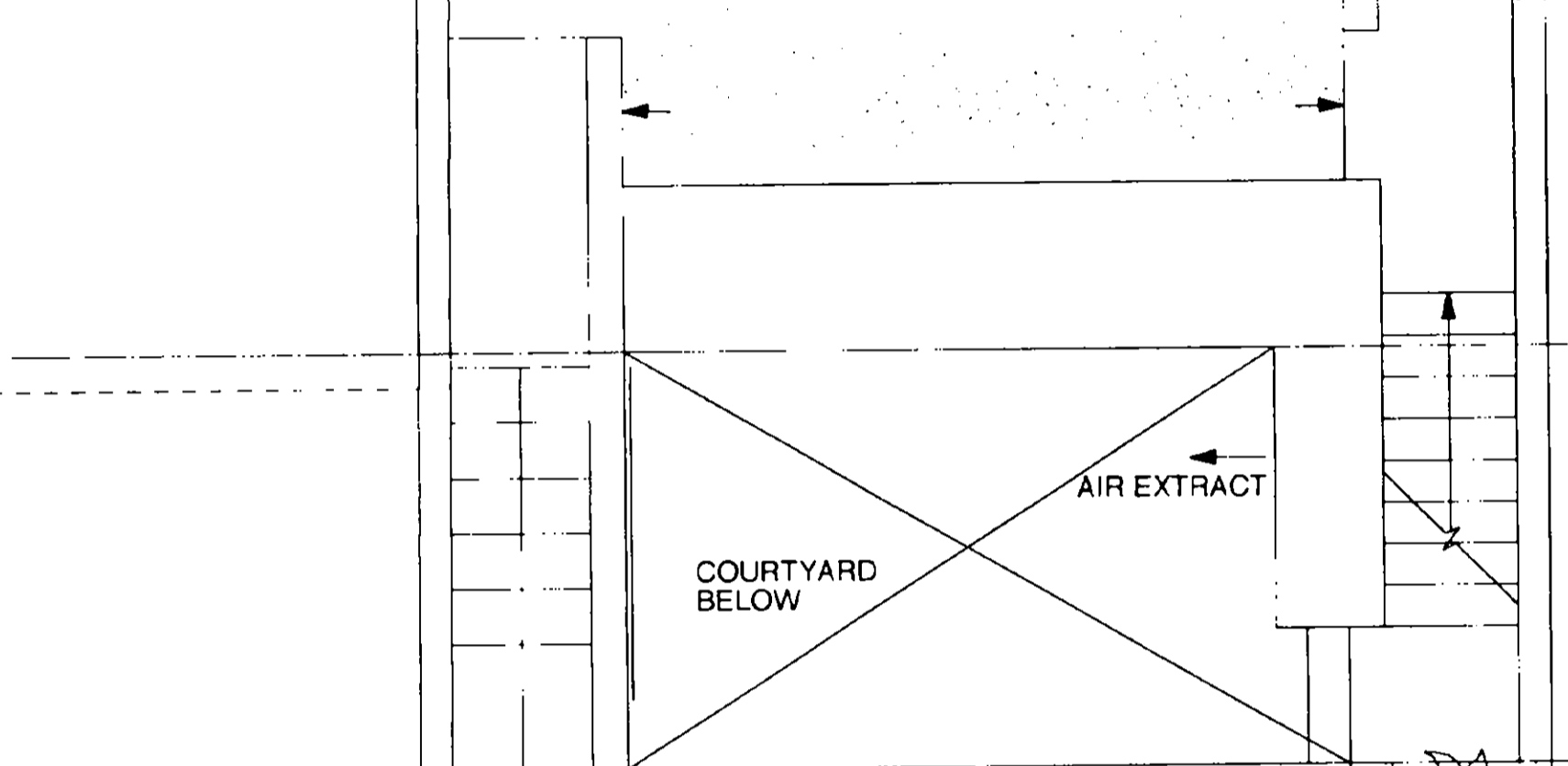
DATE	15/01/23
SCALE	1:100
PROJECT	1/1/101
BY	CC

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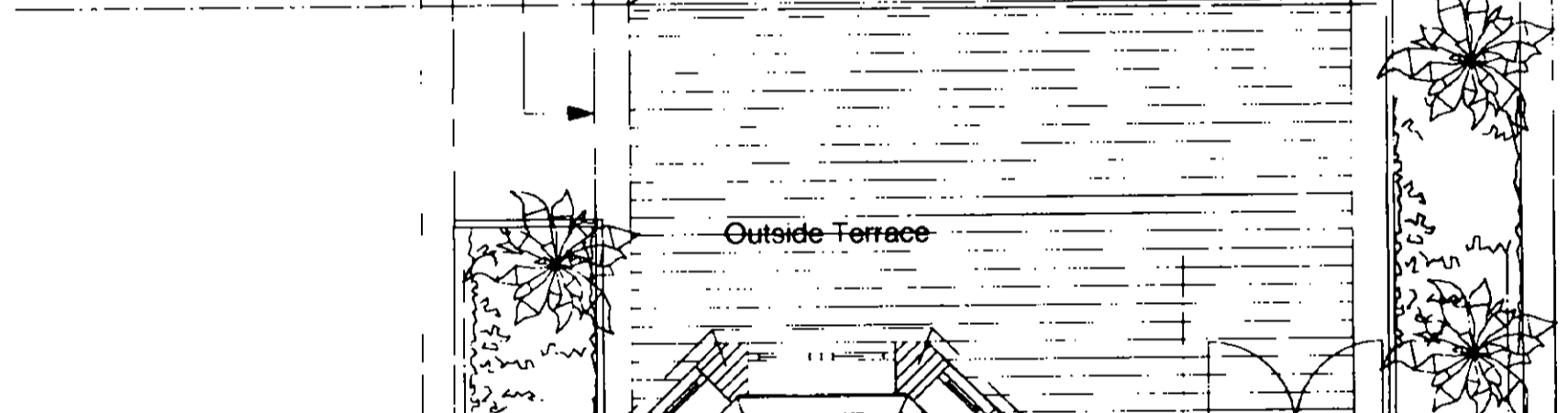


	AREA	Percentage of Garden
TOTAL Area of Garden (not including courtyard or terrace)	96.0 m/sq	100%
depth of soil between 350-600mm	16.9 m/sq	17.6%
depth of soil between 600-800mm	14.3 m/sq	14.9%
depth of soil between 800-1050mm	14.4 m/sq	15.0%
Remaining area	50.4 m/sq	52.5%

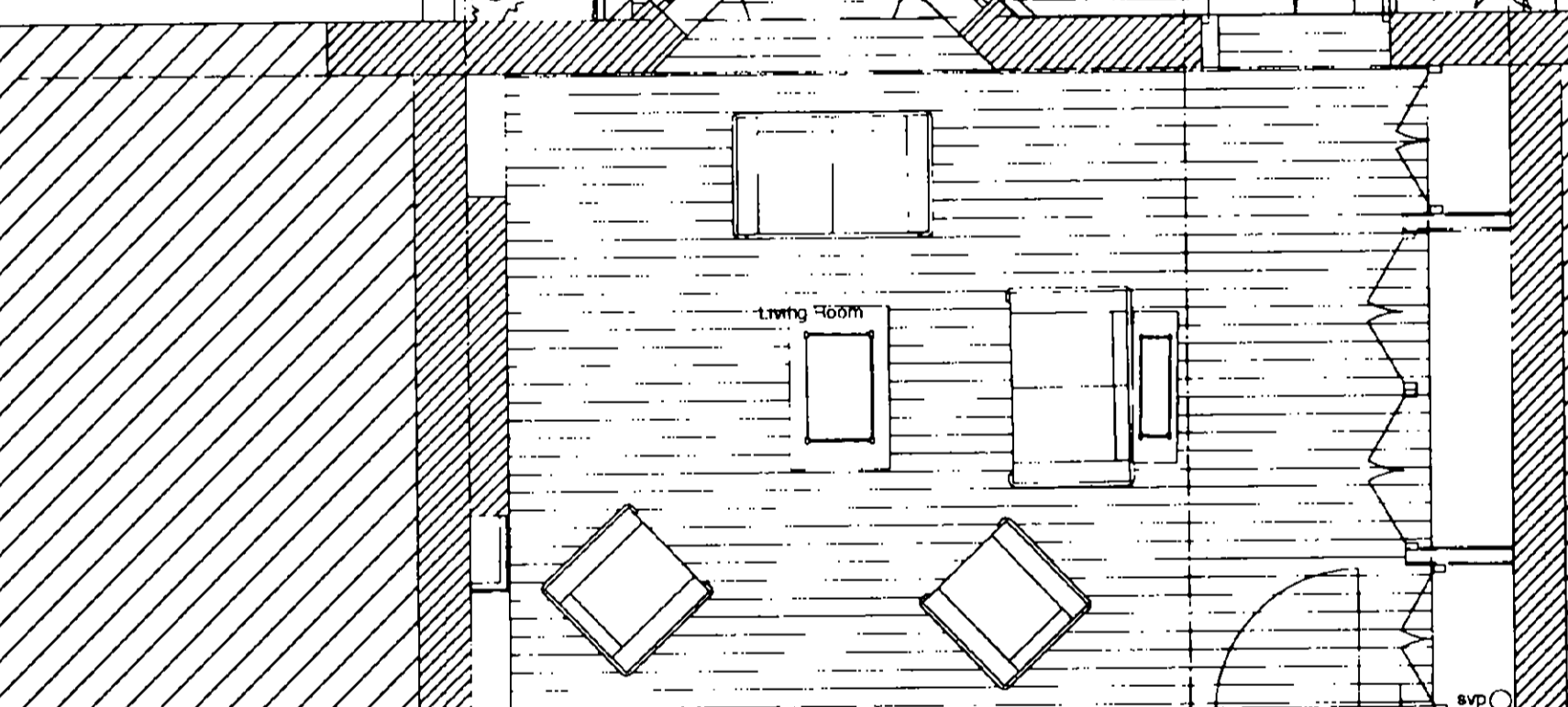
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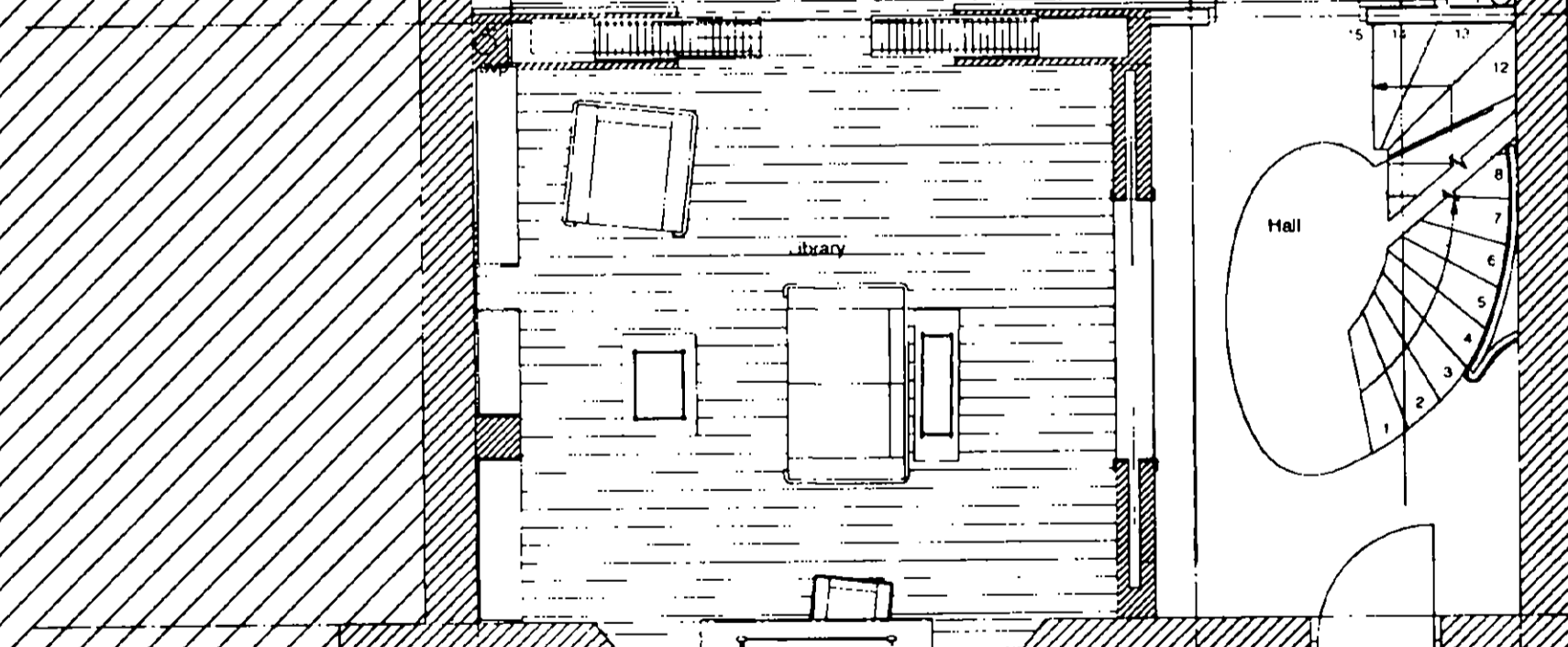
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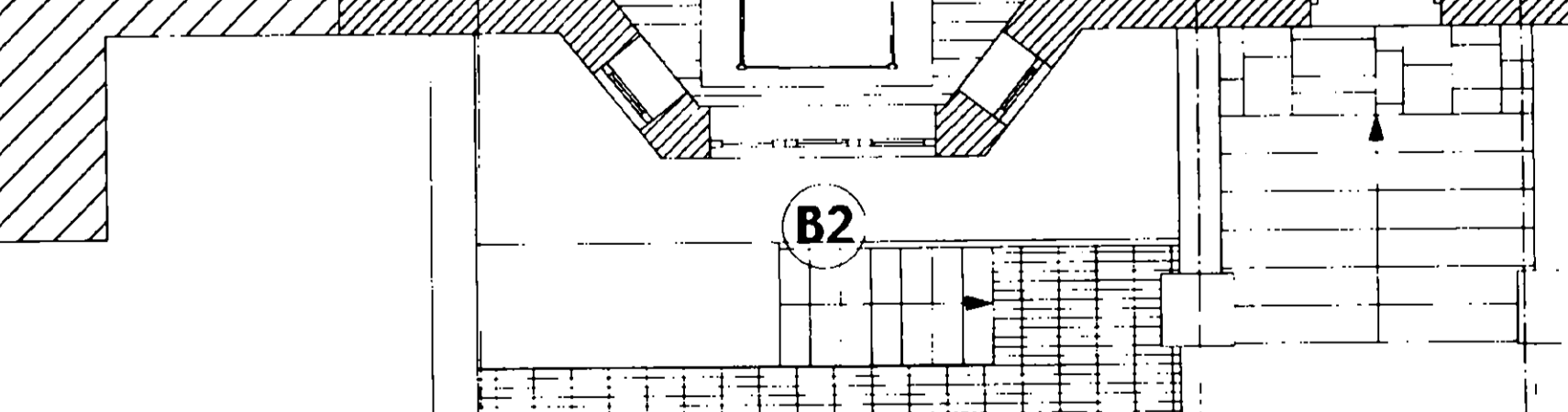
3



2



1



GRID SETTING OUT

- 1 Parallel with inner face of ground floor brickwork wall
 - 2 Centre line of central column
 - 3 Parallel with inner face of ground floor rear brickwork wall
 - 4 Parallel with edge of rear basement extension
 - 5 Parallel with bottom line of flat roof above steps down to pool
 - 6 Parallel with inside face of rear boundary brick wall
-
- A Parallel with inner face of brickwork party wall
 - B Centre line of central column
 - C Parallel with inner face of brickwork party wall
-
- B1 Centre line of window on second floor
 - B2 Centre line, taken from mid point of front central bay window at each floor
 - B3 Centre line of window on second floor

Note: All dimensions to be checked on site. any discrepancies to be raised with Architect

REV E - 03 04 02 - Planning revision
REV D - 21 02 02 - Construction issue
REV C - 05 02 02 - Final house revision
REV B - 23 01 02 - Revision to pool for planning
REV A - 25 10 01 - Garden / pool revision
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Gränt Chartered Architects

112 BATTERSEA BUSINESS CENTRE
LAVENOR HILL, LONDON SW11 1GL
T 020 7924 4555 F 020 7924 5666

01 15 01 41 21 Eldon Road, Kensington,
London, W8 5PT

JAN 02 Proposed Plans
AH Ground Floor

88/10/1529/B

15 JAN 2002

PLANNING

10

ARCHITECTS

REFUSED BY
PLANNING SERVICES CHIEF

22 APR 2002

PHILIP CAVE
ASSOCIATES

R	HDC	TP	CAG	AD	CL
P.B.		2002		PLANNING	
N	C	SE	APP	IO	REC
		ARB	FPLN	DES	FEES

LANDSCAPE ARCHITECTURE
ENVIRONMENTAL PLANNING
URBAN DESIGN

NO.5 DRYDEN STREET COVENT GARDEN
LONDON WC2E 9NW

Tel: 020 7829 8340 Fax: 020 7240 5600

REPORT ON ESTABLISHMENT OF PLANTING ABOVE SUBMERGED SWIMMING POOL AT 21 ELDON ROAD, LONDON W8

The Brief

Philip Cave was asked to review and make recommendations on soil profile over the slab of the submerged swimming pool and other measures to ensure the growth of plant material.

Drawings Reviewed

Granit Architects Drawings Nos. 01/15L(13E,14E,24D,27A)

Review and Recommendations

In order to grow and thrive, plants need the following

- Sufficient soil depth to anchor the plants and provide a reserve of water and nutrients
- Drainage through the soil layer to prevent water-logging
- Sufficient water from natural rainfall or irrigation

Different soil depths are required for different plants and can be reduced if permanent irrigation is installed. The minimum top-soil depth for grass is 250mm and for shrubs is 500mm with permanent irrigation. Below this there needs to be a drainage layer of say 75mm depth, giving an overall minimum depth from ground level of 325mm for grass and 575mm for shrubs.

The topsoil would be a good quality loam or sandy loam and the drainage layer would be 75mm of gravel with no fines or leca (clay granules) over laid by a porous woven geo-textile. The top of the concrete slab, forming the roof of the pool, would be laid to a shallow fall to a land drain, in order to collect excess water from the drainage layer. This land drain would be a perforated pipe surrounded by gravel, laid to a fall into a catch pit (to collect any silt), which would discharge into a soak-away or the surface water system.

e-mail address: principal@philipcave.com
web site address: www.philipcave.com

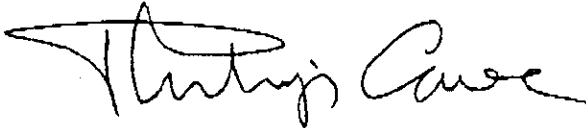
Principal: Philip Cave BSc(Hons) MA(LD) MRInst MI
A Landscape Institute Registered Practise

2

To ensure that the plants grow and thrive, it is recommended that shrubs or grass lawn are established on areas with a minimum depth over the slab of 575mm. However where this minimum cannot be achieved then only grass should be established and then only where the minimum depth is 325mm.

The drainage layer and land drain should be constructed as described above with the land drain located at the North end of the slab at the greatest top-soil depth. Permanent irrigation should be installed to provide the plants with sufficient water as the top-soil is not situated over a natural sub-soil. The concrete slab should be waterproofed to prevent ingress of water through the concrete.

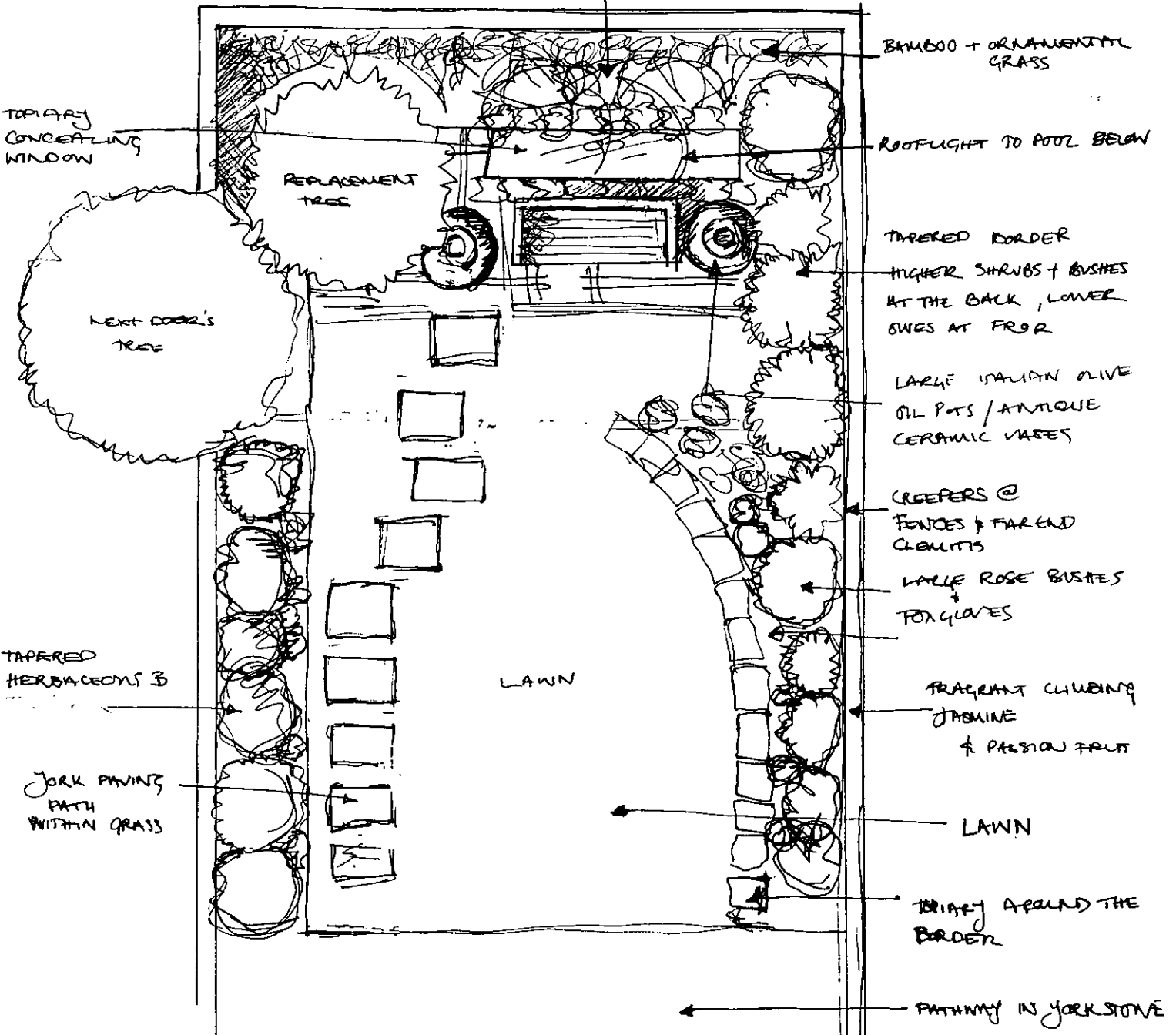
Most plants are tolerant of these conditions and no special selection is required.



Philip Cave, Principal,
Philip Cave Associates
Landscape Architects
4 April 2002

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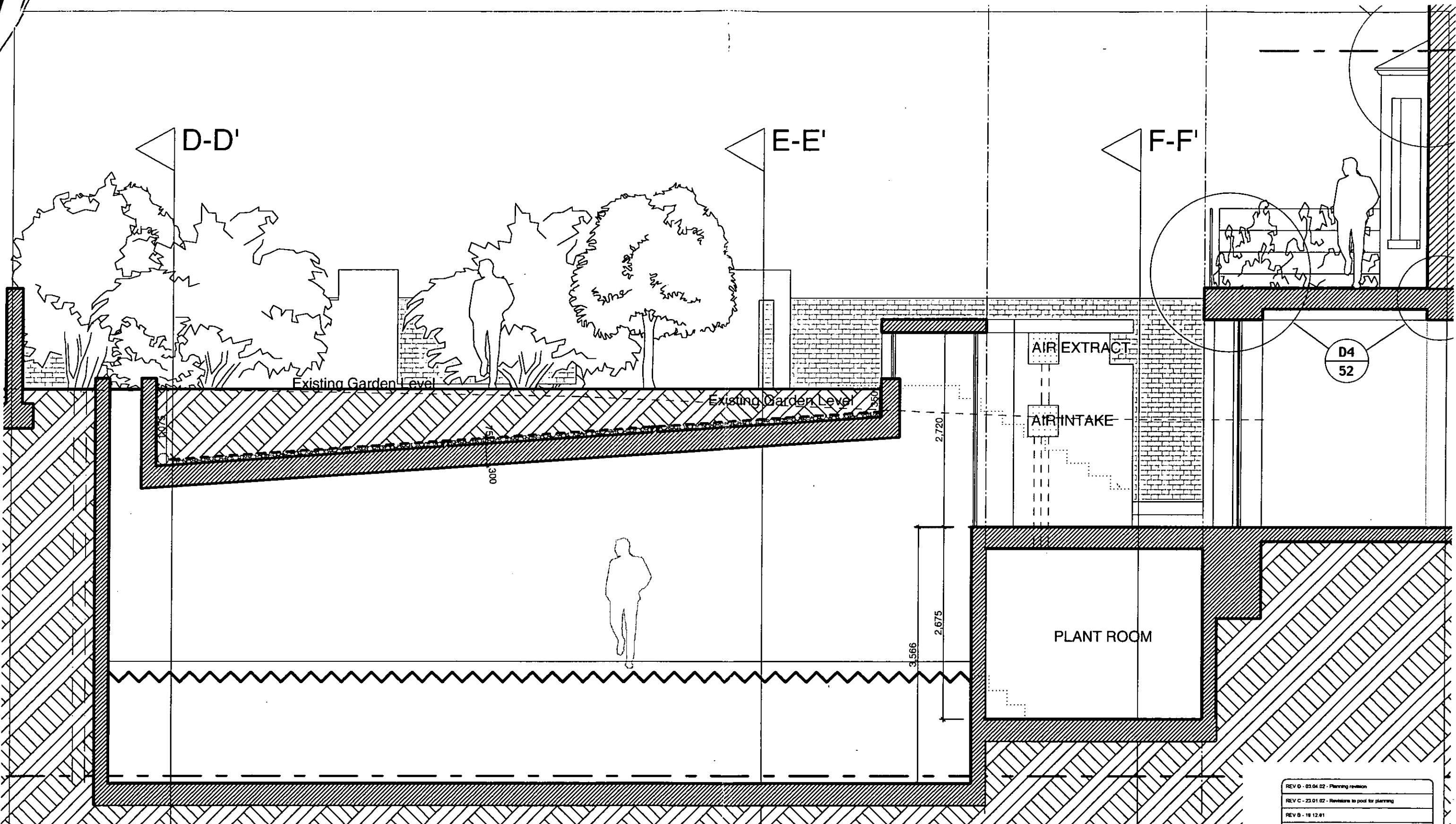
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22 APR 2002
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21 ELDON ROAD



SECTION C-C

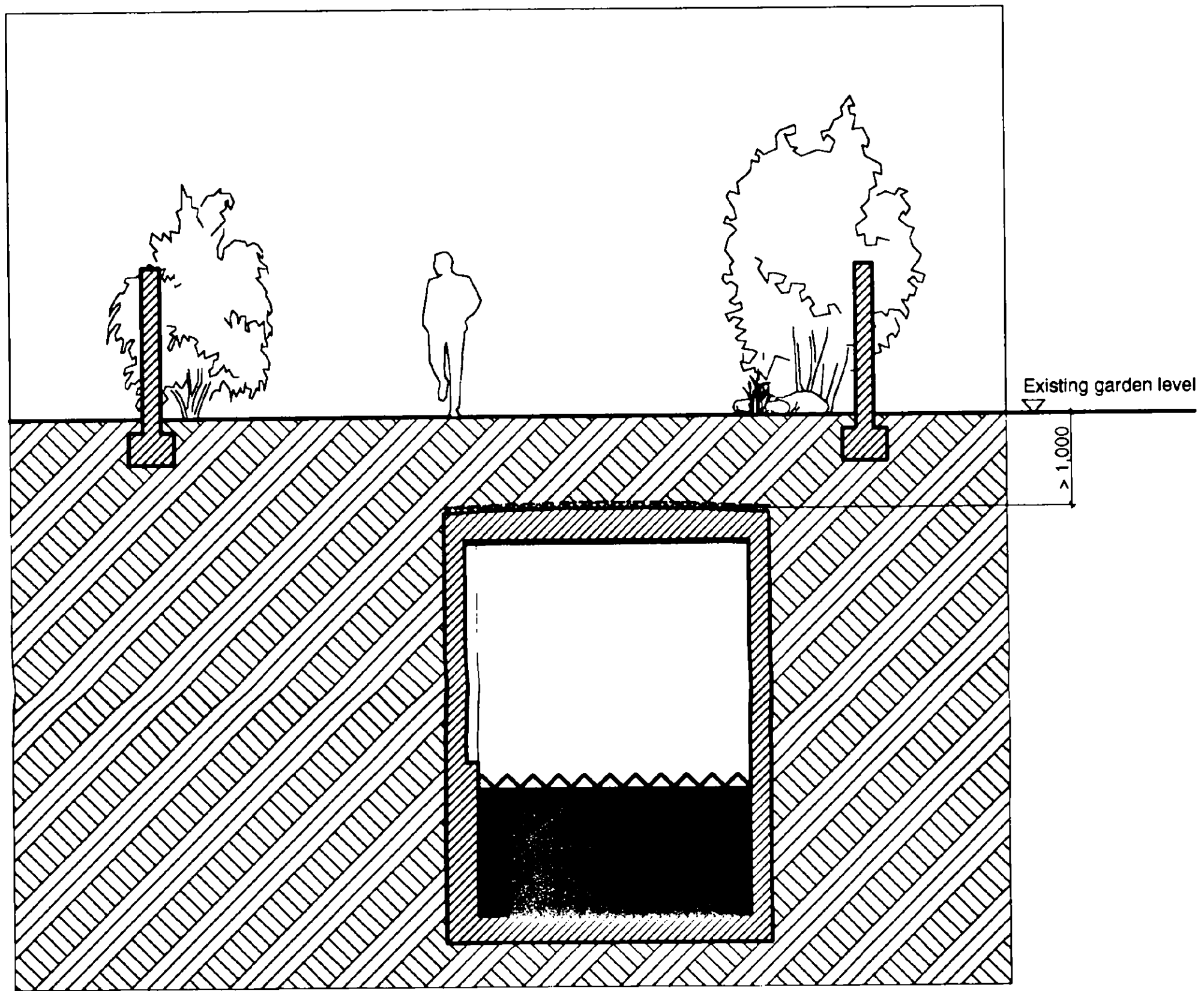
REV D - 03.04.02 - Planning revision
REV C - 23.01.02 - Revisions to pool for planning
REV B - 19.12.01
REV A - 25.10.01 - GARDEN PLANNING REVISION
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

PP/01/1529/B

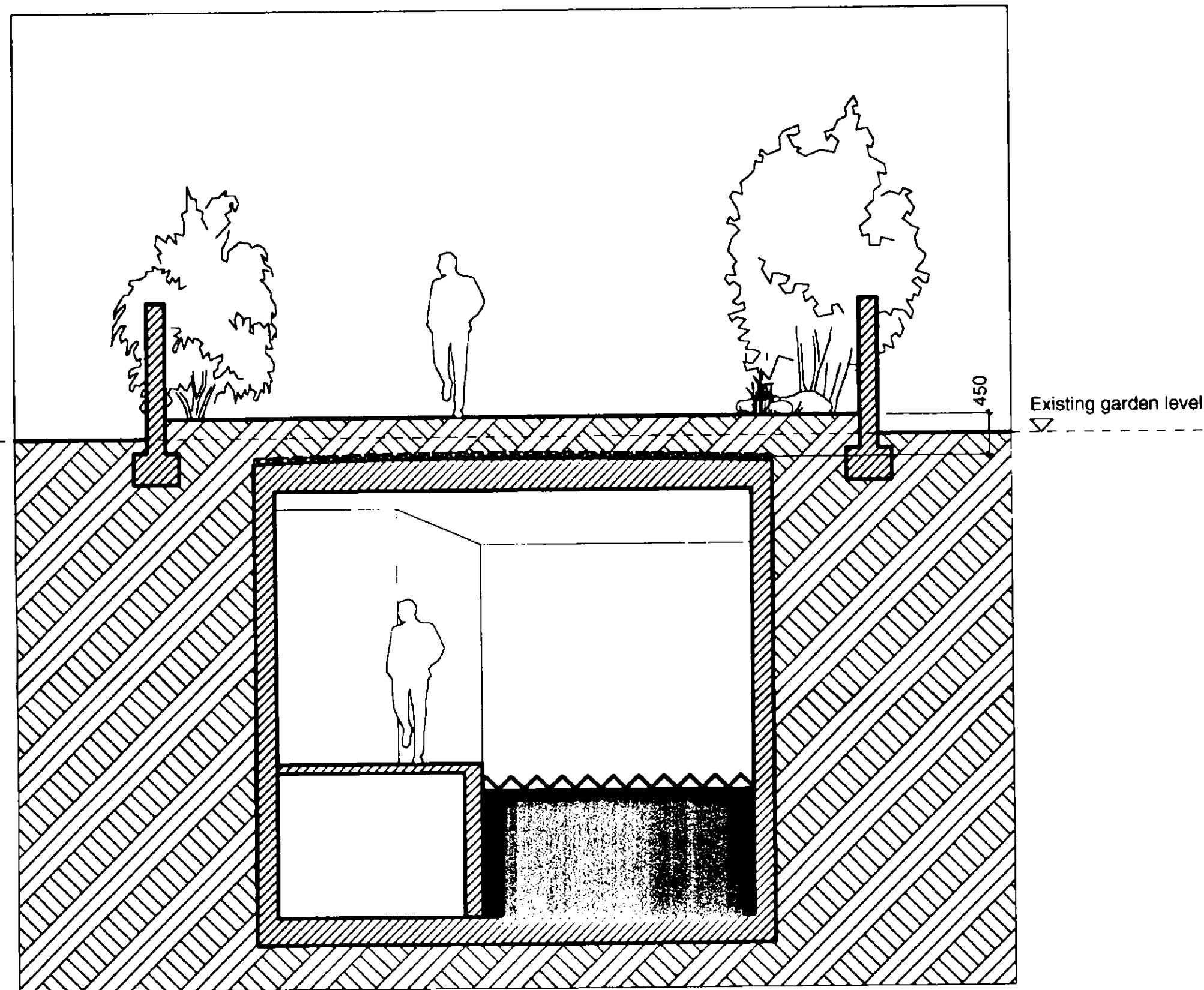
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Granit Chartered Architects	
112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 6QL T 020 7524 4555 F 020 7524 5666	
01/15/04(24)	21 Eldon Road, Kensington,
1:50 @ A3	London, W8 5PT
MAY 01	Proposed Plans
AH	Section C-C

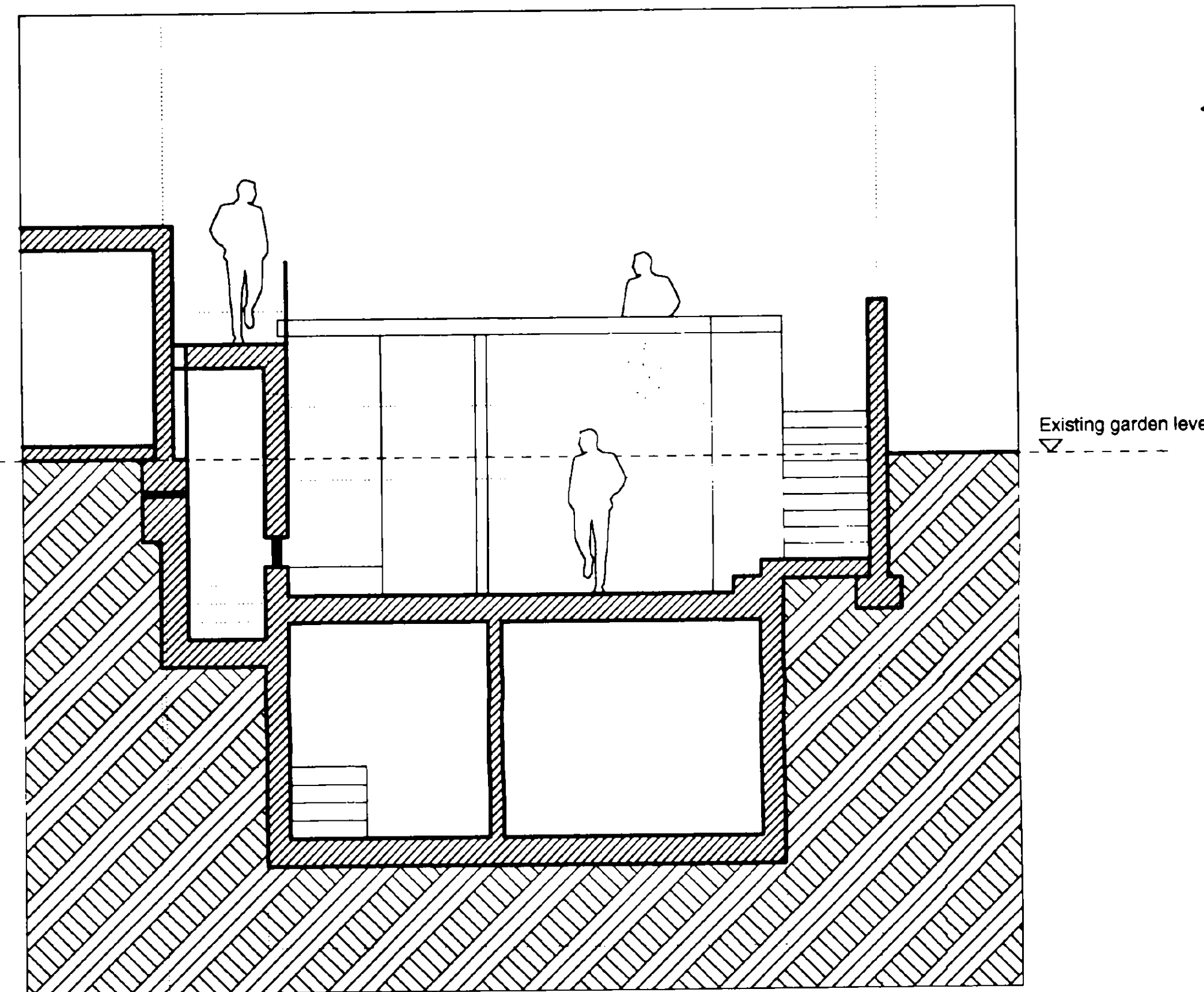
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SECTION D-D



SECTION E-E'



SECTION F-F'

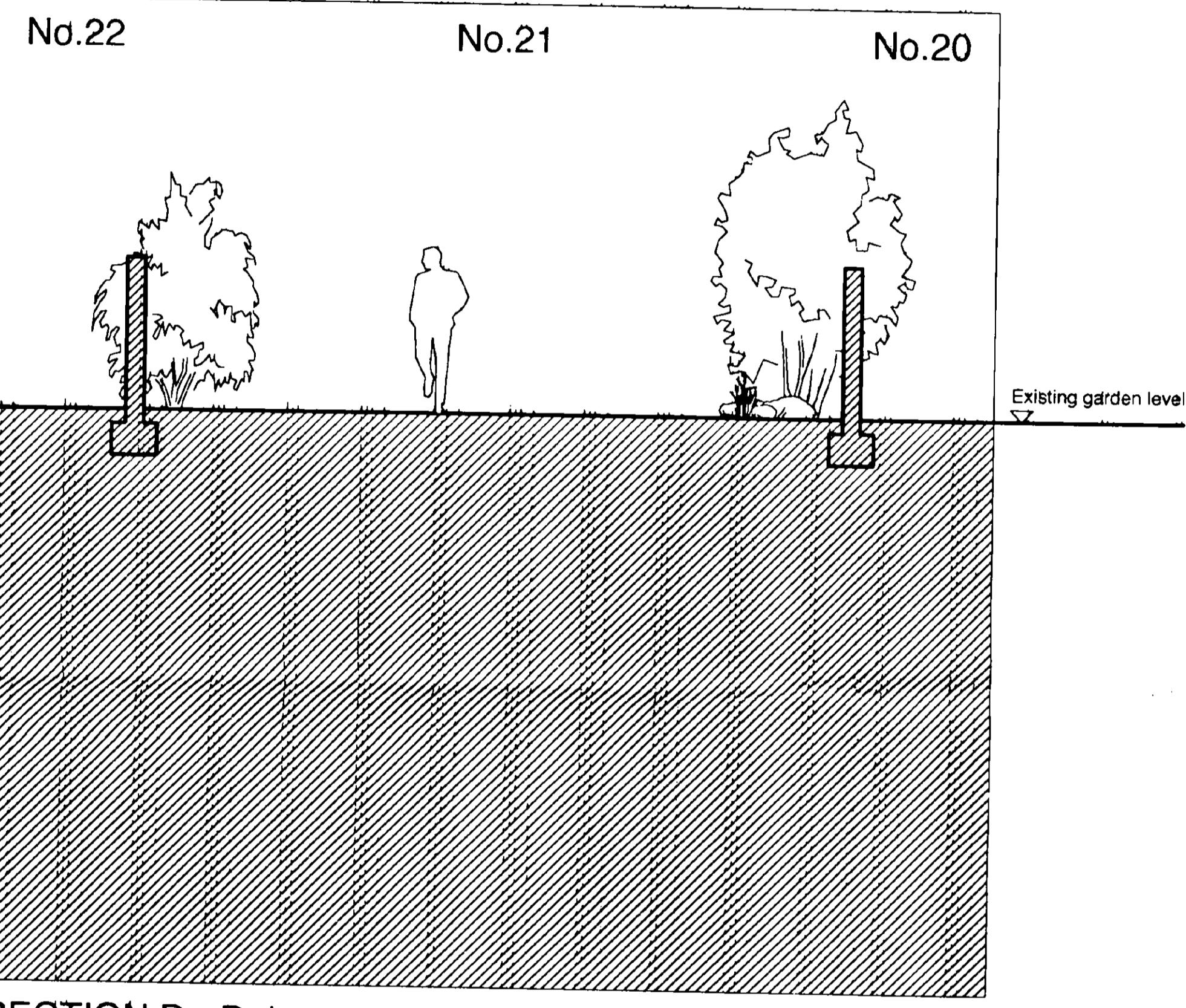
Note: All dimensions to be checked on site, any discrepancies to be raised with Architect

REV A - 03 04 02 - Planning revision
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

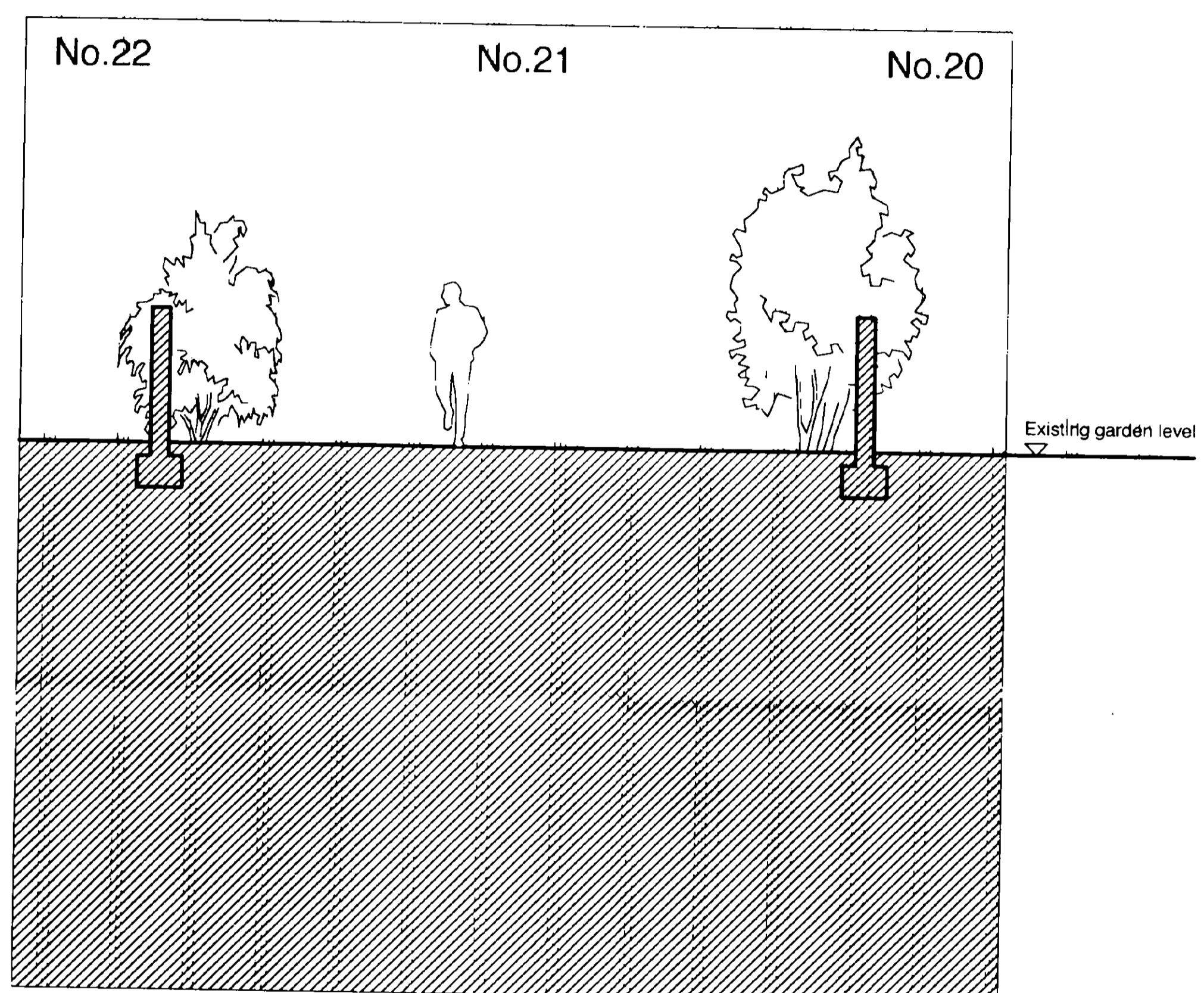
Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL LONDON SW11 5QL
 T 020 7924 4555 F 020 7924 5666

01 15 L (27)	21 Eldon Road Kensington
1:50 @ A1	London W8 5P
JAN 02	Proposed Sections
AN	Section D, E & F

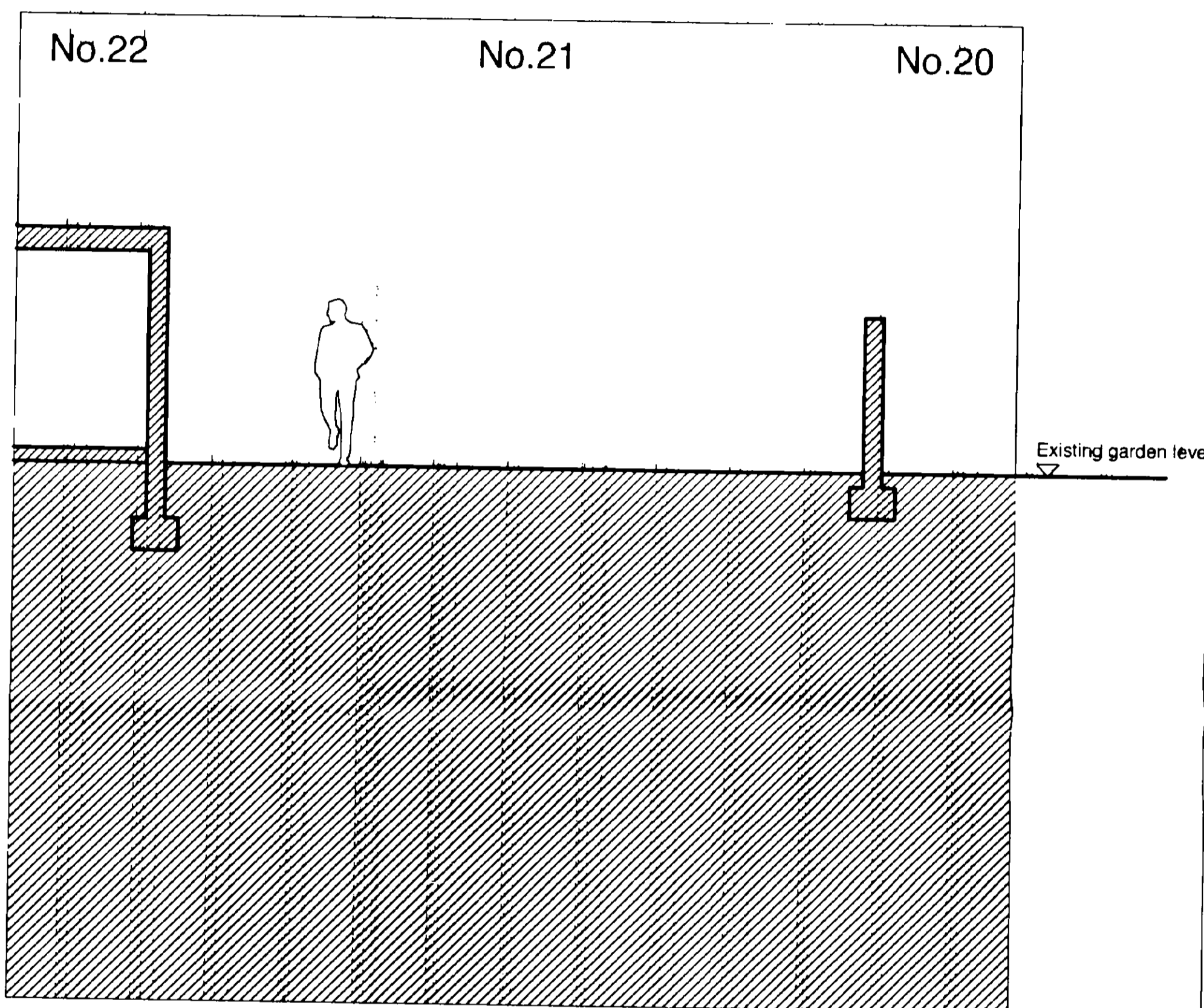
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SECTION De-De'



SECTION Ee-Ee'



SECTION Fe-Fe'

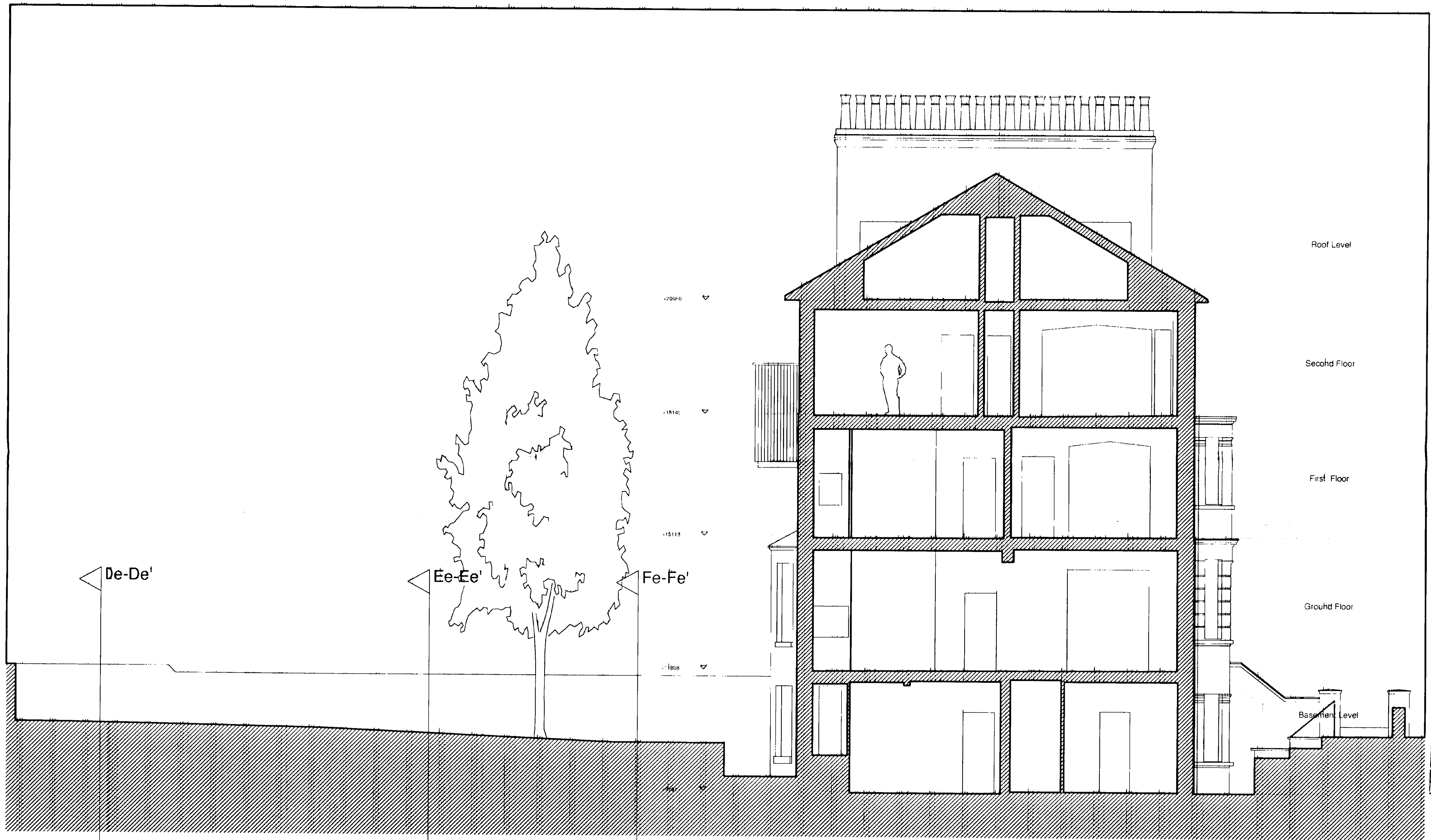
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Note: All dimensions to be checked on site, any discrepancies to be raised with Architect

NOTES DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE

Grant Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON SW11 5CL
 T 020 7924 4555 F 020 7924 5066

Client	21 Elton Road, Kensington
1:50 @ A1	London, W8 5PT
JAN 02	Existing Sections
AH	Existing sections D E & F



EX DIR	HDC	TP	CAC	AD	CLU	AO
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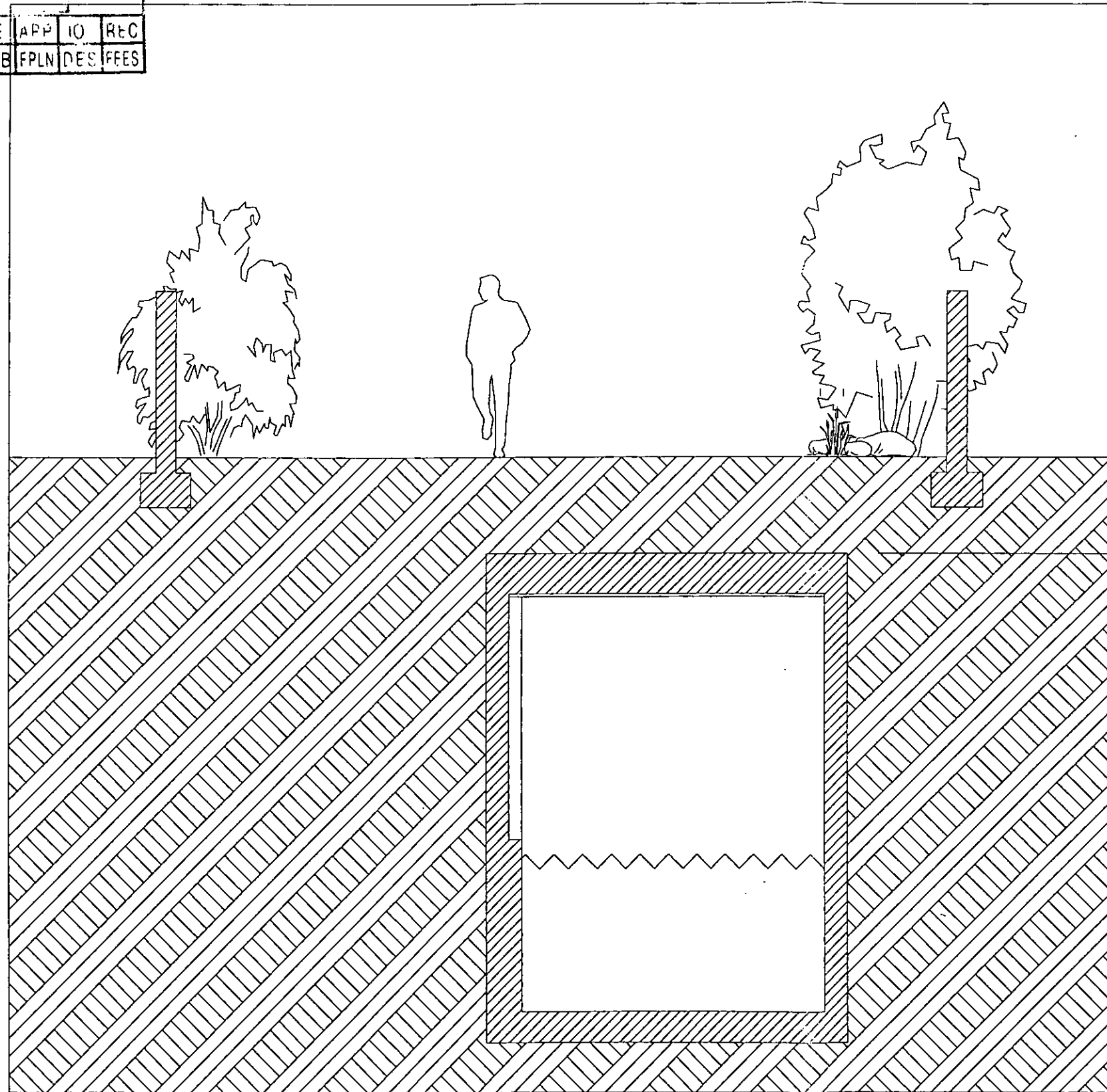
NOTES DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Grant Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4595 F 020 7924 5666

D1:5 (23)	21 Eidon Road, Kensington
SCALE 1:100	London, W8 5PT
MAY 01	Existing Plans
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PP/01/1529/A

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Existing garden level

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SUPERSEDED

SECTION D-D

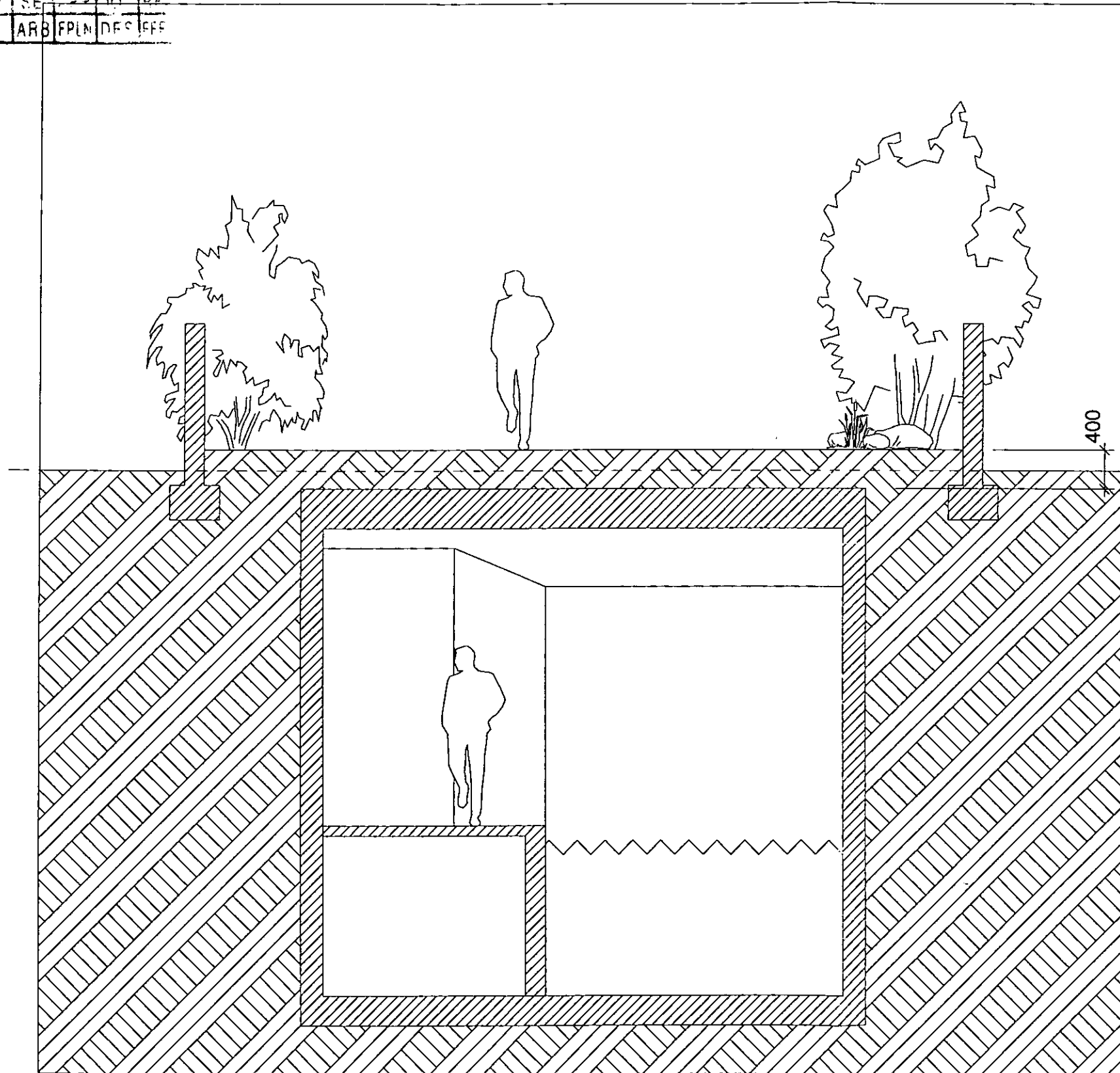
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7824 4555 F 020 7824 9088

01/15/02/16	21 Eldon Road, Kensington, London, W8 5P1
1:50 @ A1	Proposed Sections
JAN 02	Section D, E & F

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PP/01/1529/A



Existing garden level

400

SUPERSEDED

SECTION E-E'

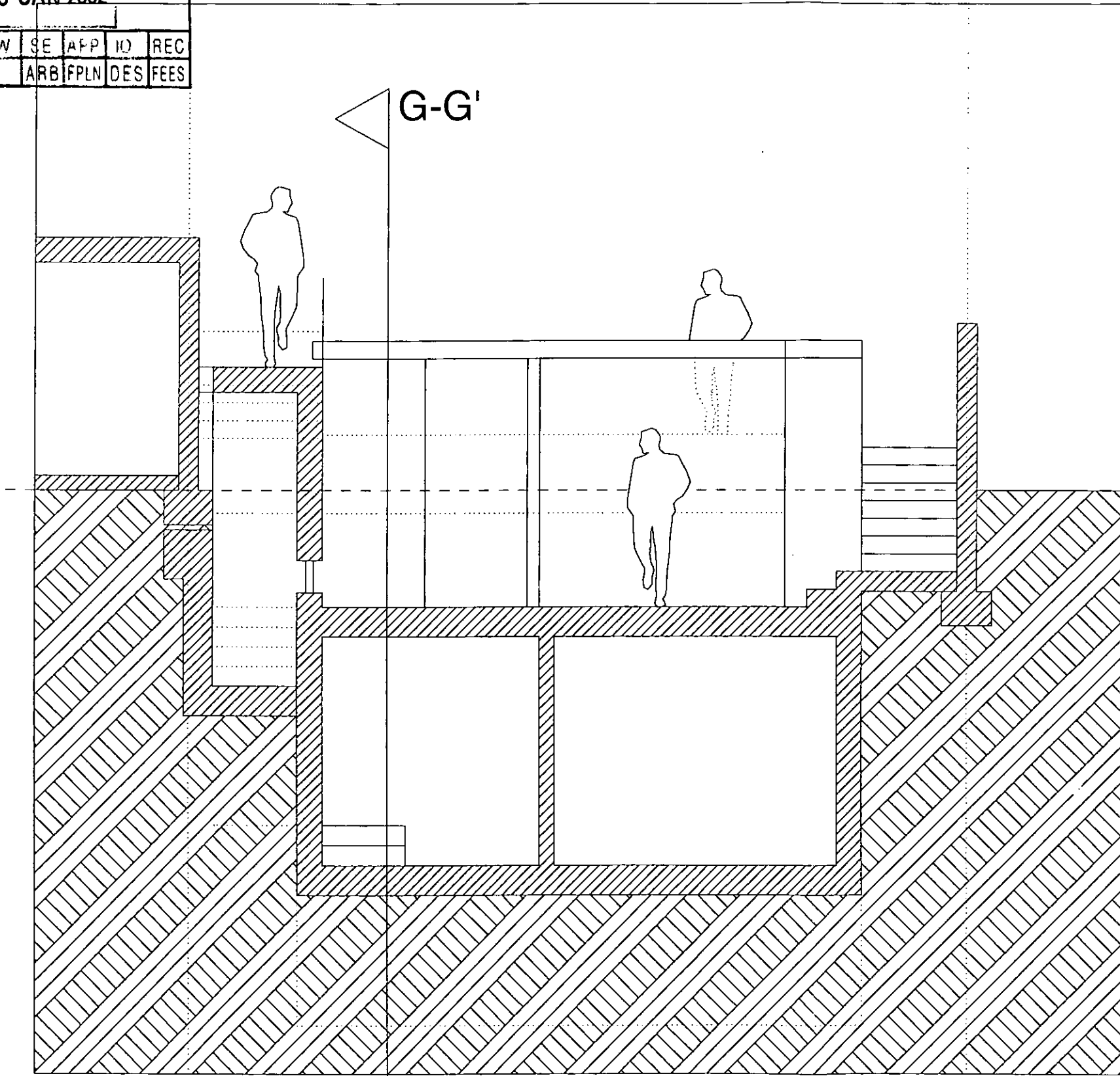
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555 . F 020 7924 5886

01/15A (27)	21 Elean Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F

PP/01/1529/A

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SECTION F-F'

Existing garden level

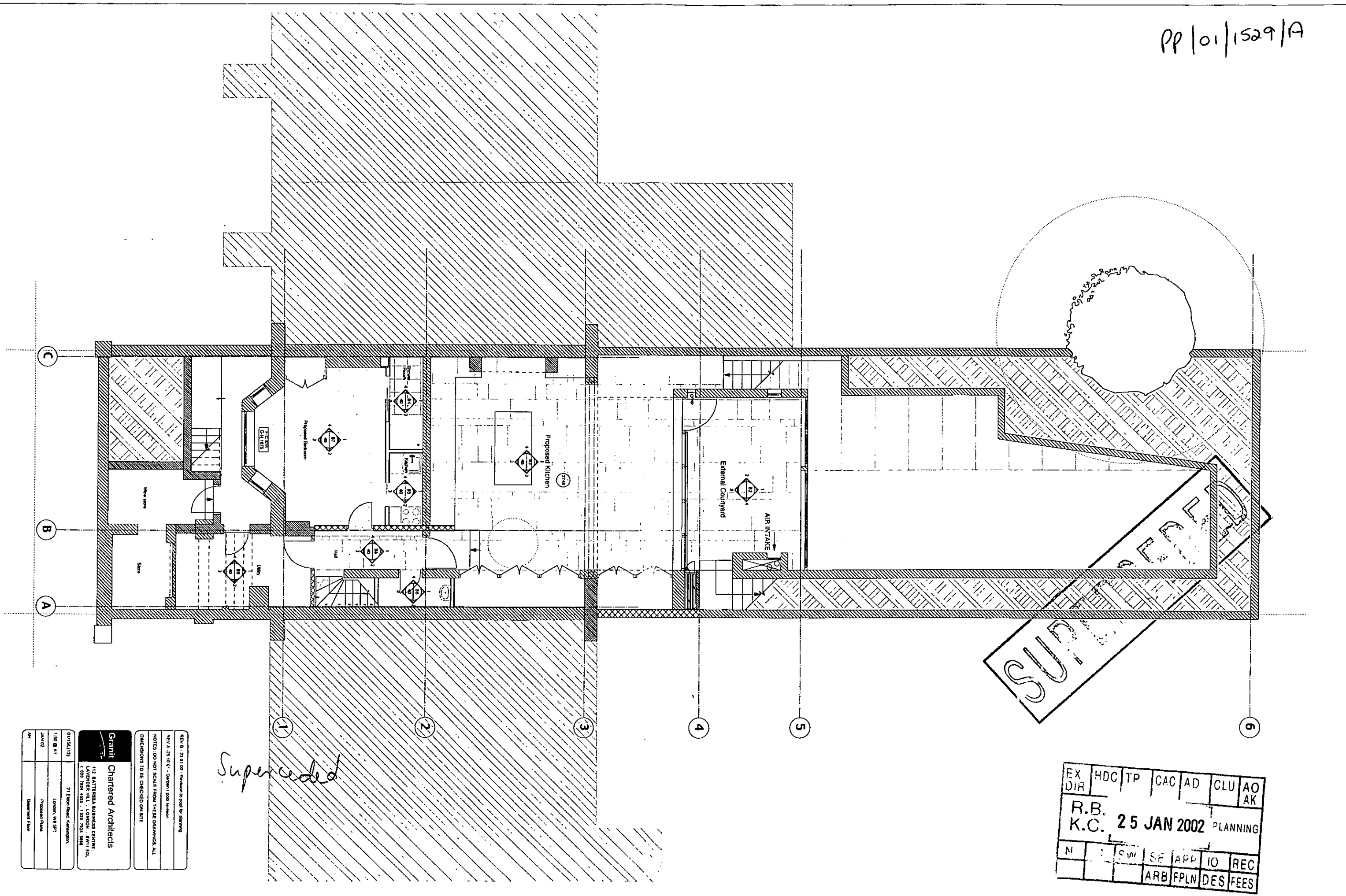
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NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4333 F 020 7924 9066

011154 (27)	21 Elton Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
A4	Section D, E & F

PP/01/1529/A



Superseded

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B. K.C. 25 JAN 2002						PLANNING	
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REV B - 23 01 02 - Revision to pool for planning
 REV A - 25 10 01 - Garden / pool revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

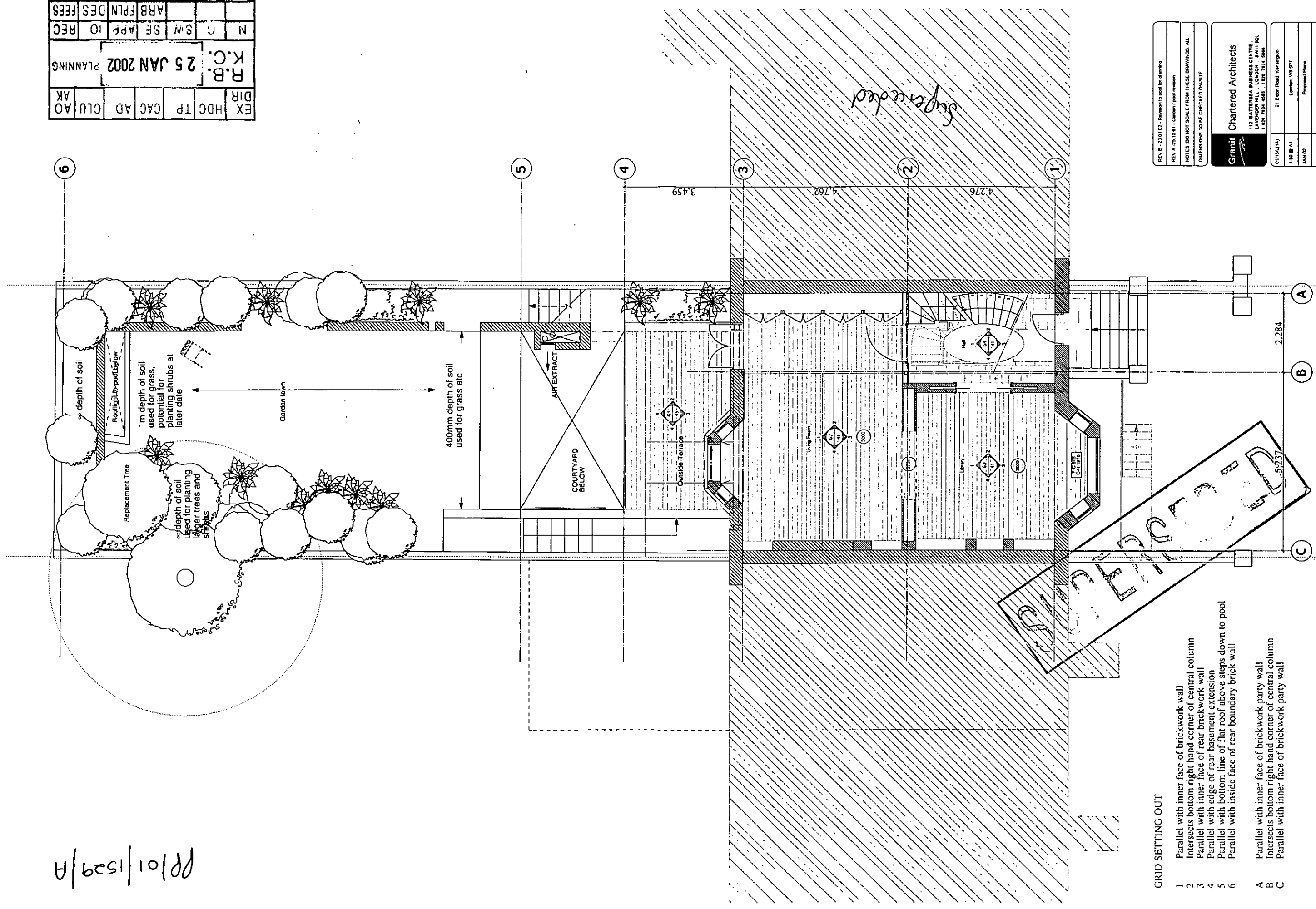
Grant Chartered Architects
 113 BATHURST BUSINESS CENTRE
 LAVENDER HILL, LONDON - SW11 6DL
 T 020 7524 4855 - F 020 7524 5885

21 Eldon Road, Kensington
 London W8 9P1
 Proposed Plans
 Basement Floor

01754113
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PP101/1529/A

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APP	APP	APP	APP	APP	APP	APP	APP
ARB	ARB	ARB	ARB	ARB	ARB	ARB	ARB



GRID SETTING OUT

- 1 Parallel with inner face of brickwork wall
 - 2 Intersects bottom right hand corner of central column
 - 3 Parallel with inner face of rear brickwork wall
 - 4 Parallel with edge of rear basement extension
 - 5 Parallel with bottom line of flat roof above steps down to pool
 - 6 Parallel with inside face of rear boundary brick wall
- A Parallel with inner face of brickwork party wall
 - B Intersects bottom right hand corner of central column
 - C Parallel with inner face of brickwork party wall

REV B - 23.01.02 - Revision to pool for planning
 REV A - 23.10.01 - Garden / pool revision
 NOTES DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 117 BATTERSEA BUSINESS CENTRE,
 LONDON W8 7SL
 1, 2 & 3 FLS. TEL: 020 7474 1888

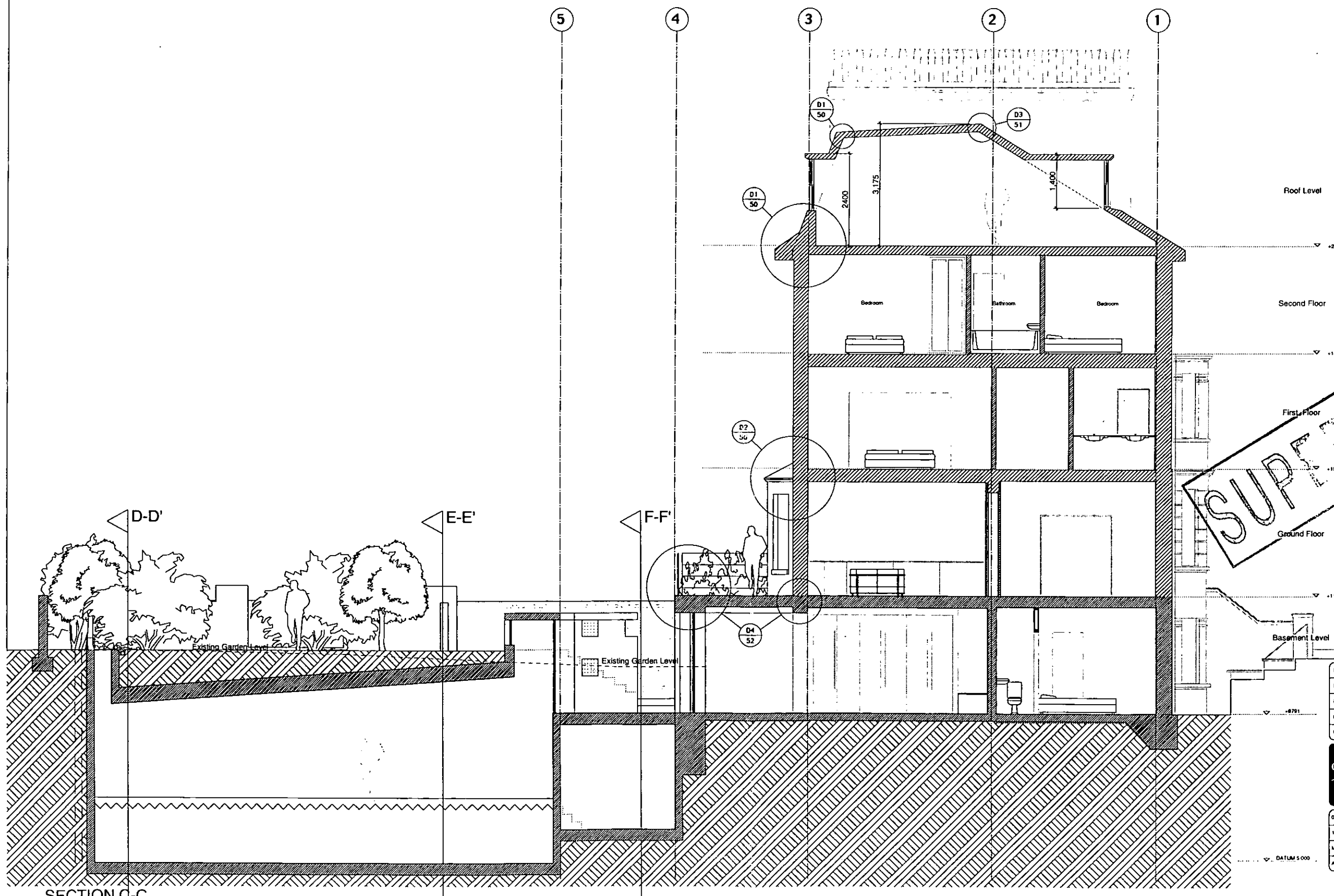
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 1:50 @ A1
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 Proposed Plans
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SUPERSEDED

superceded

REV C - 23 01 02 - Revisions to pool for planning
 REV B - 18 12 01
 REV A - 25 10 01 - GARDEN PLANNING REVISION
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7824 4333, F 020 7824 5688

01/15/04	21 Elton Road, Kensington,
1:50 @ A1	London, W8 5PT
MAY 01	Proposed Plans
AH	Section C-C

SECTION C-C

DATUM 5 000

INFORMATION REQUEST FORM

Planning Services to Environmental Health

To: ^{Ian Hooper} Paul Morse - Director of Environmental Health

Planning Reference No.: PP1011529

Planning Case Officer: Nicola Cowley

Address/Issue: 31 JAN 2002
21 Eldon Road
ENVIRONMENTAL HEALTH
H.B.K. & C.

Summary of Proposal:
Policy Issue/Subject of Advice

(key Features)(Uses,Scale etc.)(Main Issues/Problems).

Rear extension & underground swimming pool

Schedule of Attachments:	Schedule of Key Dates:
Specifications: <input type="text"/>	1. Case initiated/Application received: <input type="text"/>
Drawings: <input type="text"/>	4. Information required by: 1 4 0 2 0 2
Supporting Info: <input type="text"/>	2. Sent by Planning Services: 3 0 0 1 0 2
Draft Text etc: <input type="text"/>	5. Returned by Environmental Health: <input type="text"/>
	3. Entered on EHIS: <input type="text"/>

Purpose/Status of Request:

<input checked="" type="checkbox"/> Planning Application	<input type="checkbox"/> Planning Appeal	<input type="checkbox"/> Planning Brief
<input type="checkbox"/> Planning Issues paper	<input type="checkbox"/> Planning Guidance	<input type="checkbox"/> UDP Consultation
<input type="checkbox"/> Impact Assessment	<input type="checkbox"/> General Advice	<input type="checkbox"/> Other

Nature of Request in brief:
Amended Plans have been received changing the location of the plant, and added air extract machinery. You have previously commented on this application, please let me know what you think of the amended plans.

Previous Planning History:
Have received about 5 objections from the adjoining properties relating to noise & odour.
Need for telephone discussion of background

Essentials of relevant UDP or other Policy:
Need for telephone discussion of background

Specific Issues for Environmental Health Comment

<input type="checkbox"/> Food	<input type="checkbox"/> Health and Safety	<input type="checkbox"/> HMO's	<input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> Noise and Nuisance	<input type="checkbox"/> Contaminated Land	<input type="checkbox"/> Air Quality	odour.

E.H. Response: (Continue on reverse if necessary) **EHIS Reference No.:** ~~7488961~~ 753401/02

E.H. Case officer(s) and telephone number(s):

TO ENVIRONMENTAL HEALTH TO PLANNING SERVICES TO ENVIRONMENTAL HEALTH TO PLANNING SERVICES TO...

Hooper, Ian: ES-EnvHlth

From: Hooper, Ian: ES-EnvHlth
Sent: 27 February 2002 16:00
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road

Nicola

I have now spoken with Bill Stephens of AIRO re the report. He admits that to comply with our criteria will be difficult but he is confident that there is space available for the extensive noise control works required I have advised that due to the complex nature of the job we will insert a further condition.

in addition to the following which I sent on 27/11/01 I would suggest we change con 1 for the following as indicated. Mr Stephens will speak with his client to ensure that his client is aware of the need for close attention and resources for this part of the works.

Nicola

I think I would raise objections if I lived next door!

There is no indication of the plant which is to be installed and I think if you are minded to grant permission we could do so on the basis of conditions to be discharged before the use commences, as follows:-

- 1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The use shall not commence until a fully detailed noise control specification together with manufacturers and builders drawings and consultants design report has been submitted to and agreed in writing by the LPA. The design report shall show how this condition will be met. Thereafter compliance monitoring shall be undertaken to ensure this condition has been discharged.*
- 2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.*
- 3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.*

Ian Hooper

Specialist Noise Officer

Hooper, Ian: ES-EnvHlth

From: Hooper, Ian: ES-EnvHlth
Sent: 27 February 2002 16:00
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road

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Ian Hooper

Specialist Noise Officer

RE: 21 ELDON.

112 BATTERSEA BUSINESS CENTRE · LAVENDER HILL ·
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co

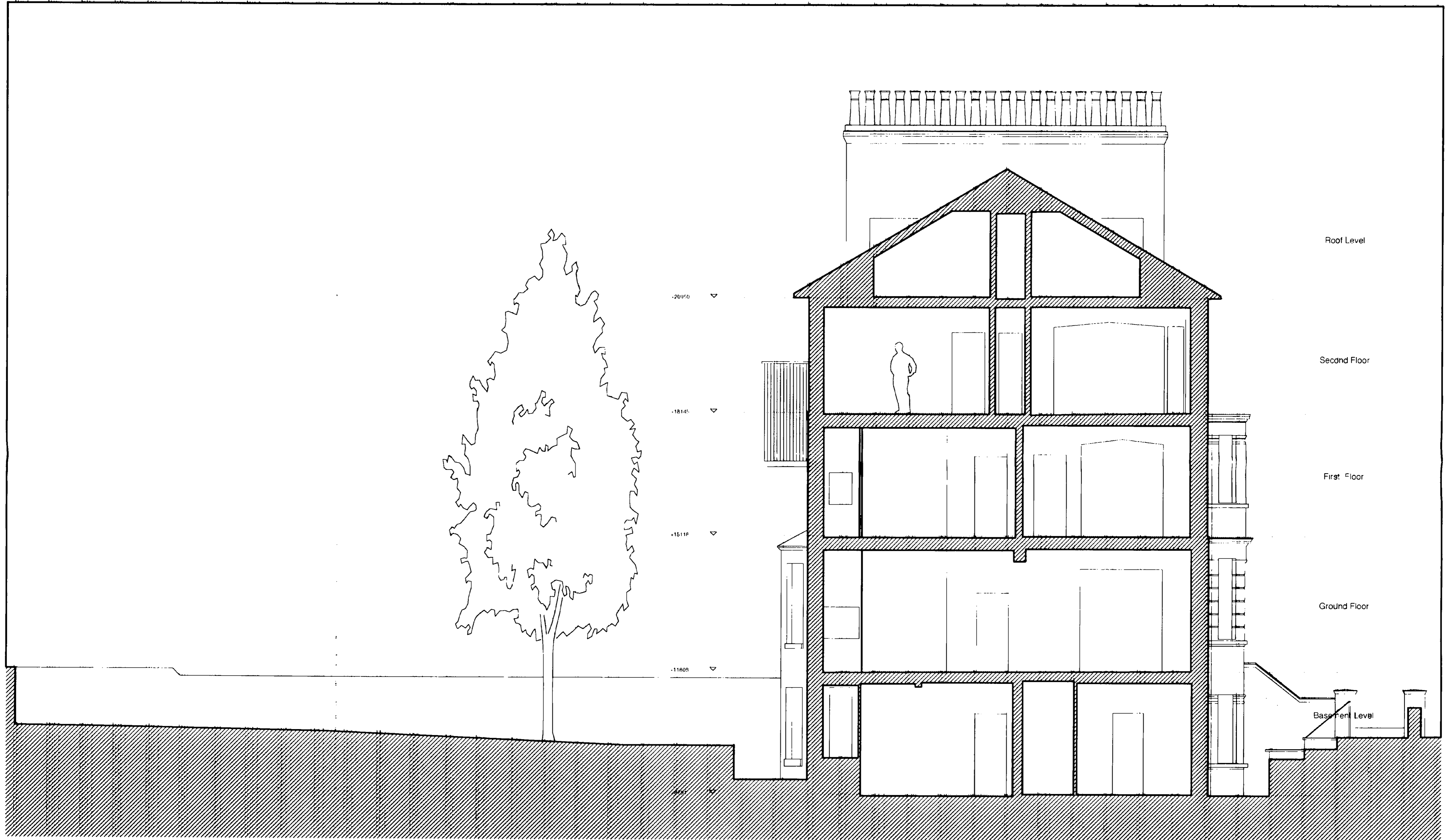
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R.B.	20 FEB 2002				PLANNING		
K.C.							
N	C	SW	SE	APP	IO	REC	
				ARB	FIN	DES	FEE

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18.02.02

Nicola,
I enclose ~~early~~ sections showing
the height of the neighbouring gardens
at 3 instances.

Alex.



Roof Level

Second Floor

First Floor

Ground Floor

Basement Level

-20950

-18140

-15110

-11800

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Grant Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL LONDON SW11 5QL
 T. 020 7324 4555 F. 020 7324 5666

07/154/23	21 Eton Road Kensington
SCA F 1/130	London W8 5PT
MAY 01	Living Plans
APL	Section C-C

EX-11	112 BATTERSEA BUSINESS CENTRE	112 BATTERSEA BUSINESS CENTRE	112 BATTERSEA BUSINESS CENTRE	112 BATTERSEA BUSINESS CENTRE
Dih	R.B.	K.C.	4 FEB 2002	PLANNING
N	C	SW	SE	APP
				REC
				ARB/PLN/DES/FEE/S



NO. 22

NO. 21

NO. 20

A

B

C

Parapet wall to be raised
Existing roof to be extended across to party wall status to match existing

Masonry roof

Existing window to have original fenestration to match opposite

Adjacent property terrace

Elevations of adjoining buildings indicative only

Elevations of adjoining buildings indicative only

PLANT ROOM

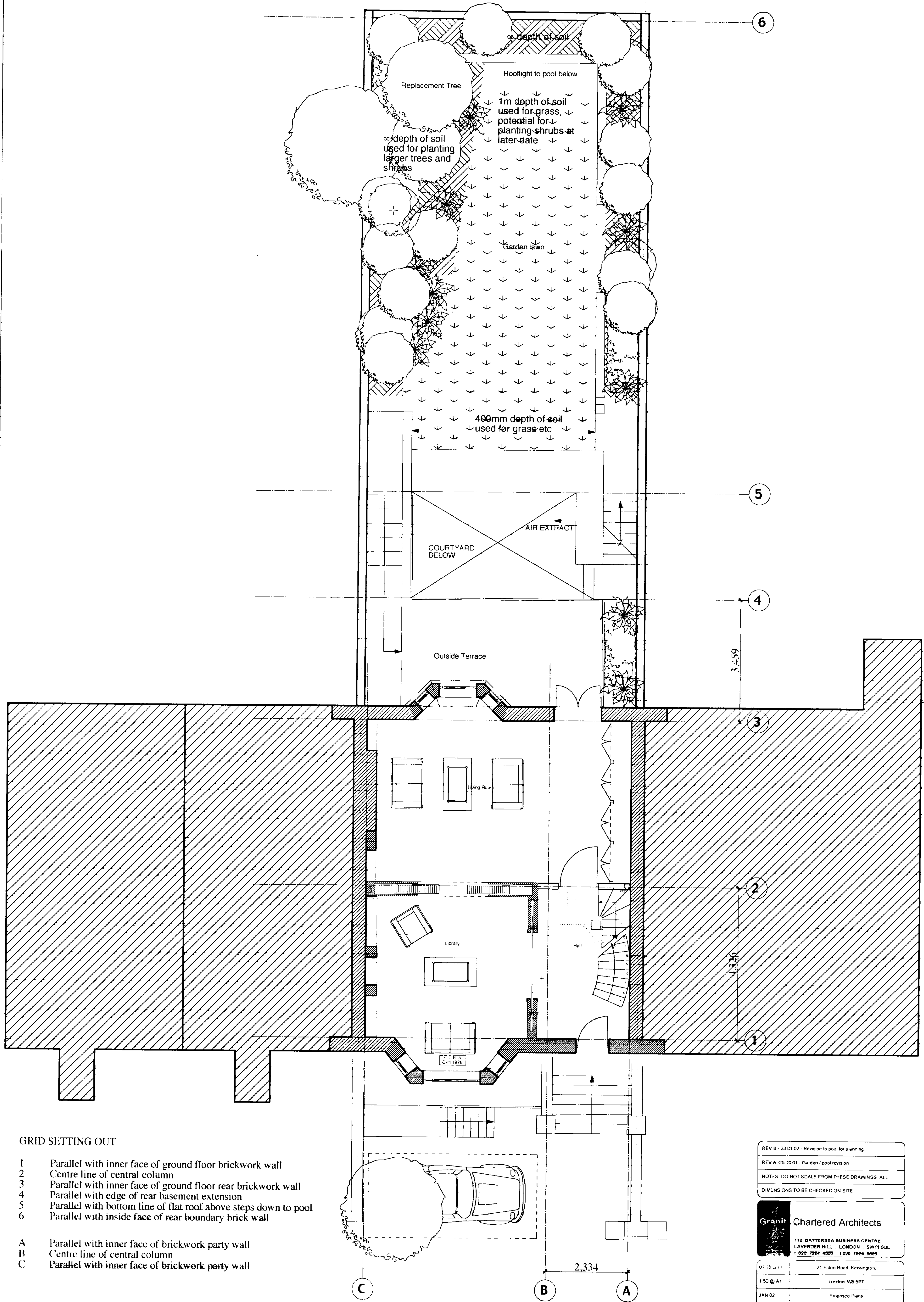
OUT
IN

REV A - 23 01 02 - Revisions to pool for planning
NOTES: DO NOT SCALE FROM THESE DRAWINGS ALL
DIMENSIONS TO BE CHECKED ON-SITE

Gränt Chartered Architects
112 BATTERSEA BUSINESS CENTRE
LAVENDER HILL, LONDON SW11 5QL
T 020 7924 4555 F 020 7924 5666

01 10/1/09	21 Eton Road, Kensington
1:50 @ A1	London, W8 5PT
MAY 01	Proposed Plans
AH	Rear Elevation

EX HUC IP 1301 AD REC AK
DIR
R.B. - 4 FEB 2007
K.C. - 15 FEB 2007
N.C. - 15 FEB 2007
L.C. - 15 FEB 2007
REC
L.C. - 15 FEB 2007

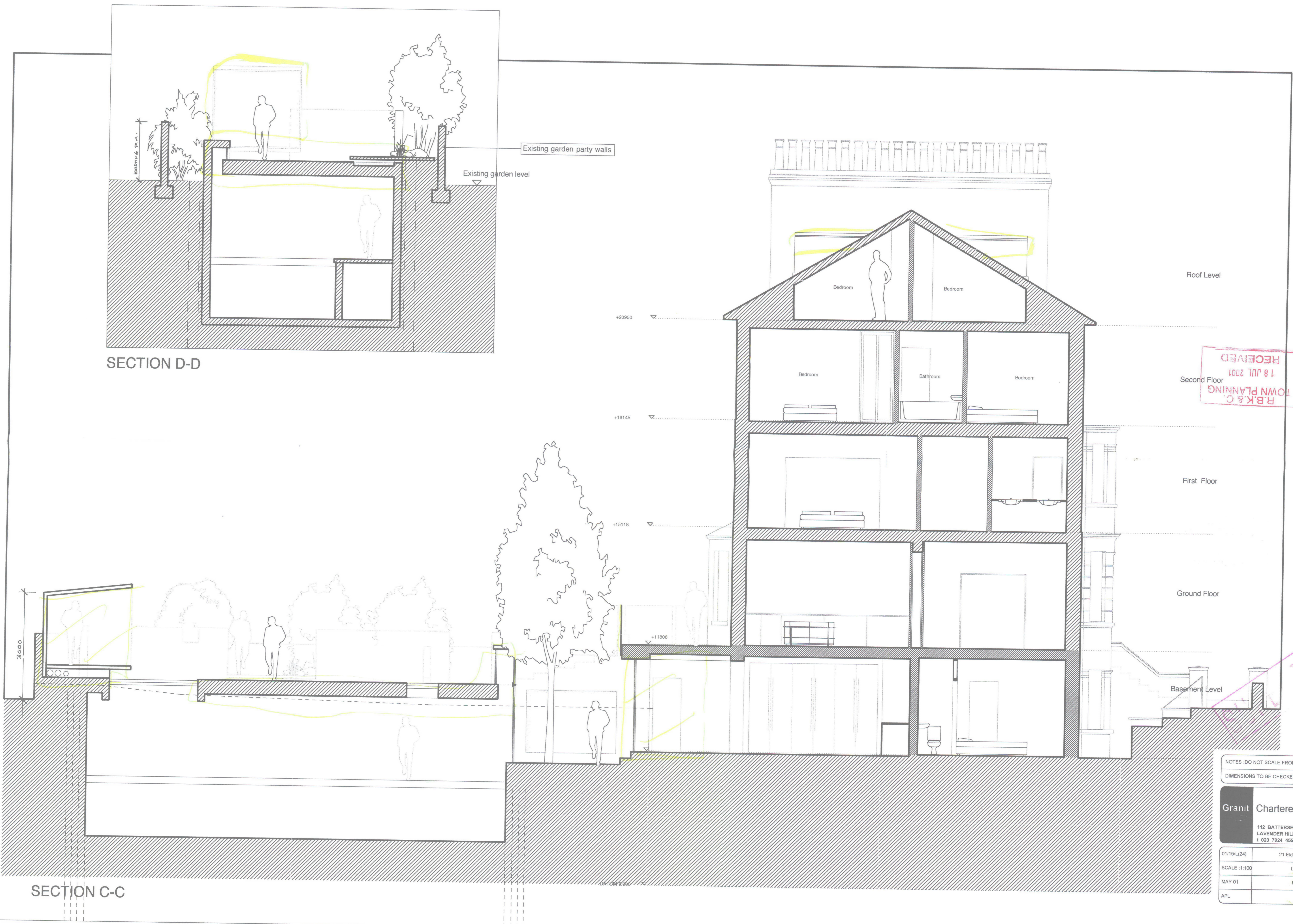


GRID SETTING OUT

- 1 Parallel with inner face of ground floor brickwork wall
 - 2 Centre line of central column
 - 3 Parallel with inner face of ground floor rear brickwork wall
 - 4 Parallel with edge of rear basement extension
 - 5 Parallel with bottom line of flat roof above steps down to pool
 - 6 Parallel with inside face of rear boundary brick wall
-
- A Parallel with inner face of brickwork party wall
 - B Centre line of central column
 - C Parallel with inner face of brickwork party wall

REV B - 23 01 02 - Revision to pool for planning
REV A - 25 10 01 - Garden / pool revision
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.
Granit Chartered Architects
112 BATTERSEA BUSINESS CENTRE LAVENDER HILL, LONDON SW11 5QL T 020 7994 4999 F 020 7994 5688
01 15 1114 21 Eidon Road, Kennington
1 50 @ A1 London W8 5PT
JAN 02 Proposed Plans
AH Ground Floor

R.B. - 4 FEB 2002
 K.C. - 10 DEC 2002
 N.C. - 10 DEC 2002
 J.A.O.



SECTION D-D

SECTION C-C

Roof Level

Second Floor

First Floor

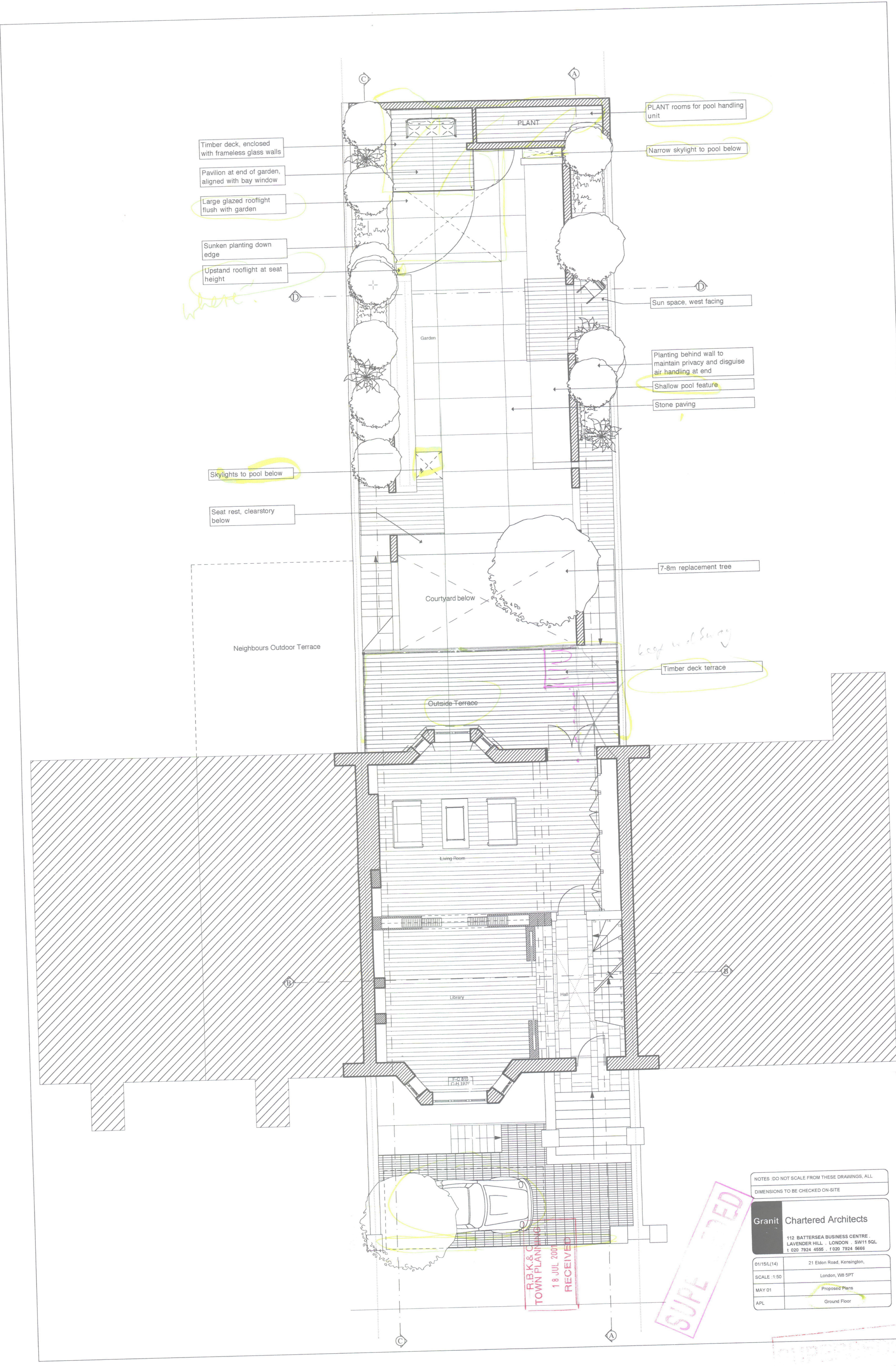
Ground Floor

Basement Level

RECEIVED
18 JUL 2001
TOWN PLANNING
R.B.K. & C.

NOTES: DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects	
112 BATTERSEA BUSINESS CENTRE LAVENDER HILL, LONDON - SW11 5QL T 020 7924 4999 F 020 7924 9666	
01/15/12/24	21 Elton Road, Kensington, London, W8 5PT
SCALE 1:100	Proposed Plans
MAY 01	Section C-C
APL	



Timber deck, enclosed with frameless glass walls
 Pavilion at end of garden, aligned with bay window
 Large glazed rooflight flush with garden
 Sunken planting down edge
 Upstand rooflight at seat height

PLANT rooms for pool handling unit
 Narrow skylight to pool below

Sun space, west facing

Planting behind wall to maintain privacy and disguise air handling at end
 Shallow pool feature
 Stone paving

Skylights to pool below
 Seat rest, clearstory below

7.8m replacement tree

Timber deck terrace

Outside Terrace

Living Room

Library

R.B.K. & CO. LTD.
 TOWN PLANNING
 18 JUL 2009
 RECEIVED

SUPERSEDED

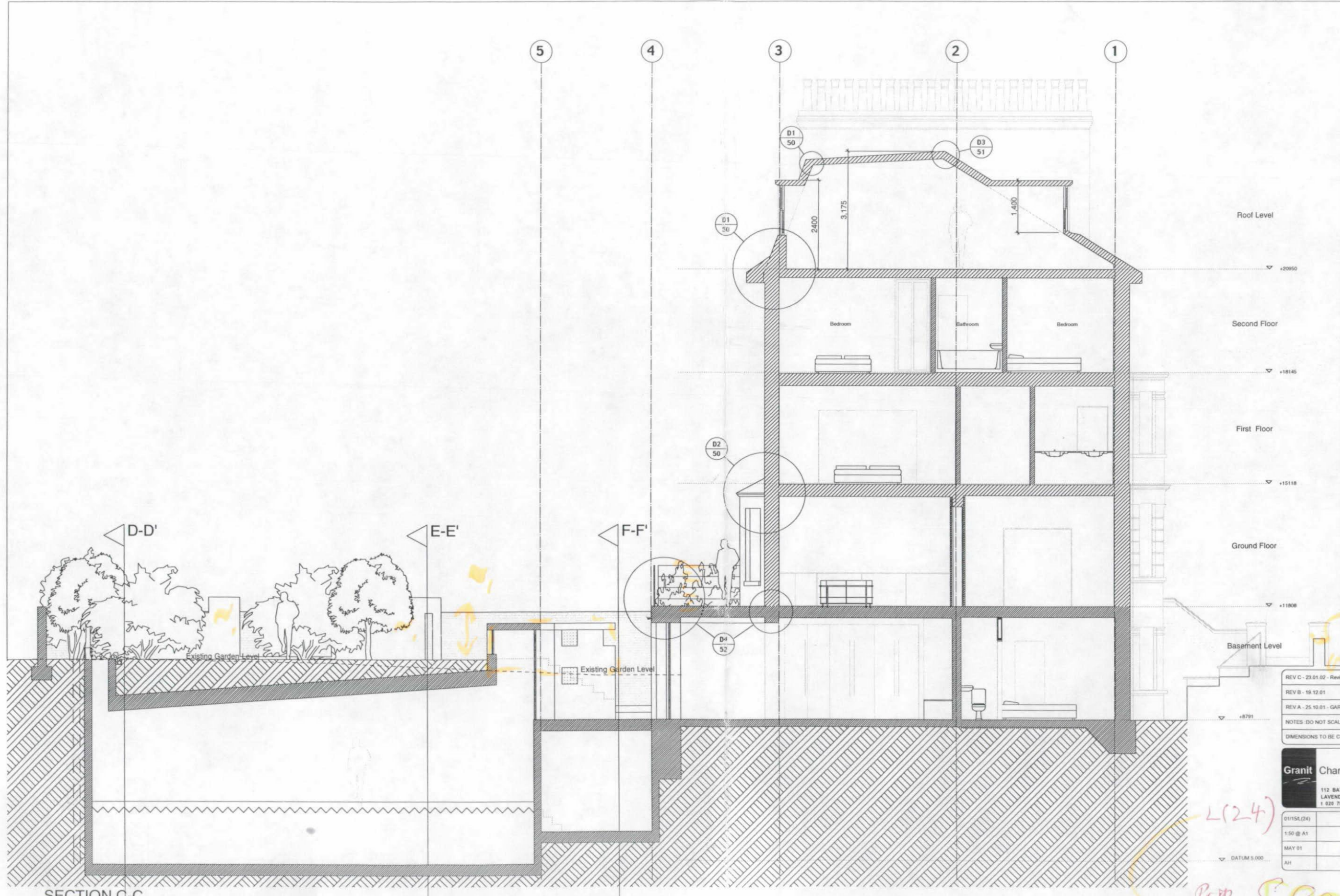
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5GL
 T 020 7224 4555 F 020 7224 9655

01/15/L(14)	21 Eton Road, Kensington,
SCALE: 1:50	London, W8 5PT
MAY 01	Proposed Plans
APL	Ground Floor

SUPERSEDED

Pp/01/1529/A



EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
N	G	SW	SE	APP	IO	REC	ARB/PLN/DES/FEE

R.B. 25 JAN 2002 PLANNING
K.C.

REV C - 23.01.02 - Revisions to pool for planning
 REV B - 18.12.01
 REV A - 25.10.01 - GARDEN PLANNING REVISION
 NOTES - DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON SW11 9QL
 T 020 7924 4555 F 020 7924 5566

01/15/02(24) 21 Eikon Road, Kensington,
 London, W8 5PT
 MAY 01 Proposed Plans
 AH Section C-C

L(24)

Prop. Sec C-C

SECTION C-C

PP/01/1529/A

D-D'

E-E'

F-F'

Existing Garden Level

Existing Garden Level

D4
52

SECTION C-C

REV C - 23.01.02 - Revisions to pool for planning
 REV B - 19.12.01
 REV A - 25.10.01 - GARDEN PLANNING REVISION
 NOTES: DO NOT SCALE FROM THESE DRAWINGS, ALL
 DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4555 F 020 7924 5666

01/15L(24) 21 Elston Road, Kensington,
 London, W8 5PT
 MAY 01 Proposed Plans
 AH Section C-C

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	K.C.	25 JAN 2002		PLANNING	L(24)	
N	G	SW	SE	APP	IO	REC
		ARR		FPL	DES	FEES

Prop. see C-C

R.B. K.C.
25 JAN 2002
PLANNING

EX	HDC	TP	CAC	AD	CLU	AK
DIR						
N	C	SM	SE	APP	IO	REC
ARB	FPLN	DES	FEE			



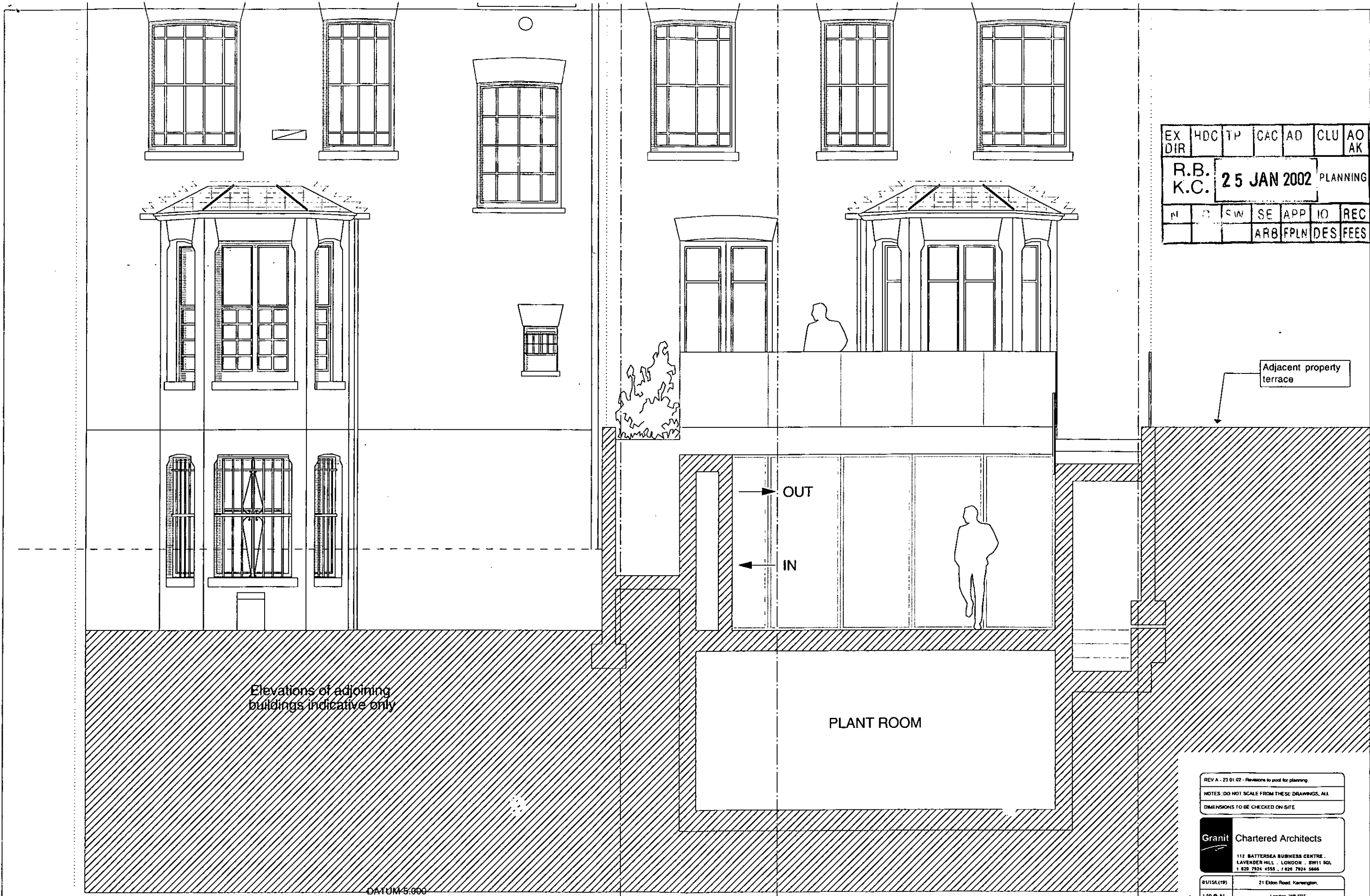
REV A - 23.01.02 - Revisions to post for planning
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Grant Chartered Architects
 115 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7294 4555 F 020 7294 5888

071704110	21 Egan Road, Kensington, London, W8 9PT
130 @ A1	London, W8 9PT
NAW 01	Proposed Plans
AM	Neil Ewaldson

R. Grant

PP/01/1529/A



EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C. 25 JAN 2002						PLANNING
N	S	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Adjacent property terrace

Elevations of adjoining buildings indicative only

OUT

IN

PLANT ROOM

DATUM 5.000

REV A - 23 01 02 - Revisions to pool for planning
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 113 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 820 7924 4355, F 820 7924 5666

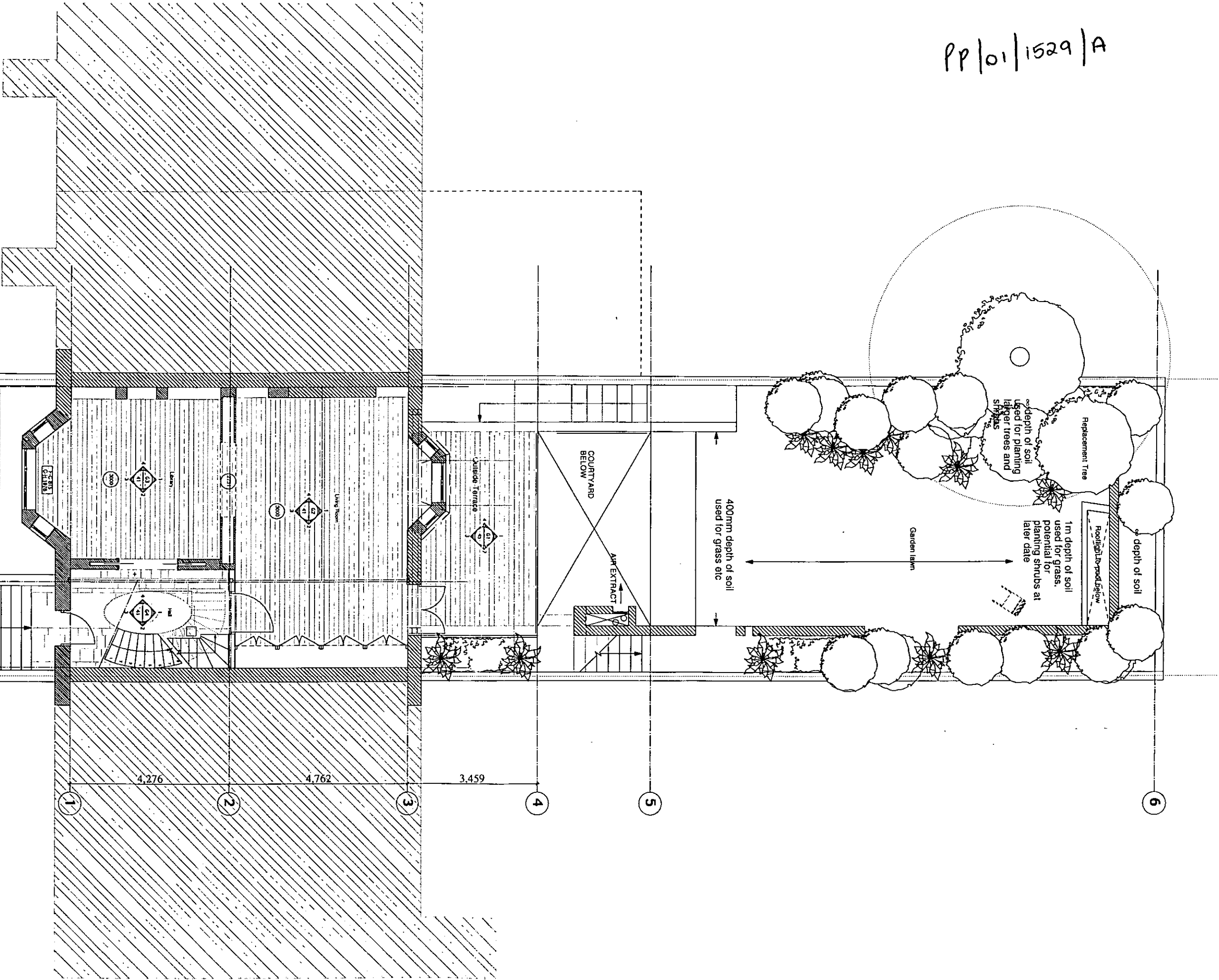
01/15/19	21 Eikon Road, Kewington,
1:50 @ A1	London, W8 5PT
MAY 01	Proposed Plans
AH	Rear Elevation

LC(19)

Prop. Rear el.

PP/01/1529/A

PP/01/1529/A



GRID SETTING OUT

- 1 Parallel with inner face of brickwork wall
- 2 Intersects bottom right hand corner of central column
- 3 Parallel with inner face of rear brickwork wall
- 4 Parallel with edge of rear basement extension
- 5 Parallel with bottom line of flat roof above steps down to pool
- 6 Parallel with inside face of rear boundary brick wall

- A Parallel with inner face of brickwork party wall
- B Intersects bottom right hand corner of central column
- C Parallel with inner face of brickwork party wall

EX	ND	TP	CAC	AD	OU	AO
DIM						AK

R.B. 25 JAN 2002 PLANNING
K.C.

N	C	SW	SE	APP	IO	REC
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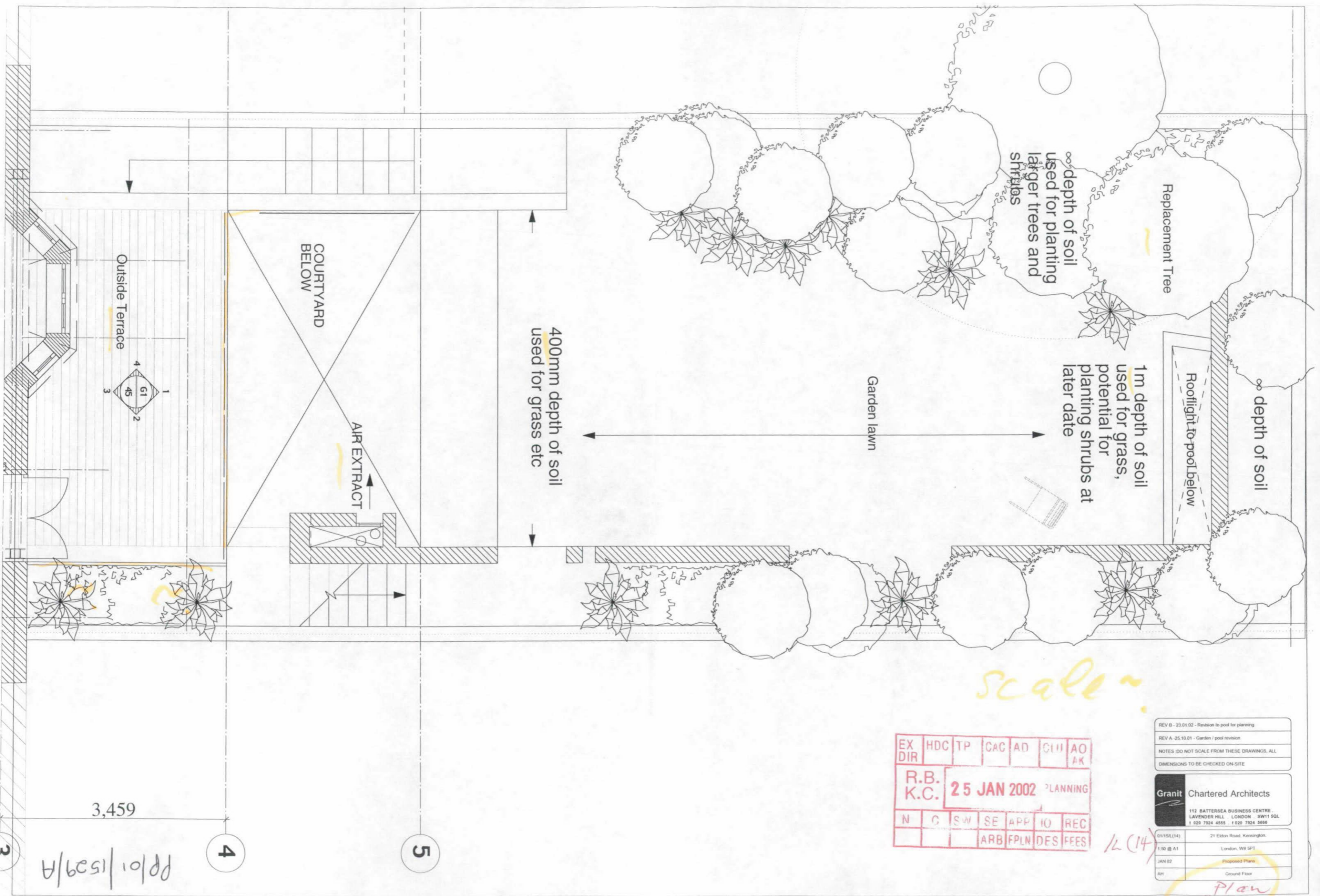
REV B - 23 01 02 - Revision to pool for planning
REV A - 25 01 01 - Garden / pool revision
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

L-014

Gravit

Gravit Chartered Architects
113 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON - SW11 1JL
T 020 7354 4383 . F 020 7354 5444

01116(L14)	21 Essex Road, Kensington,
1:50 @ A1	London, W8 5JT
JAN 02	Proposed Plans
AH	Ground Floor



scale ~

pp/01/1529/A

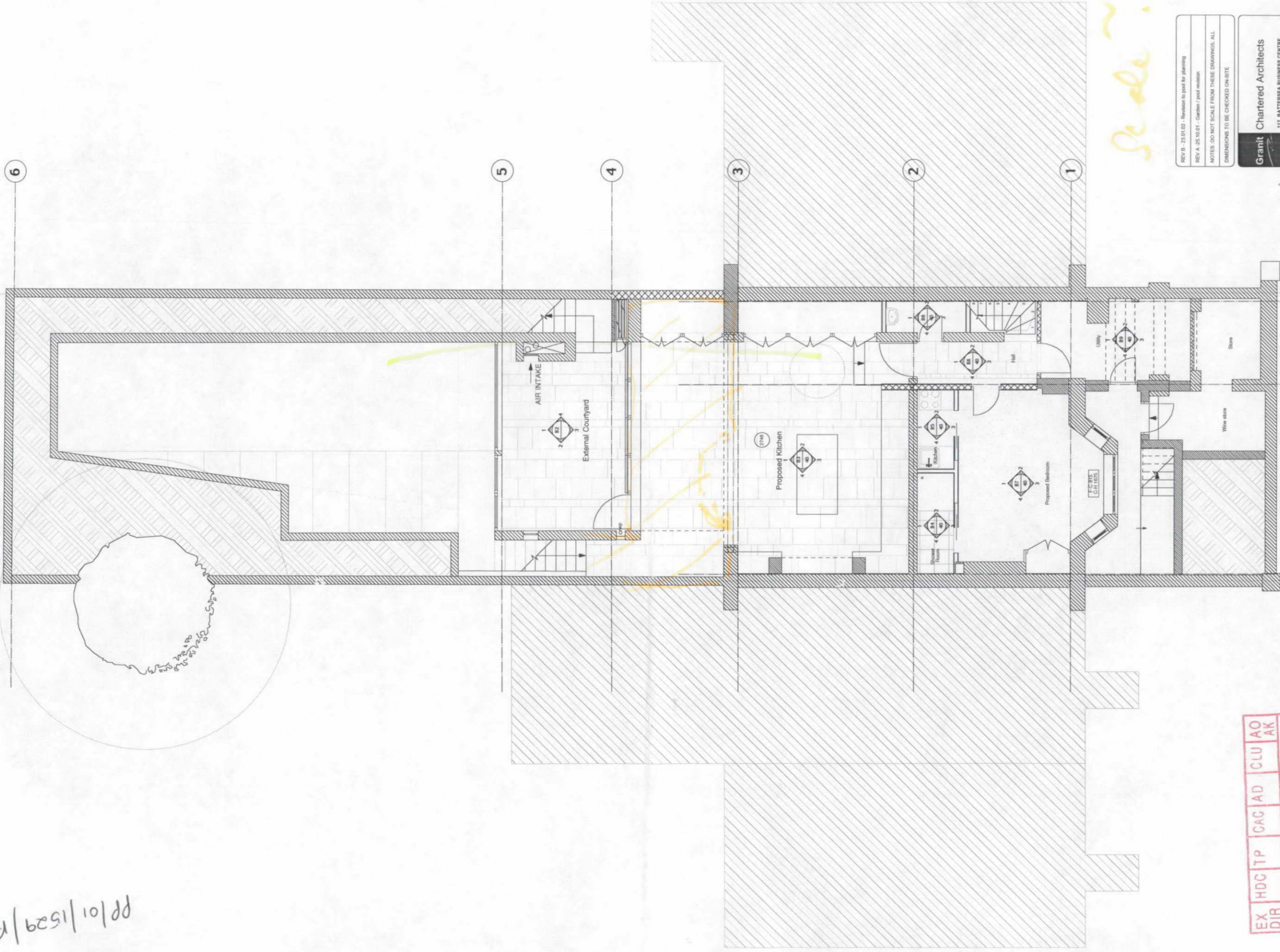
EX DIR	HDC	TP	CAG	AD	CIH	AO
						AK
R.B.		25 JAN 2002		PLANNING		
K.C.						
N	G	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEE

REV B - 23.01.02 - Revision to pool for planning
REV A - 25.10.01 - Garden / pool revision
NOTES DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE
Granit Chartered Architects
112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5QL T 020 7924 4555 F 020 7924 5666
GUTS(14) 21 Ekton Road, Kensington, London, W8 5PT
1:50 @ A1 Proposed Plans
JAN 02 Ground Floor

1/2 (14)

Plan Gnd

pp/01/1529/17



Scale ~

REV B - 23.01.02 - Revision to pool for planning
 REV A - 25.10.01 - Garden / pool revision
 NOTES: DO NOT SCALE FROM THESE DIMENSIONS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 115 BATTERSEA BUSINESS CENTRE,
 LAKEMORE HILL, LONDON SW8 5SL
 T 020 7254 4355 F 020 7254 8646

01/15/13
 1:50 @ A1
 JAN 02
 AH

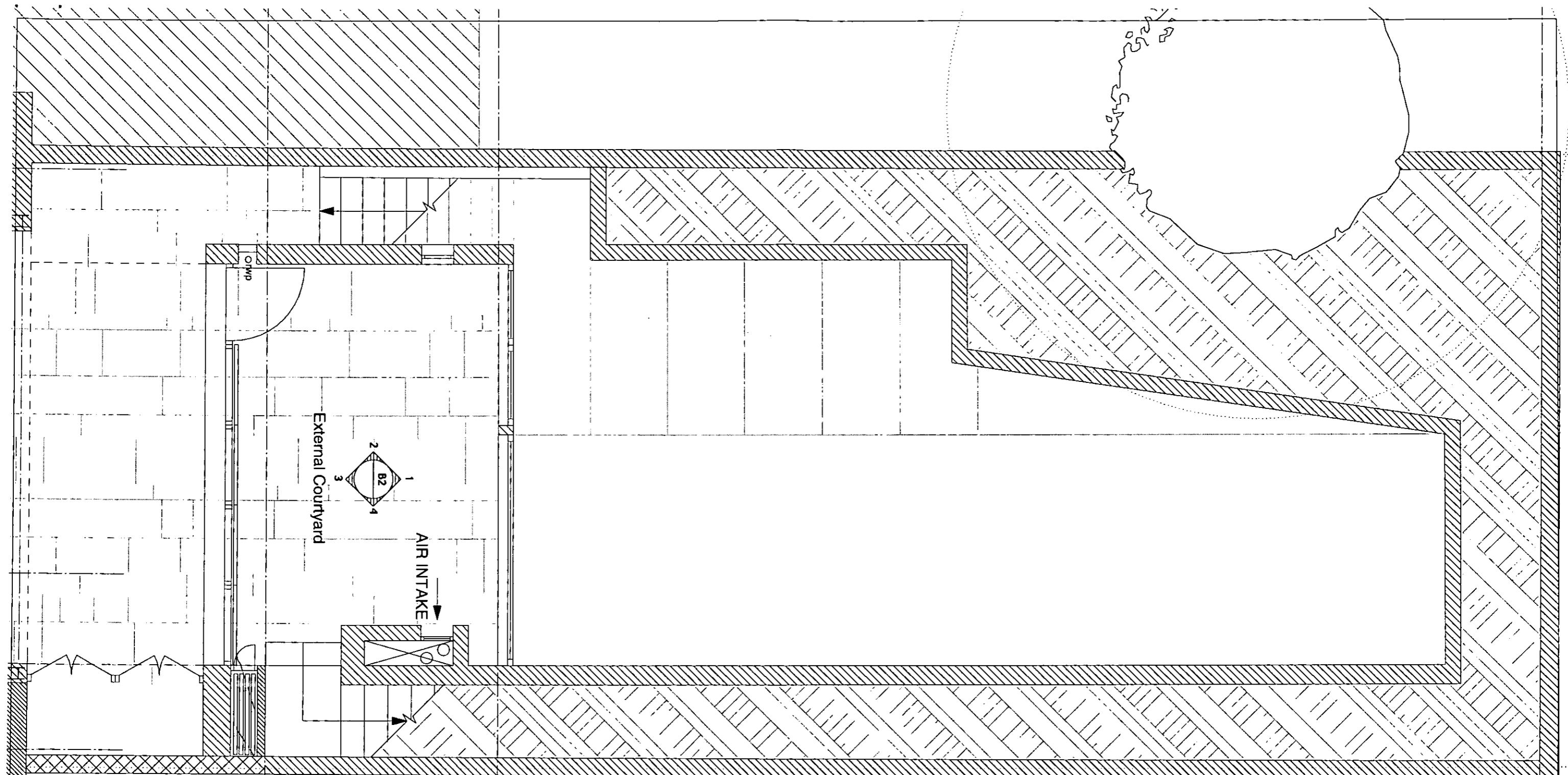
21 Eikon Road, Kennington,
 London, W8 5PT
 Proposed Plans
 Basement Floor

L (13)

Basement

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B.	K.C.	25 JAN 2002			PLANNING		
N	G	S/W	SE	APP	IO	REC	
			ARB	FPLN	DES	FEE	

UNIVERSITY OF SHEFFIELD



pp/01/1529/19

4

5

EX DIR	HDC	TP	CAC	AD	CIU	AO	AK
R.B.	25 JAN 2002		PLANNING				
K.C.							
N	C	SW	SE	APP	U	REC	
			ARB	FPLN	DES	FEE	

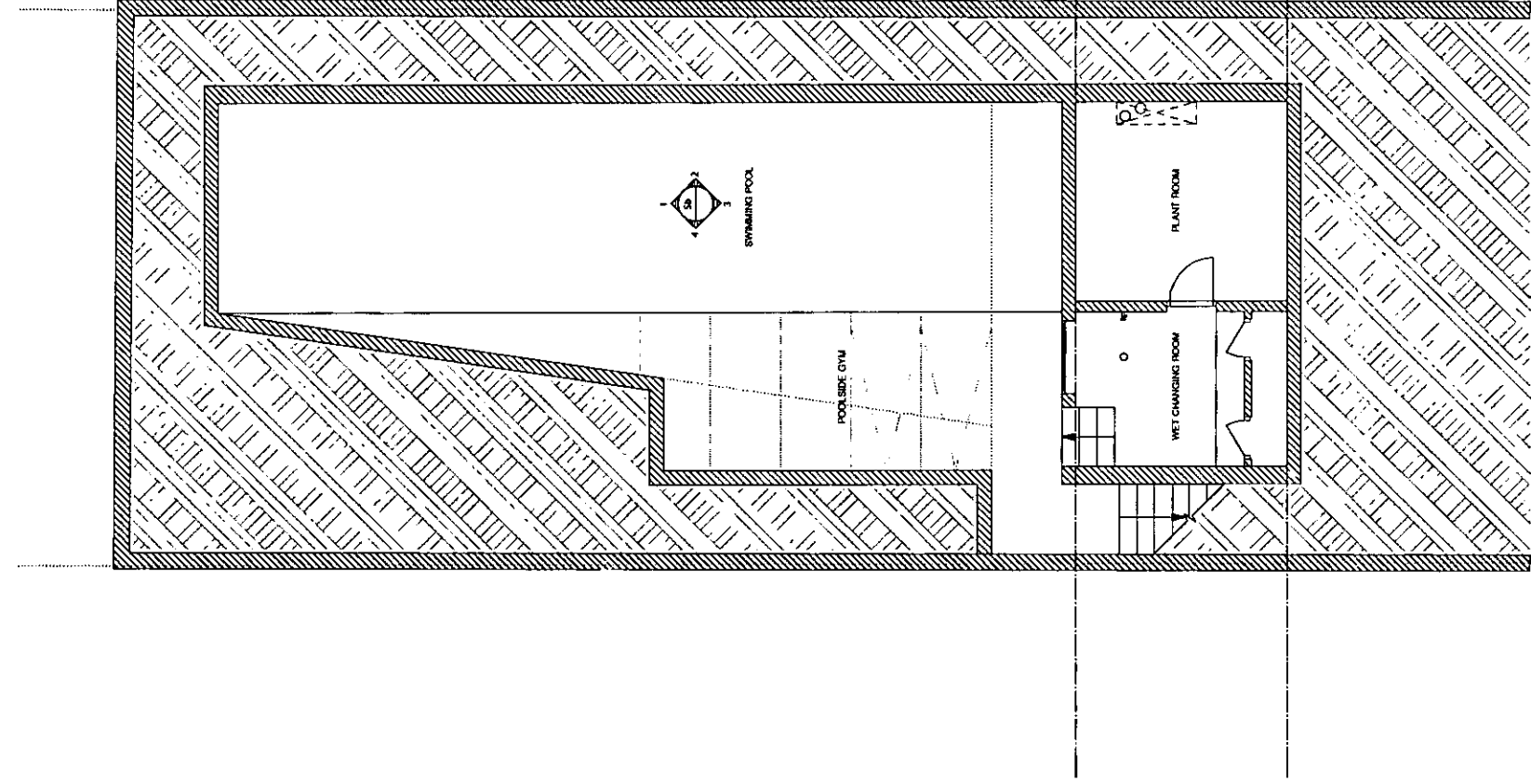
4(13)

REV B - 23 01 02 - Revision to pool for planning
 REV A - 25 10 01 - Garden / pool revision
 NOTES - DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 3QL
 T 020 7224 4555 F 020 7224 5666

01/154 (13)	21 Eton Road, Kensington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Plans
AH	Basement Floor

B 5A



RP/10/1529/1A

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
N	C	SW	SE	ARB	FPIN	DES	FEE
R.B. K.C. 25 JAN 2002 PLANNING							
APP IO REC							

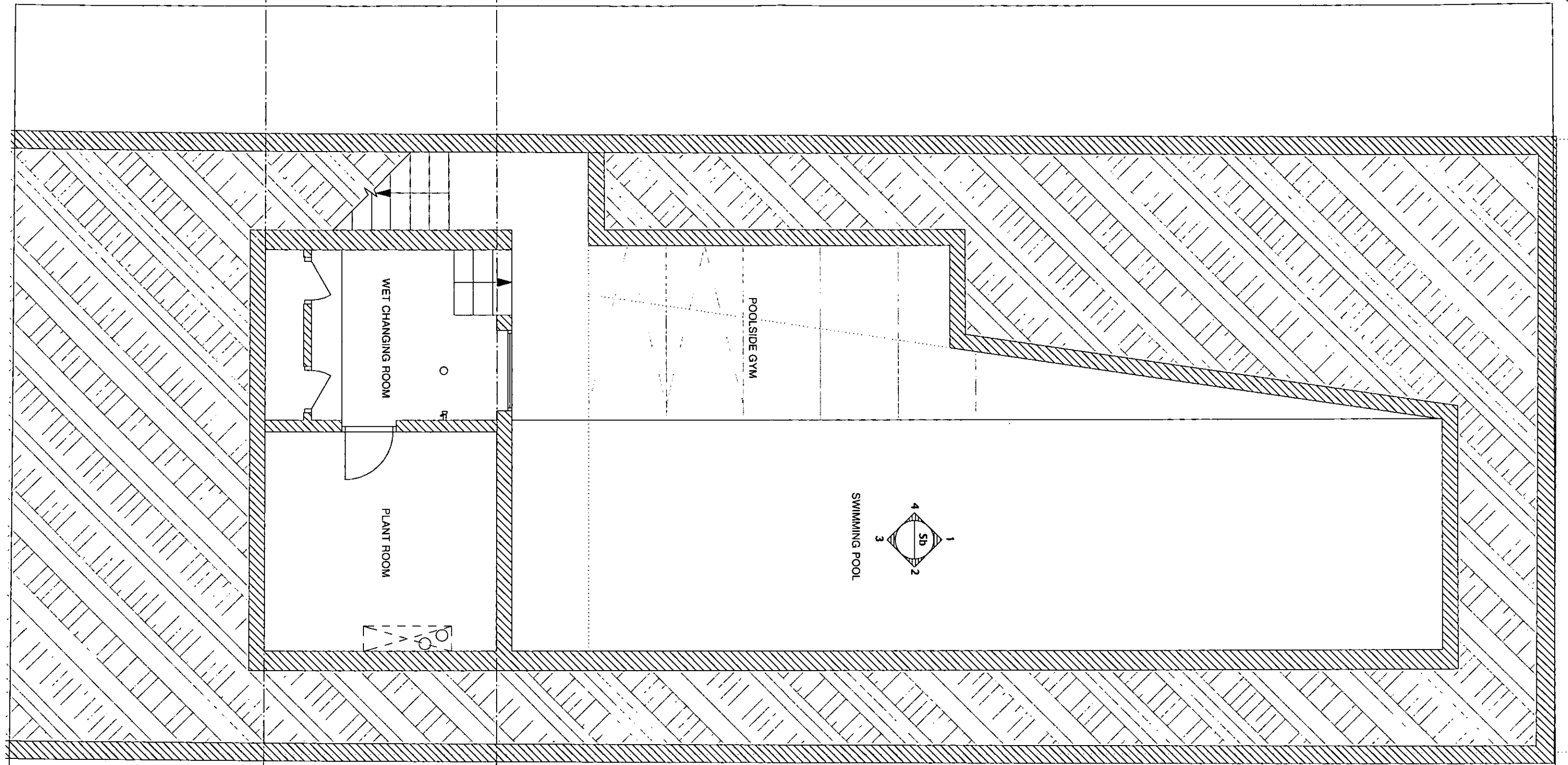
L(26)

Sub-Basement

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE.

Granit Chartered Architects
 113 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON W8 2PT
 T 020 7224 4333 F 020 7224 9444

0115A/08	21 Eldon Road, Kensington, London, W8 2PT
1:50 @ A1	Proposed Plans
JAN 02	Sub-Basement Plan
AH	



RR/01/1529/A

4

5

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	25 JAN 2002				PLANNING	
K.C.	N	C	SW	SE	APP	IO REC
			ARB	FPLN	DES	FEES

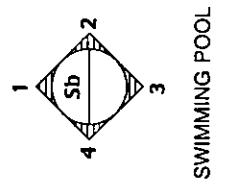
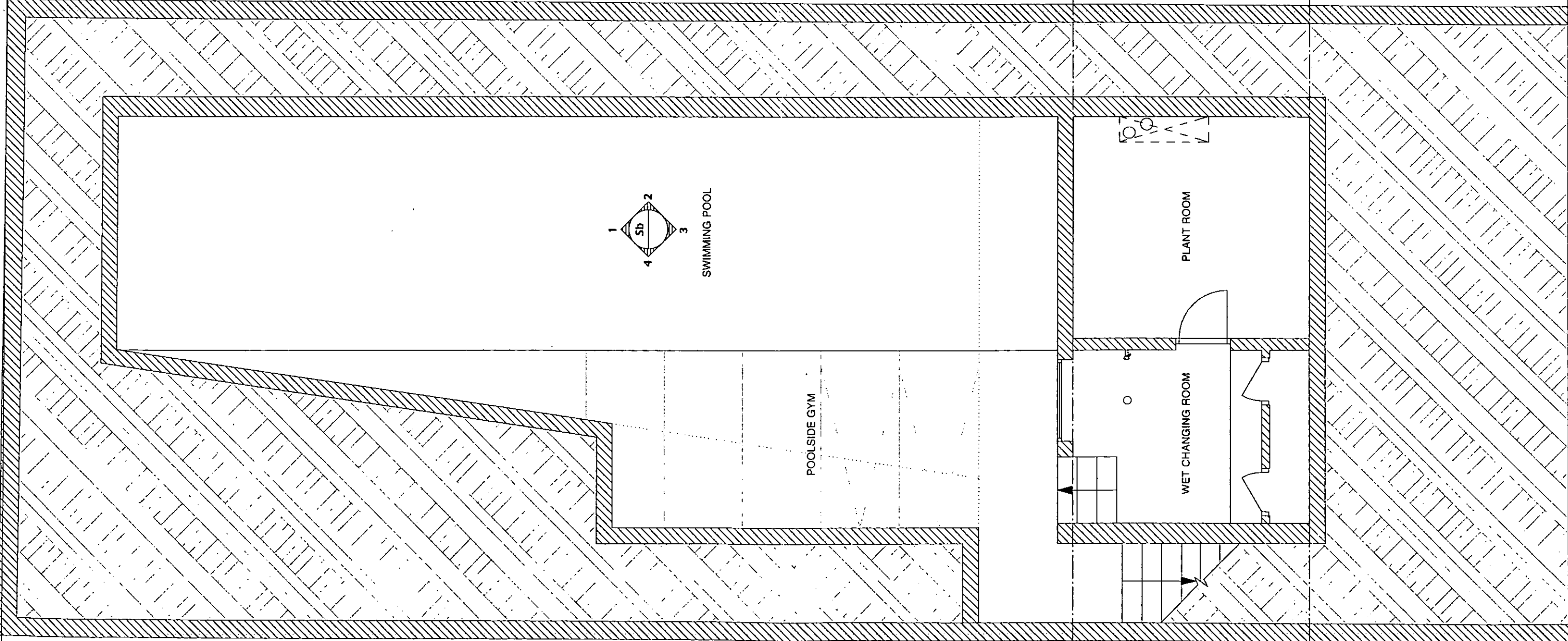
L (26)

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE	
Granit Chartered Architects	112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5DL T 020 7924 4355, F 020 7924 6666
01/15A(26)	21 Eikon Road, Kensington, London, W8 5PT
1:50 @ A1	Proposed Plans
JAN 02	Sub-Basement Plan

Sub-bst

EX	HDC	TP	CAC	AD	GLU	AO
DIR						AK
R.B. K.C. 25 JAN 2002 PLANNING						
N	C	SW	SE	APP	IO	REC
				ARB	FPLN	DES
						FES

08/01/1529/A

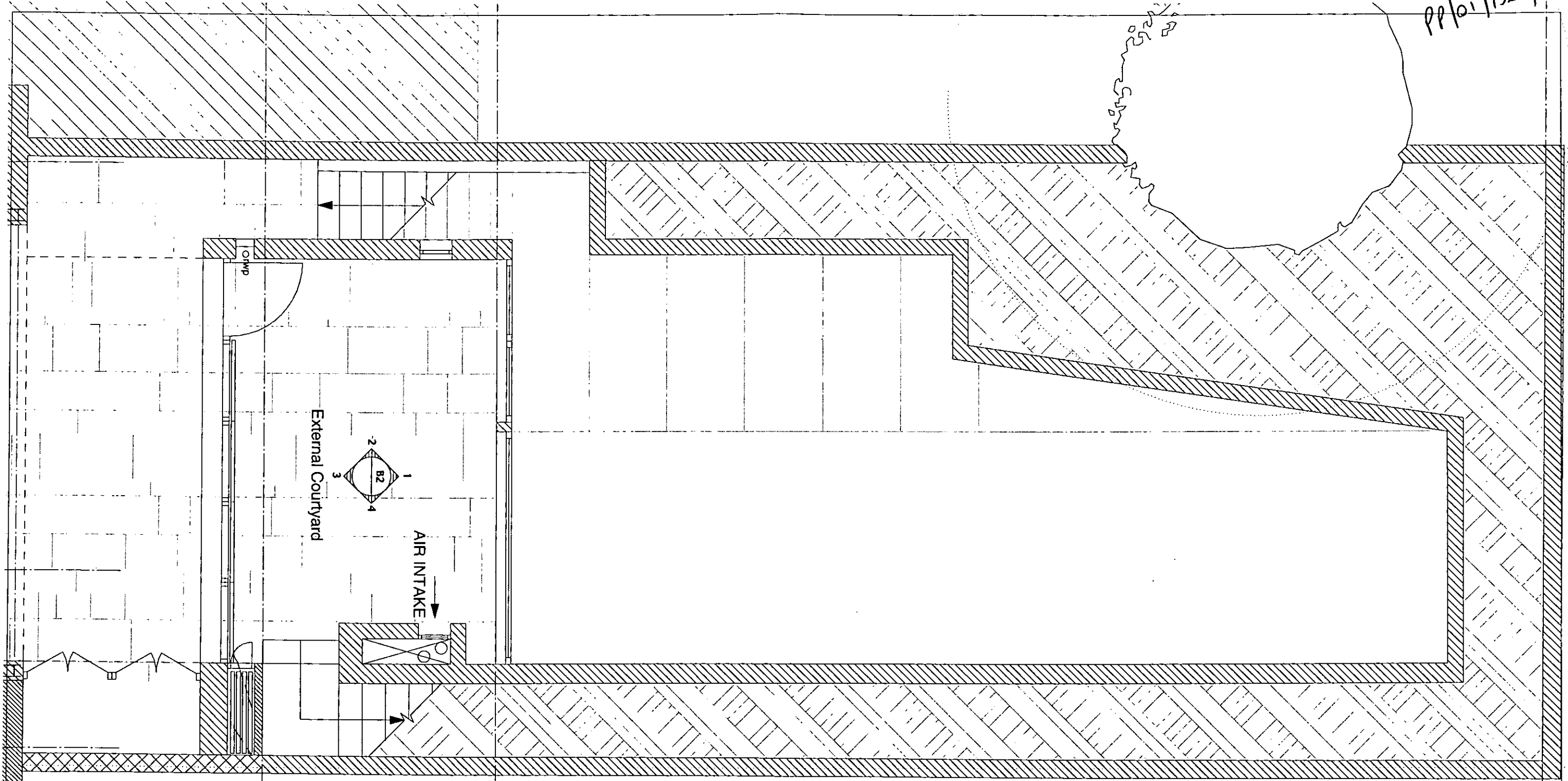


NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

01751 (29)	27 Ekin Road, Warrington, Cheshire
1:50 @ A1	London, W9 5P7
JAN 02	Proposed Plans
A11	Sub-Basement Plan

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 3QL
 T 020 7294 4555, F 020 7294 4444

PP101/1529/A



EX DIR	HDC	TP	CAC	AD	CLU	AO
N	0	SW	SE	APP	ID	REC
		ARB	PLN	DES	FEE	
R.B. K.C. 25 JAN 2002 PLANNING						

4

5

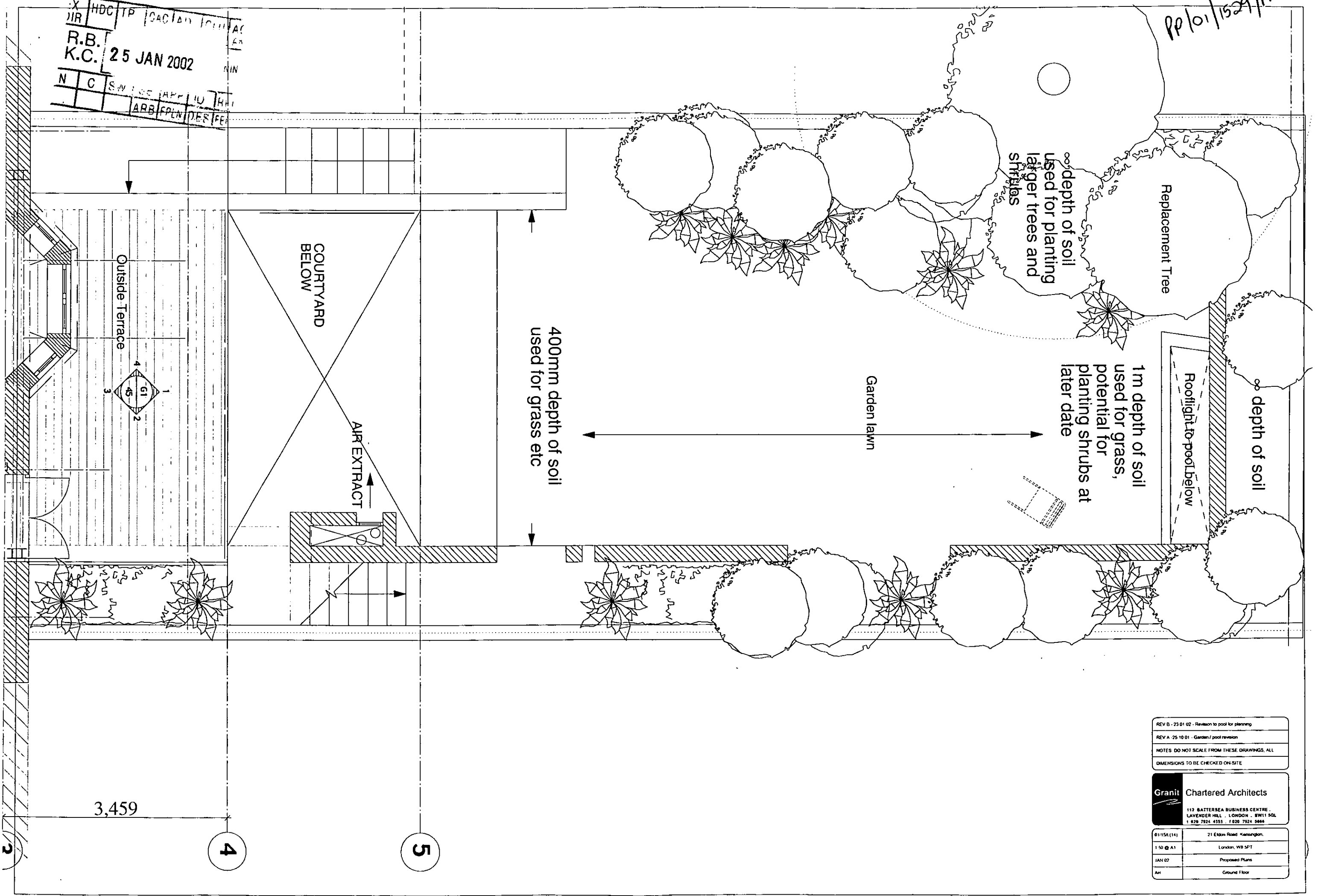
REV B - 23.01.02 - Revision to pool for planning
 REV A - 25.10.01 - Garden / pool revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7824 4555 F 020 7824 5466

01/156(13)	21 Eldon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Plans
AH	Basement Floor

PP/01/1529/A

X	HDC	TP	CACI	AM	AC
JIR					
R.B.		25 JAN 2002			
K.C.					
N	C	SW	APP	UD	HR
		ARB	PLN	DES	FEA



REV B - 23 01 02 - Revision to pool for planning
 REV A - 25 10 01 - Garden / pool revision
 NOTES DO NOT SCALE FROM THESE DRAWINGS, ALL
 DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4353 F 020 7924 9886

01/1529/141	21 Elton Road, Hestonington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Plans
AM	Ground Floor

3,459

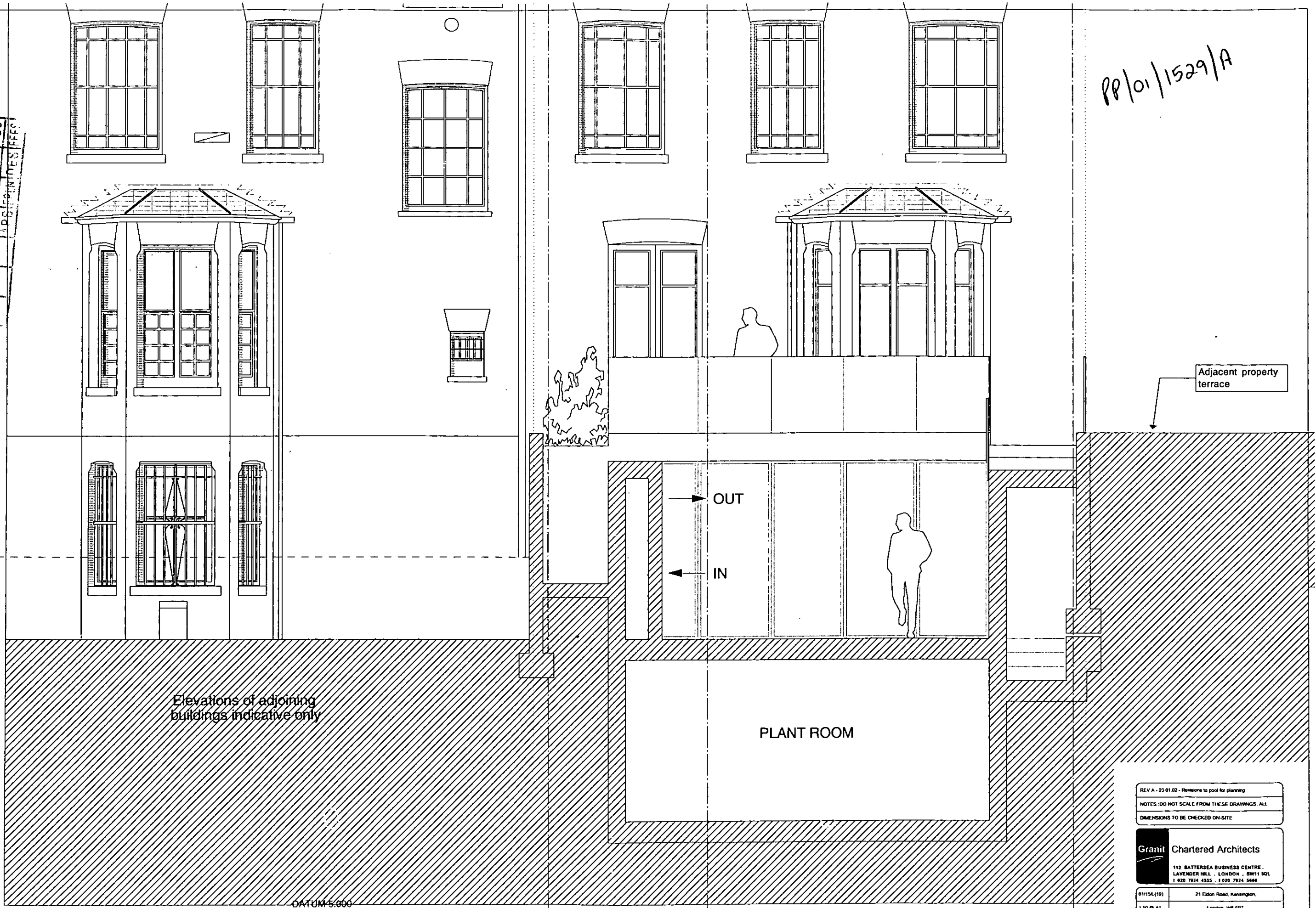
4

5

PP/01/1529/A

EX HDG
DIR

R.B. 25 JAN 2002			
K.C.	SE	APP	IO REC
N	C	SW	PLINTS
FFC			



Elevations of adjoining buildings indicative only

Adjacent property terrace

OUT

IN

PLANT ROOM

DATUM 5.000

REV A - 23.01.02 - Revisions to pool for planning
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 113 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7924 4355 F 020 7924 5666

01/15A(19)	21 Elkon Road, Kensington
1:50 @ A1	London, W8 5PT
MAY 01	Proposed Plans
AH	Rear Elevation

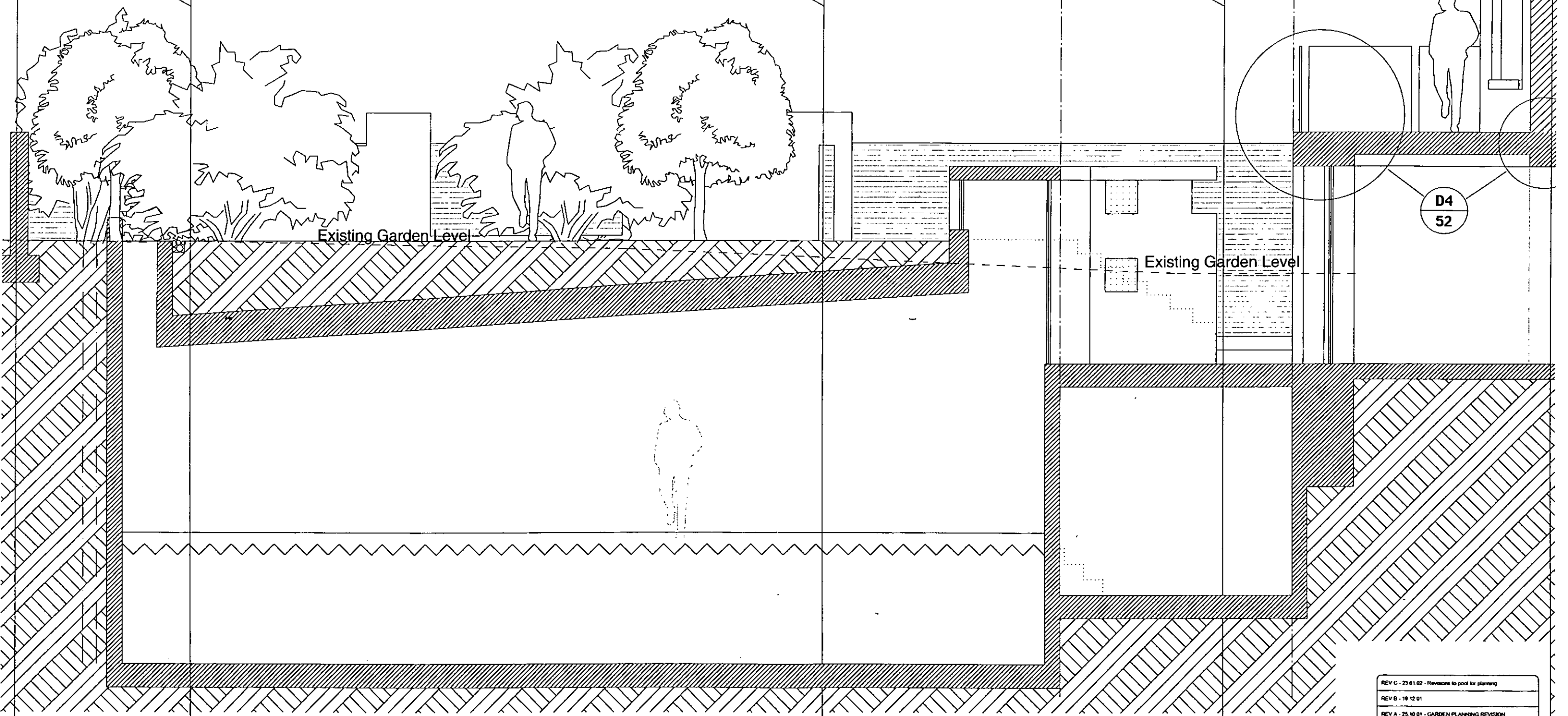
EX DIR	HDC	TP	CAC	AD	CLU	AO AK	
R.B.	25 JAN 2002		PLANNING				
K.C.	N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES	

PP/01/1529/A

D-D

E-E'

F-F'



Existing Garden Level

Existing Garden Level

D4
52

SECTION C-C

REV C - 23.01.02 - Revisions to pool for planning
 REV B - 19.12.01
 REV A - 25.10.01 - GARDEN PLANNING REVISION
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7924 4355 . F 020 7924 5666

01/154(24)	21 Elbort Road, Kensington
1:50 @ A1	London, W8 5PT
MAY 01	Proposed Plans
AM	Section C-C

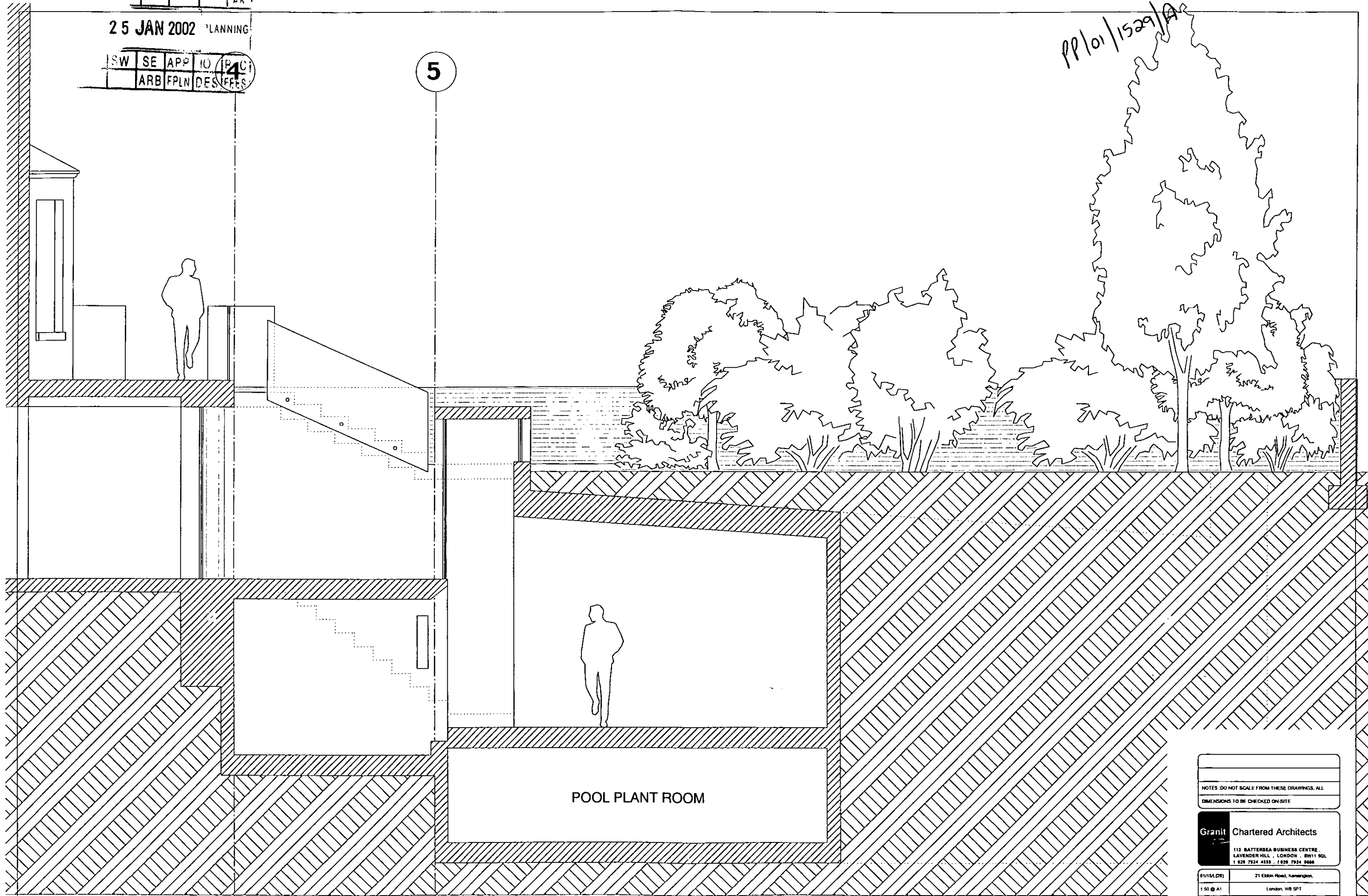
TP	CAC	AD	CI	AO
				AK

25 JAN 2002 PLANNING

SW	SE	APP	IO	(P.C)
ARB	FPLN	DES	FEES	4

5

PP/01/1529/A



POOL PLANT ROOM

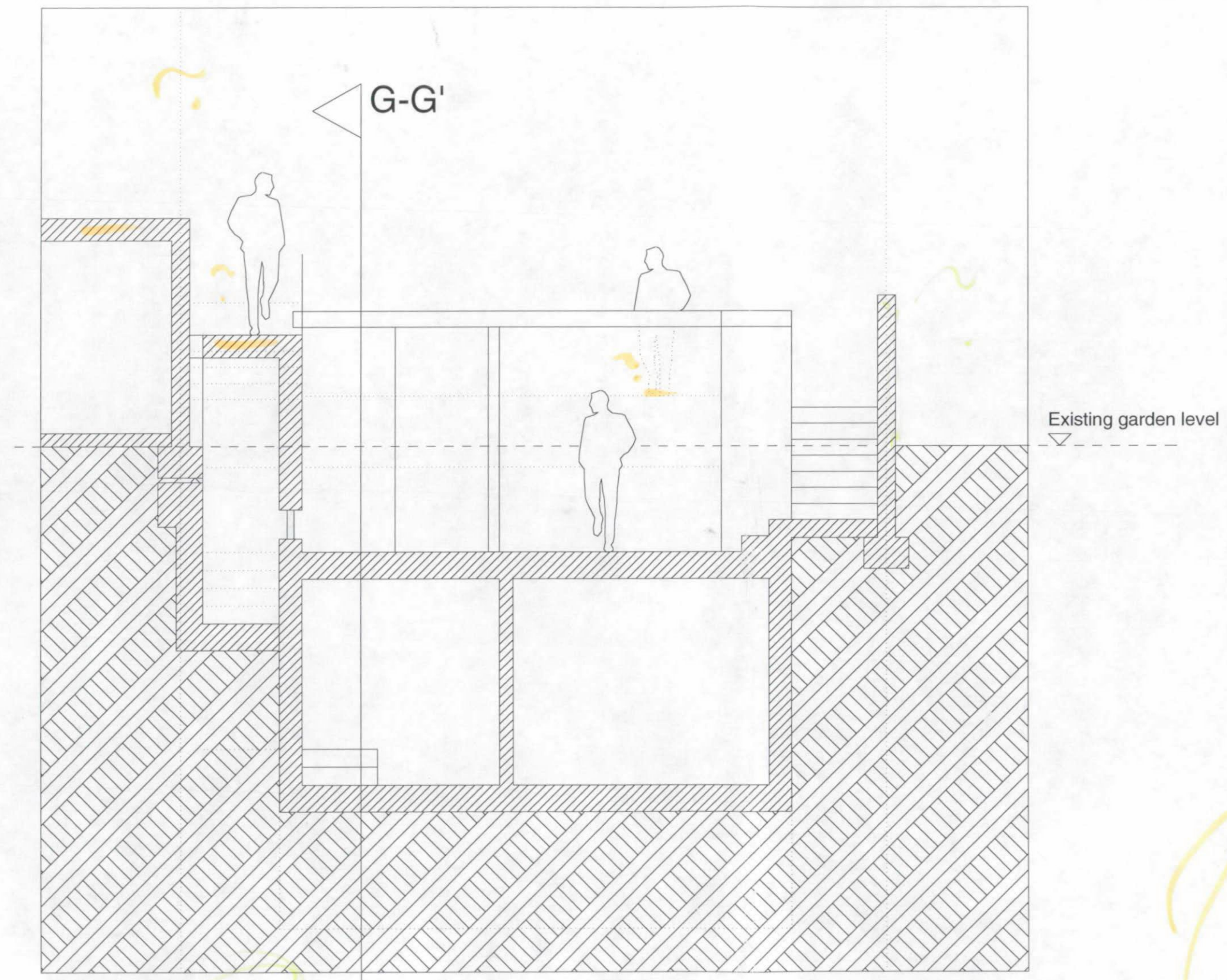
SECTION G-G'

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 113 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7324 4555 F 020 7324 5466

01/154 (28)	21 Eton Road, Kennington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G

PP/01/1529/A



Existing garden level

SECTION F-F'

EX DIR	HDC	TP	CAC	AD	CIU	AO	AK
R.B.		25 JAN 2002		PLANNING			
N	C	SW	SE	APP	IO	REC	
			ARB	FPLN	DES	FEE	

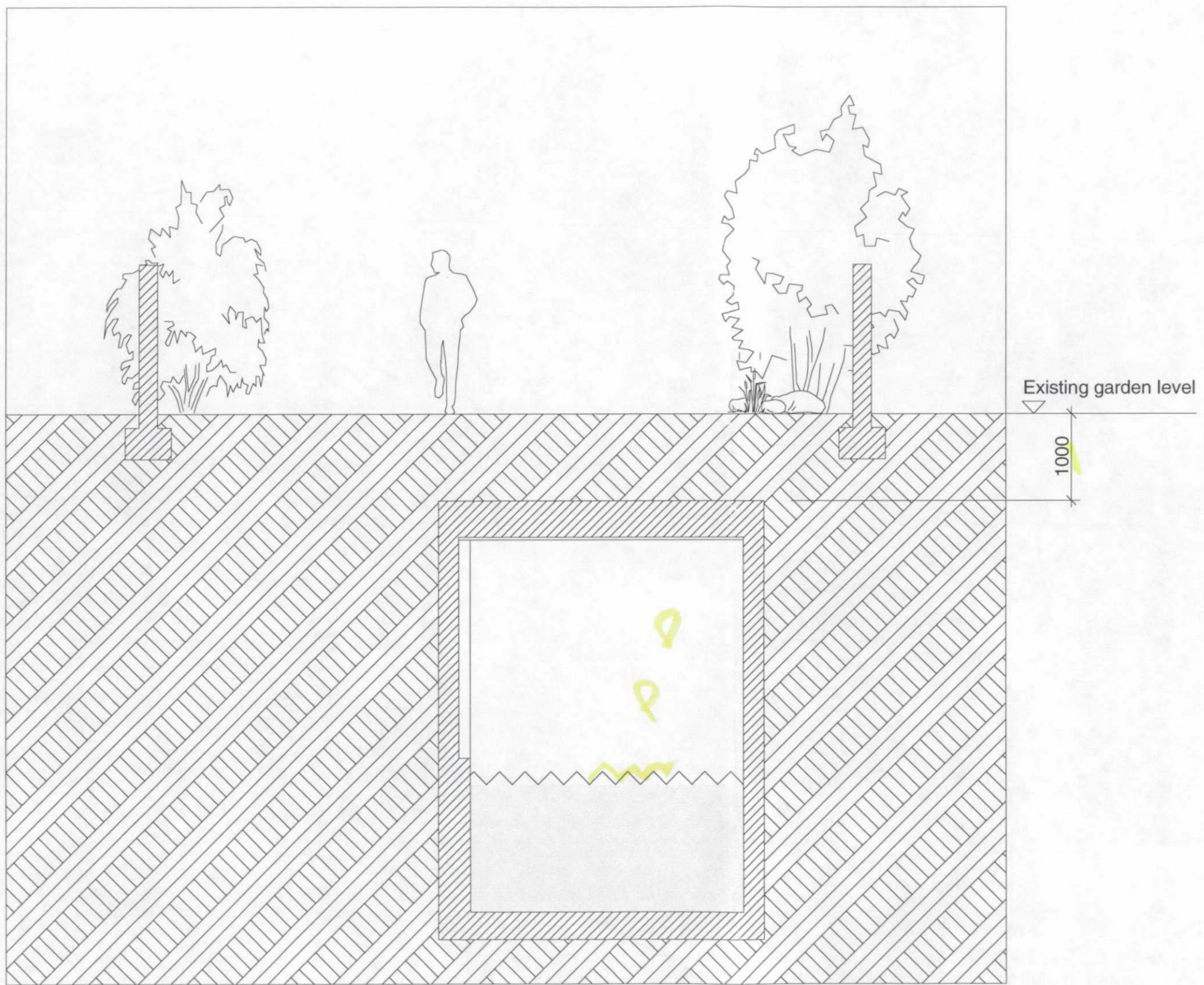
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7924 4555 F 020 7924 9666

01/15/027/c	21 Eldon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
A11	Sections D, E & F

14(27)
 Prop sections
 F-F'

PP/01/1529/A



SECTION D-D

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		25 JAN 2002			PLANNING	
N	C	SW	SE	APP	IO	REC
		ARB		EPLN		DES FEES

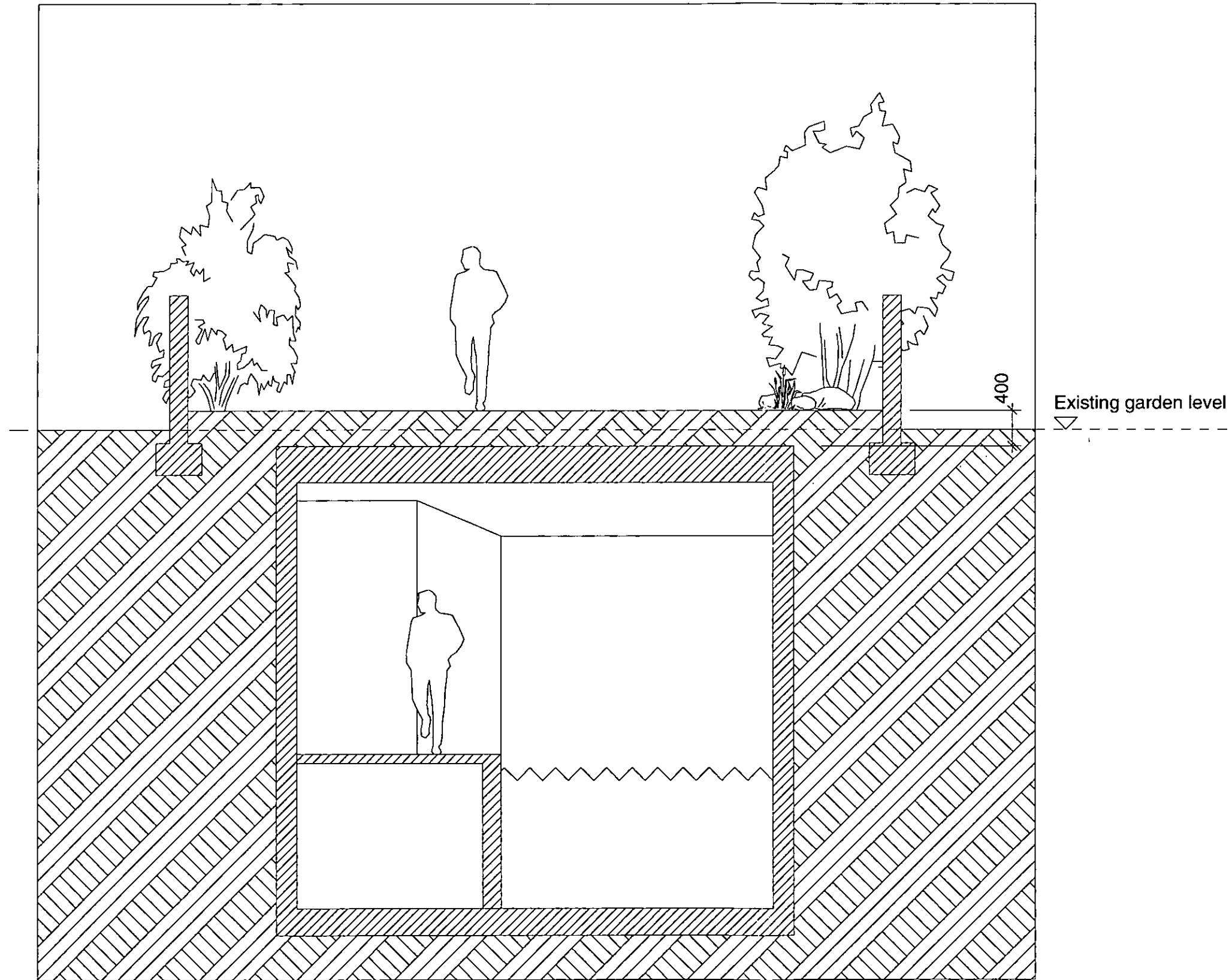
NOTES: DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7924 4555 F 020 7924 5666

01/15/L273a	21 Eldon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F

L(27(a))
 Prop Sec. D-D

PP/01/1529/A



SECTION E-E'

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	25 JAN 2002				PLANNING	
K.C.						
N	G	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

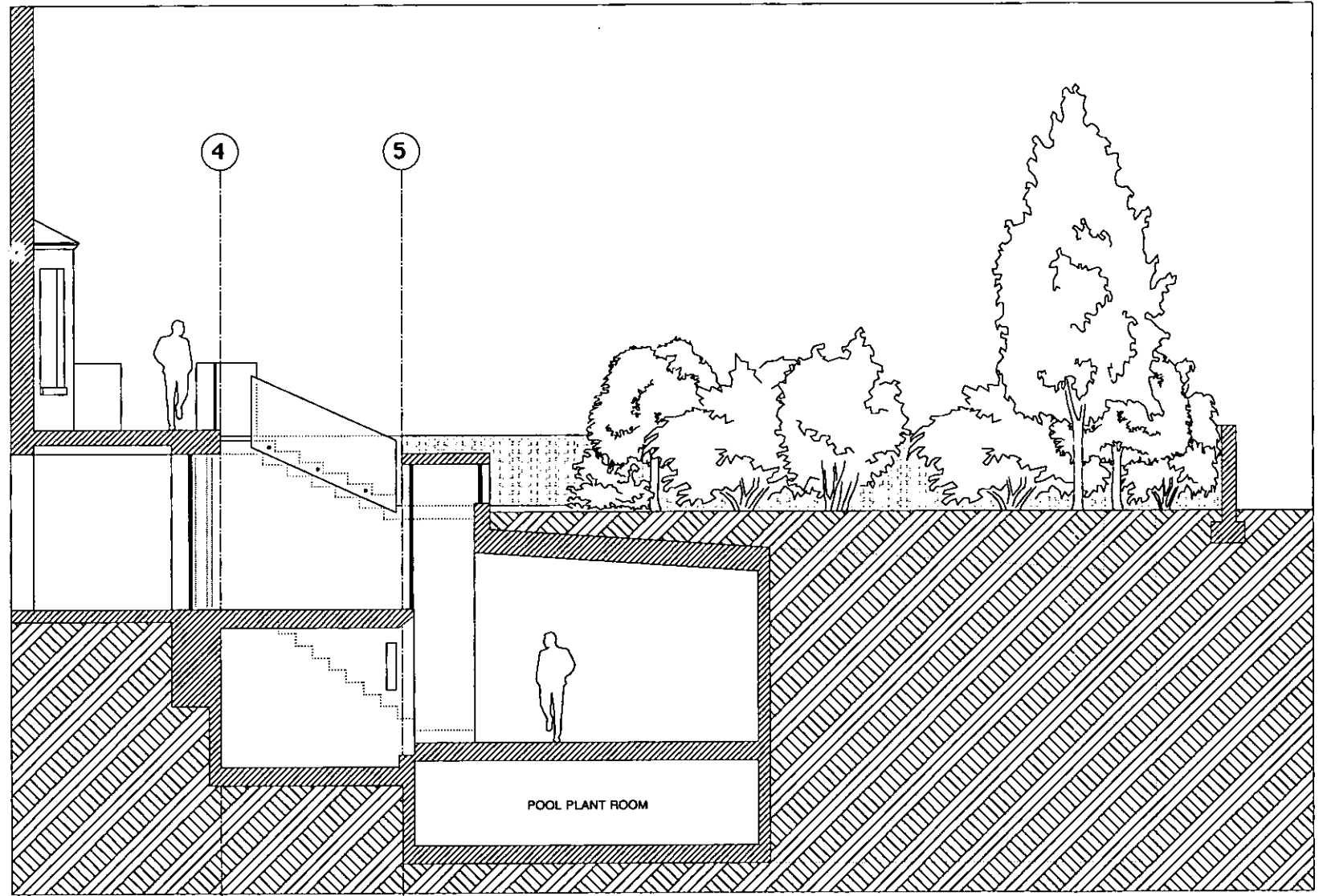
NOTES DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 3QL
 T 020 7324 4333 - F 020 7324 8666

01/15A(27)	21 Ebbin Road, Kewington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F

L(27)b

prop. E - E'



SECTION G-G'

EX	HDC	TP	CAC	AD	CLU	AO	
D/R						AK	
R.P.						25 JAN 2002	PLANNING
K.C.							
N	:	SW	SE	APP	IO	REC	
			ARB	FPLN	DES	FEES	

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 8QL
 T 020 7824 4555, F 020 7824 5886

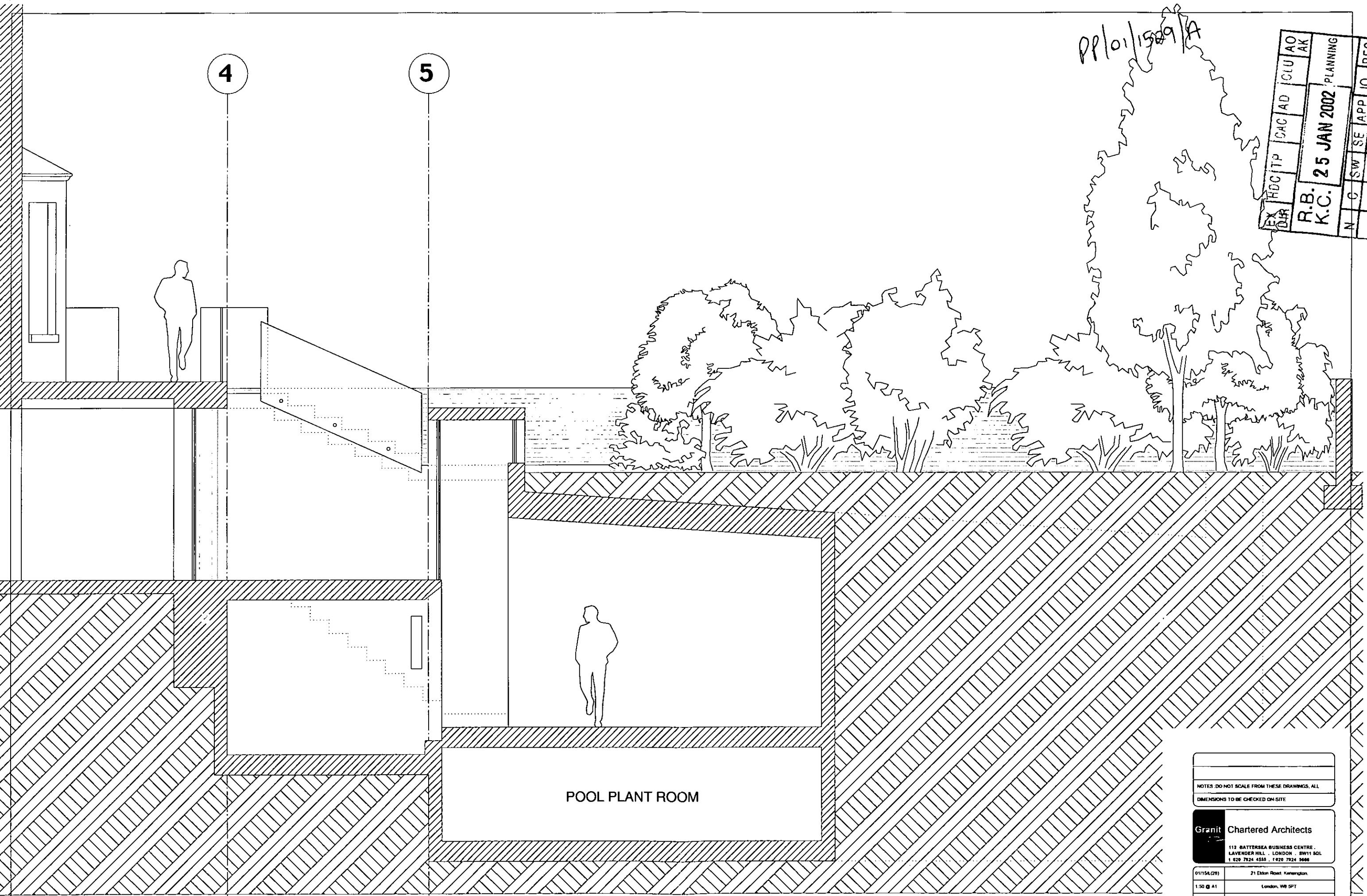
01/15/02	21 Elton Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G

L (28)

Prop section - G

PP/01/509/A

EX	HDC	TP	CAC	AD	CLU	AD	AO	AK
DR								
R.B. K.C.							25 JAN 2002	
							PLANNING	
N	C	SW	SE	APP	IO	REC	ARR	FPLN



POOL PLANT ROOM

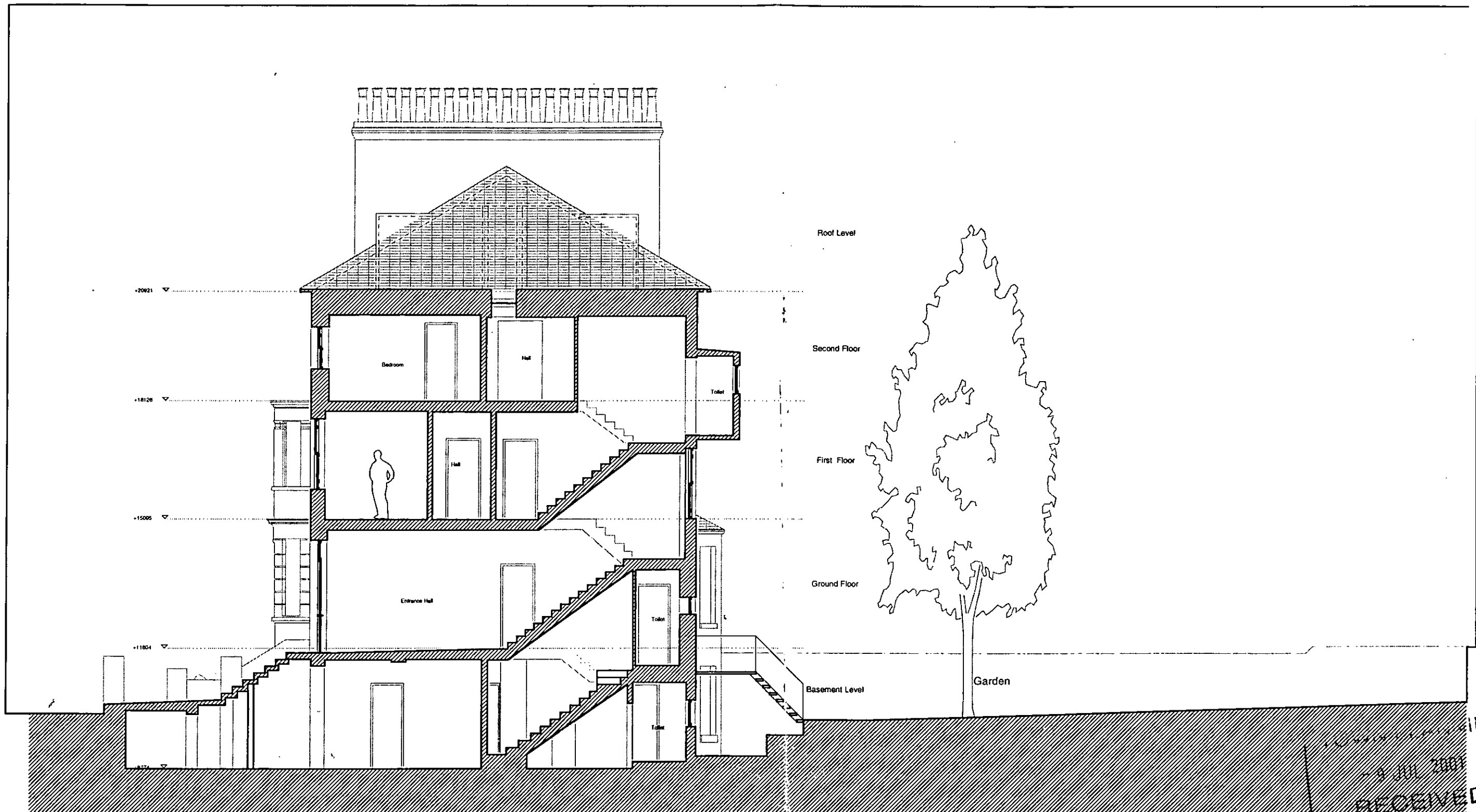
SECTION G-G'

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects
113 BATTERSEA BUSINESS CENTRE,
LAVENOR HILL, LONDON, SW11 5GL
T 829 7924 4355 . F 829 7924 9668

01/154(28)	21 Ekton Road, Wareington
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G

Sec G-G



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 01/15/L(10)

DATUM 5'00"

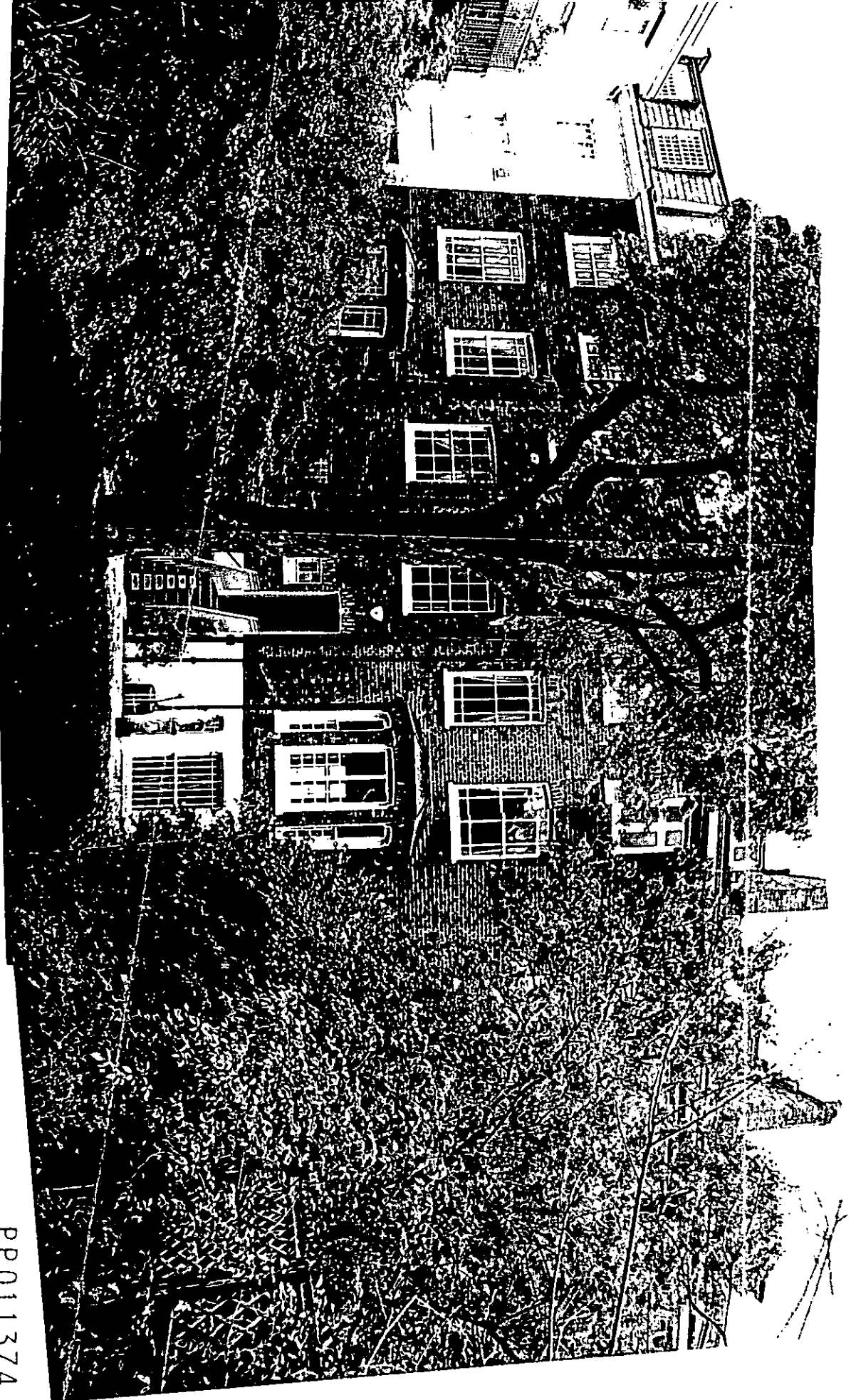
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE.

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 3QL
 T 020 7524 4355 - 7420 7824 5886

01/15A(10)	21 Elton Road, Kennington
SCALE: 1:100	London, W8 5PT
MAY 01	Checked Plans
APL	Section A-A



R.B.K. & C.
TOWN PLANNING
19 JUN 2001
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PP011374

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Grant Chartered Architects
112 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON, SW11 5QJ.
020 7354 4444, 1 800 784 5444

0115275	21 Eden Road, Kensington,
SCALE 1:100	London, W8 9RT
JUNE 01	Eden Road
Arch	Phase of 21 Eden Road

20 Eldon Road

Roof front

* check height of front dormer → need to make
~~check slope of front dormer?~~ sure the same
 sill position + fascia

→ needs to be same position of 21.

(* check why 001 and 006 both existing plans of front elevation.)
 position the same
 (No 20 poss too high)

* Dormers need to be sashes and drawn as such.

* Glazing pattern to be margin lights.

* Plan position of dormers - liaise with 21.

Rear

* Roof profile - should be same.

* Glazing pattern

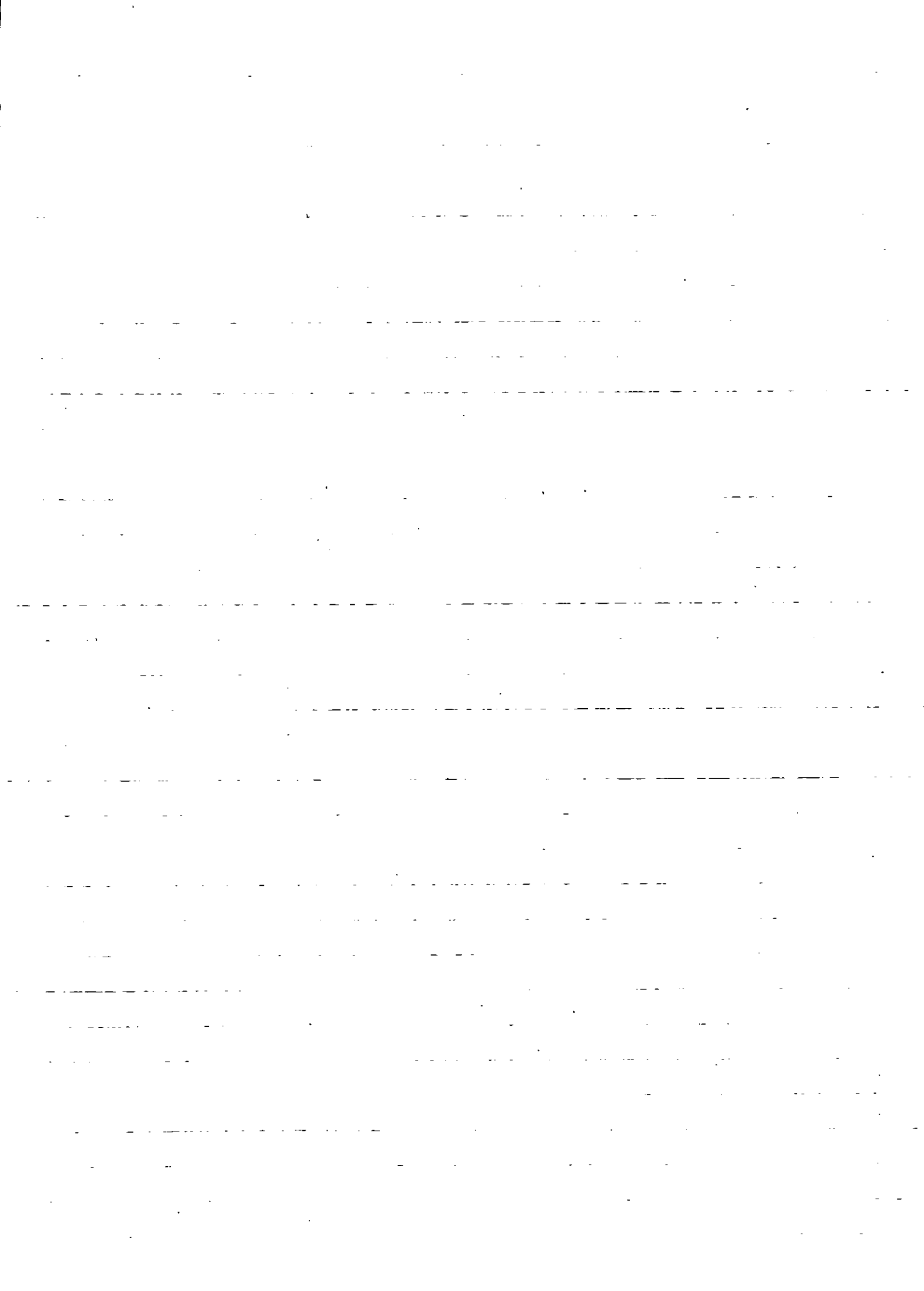
* Dormer height

* Proposed 3rd floor plan method of drawing?

21 Eldon Road

Roof

Survey sections
 True of the garden -
 Rope, scale
 accurately height of
 existing 1:50
 Section
 proposed plans on
 own wall.



21 Eldon Road

Roof

* 1: ⁵⁰~~400~~ plans & sections $\frac{1}{2}$ (if not rest.)
for amended plans to match no. 20.

* Position of dormers to liase with no. 20.

* Method of drawing - top parapet?

* Position of dormers acceptable.

Front

* Draw sashes on section.

* Dormer glazing pattern? Margin lights?

* ~~Vertical~~ height of dormers? *

Rear

* Dormers? Margin lights?

20 Eldon Road

Rear Extension

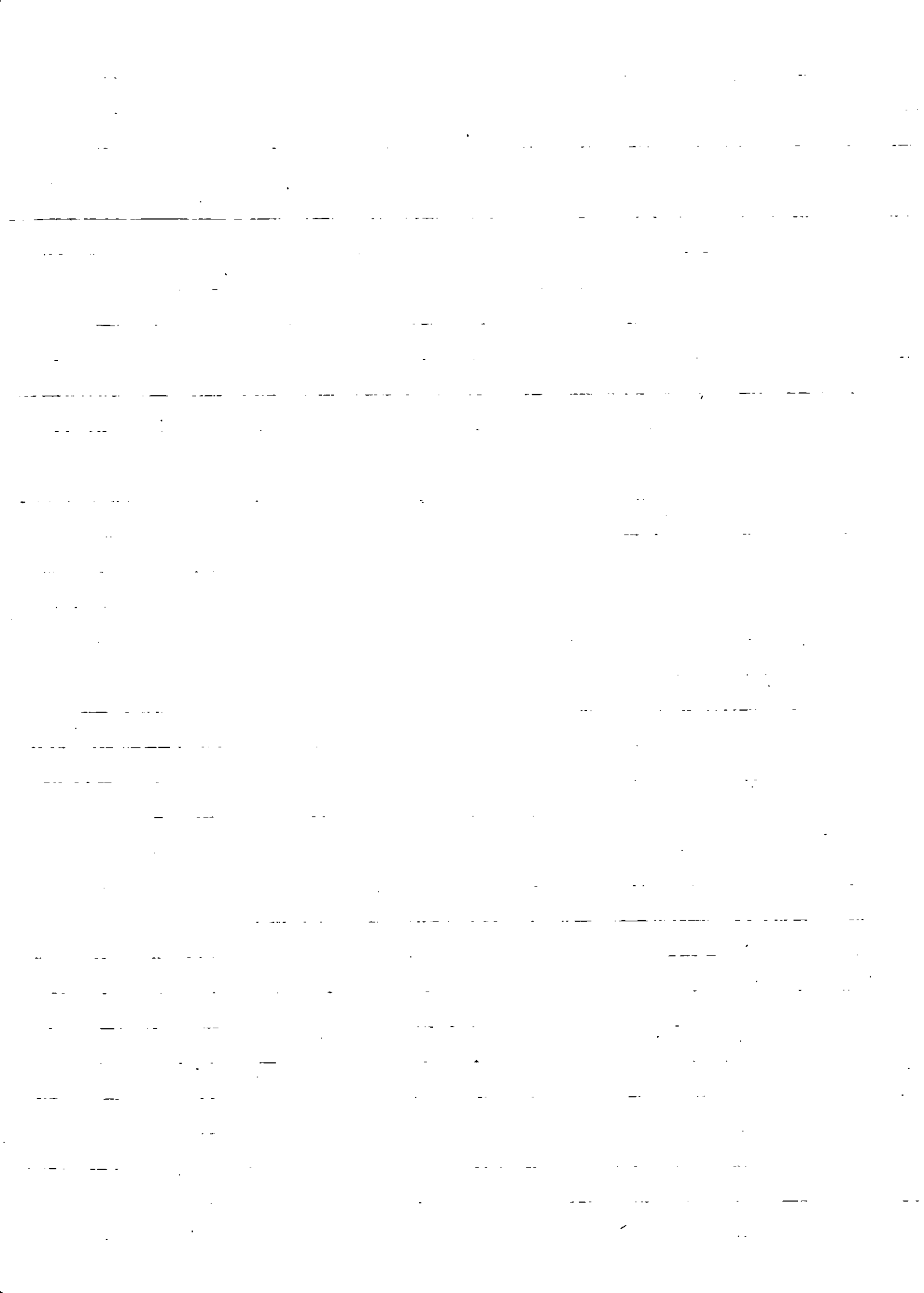
* ~~Recess a bit more the smaller extn.~~

* Question about rear stair extension plus extn
of lower ground floor underneath.

21 Eldon Road

Rear extn

- more plant into inner courtyard away from neighbours.
- need 1 m at least of soil depth + landscape plan.
- check ^f invariant tree in same location.



TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR BUILDINGS UNDER PLANNING CONTROL

FOR OFFICE USE ONLY

Fee £ 95-00
 Cheque / Postal Order / Cash 001135
 Receipt No. Issued 0276374 09/07/01

Borough Ref. APPLICATION COMPLETE
 Registered No. COMPLETE
 Date Received 10 JUL 2001

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	FEE (where applicable)	£ <u>95</u>
-----------------	--	-------------------------------	-------------

1. APPLICANT (in block capitals)

AGENT (if any) to whom correspondence should be sent

Name RICHARD PEASE
 Address 34 CAMPDEN HILL GARDENS
LONDON
W8 7A7
 Tel. No. 7 314 4739

Name GRANT ARCHITECTS LIMITED
 Address 112 BATTERSEA BUSINESS CENTRE
LAURENCE HILL, BATTERSEA
LONDON N15 1SQ
 Tel. No. 020 7924 4555 Ref. ELDON RD.

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies 21 ELDON ROAD KENSINGTON W8

(b) Site area SAME AS ABOVE

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use.
TO REAR GARDEN
24m2 SINGLE STOREY EXTENSION TO LOWER GROUND FLOOR, EXCAVATION BENEATH GARDEN TO ALLOW FOR NEW POOL AREA BELOW. REMOVAL & REPLACEMENT OF EXISTING TREE.

(d) State whether applicant owns or controls any adjoining land and if so, give its location.
NO

(e) State whether the proposal involves:- State Yes or No
 (i) New building(s) or extension(s) to existing building(s) YES NO
 If "Yes" state gross floor area of proposed building(s). 24 m²
 If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats. CONSERVATORY

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	D	SW	SE	ENT	AG ASK
10 JUL 2001							
(ii) Alterations <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO							
(iii) Change of use <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO							
(iv) Construction of new access to a highway } vehicular <input type="checkbox"/> } pedestrian <input type="checkbox"/>							
(v) Alteration of an existing access to a highway } vehicular <input type="checkbox"/> } pedestrian <input type="checkbox"/>							

NO YES

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use). Hectares/m²

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

- (i) Outline planning permission NO
- (ii) Full planning permission YES
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted. NO
- (iv) Consideration under Section 72 only (Industry) NO

If "Yes" strike out any of the following which are not to be determined at this stage.

- 1. Siting
- 2. Design
- 3. Landscaping
- 4. External appearance
- 5. Means of access

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

- (i) Present use of buildings/land RESIDENTIAL
- (ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

EXISTING LOWER & UPPER GROUND PLANS & REAR ELEVATION & SECTION. DRG NO.3 0115-L(02, 03, 08, 10). PROPOSED PLANS, REAR ELEVATION & SECTIONS, DRG NO.5 0105-L(13, 14, 20, 24, 25).

6. ADDITIONAL INFORMATION State Yes or No

- (a) Is the application for non-residential development NO If "Yes" complete PART THREE of this form (See PART THREE for exemptions)
- (b) Does the application include the winning and working of minerals NO If "Yes" complete PART FOUR of this form
- (c) Does the proposed development involve the felling of any trees YES If "Yes" state numbers and indicate precise position on plan 1 NO. TO BE REPLACED.
- (d) (i) How will surface water be disposed of? VIA DRAINS TO EXISTING DRAINAGE SYSTEM
- (ii) How will foul sewage be dealt with? AS ABOVE
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
 - (i) Walls RENDER
 - (ii) Roof CONCRETE SLAB WITH TIMBER DECKING
 - (iii) Means of enclosure CONCRETE BLOCKS / CONCRETE

We hereby apply for (strike out whichever is inapplicable)

- (a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith
- (b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed [Signature] on behalf of MR R. PEASE Date 06.07.01

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.

CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is inapplicable.
- 1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
- 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
- 3. ~~*I have / the applicant has given requisite notice to every person other than myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-~~

Name and Address of Tenant

Date of Service of Notice

Signed [Signature] on behalf of MR R. PEASE Date 06.07.01

GRANIT CHARTERED ARCHITECTS 112 Battersea Business Centre, Levensder Hill, London SW11 6DL Tel: 020 7924 4555 Fax: 020 7924 5666	DRAWING ISSUE SHEET		Job No. 0115 21 Eldon Road
	JOB TITLE 21 ELDON ROAD, LONDON, W8 5PT		Series Existing Plans Proposed Plans
			Date 6/7/01

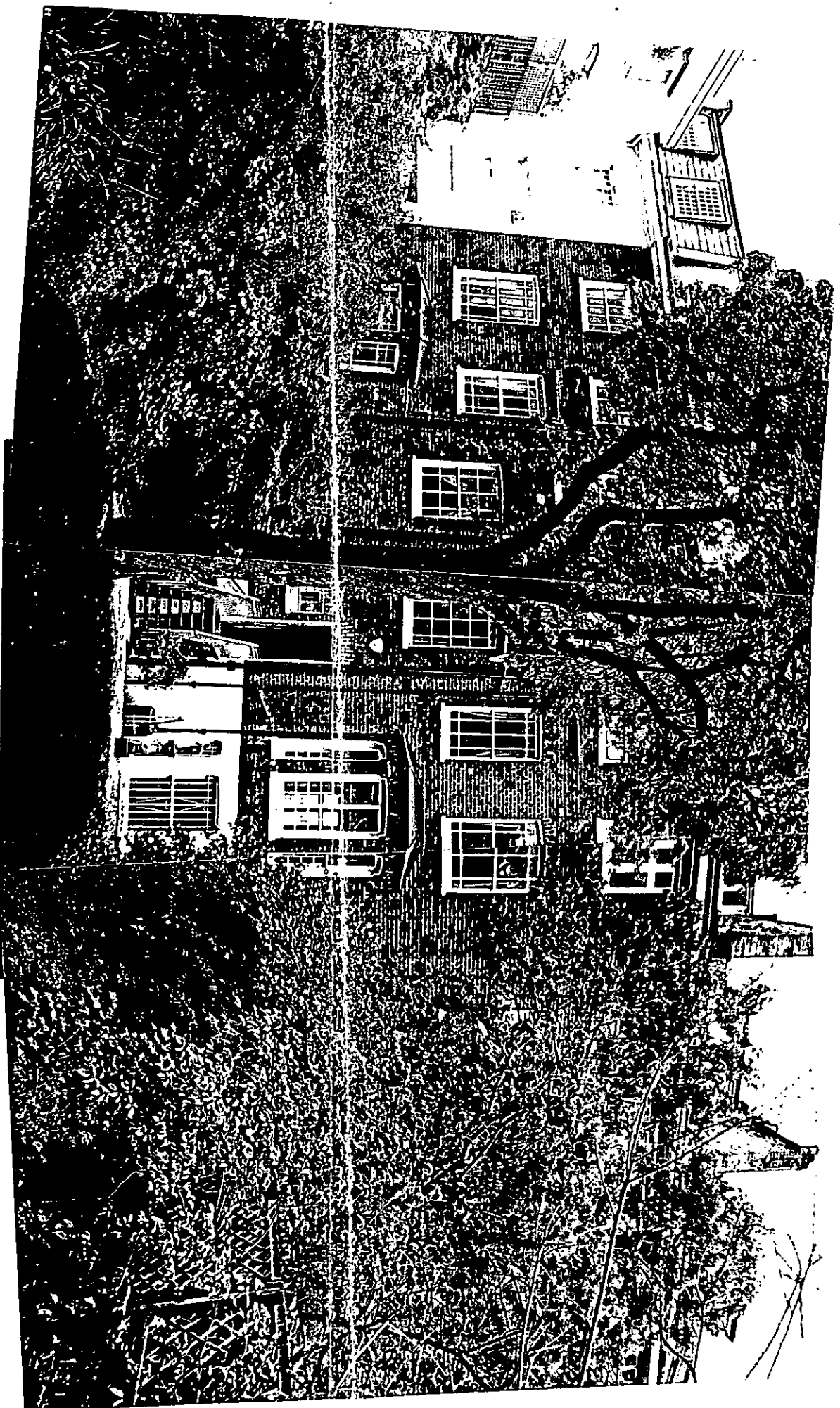
PROJECT NO.	TITLE	REVISION												CADFILE			
0115-L(01)	Location Plan																
0115-L(02)	Existing Basement Floor Plan	√															
0115-L(03)	Existing Ground Floor Plan	√															
0115-L(04)	Existing First Floor Plan	√															
0115-L(05)	Existing Second Floor Plan	√															
0115-L(06)	Existing Third Floor Plan	√															
0115-L(07)	Existing Roof Plan	√															
0115-L(08)	Existing Rear Elevation	√															
0115-L(09)	Existing Front Elevation	√															
0115-L(10)	Existing Section A-A			√	√	√	√	√	√								
0115-L(11)	Existing Section B-B			√	√	√	√	√	√								
0115-L(23)	Existing Section C-C					√	√										
0115-L(25)	Existing Photo Sheet for Planning																
0115-L(12)	Location Plan																
0115-L(26)	Sub Basement Plan																
0115-L(13)	Proposed Basement Floor Plan	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(14)	Proposed Ground Floor Plan	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(15)	Proposed First Floor Plan	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(16)	Proposed Second Floor Plan	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(17)	Proposed Third Floor Plan		√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(18)	Proposed Roof Plan		√	√	√	√	√	√	√	√	√	√	√	√	√	√	√
0115-L(19)	Proposed Front Elevation																
0115-L(20)	Proposed Rear Elevation																
0115-L(21)	Proposed Section A-A		√														
0115-L(22)	Proposed Section B-B																
0115-L(24)	Proposed Section C-C																
0115-L(25)	Proposed Section E-E																
	Ground Floor Demolition Plan																
	First Floor Demolition Plan																
	Second Floor Demolition Plan																
	Third Floor Demolition Plan																
	Roof Demolition Plan																
	Ground Floor Services																
	First Floor Services																
	Second Floor Services																
	Third Floor Services																
	Roof Services																
	Ground Floor Reflected Ceiling Plan																
	First Floor Reflected Ceiling Plan																
	Second Floor Reflected Ceiling Plan																
	Third Floor Reflected Ceiling Plan																

PP 011529

DISTRIBUTION		DAY	25	1	8	15	18	29	6
		MONTH	05	6	06	06	06	06	07
		YEAR	01	01	01	01	01	01	01
Client	MR R. PEASE		√	√	√	√	√	√	√
Quantity Surveyor									
Structural Engineer									
Client's Agent	GRANIT ARCHITECTS		√	√	√	√	√	√	√
Building Control									
Party Walls Surveyor									
Planning Department	ROYAL BOROUGH OF KENSINGTON AND CHELSEA								√
PURPOSE OF ISSUE		I	I	I	I	PP	I	PP	
ISSUED BY		APL	APL	APL	APL	APL	APL	AH	
	Information I	Comment M	Approval A	PP Planning Permission					
	Bills of Quantity B	Tender T	Construction C						

NOTES:

TOWN PLANNING
 - 9 JUL 2001
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Granit Chartered Architects
112 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON, SW11 1BL
T 020 7524 4281 F 020 7524 5248

01/12/20	21 Eton Road, Kensington
SCALE: 1:100	London, W8 9PT
JAN Y 01	Eastway House
APR	Plan No. of 21 Eton Road

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TOWN PLANNING
18 JUL 2001
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PP Number

PP/01/1529/AJF

Central.

Date
Opened

11/7/01

THE ROYAL BOROUGH OF
**KENSINGTON
AND CHELSEA**

INTERNAL

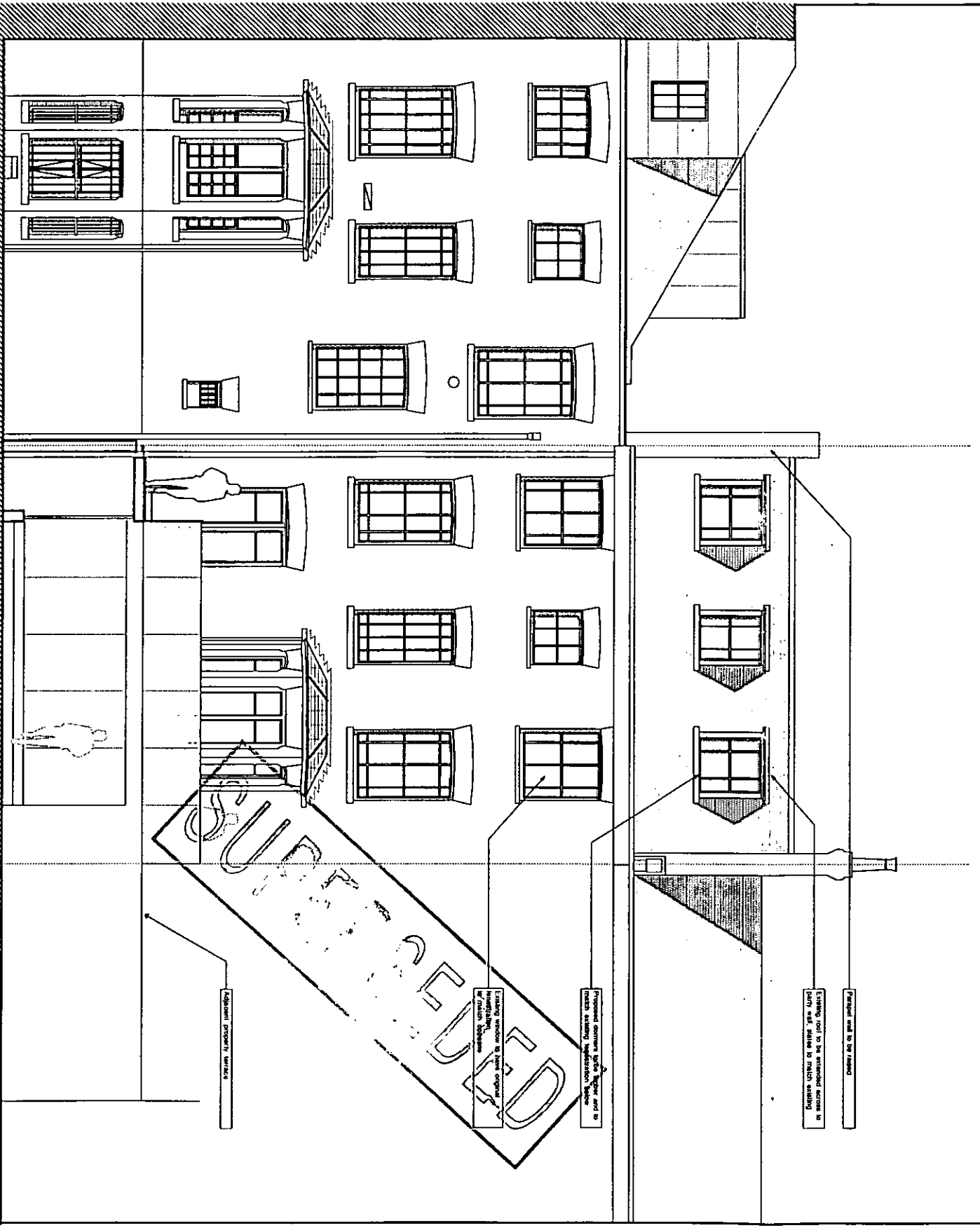
**TOWN PLANNING
DEVELOPMENT CONTROL**

To
—

ARBORICULTURE

PROPERTY

21 Eldon Road, W8



Proposed wall to be raised
 Existing roof to be extended across to
 carry wall, raised to match existing

Proposed entrance gate to be raised and to
 carry existing superstructure above

Existing windows to have original
 sills/frames replaced
 in situ. Windows
 to be replaced

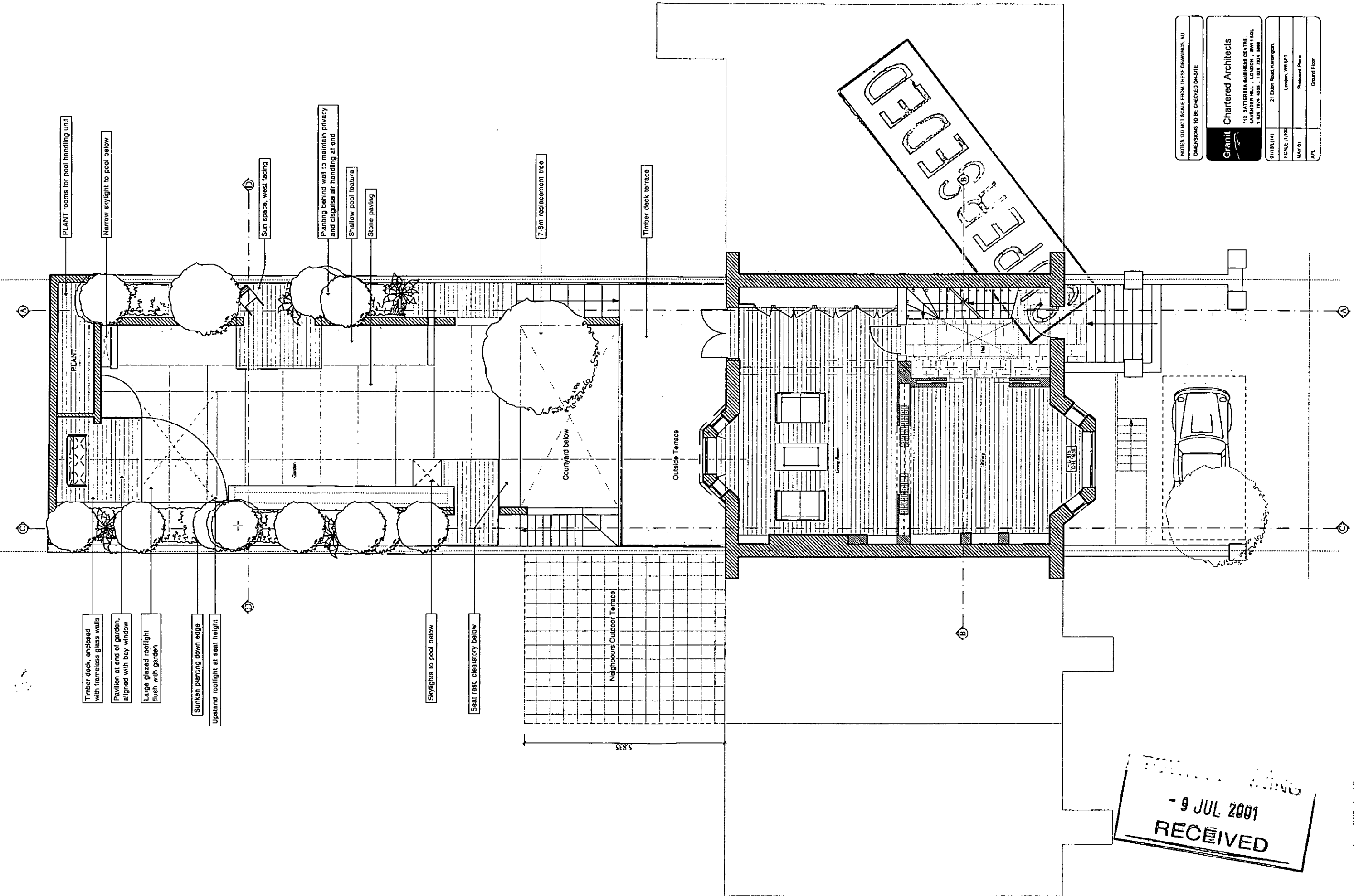
Adjacent property services

NOTES DO NOT SCALE FROM THESE DIMENSIONS. ALL
 DIMENSIONS TO BE CHECKED ON-SITE

Grant Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 1JL
 T 020 7524 4323 F 020 7524 3668

01/10/19	27 Eldon Road, Kennington,
SCALE: 1:100	LONDON, W8 5PT
MAY 01	Proposed Plans
APL	Final Drawings

TOWN
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PLANT rooms for pool handling unit

Narrow skylight to pool below

Sun space, west facing

Planting behind wall to maintain privacy and disguise air handling at end

Shallow pool feature

Stone paving

7-8m replacement tree

Timber deck terrace

Timber deck, enclosed with frameless glass walls

Pavilion at end of garden, aligned with bay window

Large glazed rooflight flush with garden

Sunken planting down edge

Upstand rooflight at seat height

Skylights to pool below

Seat rest, clearstory below

Neighbours Outdoor Terrace

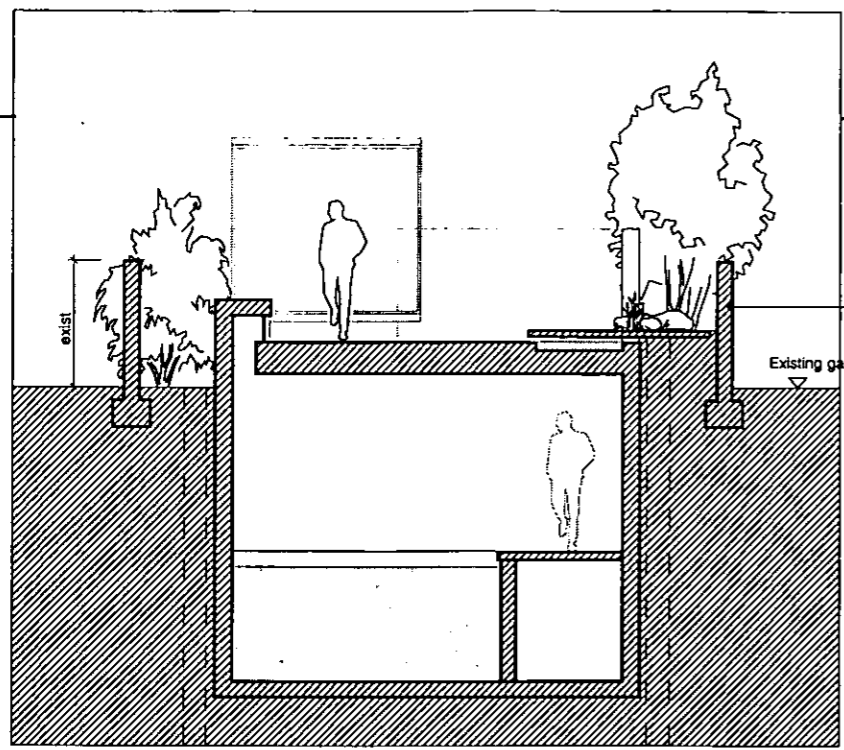
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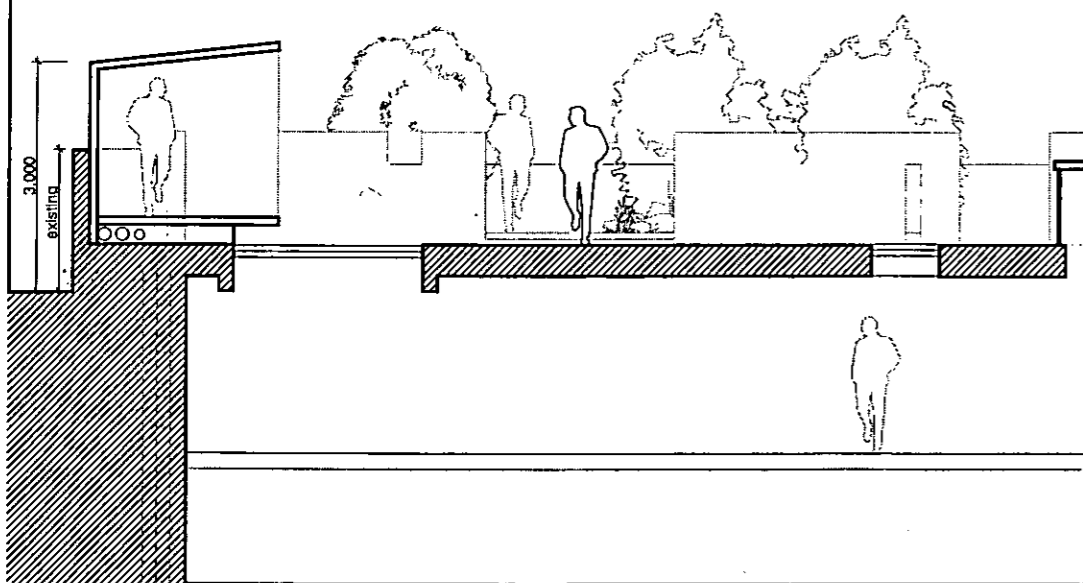
Granit Chartered Architects
 115 BATTERSEA BUSINESS CENTRE
 115 BATTERSEA ROAD, LONDON, W8 4PT
 T: 020 7254 4333 F: 020 7254 4444

01/15A/14	21 Ebor Road, Kennington, London, W8 5PT
SCALE: 1:100	Proposed Plans
MAY 01	Ground Floor

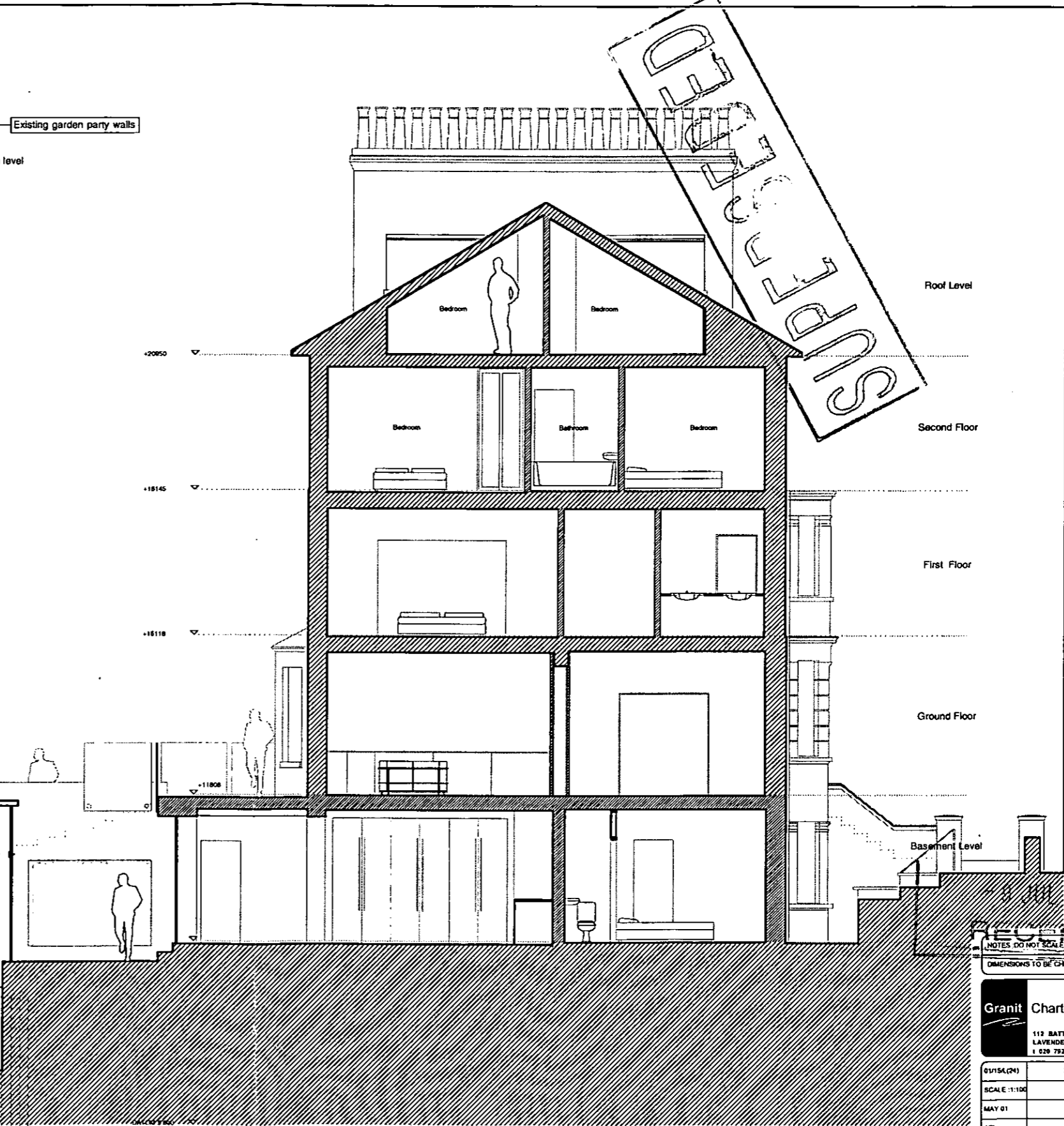
RECEIVED
 - 9 JUL 2001



SECTION D-D



SECTION C-C



9 JUN 2001

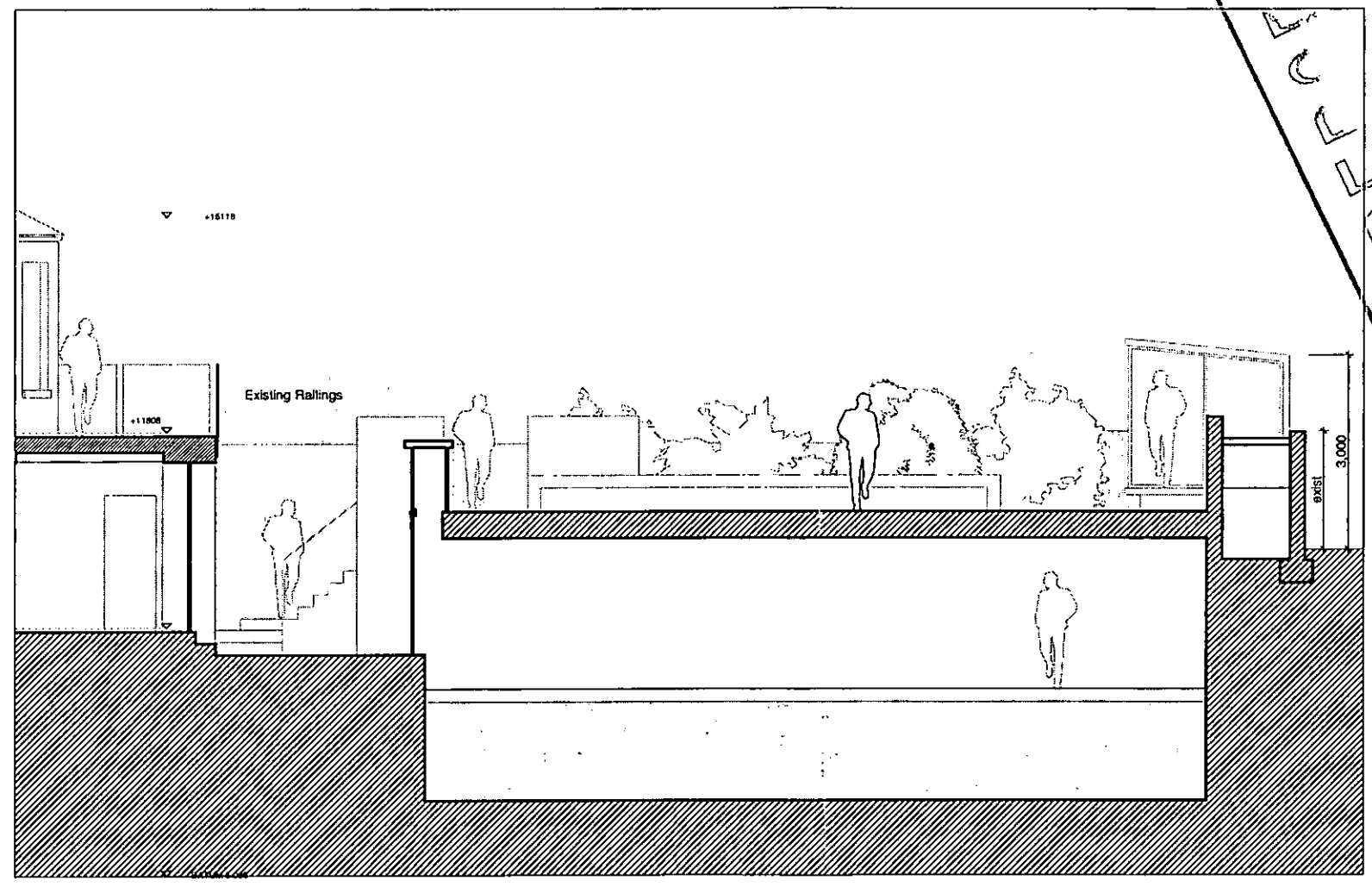
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Granit Chartered Architects
 113 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7224 4555, F 020 7224 5566

01/15A(24)	21 Elton Road, Kensington,
SCALE: 1:100	London, W8 5PT
MAY 01	Proposed Plans
APL	Section C-C

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SUPREMACY



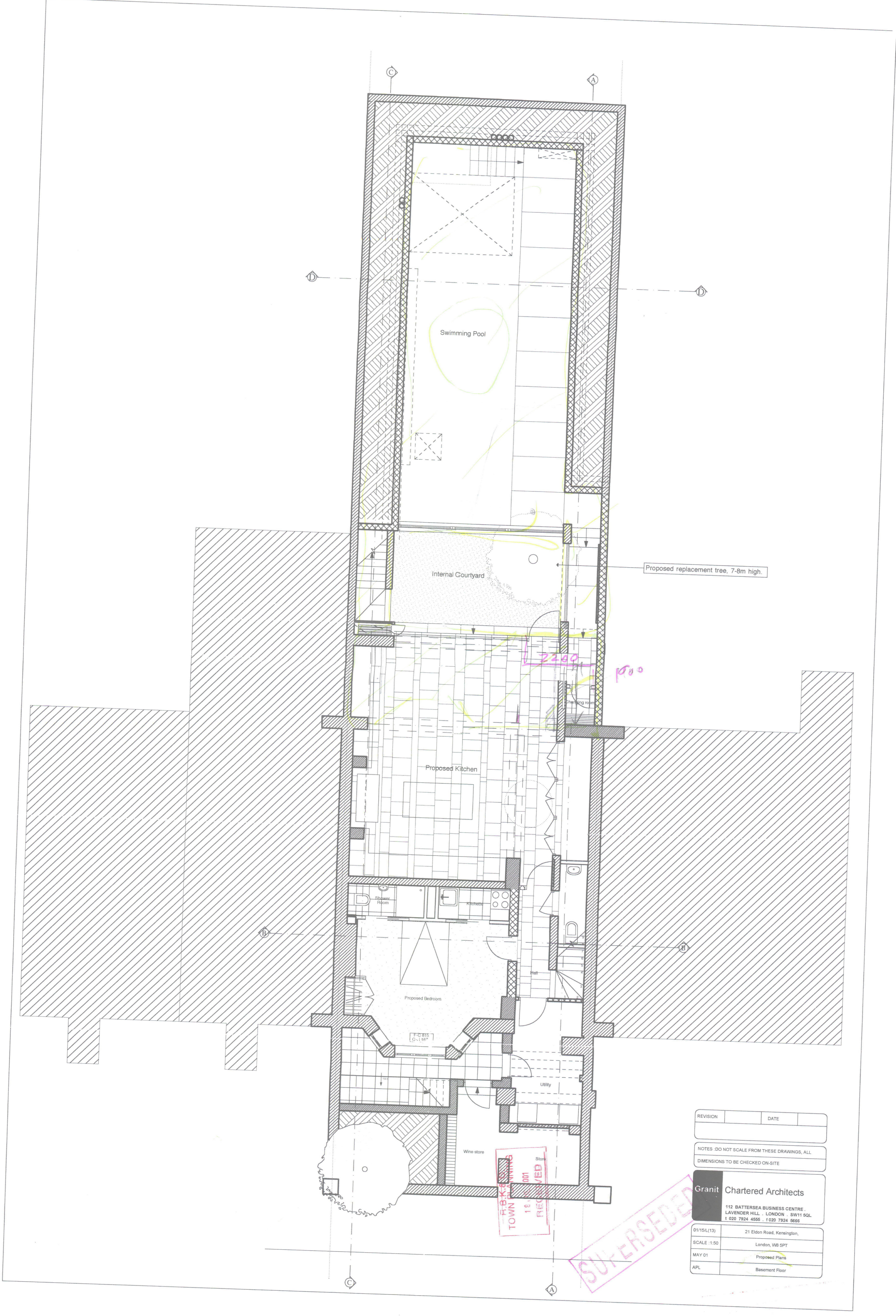
SECTION E-E

- 9 JUL 2001
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DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
112 BATTERSEA BUSINESS CENTRE
LAVENDER HILL - LONDON - SW11 5QL
t 020 7924 4555 f 020 7924 8688

01/156 (25)	21 Eton Road, Kensington,
SCALE: 1:100	London, W8 5PT
MAY 01	Proposed Section
AH	Section E-E



REVISION	DATE

NOTES: DO NOT SCALE FROM THESE DRAWINGS, ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 3QL
 T: 020 7924 4555 - F: 020 7924 6666

01/15/13	21 Euston Road, Kensington,
SCALE: 1:50	London, W8 5PT
MAY 01	Proposed Plans
APL	Basement Floor

THIS DRAWING
 TOWN PLANNING
 1E
 REVIEWED

SUPERSEDED



Grant
Checked Against
14/06/2008
15/06/2008
16/06/2008
17/06/2008
18/06/2008
19/06/2008
20/06/2008
21/06/2008
22/06/2008
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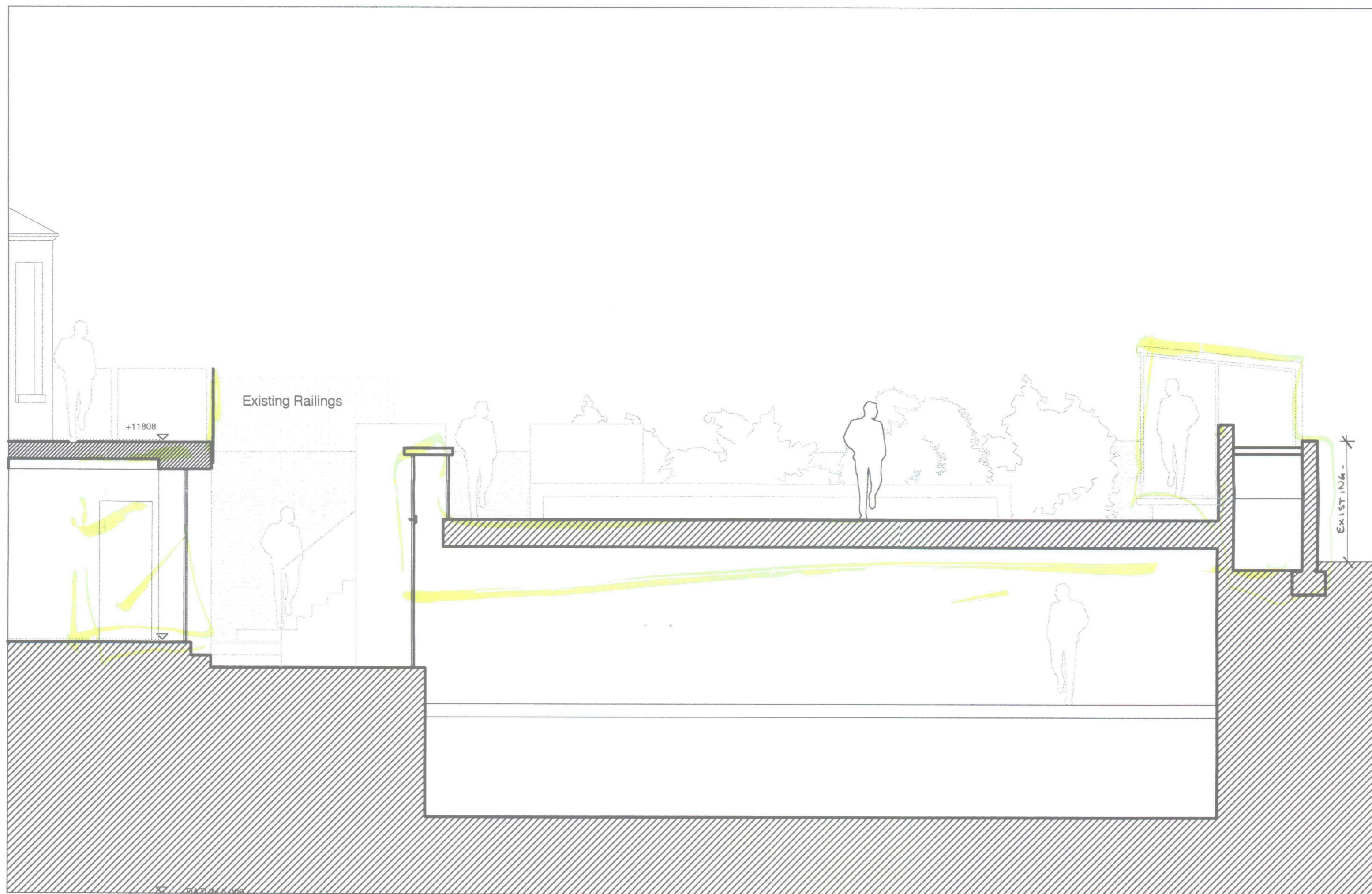
21 Eden Road

21 Eden Road

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15 JAN 2008
TOWN PLANNING
F. B. & O.

STURTEVANT

15 JAN 2008



SECTION E-E

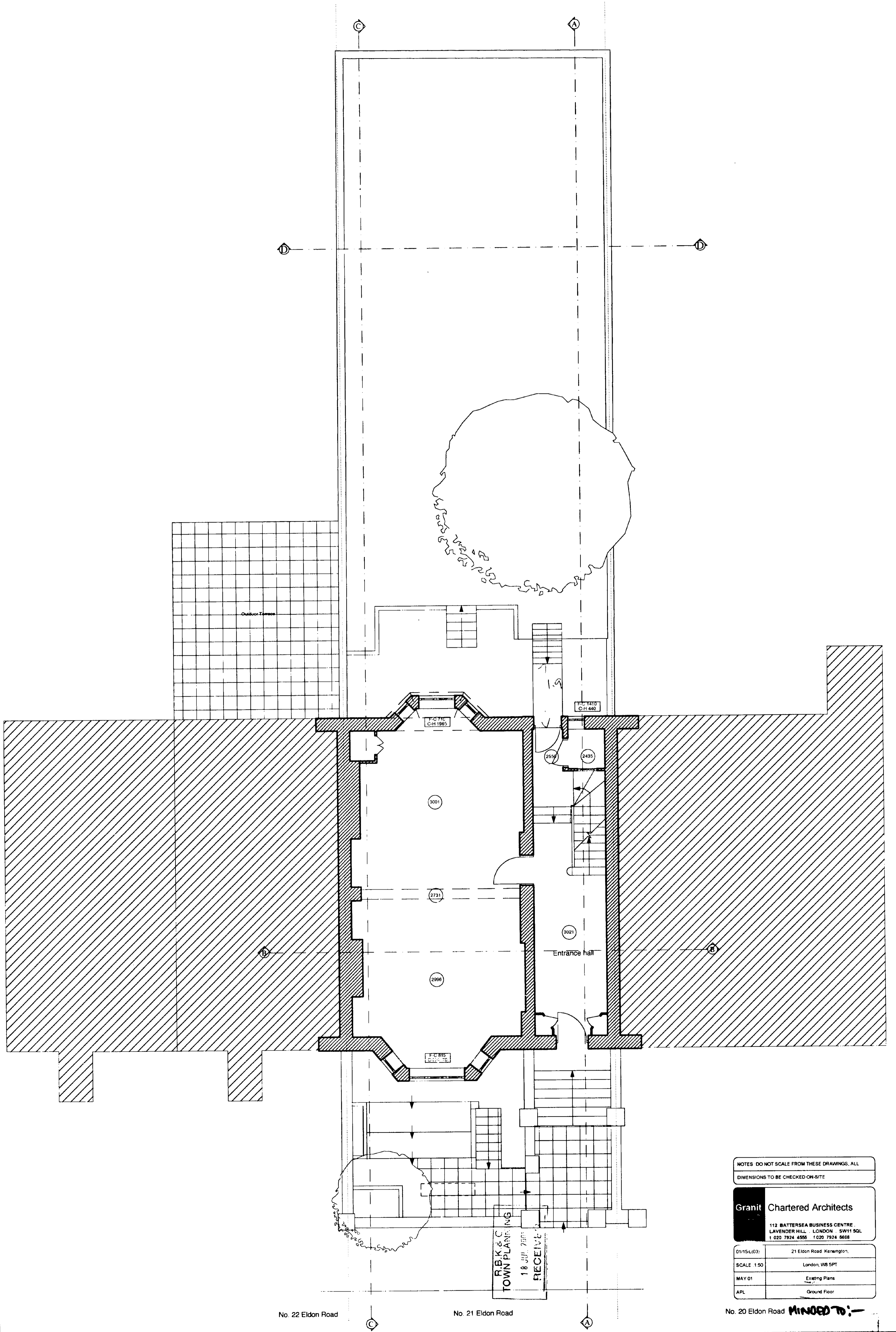
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18 JUN 2003
R.B.K.&C.
TOWN PLANNING

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NOTES DO NOT SCALE FROM THESE DRAWINGS, ALL
DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
113 BATTERSEA BUSINESS CENTRE
LAVENDER HILL, LONDON SW11 5QL
T 020 7524 4555 F 020 7524 5666

01/15(LZ7)	21 Eldon Road, Kensington, London, W8 5PT
SCALE 1:100	Proposed Section
MAY 01	Section E-E
AK	



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Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON SW11 5QL
 1 020 7924 4555 1 020 7924 6688

01/15/L/03:	21 Eldon Road Kensington,
SCALE 1:50	London, W8 5PT
MAY 01	Existing Plans
APL	Ground Floor

R.B.K. & C.
 TOWN PLANNING
 18 JUL 2001
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No. 22 Eldon Road

No. 21 Eldon Road

No. 20 Eldon Road **MINDOED TO:-**



Elevations of adjoining buildings not shown only

Elevations of adjoining buildings not shown only

H. B. K. & C.
 TOWN PLANNING
 12 APR 2001
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GRANIT Chartered Architects 112 WATERLOO SQUARE, LONDON, W1R 2EQ TEL: 020 7554 4000 FAX: 020 7554 4001	
PROJECT NO: DATE: 13/04/01 DRAWN BY: P. B. R. CHECKED BY: M. J. G.	DRAWING NO: SCALE: 1:50 TITLE: ELEV.

01/15/01

PLANNING
 22 APR 2002

AIRO

Consultants in Acoustics, Noise Control
and specialist Electro-Acoustic Systems,
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ACOUSTICAL INVESTIGATION &
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Hemel Hempstead
Hertfordshire
HP2 4SB

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Director
A J Jones BSc PhD CPhys MInstP FIOA
Principal Consultants
R C Hill BSc FIOA MBCS
W R Stevens MICA
Laboratory Supervisor
M Sawyer MIOA

Telephone: 01442 247146
Facsimile: 01442 258749
E-mail: AIRO@bcs.org.uk
URL: <http://www.airo.co.uk/>

WRS/BB/4880/L2

Mr Alexander Dusterloh
Granit Chartered Architects Ltd
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

R	MDC	TP	CAC	AD	CLU	
R.B.						PLANNING
N	C		SE	APP	IO	REC
			ARB	FPLN	DES	FEES

3 April 2002

Dear Mr Dusterloh

21 ELDON ROAD - SWIMMING POOL

We have now had an opportunity to examine the layout and specification of the Phoenix 1000 AHU to be installed in the basement plant-room and can make the following observations in relation to noise control.

Discussions with the suppliers of the unit indicate that the only two items of plantroom equipment which generate noise are the main pump and the AHU, the pump generally being considered the noisier of the two. Jetform inform us that two pumps are being considered for the installation, these being a Calpeda which generates 70dB(A) @1m and an Ingersoll Dresser which generates between 60-65dB(A) @1m. We would recommend that the quieter model be selected and that all reasonable efforts be taken to further contain noise emissions.

It is understood that the pump manufacturer is able to supply an enclosure to reduce emissions, furthermore it is possible to externally clad the AHU to reduce noise breakout. Under these circumstances the reverberant field noise levels within the plantroom should be no greater than 50-60dB(A). The roof of the plantroom is substantial, comprising a 150mm thick concrete slab, with a 75mm overlay of polyfoam insulation supporting 40mm thick portland stone slabs or similar. Noise leakage through the roof is not therefore considered to be a problem, it is nonetheless recommended that all reasonable efforts be made to reduce noise levels in the plantroom in order to ensure the comfort of the residents of 21 Eldon Road.

The principle source of noise to atmosphere will be via the ventilation system. Noise from the AHU will make its way through the intake and extract ducts, these ducts being of the order of three metres long. A small measure of attenuation will be provided by the ducts and the 90 degree bends leading to the inlet/outlet grilles. In order to increase the level of ductwork attenuation and reduce as far as possible the specifications for the silencers it is recommended that the inner surfaces of the bends be lined with 30mm thick Rockwool RWA45 mineral fibre to a distance of 300mm either side of the inner edge of the bend.

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PLANNING SERVICES OFFICE

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22 APR 2002

Page 2

The noise data relating to the Phoenix AHU is presented in terms of octave-band 'A' weighted sound power levels derived from octave-band 'A' weighted sound pressure levels at a distance of 3 metres from the unit. With appropriate corrections applied for the 'A' weighting the octave band sound power levels are typically of the order of 89dB over the frequency range 63Hz-2kHz. It is clear therefore that substantial silencers will be needed if the required performance criteria detailed in our Report No WRS/4880 are to be satisfied.

Our previous report recommends that ventilation system noise levels, measured outside at a distance of 3 metres from the intake and extract openings, should be no greater than 37dB, L_{Aeq} during the daytime and 32dB, L_{Aeq} during the night-time. We have calculated the minimum insertion loss performance specifications for the intake and extract silencers required to meet the night-time criteria, these being included in the following table.

Table 1 Insertion Loss Specifications for intake/extract ducts - dB.

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	13	27	39	39	42	42	38	30

The requirements are certainly onerous and will necessitate the installation of substantial silencers, reference to manufacturers literature suggesting that these may need to be of the order of 2-3 metres long. There does however appear to be space to accommodate such silencers, we would therefore recommend that the manufacturers be contacted to advise on the suitability of their products, a list of manufacturers of air distribution silencers being included on the attached information sheet. It should be noted that substantial silencers of the type required will impair airflow, the suppliers/installers of the AHU should therefore liaise closely with the silencer manufacturers to ensure suitability under normal operating conditions.

If the AHU is only to be operated during the daytime then the insertion loss specifications for the silencers may be reduced by 5dB in each octave-band. Alternatively a 5dB reduction in performance specifications could also be permitted if the AHU ventilation fan speed were reduced by 50% during the night-time.

The AHU will also generate noise levels within the swimming pool area, and this noise could pass through the glass patio doors to atmosphere. Double glazed patio doors are typically capable of achieved a Weighted Sound Reduction Index (R_w) of around 28-30dB and this will certainly help to contain emissions. However in order to further reduce emissions and ensure the comfort of the occupants of No 21 Eldon Road silencers will also need to be installed on the 'job' side of the AHU. Space restrictions limit what can be provided on the return air side, it should nonetheless be possible to obtain a reasonable measure of noise reduction by lining the inner surfaces of the ductwork with 30mm Rockwool RWA45 and installing a high performance acoustic louvre in preference to a simple return air grille.

An in-line silencer should be fitted to the supply air duct, selected on the basis of providing the following minimum insertion loss performance specifications.

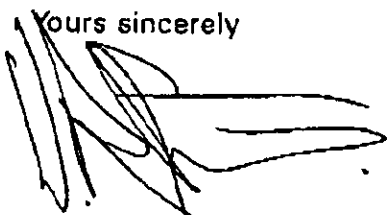
Table 2 Insertion Loss Specifications for supply duct - dB

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	3	10	22	23	25	25	23	16

The supply duct silencer should be fitted within the plantroom as close as possible to the point at which it passes through the plantroom roof. Furthermore care should be taken to ensure that the supply, intake and extract ducts and silencers are effectively sealed around the points at which they pass through the roof of the plantroom.

We trust that these observations and recommendations provide you with all the information you require at present, no doubt we shall discuss the matter further after you have obtained tenders from the silencer manufacturers and discussed our proposals with the AHU suppliers/installers.

Yours sincerely



W R Stevens

Enc.

AIRO

SILENCERS - AIR DISTRIBUTION

Acoustic Engineering Services Ltd
PO Box 322
West Byfleet
Surrey
KT14 6YN

Tel : 01932 352 733
Fax : 01932 355 265
E-mail:
Web : www.aesuk.co.uk

Burgess Industrial Acoustics Ltd
Vulcan Road
Bilston
West Midlands
WV14 7JG

Tel : 01902 357 130
Fax : 01902 492 962
E-mail: sales@burgessacoustics.co.uk
Web : www.burgessacoustics.co.uk

IAC Ltd
IAC House
Moorside Road
Winchester
Hants
SO23 7US

Tel : 01962 873 000
Fax : 01962 873 111
E-mail: info@iac.co.uk
Web : www.iac.co.uk

Industrial & Marine Silencers Ltd
Old Station Close
Shepshed
Leicestershire
LE12 9NJ

Tel : 01509 650 630
Fax : 01509 650 990
E-mail: sales@silencers.co.uk
Web : www.silencers.co.uk

Isolated Systems Ltd
Adams Close
Heanor Gate Industrial Park
Heanor
Derbyshire
DE75 7SW

Tel : 0870 727 4210
Fax : 0870 727 4211
E-mail : sales@isolatedsystems.co.uk
Web : www.isolatedsystems.com

LBJ Fabrications Ltd
Brookhill Industrial Estate
Brookhill Road
Pinxton
Nottinghamshire
NG16 6NT

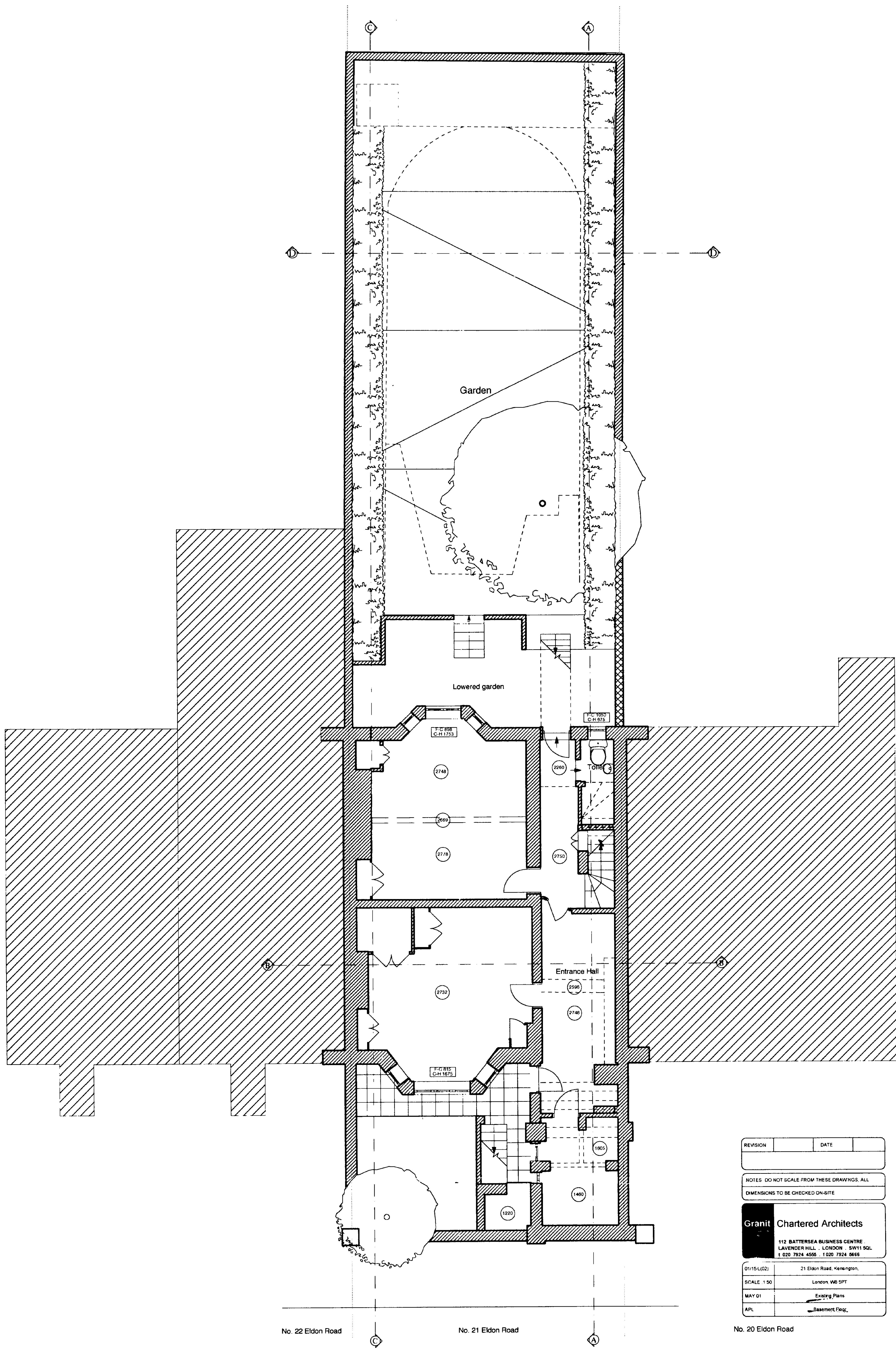
Tel : 01773 812321
Fax : 01773 812141
E-mail:
Web : www.lbj.co.uk

Oscar Engineering
Michaels Lane
Ash
Kent
TN15 7HT

Tel : 01474 873 122
Fax : 01474 879 554
E-mail: oscareng@netcomuk.co.uk
Web : www.oscar-acoustics.co.uk

Trane (UK) Ltd
Northern Cross
Basing View
Basingstoke
Hampshire
RG21 4HH

Tel : 01256 306 000
Fax : 01256 306 001
E-mail: mandy_newsonwebb@trane.com
Web : www.trane.com



No. 22 Eldon Road

No. 21 Eldon Road

No. 20 Eldon Road

REVISION	DATE

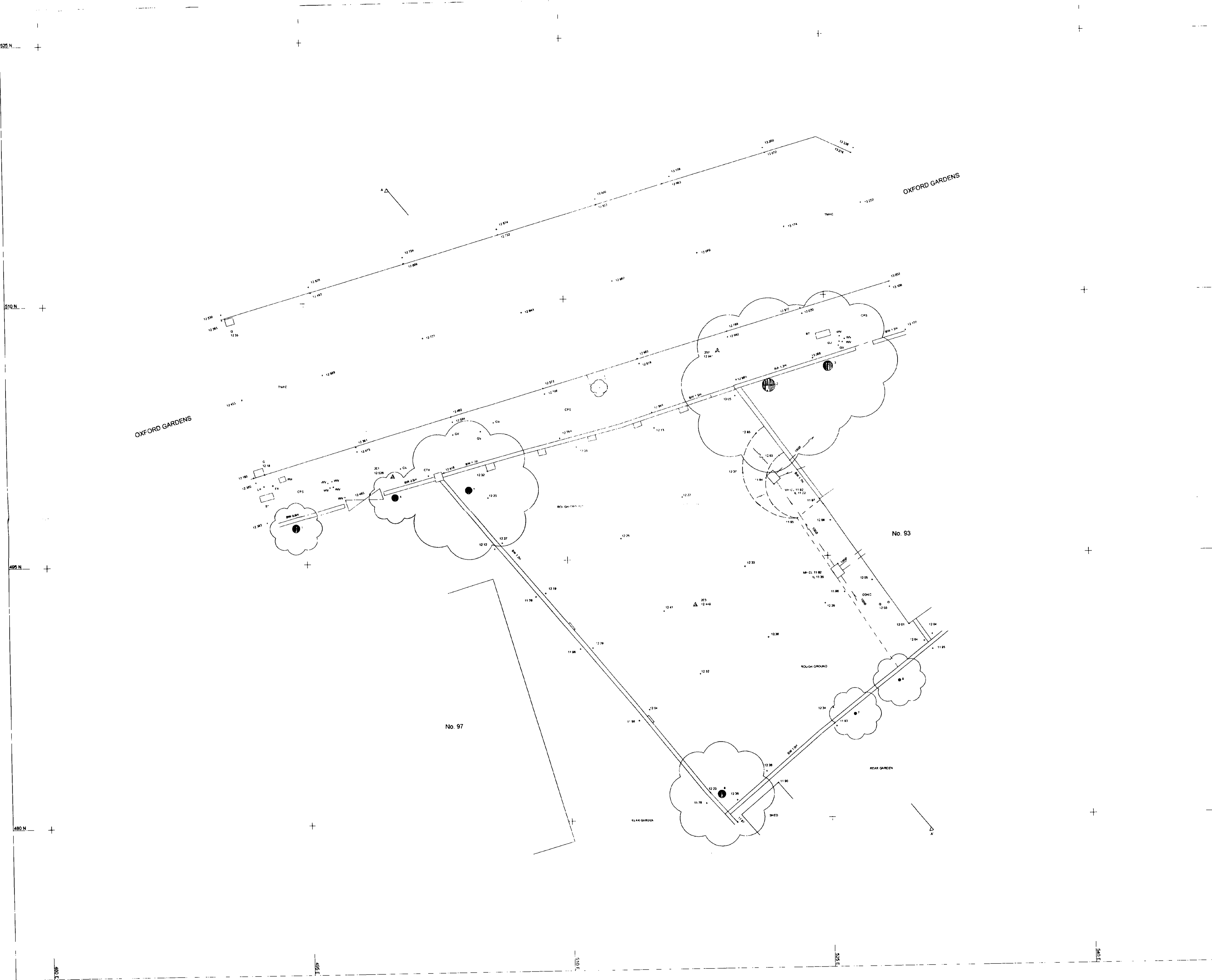
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Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE
 LAVENDER HILL, LONDON, SW11 5QL
 T 020 7824 4555 F 020 7924 9665

01/15/L(02)	21 Eldon Road, Kensington,
SCALE 1:50	London, W8 5PT
MAY 01	Existing Plans
APL	Basement Floor

R.B.K. & C.
 TOWN PLANNING
 18 JUL 2001
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BB	Block Wall	CB	Chain to Chain	DB	Drain
BN	Block Wall	CC	Chain to Chain	DC	Drain
BS	Block Wall	CD	Chain to Chain	DD	Drain
BT	Block Wall	CE	Chain to Chain	DE	Drain
BW	Block Wall	CF	Chain to Chain	DF	Drain
BY	Block Wall	CG	Chain to Chain	DG	Drain
BZ	Block Wall	CH	Chain to Chain	DH	Drain
CA	Chain to Chain	CI	Chain to Chain	DI	Drain
CB	Chain to Chain	CJ	Chain to Chain	DJ	Drain
CC	Chain to Chain	CK	Chain to Chain	DK	Drain
CD	Chain to Chain	CL	Chain to Chain	DL	Drain
CE	Chain to Chain	CM	Chain to Chain	DM	Drain
CF	Chain to Chain	CN	Chain to Chain	DN	Drain
CG	Chain to Chain	CO	Chain to Chain	DO	Drain
CH	Chain to Chain	CP	Chain to Chain	DP	Drain
CI	Chain to Chain	CQ	Chain to Chain	DQ	Drain
CJ	Chain to Chain	CR	Chain to Chain	DR	Drain
CK	Chain to Chain	CS	Chain to Chain	DS	Drain
CL	Chain to Chain	CT	Chain to Chain	DT	Drain
CM	Chain to Chain	CU	Chain to Chain	DU	Drain
CN	Chain to Chain	CV	Chain to Chain	DV	Drain
CO	Chain to Chain	CW	Chain to Chain	DW	Drain
CP	Chain to Chain	CX	Chain to Chain	DX	Drain
CQ	Chain to Chain	CY	Chain to Chain	DY	Drain
CR	Chain to Chain	CZ	Chain to Chain	DZ	Drain
CS	Chain to Chain	CA	Chain to Chain	EA	Drain
CT	Chain to Chain	CB	Chain to Chain	EB	Drain
CU	Chain to Chain	CC	Chain to Chain	EC	Drain
CV	Chain to Chain	CD	Chain to Chain	ED	Drain
CW	Chain to Chain	CE	Chain to Chain	EE	Drain
CX	Chain to Chain	CF	Chain to Chain	EF	Drain
CY	Chain to Chain	CG	Chain to Chain	EG	Drain
CZ	Chain to Chain	CH	Chain to Chain	EH	Drain
CA	Chain to Chain	CI	Chain to Chain	EI	Drain
CB	Chain to Chain	CJ	Chain to Chain	EJ	Drain
CC	Chain to Chain	CK	Chain to Chain	EK	Drain
CD	Chain to Chain	CL	Chain to Chain	EL	Drain
CE	Chain to Chain	CM	Chain to Chain	EM	Drain
CF	Chain to Chain	CN	Chain to Chain	EN	Drain
CG	Chain to Chain	CO	Chain to Chain	EO	Drain
CH	Chain to Chain	CP	Chain to Chain	EP	Drain
CI	Chain to Chain	CQ	Chain to Chain	EQ	Drain
CJ	Chain to Chain	CR	Chain to Chain	ER	Drain
CK	Chain to Chain	CS	Chain to Chain	ES	Drain
CL	Chain to Chain	CT	Chain to Chain	ET	Drain
CM	Chain to Chain	CU	Chain to Chain	EU	Drain
CN	Chain to Chain	CV	Chain to Chain	EV	Drain
CO	Chain to Chain	CW	Chain to Chain	EW	Drain
CP	Chain to Chain	CX	Chain to Chain	EX	Drain
CQ	Chain to Chain	CY	Chain to Chain	EY	Drain
CR	Chain to Chain	CZ	Chain to Chain	EZ	Drain
CS	Chain to Chain	CA	Chain to Chain	FA	Drain
CT	Chain to Chain	CB	Chain to Chain	FB	Drain
CU	Chain to Chain	CC	Chain to Chain	FC	Drain
CV	Chain to Chain	CD	Chain to Chain	FD	Drain
CW	Chain to Chain	CE	Chain to Chain	FE	Drain
CX	Chain to Chain	CF	Chain to Chain	FF	Drain
CY	Chain to Chain	CG	Chain to Chain	FG	Drain
CZ	Chain to Chain	CH	Chain to Chain	FG	Drain

LEVEL NOTE
 ALL LEVELS ARE RELATED TO OSBM SITUATED ON
 No. 112 OXFORD GARDENS W/FACE S ANGLE
 VALUE 11.28m

FOR SEE TOWN PLAN SEE DRAWING 20330E

STN	EASTING	NORTHING	LEVEL
201	500 000	500 000	12.528
202	500 000	500 000	12.541
203	500 000	499 999	12.549

TREE	DIAMETER	SPPRALS	HEIGHT	TYPE
1	0.45	3	5	PLANE
2	0.75	10	10	PLANE
3	0.8	4	10	PLANE
4	0.4	5	10	PLANE
5	0.4	2	10	PLANE
6	0.45	6	13	UNIDENTIFIED
7	0.15	3	5	CYPRESS
8	0.15	3	5	CYPRESS

TOWN PLANNING
 - 3 JUL 2001
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PROJ1486

All underground services information shown on this plan is the property of the utility companies and users should refer to them for the latest information and any changes to the data.
 Tree types shown on this drawing cannot be guaranteed and if there should be any changes to the data, the user should refer to the utility companies for the latest information.
 This plan has been produced for the client detailed herein and is not to be used for any other purpose without the written consent of A.P.R. Services Ltd.

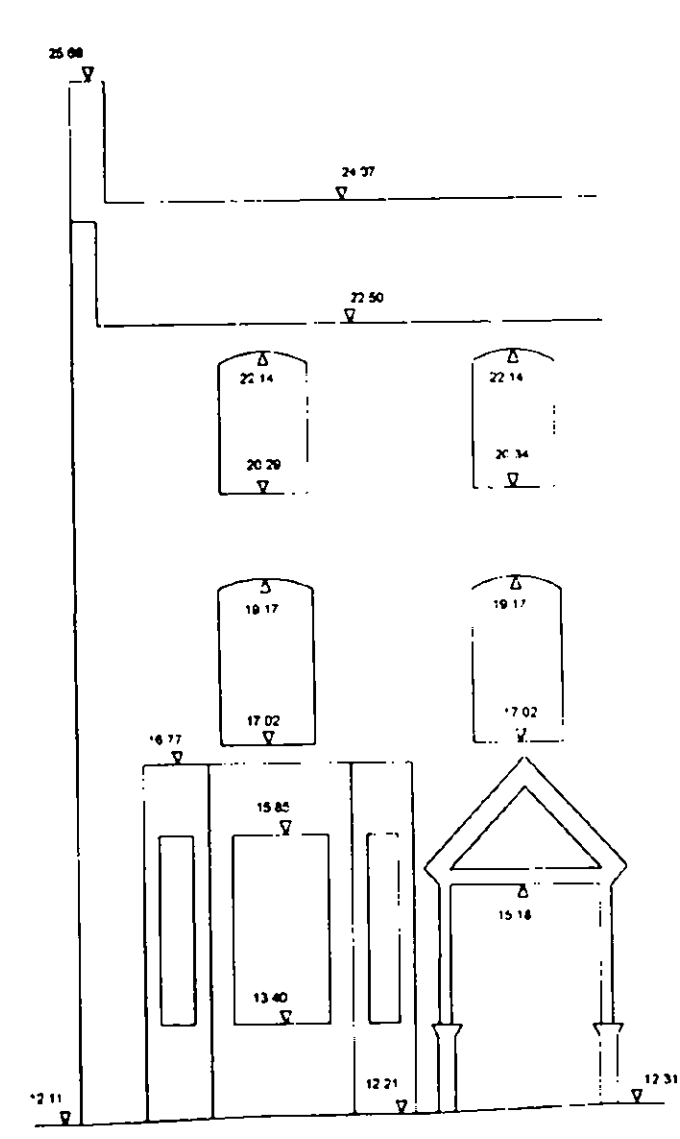
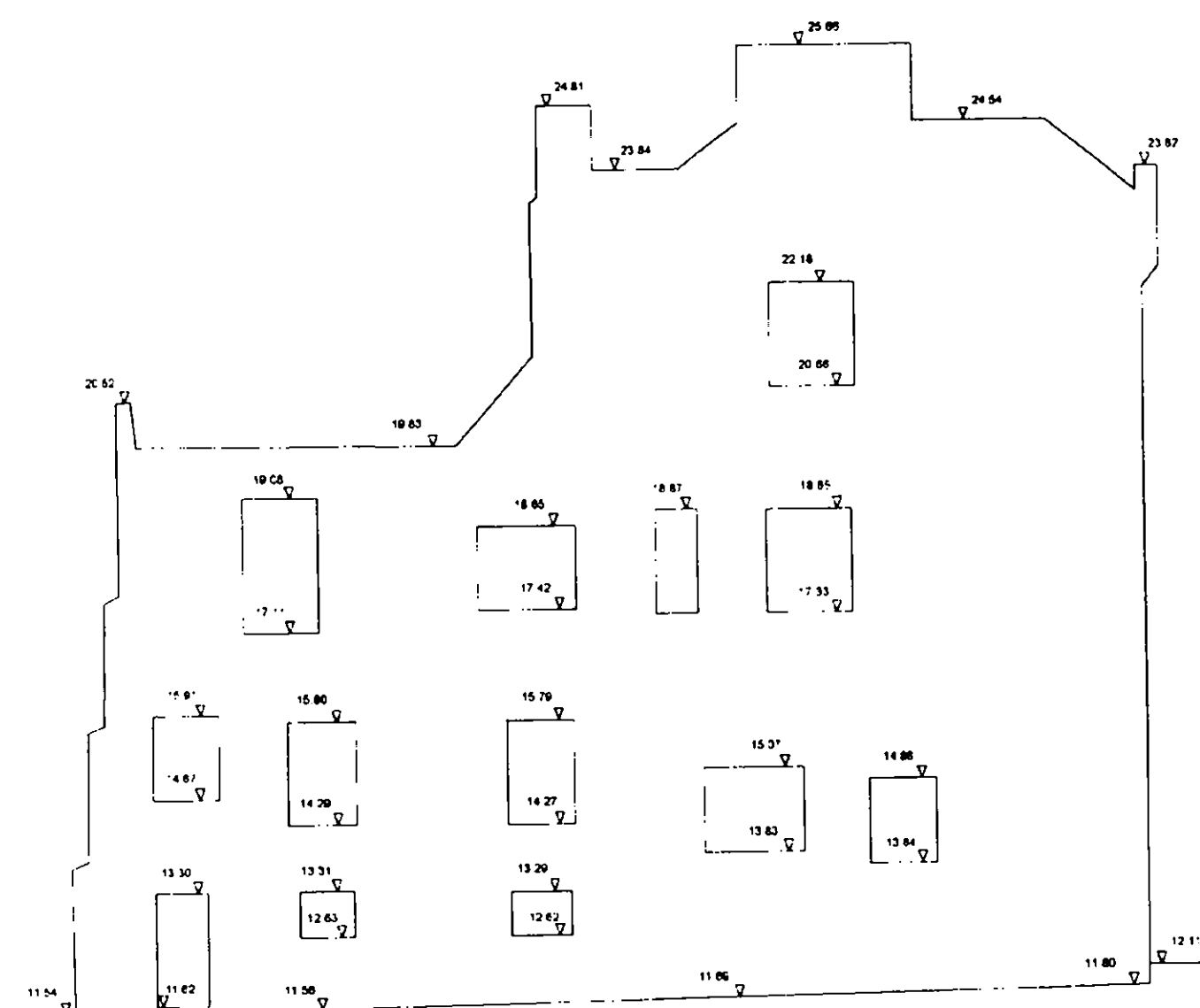
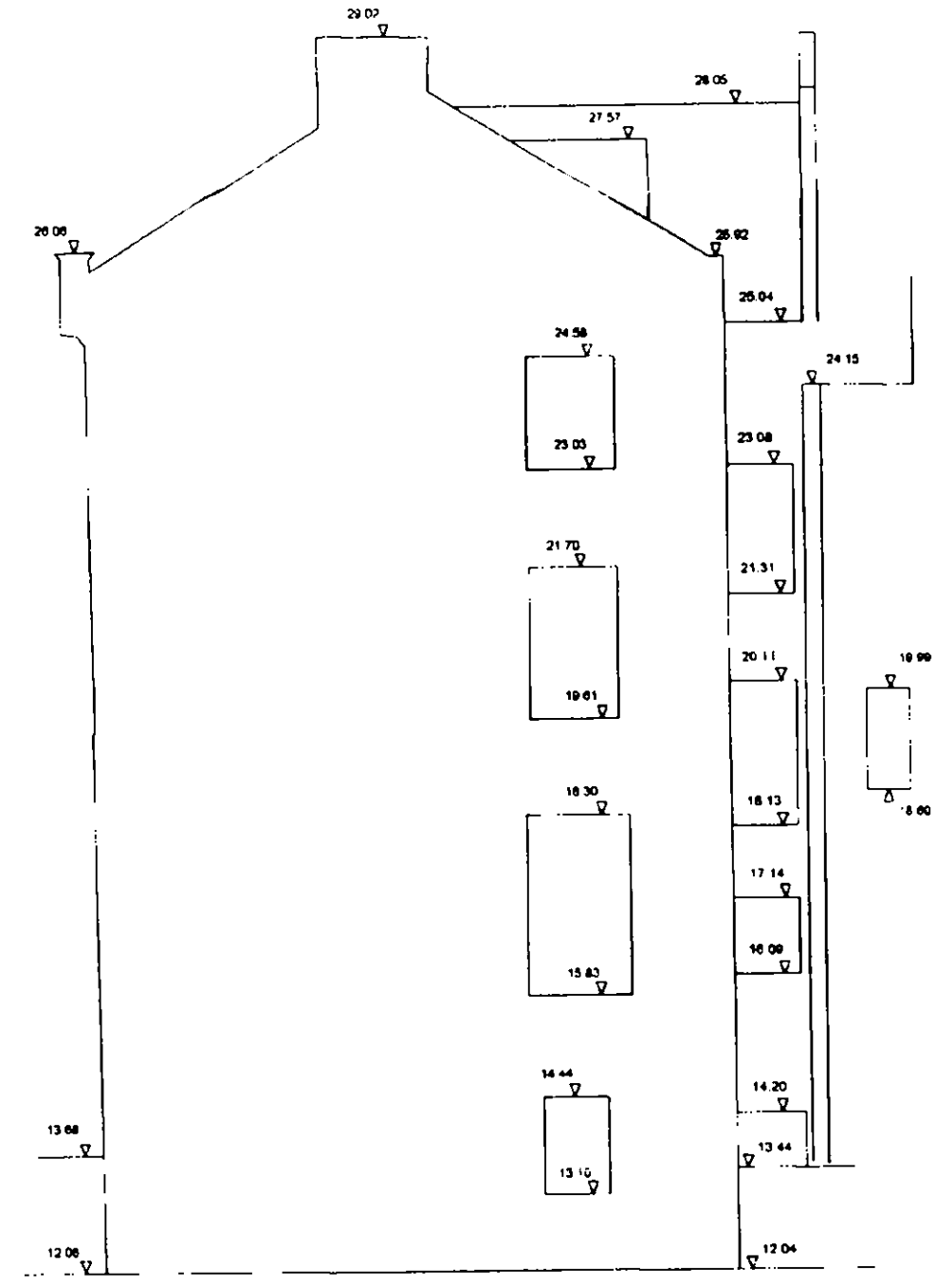
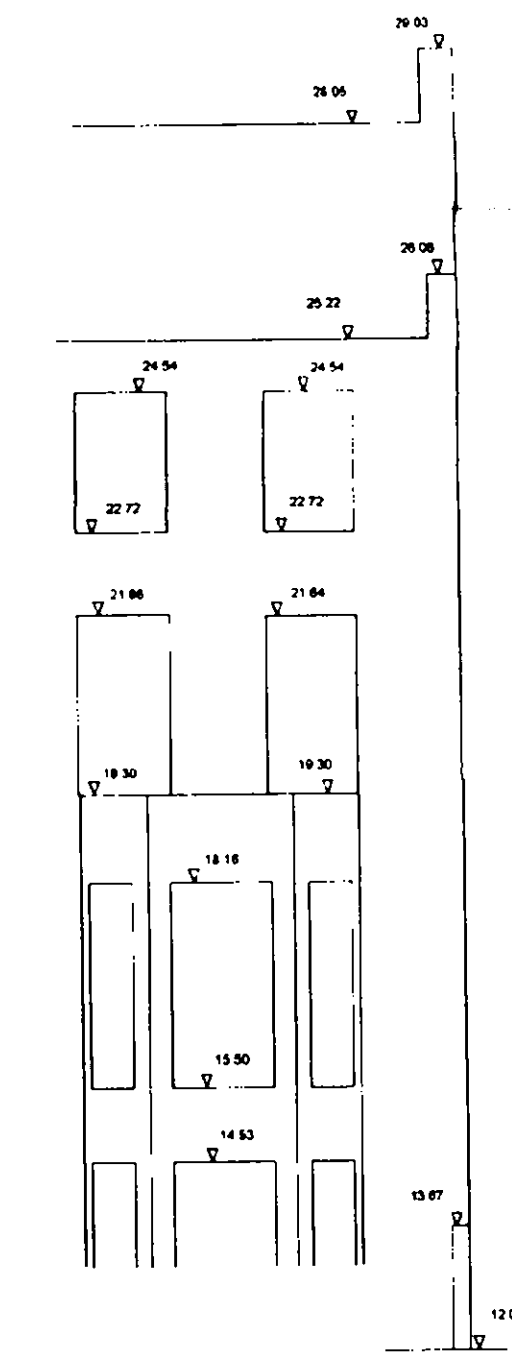
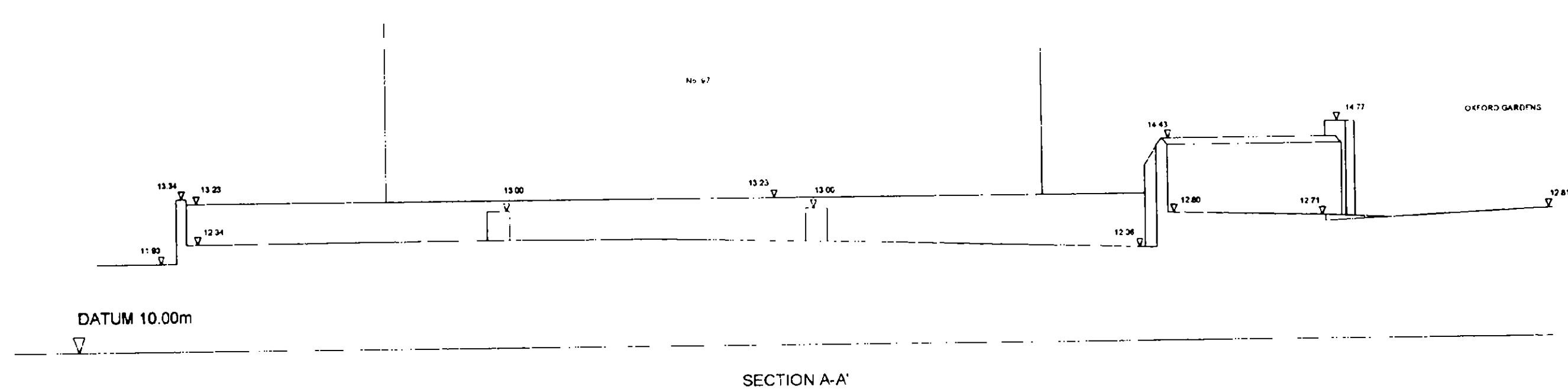
Revisions	Date	Drawn	Checked
	DEC 2000		

Client
SAMSON PROPERTIES PLC

Dwg. Title
LAND SURVEY

Project Title
**95 OXFORD GARDENS
 LONDON, W10**

A.P.R. Services
 Land and Engineering Surveys
 Unit 6, First Floor, Chase Side Works
 Chase Side Road, Southgate
 London N14 4JN
 Tel 020 8447 8255 Fax 020 8882 8090



ABBREVIATIONS

AS	As Built	DM	Duct Height	FRF	Flag & Rail Fence
B	Barren or Better Heights	DN	Down Pipe	FRW	Flag & Wire Fence
BS	Barren or Better	ECE	Electric Control Box	H	Hard
BU	Bull Run	ELE	Electric	RAD	Road
BW	Bottom of Beam Height	ET	Electric Pole	RE	Refractory
BL	Bed Level	FB	Flow Back	RG	Rough Ground
BP	Base Point	FF	Foot Path	RSL	Road Sign
BRV	Brick Retaining Wall	FL	Floor Level	RS	Raised Street Level
B5	Bull Stop	G	Gully	RUP	Road Utility Pole
B7	Brick Wall	H	Height	S	Served or Stone
BS	Bull Stop	H	Height or Material	SL	Soft Level or Slight
BWP	Buried Wire Fence	HT	Height	SP	Arch Structure Height
C	Window Clearance	IC	Iron Control	SSS	Stone Facing Stone
C3	Control Box	L	Level	SW	Stone Wall
C4	Control Box	MB	Motor Box	TC	Tree Control
CBA	Concrete Block Wall	MF	Masonry Fence	T	Tag
CB	Concrete Block	MO	Moss	TL	Tree Light
CF	Concrete Footing	L	Light	TP	Temporary Pole
CL	Cover Level	LP	Light Pole	TSS	Tank Piping Stand
CL5	Chain Link Security Fence	M	Mechanics	UL	Utility To Land
CP	Concrete Panel Fence	CV	Chain Link Pole	V	Vegetation
CPS	Concrete Panel Fence	D	Down	VP	Vegetation Pole
CR	Chain Link Fence	H	Height	W	Water
CRW	Concrete Retaining Wall	PA	Passage	WA	Water Main
CS	Chain Link	PF	Passage Fence	WM	Water Main
CTV	Concrete Wall	PL	Plaster	WTF	Wooden Fence
C	Chain Link	PL	Plaster Light	WV	Water Valve
		PL	Plaster	D	Diameter

LEVEL NOTE
 ALL LEVELS ARE RELATED TO OSBM SITUATED ON
 No 112 OXFORD GARDENS W FACE S ANGLE
 VALUE 11.29m

No 93 (FRONT)

No 93 (SIDE)

No 97 (SIDE)

No 97 (FRONT)

PRO11486
 TOWN PLANNING
 = 8 JUL 2001
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All underground services information shown on this plan cannot be guaranteed and users should verify their own site data. All levels are related to OSBM No 112 Oxford Gardens W Face S Angle. This plan has been prepared for the use of the client and is not to be used for any other purpose without the written consent of the client. The client is responsible for the accuracy of the data provided.

Revisions	Date	Drawn	DTT
	DEC 2000		
		Checked	ASB
Dwg No.	20330E	Job No.	20330

Client

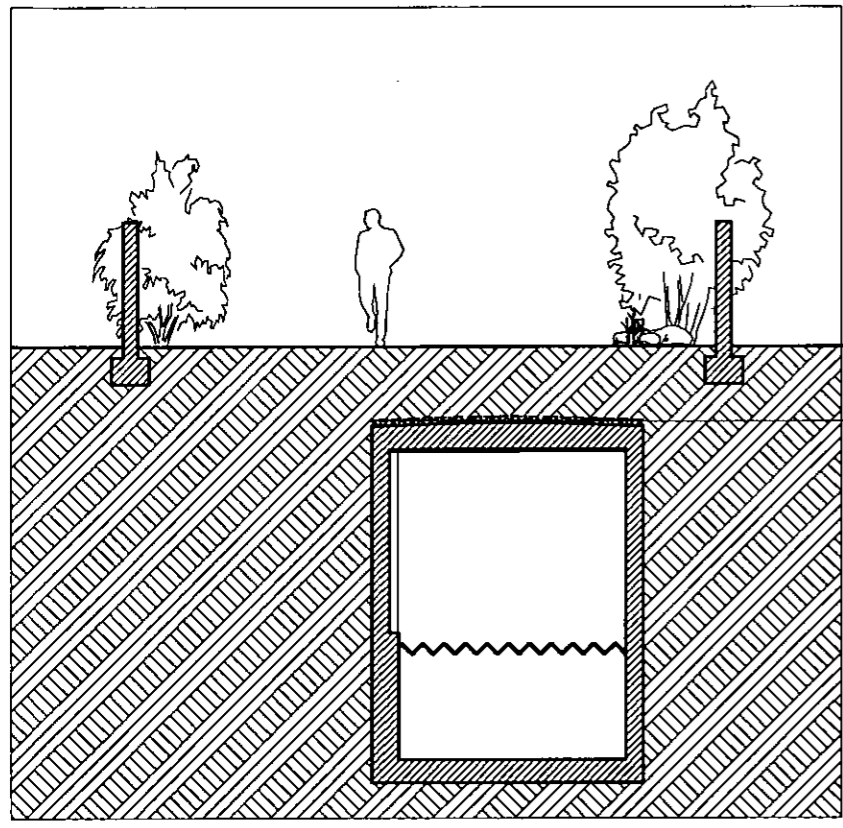
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Dwg Title
SECTION & ELEVATIONS

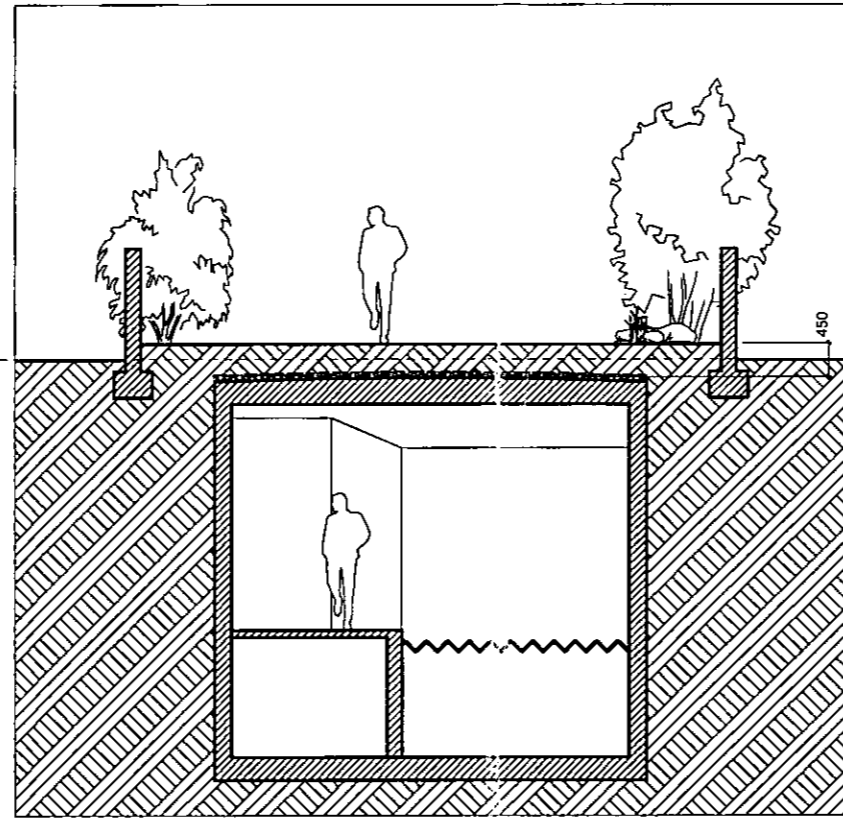
Project Title
95 OXFORD GARDENS
LONDON, W10

A.P.R Services
 Land and Engineering Surveys
 Unit 6, First Floor, Chase Side Works
 Chesham Road, Southgate
 London N14 4JN
 Tel 020 8447 8255 Fax 020 8682 8080

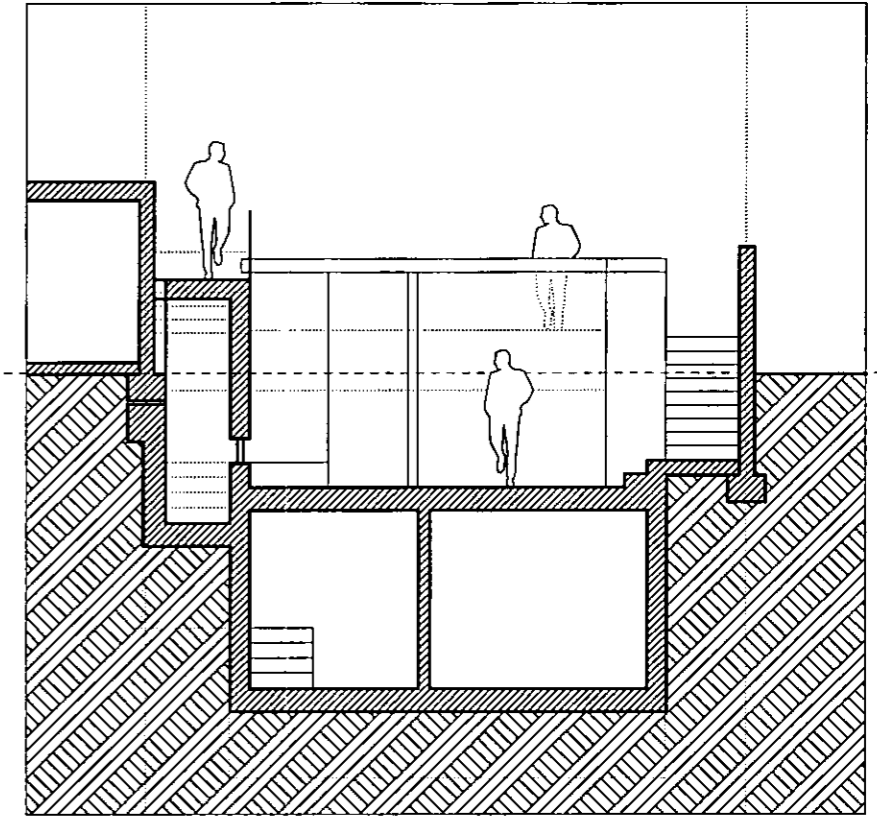
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R.B.	5 - APR 2002				PLANNING
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	ARB	FPLN	DES	FEES	



SECTION D-D



SECTION E-E'



SECTION F-F'

PP/01/1529/B
MINOR TO:-

REFUSED BY
 PLANNING SERVICES CTTEE
 22 APR 2002
 REFUSAL REF.....

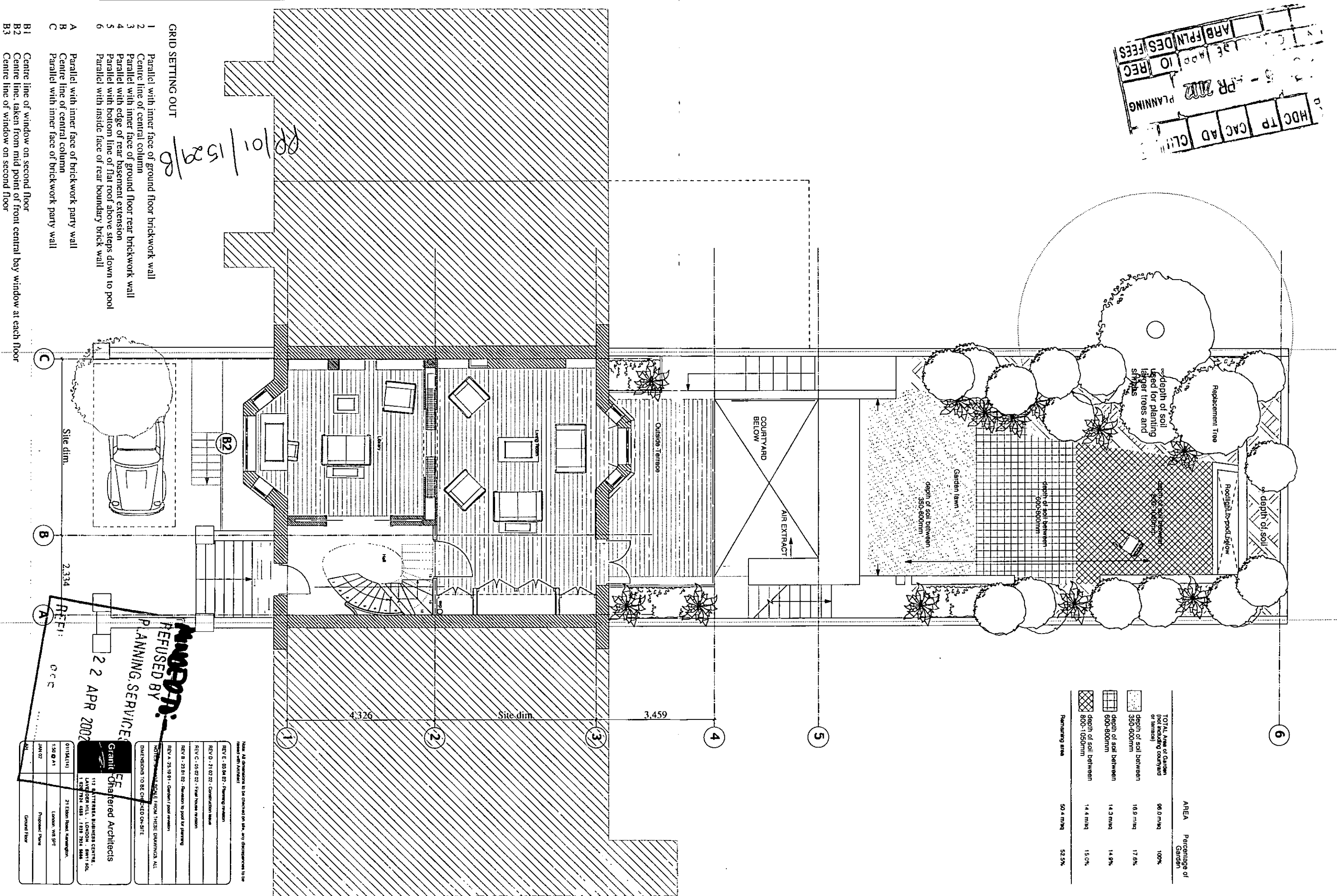
Note: All dimensions to be checked on site, any discrepancies to be raised with Architect

REV A - 03.04.02 - Planning revision
 NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 9QL
 T 020 7924 4553 F 020 7924 5866

0115A(27)	21 Eikon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section D, E & F

REC 10 REC
 LATE HODD
 PR 2002
 PLANNING
 HDCC TP CAC AD CLM



AREA		Percentage of Garden	
TOTAL Area of Garden (not including courtyard or terrace)	96.0 m ²	100%	
depth of soil between 350-600mm	16.8 m ²	17.6%	
depth of soil between 600-800mm	14.3 m ²	14.9%	
depth of soil between 800-1050mm	14.4 m ²	15.0%	
Remaining area	50.4 m ²	52.5%	

GRID SETTING OUT

- 1 Parallel with inner face of ground floor brickwork wall
 - 2 Centre line of central column
 - 3 Parallel with inner face of ground floor rear brickwork wall
 - 4 Parallel with edge of rear basement extension
 - 5 Parallel with bottom line of flat roof above steps down to pool
 - 6 Parallel with inside face of rear boundary brick wall
- A Parallel with inner face of brickwork party wall
 - B Centre line of central column
 - C Parallel with inner face of brickwork party wall
- B1 Centre line of window on second floor
 - B2 Centre line, taken from mid point of front central bay window at each floor
 - B3 Centre line of window on second floor

PP/01/1529/B

REFUSED BY PLANNING SERVICE
 22 APR 2002
 MURPHY

Grant Chartered Architects
 115 BATTERSEA BUSINESS CENTRE,
 LAMBORN HILL, LONDON, SW8 5PT
 TEL: 020 7223 1231 FAX: 020 7223 1232

21 Edon Road, Harrogate,
 LE15 1JG

1:50 @ A1
 JUN 02 Proposed Plans
 A1 Grand Floor

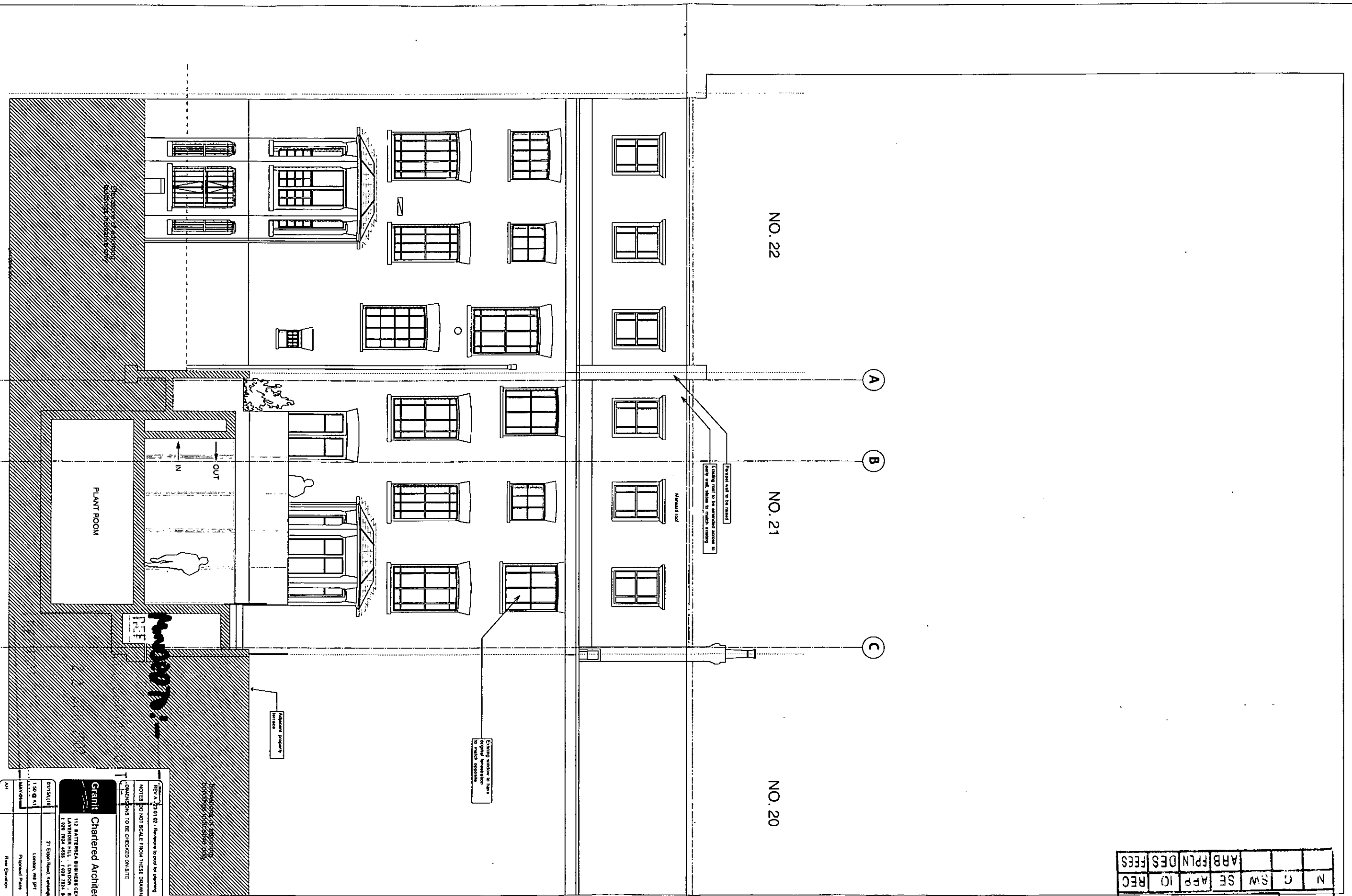
REV E - 03/04/02 - Planning revision
 REV D - 21/02/02 - Construction mark
 REV C - 05/02/02 - Final house revision
 REV B - 23/01/02 - Revision to pool for planning
 REV A - 25/10/01 - Client / final revision

NOTICE: DIMENSIONS TAKEN FROM THESE DRAWINGS. ALL DIMENSIONS TO BE ON-CENTRE ON-SITE.

Note: All dimensions to be checked on site, any discrepancies to be noted with Architect.

EX	HDC	TP	CAC	AD	CLU	AO	AK
DIR							
R.B. K.C. 25 JAN 2002 PLANNING							
N	G	SW	SE	APP	IO	REC	
				ARB	FPLN	DES	FEEES

PP/01/1529/A



REV A 23/01/02 - Revisions to post for planning

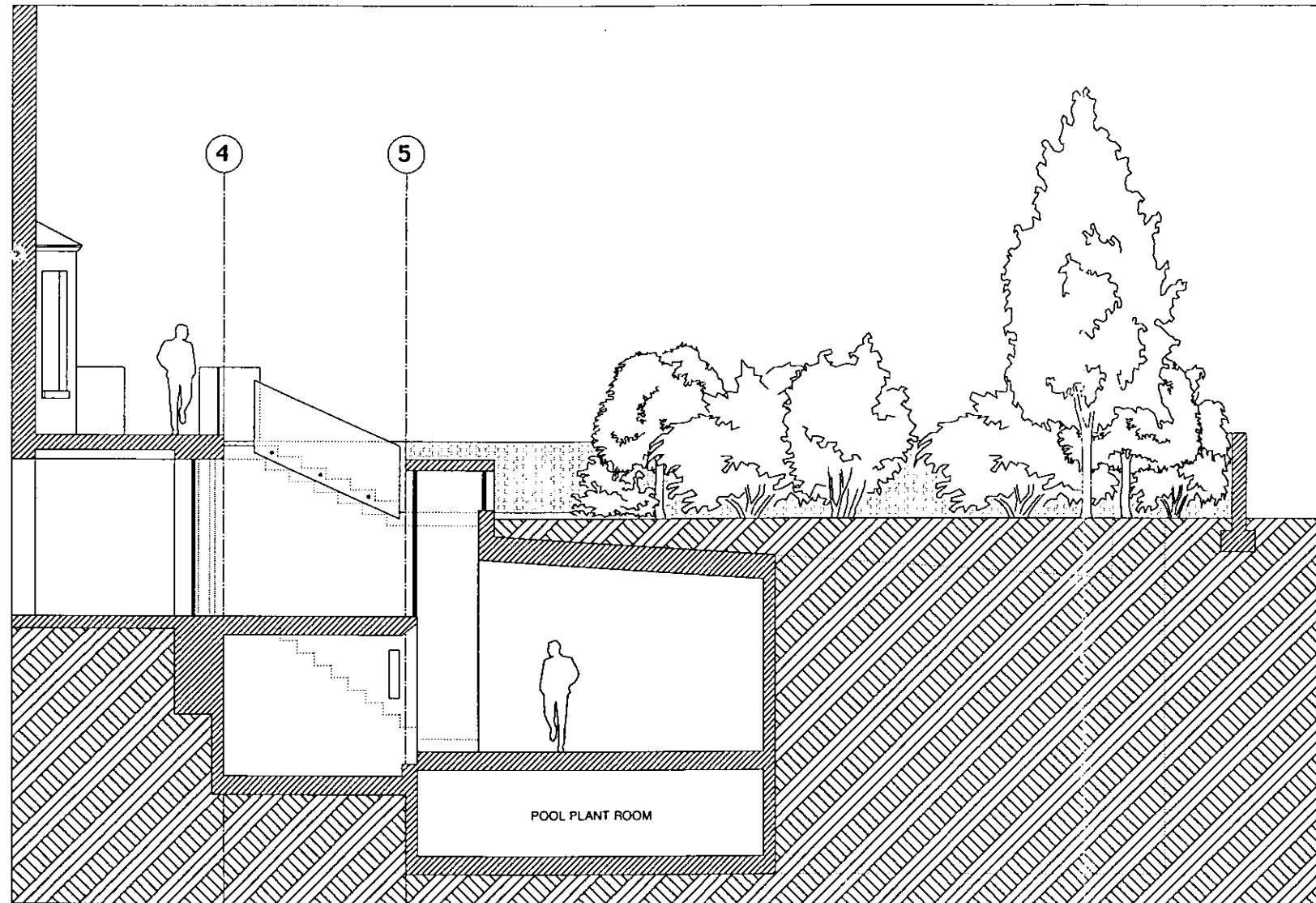
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Grant Chartered Architects
 112 MATTHEW BUSINESS CENTRE,
 102-104, MATTHEW STREET, LONDON, W1P 9DT.
 T 020 7254 4233, F 020 7254 4244

21 Essex Road, Haringey, London, W8 9PT
 Richard Park
 Peter Ewanson

EX DIR	HDC	TP	CAC	AD	CU	AO
R.B.	25 JAN 2002		ANNING			
K.C.						
N	G	SW	SE	APP	PLN	DEC
		ARB	FPLN	DFS	FEES	

PP/01/1529/A



SECTION G-G'

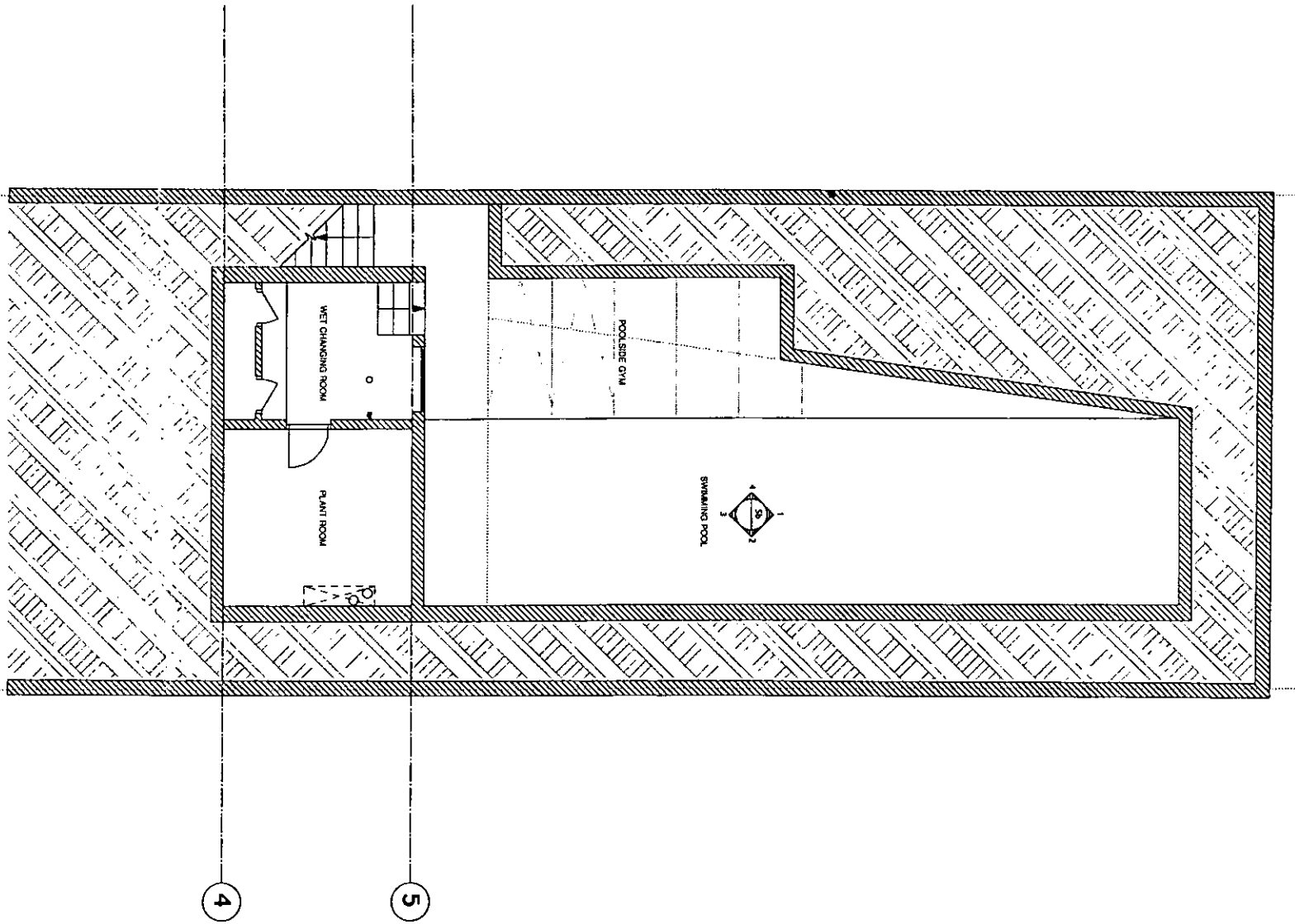
Amended:-
 REFUSED BY
 PLANNING SERVICES CTTEE
 22 APR 2002
 REFUSAL REF.....

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL
 DIMENSIONS TO BE CHECKED ON-SITE

Granit Chartered Architects
 112 BATTERSEA BUSINESS CENTRE,
 LAVENDER HILL, LONDON, SW11 5GL
 T 020 7924 4555 . F 020 7924 5886

01/15/L(28)	21 Eldon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 02	Proposed Sections
AH	Section G

PP/01/1529/A



EX	HDC	TP	CAC	AD	GLU	AO
DIR						AK
R.B						PLANNING
K.C. 25 JAN 2002						
N		SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

MODIFIED

REFUSED BY
PLANNING SERVICES CTTEE
22 APR 2002
REFUSAL REF.....

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE.

Grantl Chartered Architects
114 BATHURST BUSINESS CENTRE
LIVERPOOL ROAD, L20 7JQ, LIVERPOOL
T: 0151 724 4331 F: 0151 724 4344

21 Eldon Road, Newbygate
London, W8 5PZ
Proposed Plans
Site Statement Plans

0115151781
1:50 @ A1
JAN 02

EX DIR	HDC	TP	CAC	AD	CLU	AO
						AK
R.B.		20 FEB 2002			PLANNING	
K.C.						
N.	G	SW	SE	APP	IO	REC
				ARB	FPLN	DES
						FEES

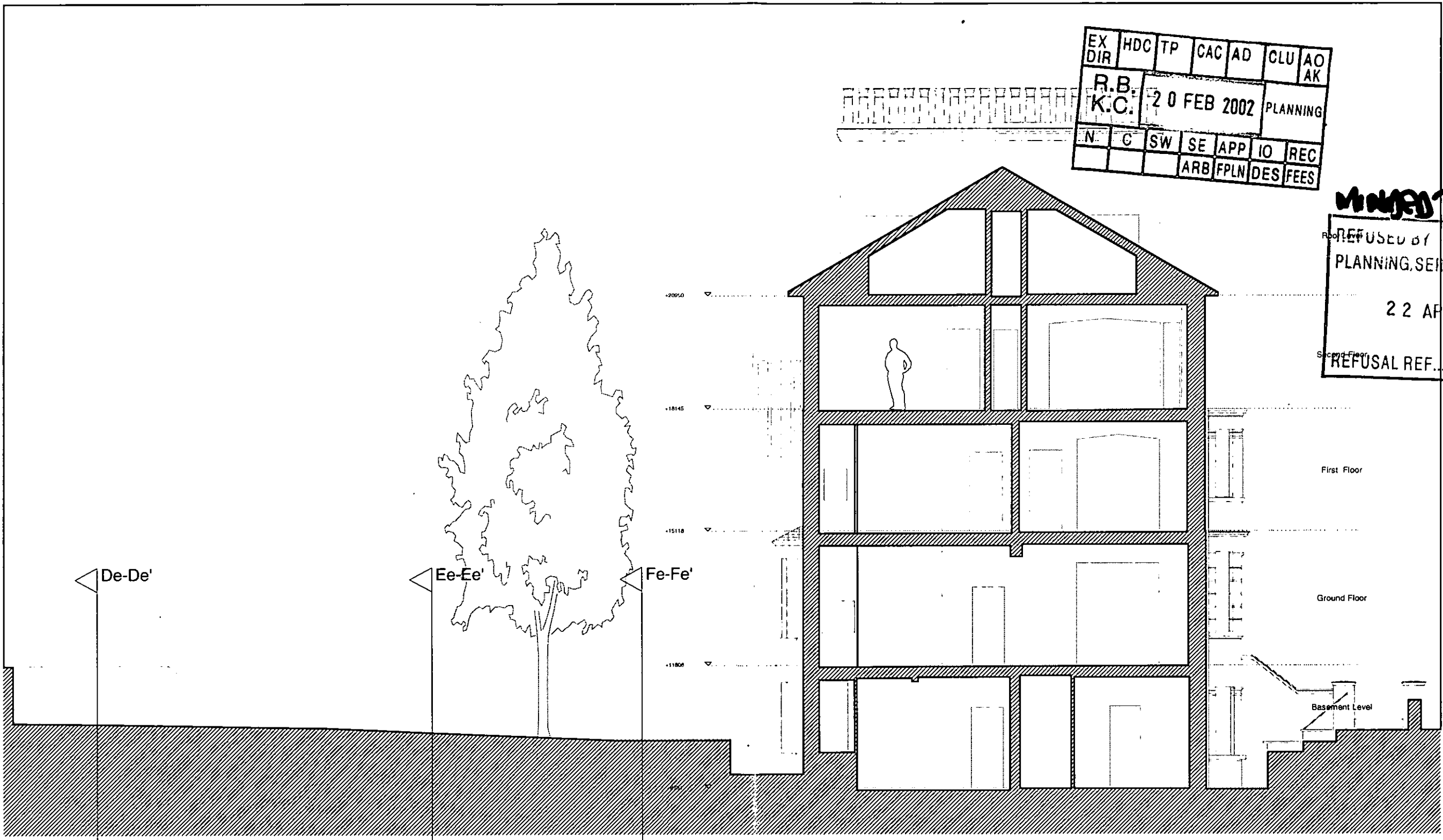
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REFUSED BY
PLANNING SERVICES CTTEE

22 APR 2002

REFUSAL REF.....

PP/01/1529/A



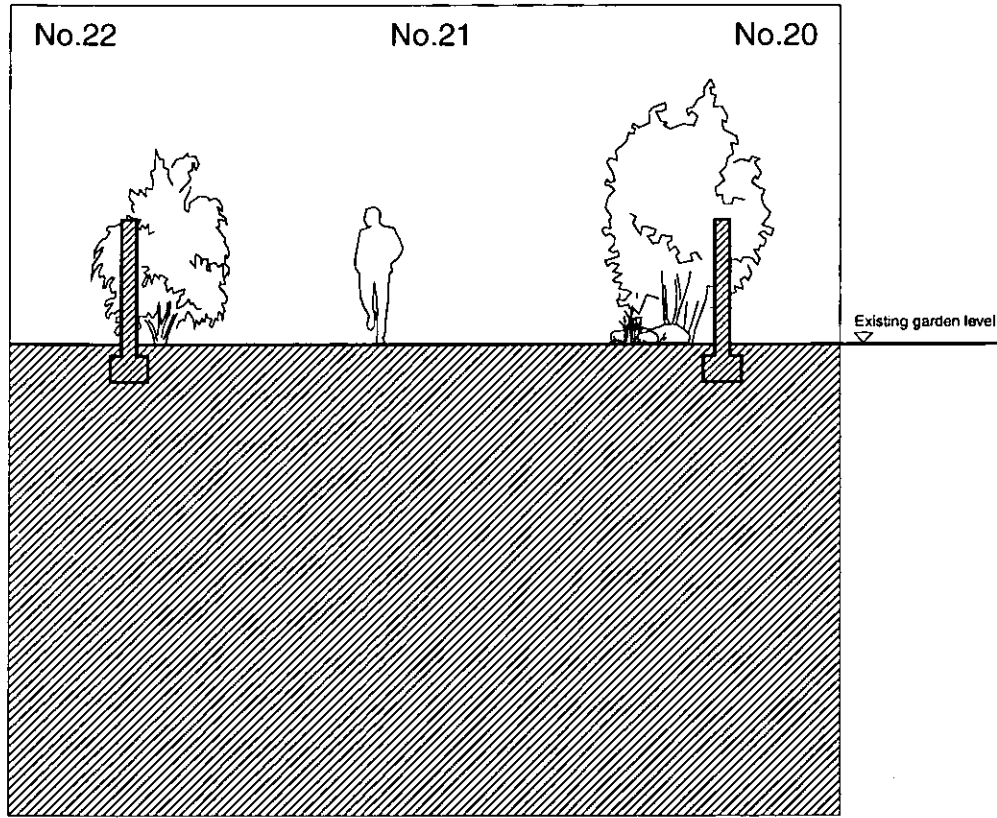
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects

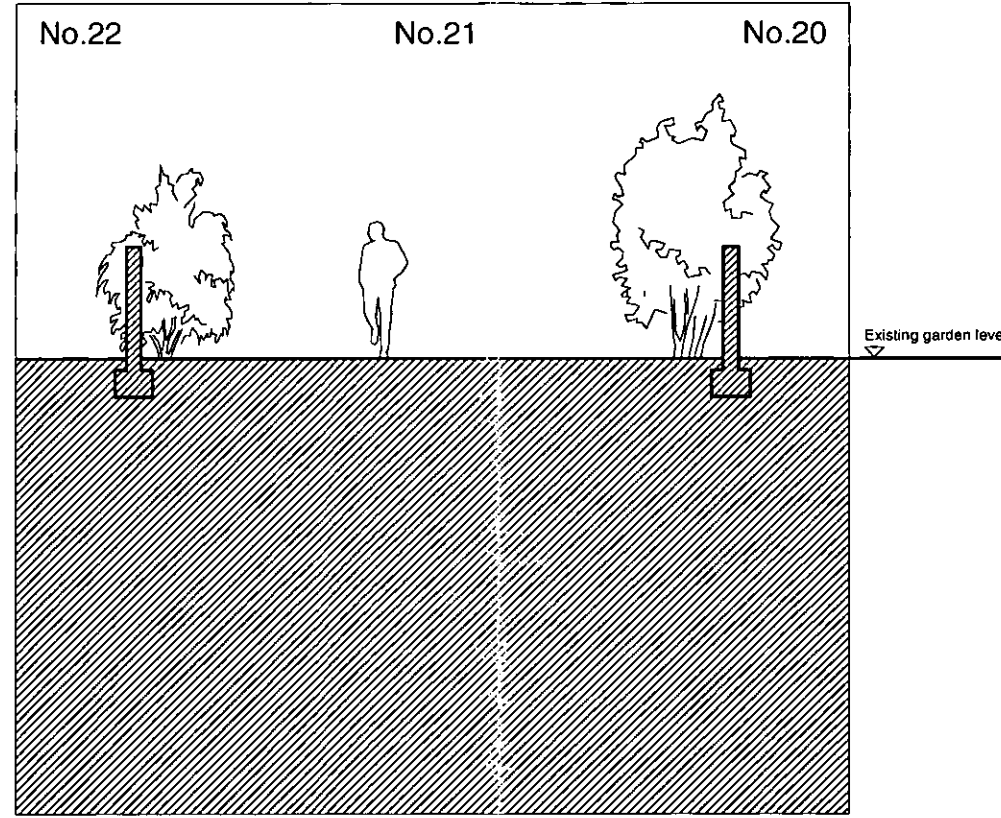
112 BATTERSEA BUSINESS CENTRE,
LAVENDER HILL, LONDON, SW11 8QL
T 020 7824 4333, F 020 7814 5666

01/15A(23)	21 Elton Road, Kensington,
SCALE: 1:100	London, W8 5PT
MAY 01	Existing Plans
APL	Section G/C

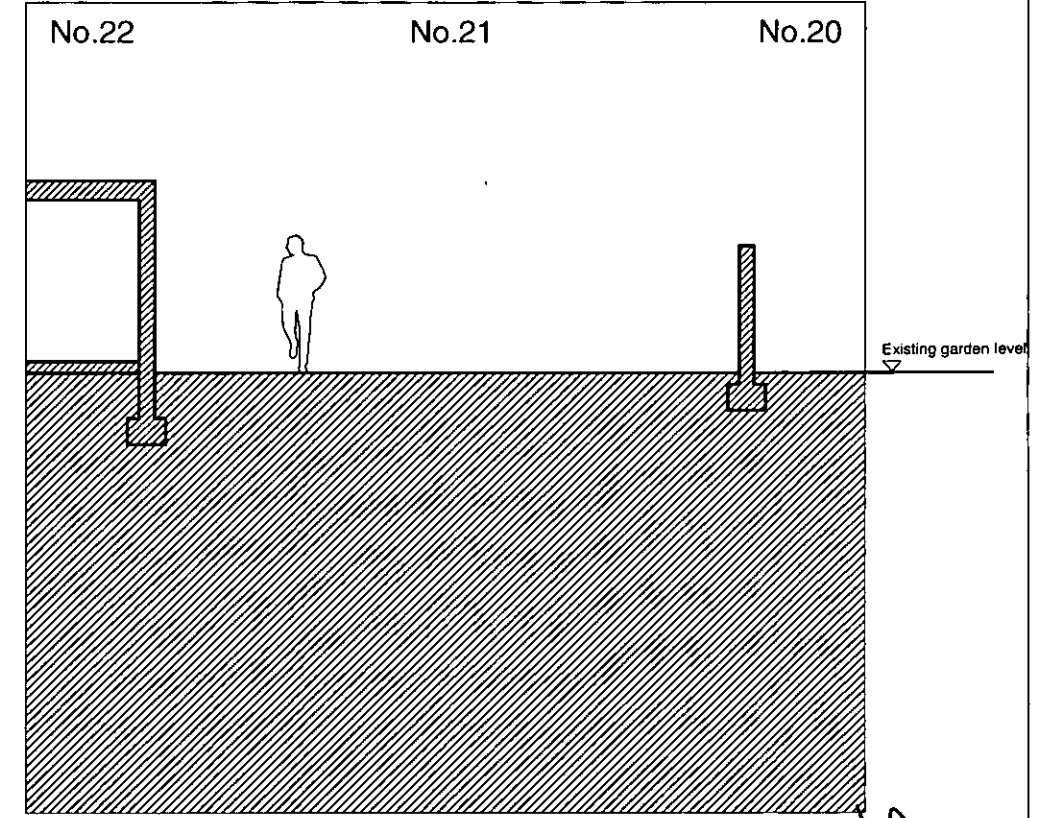
DAT/01/000



SECTION De-De'



SECTION Ee-Ee'



SECTION Fe-Fe'

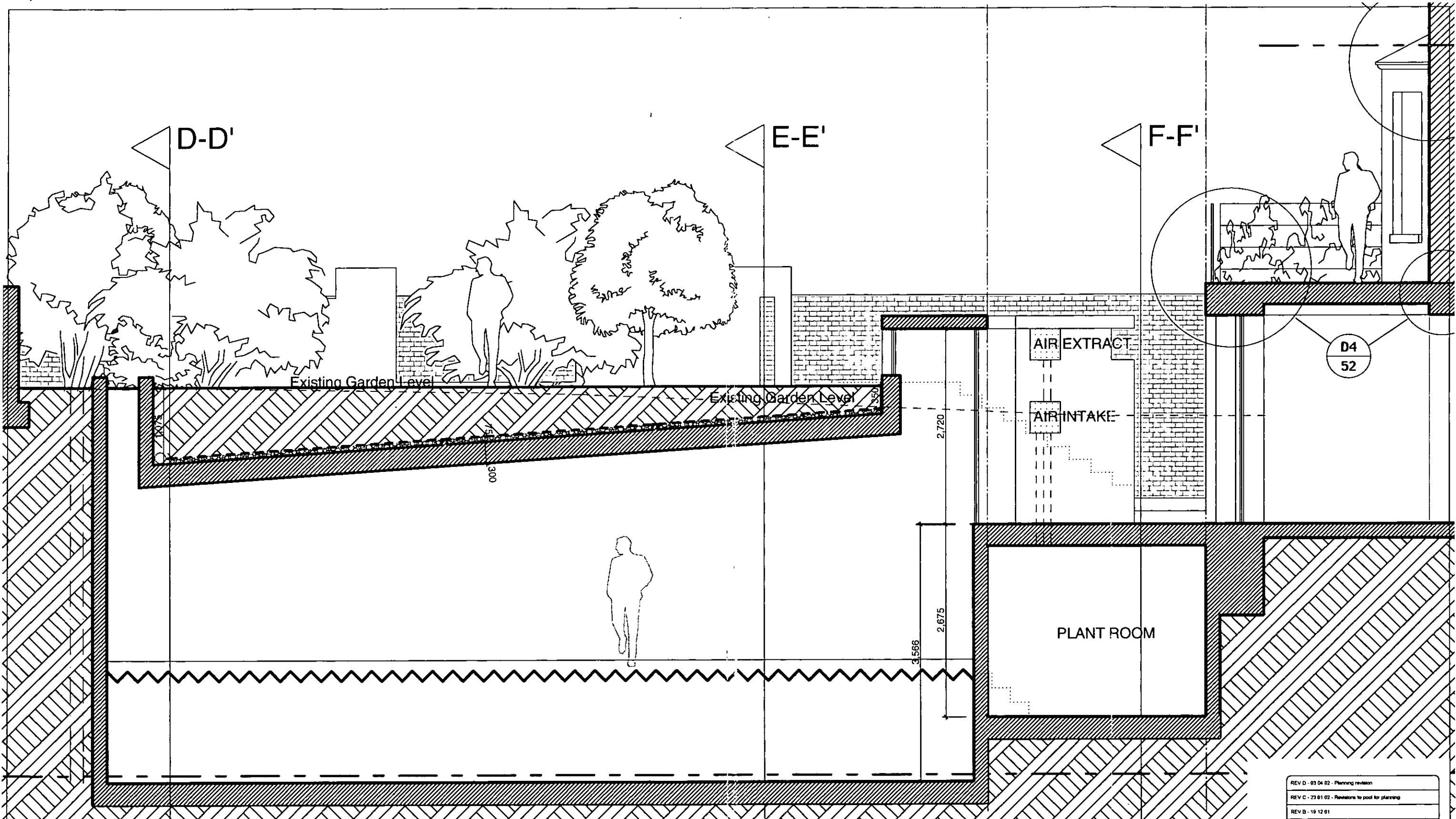
PP/01/1529/A

Note: All dimensions to be checked on site, any discrepancies to be raised with Architect

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE

MINDEN:-
 REFUSED BY
 PLANNING SERVICES CTT
 22 APR 2002
 REFUSAL REF.....

Granit Chartered Architects	
112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5QL T: 020 7824 4355 F: 020 7824 5686	
01/15/07	21 Eikon Road, Kensington,
1:50 @ A1	London, W8 5PT
JAN 07	Existing Sections
AM	Existing sections D, E & F



SECTION C-C

MADE TO: -

PP/01/1529/B

22 APR 2002

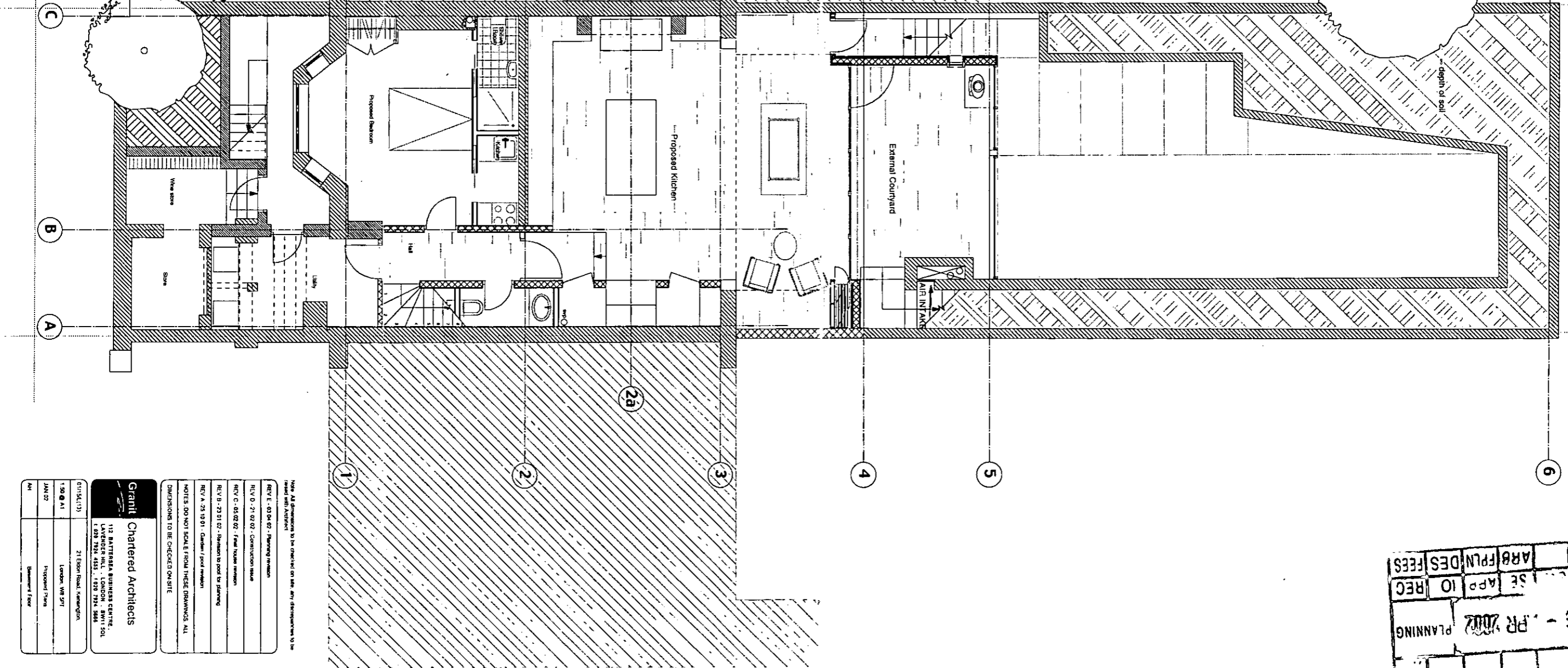
R. HDC TP CAC AD CLU
 15 - APR 2002 PLANNING
 USE APP 10 REC
 AMB/PLN/DES/RES

REV D - 03 04 02 - Planning revision
REV C - 23 01 02 - Revisions to pool for planning
REV B - 19 12 01
REV A - 25 10 01 - GARDEN PLANNING REVISION
NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON-SITE.

Granit Chartered Architects	
112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5QL T 020 7924 4555 . F 020 7924 8666	
01/15/02/1	21 Eddon Road, Kennington, London, W8 5PT
1:50 @ A3	Proposed Plans
MAY 01	Section C-C

PP/01/1529/B

REFUSED BY
PLANNING SERVICES
22 APR 2002



R HDC TP CAC AD CLN
T B S - PR 2002 PLANNING
N C SE APP IO REC
ARB PPLN DES FEES

Note: All dimensions to be checked on site, any discrepancies to be noted on drawings.

REV E - 03 04 02 - Planning revision

REV D - 21 02 02 - Construction mark

REV C - 03 02 02 - Final room revision

REV B - 23 01 02 - Dimensions to grid for planning

REV A - 25 10 01 - Garden / pond revision

NOTES: DO NOT SCALE FROM THESE DRAWINGS. ALL DIMENSIONS TO BE CHECKED ON SITE

Granit Chartered Architects	
112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, LONDON, SW11 5SL 020 7261 4333, 020 7261 3666	
0175361173	21 Essex Road, Haringey, London, N9 2JF
1 50 @ A1	Proposed Plans
JAN 02	Groundwork Floor
AM	

AIRO

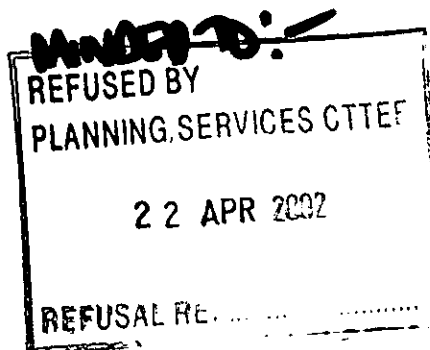
Report No. WRS/4880

Page 1 of 7

for
Granit Chartered Architects Ltd
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

Dated : 19 February 2002

**PROPOSED SWIMMING POOL
AT
21 ELDON ROAD, LONDON, W8
NOISE CONTROL CONSIDERATIONS**



Report Author : W R Stevens MIOA

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	21 FEB 2002				PLANNING	
K.C.						
N	G	W	SE	APP	ICI	REC
			ARB	FPLN	DES	FEEES

ACOUSTICAL INVESTIGATION & RESEARCH ORGANISATION LTD

Duxons Turn
Maylands Avenue
Hemel Hempstead
Hertfordshire
HP2 4SB

Telephone: 01442 247146
Facsimile: 01442 256749
E-mail: AIRO@bcs.org.uk
URL: <http://www.airo.co.uk/>

**PROPOSED SWIMMING POOL AT
21 ELDON ROAD, LONDON, W8
NOISE CONTROL CONSIDERATIONS**

1. INTRODUCTION

This report has been commissioned by Granit Chartered Architects Ltd acting on behalf of Mr R Pease, to consider and advise on the noise control aspects of a proposed new swimming pool to be located below the rear garden of No 21 Eldon Road, London, W8. Concerns have been raised by local residents regarding the possibility of noise emissions from the associated plant equipment, as a consequence the Local Authority has requested the following information be provided in support of the Planning Application.

'A fully detailed noise survey and report demonstrating that the noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating'

This is an onerous requirement which effectively requires that any emanating noise from the swimming pool plant equipment be at least 10dB(A) lower than the lowest residual background noise levels outside the nearest residential properties.

This report presents the results of a detailed environmental noise survey carried out over a representative weekend period to establish the lowest existing L_{A90} background noise levels at the rear of 21 Eldon Road. Consideration is also given in the report to the likely measures required to ensure that noise emissions from plant are contained in accordance with the requirements of the Local Authority.

The observations and recommendations made here are based on the results of existing daytime and night-time noise measurements carried out over a weekend period between Friday 15 February and Monday 18 February 2002, and on some technical information provided by Granit Architects Ltd relating to the proposed plant equipment and the construction of the swimming pool building shell.

2. SITE DETAILS

The proposed new swimming pool is to be located at lower basement level beneath the rear garden of 21 Eldon Road. The shell of the pool is to be a substantial concrete structure, the warm roof comprising 200mm concrete slab over which will be laid insulation and between 400mm - 1000mm of soil. The plant room is also to be located at lower basement level between the swimming pool and the house, the roof of the plantroom comprising 150mm concrete slab with a plasterboard underliner and with an upper layer comprising 40mm Portland Stone slabs laid over 75mm insulation. An external courtyard is located immediately above the plant room with air intake and discharge vents from the plant equipment being positioned on one of the side walls of the courtyard.

The proposed building shell will provide a substantial measure of sound insulation, it is considered unlikely therefore that noise leakage through the concrete shell will be a problem. Consideration will however need to be given to plant noise emanating from the ventilation openings, these being located only a few metres from the facades of the adjoining residential properties. Consideration will also need to be given to preventing noise from the plant equipment entering the building structure.

3. NOISE SURVEY LOCATIONS AND CONDITIONS

The rear gardens of Nos 20, 21 and 22 Eldon Road are all effectively screened from road traffic by the surrounding buildings, it was therefore considered that a representative indication of prevailing residual noise levels outside the adjoining properties could be made in the rear garden of 21 Eldon Road. Two noise measurement kits were installed in the rear garden, the first located at a distance of 1 metre from the rear facade of the building close to the boundary of Nos 21 & 22 Eldon Road, the second being located some 6 metres from the rear building facade close to the boundary of 20 & 21 Eldon Road.

It is understood that the pool plant equipment will probably need to operate on a 24-hour basis in order to balance pool hall conditions, for this reason long-term background noise measurements were carried out over a weekend period when the likelihood of both daytime and night-time disturbance is at its greatest. Weather conditions during the survey were generally good, being cold, dry and sunny with wind speeds well below 3km/h. One or two light showers were encountered during the early hours of Monday 18 February, these measurements were therefore discounted from the analysis.

4. NOISE MEASUREMENTS

Two Cirrus Research type 702 Data Logging Sound Level Meters were used for the environmental noise measurements on the site. The meters were programmed to provide data on the hourly equivalent 'A' weighted noise levels as well as the background L_{A90} noise levels recorded in each hourly measurement period. The meters were also programmed to continuously record short 2 second 'A' weighted equivalent noise levels throughout the duration of the survey to facilitate a more detailed examination of the daytime noise climate. Some supplementary measurements were taken for future reference to provide data on the spectral characteristics of the background noise to enable specifications for noise control measures to be prepared. Technical appendices are included at the end of this report which provide an explanation of the noise indices referred to here. AIRO is a UKAS accredited testing laboratory No 0483 and the equipment used for the noise measurements is incorporated into AIRO's calibration programme.

The results of the noise measurements, taken over the time period from 18:00 hours on Saturday 16 February until 06:00 hours on Monday 18 February, are given in tabular form in Data Sheets G/4880/1 and G/4880/2, a summary of these results being included in Table 1 below.

Table 1 Summary of Noise Measurements - dB

Location	L_{A90}
21-22 Eldon Road Garden Boundary:	
Typical Night-time Background Level	31.6
Typical Daytime Background Level	36.5
20-21 Eldon Road Garden Boundary:	
Typical Night-time Background Level	31.8
Typical Daytime Background Level	36.8

Agreement between the two sets of measurements was very good, both sets are therefore considered to provide a fair and reasonable indication of background noise levels outside the adjoining residential properties. It is possible that background noise levels could be higher at first and second floor levels due to the reduced measure of screening afforded by the surrounding properties, however for the purposes of this assessment the ground floor measurements have been used to determine the design criteria. Daytime background noise on the Friday afternoon and Saturday morning were hampered by the construction activities at Nos 20 & 21 Eldon Road, these have therefore been discounted from the analysis. Not surprisingly the lowest noise levels measured during the survey were recorded during the early hours of Sunday morning.

5. DESIGN CRITERIA

The prevailing residual background noise levels at the rear of 21 Eldon Road are very low, ranging from around 37dB, L_{A90} during the daytime to as low as 32dB, L_{A90} during the night-time. In order to satisfy the Local Authority requirements in relation to noise emissions it will be necessary to ensure that plant equipment noise levels, when measured outside the rear facades of the neighbouring residential properties, are at least 10dB(A) below these levels. Under these circumstances the combined noise emanating from all plant equipment should not exceed 27dB(A) during the daytime and 22dB(A) during the night-time.

The principal noise sources will be the intake and extract openings located on one of the side walls of the open courtyard. Some screening to No 20 Eldon Road is provided by the side wall of the courtyard, No 22 Eldon Road will however be more exposed to noise emissions, the nearest window of No 22 being in the region of 10 metres from the ventilation openings. If the plant equipment is to operate during the night-time then noise levels, measured in the open courtyard at a distance of 3 metres from the ventilation openings, should be no greater than 37dB, L_{Aeq} during the daytime and 32dB, L_{Aeq} during the night-time.

6. RECOMMENDATIONS

The design and layout of the air handling equipment and associated compressors and pumps is yet to be finalised and so it only possible at this time to provide formative guidance on the measures required to contain noise emissions. Some information provided by Jetform Services Ltd indicates that noise levels 3 metres from a 'Delta 2' AHU are 66dB(A) exhaust and 69dB(A) supply. Jetform suggest

that noise levels are likely to be 10dB(A) lower than this when ductwork with bends, plenum boxes and louvres are fitted. Under these circumstances the noise emissions will still be of the order of 60dB(A), ie some 23-28dB(A) in excess of the maximum permissible noise levels 3 metres from the exhaust and supply openings.

Noise attenuators will therefore need to be fitted to both the supply and extract ductwork, the specifications for these attenuators to be prepared once in-duct octave band sound power data is obtained from the manufacturers and ductwork layouts are finalised. It is likely that the attenuators will need to be quite large to achieve the required acoustic performance without unduly restricting airflow. Consideration may also need to be given to internally lining ducts and plenums with sound absorbing materials to further reduce noise levels though further guidance can only be given once the basic design and layout of the plant equipment has been prepared.

As a general observation it is recommended that all the items of plant equipment be selected on the basis of being quiet in operation, with breakout noise levels at a distance of 1 metre from each item of equipment ideally being no greater than 65dB(A). Although the concrete shell of the structure will provide a substantial measure of insulation to atmosphere there is still the possibility that airborne noise from the plant equipment may be audible within No 21 Eldon Road. The door of the plant room should be constructed from 54mm thick solid timber and should have wide jambs fitted with seals to ensure reasonably airtight conditions.

All moving plant equipment such as fans, pumps and compressors are potential sources of structure-borne vibration. The difficulty comes in identifying which particular items of plant equipment are likely to cause problems. Usually the manufacturers product information does not include data on the vibration levels and any information that is available is difficult to interpret as the building structure can both amplify and attenuate any induced vibration in an unpredictable fashion. In domestic noise sensitive situations of the type encountered here it is therefore generally recommended that all reasonable precautions be taken to minimise the possibility of structure-borne noise from plant equipment, these being:

- a) Support all moving plant equipment on anti-vibration mountings, such mountings being selected on the basis of providing typical dynamic deflections under load of no less than 6mm. For proprietary AHU packages it is often the case that internal items of moving plant equipment such as the fans are already fitted with isolators, if so then no additional isolation measures will be required.

-
- b) Install flexible couplings at appropriate positions along ventilation system ductwork to isolate it from the ventilation fan(s).
 - c) Isolate pipework and ductwork from the building structure and the associated plant equipment using soft rubber fittings and resilient hangers.
 - d) Avoid bridging of any isolated machinery to the structure (ie along electrical conduit or services pipework) by fitting flexible rather than rigid couplings.

Whilst it is considered unlikely that the immediate neighbours would be affected by structure-borne vibration there is a strong possibility that the occupiers of 21 Eldon Road may be, particularly in the rear basement bedroom closest to the lower basement plant room. Techniques of the type listed above will certainly help to minimise the likelihood of disturbance.

7. CONCLUSIONS

This report presents the results of environmental noise measurements carried out at the rear of 21 Eldon Road. The survey confirms that background noise levels in the area can be very low, particularly during the early hours of the morning. Consideration is given in the report to the methodology that will need to be adopted to contain noise emissions, with particular attention given to noise from the ventilation openings and associated plant equipment. Guidance is also given detailing the measures required to minimise the likelihood of structure-borne noise affecting the residents of the properties.

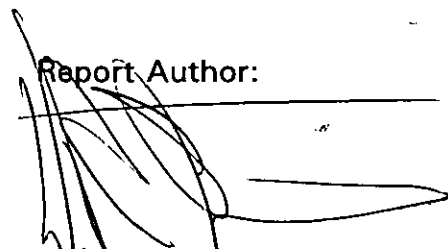
It is intended that the observations in this report provide a basis upon which decisions can be reached regarding the most appropriate arrangements for noise control methodology. It is recommended that the situation be reviewed and specifications for noise control measures finalised once more detailed technical information is available relating to the design and layout of the ventilation system and associated plant equipment.

Report Approved by:



A J Jones BSc PhD CPhys MInstP FIOA
Managing Director

Report Author:



W R Stevens MIOA
Principal Consultant

AIRO

DATA SHEET

Date FEBRUARY 2002

No. G/4880/1

Client Granit Chartered Architects Ltd

Tabulated printout detailing the results of the noise measurements taken between 18:00hrs on 16/02/02 until 06:00hrs on 18/02/02
Location - Rear garden boundary of 20-21 Eldon Road.

Unit G AIRO Noise Survey
Rear Garden of 20-21 Eldon Road

Range Low Weighting A
Time Constant Slow Ln Fast
Short Leq start Time 11:03:02 15/02/02 Battery Ok

Level Peak Max Min Cal 1 Offset 1 Cal 2
Time 11:52 11:52 05:15 11:02 1.1 94.3 dB
10:30 hr:min

Event	Start	Run Time	Max	Min	Leq	L 01	L 10	L 50	L 90
32Int1	18:00	1:00:00	52.9	36.0	40.7	49.2	42.1	38.0	36.5
33Int1	19:00	1:00:00	54.0	36.7	40.7	48.9	41.6	38.4	37.1
34Int1	20:00	1:00:00	48.1	37.3	39.7	44.2	41.0	38.4	37.2
35Int1	21:00	1:00:00	50.8	34.7	39.5	47.0	41.6	37.1	35.1
36Int1	22:00	1:00:00	48.1	33.8	37.5	44.3	39.3	35.3	34.1
37Int1	23:00	1:00:00	46.5	33.6	37.0	43.1	38.8	35.3	34.0
38Int1	00:00	1:00:00	50.7	32.8	35.8	42.2	36.3	34.3	33.0
39Int1	01:00	1:00:00	45.8	31.8	34.1	39.8	34.4	32.9	31.9
40Int1	02:00	1:00:00	40.1	30.9	32.3	35.3	32.7	31.5	30.6
41Int1	03:00	1:00:00	37.6	30.7	32.4	34.8	33.2	31.6	30.3
42Int1	04:00	1:00:00	44.7	30.6	32.2	35.7	32.6	31.3	30.2
43Int1	05:00	1:00:00	56.1	30.6	38.6	48.3	40.9	33.3	30.7
44Int1	06:00	1:00:00	56.9	31.8	42.1	52.6	44.5	36.5	32.4
45Int1	07:00	1:00:00	60.8	31.8	39.8	47.5	41.5	36.3	33.1
46Int1	08:00	1:00:00	65.5	31.8	40.9	49.3	42.3	35.9	32.7
47Int1	09:00	1:00:00	63.9	34.0	41.5	48.4	43.2	37.8	35.0
48Int1	10:00	1:00:00	66.2	35.4	45.8	55.8	47.1	41.0	36.6
49Int1	11:00	1:00:00	70.6	35.4	50.6	62.2	50.6	43.8	38.3
50Int1	12:00	1:00:00	64.2	34.4	47.5	56.9	50.2	43.0	36.9
51Int1	13:00	1:00:00	59.9	34.0	46.7	55.8	49.6	42.4	37.1
52Int1	14:00	1:00:00	62.6	34.7	46.3	55.7	49.0	41.4	36.5
53Int1	15:00	1:00:00	53.0	34.6	41.6	47.9	43.8	39.5	36.5
54Int1	16:00	1:00:00	71.3	35.5	47.8	56.8	47.4	40.6	36.7
55Int1	17:00	1:00:00	65.9	36.4	44.7	53.1	44.7	40.1	37.4
56Int1	18:00	1:00:00	71.5	37.1	46.9	53.3	44.3	40.1	37.9
57Int1	19:00	1:00:00	52.0	37.5	42.0	47.2	43.6	40.5	38.3
58Int1	20:00	1:00:00	61.1	37.2	43.6	53.3	44.1	40.1	38.1
59Int1	21:00	1:00:00	73.0	37.5	48.5	55.9	48.3	41.1	38.3
60Int1	22:00	1:00:00	55.9	36.4	41.9	50.2	43.8	38.9	37.2
61Int1	23:00	1:00:00	60.2	36.5	46.3	51.7	48.2	44.8	39.3
62Int1	00:00	1:00:00	53.9	34.1	41.8	48.4	44.3	39.5	35.2
63Int1	01:00	1:00:00	51.9	32.0	36.0	44.6	36.3	33.1	31.9
64Int1	02:00	1:00:00	46.3	30.7	34.2	40.9	34.5	32.5	31.2
65Int1	03:00	1:00:00	44.4	31.6	33.8	36.6	34.2	32.9	31.9
66Int1	04:00	1:00:00	60.8	32.6	43.7	55.4	45.7	34.5	32.9
67Int1	05:00	1:00:00	59.2	34.6	44.1	54.9	46.4	37.5	35.2

AIRO

DATA SHEET

Date

FEBRUARY 2002

No.

G/4880/2

Client

Granit Chartered Architects Ltd

Tabulated printout detailing the results of the noise measurements taken between 18:00hrs on 16/02/02 until 06:00hrs on 18/02/02
Location - Rear garden boundary of 21-22 Eldon Road.

Unit L AIRO Noise Survey
Rear Boundary of 21-22 Eldon Road

Range Low Weighting A
Time Constant Slow Ln Fast
Reset Time 10:58:34 15/02/02 Battery Ok

Level Peak Max Min Cal 1 Offset 1 Cal 2
Time 11:22 12:09 05:17 10:58 3.3 94.2 dB
10:40 hr:min

Event	Start	Run Time	Max	Min	Leq	L 01	L 10	L 50	L 90
33 Int1	18:00	1:00:00	50.9	35.6	39.0	45.1	40.5	37.3	35.9
34 Int1	19:00	1:00:00	53.9	36.7	40.8	50.3	41.6	38.1	36.8
35 Int1	20:00	1:00:00	46.9	36.6	39.2	43.1	40.1	38.1	37.0
36 Int1	21:00	1:00:00	50.8	35.3	39.5	46.4	41.3	37.5	35.4
37 Int1	22:00	1:00:00	49.0	33.5	37.6	44.5	39.7	35.2	33.8
38 Int1	23:00	1:00:00	47.5	33.4	36.6	42.4	38.1	35.1	33.8
39 Int1	00:00	1:00:00	46.3	33.0	35.9	42.0	36.9	34.4	33.3
40 Int1	01:00	1:00:00	50.3	31.7	34.0	39.1	34.2	32.8	31.8
41 Int1	02:00	1:00:00	43.9	30.4	32.2	35.2	32.6	31.3	30.1
42 Int1	03:00	1:00:00	38.1	30.3	32.1	34.5	32.8	31.3	30.0
43 Int1	04:00	1:00:00	42.3	30.1	31.7	34.9	32.2	30.8	29.8
44 Int1	05:00	1:00:00	57.2	30.0	37.3	48.1	38.6	31.4	29.8
45 Int1	06:00	1:00:00	56.0	31.4	41.8	51.2	44.8	36.0	31.8
46 Int1	07:00	1:00:00	57.3	32.4	41.4	50.0	44.1	37.3	33.4
47 Int1	08:00	1:00:00	53.0	31.3	39.2	47.5	41.6	35.7	32.0
48 Int1	09:00	1:00:00	59.3	32.8	40.4	47.8	42.6	36.9	33.9
49 Int1	10:00	1:00:00	65.9	34.4	45.3	53.4	46.8	40.0	35.7
50 Int1	11:00	1:00:00	68.4	35.0	49.8	61.1	50.3	43.4	37.6
51 Int1	12:00	1:00:00	61.2	34.5	47.7	56.4	50.5	43.3	37.4
52 Int1	13:00	1:00:00	61.3	33.5	47.1	56.3	50.0	42.7	37.0
53 Int1	14:00	1:00:00	61.6	34.6	46.9	55.9	49.7	42.5	37.1
54 Int1	15:00	1:00:00	58.7	34.3	42.4	50.4	44.3	39.5	36.0
55 Int1	16:00	1:00:00	71.4	35.0	46.8	54.2	46.0	40.0	36.4
56 Int1	17:00	1:00:00	61.8	35.8	43.4	52.0	44.5	39.8	36.8
57 Int1	18:00	1:00:00	67.5	36.5	44.4	50.8	44.2	39.9	37.6
58 Int1	19:00	1:00:00	68.4	37.2	45.9	53.1	43.9	40.4	38.0
59 Int1	20:00	1:00:00	50.8	36.8	41.8	46.9	43.6	40.1	37.9
60 Int1	21:00	1:00:00	70.0	37.2	46.5	57.4	44.0	40.0	37.8
61 Int1	22:00	1:00:00	58.5	36.2	44.8	53.4	48.1	40.1	37.0
62 Int1	23:00	1:00:00	63.0	35.8	52.3	60.3	55.6	47.0	37.0
63 Int1	00:00	1:00:00	65.6	40.0	54.3	62.5	56.9	50.1	42.6
64 Int1	01:00	1:00:00	58.5	32.2	42.6	52.0	44.0	36.7	32.8
65 Int1	02:00	1:00:00	59.8	31.8	41.5	50.7	41.3	34.1	32.0
66 Int1	03:00	1:00:00	56.9	31.5	36.9	45.2	35.6	33.0	31.7
67 Int1	04:00	1:00:00	65.3	32.5	43.9	56.1	43.7	33.7	32.5
68 Int1	05:00	1:00:00	60.2	34.0	44.5	56.2	46.5	36.2	34.2

APPENDIX 1

The Decibel

The range in intensity of the sound pressure variations that can be detected by the human ear is quite dramatic, from as little as $20\mu\text{N/m}^2$ to more than 20N/m^2 . The range is so large (over a million to one) that acousticians have for convenience adopted a decibel scale based on a reference level of $20\mu\text{N/m}^2$, the minimum sound level that can be heard by a group of keen eared individuals. On a decibel scale based on a reference level of $20\mu\text{N/m}^2$ (ie 0dB) a pressure level one million times larger than the reference level would correspond to a sound level of 120dB. Further increases in the sound pressure level results in most people experiencing physical pain. The table below lists a number of common noise sources together with their noise levels.

Typical Noise Levels

Sheet metal workshop	110 dB
Printing Press	105 dB
Discotheque	105 dB
Very busy road (3m from kerbside)	90 dB
Average hi-fi system	85 dB
Portable radio	75 dB
Average conversation	65 dB
Electric fan heater	55 dB
Background level in quiet office	40 dB
Quiet house in country (night-time, internal)	25 dB
Threshold of hearing	0 dB

An increase in a sound pressure level of 10dB corresponds subjectively to a doubling of the loudness of a sound, thus the average hi-fi system as mentioned in the table above will be judged by a typical audience to be twice as loud as the average portable radio.

APPENDIX 2

The 'A' Weighted Noise Level dB(A)

The human ear responds to frequency variations ranging from as low as 20 cycles per second (20Hz) to as high as 20,000 cycles per second (20kHz). Generally the ear is most sensitive to sound over the frequency range 800Hz - 6kHz. At low sound pressure levels (less than 40dB) the ear is particularly insensitive to frequencies below 200Hz or above 8kHz, but as the level of sound increases the ears response to bandwidth becomes increasingly more linear over the audible frequency range. Early attempts to simulate the ears natural response to sound sources of differing intensity resulted in three different weighting contours being incorporated into sound level meters, called the 'A', 'B' and 'C' weighting curves respectively.

It was originally intended that the 'A' weighting curve be used for measurement of noise levels of low intensity, the 'B' weighting curve be used for measuring noise levels of moderate intensity and the 'C' weighting curve by used only for noise levels of high intensity. Practical experience over the years has shown, however, that the 'A' weighting curve almost always gives a reasonable indication of the level of loudness regardless of its intensity or frequency content. For these reasons the 'A' weighting curve has now been almost universally adopted when specifying or measuring noise levels. Measurements taken with this curve are usually suffixed with an (A) after the decibel rating, ie 65dB(A).

APPENDIX 3

The Statistical Assessment of Fluctuating Noise

Some noise sources do not radiate sound at a continuous steady level but tend to vary in level over a given time period. For fluctuating noise levels such as those found in industry or from road traffic a single instantaneous measurement taken using a basic portable sound level meter is virtually meaningless. The meter reading will tend to vary continuously depending on the characteristics of the noise and a meaningful interpretation of the noise tends to rely largely on the experience of the operator rather than on any objective assessment of the noise derived from the sound level meter reading.

To overcome this problem fluctuating noise levels are statistically analysed using special sound level meters. Such analysis enables the noise levels to be quoted that are exceeded for a given percentage of the measuring period. A measurement made in this way is usually suffixed by the letters L_n where n indicates the percentage of the measuring period that the noise level was exceeded. An L_{10} level of 63dB(A) for example would indicate that the noise level of 63dB(A) was exceeded for 10% of the time over the relevant measurement period. The L_{10} level is generally used to give a reasonable indication of the near maximum noise level whilst the L_{90} figure indicates the near minimum background noise level. It is now common practice to incorporate an indication of the presence of the 'A' weighting within the designation of the unit. L_{10} values in dB(A) are now generally designated L_{A10} and L_{eq} values have become L_{Aeq} . In addition the measured time period may be identified within the units, $L_{Aeq,2sec}$ denoting a 2-second L_{Aeq} whilst $L_{Aeq,16hr}$ would signify a 16-hour L_{eq} value.

The ballistics of the metering system also need to be considered when measuring fluctuating noises, commonly available ballistic settings being Slow, Fast and Impulse. A noise level of 60dB, L_{Amax} (FAST) would be the maximum 'A' weighted noise level recorded with the meter ballistics set to 'FAST' response.

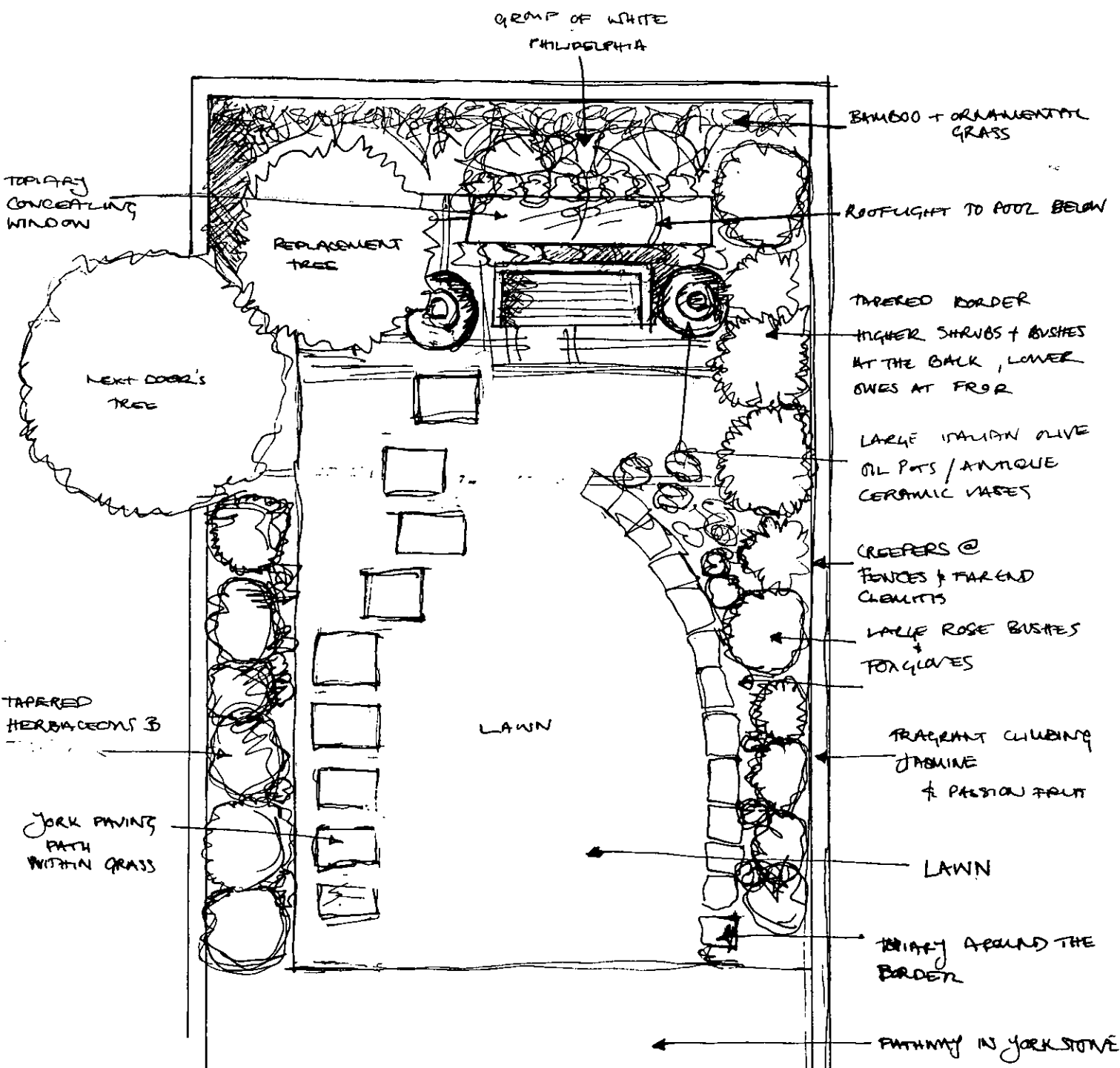
In some cases it is more meaningful to obtain a single figure indication of a fluctuating noise level by measuring the 'Equivalent Noise Level' (L_{eq}), a notional steady noise level which at a given position and over a defined period of time would have the same acoustic energy as the fluctuating noise. For example a noise level of 60dB, $L_{Aeq,16hr}$ would be the equivalent continuous 'A' weighted noise level over the defined time period of 16 hours. Sophisticated sound level meters are available which measure L_{An} , L_{Aeq} and L_{Amax} directly.

APPENDIX 4

Schedule of Measurement Equipment

Type	Serial No
Cirrus CRL 7.02 Data Logging Sound Level Meter (Unit G)	011182
CRL MK224 Electret Condenser Microphone	89668
CRL 511D Sound Level Calibrator	011970
Cirrus CRL 7.02 Data Logging Sound Level Meter (Unit L)	011308
CRL MK224 Electret Condenser Microphone	901818
CRL 511D Sound Level Calibrator	014087
B&K 2260 Modular Precision Sound Analyser	2234520
B&K 4189 ½" Condenser Microphone	2198103
B&K 4231 Acoustic Calibrator	1723556

H	HDC	TP	CAC	AD	CL
			5 - APR 2002	PLANNING	
N	C	SE	APP	IO	REC
			ARB	FPLN	DES FEES



MINDED TO:-

REFUSED BY
 PLANNING SERVICES CTTE
 22 APR 2002
 REF

George Ma
 4/4/02
 21 ELDON ROAD

MINDO-TOL
 REFUSED BY
 PLANNING SERVICES CTTEE
 22 APR 2002

PHILIP CAVE
 ASSOCIATES

LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL PLANNING
 URBAN DESIGN

NO.5 DRYDEN STREET COVENT GARDEN
 LONDON WC2E 9NW

Tel: 020 7829 8340 Fax: 020 7240 5600

PLANNING	HDC	TP	CAC	AD	CLU
R.B.	5 - APR 2002				PLANNING
R.C.					
N	C	SE	APP	IO	REC
		ARB	FPLN	DES	FEES

REPORT ON ESTABLISHMENT OF PLANTING ABOVE SUBMERGED SWIMMING POOL AT 21 ELDON ROAD, LONDON W8

The Brief

Philip Cave was asked to review and make recommendations on soil profile over the slab of the submerged swimming pool and other measures to ensure the growth of plant material.

Drawings Reviewed

Granit Architects Drawings Nos. 01/15L(13E,14E,24D,27A)

Review and Recommendations

In order to grow and thrive, plants need the following

- Sufficient soil depth to anchor the plants and provide a reserve of water and nutrients
- Drainage through the soil layer to prevent water-logging
- Sufficient water from natural rainfall or irrigation

Different soil depths are required for different plants and can be reduced if permanent irrigation is installed. The minimum top-soil depth for grass is 250mm and for shrubs is 500mm with permanent irrigation. Below this there needs to be a drainage layer of say 75mm depth, giving an overall minimum depth from ground level of 325mm for grass and 575mm for shrubs.

The topsoil would be a good quality loam or sandy loam and the drainage layer would be 75mm of gravel with no fines or leca (clay granules) over laid by a porous woven geo-textile. The top of the concrete slab, forming the roof of the pool, would be laid to a shallow fall to a land drain, in order to collect excess water from the drainage layer. This land drain would be a perforated pipe surrounded by gravel, laid to a fall into a catch pit (to collect any silt), which would discharge into a soak-away or the surface water system.

e-mail address: principal@philipcave.com
 web site address: www.philipcave.com

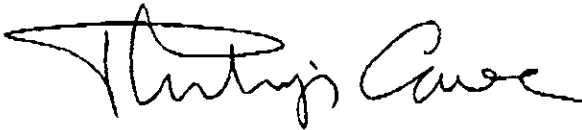
Principal: Philip Cave BSc(Hons) MA(LD) MR Hort MLI
 A Landscape Institute Registered Practitioner

2

To ensure that the plants grow and thrive, it is recommended that shrubs or grass lawn are established on areas with a minimum depth over the slab of 575mm. However where this minimum cannot be achieved then only grass should be established and then only where the minimum depth is 325mm.

The drainage layer and land drain should be constructed as described above with the land drain located at the North end of the slab at the greatest top-soil depth. Permanent irrigation should be installed to provide the plants with sufficient water as the top-soil is not situated over a natural sub-soil. The concrete slab should be waterproofed to prevent ingress of water through the concrete.

Most plants are tolerant of these conditions and no special selection is required.



Philip Cave, Principal,
Philip Cave Associates
Landscape Architects
4 April 2002

Granit

Chartered Architects

112 BATTERSEA BUSINESS CENTRE · LAVENDER HILL · LONDON SW11 5QL
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co.uk

RE: 21 ELDON RD

EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
RB	19 NOV 2001				SP PLANNING	
KJC						
N	C	SW	SE	APP	IO	REC
			ARB	FPN	DES	FEEs

15. 11. 01

Chris,

See enclosed ~~additional copy~~ of Report.

RE: 21 ELDON RD, tree report. Please let us know any comments or conditions as soon as possible.

Ahmed.

Arboricultural Report

Pear Tree

R/O

21 Eldon Road

Kensington

London

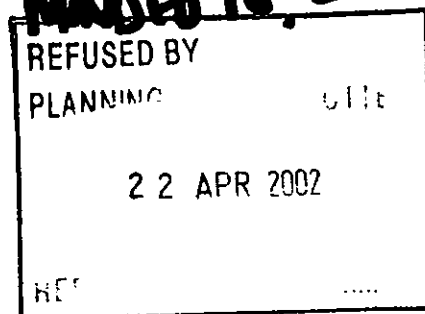
W8

Produced for: Granit Chartered Architects

Prepared by: Hal Appleyard Dip Arb. (RFS), F.Arbor.A.

Date: 8th October 2001

Reference: ha/21eldon/rpt1



Summary

A Pear tree growing in the rear garden of No 21 Eldon Road, Kensington W8, is protected by Conservation Area status and, subsequent to an application for its removal, a provisional Tree Preservation Order. A planning application to construct a rear extension and integral swimming pool will require the removal of the tree. A visual assessment of the tree suggests that it is decaying and unsound and could not reasonably be retained within a confined residential setting. This report demonstrates the weak condition of the tree and lends support to its reasonable replacement.

1.0 Introduction

- 1.1 I have been instructed by Granit Chartered Architects dated 24th September 2001, to assess and report on the condition of one Pear tree growing in the rear garden of 21 Eldon Road, W8.
- 1.2 I inspected the tree on 13th and 21st September 2001. The Tree Preservation Officer, Mr Colewell accompanied me and Mr Head on the second site inspection.
- 1.3 Applications to remove the tree dated 2nd and 24th May and 2001 were refused. A further application including a planning proposal which involves the tree's replacement is under consideration by the Council. An arboricultural report has been requested by the Council's Tree Preservation Officer to accompany the planning application.

2.0 General Site Description

- 2.1 The tree is located within a rear garden or a four-storey terraced town house. I understand that the house was constructed in the latter part of the 18th century. The rear garden is about 7m wide and the tree is located in the lawned area about 3m from the edge of a lower ground floor light well at the rear.
- 2.2 The ground is largely flat with no significant inclines in any direction. An existing paved area exists beneath the tree's canopy to the south.

- 2.3 Views of the tree are restricted to private vantage points. Residents of Eldon Road and Cottesmore Gardens to the north have a view of this tree among others in the area.
- 2.4 A mature False Acacia grows within the rear garden of the neighbouring property No 22 Eldon Road.

3.0 Tree Preservation Order (TPO) 13 of 2001

- 3.1 The TPO is dated 5th June 2001 and offers provisional protection to the Pear tree until the Order is formally confirmed by the Local Planning Authority (Royal Borough of Kensington and Chelsea). I understand that the TPO is yet to be confirmed, which should be received by the interested parties by the 4th December 2001 unless the Council elects not to confirm the Order.
- 3.2 Tree Preservation Orders offer legal protection to trees under the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999.
- 3.3 The Act places a duty on Planning Authorities (LPA) to *"ensure whenever it is appropriate that in granting planning permission for any development adequate provision is made by the imposition of conditions for the preservation or planting of trees"*.

In addition the Act states:

"If it appears to the local planning authority that it is expedient in the interests of amenity to make provision for the preservation of trees.....they may for that purpose make an order...".

- 3.4 The DETR's publication 'Tree Preservation Orders, A Guide to the law and good practice' April 2000, provides national guidance to LPA's on the application and management of Tree Preservation Orders and replaces the earlier edition published in 1994. This guide has been prepared with its foundation on the DoE Circular 36/78 'Trees and Forestry'
- 3.5 In the earlier Circular 36/78 it is stated at para. 40:

".....More generally, orders [TPO's] should be used to protect selected trees and woodlands if their removal would have a significant impact on the environment and its enjoyment by the public."

Further the Circular states:

"....The trees-or at least part of them – should therefore normally be visible from a public place (such as a road or footpath), although exceptionally, inclusion of other trees may be justified."

- 3.6 The above guidance is repeated in the latest DETR's guidance at para 3.2. In addition, the 2000 guidance states that if trees cannot or are just barely visible from a public place a TPO might only be justified in exceptional circumstances and that the mere fact that the trees are publicly visible will not in itself be sufficient to warrant a TPO.
- 3.7 This tree is not publicly visible and, to my mind, though it is an old specimen for the species, I do not consider the tree to possess rare or any exceptional qualities.
- 3.8 I expect that the TPO was served to ensure a continuum of tree cover in this area rather than to protect this tree specifically. This is a common and proper use of the TPO where tree cover is an important part of the character of the landscape. I understand that proposals that include the replacement of the tree are before the Council's planning department.

4.0 Tree Details and Observations

- 4.1 The Pear tree is a mature specimen entering into a state of senescence. I estimate the tree to be in the region of eighty years. Whilst the leaf colour and shoot extension growth appear normal, wound wood production surrounding decaying wounds is poor. This suggests that the tree's ability to store and mobilise energy reserves to produce effective wood tissue around its wounds is weak. This is to be expected within a tree of this maturity.
- 4.2 The tree's low branches have been removed leaving it about 9m in height with its canopy beginning at around 5m. The tree appears to have been pruned to reduce its height and spread in the past. Small amounts of decay have developed in pruning sites. Many of the canopy branches are shoots which have developed from the old pruning sites, arching upwards. It is reported that such

branches are poorly attached to the original branch and more susceptible to failure in high winds.

- 4.3 The diameter of the trunk is 62cm at 1.5m from the ground. I used a steel drill probe and an increment borer to assess the internal wood condition. I bored three core holes (see sketch attached).
- 4.4 A large limb appears to have broken out some years ago, from the north eastern side of the trunk at around 1.5m from the ground. The wound is about 30cm across at the widest point and 60cm from top to bottom on the outer surface. This is the entry point for decay fungi, which appear to have developed quite extensively. There is cubical brown rot within the wound suggesting that whilst some rigidity is retained within the decaying wood much of the tensile strength has been depleted. This will render the trunk brittle. The exposed wood of the wound has degraded to an extent where the wood is friable to the touch with no or little structure. On probing, I could ascertain that the decayed, structure-less wood extended down into the main stem for at least a further 60cm.
- 4.5 Significantly, previous removal of a branch has led to the establishment of a fungal canker. The position of this wound is directly opposite but slightly higher than the main decay point and is located on the south west side of the trunk. The canker causes each year's cambium growth to die, thus resulting in a wound that annually increases in size – 'target canker'. The callus wood surrounding this wound is thin and weak. This is further confirmation that the tree is in a state of decline.
- 4.6 The significance of the wounding on both sides of the tree is that the decaying wood from one meets in the decaying wood from the other, causing a continuous column of internal wood decay. In previous years, the weakness has led to some wound wood production, particularly on the eastern side, but the lack of live tissue on both north east and south west facing sides has resulted in a trunk with a significant weak point (see photographic record).
- 4.7 A bore hole taken from a point just below the wound on the south west side indicated that internal decay had extended to within 2cm of the surface in this area. Similarly, a bore hole made at the base of the tree on the south side indicated that wood decay was present at 5cm from the outer surface, which became totally degraded at about 10cm.
- 4.8 The majority of the weight of this tree is contained in the upper canopy. This will place a high strain on the weakest point of the tree, the trunk at around 1m from ground level (in the area of extensive decay). The canopy is full, offering a high

wind purchase placing increasing stress on the tree's weak points. Reducing the size of the canopy would reduce the stress placed on the weakened stem. However this type of work is likely to further weaken the tree's defence systems, encourage further decline, lead to root die-back and decay in the future and ruin the any amenity the tree offers.

- 4.9 The tree is positioned within striking distance of three houses and gardens. Should the tree fail, I would anticipate that a level of damage would result. More importantly however, tree failure could result in personal injury or worse.
- 4.10 Owing to the tree's existing likely age and condition, I suggest that the tree is within the last 10% of its total life expectancy. Naturally, this must be regarded as an estimate but I fell that this is reasonable on this occasion.

5.0 Conclusions and Recommendation

- 5.1 Having carried out my inspection of the tree, I have come to the following conclusions.
- 5.2 The Pear tree is mature entering into a state of senescence. The production of corrective wood tissue is weak despite the apparently normal condition of the canopy. The tree is relatively secluded and visible only to private views. The tree is in the last 10% of its total life expectancy.
- 5.3 Two significant wounds are present on the main trunk at around 1.5m from ground level. Upon close inspection, significant decay has extended down the main trunk and to points very close to the outer surface of the tree (see sketch attached). The columns of wood decay within the trunk together with the open wounds significantly reduce the stability of the main trunk.
- 5.4 The position of the extensively decayed internal wood is such that it unreasonably predisposes the tree to failure. Management options to retain the tree by pruning would lead to further instability problems and a general decline in tree condition.
- 5.5 Owing to the position and condition of the tree, I recommend that the tree be removed and replaced. The loss of this tree is not only necessary but will not in my view significantly adversely affect the public visual amenities. Any replacement tree should be of a size and species commensurate with the location.

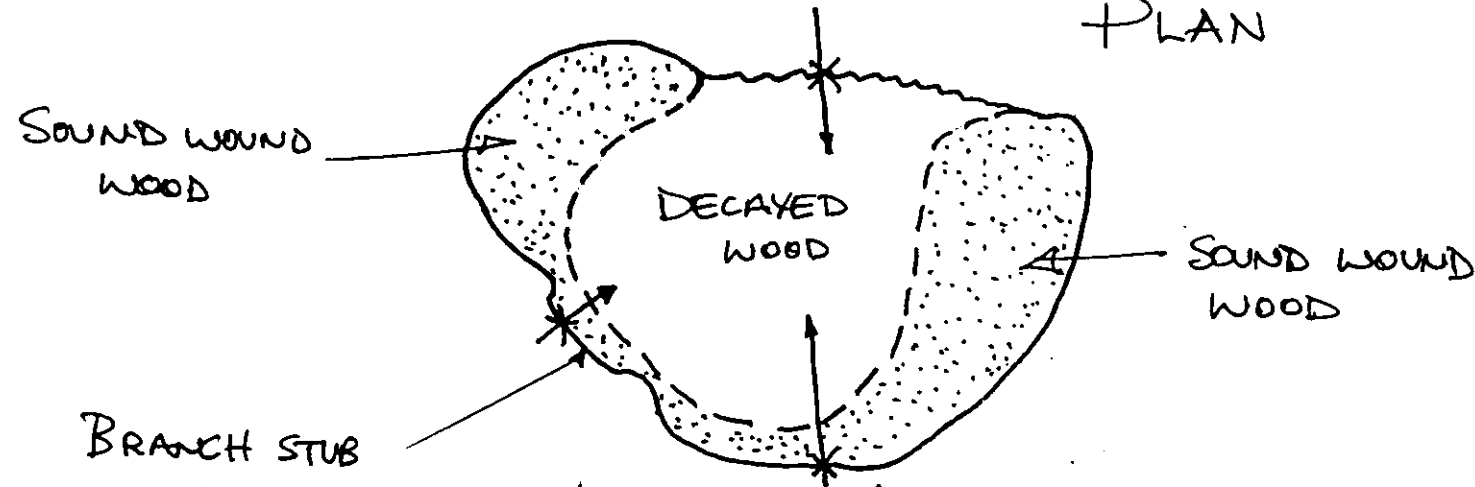
This concludes my report, which is produced for your exclusive use.



Hal Appleyard
8th October 2001.



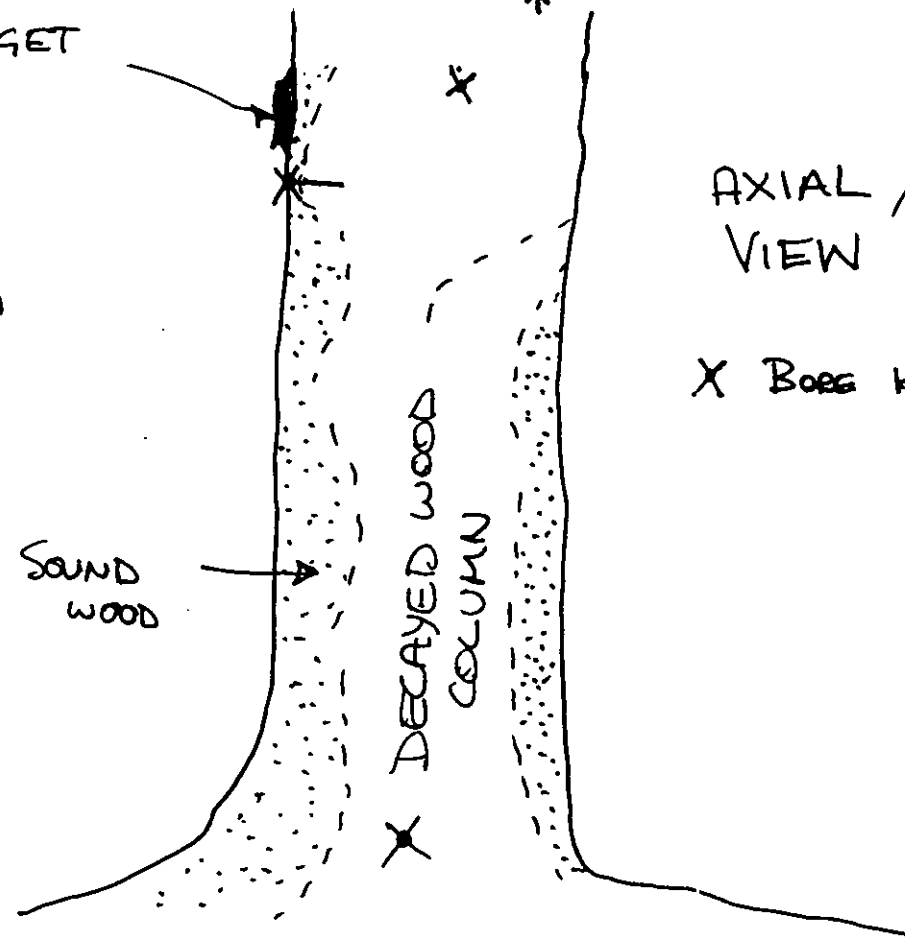
PLAN



PEAR TREE
SUSPECTED PATTERN
OF DECAY.

AXIAL / LONGITUDINAL
VIEW (from south)

X BORE HOLES



ACS Consulting 167-169 New Cross Road London SE14 5DG	
Tel: 020 7277 9966 Fax: 020 7277 9988 E-Mail: ACSAppleyard@aol.com	
Client: GRANT CHARTERED ARCHITECTS	
Site: 21 ELDON ROAD LONDON W8	
Drawing No: 1	By: <i>ko</i>
Date: 8.10.01	Scale: NTS
Job Ref: 21ELDON/RPT/HA	
URBAN AND RURAL TREE MANAGEMENT	

The Pear Tree - Eldon Road London W8.

The tree has a limited life expectancy and is predisposed to failure.



The lack of wood growth on has caused a significant weak point on the trunk.

Pear Tree – Eldon Road, London, W8

Extensive decay from a previous branch loss.



The Wound on the North West side has significantly decayed internal wood

The decayed wood from the 'Target Canker' on the South West meets with the decay on the other side.

Original letter on

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

PP/02/722
file

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Granit Chartered Architects
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL
FAO : James Munro

Switchboard: 020 7937 5464
Extension: 2011
Direct Line: 020 7361-2011
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk



KENSINGTON
AND CHELSEA

10th December 2002

My reference: DPS/DCC/PP/02/ 722 Your reference:

Please ask for: Nicola Cowley

Dear Mr Munro

Town and Country Planning Act, 1990
21 Eldon Road, W8

I refer to your letter received on the 29th October 2002 in relation to the above application for which planning permission was granted on 28th May 2002 for the construction of a submerged room in the rear garden (reference no: PP/02/722).

On drawing 01/15/L(24)(Revision G) submitted with your letter, it shows a change to the depth of soil provided in the rear garden above the submerged room as approved in PP/02/722. Instead of a soil depth of a metre throughout, the soil decreases from 1.423 metres at the rear of the site to 0.423 metres next to the courtyard. You state that you do not wish to implement the planning permission for the construction of an underground swimming pool in the rear garden as approved on appeal on 18th September 2002 (APP/K5600/A/02/1088164), however you wish to use the soil depth approved in this permission as is shown in drawing 01/15/L(24)(Revision G). On the basis of this drawing, it is my opinion that this is acceptable.

A further change requested is the installation of a glazed area 1.01 metres in width between the courtyard and the rear garden allowing light into the submerged room below and an increase in the height of the glazed area on the side of the courtyard also to let light into the submerged room. On the basis of drawing 01.15/L(24)(Revision G), I am of the opinion that this is a non material change to the application granted on 28th May 2002 (PP/02/722).

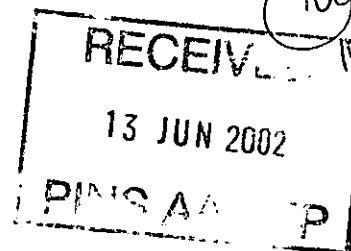
Condition 3 of this Planning Permission required a replacement tree in the rear garden. On the basis of the letter received from Justin Spink Garden Design dated 30th October 2002, it is considered that position selected and the size as outlined in this letter is sufficient to meet Condition 3 of PP/02/722.

If you wish to discuss this matter further please contact my assistant, Nicola Cowley, on the above telephone number.

Yours sincerely

M.J. French
Executive Director of Planning and Conservation

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL - LONDON - SW11 5QL
 t 020 7924 4555 - f 020 7924 5666 - w www.granit.co.uk - e info@granit.co.uk



Mr D Shorland
 The Planning Inspectorate
 Temple Quay House
 2 The Square
 Temple Square
 BRISTOL BS1 6PN

Your ref.: APP/K5600/A/02/1088164
 Our ref.: 0115/Eldon/4.1/AD

12th June 2002

Dear Sir,

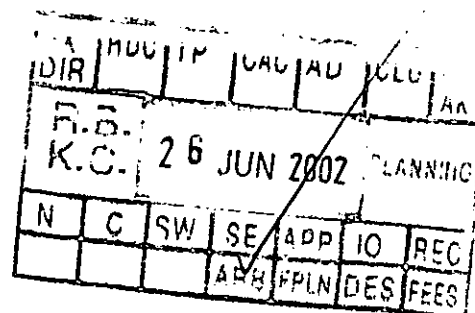
Please find enclosed our comments on the representations made in the LPA's statement and the letters of interested parties, which you forwarded to us in your letter dated 5th June 2002.

Yours faithfully,



Alexander Dusterloh
 For Granit Chartered Architects

Enclosed: 2 copies of:
Comments on Representations
Appendix A – copy of Decision Notice for removal of tree, dated 8th May 2002
Appendix B – Photograph of Pear Tree in rear Garden after felling 13.05.02



RECEIVED
13 JUN 2002
PINS AA PEP

COMMENTS ON REPRESENTATIONS

received 06.06.02

RE: 21 ELDON RD
LONDON, W8.

DIR	MUC	IP	GA	AD	CL
R.A.					
K.C.					
24 JUN 2002					

Please find below our response to the Council's statement and letters of objection as outlined in the relevant correspondence.

Council's Statement of Case (M.J.French 30th May 2002)

Other decision material to the consideration of this appeal:

- Pear Tree:

The Council makes reference to the Pear tree in the rear garden, which needs to be removed in order to excavate the garden.

As outlined in previous correspondence a report was submitted by ACS Consulting on this tree and the Council's Arboricultural Officer agreed with the findings of the report in that there is significantly decay extending down the main trunk and that production of corrective wood is weak.

Due to the potentially hazardous state of the tree and the imminent danger to people and property a separate application was made to the Council on the 9th May for its felling. Please find enclosed a copy of the decision notice dated 8th May 2002 (Appendix A), which grants permission for the proposed works. The works were carried out on the 13th May 2002.

Local Policies / Legislation and Central Government Policy

The author makes numerous references the Section 54A of the Town and Country Planning Act 1990. We assume that this is in fact a reference to the Planning and Compensation Act of 1991, which amended the previous Act.

We feel it is worth pointing out that the above Act under section 15.(4) states that

"a unitary development plan becomes operative on the date on which it is adopted."

As stated in the Councils letter this did not occur until the 25th May 2002. Therefore we are slightly concerned by the fact that the Report by the Executive Director of Planning and Conservation - attached to the Councils letter (Enclosure 2) - makes direct reference to policy CD27a and CD44b. At the time (report dated 22.04.02) these policies were part of a proposed alteration to the UDP but had not actually been adopted. We would therefore be unsure about how relevant these policies were and whether Section 54A of the Town and Country Planning Act would in fact apply to any decision reached prior to the formal adoption of the revised Unitary Development plan.

Regardless of the above concerns, we understand that the council is encouraged to constantly revise and alter the UDP to keep it in line with government guidelines, and believe with the revised plan adopted on the 25th May 2002 Section 54A could now apply.

Reasons for Refusal and Amplification of Council's Case

- Soil depth:

The Council states that the first reason for refusal in the Council's report is due to the soil depth in the rear garden, which is not adequate to allow an acceptable landscaping scheme.

The Council refers to revised policy CD27a criterion (d), which states that the council will resist subterranean developments where:

- (d) a satisfactory scheme of landscaping including adequate soil depth has not been provided;

We provided the Council with a proposed landscaping scheme on the 4th April 2002, which included specification of the proposed planting and area of hard landscaping and paving. (This information was sent to you as part of the original appeal documents). We feel that the proposed design is very much in keeping with the surrounding area and sympathetic to the De Vere Conservation area. The proposed scheme is consistent with the relevant design policies set out in the revised UDP, and the council seems to agree with this statement. Instead they raise concern about the sustainability of the design on the basis that the proposed soil depth would be inadequate.

The report by our horticultural expert (Philip Cave for Philip Cave Associates), sent to the Council on the 4th April 2002, states that plants can grow and thrive and that: *"Most plants are tolerant to these conditions and no special selection is required"* As described in our Statement of Case dated 09.04.02 our proposal is also in keeping with the British Standards BS4428. (Extracts from this Standard were included in previous correspondence)

Further to this the Council actually seems to agree with the findings of the report as indicated in Section 4.4 (d) of the Council's Planning Services Report, dated 22nd April 2002, which states:

"The revised drawings were considered by the Council's Arboricultural Officer who accepts that the proposed depth plus drainage layer are satisfactory for the growth of grass and shrubs..."

- Drainage:

As outlined above, we sought professional advice from an expert and consulted the British standards for the garden design.

The Council implies in its letter that the advice given in the British Standards (BS4428 code of Practice for General Landscape Operations does not apply to this particular case, and states that

"...the situation here is different in that an impervious layer, in form of the roof of the underground structure is being introduced, which may impede drainage and thus result in a waterlogged soil."

We would like to point out that the introduction of a drainage layer as advised by our horticultural expert (see report by Philip Cave 04.04.02) and proposed by us would prevent waterlogged soil.

The author further states that:

"It should be noted that chapter 3.5.1 of the standard make reference to subsoil drainage designed to ensure that the underlying water table is between 1 and 1.5m from the surface"

In response to this statement we would like to add that chapter 3.5.1 also states:

"that a depth of about 500mm from the surface is the level at which the water-table should be controlled for grass."

Further to this chapter 3.5.1 of the British Standards makes it clear that:

"The design of subsoil drainage needs detailed knowledge and careful planning..."

By employing a horticultural expert to advise us on these issues, we feel confident that the proposed drainage-design is suitable and sustainable.

- Noise:

The author states that:

"It is considered by the Council that the degree of noise reduction required to ensure inaudibility within adjacent amenity areas will not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary."

The author also makes reference to the report prepared by our noise expert dated 3rd April 2002, but unfortunately fails to mention that this report also states:

"The requirements are certainly onerous and will necessitate the installation of substantial silencers, reference to manufacturers literature suggesting that these may need to be of the order of 2-3 metres long. There does however appear to be space to accommodate such silencers..."

We therefore feel that the Council's argument of site restrictions and practicalities are incorrect as the technical reports and advice provided by experts state otherwise.

Conclusion:

We believe that the proposed extension is consistent with the relevant planning policies. The proposed garden design is in keeping with the surrounding area, with regards to scale, density, height and layout. Expert reports and the relevant British standards also state that the proposed soil depths is not only adequate to sustain the proposed design but also provides flexibility for future changes and development.

We feel that the report by the acoustic expert clearly indicate that the proposed plant can operate without an adverse impact on the amenity of the neighbouring property.

We believe that our response to the LPA's statement provided in this letter further strengthens our grounds for appeal and trust that the issue will be judged on its merits and the expert advice given in the various reports.

Letter from Downham and Hughes (dated 7th May 2002)

On behalf of RBC Trustees (Guernsey) Limited

The author raises concerns over the loss of the pear tree in the rear garden of the property.

As explained earlier the tree was removed following the approval by the council on the grounds of it's state of decay and limited life-expectancy, as well as its potential danger to people and property. (See decision notice - Appendix A and Appendix B)

Further to this the letter also states concern over the potential damage to trees and shrubs in surrounding gardens.

We would like to comment that the proposed shape of the floor plan of the extension is a direct result of the consideration of this issue. The proposed walls are set back from the neighbouring walls and step back even further in North-west Corner of the Garden in order to avoid excessive damage to the roots of the tree located in the vicinity. This step was taken following discussions with the Council's Arboricultural Department and independent advice from ACS Consulting.

Furthermore this letter draws attention to the potentially harmful effect of the construction process. As outlined in previous correspondence and also mentioned in the Council's Planning Services Committee Report, dated 22nd April 2002 (section 4.13): We have considered the concerns of neighbours with regards to the construction process and have offered that the pick-up times for the trucks during excavation could be controlled to avoid sensitive times of the day. Unfortunately with the planning process being delayed unnecessarily the construction work will have a slightly bigger impact than we originally anticipated.

Letter from R.H.Baines (dated 16th May 2002)

Resident of 20 Eldon Road

1. The author states that plant equipment of an existing underground pool, adjacent to the property is already distinctly audible, and destroys the tranquillity of the garden. The author goes on to raise concerns, that a second installation of this sort would create a further loss of tranquillity.
We would like you to refer to our earlier comments above regarding the concerns raised in the LPA's statement about this potential, as well as the report from AIRO (our noise expert), dated 3rd April.
2. States that the pear tree was removed in anticipation of the proposed works. As already explained in the earlier part of this document, the tree was removed on the grounds that the advanced decay could have resulted in its collapse. We think it is unfortunate that the author has failed to acknowledge that it was our consideration for their safety and property that led to the removal of the tree. – (please also refer to previous comments and Appendix A and Appendix B)
3. The author points out that the proposed roof-light at the end of the garden could become a secondary source of air and sound pollution. The report prepared by our noise expert does not agree with this view, especially as it is currently proposed that this rooflight will in fact be non-openable. The author also states that the rooflight and the proposed works would further reduce the amount of natural garden and result in something incongruous directly in [their] line of sight. We can only assume that this line of sight refers to the views offered from the raised platform of the garden pavilion, which forms part of the revised garden layout currently under construction at No.20 Eldon Road.
We understand and support that the protection of neighbour's amenities is an important issue when considering planning proposals. However we do not believe that the neighbour's ability to overlook our client's private property can be considered in the same way.
4. The author states fear over the potential damage to the garden walls, due to their shallow foundations.
We would like to point out that the main structure of the proposed pool is to be set-in from the existing boundary walls and should therefore have no direct impact on the stability of the existing boundary.

Further to the above points the author chooses to raise personal concerns about the building process and works already undertaken at No.21 Eldon Road.

We consider these remarks – and those made by Mr Arends on this matter – not only to be highly inappropriate and irrelevant but also to be totally unfounded and untrue. The statement that building works had to be stopped by the structural engineer – or the council's safety officer – because of concerns over safety is untrue.

We find any attempt to ill-repute the credibility of our contractor, our client and ourselves to be deeply offensive.

We do not believe that it is in anyone's interest to speculate about the motives behind these comments and allegations.

We would however like to use this opportunity to inform you that all the building works have been inspected by the relevant parties on a regular basis and the building control officer has confirmed that all the works have been carried out with proper care and in line with regulations. Any concerns about the project, which have been raised by other parties have been taken very seriously and we will continue to do so, even though they have so far turned out to be unfounded.

Letter from Andrew Arends (dated 31st May 2002)

Resident of 19 Eldon Road and on behalf of Victoria Road Association

Again the author raises concerns over the loss of the pear tree in the rear garden of the property – please refer to the previous comments and Appendix A.

The author further talks about the potential danger of damage to the neighbouring properties due to subsidence.

We would like to point out that the Party-Wall Surveyors of the involved Parties are considering this matter. We would also like to assure you that any potential danger to the surrounding building is being considered by the engineer, contractor and piling-contractor; and is something readily designed against.

The Author also states a concern of general safety to the surrounding area, based on the assumption of 200 lorries would be required to remove the soil from the property. As stated in previous correspondence and the Council's Planning Services Committee Report, dated 22nd April 2002 (section 4.13); our estimates is that the number of lorries required to complete part of the works to be half of that, and as already expressed earlier we will try to control the pick-up times of all trucks to avoid sensitive times during the day.

Again this letter makes a rather unfortunate remark about the *credibility of assurances* - we feel there is no need to add anything more to this other than the comments we have already made above.

Appendix A

Copy of decision Notice for the removal of the Pear tree in the Rear Garden

Dated 8th May 2002

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cc: TS

Director of Planning Services

RECEIVED 09 MAY 2002

Granit Chartered Architects
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

Switchboard: 020 7937 5464
Direct Line: 020 7361 2767

Facsimile: 020 7361 3463

08 May 2002



KENSINGTON
AND CHELSEA

My reference: DPS/ARB//02/00363/CC Your reference: Please ask for Christopher Colwell

Dear Mr. Wilson,

TOWN AND COUNTRY PLANNING ACT, 1990 SECTION 198

Your application to carry out work to preserved tree(s) has now been considered and the Council's decision is shown in the Schedule below.

Your attention is drawn to applicant's rights (see overleaf), arising from the refusal of permission or grant of permission, subject to conditions attached, and to the notes also set out overleaf.

SCHEDULE

- (1) Date of Application: 09/04/2002 (2) Reference: ARB//02/00363
(3) Tree Preservation Order (Kensington/Chelsea) No. 44, 13/01

DECISION:

21 Eldon Road, London, W8 5PT

GRANT PERMISSION to carry out the following work to the tree(s) listed below and growing at the above address:

1 X PEAR

Fell.

(See Notes) The Council's Arboriculturist suggests that in this case a species to be agreed of a stem diameter not less than 25 cm, as outlined in BS3936 (Nursery Stock Part 1 Specification for Trees and Shrubs) or BS 5236 (Recommendations for cultivation and planting of trees in Advanced Nursery Stock Category) would make a suitable replacement.

For further information please contact the Arboriculturist at the above address.

SEE ATTACHED CONDITION(S)

**STATEMENT OF APPLICANT'S RIGHTS ARISING FROM THE GRANT
OF PERMISSION (SUBJECT TO CONDITIONS) OR REFUSAL
OF PERMISSION TO CARRY OUT WORKS TO TREES**

Where application is made to the authority for consent under the Order and that consent is refused by that authority or is granted by them subject to conditions or where any certificate or direction is given by the authority, then if the applicant is aggrieved by their decision on the application, or by any such certificates, or if the person directed is aggrieved by the direction, the applicant or that person, as the case may be, may, by notice in writing served within twenty-eight days from the receipt of notification of their decision, certificate or direction, or such longer period as the Minister may allow, appeal to the Minister.

"The Minister" for this purpose is the Secretary of State for the Environment.

NOTE:

All terms contained in this decision are as defined in British Standards 3998:1989 (Revised) Recommendations for Tree Work, which may be consulted at the Borough's Libraries and Information Centres.

You are asked to ensure that the attached copy of this decision is with the contractor or foreman on site when the work is carried out. This will avoid any possibility of confusion or misunderstanding should one of the Council officers, or a Council member, have reason to ask whether the requisite consent has been obtained.

Where consent is issued it does not grant to the applicant the right to carry out work over property, other than his own, without the agreement of the owner.

For reasons of courtesy please inform any tenants of the property, or other interested parties, of the proposed tree work.

ARB/02/00363

CONDITIONS

All works hereby approved shall be carried out within one year of the date of this permission.

Yours faithfully,

A handwritten signature in black ink, appearing to read "M. J. Lynch". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

Executive Director, Planning and Conservation

Appendix B

Photograph of Pear Tree in rear Garden after felling - 13.05.02

Showing level of decay within trunk.



Appendix B: Photograph of Pear Tree in rear Garden after felling - 13.05.2002
Showing level of decay within trunk

Chris

21 Eldon Road Appeal

I have attached a copy of the appellants
Case. Please can you respond to this, and
add to what we've written in the Council's
report. Can I have this by Wed 22nd May.

Thanks

Nicola

x 3190

FULL STATEMENT OF CASE.

21 ELDON RD
LONDON, W8.

9.04.02

The LPA has been slow to respond to our application. Our original submission for, a single storey extension to the lower ground floor and excavation beneath garden to allow for new pool area below has been with the council since 6.7.01.

This was proceeded by a discussion with a planning officer in their offices to discuss the feasibility of the idea. At this point the concept was accepted as a common one for the borough but there were no policies relevant to such development.

The initial scheme included a proposal for the garden, largely paved and water, but the conservation officer took a dislike to the proposal and used her position to veto the design, although generally garden landscape does not require planning consent.

At this point the planner found some guidance notes on gardens above subterranean developments. The council's recommendation was for 1-meter soil depth to try to sustain the viability of rear gardens. Taking the desire to maintain sustainable gardens, but not accepting the arbitrary suggestion of 1 metre to the whole area. We discussed the scheme with the recommended officer, referred to the relevant British standard, employed a horticultural expert, had a traditional garden design drawn up, and produced plans showing the areas of the garden suitable for various types of growth and the percentage of the garden that this growth is sustainable. The British standard recommends 800mm for the growth of trees, clearly it would be undesirable to grow trees over the whole area, the perimeter and a part of the main garden, over 65% of the garden area has more than 800mm of soil. It recommends over 600mm for shrubs, 80% of the garden has more than this, the remaining area has between 350mm and 600mm and is more than adequate for lawn and would support small shrubs. We believe that this scheme maintains the viability of the garden as an amenity space, the experts seem to agree but not the planning department.

Further to this issue the local residents are concerned about noise pollution from any associated plant to the scheme, because an existing above ground building has air conditioning and they believe this disturbs their peace, and so any other development would as well. To deal with this the council proposed a condition that was acceptable to our client, then at the last submission point insisted on a sound survey, this was supplied and our sound consultant confirmed that the condition could be met. The council then decided this was not adequate so they requested a full design and sound report, in the course on this delaying the matter again for another committee. The conditions requested at this point have now been met by commissioning a full design of the pool plant and a design of sound attenuation based on that design. The only way to take this further would be to build the plant and test it in situ, we have said a condition would be acceptable but the council remains unsure.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	12 APR 2007				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

In the meantime local resistance has been actively canvassed on a NIBY basis citing disruption as a problem, during the excavation, the council accept that this is not a planning issue, but they are aware that the committee has been lobbied and seem loath to make clear to the committee their limitations

As a result given months of lack of attention, delay tactics and fruitless discussion they are again going to recommend for refusal. The previous time they accepted there was room for negotiation and further information on the issues given above, but these matter now resolved they will not accept we believe for reasons unrelated to the merits of this application.

We have amended our application on several occasions, supplied additional information again and again, as requested, but what seems to be a technical matter is not resolvable.

We wish to appeal on the ground that they have not determined the application, and that we have been told if they were to determine it would be recommended for refusal. We feel the council has misled us on the nature of guidance notes, in that though saying they are for guidance they are treating them as rules or policy. They are not considering this application on its merits and seem to be placing obstacles to make the scheme un-viable for the householder. The required level of detail is way beyond what should be expected and the reluctance to put conditions on has caused unnecessary delay and expense.

As a result of the council inactivity and subsequent misdirection the works to the rest of the property are well advanced. The result of this once a scheme has been agreed will have been to extend the period of disruption not only causing a disservice to our client but to all the surrounding resident. The time delay has an identifiable a significant cost to my client, which the council are unconcerned about dismissing such discussion as some "internal problems".

This appeal is placed at this moment to try to mitigate the loss of time and thus reduce the impact on those that must live with the council inability, as opposed to waiting three weeks for the committee to probably agree with the officers recommendations, three weeks in the scheme of things will make a difference.

I attach the requisite documents, and trust this issue will be judged on its merits and the documentation, and opinions of the experts employed.

MIND TO:-

REFUSED BY
PLANNING SERVICES CTTEE

22 APR 2002

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION REF.....

PLANNING SERVICES COMMITTEE 22/04/2002

APP NO.PP/01/01529/CHSE
AGENDA ITEM NO. 2021

ADDRESS

21 Eldon Road, London, W8
SPT

APPLICATION DATED 06/07/2001

**RECOMMENDATION
ADOPTED.**

APPLICATION COMPLETE 10/07/2001

APPLICATION REVISED 20/02/2002 and
05/04/2002

APPLICANT/AGENT ADDRESS:	<u>CONSERVATION AREA</u>	De Vere	<u>CAPS</u>	Yes
Grant Architects Limited, 112 Battersea Business Centre, Lavender Hill, Battersea, London SW11 5QL	<u>ARTICLE '4'</u>	No	<u>WARD</u>	Queen's Gate
			<u>LISTED BUILDING</u>	No
			<u>HBMC DIRECTION</u>	N/A
	<u>CONSULTED</u>	16	<u>OBJECTIONS</u>	10
	<u>SUPPORT</u>	0	<u>PETITION</u>	0

Applicant Richard Pease

PROPOSAL:

Construction of rear extension at lower ground floor with terrace above, and excavation beneath garden to allow for new swimming pool area below.

RBK&C Drawing No(s): PP/01/01529, PP/01/01529/A and PP/01/01529/B
Applicant's Drawing No(s): 01/15/L(02), 01/15/L(03), 01/15/L(08), 01/15/L(13)RevE, 01/15/L(14)RevE, 01/15/L(19)RevA, 01/15/L(23), 01/05/L(24)RevD, 01/15/L(26), 01/15/L(27), 01/15/L(27)(RevA), 01/15/L(28), Report No.WRS/4880 prepared by ARO dated 19 February 2002, and letter dated 3rd April 2002; Arboricultural Report prepared by ACS Consulting dated 8 October 200, and letter dated 4th April 2002; Landscaping Sketch Plan received on 5th April 2002.

RECOMMENDED DECISION: **Minded to Refuse planning permission**

REASONS FOR REFUSAL

1. **The proposed development would result in a soil depth in the rear garden which is not adequate to allow an acceptable landscaping scheme, and therefore is contrary to policies within the Unitary Development Plan, particularly Policy CD27a.**

2. **The operational plant associated with the proposed development would result in unacceptable levels of noise which would have a detrimental impact on the surrounding residential properties and therefore is contrary to policies in the Unitary Development Plan, particularly Policies CD34 and CD44b.**

INFORMATIVE

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 STRAT5, STRAT6, CD25, CD27a, CD28, CD30, CD34, CD41, CD44, CD44b, CD48, CD49, CD52 and CD53. (I51)

1.0 THE SITE

- 1.1 The property is a three storey (excluding lower ground and ground floor levels) mid terrace house located on the northern side of Eldon Road. The property is not listed but is located in the De Vere Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a single storey extension to lower ground floor level, and excavation beneath garden and construction of a new swimming pool area below.

3.0 PLANNING HISTORY

- 3.1 A Planning Permission for a new mansard roof was approved in 2001 on this property, subject to a Section 106 Agreement (PP/01/1529) that it be constructed at the same time as a similar extension on the adjoining property.
- 3.2 A Certificate for Proposed Lawful Development, for a rear extension at lower ground floor was issued also in 2001 (CL/01/2446).
- 3.3 An application for a rear extension similar to that being considered in this application but not including the swimming pool or terrace was approved in 2001 for no. 20 Eldon Road (PP/01/1900).

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations in this case relate to the detailed design of the proposed rear extension, window realignment and the noise, odour and other impacts of the underground swimming pool proposed, and their impact on the character and appearance of the Conservation Area.
- 4.2 The relevant planning Policies are contained in the "Conservation and Development" Chapter of the Unitary Development Plan. Policies STRAT5, STRAT6, CD25, CD27a, CD28, CD30, CD34, CD41, CD44, CD44b, CD48, CD49, CD52 and CD53 are of particular relevance to this application.

Proposed Swimming Pool

- 4.3 The excavation of the back garden for an underground swimming pool will result in the loss of a mature Pear tree situated within the rear garden. The tree is approximately 9 metres in height and is subject to a confirmed Tree Preservation Order. A report was submitted by ACS Consulting on this tree, dated 8th October 2001. The Council's Arboricultural Officer concurs with the findings of this report in that there is significant decay extending down the main trunk and notwithstanding the apparently normal condition of the tree's canopy, its condition is such that the production of corrective wood is weak. It

is concluded that the tree's life expectancy is limited and the Council's Arboricultural Officer raises no objection to its removal. However, it is considered that its loss would be detrimental to amenity, and if permission were to be granted a condition would be recommended to plant a replacement tree of appropriate size and species.

4.4 With regard to the underground pool proposed, Policy CD27a aims to resist subterranean developments where:

a) The amenity of adjoining properties would be adversely affected;

The applicants have supplied drawing no.01/15/L(27) (RevA) which indicates the finished garden level of the application site in relation to the two adjoining residential properties. It appears that the garden level will be raised 450mm in relation to the adjoining gardens once the pool has been completed. With the exception of the inflow/outflow vents it is considered there will be no impact on visual amenity as a result of the proposed pool. The applicants have advised that the proposed pool ventilation and filtration system will be fitted with a supplementary ozone system, Prozone, which reduces the required chlorine needed to maintain the pool to a level which is less than found in tap water. It is accepted that this will not result in any detectable chemical odours which will adversely impact on the adjoining properties. However, there may be an impact with regard to noise generated.

b) There would be a material loss of open space;

It is not considered there would be a loss of open space. All of the proposed works with regards to the swimming pool, would be situated below the garden level.

c) The structural stability of adjoining or adjacent listed buildings; or unlisted buildings within conservation areas might be put at risk;

The proposed pool is to be located at least 1 metre from the edge of the side boundaries of the property, and approximately 3 metres from the rear line of the existing dwelling.

d) A satisfactory scheme of landscaping including adequate soil depth has not been provided;

If this application were to be approved it is considered that a landscape plan should be submitted prior to the commencement of the scheme. A sketch was submitted by the applicant dated 4th April 2002 and provides an indication of this proposed landscaping.

With regard to providing adequate soil depth, initially the drawings showed a depth of approximately 400mm which was deemed insufficient to support long term plant life. The revised drawing submitted provides a soil depth of 1 metre at the end of the garden which gradually slopes up towards the rear of the dwelling to a depth of 350mm. The applicant argues that this sloping soil depth is a compromise in allowing trees and shrubs to be planted at the end of the garden, and grass at the house end. The revised drawing has been considered by the Council's Arboricultural Officer who accepts that the

proposed depth plus drainage layer are satisfactory for the growth of grass and shrubs however provided that artificial irrigation is available for use during periods of low rainfall. The concern is that such a scheme will be difficult to maintain and therefore any landscaping scheme, with the resultant depth of soil proposed, would not be sustainable. A metre of soil over the garden would allow the implementation of an appropriate scheme. It also means that trees and possibly shrubs will not be able to root to sufficient depth to withstand drought periods without artificial irrigation. Further to this, it is noted that the upper surface of the pool nearest to the house will be located at existing ground level and soil levels will require raising 450mm above the level of the neighbouring gardens.

e) There would be a loss of trees of townscape or amenity value.

As discussed earlier, there is a loss of a tree protected by a TPO, however, it is accepted that this has a limited life expectancy. If the application was to be approved, a condition could require a replacement tree.

f) There would be a loss of importance archaeological remains.

The site is not in an area of archaeological importance.

4.5 Both policies CD34 and CD44b aim to resist any form of development which involves the installation of plant which generates noise and would cause a material disturbance or nuisance to occupiers of surrounding properties. The application site is surrounded by residential properties and is a sensitive area. It is considered that any noise generated by plant associated with the swimming pool may have any adverse impact. The plant room is to be located at lower basement level between the swimming pool and the house. An external courtyard is located immediately above the plant room with air intake and discharge vents from the plant equipment being positioned on one of side walls of the courtyard.

4.6 To assess the potential for noise generation, reports have been prepared by the Acoustical Investigation & Research Organisation Ltd (AIRO), dated 19th February 2002 and 3rd April 2002. Prior to these reports being commissioned, the applicants were advised that a noise survey and report was required to demonstrate that the noise emitted by the plant will not increase the lowest existing background LA90 level measured or predicted at 1.0 metre from the nearest residential window or at a height of 1.2 metres above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating.

4.7 The report dated 19th February 2002 conducted environmental noise measurements on the site over a 32 hour time period and states:

"The prevailing residual background noise levels at the rear of 21 Eldon Road are very low, ranging from about 37dB,LA90 during the day time to as low as 32dB,LA90 during the night time." (Page 5).

"The principal noise sources will be the intake and extract openings located on one of the side walls of the open courtyard. Some screening to no. 20 Eldon Road is provided by the side wall of the courtyard, no. 22 Eldon Road will however be more exposed to noise emissions, the nearest window of no. 22 being in the region of 10 metres from the ventilation openings." (Page 5).

- 4.8 This report establishes that the gardens to the rear of Eldon Road in this part of the terrace are very quiet. It acknowledges that the mechanical plant used to operate the pool pumps and compressors has yet to be finalized, however, standard equipment used, even when fitted with louvers, etc will be in excess of the LA90 existing background level. It is possible that the applicants may find pool machinery which can meet this level and appear to have the space to do so, however no information was provided to demonstrate this.
- 4.9 The second report prepared by AIRO dated 3rd April 2002 provides further details of the plant which is proposed for use on this site. The report states that the two items of plantroom equipment to be located on this site which generate noise, are the main pump and the air handling unit, the pump is generally the noisier of the two. It is identified that the principal source of noise to the atmosphere will be via the ventilation system. Noise from the air handling unit will make its way through the intake and extract ducts, these ducts being in the order of three metres long. While it specifies in the report, that it may be possible to install silencers, reference to manufacturers literature suggests that these may need to be of the order of 2-3 metres long. No conclusions are reached in this report to satisfy the Director of Environmental Health the standards requested for noise emitted by the plant as specified at the outset, can be met. In the absence of this information, it is considered that the noise to be generated could cause material disturbance to the occupiers of surrounding properties.
- 4.10 Policy CD44b also refers to the material disturbance of odour on the adjoining properties. As discussed earlier, it is not considered that odour of the chemicals used in the swimming pool will have a detrimental impact on the surrounding properties.

Rear Extension

- 4.11 An extension is proposed to the rear of the dwelling at the lower ground floor level. The extension is to be set in by 1 metre from the eastern boundary (boundary which adjoins no.20 Eldon Road), and from there extend the full width of the site. At the ground floor, a terrace is proposed to be located on this extension, which is to be 3.459 metres in depth. A modern glazed elevation of the basement extension is not exactly in keeping with the building and the proposed glazed terrace balustrade at the ground floor level draws attention to this. With regards to the proposed terrace, it is considered that views will be obtained into the rear gardens of the adjoining properties, and onto the terrace to the rear of no. 22 Eldon Road. However, as mentioned earlier, a Certificate for Proposed Lawful Development was issued for these rear extensions in January of this year, as these works are classed as permitted

development under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Car parking space

- 4.12 An off street car parking space was also included in the Certificate for Proposed Lawful Development as permitted development but is shown on the current drawings. However, an application still needs to be made for the crossover to reach this parking space.

Construction works

- 4.13 A concern raised by a number of the residents is the disruption anticipated to the local environment by the excavation of the swimming pool, and the subsequent reinstatement of the soil above the pool. An estimate made by one of the objectors is that the lorry movements required to undertake this development will last up to 18 months. This is a matter which is addressed by the Director of Environmental Health, and is not normally a planning consideration. However, in a letter sent from the applicant's agent dated 4th April 2002, they calculate that just under 500 cubic metres of soil will need to be removed, and allowing this to bulk up on extraction would be 750 cubic metres. They specify that the least disruptive and cleanest method of excavation would be by grab truck, each taking 7.5 cubic metres, this would mean a total of 100 excavation lorries, each taking approximately 15 minutes per truck, five to eight tonnes per day is possible, which would mean approximately 2 and a half to 4 working weeks for the excavation. The applicant has offered that the pick up times could be controlled to avoid sensitive times of the day within accepted working hours.

5.0 PUBLIC CONSULTATION

- 5.1 Eight letters of notification were sent to properties in Eldon Road and Cottesmore Gardens. Councillor Moylan has also expressed concern.
- 5.2 Nine letters of objection have been received from surrounding properties and the Victoria Road Residents' Association. The reasons for concern are as follows:
- 5.2.1 Noise and odour which may be generated from the swimming pool, particularly as irritation is already suffered from the plant associated with a swimming pool in Cottesmore Gardens.
- 5.2.2 Do not wish to see the protected pear tree removed.
- 5.2.3 Risk to the stability of garden walls shared with the adjoining properties.
- 5.2.4 The completed swimming pool will required the garden level of the property to be raised higher than the adjoining properties.

- 5.2.5 Inconvenience during construction works. It has been estimated that the extraction and delivery of soil in the construction of the swimming pool will require approximately 350-450 lorry loads, which is likely to take 18 months to complete.
- 5.3 The issues raised by the objectors have been addressed in the Planning Considerations section of the report. There are concerns regarding the proposed soil depth and noise emission.
- 5.4 The concerns raised by Councillor Moylan are with regard to the scale of the application and any precedent set, loss of the tree, noise and vapour nuisance. He acknowledges that these considerations (with the exception of precedent) could be addressed by enforced conditions and that if this is the case, these should be discussed in detail with neighbours before being finalised.

--

6.0 RECOMMENDATION

- 6.1 Minded to Refuse Planning Permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/01/01529 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: NC
Report Approved By: PK/LAWJ
Date Report Approved: 12/04/2002

PSC0402/NC.REP



The Planning Inspectorate

NC

3/23 Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-3728645
Switchboard 0117-3728000
Fax No 0117-3728804
GTN 1371-8645

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: DPS/DCC/PP/01/01529
Our Ref: APP/K5600/A/02/1088164
Date: 23 July 2002

EX	HDC	TP	CAC	AD	CLU	AO
31B						AK
R.B.		24 JUL 2002			PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY RICHARD PEASE
SITE AT 21 ELDON RD, LONDON, W8 5PT

(29)

I am writing to inform you that the Inspector appointed by the First Secretary of State to determine the above appeal is

Mr Terry Phillimore MA MCD MRTPI

The Inspector will visit the appeal site at 14:30 on Wednesday 14 August 2002. It is important that you make immediate arrangements for the Inspector to be met at the site to enable the inspection to be made. If you cannot attend, you should arrange for someone else to attend in your place. **If this is not possible, you must let me know immediately.**

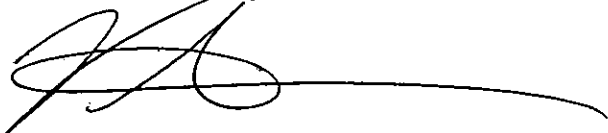
The Inspector will expect to be accompanied by representatives of both parties. If one of the parties fails to arrive, the Inspector will determine the most suitable course of action, which could mean that he will conduct the visit unaccompanied. In other circumstances, the visit might have to be aborted.

At the commencement of the site inspection the Inspector will make it clear that the purpose of the visit is not to discuss the merits of the appeal or to listen to arguments from any of the parties.

The Inspector will ask the parties to draw attention to any physical features on the site and in its vicinity. In turn the Inspector may wish to confirm particular features referred to by interested parties in their written representations.

In general, decision letters are issued within 5 weeks of the date of the Inspector's site visit, although we cannot be precise about individual cases. If despatch of the letter is likely to be significantly delayed, we will let you know.

Yours faithfully

A handwritten signature in black ink, appearing to be 'VH', with a long horizontal line extending to the right.

Victoria Hutchinson

NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.

209D



The Planning Inspectorate

NC

3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-3728930
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-8930

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: DPS/DCC/PP/01/01529
Our Ref: APP/K5600/A/02/1088164
Date: 25 June 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY RICHARD PEASE
SITE AT 21 ELDON RD, LONDON, W8 5PT

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

DS

Mr Dave Shorland

217L(BPR)

EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
R.B.	28 JUN 2002		PLANNING			
K.C.			8			
N	C	SW	SE	AVP	IO	REC
			ARB	RPLN	DES	FEE



Chartered Architects

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL · LONDON · SW11 5QL
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co.uk · e info@granit.co.uk

RECEIVED
13 JUN 2002
PINS AA PEP

Mr D Shorland
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Square
BRISTOL BS1 6PN

Your ref.: APP/K5600/A/02/1088164
Our ref.: 0115/Eldon/4.1/AD

12th June 2002

Dear Sir,

Please find enclosed our comments on the representations made in the LPA's statement and the letters of interested parties, which you forwarded to us in you letter dated 5th June 2002.

Yours faithfully,

Alexander Dusterloh
Alexander Dusterloh
For Granit Chartered Architects

Enclosed: 2 copies of:
Comments on Representations
Appendix A – copy of Decision Notice for removal of tree, dated 8th May 2002
Appendix B – Photograph of Pear Tree in rear Garden after felling 13.05.02

EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
R.B.	28 JUN 2002				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
				APP	DES	FEE

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		28 JUN 2002			PLANNING	
N	C	SW	SE	APP	IO	REC
			APP	FPN	DES	FEEES

COMMENTS ON REPRESENTATIONS

received 06.06.02

10.06.02

**RE: 21 ELDON RD
LONDON, W8.**

Please find below our response to the Council's statement and letters of objection as outlined in the relevant correspondence.

Council's Statement of Case (M.J.French 30th May 2002)

Other decision material to the consideration of this appeal:

- Pear Tree:

The Council makes reference to the Pear tree in the rear garden, which needs to be removed in order to excavate the garden.

As outlined in previous correspondence a report was submitted by ACS Consulting on this tree and the Council's Arboricultural Officer agreed with the findings of the report in that there is significantly decay extending down the main trunk and that production of corrective wood is weak.

Due to the potentially hazardous state of the tree and the imminent danger to people and property a separate application was made to the Council on the 9th May for its felling. Please find enclosed a copy of the decision notice dated 8th May 2002 (Appendix A), which grants permission for the proposed works. The works were carried out on the 13th May 2002.

Local Policies / Legislation and Central Government Policy

The author makes numerous references the Section 54A of the Town and Country Planning Act 1990. We assume that this is in fact a reference to the Planning and Compensation Act of 1991, which amended the previous Act.

We feel it is worth pointing out that the above Act under section 15.(4) states that

"a unitary development plan becomes operative on the date on which it is adopted."

As stated in the Council's letter this did not occur until the 25th May 2002. Therefore we are slightly concerned by the fact that the Report by the Executive Director of Planning and Conservation - attached to the Council's letter (Enclosure 2) - makes direct reference to policy CD27a and CD44b. At the time (report dated 22.04.02) these policies were part of a proposed alteration to the UDP but had not actually been adopted. We would therefore be unsure about how relevant these policies were and whether Section 54A of the Town and Country Planning Act would in fact apply to any decision reached prior to the formal adoption of the revised Unitary Development plan.

Regardless of the above concerns, we understand that the council is encouraged to constantly revise and alter the UDP to keep it in line with government guidelines, and believe with the revised plan adopted on the 25th May 2002 Section 54A could now apply.

Reasons for Refusal and Amplification of Council's Case

- Soil depth:

The Council states that the first reason for refusal in the Council's report is due to the soil depth in the rear garden, which is not adequate to allow an acceptable landscaping scheme.

The Council refers to revised policy CD27a criterion (d), which states that the council will resist subterranean developments where:

- (d) a satisfactory scheme of landscaping including adequate soil depth has not been provided;

We provided the Council with a proposed landscaping scheme on the 4th April 2002, which included specification of the proposed planting and area of hard landscaping and paving. (This information was sent to you as part of the original appeal documents). We feel that the proposed design is very much in keeping with the surrounding area and sympathetic to the De Vere Conservation area. The proposed scheme is consistent with the relevant design policies set out in the revised UDP, and the council seems to agree with this statement. Instead they raise concern about the sustainability of the design on the basis that the proposed soil depth would be inadequate.

The report by our horticultural expert (Philip Cave for Philip Cave Associates), sent to the Council on the 4th April 2002, states that plants can grow and thrive and that: *"Most plants are tolerant to these conditions and no special selection is required"* As described in our Statement of Case dated 09.04.02 our proposal is also in keeping with the British Standards BS4428. (Extracts from this Standard were included in previous correspondence)

Further to this the Council actually seems to agree with the findings of the report as indicated in Section 4.4 (d) of the Council's Planning Services Report, dated 22nd April 2002, which states:

"The revised drawings were considered by the Council's Arboricultural Officer who accepts that the proposed depth plus drainage layer are satisfactory for the growth of grass and shrubs..."

- Drainage:

As outlined above, we sought professional advice from an expert and consulted the British standards for the garden design.

The Council implies in its letter that the advice given in the British Standards (BS4428 code of Practice for General Landscape Operations does not apply to this particular case, and states that

"...the situation here is different in that an impervious layer, in form of the roof of the underground structure is being introduced, which may impede drainage and thus result in a waterlogged soil."

We would like to point out that the introduction of a drainage layer as advised by our horticultural expert (see report by Philip Cave 04.04.02) and proposed by us would prevent waterlogged soil.

The author further states that:

"It should be noted that chapter 3.5.1 of the standard make reference to subsoil drainage designed to ensure that the underlying water table is between 1 and 1.5m from the surface"

In response to this statement we would like to add that chapter 3.5.1 also states:
"that a depth of about 500mm from the surface is the level at which the water-table should be controlled for grass."

Further to this chapter 3.5.1 of the British Standards makes it clear that:

"The design of subsoil drainage needs detailed knowledge and careful planning..."

By employing a horticultural expert to advise us on these issues, we feel confident that the proposed drainage-design is suitable and sustainable.

- Noise:

The author states that:

"It is considered by the Council that the degree of noise reduction required to ensure inaudibility within adjacent amenity areas will not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary."

The author also makes reference to the report prepared by our noise expert dated 3rd April 2002, but unfortunately fails to mention that this report also states:

"The requirements are certainly onerous and will necessitate the installation of substantial silencers, reference to manufacturers literature suggesting that these may need to be of the order of 2-3 metres long. There does however appear to be space to accommodate such silencers..."

We therefore feel that the Council's argument of site restrictions and practicalities are incorrect as the technical reports and advice provided by experts state otherwise.

Conclusion:

We believe that the proposed extension is consistent with the relevant planning policies. The proposed garden design is in keeping with the surrounding area, with regards to scale, density, height and layout. Expert reports and the relevant British standards also state that the proposed soil depths is not only adequate to sustain the proposed design but also provides flexibility for future changes and development.

We feel that the report by the acoustic expert clearly indicate that the proposed plant can operate without an adverse impact on the amenity of the neighbouring property.

We believe that our response to the LPA's statement provided in this letter further strengthens our grounds for appeal and trust that the issue will be judged on its merits and the expert advice given in the various reports.

Letter from Downham and Hughes (dated 7th May 2002)

On behalf of RBC Trustees (Guernsey) Limited

The author raises concerns over the loss of the pear tree in the rear garden of the property.

As explained earlier the tree was removed following the approval by the council on the grounds of it's state of decay and limited life-expectancy, as well as its potential danger to people and property. (See decision notice - Appendix A and Appendix B)

Further to this the letter also states concern over the potential damage to trees and shrubs in surrounding gardens.

We would like to comment that the proposed shape of the floor plan of the extension is a direct result of the consideration of this issue. The proposed walls are set back from the neighbouring walls and step back even further in North-west Corner of the Garden in order to avoid excessive damage to the roots of the tree located in the vicinity. This step was taken following discussions with the Council's Arboricultural Department and independent advice from ACS Consulting.

Furthermore this letter draws attention to the potentially harmful effect of the construction process. As outlined in previous correspondence and also mentioned in the Council's Planning Services Committee Report, dated 22nd April 2002 (section 4.13): We have considered the concerns of neighbours with regards to the construction process and have offered that the pick-up times for the trucks during excavation could be controlled to avoid sensitive times of the day. Unfortunately with the planning process being delayed unnecessarily the construction work will have a slightly bigger impact than we originally anticipated.

Letter from R.H.Baines (dated 16th May 2002)

Resident of 20 Eldon Road

1. The author states that plant equipment of an existing underground pool, adjacent to the property is already distinctly audible, and destroys the tranquillity of the garden. The author goes on to raise concerns, that a second installation of this sort would create a further loss of tranquillity.
We would like you to refer to our earlier comments above regarding the concerns raised in the LPA's statement about this potential, as well as the report from AIRO (our noise expert), dated 3rd April.
2. States that the pear tree was removed in anticipation of the proposed works. As already explained in the earlier part of this document, the tree was removed on the grounds that the advanced decay could have resulted in its collapse. We think it is unfortunate that the author has failed to acknowledge that it was our consideration for their safety and property that led to the removal of the tree. – (please also refer to previous comments and Appendix A and Appendix B)
3. The author points out that the proposed roof-light at the end of the garden could become a secondary source of air and sound pollution. The report prepared by our noise expert does not agree with this view, especially as it is currently proposed, that this rooflight will in fact be non-openable. The author also states that the rooflight and the proposed works would further reduce the amount of natural garden and result in something incongruous directly in [their] line of sight. We can only assume that this line of sight refers to the views offered from the raised platform of the garden pavilion, which forms part of the revised garden layout currently under construction at No.20 Eldon Road.
We understand and support that the protection of neighbour's amenities is an important issue when considering planning proposals. However we do not believe that the neighbour's ability to overlook our client's private property can be considered in the same way.
4. The author states fear over the potential damage to the garden walls, due to their shallow foundations.
We would like to point out that the main structure of the proposed pool is to be set-in from the existing boundary walls and should therefore have no direct impact on the stability of the existing boundary.

Further to the above points the author chooses to raise personal concerns about the building process and works already undertaken at No.21 Eldon Road.

We consider these remarks – and those made by Mr Arends on this matter – not only to be highly inappropriate and irrelevant but also to be totally unfounded and untrue. The statement that building works had to be stopped by the structural engineer – or the council's safety officer – because of concerns over safety is untrue.

We find any attempt to ill-repute the credibility of our contractor, our client and ourselves to be deeply offensive.

We do not believe that it is in anyone's interest to speculate about the motives behind these comments and allegations.

We would however like to use this opportunity to inform you that all the building works have been inspected by the relevant parties on a regular basis and the building control officer has confirmed that all the works have been carried out with proper care and in line with regulations. Any concerns about the project, which have been raised by other parties have been taken very seriously and we will continue to do so, even though they have so far turned out to be unfounded.

Letter from Andrew Arends (dated 31st May 2002)

Resident of 19 Eldon Road and on behalf of Victoria Road Association

Again the author raises concerns over the loss of the pear tree in the rear garden of the property – please refer to the previous comments and Appendix A.

The author further talks about the potential danger of damage to the neighbouring properties due to subsidence.

We would like to point out that the Party-Wall Surveyors of the involved Parties are considering this matter. We would also like to assure you that any potential danger to the surrounding building is being considered by the engineer, contractor and piling-contractor; and is something readily designed against.

The Author also states a concern of general safety to the surrounding area, based on the assumption of 200 lorries would be required to remove the soil from the property. As stated in previous correspondence and the Council's Planning Services Committee Report, dated 22nd April 2002 (section 4.13): our estimates is that the number of lorries required to complete part of the works to be half of that, and as already expressed earlier we will try to control the pick-up times of all trucks to avoid sensitive times during the day.

Again this letter makes a rather unfortunate remark about the *credibility of assurances* - we feel there is no need to add anything more to this other than the comments we have already made above.

Appendix A

Copy of decision Notice for the removal of the Pear tree in the Rear Garden

Dated 8th May 2002

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

RECEIVED 09 MAY 2002

Granit Chartered Architects
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

Switchboard: 020 7937 5464
Direct Line: 020 7361 2767
Facsimile: 020 7361 3463



**KENSINGTON
AND CHELSEA**

08 May 2002

My reference: DPS/ARB//02/00363/CC Your reference: Please ask for Christopher Colwell

Dear Mr. Wilson,

TOWN AND COUNTRY PLANNING ACT, 1990
SECTION 198

Your application to carry out work to preserved tree(s) has now been considered and the Council's decision is shown in the Schedule below.

Your attention is drawn to applicant's rights (see overleaf), arising from the refusal of permission or grant of permission, subject to conditions attached, and to the notes also set out overleaf.

SCHEDULE

- (1) Date of Application: 09/04/2002 (2) Reference: ARB//02/00363
- (3) Tree Preservation Order (Kensington/Chelsea) No. 44, 13/01

DECISION:

21 Eldon Road, London, W8 5PT

GRANT PERMISSION to carry out the following work to the tree(s) listed below and growing at the above address:

1 X PEAR

Fell.

(See Notes) The Council's Arboriculturist suggests that in this case a species to be agreed of a stem diameter not less than 25 cm, as outlined in BS3936 (Nursery Stock Part 1 Specification for Trees and Shrubs) or BS-5236 (Recommendations for cultivation and planting of trees in Advanced Nursery Stock Category) would make a suitable replacement.

For further information please contact the Arboriculturist at the above address.

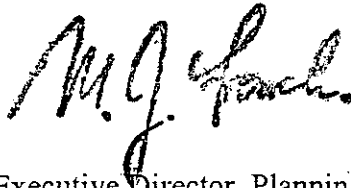
SEE ATTACHED CONDITION(S)

ARB/02/00363

CONDITIONS

All works hereby approved shall be carried out within one year of the date of this permission.

Yours faithfully,



Executive Director, Planning and Conservation

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.						
K.C.		28	JUN	2002	PLANNING	
N	C	SW	SE	APP	IO	REC
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Appendix B

Photograph of Pear Tree in rear Garden after felling - 13.05.02

Showing level of decay within trunk.

EX DIR	HDC	TP	CAC	AD	GLU	AO AK
R.B. K.C.	28 JUN 2002			PLANNING		
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Appendix B: Photograph of Pear Tree in rear Garden after felling - 13.05.2002
 Showing level of decay within trunk

EX	HBB	TF	CAC	AD	CLU	AO
DIA						AK
R.B.	28 JUN 2002				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
			ARB	EPLN	DES	FEES



The Planning Inspectorate

NC

3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-3728930
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-8930

<http://www.planning-inspectorate.gov.uk>

Ms R Gill (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: DPS/DCC/PP/01/01529
Our Ref: APP/K5600/A/02/1088164
Date: 5 June 2002

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY RICHARD PEASE
SITE AT 21 ELDON RD, LONDON, W8 5PT.**

I enclose third party correspondence relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter.

You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mr Dave Shorland
211AL(BPR)

EX	HDC	TP	CAC	AD	CLU	AO
DIR						AK
R.B.		- 6 JUN 2002			PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
(dx)		ARB	FPLN	DES	FEEs	

**19 Eldon Road
London, W8 5PT**

Tel: 020-7937-0947
Fax: 020-7376-0113

31 May 2002

The Planning Inspectorate
Attn: David Shoreland
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

Your ref: APP-K5600-A-02-1088164
Kensington & Chelsea ref: PP01-1529
Relating to: 21 Eldon Road, Kensington, London. W8 5PT

Dear Sirs,

I am writing to you on the above matter both in a personal capacity as a neighbour and as the Eldon Road representative of the Victoria Road Residents' Association; the neighbourhood body of residents which concerns itself with matters of conversation and planning in the De Vere Gardens district of Kensington (a Conservation Area).

The Residents' Association is wholly opposed to the proposal to dig an underground pool at 21 Eldon Road. It strongly supports the recommendation of the Council's Planning Officers to reject the application and the Planning and Conservation Committee for deciding to reject the application. I personally also support the Council's decision.

The north side of Eldon Road consists mainly of terraced houses. There are large gardens at the back of these houses which themselves back onto the southern gardens of the houses in Cottesmore Gardens. The ends of this gardens enclosure, at Victoria Road and Stanford Road also have houses with large gardens. This is an area of considerable quiet with a large number of mature trees, shrubs and with a large number of birds. It is quite unique in central London. The mechanical noise from the proposed pool equipment would reduce the amenity of the area. I would invite the inspector to come to 19 Eldon Road, my house, which has a large 1920s extension built over the garden (and therefore affords a view of the entire back garden area) to see and hear the area. My phone number is 020-7937-0947 and access can be provided at any time of the day - though with the current building works going on at 20 and 21 Eldon Road it would be probably more sensible to schedule a visit after 4:30 PM when the builders are quieter or at lunchtime when they have taken a break. This is a uniquely quiet area and one the Council is entitled to protect and preserve under the UDP.

There was a mature pear tree in the garden at 21 Eldon Road. This tree was said to be diseased and permission was granted for it to be removed by the current owner and replaced with a mature specimen of a similar nature. The proposed pool room has insufficient topsoil to sustain such a

specimen. More to the point, the applicant appears to have anticipated a favourable decision at the Planning Inspectorate by having removed the tree already.

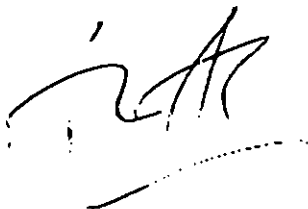
There is also a considerable danger of subsidence at both 20 and 22 Eldon Road as a result of the proposal to dig the pool. It is estimated that the pool will need to be dug to a depth of some 6 metres in depth. The danger also extends to the 1920s extension built on our house at 19 Eldon Road just 6 metres away and also to the building at the bottom of the garden at 12 Cottesmore Gardens belonging to Lord Black of Crossharbour and a few metres from the wall at 21 Eldon and the boundary of the proposed pool. We do not believe these concerns have been addressed by the applicant and the extraordinary nature of the excavations in a small terraced area makes this a major area of potential damage.

In addition, while not strictly relevant to planning law, the credibility of the assurances of the applicant and the applicants' architects on all matters relating to the construction of the pool is limited by the fact that safety officers from Kensington Council have been called out on several occasions during the current refurbishment at 21 Eldon Road to address concerns about the stability of the house during the building works.

The final concern is one of general safety. Normally, as you are aware, traffic, noise and waste from construction sites is not a planning consideration. However, this disproportionate proposal envisages more than 200 lorry loads of earth to be removed. Concrete and earth are then to be brought in. Eldon Road is a small, quiet street. There are three primary schools within five minutes walk of the road. Two of these schools use the church on the corner of Eldon Road and Victoria Road for morning chapel. It is difficult to imagine the 200+ lorries racing down Victoria Road, down Eldon Road and up Stanford Road over a short period of time (the timetable is that the pool will be constructed over a matter of a few months) without a risk of a fatal accident to a small child.

The Residents' Association has canvassed the neighbourhood. There is almost total opposition to the proposal to put a pool in at 21 Eldon Road. We believe the Council Officers and Planning Committee were correct in rejecting the application and we hope the Planning Inspectorate will uphold that decision.

Yours sincerely,



Andrew Arcnds

**20 ELDON ROAD
LONDON W8 5PT**

**THE PLANNING INSPECTORATE
ROOM 3/07 KITE WING
TEMPLE QUAY HOUSE
2 THE SQUARE
TEMPLE QUAY
BRISTOL BS1 6PN**

16TH MAY 2002

Dear Sir/Madam

Ref: App/K5600/A/02/1088164
21 Eldon Road, London W8 5PT

I am one of the three neighbours whose property adjoins number 21 and as you will see from the file we have strongly objected to the proposed excavations to allow for a swimming pool area. We do not object to the proposed rear extension with terrace above. Our understanding is that the council declined planning on the grounds that they were not satisfied about noise emissions from the plant room for the swimming pool or the depth of soil to be placed on top of the structure. I wish to recapitulate the grounds on which we continue to object to this application.

- 1) There is already one underground pool in a property adjacent to our garden and the noise from the plant is distinctly audible when on and destroys the tranquillity of our garden. A second such installation however much improved and insulated will undoubtedly create some noise thus causing further loss of tranquillity. Furthermore there will inevitably be a level air pollution from whatever purifying system is employed.
- 2) A pear tree with a preservation order has now been removed from the garden in anticipation of the proposed works. If the plans were approved an access area for the pool room with some sort of cover would be built in its place. This would be a further significant reduction of the garden area to be replaced by something incongruous which is directly in our line of sight.
- 3) The plans provide for a roof light to the pool area at the bottom of the garden. This would yet another solid structure replacing natural garden and potentially a source of further noise and odour emission.
- 4) We have serious concerns about the construction risks involved in this proposal. The garden will have to be excavated to a depth of 6-8 metres within 1 metre of all the party walls. Quite apart from the sheer volume of

material to be excavated, transported from site and subsequently replaced there has to be a serious risk of structural damage to the neighbouring properties. This is likely to be manifested by collapsing garden walls due to fairly shallow foundations and subsidence to the houses themselves. As these are no longer insured risks, as you will be aware, we are obviously very concerned about both the risk and the remedy. Our concerns are amplified by the experience of the work already undertaken at No.21. Our structural engineer has twice had to get Mr Pease's engineer to stop work at No.21 because of a serious risk of collapse of the structure and the potential risk to our own house. This was due to insufficient support of load bearing walls during stripping out and insertion of new steels. We therefore consider the risks to our house and our other neighbours' to be significant.

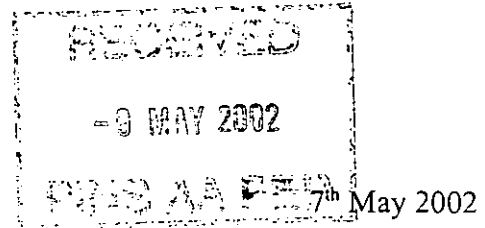
Quite apart from the points made above, we continue to find this proposal entirely unacceptable both in terms of the direct impact on our enjoyment of what up to now has been a secluded and quiet garden network between the houses of Cottesmore Gardens and Eldon Road and the level of disruption during the construction period. We would urge you to visit the site and see for yourselves that this proposal should not be permitted because of its overall impact on the local environment.

We would also be grateful if you could copy us with your decision letter in due course.

Yours faithfully

R.H.Baines

The Planning Inspectorate
Room 3/07, Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL BS1 6PN



Dear Sir/Madam

Re: DTLR's Reference: App/K5600/A/02/1088164
Town and Country Planning Act 1990
Notice of a Planning Appeal relating to 21 Eldon Road, London W8 5PT

My clients, RBC Trustees (Guernsey) Limited, are the owners of the adjoining property at 22 Eldon Road, London W8. I understand Richard Pease has lodged a Planning Appeal with a view to gaining planning consent to construct underground rooms in the rear garden.

My clients have asked me to write to you to lodge their objection to this scheme in the strongest possible terms. There is no way that the construction process can take place without the loss of an attractive tree at 21 Eldon Road, which must be the subject of a Preservation Order, while the construction process will also have an adverse effect on the roots of established trees and other shrubs, not only in my client's garden, but in a number of other neighbouring gardens. Other trees and plants could therefore be lost as well. Furthermore, the construction process would have an environmentally harmful effect on the neighbourhood as a whole.

With the greatest respect, I would ask you to dismiss the appeal.

Yours faithfully

John Hughes FRICS
DOWNHAM & HUGHES

c.c. RBC Trustees (Guernsey) Limited
Mrs Kamel

PLANNING AND CONSERVATION

**THE ROYAL
BOROUGH OF**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



Department of Transport,
Local Government and the Regions,
3/07 KiteWing,
Temple Quay House,
2 The Square, Temple Quay,
Bristol, BS1 6PN

Switchboard: 020-7937-5464
Direct Line: 020-7361-2081
Extension: 2081
Facsimilie: 020-7361-3463

**KENSINGTON
AND CHELSEA**

Date: 30 May 2002

My Ref: DPS/DCC/PP/01/01529/NC
DTLR's Reference: App/K5600/A/02/1088164

Please ask for: Rebecca Gill

Dear Sir/Madam,
TOWN AND COUNTRY PLANNING ACT 1990
Appeal relating to: 21 Eldon Road, London, W8 5PT

With reference to the Appeal on the above premises, I attach 2 copies of this Council's statement.

Yours faithfully

Michael J. French
Executive Director, Planning and Conservation

Enc.

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr D Shorland
The Planning Inspectorate
Temple Quay House
2 The Square, Temple Quay
Bristol
BS1 6PN

Switchboard: 020 7937 5464
Extension: 3190
Direct Line: 020 7361-3190
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk



**KENSINGTON
AND CHELSEA**

30th May 2002

My reference: DPS/DCC/PP/01/01529 Your reference: APP/K5600/A/02/1088164

Please ask for: Nicola Cowley

Dear Sir

Town and Country Planning Act, 1990 21 Eldon Road, W8

I refer to the Appeal by Granit Chartered Architects Ltd on behalf of Richard Pease against the failure of the Council to give notice of its decision within the prescribed period with regard to the application for planning permission, for a submerged swimming pool in the rear garden at the above address.

The report, under this Council's Planning Services Committee procedure, dated 22nd April 2002 (Enclosure 1), together with these additional comments and enclosures form the Council's Statement of Case relating to this appeal.

The Character of the Appeal Premises and Surrounding Area

The property is a three storey (excluding lower ground and ground floor levels) mid terrace house located on the northern side of Eldon Road. The property is not listed but is located in the De Vere Conservation Area.

Since this appeal was lodged, an application for a submerged garden room was approved by Planning Services Committee on 28th May 2002. See attached report, and decision notice (Enclosure 2).

Other decisions material to the consideration of this appeal.

- Paragraph 4.3 of the report discusses the Pear tree subject to a Tree Preservation Order situated in the rear garden which needs to be removed in order to excavate the garden for the pool. Permission was given on the 8th May 2002 to fell this tree.
- Paragraph 4.12 stated that the plans show an off street parking space at the front of the property. It notes in order to access this space, that a crossover application under the Highways Act 1980, is required. On closer examination it became apparent that such that such an application was made in June 2001, and was rejected on the 27th September 2001.

Local Policies

The Council has reviewed its Development Plan and proposed a set of alterations to keep it up to date

and in line with Government policy. The Council gave notice of its intention to adopt the UDP Alterations on 26th April 2002. The UDP Alterations were formally adopted on 25th May 2002 and became the statutory development plan for the Borough, to which Section 54A of the Town and Country Planning Act 1990 applies.

The Council report refers, in paragraph 4.2, to the relevant 'Conservation and Development' Policies contained within Chapter 4 of the UDP and the UDP Proposed Alterations which have been sent to you under separate cover.

Legislation and Central Government Policy

Attention is drawn to S54A of the 1990 Act and the related advice contained in Planning Policy Guidance: General Policies and Principles (PPG1) paragraph 40, "where an adopted or approved development plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise".

PPG15 provides guidance to the local planning authorities on relevant issues to be taken into consideration when determining applications in conservation areas and is therefore also relevant to this appeal.

Reasons for Refusal and Amplification of Council's Case

The Council's reasons for refusal relate to the effect of the development upon the character and appearance of the Conservation Area and the adverse impact of the amenity of the adjoining properties.

The first reason for refusal in the Council's report is due to the soil depth in the rear garden which is not adequate to allow an acceptable landscaping scheme. As outlined in paragraph 4.4, it is considered that the proposal is contrary to Policy CD27a, particularly criterion (d) which requires a satisfactory scheme of landscaping including adequate soil depth. The soil depth above the pool proposed ranges from 1 metre at the end of the garden, to 350mm at the rear of the dwelling. A metre of soil over the garden would allow the implementation of an appropriate scheme. It is considered that the scheme proposed will be difficult to maintain and therefore any landscaping scheme, with the resultant depth of soil proposed, would not be sustainable.

The second reason for refusal is the installation of plant equipment for the swimming pool which will generate noise and will cause a material disturbance to the occupiers of surrounding properties, and is contrary to Policies CD34 and CD44b. As outlined in paragraphs 4.5 to 4.7, two reports have been prepared by an external noise consultant as commissioned by the appellant. No conclusions are reached in the reports which satisfy the Council that the standards requested for noise emitted by the plant as specified at the outset can be met, and in the absence of this information, it is considered that the noise to be generated could cause material disturbance to the occupiers of surrounding properties.

Observations on the grounds of appeal

The appellant states that the Council has been slow to respond to the application.

Following the Planning Services Committee procedure, the Council determined on the 22nd April 2002, that had they been empowered to do so, planning permission would have been refused.

The appellant states that a horticultural expert was employed who drew a plan for a traditional garden design showing the areas of the garden suitable for various types of growth and the percentage of the garden that this growth is sustainable. The British standard recommends 800mm for the growth of

trees, and over 65% of the garden has more than 800mm of soil. The appellant also notes that the standard recommends 600mm for shrubs, and 80% of the garden has more than this, and it is claimed that the remaining area has between 350mm and 600mm and this is adequate for lawn and small shrubs.

The Council considers that the proposal will be difficult to maintain and therefore any landscaping scheme with the resultant depth of soil proposed, would not be sustainable. A metre of soil over the garden would allow the implementation of an appropriate scheme, and allow the trees and possibly shrubs to root to sufficient depth to withstand drought periods without artificial irrigation. In relation to the Appellants statement above, the Council disagrees with this, and notes that the British Standard 4428 Code of Practice for General Landscaping Operation recommends that any impervious layer is not less than 900mm below the soil surface when growing trees and assessed for size and depth so that a decision can be made as to whether the slab or layers should be broken up to facilitate free drainage or removed from site to obviate future drainage problems. Clearly the situation here is different in that an impervious layer, in the form of the roof of the underground structure, is being introduced which may impede drainage and thus result in a waterlogged soil. It should be noted that chapter 3.5.1 of the standard make reference to subsoil drainage designed to ensure that the underlying water table is between 1 and 1.5 metres from the surface.

The appellant correctly states that the local residents are concerned about noise pollution from any associated plant to the scheme. The Council deemed that it was necessary to establish prior to approval the nature of the noise to be emitted from the pool plant, rather than imposing a condition, as the noise to be generated is an important material consideration. This is especially as the pool can not be operated without such associated plant, rather than if the underground space was used as a games room, study, etc. The appellant states that the conditions requested at this point have now been met by commissioning a full design of the pool plant and a design of sound attenuation based on that design.

The Council considers it reasonable to ensure that noise emitted from the use of plant and equipment installed within this residential property should not impact at all on occupiers of neighbouring residential properties and such noise should not be audible from their properties, either internally or externally. Hence the request that it be demonstrated that there will be no increase in the existing LA 90 background noise. The reports prepared by the appellant noise expert state that the existing background noise levels enjoyed by the residents are 'very low'. Two reports were submitted by the Appellants noise expert dated 19th February 2002 and 3rd April 2002. The report dated 3rd April states that the principle source of noise to atmosphere will be via the ventilation system and that 'it is clear therefore that substantial silencers will be needed if the required performance criteria ... are to be satisfied.' It is considered by the Council that the degree of noise reduction required to ensure inaudibility within adjacent amenity areas will not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary.

The appellant claims that there have been months of lack of attention to this application, delay tactics and fruitless discussion, which the Council disagrees with. There have been numerous discussions with the appellants to see if there was any way to overcome the reasons outlined for refusal. The appellants revised the plans from those originally submitted to provide a greater soil depth, however unfortunately chose not to provide a soil depth over the whole garden considered to be sufficient to provide a sustainable garden. Also, as discussed above, the Acoustic reports provided by the appellant have not demonstrated satisfactorily that the amenity of the adjoining properties would not be adversely impacted upon by plant noise.

Conclusion

The proposed development is considered to be unacceptable for the reasons state within the Council's Planning Services Committee Report, dated 22nd April 2002, and further explained in this letter. It is respectfully requested that the appeal be dismissed.

The appellants have provided a set of plans with the Statement of Case, however several of these plans have been revised and the revised plans are attached to a letter dated 04/03/2002 provided in the appeal information.

Yours sincerely

M.J. French
Executive Director, Planning and Conservation

Enclosures

1. Copy of Report of the Executive Director, Planning and Conservation dated 22/04/2002
2. Copy of Report of the Executive Director, Planning and Conservation dated 28/05/2002
3. Suggested Conditions should the Inspector be minded to grant this appeal.

Enclosure 1

**Copy of Report of the Executive Director, Planning and Conservation dated 22/04/2002
(PP/01/1529)**

● **Enclosure 2**

**Copy of Report of the Executive Director, Planning and Conservation dated 28/05/2002
(PP/02/0722)**

Enclosure 3

Suggested Conditions

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
2. The works 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 there from without the prior written approval of the local planning authority.
3. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The excavation of the pool shall not commence until a fully detailed noise control specification together with manufacturers and builders drawings and consultants design report has been submitted to and agreed in writing by the local planning authority
4. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.
5. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the local planning authority.
6. Notwithstanding the provisions of Article 3, Schedule 2, and Part 1 of the Town and Country Planning General Development Order 1995, no external alterations shall be carried out or extensions constructed to the premises the subject of this permission without the prior approval in writing of the Local Planning Authority.
7. A replacement tree is to be provided in the rear garden, the species which should have a stem diameter of not less than 25cm, shall be approved in writing by the local planning authority before work commences on site.
8. Full particulars of the following shall be submitted to, and approved in writing by, the Local Planning Authority before the development hereby permitted commences, and the development shall not be carried out otherwise than in accordance with the details so approved:
 - (a) a landscaping and tree/shrub planting scheme;
 - (b) which trees/shrubs are to be retained;
 - (c) a hard landscaping scheme, including any paths and the surfacing materials to be used;
 - (d) any walls, fences, railings, gates, or other boundaries or enclosures.

Note – Condition 6 has been suggested due to the sensitivity of this application site and potential impact on the amenity of neighbouring properties, as a result of garden structures or air conditioning equipment which may otherwise not require Planning Permission.

See Amples - get MTP to sign

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



**KENSINGTON
AND CHELSEA**

Mr D Shorland
The Planning Inspectorate
Temple Quay House
2 The Square, Temple Quay
Bristol
BS1 6PN

Switchboard: 020 7937 5464
Extension: 3190
Direct Line: 020 7361-3190
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk

30th May 2002

My reference: DPS/DCC/PP/01/ 01529 Your reference: APP/K5600/A/02/1088164

Please ask for: Nicola Cowley

Dear Sir

**Town and Country Planning Act, 1990
21 Eldon Road, W8**

I refer to the Appeal by Granit Chartered Architects Ltd on behalf of Richard Pease against the failure of the Council to give notice of its decision within the prescribed period with regard to the application for planning permission, for a submerged swimming pool in the rear garden at the above address.

The report, under this Council's Planning Services Committee procedure, dated 22nd April 2002 (Enclosure 1), together with these additional comments and enclosures form the Council's Statement of Case relating to this appeal.

The Character of the Appeal Premises and Surrounding Area

The property is a three storey (excluding lower ground and ground floor levels) mid terrace house located on the northern side of Eldon Road. The property is not listed but is located in the De Vere Conservation Area.

Since this appeal was lodged, an application for a submerged garden room was approved by Planning Services Committee on 28th May 2002. See attached report, and decision notice.

Other decisions material to the consideration of this appeal.

- Paragraph 4.3 of the report discusses the Pear tree subject to a Tree Preservation Order situated in the rear garden which needs to be removed in order to excavate the garden for the pool. Permission was given on the ~~28th May~~ ^{30th May} 2002 to fell this tree.
- Paragraph 4.12 stated that the plans show an off street parking space at the front of the property. It notes in order to access this space, that a crossover application is required. ~~Since this report was written, it was discovered~~ ^{under the Highways Act 1996} that such an application was made in June 2001, and was rejected on the 27th September 2001. The reason given was that the proposal would result in a loss of on street residents parking and have an adverse effect on the safe and efficient operation of the controlled parking zone.

In cases examination it became apparent

Local Policies

Check
with
latent
prints
Munir

The Council has reviewed its Development Plan and proposed a set of alterations to keep it up to date and in line with Government policy. The Council gave notice of its intention to adopt the UDP Alterations on 26th April 2002. The UDP Alterations were formally adopted on 25th May 2002 and became the statutory development plan for the Borough, to which Section 54A of the Town and Country Planning Act 1990 applies.

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PPG15 provides guidance to the local planning authorities on relevant issues to be taken into consideration when determining applications in conservation areas and is therefore also relevant to this appeal.

Reasons for Refusal and Amplification of Council's Case

The Council's reasons for refusal relate to the effect of the development upon the character and appearance of the Conservation Area and the adverse impact of the amenity of the adjoining properties.

The first reason for refusal in the Council's report is due to the soil depth in the rear garden which is not adequate to allow an acceptable landscaping scheme. As outlined in paragraph 4.4, it is considered that the proposal is contrary to Policy CD27a, particularly criterion (d) which requires a satisfactory scheme of landscaping including adequate soil depth. The soil depth above the pool proposed ranges from 1 metre at the end of the garden, to 350mm at the rear of the dwelling. A metre of soil over the garden would allow the implementation of an appropriate scheme. It is considered that the scheme proposed will be difficult to maintain and therefore any landscaping scheme, with the resultant depth of soil proposed, would not be sustainable.

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Observations on the grounds of appeal

The appellant states that the Council has been slow to respond to the application.

Following the Planning Services Committee procedure, the Council determined on the 22nd April 2002, that had they been empowered to do so, planning permission would have been refused.

The appellant states that a horticultural expert was employed who drew a plan for a traditional garden design showing the areas of the garden suitable for various types of growth and the percentage of the garden that this growth is sustainable. The British standard recommends 800mm for the growth of trees, and over 65% of the garden has more than 800mm of soil. The appellant also notes that the standard recommends 600mm for shrubs, and 80% of the garden has more than this, and it is claimed that the remaining area has between 350mm and 600mm and this is adequate for lawn and small shrubs.

The Council considers that the proposal will be difficult to maintain and therefore any landscaping scheme with the resultant depth of soil proposed, would not be sustainable. A metre of soil over the garden would allow the implementation of an appropriate scheme, and allow the trees and possibly shrubs to root to sufficient depth to withstand drought periods without artificial irrigation. In relation to the Appellants statement above, the Council disagrees with this, and notes that the British Standard 4428 Code of Practice for General Landscaping Operation recommends that any impervious layer is not less than 900mm below the soil surface when growing trees and assessed for size and depth so that a decision can be made as to whether the slab or layers should be broken up to facilitate free drainage or removed from site to obviate future drainage problems. Clearly the situation here is different in that an impervious layer, in the form of the roof of the underground structure, is being introduced which may impede drainage and thus result in a waterlogged soil. It should be noted that chapter 3.5.1 of the standard make reference to subsoil drainage designed to ensure that the underlying water table is between 1 and 1.5 metres from the surface.

ensure

X

The appellant correctly states that the local residents are concerned about noise pollution from any associated plant to the scheme. The Council deemed that it was necessary to establish prior to approval the nature of the noise to be emitted from the pool plant, rather than imposing a condition, as the noise to be generated is an important material consideration. This is especially as the pool can not be operated without such associated plant, rather than if the underground space was used as a games room, study, etc. The appellant states that the conditions requested at this point have now been met by commissioning a full design of the pool plant and a design of sound attenuation based on that design.

The Council considers it reasonable to ensure that noise emitted from the use of plant and equipment installed within this residential property should not impact at all on occupiers of neighbouring residential properties and such noise should not be audible from their properties, either internally or externally. Hence the request that it be demonstrated that there will be no increase in the existing LA 90 background noise. The reports prepared by the appellant noise expert state that the existing background noise levels enjoyed by the residents are 'very low'. Two reports were submitted by the Appellants noise expert dated 19th February 2002 and 3rd April 2002. The report dated 3rd April states that the principle source of noise to atmosphere will be via the ventilation system and that 'it is clear therefore that substantial silencers will be needed if the required performance criteria ... are to be satisfied.' It is considered by the Council that the degree of noise reduction required to ensure inaudibility within adjacent amenity areas will not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary.

The appellant claims that there have been months of lack of attention to this application, delay tactics and fruitless discussion, which the Council disagrees with. There have been numerous discussions with the appellants to see if there was any way to overcome the reasons outlined for refusal. The appellants revised the plans from those originally submitted to provide a greater soil depth, however unfortunately chose not to provide a soil depth over the whole garden considered to be sufficient to provide a sustainable garden. Also, as discussed above, the Acoustic reports provided by the appellant have not demonstrated satisfactorily that the amenity of the adjoining properties would not be adversely impacted upon by plant noise.

Conclusion

The proposed development is considered to be unacceptable for the reasons state within the Council's Planning Services Committee Report, dated 22nd April 2002, and further explained in this letter. It is respectfully requested that the appeal be dismissed.

The appellants have provided a set of plans with the Statement of Case, however several of these plans do not appear to be the latest revisions as submitted to the Council. The plans which appear to have been revised are:

- 01/15/L(13) Revision B has been submitted with appeal information, latest plan is Revision E, which has been attached to this letter.
- 01/15/L(14) Revision B has been submitted with appeal information, Revision E has been attached to this letter.
- 01/15/L(24) Revision C has been submitted with appeal information, Revision D has been attached to this letter.
- 01/15/L(27)a, b, c have been submitted with the appeal information, Revisions A have been attached.

Yours sincerely

Paul Kelsey
Area Planning Officer
for the Executive Director, Planning and Conservation

Enclosures

1. Copy of Report of the Executive Director, Planning and Conservation
2. Suggested Conditions should the Inspector be minded to grant this appeal.
3. Revised plans 01/15/L(13)(RevE)
Revised plans 01/15/L(14) (RevE)
Revised plans 01/15/L(24) (RevC)
Revised plans 01/15/L(27) (RevA)



Enclosure 1

Copy of Report of the Executive Director, Planning and Conservation.

Enclosure 2

Suggested Conditions

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
2. The works 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 there from without the prior written approval of the local planning authority.

Need conditions from other 21 E100 Rd
report - re trees landscaping, noise GDO etc

Planning Appeal

21 Eldon Road

Appeal Against Refusal for Construction of a Sub-terranean Swimming Pool

Noise

The application the subject of this appeal is for the construction and use of a basement swimming pool together with associated ventilation equipment.

The location is within the rear garden of 21 Eldon Road a terraced residential property. Adjacent adjoining properties numbers 22 and 20 are also residential.

Noise emitted by the use of plant and equipment installed within residential property should not impact at all on occupiers of neighbouring residential property, this is especially the case with applications such as this that are solely for an improved quality of life of the applicants.

It is reasonable to impose on this development that noise from the use of the plant and equipment shall not be audible to neighbouring occupiers when using their own amenity areas such as gardens, at any time of the day.

Our requirement for noise control is that there should be no increase in the existing LA90 background noise level and this has been discussed with the applicant's noise expert.

The reports prepared by the applicants noise expert state that the existing background noise levels enjoyed by residents are "very low" and that consequently the RBKC noise criterion "is an onerous requirement". It is onerous because of the amount of noise reduction required to the plant to ensure that there is no increase in the existing background noise level.

The client's noise expert has submitted two separate reports dated 19 February and 3 April 2002 attached as appendices.

The 19 February is the main report, which is given more detail, by the second report dated 3 April 2002.

The 3 April report states that noise breakout from the plant room itself is not considered to be a problem however it does recommend "that all reasonable efforts be made to reduce noise levels in the plant room in order to ensure the comfort of the residents of 21 Eldon Road".

This report states that the principle source of noise to atmosphere will be via the ventilation system and that "substantial silencers will be needed if the required performance criteria. ... are to be satisfied"

Both reports refer to our criteria being met at the rear façade of 20 and 22 Eldon Road. Our criterion as quoted verbatim in the noise expert's report of 19 February 2002 page 2 requires that adjacent amenity areas be also similarly protected. The experts Design Criteria page 5 of his 19 February 2002 report does not address amenity areas.

Even with our criteria only being met at the rear façade, some 10m away, the expert still considers that our requirements are onerous however he does consider that there will be space to accommodate the substantial silencers required. These silencers may impair airflow and make it necessary to upgrade the duty of the air-handling unit, which may increase noise.

It is my opinion that the degree of noise reduction required to ensure inaudibility within adjacent amenity areas will not be met due to the restrictions of the site and the practicality of achieving the level of noise reduction necessary.

Ian Hooper
Specialist Noise Officer
15 May 2002

RBKC ARBORICULTURAL OBSERVATIONS

Address	Application No.	DC Officer	Date of Obs
21 Eldon Road	PP/01/1529/	N.C.	14/5/02
Development		Obj.	No Obj.
Rear extension and underground pool			
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
C9	13/01		
Comments:			

I refer to the attached 'Full Statement of Case' dated 9th April 2002 regarding the above matter and report the following.

I have expressed a preference for minimum 1 metre depth soil and drainage layer over the underground structure for reason that it will permit any future owner to plant whatever they may wish wherever they wish in the garden. It should also be noted that deeper soils provide a greater reservoir of soil water which deeper roots can exploit during times of drought. Conversely an impermeable layer may cause the soil to become waterlogged during parts of the year. A waterlogged soil will impede the growth of roots and can in some circumstances result in shallow rooting. Trees with shallow root systems are more likely to be adversely affected by drought conditions than deeply rooted trees and the formation of a shallow root plate can render the tree more liable to wind throw than a tree with a deeper root profile.

It should be noted that The British Standard 4428 Code of Practice for General Landscaping Operations recommends that any impervious layer is not less than 900mm below the soil surface when growing trees and assessed for size and depth so that a decision can be made as to whether the slab or layers should be broken up to facilitate free drainage or removed from site to obviate future drainage problems.

Clearly the situation here is different in that an impervious layer, in the form of the roof of the underground structure, is being introduced which may impede drainage and thus result in a waterlogged soil. It should be noted that chapter 3.5.1 of the standard make reference to subsoil drainage designed to ensure that the underlying water table is between 1 and 1.5 metres from the surface.

The introduction of an impervious layer beneath the garden may impede drainage which may lead to the formation of a shallow root system which can result in increased likelihood of wind throw. The Council believes therefore that it is entirely reasonable to insist on measures that reduce the likelihood of water logging and shallow rooting. The provision of a metre deep soil/drainage layer over the surface of the underground development is of course less satisfactory than retaining the natural soil profile but we believe it to be a reasonable compromise which permits underground development to proceed while maintaining good growing conditions into the foreseeable future.

Signed:



Date: 15/5/02

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

Mr. R. Pease
34 Campden Hill Gardens
London
W8 7A7

Switchboard: 0171-937 5464
Extension: 2013
Direct Line: 0171-361-2013
Facsimile: 0171-361-3463



**KENSINGTON
AND CHELSEA**

27 September, 2001

My reference: dps/pc/brg/15/2001 Your reference:

Please ask for: Barry Griffin

Dear-Sirs,

Highways Act 1980: Section 184
Pavement Crossover
Address 21 Eldon Road London, W8
Application Dated 28TH June 2001
Applicant Mr. R. Pease

I refer to your application in respect of the above, and must advise you that the has **rejected** your application **for** permission to construct a vehicular pavement crossover at 21 Eldon Road, London, W8.

Reasons for Rejecting the application:

- 1) The proposal would result in a loss of on-street residents' parking and have an adverse effect on the safe and efficient operation of the Controlled Parking Zone.

Yours faithfully,

Barry R. Griffin
Principal Administrative Officer Support Services
for Executive Director of Planning & Conservation

RBK&C TRANSPORTATION COMMENTS

PC Number: 15/01	Address: 21 Eldon Road	Date of obs: 29 June 2001	
Proposal: Installation of permanent vehicular footway crossover.		Obj see ob's	No Obj see ob's
File Number TM/205/1	Obs FULL	Transportation Officer Steve Lauder	D C Officer BG

Other information:

N/A

COMMENTS:

With reference to the above application, I have the following comments:

The proposal would result in the removal of a 6 metre section of on-street residents' parking.

The loss of the residents' parking space would have an adverse effect on the safe and efficient operation of the Controlled Parking Zone by reducing the kerb side space available.

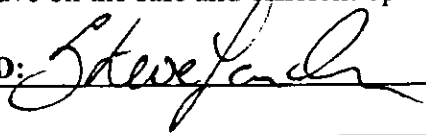
In exercising the powers contained in Section 184 (11) of the Highways Act 1980, the Council may;

1. Approved the request without modification
2. Approved the request with modification
3. Propose alternative works
4. Reject the request

The Council may also take other considerations into account if they are material and relevant to the application.

The proposed off-street parking space could only accommodate vehicles parked parallel to the kerb. This require drivers to perform a difficult manoeuvre. Off street parking spaces should be of minimum dimensions 2.4m x 4.8m, and should be able to accommodate vehicle parked 'end on'.

In the case of this application I would recommend that the Council reject the request on the grounds of loss of on-street residents' parking, and the adverse effect this would have on the safe and efficient operation of the Controlled Parking Zone.

SIGNED: 

The Royal Borough of Kensington and Chelsea

MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT 1972

To Principal Administrative officer (Planning Services)
From Executive Director of Planning and Conservation

Date September 14, 2001

Ref EDPC/PC/15/2001
Applicant Mr. R. Pease
Application Dated 28th June 2001
Address of Applicant 34 Campden Hill Gardens, London, W8

This application is for a class of development to be determined under powers delegated to me on 19th July 2001

HIGHWAYS ACT 1980

Description of proposed development:

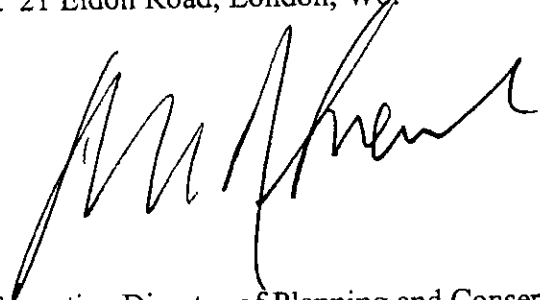
Construction of a vehicular footway crossover at : 21 Eldon Road, London, W8.
The file relating to this application as attached.

- 1) Planning Permission is not required for this proposal.
- 2) Objection to the proposal has been raised, by the Directorate of Highways and Transportation, who are recommend the proposal be **REJECTED** on the grounds of loss of on-street residents' parking, and the adverse effect this would have on the safe and efficient operation of the Controlled Parking Zone.

Submitted Drawing(s) No.15/01

Applicants Drawing(s) Unnumbered

I hereby determine this application and **REJECT** the proposal far a vehicular footway crossover at 21 Eldon Road, London, W8.



Executive Director of Planning and Conservation

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Grant Architects Limited,
112 Battersea Business Centre,
Lavender Hill,
Battersea, London
SW11 5QL

Switchboard: 020-7937-5464
Direct Line: 020-7361- 3190
Extension: 3190
Facsimile: 020-7361-3463

Date: 01 May 2002

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

My Ref: DPS/DCC/PP/01/01529/NC

DTLR's Reference: App/K5600/A/02/1088164 Please ask for: Ms. N. Cowley

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990
Appeal relating to: 21 Eldon Road, London, W8 5PT

With reference to your appeal on the above address(es), enclosed you will find the Council's Questionnaire and attached documents as necessary.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Department of Transport,
Local Government and the Regions,
3/07 KiteWing,
Temple Quay House,
2 The Square, Temple Quay,
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimilie: 020-7361-3463

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Date: 01 May 2002

My Ref: DPS/DCC/PP/01/01529/NC
DTLR's Reference: App/K5600/A/02/1088164

Please ask for: Rebecca Gill

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Appeal relating to: 21 Eldon Road, London, W8 5PT

With reference to the appeal on the above premises, I return the completed questionnaire, together with supporting documents. In the event of this appeal proceeding by way of a local Inquiry the Inspector should be advised that Committee Rooms in the Town Hall must be vacated at 5.00 p.m. unless prior arrangements have been made for the Inquiry to continue after 5.00 p.m.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

For official use only
Date received

QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

OUR REF: PP1011529

APPEAL REF: APP 1K5600/A102/1088164 GRID REF: _____

APPEAL BY: RICHARD PEASE

SITE: 21 ELDON ROAD, W8

You must ensure that a copy of a completed questionnaire, together with any enclosures, is received by us and the appellant, within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the starting date.

<p>1. Do you agree to the written representations procedure?</p>	<p>YES <input checked="" type="radio"/> NO <input type="radio"/></p>
<p>OR Do you wish to be heard by an Inspector at:</p> <p style="padding-left: 100px;">a. a local inquiry?</p> <p style="padding-left: 100px;">or b. a hearing?</p>	<p>YES <input type="radio"/> NO <input checked="" type="radio"/></p> <p>YES <input type="radio"/> NO <input checked="" type="radio"/></p>
<p>2. If the written procedure is agreed, could the inspector make an unaccompanied site visit?</p> <p><i>(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)</i></p>	<p>YES <input type="radio"/> NO <input checked="" type="radio"/></p>
<p>3. Does the appeal relate to an application for approval of reserved matters?</p>	<p>YES <input type="radio"/> NO <input checked="" type="radio"/></p>
<p>4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?</p>	<p>YES <input type="radio"/> NO <input checked="" type="radio"/> NA <input type="radio"/></p>
<p>5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?</p>	<p>YES <input checked="" type="radio"/> NO <input type="radio"/></p>

<p>6. Is the appeal site within an approved Green Belt or AONB?</p> <p>Please specify which</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, <u>please</u> attach details.)</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?</p> <p>If YES, please attach details and, where necessary, give our reference numbers.</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)</p>	<p><input checked="" type="radio"/> YES / NO</p>
<p>10. Does the appeal relate to an application for conservation area consent?</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>11. a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?</p> <p>b. Would the proposed development affect the setting of a listed building?</p>	<p>YES / <input checked="" type="radio"/> NO</p> <p>Grade I / II* / II</p> <p>YES / <input checked="" type="radio"/> NO</p>
<p>If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)</p>	
<p>12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>13. a. Would the proposals affect an Ancient Monument (whether scheduled or not)?</p> <p>b. If YES, was English Heritage consulted? Please attach a copy of any comments.</p>	<p>YES / <input checked="" type="radio"/> NO</p> <p>YES / NO</p>
<p>14. a. Is the appeal site in or adjacent to or likely to affect an SSSI?</p> <p>If YES, please attach the comments of English Nature.</p>	<p>YES / <input checked="" type="radio"/> NO</p>
<p>b. Are any protected species likely to be affected by the proposals?</p> <p>If YES, please give details.</p>	<p>YES / <input checked="" type="radio"/> NO</p>

15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.

YES NO

~~Sch 1 Sch 2 col 1~~

b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?

YES NO

c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.

YES NO

d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;

Number of Documents Enclosed

N/A

e. Any representations received as a result of an Article 7 (or Regulation 6) notice;

✓

f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;

✓

1

g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);

13

h. Details of any other applications or matters you are currently considering relating to the same site; **OUR REF: PP1021722?**

1

i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.

✓

EXTRACTS FROM UDP CHAPTERS 1-4 AND PROPOSED MODIFICATIONS - DEPOSIT STAGE

j. Any supplementary planning guidance, together with its status, that you consider necessary. **EXTRACTS FROM CONS. AREA PROPOSAL STATEMENT**

✓

k. Any other relevant information or correspondence you consider we should be aware of.

NOT CONSIDERED IF APPROPRIATE YET.

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?

31-05-02
1-05-02

Notif. letter dated ->

b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.

Number of Documents Enclosed

N/A

i) representations received from interested parties about the original application

13

ii) the planning officer's report to committee / ~~submitted~~

✓

iii) any relevant committee minute **TO FOLLOW**

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal?
If NO, please send the following information:-

YES / NO

a. In non-determination cases:

- i) what the decision notice would have said;
- ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

- i) the relevant planning history;
- ii) any supplementary reasons for the decision on the application;
- iii) matters which you want our Inspector to note at the site visit.

~~18. THE MAYOR OF LONDON CASES ONLY~~

~~a. Was it necessary to notify the Mayor of London about the application?~~

~~If YES, please attach a copy of that notification.~~

~~YES / NO~~

~~b. Did the Mayor of London issue a direction to refuse planning permission?~~

~~If YES, please attach a copy of that direction.~~

~~YES / NO~~

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature:  on behalf of R B K & C Council

Date sent to us and the appellant 1st MAY 2002

Please tell us of any changes to the information you have given on this form.

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

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Norwich NR3 1BQ

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

File Copy

Switchboard: 020-7937-5464

1 Direct Line: 020-7361-3190

Extension: 3190

Facsimilie:

020-7361-3463

Date: 01 May 2002

~~My Ref: DPS/DCC/PP/01/01529~~

DTLR's Reference: App/K5600/A/02/1088164

Please ask for: Ms. N. Cowley

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Notice of a Planning Appeal relating to: 21 Eldon Road, London, W8 5PT

A Planning Appeal has been made by Richard Pease, to the Planning Inspectorate in respect of the above property. This appeal arises from the Council's non-determination within the appropriate period of an application for: Construction of rear extension at lower ground floor with terrace above, and excavation beneath garden to allow for new swimming pool area below.. This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to:

The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Please send 3 copies and quote the DTLR's reference given above. **The Inspectorate must receive your representations by 31/05/2002 for them to be taken into account.** (Representations made in respect of the planning application have already been copied to the Inspectorate, and these will be considered when determining the appeal unless they are withdrawn before 31/05/2002). Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

I attach a copy of the Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office after 31/05/2002 (**please telephone ahead in order to ensure that these are available**). If you have any further queries, please do not hesitate to contact the case officer on the above extension.

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE MUST be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

We wish to appeal on the ground that they have not determined the application, and that we have been told if they were to determine it would be recommended for refusal. We feel the council has misled us on the nature of guidance notes, in that though saying they are for guidance they are treating them as rules or policy. They are not considering this application on its merits and seem to be placing obstacles to make the scheme un-viable for the householder. The required level of detail is way beyond what should be expected and the reluctance to put conditions on has caused unnecessary delay and expense.

As a result of the council inactivity and subsequent misdirection the works to the rest of the property are well advanced. The result of this once a scheme has been agreed will have been to extend the period of disruption not only causing a disservice to our client but to all the surrounding resident. The time delay has an identifiable a significant cost to my client, which the council are unconcerned about dismissing such discussion as some "internal problems".

This appeal is placed at this moment to try to mitigate the loss of time and thus reduce the impact on those that must live with the council inability, as opposed to waiting three weeks for the committee to probably agree with the officers recommendations, three weeks in the scheme of things will make a difference.

I attach the requisite documents, and trust this issue will be judged on its merits and the documentation, and opinions of the experts employed.



The Planning Inspectorate

3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-8930

Ms R Gill (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: DPS/DCC/PP/01/01529
Our Ref: APP/K5600/A/02/1088164
Date: 19 April 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY RICHARD PEASE
SITE AT 21 ELDON RD, LONDON, W8 5PT

EX DIR	HDC	TP	CAC	AD	GLU	AO	AK
R.B.		22 APR 2002		PLANNING			
K.C.							
N	C	SW	SE	APP	IO	REC	
		ARB	FPLN	DES	FEES		

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

You must submit the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date**. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
- ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
- iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000*. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

A. Burden

PP Mr Dave Shorland

102(BPR)

APPEAL NOTIFICATIONS

Re: 21 ELDON ROAD, W8

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

WARD COUNCILLORS:

1. Andrew deaker
2. Gary Mond
3. Daniel Moylan

KENSINGTON SOCIETY (Ms Susie Symes, 19 Denbigh Terrace,
London W11 2QJ)

CHELSEA SOCIETY (Mr Hugh Krall, 51 Milman's Street,
London SW10 0DA)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES: P.R.H.

1. Victoria Rd Res Association (Mr Dixon)
25 Victoria Grove, Ean, W8 5RW
- 2.
- 3.

ALL 3RD PARTIES ORIGINALLY NOTIFIED

ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS:.....

NEW APPEAL

DATE: 15-04-02

TO: DEREK TAYLOR

/

PAUL KELSEY

JOHN THORNE

/

BRUCE COEY

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA -
FILE(S) ATTACHED. THE SITE ADDRESS IS:

21 ELDON ROAD, W8

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING
WITH THIS APPEAL:

Nicola Cowley

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE
APPEAL TO BE DETERMINED:

◆ WRITTEN REPRESENTATIONS ✓

◆ HEARING

◆ PUBLIC INQUIRY

N.B. The appellant has requested Written Reps / a Hearing / an Inquiry. The
appellant has the right to be heard. If the appellant wants a Hearing and you choose
Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and
you would prefer a Hearing, a letter outlining reasons why will normally be required.

3. YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE
AT THIS STAGE

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE
APPEALS SECTION WITHIN 24 HOURS

THANK YOU

112 BATTERSEA BUSINESS CENTRE · LAVENDER HILL · LONDON · SW11 5QL
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co.uk

EX DIR	HDC	TP	CAC	AD	GLU	AO AK
R.B. K.C.	12 APR 2007				LAWING	
N	SW	SE	APP	IO	REC	
		ARB	FPLN	DES	FEEs	

PK

**COPY OF PLANS
TO INFORMATION
OFFICE PLEASE**

WITH COMPLIMENTS

21 ELDON RD
LONDON, W8.

The LPA has been slow to respond to our application. Our original submission for, a single storey extension to the lower ground floor and excavation beneath garden to allow for new pool area below has been with the council since 6.7.01.

This was proceeded by a discussion with a planning officer in their offices to discuss the feasibility of the idea. At this point the concept was accepted as a common one for the borough but there were no policies relevant to such development.

The initial scheme included a proposal for the garden, largely paved and water, but the conservation officer took a dislike to the proposal and used her position to veto the design, although generally garden landscape does not require planning consent.

At this point the planner found some guidance notes on gardens above subterranean developments. The council's recommendation was for 1-meter soil depth to try to sustain the viability of rear gardens. Taking the desire to maintain sustainable gardens, but not accepting the arbitrary suggestion of 1 metre to the whole area. We discussed the scheme with the recommended officer, referred to the relevant British standard, employed a horticultural expert, had a traditional garden design drawn up, and produced plans showing the areas of the garden suitable for various types of growth and the percentage of the garden that this growth is sustainable. The British standard recommends 800mm for the growth of trees, clearly it would be undesirable to grow trees over the whole area, the perimeter and a part of the main garden, over 65% of the garden area has more than 800mm of soil. It recommends over 600mm for shrubs, 80% of the garden has more than this, the remaining area has between 350mm and 600mm and is more than adequate for lawn and would support small shrubs. We believe that this scheme maintains the viability of the garden as an amenity space, the experts seem to agree but not the planning department.

Further to this issue the local residents are concerned about noise pollution from any associated plant to the scheme, because an existing above ground building has air conditioning and they believe this disturbs their peace, and so any other development would as well. To deal with this the council proposed a condition that was acceptable to our client, then at the last submission point insisted on a sound survey, this was supplied and our sound consultant confirmed that the condition could be met. The council then decided this was not adequate so they requested a full design and sound report, in the course on this delaying the matter again for another committee. The conditions requested at this point have now been met by commissioning a full design of the pool plant and a design of sound attenuation based on that design. The only way to take this further would be to build the plant and test it in situ, we have said a condition would be acceptable but the council remains unsure.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	12 APR 2007				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

In the meantime local resistance has been actively canvassed on a NIBY basis citing disruption as a problem, during the excavation, the council accept that this is not a planning issue, but they are aware that the committee has been lobbied and seem loath to make clear to the committee their limitations

As a result given months of lack of attention, delay tactics and fruitless discussion they are again going to recommend for refusal. The previous time they accepted there was room for negotiation and further information on the issues given above, but these matter now resolved they will not accept we believe for reasons unrelated to the merits of this application.

We have amended our application on several occasions, supplied additional information again and again, as requested, but what seems to be a technical matter is not resolvable.

We wish to appeal on the ground that they have not determined the application, and that we have been told if they were to determine it would be recommended for refusal. We feel the council has misled us on the nature of guidance notes, in that though saying they are for guidance they are treating them as rules or policy. They are not considering this application on its merits and seem to be placing obstacles to make the scheme un-viable for the householder. The required level of detail is way beyond what should be expected and the reluctance to put conditions on has caused unnecessary delay and expense.

As a result of the council inactivity and subsequent misdirection the works to the rest of the property are well advanced. The result of this once a scheme has been agreed will have been to extend the period of disruption not only causing a disservice to our client but to all the surrounding resident. The time delay has an identifiable a significant cost to my client, which the council are unconcerned about dismissing such discussion as some "internal problems".

This appeal is placed at this moment to try to mitigate the loss of time and thus reduce the impact on those that must live with the council inability, as opposed to waiting three weeks for the committee to probably agree with the officers recommendations, three weeks in the scheme of things will make a difference.

I attach the requisite documents, and trust this issue will be judged on its merits and the documentation, and opinions of the experts employed.

PLANNING APPEAL

The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

A. INFORMATION ABOUT THE APPELLANT(S)

Full Name: Richard Pease

Address: 21 ELDON RD

LONDON

Postcode: W8 5PT Reference:

Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: Fax No:

Agent's Name (if appropriate): ROBERT WILSON GRANT CHARTERED ARCHITECTS LTD

Agent's Address: 112 BATTERSEA BUSINESS CENTRE, LAVENDER

HILL, LONDON

Postcode: SW11 5PL Reference:

Failure to provide the postcode may cause delay in processing your appeal.

Daytime Telephone No: 020 79244555 Fax No: 020 7924 5666

B. DETAILS OF THE APPEAL

Name of the Local Planning Authority (LPA): ROYAL BOROUGH OF KENSINGTON + CHELSEA

Description of the Development:
Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

Address of the Site:
21 ELDON RD
London

Postcode: W8 5PT
Failure to provide the postcode may cause delay in processing your appeal.

National Grid Reference (see key on OS map for Instructions).
Grid Letters: Grid Numbers
eg TQ:298407
See attached OS map

Date and LPA reference number of the application you made and which is now the subject of this appeal:
DPS/000/PP/01/01529.
10/7/2001

Date of LPA notice of decision (if any):

Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here:..... ~~APP/K56001/01/107681?~~

~~As drawn but for the same application.~~

C. REASON FOR THE APPEAL

THIS APPEAL IS AGAINST the decision of the LPA:-

(*Delete as appropriate)



1. to *refuse/grant subject to conditions, planning permission for the development described in Section B.
2. to *refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission.
3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission.

Or the failure of the LPA:-

4. to give notice of its decision within the appropriate period on an application for permission or approval.

D. CHOICE OF PROCEDURE

CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - Appeals decided by written representations are normally decided much quicker than by the hearing/inquiry method. For further information see the booklet "A guide to planning appeals" which accompanied this form.

1. WRITTEN REPRESENTATIONS

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.)

2. LOCAL INQUIRY Please give reasons why an inquiry is necessary

3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable.

E. ESSENTIAL SUPPORTING DOCUMENTS

A copy of each of the following should be enclosed with this form.

1. The application submitted to the LPA;
2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage;
3. Plans, drawings and documents forming part of the application submitted to the LPA;
4. The LPA's decision notice (if any);
5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: see attached sheet
6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). (Failure to submit this can delay your appeal).

Copies of the following should also be enclosed, if appropriate:

7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission;
8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes);
9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:

F. APPEAL SITE OWNERSHIP DETAILS

IMPORTANT: THE ACCOMPANYING NOTES SHOULD BE READ BEFORE THE APPROPRIATE CERTIFICATE IS COMPLETED. CERTIFICATES A AND B ARE GIVEN BELOW. IF NEEDED, CERTIFICATES C AND D ARE ATTACHED TO THE GUIDANCE NOTES

SITE OWNERSHIP CERTIFICATES

PLEASE DELETE INAPPROPRIATE WORDING WHERE INDICATED (*) AND STRIKE OUT INAPPLICABLE CERTIFICATE

CERTIFICATE A

I certify that:

On the day 21 days before the date of this appeal nobody, except the appellant, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates.

~~OR~~

CERTIFICATE B

I certify that:

I have/the appellant has *given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the guidance notes) of any part of the land to which the appeal relates, as listed below.

Owner's Name	Address at which notice was served	Date on which notice was served
--------------	------------------------------------	---------------------------------

I further certify that:

AGRICULTURAL HOLDINGS CERTIFICATE (TO BE COMPLETED IN ALL CASES WHERE A, B, C OR D OWNERSHIP CERTIFICATE HAS BEEN COMPLETED)

*• None of the land to which the appeal relates is, or is part of, an agricultural holding.

~~OR~~

*• I have/the appellant has *given the requisite notice to every person other than my/him/her*self who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as follows:

Tenant's Name	Address at which notice was served	Date on which notice was served
---------------	------------------------------------	---------------------------------

* Delete as appropriate. If the appellant is the sole agricultural tenant the first alternative should be deleted and "not applicable" should be inserted below the second alternative.

Signed [Signature] (on behalf of) GRANT ARCHITECTS FOR RICHARD PEASE EP.

Name (in capitals) ROBERT MICHAEL CANDELENG WILSON Date 9.4.02

G. GROUNDS OF APPEAL If the written procedure is requested, the appellant's FULL STATEMENT OF CASE MUST be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

see attached sheet

PLEASE SIGN BELOW

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed  (on behalf of) Grant Chartered Accountant for Richard Pease

Name (in capitals) ROBERT MICHAEL CANDELENT WILSON Date 9.04.02

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.

- This form signed and fully completed.
- Any relevant documents listed at Section E enclosed.
- Full grounds of appeal/outline of case set out at Section G.
- Relevant ownership certificate A, B, C or D completed and signed.
- Agricultural Holdings Certificate completed and signed.

◆ **1ST COPY: Send one copy of the appeal form** with all the supporting documents to

The Planning Inspectorate
Appeals Registry
Tollgate House
Houlton Street
BRISTOL
BS2 9DJ

◆ **2ND COPY: Send one copy to the LPA**, at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.

◆ **3RD COPY: For you to keep**

MIND TO! -
REFUSED BY
PLANNING SERVICES CTTEE
 22 APR 2002
 REFERENCE.....

ROYAL BOROUGH OF KENSINGTON & CHLSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 22/04/2002 **APP NO. PP/01/01529/CHSE**
AGENDA ITEM NO. 2021

ADDRESS

**21 Eldon Road, London, W8
 5PT**

APPLICATION DATED 06/07/2001

**RECOMMENDATION
 ADOPTED.**

APPLICATION COMPLETE 10/07/2001

**APPLICATION REVISED 20/02/2002 and
 05/04/2002**

APPLICANT/AGENT ADDRESS:	<u>CONSERVATION AREA</u>	De Vere	<u>CAPS</u>	Yes
Grant Architects Limited, 112 Battersea Business Centre, Lavender Hill, Battersea, London SW11 5QL	<u>ARTICLE '4'</u>	No	<u>WARD</u>	Queen's Gate
			<u>LISTED BUILDING</u>	No
			<u>HBMC DIRECTION</u>	N/A
	<u>CONSULTED</u>	16	<u>OBJECTIONS</u>	10
	<u>SUPPORT</u>	0	<u>PETITION</u>	0

Applicant Richard Pease

PROPOSAL:

Construction of rear extension at lower ground floor with terrace above, and excavation beneath garden to allow for new swimming pool area below.

RBK&C Drawing No(s): PP/01/01529, PP/01/01529/A and PP/01/01529/B
Applicant's Drawing No(s): 01/15/L(02), 01/15/L(03), 01/15/L(08), 01/15/L(13)RevE, 01/15/L(14)RevE, 01/15/L(19)RevA, 01/15/L(23), 01/05/L(24)RevD, 01/15/L(26), 01/15/L(27), 01/15/L(27)(RevA), 01/15/L(28), Report No. WRS/4880 prepared by ARO dated 19 February 2002, and letter dated 3rd April 2002; Arboricultural Report prepared by ACS Consulting dated 8 October 200, and letter dated 4th April 2002; Landscaping Sketch Plan received on 5th April 2002.

RECOMMENDED DECISION: **Minded to Refuse planning permission**

REASONS FOR REFUSAL

1. **The proposed development would result in a soil depth in the rear garden which is not adequate to allow an acceptable landscaping scheme, and therefore is contrary to policies within the Unitary Development Plan, particularly Policy CD27a.**

2. **The operational plant associated with the proposed development would result in unacceptable levels of noise which would have a detrimental impact on the surrounding residential properties and therefore is contrary to policies in the Unitary Development Plan, particularly Policies CD34 and CD44b.**

INFORMATIVE

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 STRAT5, STRAT6, CD25, CD27a, CD28, CD30, CD34, CD41, CD44, CD44b, CD48, CD49, CD52 and CD53. (I51)

1.0 THE SITE

- 1.1 The property is a three storey (excluding lower ground and ground floor levels) mid terrace house located on the northern side of Eldon Road. The property is not listed but is located in the De Vere Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for a single storey extension to lower ground floor level, and excavation beneath garden and construction of a new swimming pool area below.

3.0 PLANNING HISTORY

- 3.1 A Planning Permission for a new mansard roof was approved in 2001 on this property, subject to a Section 106 Agreement (PP/01/1529) that it be constructed at the same time as a similar extension on the adjoining property.
- 3.2 A Certificate for Proposed Lawful Development, for a rear extension at lower ground floor was issued also in 2001 (CL/01/2446).
- 3.3 An application for a rear extension similar to that being considered in this application but not including the swimming pool or terrace was approved in 2001 for no. 20 Eldon Road (PP/01/1900).

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations in this case relate to the detailed design of the proposed rear extension, window realignment and the noise, odour and other impacts of the underground swimming pool proposed, and their impact on the character and appearance of the Conservation Area.
- 4.2 The relevant planning Policies are contained in the "Conservation and Development" Chapter of the Unitary Development Plan. Policies STRAT5, STRAT6, CD25, CD27a, CD28, CD30, CD34, CD41, CD44, CD44b, CD48, CD49, CD52 and CD53 are of particular relevance to this application.

Proposed Swimming Pool

- 4.3 The excavation of the back garden for an underground swimming pool will result in the loss of a mature Pear tree situated within the rear garden. The tree is approximately 9 metres in height and is subject to a confirmed Tree Preservation Order. A report was submitted by ACS Consulting on this tree, dated 8th October 2001. The Council's Arboricultural Officer concurs with the findings of this report in that there is significant decay extending down the main trunk and notwithstanding the apparently normal condition of the tree's canopy, its condition is such that the production of corrective wood is weak. It

is concluded that the tree's life expectancy is limited and the Council's Arboricultural Officer raises no objection to its removal. However, it is considered that its loss would be detrimental to amenity, and if permission were to be granted a condition would be recommended to plant a replacement tree of appropriate size and species.

4.4 With regard to the underground pool proposed, Policy CD27a aims to resist subterranean developments where:

a) The amenity of adjoining properties would be adversely affected;

The applicants have supplied drawing no.01/15/L(27) (RevA) which indicates the finished garden level of the application site in relation to the two adjoining residential properties. It appears that the garden level will be raised 450mm in relation to the adjoining gardens once the pool has been completed. With the exception of the inflow/outflow vents it is considered there will be no impact on visual amenity as a result of the proposed pool. The applicants have advised that the proposed pool ventilation and filtration system will be fitted with a supplementary ozone system, Prozone, which reduces the required chlorine needed to maintain the pool to a level which is less than found in tap water. It is accepted that this will not result in any detectable chemical odours which will adversely impact on the adjoining properties. However, there may be an impact with regard to noise generated.

b) There would be a material loss of open space;

It is not considered there would be a loss of open space. All of the proposed works with regards to the swimming pool, would be situated below the garden level.

c) The structural stability of adjoining or adjacent listed buildings; or unlisted buildings within conservation areas might be put at risk;

The proposed pool is to be located at least 1 metre from the edge of the side boundaries of the property, and approximately 3 metres from the rear line of the existing dwelling.

d) A satisfactory scheme of landscaping including adequate soil depth has not been provided;

If this application were to be approved it is considered that a landscape plan should be submitted prior to the commencement of the scheme. A sketch was submitted by the applicant dated 4th April 2002 and provides an indication of this proposed landscaping.

With regard to providing adequate soil depth, initially the drawings showed a depth of approximately 400mm which was deemed insufficient to support long term plant life. The revised drawing submitted provides a soil depth of 1 metre at the end of the garden which gradually slopes up towards the rear of the dwelling to a depth of 350mm. The applicant argues that this sloping soil depth is a compromise in allowing trees and shrubs to be planted at the end of the garden, and grass at the house end. The revised drawing has been considered by the Council's Arboricultural Officer who accepts that the

proposed depth plus drainage layer are satisfactory for the growth of grass and shrubs however provided that artificial irrigation is available for use during periods of low rainfall. The concern is that such a scheme will be difficult to maintain and therefore any landscaping scheme, with the resultant depth of soil proposed, would not be sustainable. A metre of soil over the garden would allow the implementation of an appropriate scheme. It also means that trees and possibly shrubs will not be able to root to sufficient depth to withstand drought periods without artificial irrigation. Further to this, it is noted that the upper surface of the pool nearest to the house will be located at existing ground level and soil levels will require raising 450mm above the level of the neighbouring gardens.

e) There would be a loss of trees of townscape or amenity value.

As discussed earlier, there is a loss of a tree protected by a TPO, however, it is accepted that this has a limited life expectancy. If the application was to be approved, a condition could require a replacement tree.

f) There would be a loss of importance archaeological remains.

The site is not in an area of archaeological importance.

- 4.5 Both policies CD34 and CD44b aim to resist any form of development which involves the installation of plant which generates noise and would cause a material disturbance or nuisance to occupiers of surrounding properties. The application site is surrounded by residential properties and is a sensitive area. It is considered that any noise generated by plant associated with the swimming pool may have any adverse impact. The plant room is to be located at lower basement level between the swimming pool and the house. An external courtyard is located immediately above the plant room with air intake and discharge vents from the plant equipment being positioned on one of side walls of the courtyard.
- 4.6 To assess the potential for noise generation, reports have been prepared by the Acoustical Investigation & Research Organisation Ltd (AIRO), dated 19th February 2002 and 3rd April 2002. Prior to these reports being commissioned, the applicants were advised that a noise survey and report was required to demonstrate that the noise emitted by the plant will not increase the lowest existing background LA90 level measured or predicted at 1.0 metre from the nearest residential window or at a height of 1.2 metres above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating.
- 4.7 The report dated 19th February 2002 conducted environmental noise measurements on the site over a 32 hour time period and states:

"The prevailing residual background noise levels at the rear of 21 Eldon Road are very low, ranging from about 37dB_{LA90} during the day time to as low as 32dB_{LA90} during the night time." (Page 5).

"The principal noise sources will be the intake and extract openings located on one of the side walls of the open courtyard. Some screening to no. 20 Eldon Road is provided by the side wall of the courtyard, no. 22 Eldon Road will however be more exposed to noise emissions, the nearest window of no. 22 being in the region of 10 metres from the ventilation openings." (Page 5).

- 4.8 This report establishes that the gardens to the rear of Eldon Road in this part of the terrace are very quiet. It acknowledges that the mechanical plant used to operate the pool pumps and compressors has yet to be finalized, however, standard equipment used, even when fitted with louvers, etc will be in excess of the LA90 existing background level. It is possible that the applicants may find pool machinery which can meet this level and appear to have the space to do so, however no information was provided to demonstrate this.
- 4.9 The second report prepared by AIRO dated 3rd April 2002 provides further details of the plant which is proposed for use on this site. The report states that the two items of plantroom equipment to be located on this site which generate noise, are the main pump and the air handling unit, the pump is generally the noisier of the two. It is identified that the principal source of noise to the atmosphere will be via the ventilation system. Noise from the air handling unit will make its way through the intake and extract ducts, these ducts being in the order of three metres long. While it specifies in the report, that it may be possible to install silencers, reference to manufacturers literature suggests that these may need to be of the order of 2-3 metres long. No conclusions are reached in this report to satisfy the Director of Environmental Health the standards requested for noise emitted by the plant as specified at the outset, can be met. In the absence of this information, it is considered that the noise to be generated could cause material disturbance to the occupiers of surrounding properties.
- 4.10 Policy CD44b also refers to the material disturbance of odour on the adjoining properties. As discussed earlier, it is not considered that odour of the chemicals used in the swimming pool will have a detrimental impact on the surrounding properties.

Rear Extension

- 4.11 An extension is proposed to the rear of the dwelling at the lower ground floor level. The extension is to be set in by 1 metre from the eastern boundary (boundary which adjoins no.20 Eldon Road), and from there extend the full width of the site. At the ground floor, a terrace is proposed to be located on this extension, which is to be 3.459 metres in depth. A modern glazed elevation of the basement extension is not exactly in keeping with the building and the proposed glazed terrace balustrade at the ground floor level draws attention to this. With regards to the proposed terrace, it is considered that views will be obtained into the rear gardens of the adjoining properties, and onto the terrace to the rear of no. 22 Eldon Road. However, as mentioned earlier, a Certificate for Proposed Lawful Development was issued for these rear extensions in January of this year, as these works are classed as permitted

development under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995.

Car parking space

- 4.12 An off street car parking space was also included in the Certificate for Proposed Lawful Development as permitted development but is shown on the current drawings. However, an application still needs to be made for the crossover to reach this parking space.

Construction works

- 4.13 A concern raised by a number of the residents is the disruption anticipated to the local environment by the excavation of the swimming pool, and the subsequent reinstatement of the soil above the pool. An estimate made by one of the objectors is that the lorry movements required to undertake this development will last up to 18 months. This is a matter which is addressed by the Director of Environmental Health, and is not normally a planning consideration. However, in a letter sent from the applicant's agent dated 4th April 2002, they calculate that just under 500 cubic metres of soil will need to be removed, and allowing this to bulk up on extraction would be 750 cubic metres. They specify that the least disruptive and cleanest method of excavation would be by grab truck, each taking 7.5 cubic metres, this would mean a total of 100 excavation lorries, each taking approximately 15 minutes per truck, five to eight tonnes per day is possible, which would mean approximately 2 and a half to 4 working weeks for the excavation. The applicant has offered that the pick up times could be controlled to avoid sensitive times of the day within accepted working hours.

5.0 PUBLIC CONSULTATION

- 5.1 Eight letters of notification were sent to properties in Eldon Road and Cottesmore Gardens. Councillor Moylan has also expressed concern.
- 5.2 Nine letters of objection have been received from surrounding properties and the Victoria Road Residents' Association. The reasons for concern are as follows:
- 5.2.1 Noise and odour which may be generated from the swimming pool, particularly as irritation is already suffered from the plant associated with a swimming pool in Cottesmore Gardens.
- 5.2.2 Do not wish to see the protected pear tree removed.
- 5.2.3 Risk to the stability of garden walls shared with the adjoining properties.
- 5.2.4 The completed swimming pool will required the garden level of the property to be raised higher than the adjoining properties.

- 5.2.5 Inconvenience during construction works. It has been estimated that the extraction and delivery of soil in the construction of the swimming pool will require approximately 350-450 lorry loads, which is likely to take 18 months to complete.
- 5.3 The issues raised by the objectors have been addressed in the Planning Considerations section of the report. There are concerns regarding the proposed soil depth and noise emission.
- 5.4 The concerns raised by Councillor Moylan are with regard to the scale of the application and any precedent set, loss of the tree, noise and vapour nuisance. He acknowledges that these considerations (with the exception of precedent) could be addressed by enforced conditions and that if this is the case, these should be discussed in detail with neighbours before being finalised.

6.0 RECOMMENDATION

- 6.1 Minded to Refuse Planning Permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/01/01529 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: NC
Report Approved By: PK/LAWJ
Date Report Approved: 12/04/2002

PSC0402/NC.REP

Granit Chartered Architects

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL · LONDON · SW11 5QL
tel: 020 7924 4555 · fax: 020 7924 5666 · web: www.granit.co.uk · email: info@granit.co.uk
GRANIT CHARTERED ARCHITECTS LIMITED, COMPANY NO 357 4451

Fax Transmission

FAO

Mr P. Kelsey

DATE 9.04.02

RE

21 Eldon Rd

FAX NO. **7 361 3463**

FROM **ROBERT WILSON
GRANIT CHARTERED ARCHITECTS**

PAGES **2** of which this is page 1

The information in this fax transmission is confidential and intended for the named recipient only.
Should this fax be received in error please telephone the sender on 020 7924 4555

Dear Mr Kelsey,

RE: 21 Eldon Rd.

Following our telephone conversation re the soil depth required for a sustainable garden. I am very disappointed in your response and feel we were misled as to the credence given to guidelines, when clearly these are treated as rules.

Does the council have more faith in its Tree officer than the relevant British standard see attached and Horticultural expert, (BSc hons, MA, MIHort MLI) registered by the Landscape Institute?

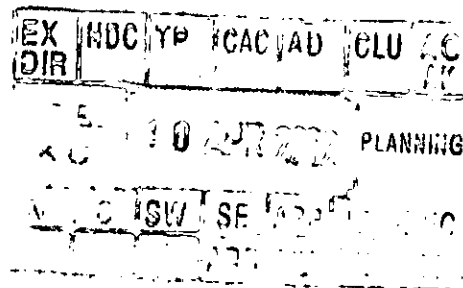
If the intention is to minimise disruption this action will only serve to extend the period of building work and thus disruption, probably well into next year.

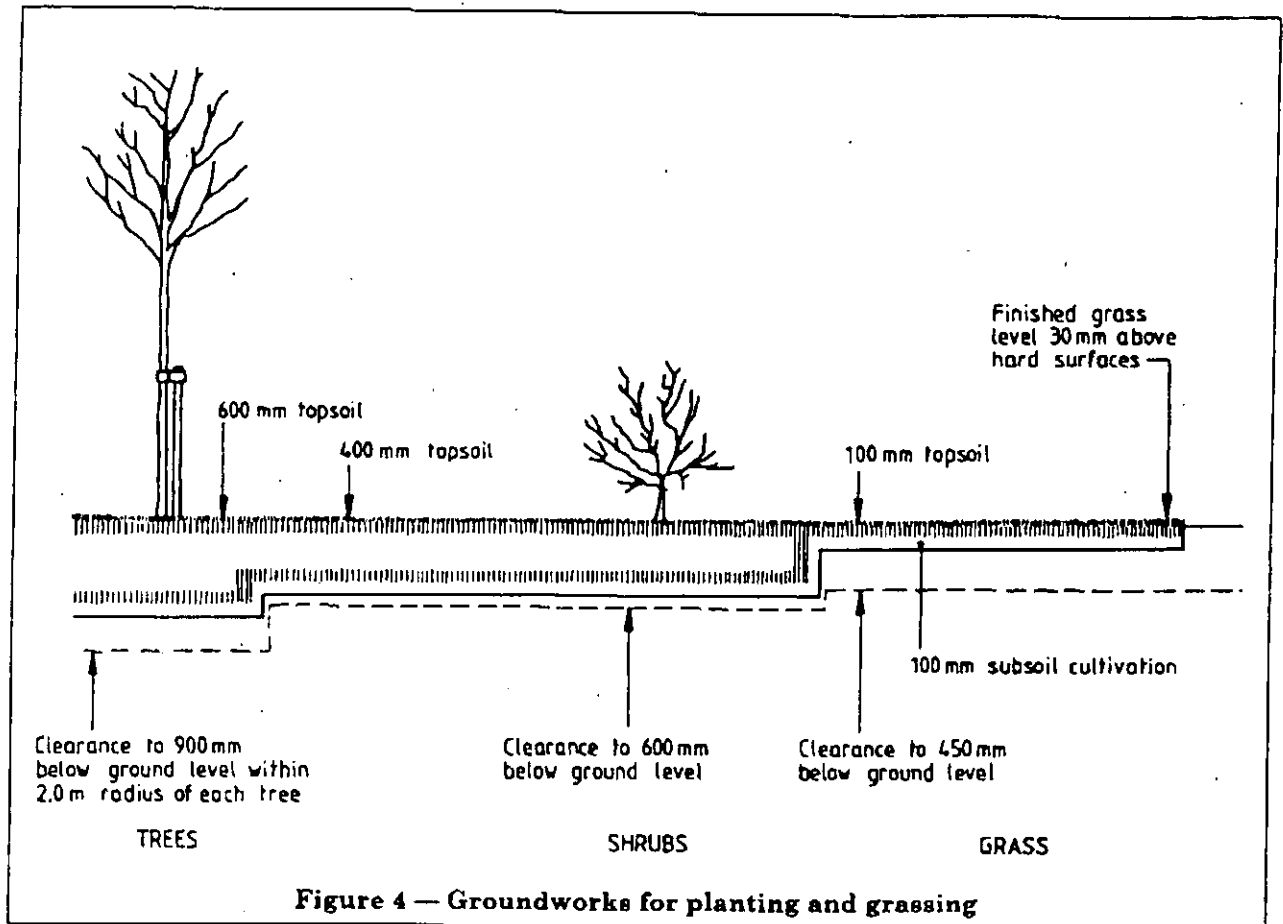
Yours sincerely



Robert Wilson

For Granit Chartered Architects





RBKC ARBORICULTURAL OBSERVATIONS

Address	Application No.	DC Officer	Date of Obs
21 Eldon Road	PP/01/1529/	N.C.	8/4/02
Development		Obj.	No Obj.
Rear extension and underground pool			
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
C9	13/01		
Comments:			

Further to my previous observations of the 21st November 2001 and 12th February 2002 my comments on the revised drawings are as follows.

I have no objection to the removal of the pear tree. While it by no means immediately dangerous its condition is such that its life expectancy is limited to perhaps the next five years.

I note the comments regarding soil depth and do not disagree that the proposed depths plus drainage layer are satisfactory for the growth of grass and shrubs provide that artificial irrigation is available for use during periods of low rainfall. However it may restrict the planting of trees and shrubs closer to the rear of the property than were a 1 metre soil depth to be maintained over the entire garden. It also means that trees and possibly shrubs will not be able to root to sufficient depth to withstand drought periods without artificial irrigation. Future owners would be saddled with this restriction.

I also note that the upper surface of the pool nearest to the house will be located at existing ground level and soil levels will require raising 350mm above the level of the neighbouring gardens. Is there a valid reason for this? Cannot the structure be located slightly deeper to maintain existing levels to match those of the neighbouring gardens?

My preference is for 1 metre deep soil/ drainage layer to cover the entire garden as this provides existing and future owners the flexibility to plant and grown whatever they wish. The existing proposals, to a degree, compromises the full use of the garden in the sense that part of it will only sustain lawn and is dependent on artificial irrigation. However, I understand that this presents a difficulty in accessing the pool from the property. I therefore consider that we should insist upon the minimum requirement of British Standard 4428 Code of Practice for General Landscaping Operations. The British Standard recommends that any impervious surface is not less than 450mm below the soil surface when growing grass. To comply with the BS will require the southern end of the pool to be located 100mm lower than is shown on the supplied drawings with a corresponding slight increase across the rest of the garden to a 1 metre depth at the northern end.

I also suggest that the applicant submit for approval a landscaping scheme to include at least one tree (species to be agreed) of a stem diameter not less than 25cm.

Condition C16(a) should cover this.

Signed:

C. Colwell

Date:

8/4/02

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 05 April 2002 17:37
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Eldon Road

Nicola

I am on leave next week and would ideally like a bit more time to look into this latest report. I think we are getting towards the limits of what is possible on this job in terms of noise control and although the consultant appears confident of achieving what we require I think we need a back up position. I would recommend that during commissioning of the plant that compliance noise monitoring is carried out by us to ensure the installation complies before use commences. Can we add a condition that this monitoring will be carried out?

Can you also confirm that we have conditioned that noise emitted shall not increase the existing background LA90 level? I am sure we have.

Thanks Ian

Nicola Cowley, / Paul Kelsey
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

R	HDC	TP	CAC	AD	CL	PL
R B.	5 - PR 2002			PLANNING		
K C.	(1)					
N	E		SE	APP	IO	REC
			ARB	FPLN	DES	FEES

4.3.02

RE: 21 ELDON RD, PP/01/1529

Dear Nicola.

Attached are documents, in response to the comments in your draft report and further conversation since then, and in support of the proposals before you.

The Pear tree. We understand that this is no longer an issue, due to the dangerous state of the tree. Thus we will be removing it and replacing with an agreed species and size. This will either be as part of a grant of consent or under a separate tree order.

Sustainability of a garden, after the underground work is complete. I have discussed this with Mr Colwell. He seemed to think that our belief, that the connection between the main house and the underground space is relevant to its viability. Thus if the space is sunk deeper to maintain a full metre of soil below existing ground level throughout the garden, the space will only be connected by a stairway, with no visual relationship to the house, very limited natural lights and unduly detrimental to its amenity.

Soil depths generally, we enclose a report by a horticultural expert on planting requirements and the plans indicate the soil depth in the various parts and their percentage of the garden area, and an indicative landscaping plan, showing it is easily possible to sustain a garden such as exists and is common to most of London, with plenty of scope for variation.

Drainage, we have looked at this issue and altered the plans to give a slope to the sides of the roof and a series of upstands and a drain to stop water logging at the deep soil end.

Sound from the plant for the poolroom. We have had a full design of the pool equipment and the air handling system. The issue is that the sound of the machinery may travel out through the supply and extract ducts. This noise is controllable by attenuators to meet with the sound requirements given by you, enclosed are the details and specification. These attenuators will need to be specially constructed for the

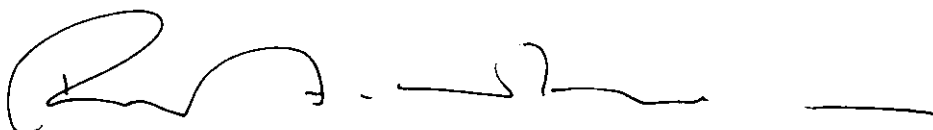
purpose to the specification given, and only finally verifiable after that, so you may still wish to safeguard yourselves with a condition.

Disruption during building works. Though we all understand this is not a planning issues and should not be a reason for consent being refused, we are aware that this is a concern of the residents and may unduly influence the committee. Following our discussions we have had a brief conversation with the highways department with a view to agreeing a method or controls and if this were needed we would be happy to agree to a condition. We have calculated that just under 500 cubic metres of soil will need to be removed. Allowing for this to bulk up on extraction, 750 cubic metres, The least disruptive and cleanest method would be by grab truck, taking 7.5 cubic meters, i.e. 100 lorries, each taking approximately 15min per truck, apparently 5-8 per day is possible. (The pick up times could be controlled to avoid sensitive times of day within accepted working hours) Otherwise approx. 2 1/2 -4 working weeks. We would be happy to take on any suggestions to ease the process. Sadly our original intention to reduce the period of disruption during building has been thwarted by the extended planning period.

It is my clients intention to use this house as his private family home, this is not a money making enterprise, and he and his family are anxious that they should not alienate themselves from their neighbours while attaining their ideal home, as such they do not wish to spoil the ambience of the area, or disrupt its peaceful enjoyment any longer than is necessary, further delay on this application will only serve to extend the building process, and the disruption.

If you feel there is need for control to limit possible rogue action please do this by reasonable conditions, and enforcement rather than obstacles that will only delay.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robert Wilson', with a long horizontal line extending to the right.

Robert Wilson
for Granit Chartered Architects.

C.C.

Mr P. Kelsey, Planning Department, Borough of Kensington and Chelsea,
Mr Colwel, Tree conservation, Borough of Kensington and Chelsea,
Richard Pease, Owner.

AIRO

Consultants in Acoustics, Noise Control
and specialist Electro-Acoustic Systems,
Laboratory and On-Site Testing Services

ACOUSTICAL INVESTIGATION &
RESEARCH ORGANISATION LTD

Duxons Turn
Maylands Avenue
Hemel Hempstead
Hertfordshire
HP2 4SB

Director
A J Jones BSc PhD CPhys MInstP FIOA
Principal Consultants
R C Hill BSc FIOA MBCS
W R Stevens MICA
Laboratory Supervisor
M Sawyer MIOA

Telephone: 01442 247146
Facsimile: 01442 256749
E-mail: AIRO@bcs.org.uk
URL: <http://www.airo.co.uk/>

Registered in England No. 802110 Secretary R C Harding BSc ACMA

WRS/BB/4880/L2

Mr Alexander Dusterloh
Granit Chartered Architects Ltd
112 Battersea Business Centre
Lavender Hill
London
SW11 5QL

3 April 2002

Dear Mr Dusterloh

21 ELDON ROAD - SWIMMING POOL

We have now had an opportunity to examine the layout and specification of the Phoenix 1000 AHU to be installed in the basement plant-room and can make the following observations in relation to noise control.

Discussions with the suppliers of the unit indicate that the only two items of plantroom equipment which generate noise are the main pump and the AHU, the pump generally being considered the noisier of the two. Jetform inform us that two pumps are being considered for the installation, these being a Calpeda which generates 70dB(A) @1m and an Ingersoll Dresser which generates between 60-65dB(A) @1m. We would recommend that the quieter model be selected and that all reasonable efforts be taken to further contain noise emissions.

It is understood that the pump manufacturer is able to supply an enclosure to reduce emissions, furthermore it is possible to externally clad the AHU to reduce noise breakout. Under these circumstances the reverberant field noise levels within the plantroom should be no greater than 50-60dB(A). The roof of the plantroom is substantial, comprising a 150mm thick concrete slab, with a 75mm overlay of polyfoam insulation supporting 40mm thick portland stone slabs or similar. Noise leakage through the roof is not therefore considered to be a problem, it is nonetheless recommended that all reasonable efforts be made to reduce noise levels in the plantroom in order to ensure the comfort of the residents of 21 Eldon Road.

The principle source of noise to atmosphere will be via the ventilation system. Noise from the AHU will make its way through the intake and extract ducts, these ducts being of the order of three metres long. A small measure of attenuation will be provided by the ducts and the 90 degree bends leading to the inlet/outlet grilles. In order to increase the level of ductwork attenuation and reduce as far as possible the specifications for the silencers it is recommended that the inner surfaces of the bends be lined with 30mm thick Rockwool RWA45 mineral fibre to a distance of 300mm either side of the inner edge of the bend.

HDC	TD	CAC	AD	CLU	
R.B. 15 - APR 2002				PLANNING	
K.C.					
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		AHB	FPLN	DES	FEE

.../Page 2

The noise data relating to the Phoenix AHU is presented in terms of octave-band 'A' weighted sound power levels derived from octave-band 'A' weighted sound pressure levels at a distance of 3 metres from the unit. With appropriate corrections applied for the 'A' weighting the octave band sound power levels are typically of the order of 89dB over the frequency range 63Hz-2kHz. It is clear therefore that substantial silencers will be needed if the required performance criteria detailed in our Report No WRS/4880 are to be satisfied.

Our previous report recommends that ventilation system noise levels, measured outside at a distance of 3 metres from the intake and extract openings, should be no greater than 37dB, L_{Aeq} during the daytime and 32dB, L_{Aeq} during the night-time. We have calculated the minimum insertion loss performance specifications for the intake and extract silencers required to meet the night-time criteria, these being included in the following table.

Table 1 Insertion Loss Specifications for intake/extract ducts - dB

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	13	27	39	39	42	42	38	30

The requirements are certainly onerous and will necessitate the installation of substantial silencers, reference to manufacturers literature suggesting that these may need to be of the order of 2-3 metres long. There does however appear to be space to accommodate such silencers, we would therefore recommend that the manufacturers be contacted to advise on the suitability of their products, a list of manufacturers of air distribution silencers being included on the attached information sheet. It should be noted that substantial silencers of the type required will impair airflow, the suppliers/installers of the AHU should therefore liaise closely with the silencer manufacturers to ensure suitability under normal operating conditions.

If the AHU is only to be operated during the daytime then the insertion loss specifications for the silencers may be reduced by 5dB in each octave-band. Alternatively a 5dB reduction in performance specifications could also be permitted if the AHU ventilation fan speed were reduced by 50% during the night-time.

The AHU will also generate noise levels within the swimming pool area, and this noise could pass through the glass patio doors to atmosphere. Double glazed patio doors are typically capable of achieving a Weighted Sound Reduction Index (R_w) of around 28-30dB and this will certainly help to contain emissions. However in order to further reduce emissions and ensure the comfort of the occupants of No 21 Eldon Road silencers will also need to be installed on the 'job' side of the AHU. Space restrictions limit what can be provided on the return air side, it should nonetheless be possible to obtain a reasonable measure of noise reduction by lining the inner surfaces of the ductwork with 30mm Rockwool RWA45 and installing a high performance acoustic louvre in preference to a simple return air grille.

An in-line silencer should be fitted to the supply air duct, selected on the basis of providing the following minimum insertion loss performance specifications.

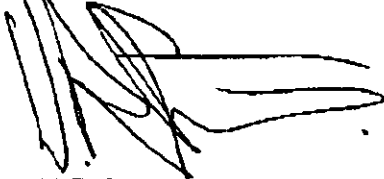
Table 2 Insertion Loss Specifications for supply duct - dB

	Octave Band Centre Frequency (Hz)							
	63	125	250	500	1k0	2k0	4k0	8k0
Insertion Loss	3	10	22	23	25	25	23	16

The supply duct silencer should be fitted within the plantroom as close as possible to the point at which it passes through the plantroom roof. Furthermore care should be taken to ensure that the supply, intake and extract ducts and silencers are effectively sealed around the points at which they pass through the roof of the plantroom.

We trust that these observations and recommendations provide you with all the information you require at present, no doubt we shall discuss the matter further after you have obtained tenders from the silencer manufacturers and discussed our proposals with the AHU suppliers/installers.

Yours sincerely



W R Stevens

Enc.

AIRO

SILENCERS - AIR DISTRIBUTION

Acoustic Engineering Services Ltd
PO Box 322
West Byfleet
Surrey
KT14 6YN

Tel : 01932 352 733
Fax : 01932 355 265
E-mail:
Web : www.aesuk.co.uk

Burgess Industrial Acoustics Ltd
Vulcan Road
Bilston
West Midlands
WV14 7JG

Tel : 01902 357 130
Fax : 01902 492 962
E-mail: sales@burgessacoustics.co.uk
Web : www.burgessacoustics.co.uk

IAC Ltd
IAC House
Moorside Road
Winchester
Hants
SO23 7US

Tel : 01962 873 000
Fax : 01962 873 111
E-mail: info@iac.co.uk
Web : www.iac.co.uk

Industrial & Marine Silencers Ltd
Old Station Close
Shepshed
Leicestershire
LE12 9NJ

Tel : 01509 650 630
Fax : 01509 650 990
E-mail: sales@silencers.co.uk
Web : www.silencers.co.uk

Isolated Systems Ltd
Adams Close
Heanor Gate Industrial Park
Heanor
Derbyshire
DE75 7SW

Tel : 0870 727 4210
Fax : 0870 727 4211
E-mail : sales@isolatedsystems.co.uk
Web : www.isolatedsystems.com

LBJ Fabrications Ltd
Brookhill Industrial Estate
Brookhill Road
Pinxton
Nottinghamshire
NG16 6NT

Tel : 01773 812321
Fax : 01773 812141
E-mail:
Web : www.lbj.co.uk

Oscar Engineering
Michaels Lane
Ash
Kent
TN15 7HT

Tel : 01474 873 122
Fax : 01474 879 554
E-mail: oscareng@netcomuk.co.uk
Web : www.oscar-acoustics.co.uk

Trane (UK) Ltd
Northern Cross
Basing View
Basingstoke
Hampshire
RG21 4HH

Tel : 01256 306 000
Fax : 01256 306 001
E-mail: mandy_newsonwebb@trane.com
Web : www.trane.com

PHILIP CAVE ASSOCIATES

R	HDC	TP	CAC	AD	CLD
R.B.	5 - APR 2002			PLANNING	
K.C.					
N	C	SE	APP	IO	REC
		ARB	FPLN	DES	FEES

LANDSCAPE ARCHITECTURE
 ENVIRONMENTAL PLANNING
 URBAN DESIGN

NO.5 DRYDEN STREET COVENT GARDEN
 LONDON WC2E 9NW

Tel: 020 7829 8340 Fax: 020 7240 5600

REPORT ON ESTABLISHMENT OF PLANTING ABOVE SUBMERGED SWIMMING POOL AT 21 ELDON ROAD, LONDON W8

The Brief

Philip Cave was asked to review and make recommendations on soil profile over the slab of the submerged swimming pool and other measures to ensure the growth of plant material.

Drawings Reviewed

Granit Architects Drawings Nos. 01/15L(13E,14E,24D,27A)

Review and Recommendations

In order to grow and thrive, plants need the following

- Sufficient soil depth to anchor the plants and provide a reserve of water and nutrients
- Drainage through the soil layer to prevent water-logging
- Sufficient water from natural rainfall or irrigation

Different soil depths are required for different plants and can be reduced if permanent irrigation is installed. The minimum top-soil depth for grass is 250mm and for shrubs is 500mm with permanent irrigation. Below this there needs to be a drainage layer of say 75mm depth, giving an overall minimum depth from ground level of 325mm for grass and 575mm for shrubs.

The topsoil would be a good quality loam or sandy loam and the drainage layer would be 75mm of gravel with no fines or leca (clay granules) over laid by a porous woven geo-textile. The top of the concrete slab, forming the roof of the pool, would be laid to a shallow fall to a land drain, in order to collect excess water from the drainage layer. This land drain would be a perforated pipe surrounded by gravel, laid to a fall into a catch pit (to collect any silt), which would discharge into a soak-away or the surface water system.

e-mail address: principal@philipcave.com
 web site address: www.philipcave.com

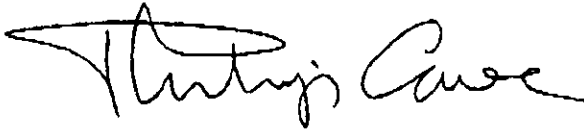
Principal: Philip Cave BSc(Hons) MA(LD) MPhil MLI
 A Landscape Institute Registered Practitioner

2

To ensure that the plants grow and thrive, it is recommended that shrubs or grass lawn are established on areas with a minimum depth over the slab of 575mm. However where this minimum cannot be achieved then only grass should be established and then only where the minimum depth is 325mm.

The drainage layer and land drain should be constructed as described above with the land drain located at the North end of the slab at the greatest top-soil depth. Permanent irrigation should be installed to provide the plants with sufficient water as the top-soil is not situated over a natural sub-soil. The concrete slab should be waterproofed to prevent ingress of water through the concrete.

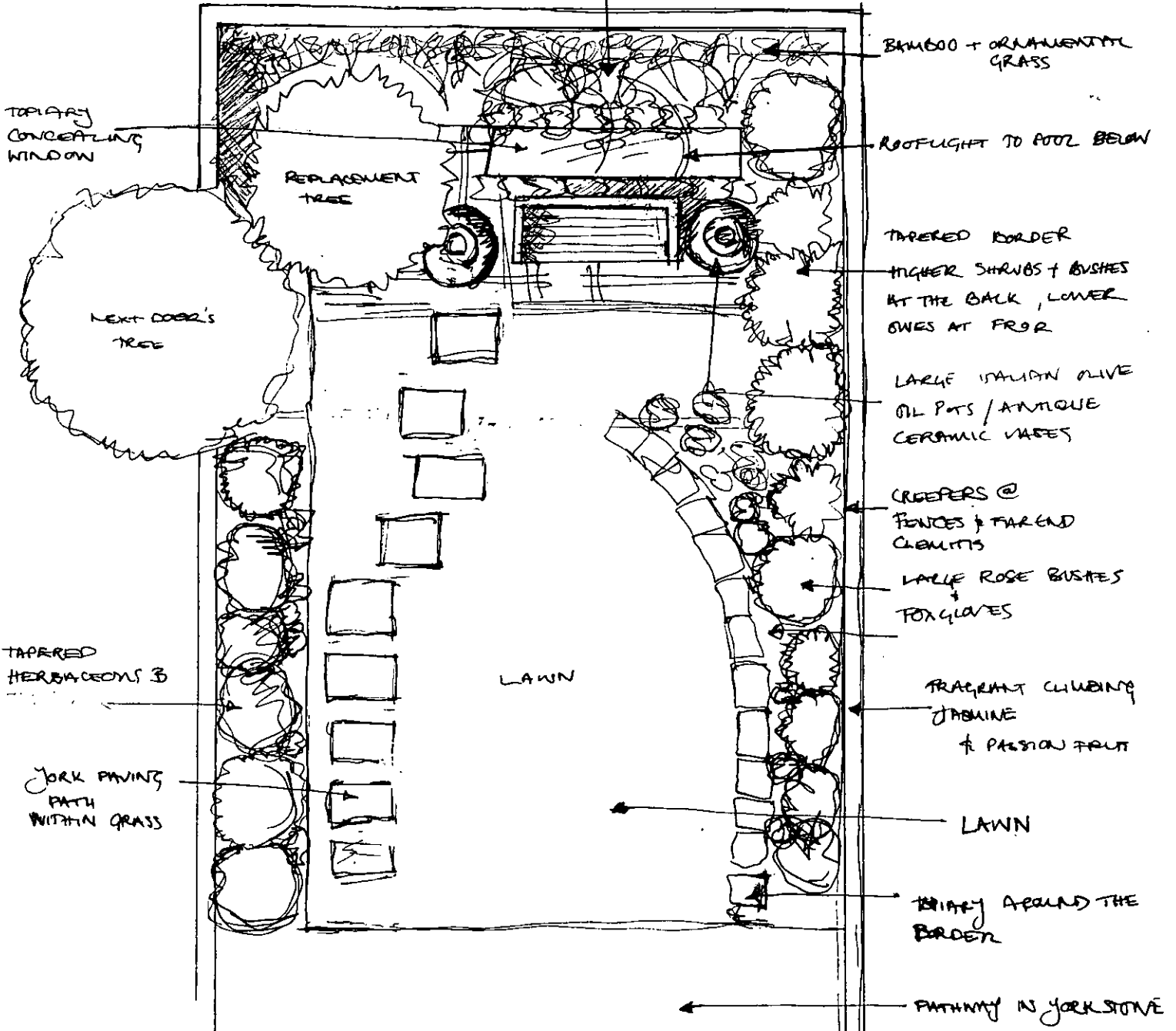
Most plants are tolerant of these conditions and no special selection is required.



Philip Cave, Principal,
Philip Cave Associates
Landscape Architects
4 April 2002

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		ARB	FPLN	DES	FEE

GROUP OF WHITE PHILADELPHIA



TOPLAND CONCEPTING WINDOW

REPLACEMENT TREE

NEXT DOOR'S TREE

BAMBOO + ORNAMENTAL GRASS

ROOFLIGHT TO POOL BELOW

TAPERED BORDER

HIGHER SHRUBS + BUSHES AT THE BACK, LOWER ONES AT FRONT

LARGE ITALIAN OLIVE OIL POTS / ANTIQUE CERAMIC VASES

CREEPERS @ FENCES + FAREND GIBBETS

LARGE ROSE BUSHES + FOXGLOVES

TAPERED HERBACEOUS B

FRAGRANT CLIMBING JASMINE + PASSION FRUIT

YORK PAVING PATH WITHIN GRASS

LAWN

LAWN

BRIARY AROUND THE BORDER

PATHWAY IN YORKSTONE

George Ma
4/4/02
21 ELDON ROAD

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 27 February 2002 16:00
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road

Nicola

There is no indication of the plant which is to be installed and I think if you are minded to grant permission maybe could do so on the basis of conditions to be discharged before the excavation, as follows:-

- 1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The excavation of the pool shall not commence until a fully detailed noise control specification together with manufacturers and builders drawings and consultants design report has been submitted to and agreed in writing by the LPA. The design report shall show how this condition will be met. Thereafter compliance monitoring shall be undertaken to ensure this condition has been discharged.*
- 2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.*
- 3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.*

Ian Hooper

Specialist Noise Officer

RBKC ARBORICULTURAL OBSERVATIONS

Address	Application No.	DC Officer	Date of Obs
21 Eldon Road	PP/01/1529/	AJF	12/2/02
Development		Obj.	No Obj.
Rear extension and underground pool			
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
C9	13/01		
Comments:			

Further to my previous observations of the 21st November 2001 my comments on the revised drawings are as follows.

In my view the revised proposals are not acceptable for the following reasons. The required depth of 1 metre of top soil/ drainage layer is not maintained over the underground development. The sloping roof may result in water logging at the low point where it meets the roof light for the pool. (does the pool need a roof light?) I therefore suggest that the development is far enough below existing ground level to permit a one metre depth of soil/ drainage layer to be installed which brings the finished level back up to existing ground level. This will permit the roots of larger growing trees to exploit all of the garden soil. It should also be borne in mind that even grass, let a lone shrubs, can utilise available soil water a metre below the surface. Shallow soil profiles will result in the plants becoming drought stressed or dying during summer dry spells.

I also suggest that the applicant submit for approval a landscaping scheme to include at least one tree (species to be agreed) of a stem diameter not less than 25cm.

Condition C16(a) should cover this.

Signed:  Date: 12 2 02

FAX FROM

NAME: Nicola Cowley

THE DIRECTORATE OF PLANNING SERVICES

DATE: 5/4/02

MAIN TELEPHONE NUMBER: 020 7937 5464

DIRECT LINE: x 3190

FAX NUMBER (if different from below): _____

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

TO

NAME: Ian Hooper

OF: Environmental Health

ADDRESS: Noise & Nuisance

POSTAL CODE _____

FAX NUMBER: 0207 3415645

NUMBER OF PAGES TO FOLLOW: 4

COMMENTS AND/OR INSTRUCTIONS (if any)

21 Eldon Road.
Please look at the attached report, &
give me^a call to let me know what
you think:

Thanks
Nicola.

OUR FAX NUMBER IS: 020 7361 3463

FAX FROM

NAME: Nicola Cowley

THE DIRECTORATE OF PLANNING SERVICES ON

DATE: 12/3/02

MAIN TELEPHONE NUMBER: 020 7937 5464

DIRECT LINE: 020 7361

FAX NUMBER (if different from below): _____

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

TO

NAME: Robert Wilson

OF: Granit Architects

ADDRESS: _____

_____ POSTAL CODE _____

FAX NUMBER: 02079245666

NUMBER OF PAGES TO FOLLOW: 2

COMMENTS AND/OR INSTRUCTIONS (if any)

21 Eton Road - Observations as discussed.

OUR FAX NUMBER IS: 020 7361 3463

French, Michael: PC-GrpSvc

PC N.C.

From: French, Michael: PC-GrpSvc
Sent: 01 March 2002 09:23
To: Cllr-Moylan
Cc: Cllr-Dalton
Subject: 21 Eldon Road: PP/01/1529

Dear Councillor Moylan,

Thank you for your letter of 22 February setting out your concerns with regard to the proposed development at the above property. I am happy to be able to report this application to the Planning Services Committee on 20 March and I will ensure that your concern is reported to Members before any decision is taken.

M. J. French,
Executive Director, Planning and Conservation.
020 7361 2944



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
 THE TOWN HALL KENSINGTON W8 7NX
 Tel: 020 7937 5464 Fax: 020 7938 1445

From: Councillor Daniel Moylan, Deputy Leader of the Council

22nd February, 2002

M.J. French, Esq., F.R.I.C.S., etc.,
 Executive Director,
 Planning and Conservation

Dear Mr. French,

21, Eldon Road: PP/01/01529/NC

I am concerned about the scale of the above application. The proposal to construct an underground swimming pool could set an unfortunate precedent. The loss of a tree benefiting from a Tree Preservation Order is much to be regretted, although I acknowledge that its condition is poor. The potential for noise and vapour nuisance to residents is also a consideration.

On the face of it, all of these considerations (except perhaps that of precedent) could be addressed by appropriate conditions, rigorously enforced. If so, these should be discussed in detail with neighbours before being finalised, so as to ensure their effectiveness and acceptability.

As to precedent, you will have a better grasp of the overall picture than I and if you are satisfied that there will be no proliferation of underground swimming pools in back gardens in this vicinity I can accept that. But it is a cause of concern.

Yours sincerely
 Daniel Moylan

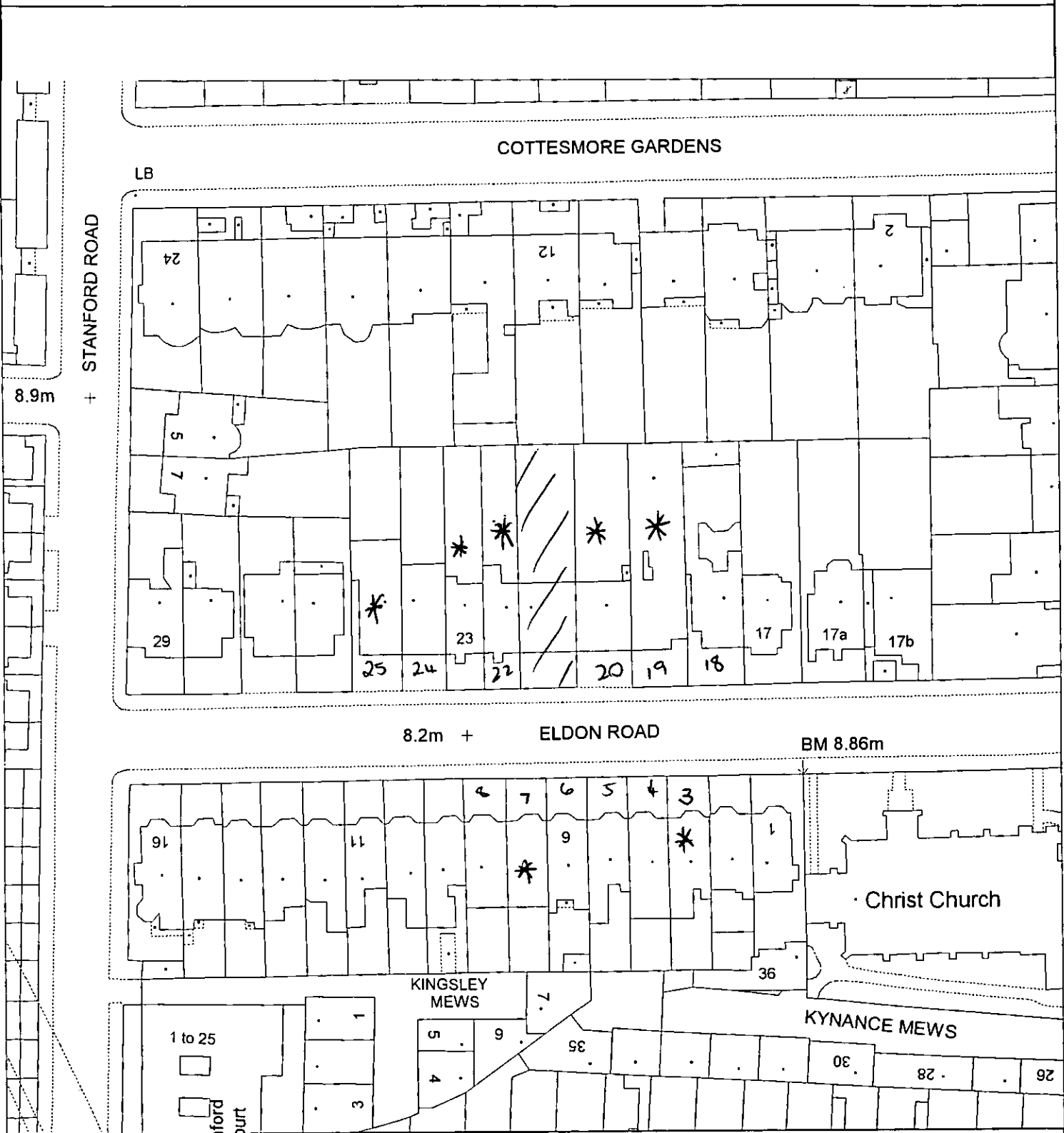
any 201/202/c

cc Cllr. Andrew Dalton
 Mr. Robert Baines

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EX	HDC	TP	AC	AD	CLU	AO	AK
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K.C.							
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(13)

RBKC - Planning and Conservation - Card Index - Site Map



Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(26/02/2002)

Map width : 150.00m

Scale 1 : 769

+ Victoria Rd Residents Association

20 Eldon Rd - remove tree
- Noise / odour

Downham & Hughes - raise garden
(from 22 Eldon Road?)

19 Eldon Rd - noise

3 Eldon Rd

Victoria Rd Residents Association

7 Eldon Rd

25 Eldon Road

23 Eldon Road

Revised Drawings
20 Eldon Rd.

~~Downham & Hughes~~



RBKC District Plan Observations CONSERVATION AND DESIGN

Address <i>21, Eldon Road</i>	Appl. No. <i>01 / 1529</i>	L.B.	C.A. <i>9C</i>	N.C.S. <input checked="" type="checkbox"/>
Description <i>Rear basement extension, garden alt. levels + swimming pool, elev. alt. to rear</i>		Code <i>X</i>	<i>6A M</i>	

Revisions recd. 25/1/02.

The revised proposals appear to have addressed some of the problems with the original submission, still not straightforward in design & conservation terms though (apart from the other important planning issues).

I would comment from the C&D view:

1) - even though they are still proposing to move up the ~~to~~ + widen the original rear ground floor access door which is presently unaltered and part of the surviving attractive symmetry with the rear elevations of No 20, the movement is ^{now} slightly less than proposed originally. Would definitely prefer a single door. But is it all a P.D.?

N.B. they are already proposing to move about 1 other rear elevation windows.

A pity.

2) the modern rear glazed elevation of the basement extension is not exactly in keeping with the building and the proposed glazed terrace balustrade

Discussed again on 27/2/02
 Probably PD
 Not so concerned about this



RBKC

District Plan Observations

CONSERVATION AND DESIGN

Address	Appl. No.	L.B.	C.A.	N C S
Description	Code			

at the upper ground floor level just draws attention to it. Better though as pulled away from edges now. Is this extension also a P.D.?
 Can we at least insist that the balustrade is a traditional metal one? ~

3) Cannot assess the scale of the proposals properly, as neither the small scale ones nor the 'blow-ups' have a true scale - all say "1:50 at A1" that does not help us. We need it drawn + printed to a scale (either 1:100 or 1:50).

4) The revised drawings have exactly the same drawing numbers and no revision letters - so cannot be distinguished from the original submission drawings. => need new revision letters.

5) Raised ground level in the middle of garden. Will there not be problems with neighbours? See e.g. Section C-C. What exactly are the boundary wall heights throughout?

6) Odd garden structures shown on sec. C-C.

+ cannot understand section F-F at all.

Happy to discuss. B. 7/2/02

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 27 February 2002 16:00
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road

Nicola

I have now spoken with Bill Stephens of AIRO re the report. He admits that to comply with our criteria will be difficult but he is confident that there is space available for the extensive noise control works required I have advised that due to the complex nature of the job we will insert a further condition.

In addition to the following which I sent on 27/11/01 I would suggest we change con 1 for the following as indicated. Mr Stephens will speak with his client to ensure that his client is aware of the need for close attention and resources for this part of the works.

Nicola

I think I would raise objections if I lived next door!

There is no indication of the plant which is to be installed and I think if you are minded to grant permission we could do so on the basis of conditions to be discharged before the use commences, as follows:-

- 1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The use shall not commence until a fully detailed noise control specification together with manufacturers and builders drawings and consultants design report has been submitted to and agreed in writing by the LPA. The design report shall show how this condition will be met. Thereafter compliance monitoring shall be undertaken to ensure this condition has been discharged.* *excavation of the pool shall not*
- 2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.*
- 3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.*

Ian Hooper

Specialist Noise Officer

Minimum root ball
of replacement tree.
900mm

Which will be approx
5 metres in height



ative

cy Smith

er Crawley

ilton

house

ss Wassell

Charles

pher Sexton

ddicombe

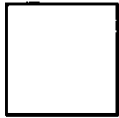
ael Alan

Ezekiel



Socialist

Labour Party



Arthur Scargill

Novot Brar

Hardev Singh Dhillon

Amanda Rose

John Hendy

Harpal Singh Brar

Eloisa Joan Rule

Robert John Siggins

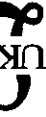
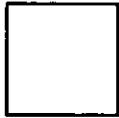
John David Hayball

Joseph Robert Marino

UK

Independent

Party



Craig Mackinlay

Nicholas Richard

Alexander Damian

Hockney

Jose Helena O'War

Gerald Roberts

Christopher Norman

James Bruce Carve

Michael James Har

Anthony John Scho

John de Roeck

Mark Daniel Lester

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 26 February 2002 17:17
To: Cowley, Nicola: PC-PlanSvc
Subject: RE: 21 Eldon Road

Nicola

The consultants need to be taken to task. Our condition requires noise to be reduced to 22dBA at night. The report goes on to talk about the requirement being 32dBA by night and 37 by night. There is something very wrong here which I should have picked up can you let me know the report author and his tel no I will speak with him tomorrow. I would suggest there is very little chance of complying with our criteria but hold fire till I have spoken tomorrow

Thanks Ian

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

From: Cowley, Nicola: PC-PlanSvc
Sent: 26 February 2002 16:37
To: Hooper, Ian: ES-EnvHlth
Subject: 21 Eldon Road

Hi, here is my draft report for 21 Eldon Road. I have highlighted the noise section in green. Please let me know tomorrow what you think of this (sorry the deadline is at the end of this week).

Thanks
Nicola

<< File: 21 Eldon Rd report.doc >>

RBKC ARBORICULTURAL OBSERVATIONS

Address	Application No.	DC Officer	Date of Obs
21 Eldon Road	PP/01/1529/	AJF	12/2/02
Development		Obj.	No Obj.
Rear extension and underground pool			
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
C9	13/01		
Comments:			

Further to my previous observations of the 21st November 2001 my comments on the revised drawings are as follows.

In my view the revised proposals are not acceptable for the following reasons. The required depth of 1 metre of top soil/ drainage layer is not maintained over the underground development. The sloping roof may result in water logging at the low point where it meets the roof light for the pool. (does the pool need a roof light?) I therefore suggest that the development is far enough below existing ground level to permit a one metre depth of soil/ drainage layer to be installed which brings the finished level back up to existing ground level. This will permit the roots of larger growing trees to exploit all of the garden soil. It should also be borne in mind that even grass, let a lone shrubs, can utilise available soil water a metre below the surface. Shallow soil profiles will result in the plants becoming drought stressed or dying during summer dry spells.

I also suggest that the applicant submit for approval a landscaping scheme to include at least one tree (species to be agreed) of a stem diameter not less than 25cm.

Condition C16(a) should cover this.

Signed:  Date: 12.2.02

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 21 February 2002 13:30
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Eldon

Nicola I have gone thru the report and it does raise the problems of this application the author feels that our requirements are onerous but does not indicate compliance is not possible on noise.

If we are minded to grant the application then the condition will need to be discharged at a later date. The proposals are not yet finalised and noise control measurements cannot be put forward until you know what you are dealing with. It is very quiet in these gardens! I need to revise my condition can you email me what I have already sent to you and I will revise it accordingly.

Thanks Ian

*frank ne
Vg 21/2*

Nicola Cowley,
 Planning Department,
 Royal Borough of Kensington and Chelsea,
 The Town Hall,
 Hornton St,
 London,
 W8 7NX.

19.02.02

RE: 21 ELDON RD, PP/01/1529

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		21 FEB 2002			PLANNING	
N	✓	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

(37)

Dear Nicola,

In response to your letter I enclose the information required to enable the application to proceed to committee, a hard copy is in the post.

A report from our consultants, AIRO, deals with our proposed measures to deal with noise levels raised in point 1 of your letter. Your concern over odour, raised in point 2, is resolved in my letter to Mr Kelsey attached with the relevant technical data.

I trust this will enable us to meet the committee meeting of the 5th March.

Yours sincerely



Alex Head
 for Granit Chartered Architects.

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL · LONDON · SW11 5QL
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co.uk · e info@granit.co.uk

Mr P. Kelsey,
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

19.02.02

RE: 21 ELDON RD, PP/01/1529 Point 2.

Dear Paul,

The proposed pool ventilation and filtration system is to be fitted with a supplementary ozone system, Prozone, which reduces the required chlorine needed to maintain the pool to 0.5 parts per million. This level is less than that found in tap water and therefore will not result in any detectable chemical odours, either poolside or in the external courtyard next to the extract. This therefore presents no cause for concern or annoyance to any adjacent occupied premises.

I enclose the technical information sheet for your information.

Yours sincerely



Alex Head
for Granit Chartered Architects.

Clearwater Tech Inc International Ltd
 35-39 Myton Street, Hull.
 HU1 2PS
 ENGLAND
 Tel: 01482 221303 Fax: 01482 221304



OZONE

THE BENEFITS OF INSTALLING AN OZONE SYSTEM

The Water Quality:

- Adds brilliant clarity to water
- Water is softer
- Reduces total dissolved solids (TDS) by coagulating particulates
- Ozone has a neutral pH
- No undesirable residuals; no chloramine build-up
- Kills bacteria, viruses and algae thousands of times faster than chlorine
- No irritation to the eyes, nasal passages or throat
- No more dried out skin, bleached hair or faded swim wear
- Neutralizes body oils, soaps and their suds
- The by-products of ozone are heat, filterable solids and pure oxygen

The Cost Savings:

- Reduces chemical consumption up to 95%
- Ozone instantly turns combined chlorine into "free available" chlorine, making it 100% usable
- Reduces TDS, so you don't have to drain the pool, saving money on water costs
- Prolongs the life of the equipment by reducing calcium and scale build-up
- Because ozone is pH neutral, it will not affect the balance of the water

The Maintenance Savings:

- Weekly, rather than every other day, chemical check
- No need to store large quantities of toxic chemicals
- Pool requires fewer cleanings
- No calcium build-up on the plaster

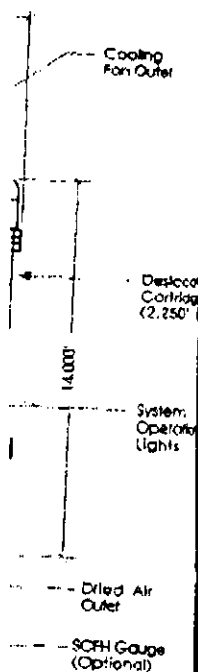
With Ozone, the water is disinfected - not the bather!

ClearWater Tech, Inc. • P.O. Box 15330, San Luis Obispo, CA 93406 • Tel: (805) 549-9724 • Fax: (805) 549-0300

point of -60°F. (1
 following reason

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ardless of the relative
 humidity change
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 and increasing the



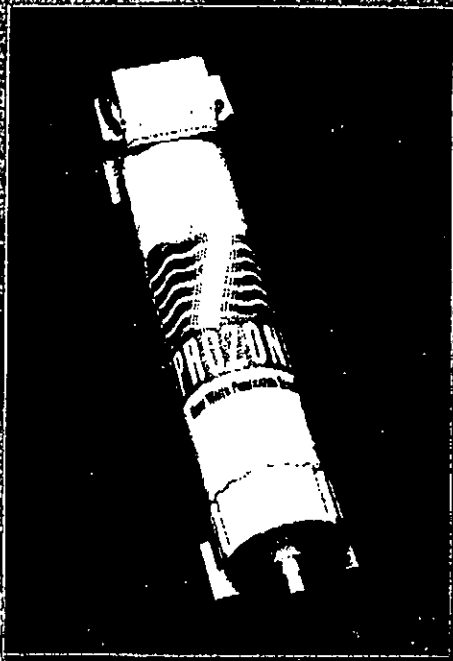
Certikin
International Ltd

PROZONE

Water Purifiers for Pools & Spas

BENEFITS

- Reduces the need for harsh, costly chemicals
- Save on maintenance, time and money
- Eliminates eye and skin irritation, hair damage and chemical odours
- Have crystal-clear water that smells fresh, feels softer and is more refreshing
- Utilises aerospace technology that has made purification safe and cost effective for even the smallest applications
- More than 500,000 pools and spas use V.U.V. Ozone Systems
- Ozone has been used for over a century by large water systems worldwide
- The EPA recently made ozone a requirement for drinking water in the USA



Prozone

Basic Ins

Prozone creates Healthier Water

Ozone is the natural water purifier of the century and Prozone is the simplest, most effective system on the market today. Prozone purifies pool and spa water, makes it sparkling clean and clear and reduces the need for chemicals up to 90% while neutralising harsh, irritating by-products of all pool chemicals. The advantages are clear.

Here's How Prozone Works

Ozone is generated when a molecule of oxygen is illuminated by high energy ultraviolet light. Ozone is formed when three atoms of oxygen are bound together instead of the normal two. The extra oxygen atom makes ozone a highly energetic oxidiser. Ozone destroys algae, viruses and bacteria on contact - with no harmful by-products. It also breaks down harmful chemicals and acts as a flocculant, causing Total Dissolved Solids to be suspended and easily removed by the water filtration process. Ozone oxidises combined chlorine and bromine, freeing them to be continuously re-used. Therefore the use - and cost - of chemicals is greatly reduced.

O3 Attacking Bacteria or Virus



O3 Attacking Organism



O3 Attacking Metal Ions and Minerals



- Bacteria or Virus
- Algae
- Copper
- Ozone

PERFECT FOR POOLS

Prozone Water Purification Systems can easily be installed in new pools or retrofitted to existing pools. The Prozone system attaches to the water circulation system quickly and easily, generating ozone and injecting it into the return, where it instantly purifies the water. In the process, ozone biologically destroys bacteria, virus and algae and oxidises metals which bond together for easy removal by the filter.

IDEAL FOR SPAS

The Prozone Water Purification System offers clear advantages for spas. The chemistry of a spa can change faster and more dramatically than a pool. High water temperatures - as well as increased amounts of body chemicals and organic matter given off by bathers - creates a breeding ground for contaminants and nullify the effects of disinfectants.

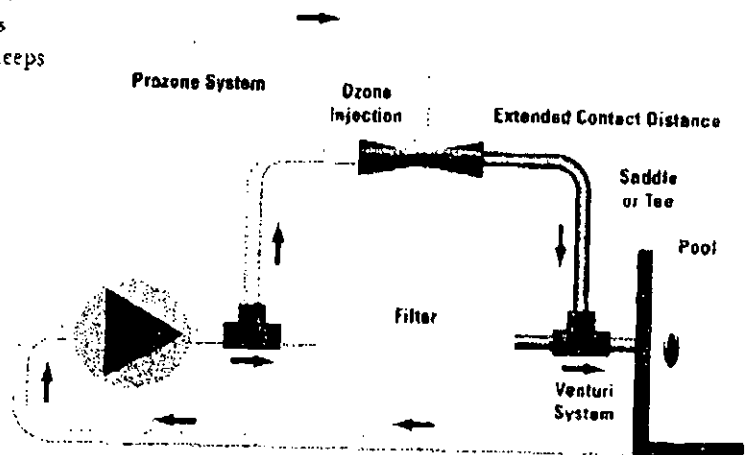
That's why a Prozone system is a better solution. It completely disinfects the water while the circulation is running. So the spa not only stays sanitary, Prozone keeps the water as you expect - *clean, clear and safe.*

PIONEERS OF OZONE TECHNOLOGY

Prozone, pioneers of the original ozone generator cartridge, produced the first Ultra Violet Ozone Generating cartridge in 1977 for the swimming pool and spa industry. Since then, Prozone engineered systems integrating the cartridge configuration into applications such as swimming pools, aquasculptures, cooling towers and drinking water.

Prozone also pioneered the patented Bypass Venturi mixer and Micropore diffuser. Prozone's Bypass Venturi systems provide the ultimate in ozone absorption while operating in conjunction with the existing circulatory system. It's simplicity and effectiveness have become the industry standard for low-cost, easily implemented ozone systems. The diffuser provides superior mixing and absorption by continuously injecting tiny ozone bubbles into the water.

Combining these elements with our ozone generators provides the industry's most simple and reliable systems.



Prozone Patented By-Pass Basic Installation



CHAMPAGNE CASTLE LTD
95/97 HALKETT PLACE
ST HELIER
JERSEY
JE1 1 BX

PAYMENT TERMS
STRICTLY 14 DAYS

PLEASE MAKE CHEQUES PAYABLE
TO GRANIT ARCHITECTS LTD

INVOICE

INVOICE No.	1225-0149-2	DATE ISSUED	21.01.02	PAGE 1 of 1
4/5 MARKET STREET NEWPORT				
DESCRIPTION	NET	VAT	GROSS	
FOR ADDITIONAL PLANNING FEE	£ 95.00	£ 0.00	£ 95.00	
TOTAL	£ 95.00	£ 0.00	£ 95.00	
TOTAL AMOUNT TO PAY			£ 95.00	

INVOICE DUE BEFORE 06.03.02

GRANIT NOW ACCEPT CREDIT CARD PAYMENTS
CALL OFFICE FOR FURTHER DETAILS

Payments due within 14 days. Payments over 28 days late will be charged at 3% over bank base rate, in accordance with our terms of appointment.

Company No. 2547164
VAT No. 726744809

obj

23 ELDON ROAD
LONDON W8 5PT

020 7584 4007

13 February 2002

The Planning Department
The Town Hall
Hornton Street
London W8 7NX

Ref: DPS/DCC/PP/1529/NC Councillor Nicholas Cowley

✓ RAC
14-02-02

Dear Sir,

I am the owner of 23 Eldon Road, which you will appreciate is just one house away from 21 Eldon Road, one of the houses whose owner is seeking your consent to build a swimming pool in his garden, together with his neighbour. So I am closely affected by this building application and your decision.

I am aware of, and agree with, many of the objections of the residents of Eldon Road about noise and dirt. More importantly, I am concerned whether the Council has satisfied itself professionally, by which I mean by receiving a Report on the implications of this project from a structural engineer, to ensure there will be no damage to neighbouring properties, including mine, caused by the necessary massive excavation to create a pool in this hitherto undisturbed garden area. If there were to be a subsequent problem, for example the triggering of local subsidence, as a result of this excavation proceeding, who would be liable for damages? Would we be able to include the Council as a liable party for approving such an excavation? You can see the difficult legal areas we would all get into.

Where the pool is to be sited is in a garden area that has been relatively untouched since it was the fruit garden for Kensington Palace in the 1850s. Surely the Council will wish to maintain the character of Eldon Road and its gardens by refusing to grant the relevant planning permission that is being sought.

Yours faithfully

John Walker-Haworth

John Walker-Haworth

EX	HDC	TP	12AC	AD	CLU	AO
IR					AK	
P.R. 14 FEB 2002						PLANNING
REC						
M. C.						DES
						FEES

Copy AO/ACK/C

112 BATTERSEA BUSINESS CENTRE - LAVENDER HILL - LONDON SW11 3NN
 T 020 7924 4555 - F 020 7924 5666 - W www.granit.co.uk

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	R.C.			FEB 2002	PLANNING 25	
N	S	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

RE: 21 ELDON RD

01.02.02

Nicola,

I enclose the requested AI drawings. I will check heights of neighbouring gardens next week & issue an existing cross section.

Alex.

NE
 COPY TO INFORMATION OFFICE PLEASE

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

Alex Head
Granit Chartered Architects
112 Battersea Business Centre
Lavender Hill
London
SW11 5QLSwitchboard: 020 7937 5464
Extension: 3190
Direct Line: 020 7361-3190
Facsimile: 020 7361-3463
Web: www.rbkc.gov.uk**KENSINGTON
AND CHELSEA**04 February 2002

My reference: **DPS/DCC/PP/01/** Your reference:
1529Please ask for: **Nicola Cowley**

Dear Mr Head

Town and Country Planning Act, 1990
21 Eldon Road, W8
PP/01/1529

I refer to the amended plans you recently submitted for the above application. Thank you for also providing large scaled plans as requested by my assistant Nicola Cowley, and look forward to receiving an existing section of the garden and details of the existing neighbouring garden level in relation to the finished garden level proposed, as previously discussed.


It is noted that the revised plans shift the location of the plant and air extract equipment. As you may be aware, several letters of objection have been received from nearby properties, and concerns raised with regards to noise and odour emitted from the proposed swimming pool and associated plant. The amended plans have been examined by Council's Environmental Health Officers and in the absence of detailed mechanical information, the following is necessary before an assessment of the impact on the surrounding properties can be made.

1. A fully detailed noise survey and report demonstrating that the noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating.
2. A detailed scheme indicating the measures used to control and minimize odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area to demonstrate that this shall not cause annoyance to any adjacent occupied premises.

Once this information has been received and assessed, a date for the presentation of this application to Planning Services Committee will be set.

If you would like any further assistance in this matter please contact my assistant, Nicola Cowley, on the above telephone number.

Yours sincerely



Paul Kelsey
Area Planning Officer
for the Executive Director, Planning and Conservation

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 31 January 2002 19:49
To: Cowley, Nicola: PC-PlanSvc
Subject: pp/01/1529

Nicola

The new submission does not address my concerns especially my suggested cons 1 & 3 They need to show how the proposal will comply with these conditions. I would suggest you may wish to show the applicant our intended conditions and that due to the number of objectors they need to demonstrate that the proposal will comply. I am not in now till Mon and I will call to discuss

Thanks
Ian

Cowley, Nicola: PC-PlanSvc

From: Hooper, Ian: ES-EnvHlth
Sent: 29 November 2001 16:30
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road pp/01/1529

Nicola

I think I would raise objections if I lived next door!

There is no indication of the plant which is to be installed and I think if you are minded to grant permission we could do so on the basis of conditions to be discharged before the use commences, as follows:-

1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The use shall not commence until a fully detailed noise survey and report has been submitted to and agreed in writing by the LPA. The report shall show how this condition will be met.
2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.
3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.

Ian Hooper

Specialist Noise Officer

JG 8/2 (PK)

Reference DPs/DCC/PP/
15/29/N.C.

25 ELDON ROAD
LONDON W8 5PT
0171-937 9057

EX/DIR	HDC	TP	CAC	AD	CLU	AO AK
RB KJC	17 FEB 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

5.2.2002

Dear Councillor Cowley,

I am totally horrified at the thought of a swimming pool to be sited for, for No. 21 Eldon Road. This was my brother's house. I would be Charles Madden, who served this neighbourhood for many years, and would be totally opposed to any such building if he were alive to-day. I am surprised you have allowed the present building application to go ahead.

I saw the largest living oysters
in Blooms Road, and watch with
dismay the amount of noisy work
you are allowing in this street,
thereby cheapening the character.

The lorries continually
parked outside my parking bay,
not allowing my driver to get up
out car, and the total disruption
caused by so much building is
disgraceful.

Not only would it be
impossible to cope with the enormous
soil removal, the actual noise is
the same as if the post were built,
would be unacceptable to all of us.
In my brother's name, I hope you
will stop this madness.

Yours
Elizabeth Barrett

1/26/2

7 ELDON ROAD
LONDON W8 5PU
0171-937 0200

EX DIR	HDC	TP	CAC	AD	CLU	AG AK
R.B. K.C.		- 6 FEB 2002			PLANNING 38	
N	C	SW	SE	APP	IO	REQ
			ARB	FPLN	DES	FEES

Ref: DPS / DEC / PP / 1529 / NC

Dear Sir

I should like to register my strong objection to the proposed construction of a swimming pool at #21 Eldon Road.

I live opposite at 7 Eldon Road and have learned that, in addition to the regular boings and

7 ELDON ROAD
LONDON W8 5PU
0171-937 0200

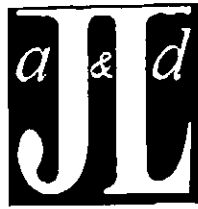
Trains associated with the
rebuilding and restoring of
a house ~~and~~ ^{an} additional two
lorries a day ^(excluding weekends) for nearly a
year would be required to
remove soil and supply materials.

I have two daughters
of four and five and I fear
that the noise, weight of
traffic, dirt is not conducive
to a healthy upbringing.

7 ELDON ROAD
LONDON W8 5PU
0171-937 0200

Increased parking problems
and the inevitable traffic
disruptions go without saying

... we love where
we are fortunate to live
and are happy that there
are those who are willing to
spend time and money renovating
and restoring existing houses. but
there is a limit ...
Simon Shta



MC
01/1529
JG 24/1

390 / Correspondence / Authorities / RBKC.22.01.02

Royal Borough of Kensington & Chelsea
Planning Department
The Town Hall,
Hornton Street
London
W8 7NX

22nd January 2002

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	22 JAN 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

By Post & Fax: 020 7361 3463

Dear Sir/Madam,

Re: 21 Eldon Road, London – Application for Swimming Pool – Objection

My Clients, Mr & Mrs Robert Baines, who reside at No 20 Eldon Road have asked me to register a further objection to the proposed swimming pool at the above.

In reviewing the proposal, I have pointed out to our Clients that the process of excavation and the refilling of the site with topsoil is going to have a dramatic effect on the neighbourhood as a consequence of the number of lorries that will be required to remove the excavated material, and to deliver the required 1metre of topsoil and to deliver the general building materials associated to the construction for the pool alone .

My Clients wish to object on the basis that the disruption of the local environment. At a conservative estimate the number of loads required will be in the region of 350-450 lorries. The number of loads particularly with the extraction and delivery of the soil will probably not exceed 2 vehicles a day. On this basis the disruption to my Client and to the immediate neighbourhood will last for a minimum of 18 months.

My Clients also understand that there is a proposal to remove the existing pear tree and replace it with a mature tree. It is obvious that the replacement mature tree cannot be installed until the works are fundamentally complete. As there is no alternative access to the site other than through the property, we would challenge this proposal as impractical.

Yours sincerely

Peter Jones

For Jones Lambell Architecture & Design Ltd.

Cc: Mrs Maggie Lersten (Victoria Road Residents Association)
Mr & Mrs Robert Baines



(KJC)

01/1529

390 / Correspondence / Authorities / RBKC.21.01.02

Royal Borough of Kensington & Chelsea
Planning Department
The Town Hall,
Hornton Street
London
W8 7NX

22nd January 2002

By Post & Fax: 020 7361 3463

Dear Sir/Madam,

Re: 21 Eldon Road, London – Application for Swimming Pool – Objection

My Clients, Mr & Mrs Robert Baines, who reside at No 20 Eldon Road have asked me to register a further objection to the proposed swimming pool at the above.

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Yours sincerely,

Peter Jones
For Jones Lambell Architecture & Design Ltd.

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
RB KJC	23 JAN 2002			PLANNING		
N	8	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Cc: Mrs Maggie Lersten (Victoria Road Residents Association)
Mr & Mrs Robert Baines

Reference Number: PP/O/01529/AJP

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX
Attn: M J French

R.B.K.C PLANNING

Received 13 SEP 2001

149 ✓ MS
Ex Die HDC TP CAC AD CLU
AOACK N/S SW SE APPEALS
IO REC ARB F.PLAN CON.DES

12th September 2001

Dear Sirs/Madam

Re: 22/21 Eldon Road, London W8

On behalf of the owners of the above property, RBC Trustees (Guernsey) Limited I write formerly to object to the Planning Application to construct an extension and swimming pool to the above property.

The roof over the swimming pool will effectively raise the garden level which will result in overlooking of not only my client's property but other surrounding gardens such that there would be an invasion of privacy. Furthermore the construction process would mean the loss of an attractive tree at 21 Eldon Road which must have a Preservation Order on it while my clients are extremely concerned that the construction process will affect the roots of established trees and also shrubs in their garden and could well have such a detrimental affect as to result in the loss of plants and trees.

I would reiterate that my clients wish to raise a formal objection and I trust that the Planning Committee will refuse the application. For the avoidance of doubt my clients have no objection to the proposals relating to the construction of a loft conversion or an additional storey to the main building.

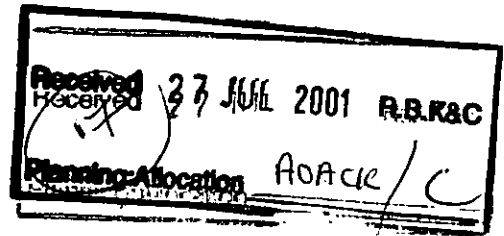
Yours faithfully


John Hughes FRICS
DOWNHAM & HUGHES

Cc RBC Trustees (Guernsey) Limited

ACK 27/7
MB

20 Eldon Road
London
W8 5PT
0207 937 3635
0207 937 5620



M J FRENCH
PLANNING DIRECTOR
TOWN HALL
HORTON ST
LONDON W8 7NX

Your ref: dps/dcc/pp/01/01529/ajf

24th July 2001

Dear Sir

We have only recently received your letter regarding the proposed building works to No. 21 Eldon Rd as we are currently abroad. Your letter refers to a "single story extension to lower ground floor excavation beneath garden to allow for swimming pool below". We presume these are two separate issues i.e. a lower ground floor extension and the swimming pool under the garden.

On the assumption that we are correct we have no objection subject to seeing plans to the lower ground floor extension. However, the swimming pool we object to most strongly for the following reasons;

- Excavation of a garden this size to accommodate a swimming pool would probably require the removal of at least 300m³ of earth and it is hard to see how this could be done without damaging the root structure of the recently protected pear tree or indeed the well established shrubs growing along the garden wall between our two homes. Furthermore there must be some risk that the garden wall itself would have to be rebuilt, all of which would destroy a mature garden.
- We, along with other residents, already suffer some irritation from the plant associated with Mr Black's swimming pool behind his house in Cottesmore Gardens. Another pool next door with even the most modern plant cannot possibly avoid further mechanical noise and chlorine vapours reducing ours and other residents enjoyment of their gardens.

We hope you will take these views into consideration when putting this application before the planning committee.

Yours faithfully

A handwritten signature in black ink, appearing to be "J.L. Barnes". The signature is written in a cursive style with a long horizontal stroke extending to the right.

J.L. Barnes



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
 THE TOWN HALL KENSINGTON W8 7NX
 Tel: 020 7937 5464 Fax: 020 7938 1445

From: Councillor Daniel Moylan, Deputy Leader of the Council

22nd February, 2002

M.J. French, Esq., F.R.I.C.S., etc.,
 Executive Director,
 Planning and Conservation

Dear Mr. French,

21, Eldon Road: PP/01/01529/NC

I am concerned about the scale of the above application. The proposal to construct an underground swimming pool could set an unfortunate precedent. The loss of a tree benefiting from a Tree Preservation Order is much to be regretted, although I acknowledge that its condition is poor. The potential for noise and vapour nuisance to residents is also a consideration.

On the face of it, all of these considerations (except perhaps that of precedent) could be addressed by appropriate conditions, rigorously enforced. If so, these should be discussed in detail with neighbours before being finalised, so as to ensure their effectiveness and acceptability.

As to precedent, you will have a better grasp of the overall picture than I and if you are satisfied that there will be no proliferation of underground swimming pools in back gardens in this vicinity I can accept that. But it is a cause of concern.

Yours sincerely
 Daniel Moylan

cc Cllr. Andrew Dalton
 Mr. Robert Baines

copy AO/AC9/C

EX DIR	HDC	TF	AC	AD	CLU	AO AK
R.B. K.C.		25 FEB 2002			PLANNING	
N	C	SW	SE	APP	W	REC
			ARB	FPLN	DES	FEEs

(73)

23 ELDON ROAD
LONDON W8 5PT

020 7584 4007

nr
obj
AK

13 February 2002

JG 19/2

The Planning Department
The Town Hall
Hornton Street
London W8 7NX

Ref: DPS/DCC/PP/1529/NC Councillor Nicholas Cowley

Dear Sir,

I am the owner of 23 Eldon Road, which you will appreciate is just one house away from 21 Eldon Road, one of the houses whose owner is seeking your consent to build a swimming pool in his garden, together with his neighbour. So I am closely affected by this building application and your decision.

I am aware of, and agree with, many of the objections of the residents of Eldon Road about noise and dirt. More importantly, I am concerned whether the Council has satisfied itself professionally, by which I mean by receiving a Report on the implications of this project from a structural engineer, to ensure there will be no damage to neighbouring properties, including mine, caused by the necessary massive excavation to create a pool in this hitherto undisturbed garden area. If there were to be a subsequent problem, for example the triggering of local subsidence, as a result of this excavation proceeding, who would be liable for damages? Would we be able to include the Council as a liable party for approving such an excavation? You can see the difficult legal areas we would all get into.

Where the pool is to be sited is in a garden area that has been relatively untouched since it was the fruit garden for Kensington Palace in the 1850s. Surely the Council will wish to maintain the character of Eldon Road and its gardens by refusing to grant the relevant planning permission that is being sought.

Yours faithfully

John Walker-Haworth

John Walker-Haworth

EX	HDC	TP	CAG	AD	CLU	AO
MR						AK
P.R.		14 FEB 2002			4 CHING	
K.C.				REC		
M	C	C.R.E. F.W.N.		DES	FEES	

Copy A0/Ack/C

Downham and Hughes

Chartered Surveyors

6 Bray Place
London SW3 3LP

Tel: 020-7581-4972

Fax: 020-7584-2701

E-mail: Surveyors@downhamandhughes.com

Website: www.downhamandhughes.com

NZ
Your Ref: DPS/DCC/PP/01/01529AJF

Vgs/3

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
LONDON W8 7NX
Attn: M J French - Executive Director, Planning and Conservation

4th March 2002

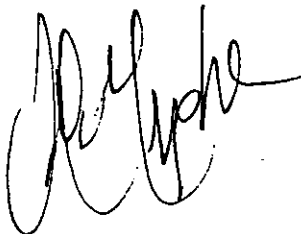
Dear Mr French

Re: 21 Eldon Road W8

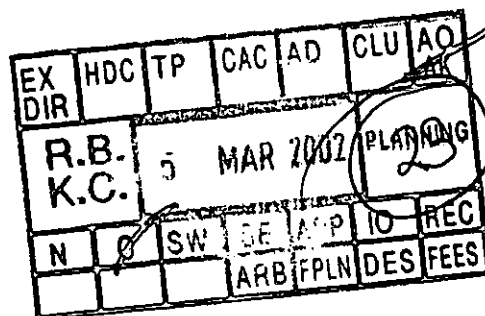
I am aware, as I act as the party wall surveyor for the owners of 22 Eldon Road that the scheme to introduce a swimming pool in the rear garden of the above property has been revised. I note that the roof to the swimming pool has been lowered such that there should be no more overlooking of my client's property other than that which exists at present but my clients are still very concerned that should the scheme go ahead the attractive tree at 21 Eldon Road will be lost and without doubt there would be a detrimental effect on the roots of established trees and shrubs in my client's garden which could result in the loss of plants and trees.

I wish to place on record that my clients still formerly object to this scheme.

Yours sincerely



**John Hughes FRICS
DOWNHAM & HUGHES**



Cc RBC Trustees (Guernsey) Ltd.
Alison Dodds

NZ

Victoria Road Area Residents Association

Please reply to

25 Victoria Grove, London W8 5RW

1st February

Dear Mr French,

21 Eldon Road

I understand that the new owner of this property is still intending to build an underground swimming pool in the garden of his property. This is a matter of concern to his immediate neighbours who fear that their boundary walls will be adversely affected by the excavations. My committee are very concerned that several new owners of properties in this area are seeking to install swimming pools in gardens which are unsuitable to be so used.

I sincerely hope that if the Planning Committee are inclined to allow his application, it will, as it did in the case of 13 Albert Place, make the consent conditional on a full structural survey as to the effect on adjoining properties.

I am just about to be away and I regret I have not had time to arrange for this letter to be typed.

Yours sincerely
Peter Dixon

EX DIR	HDC	TP	CAC	AD	CLU	AO	AK
R.B.	4 FEB 2002				PLANNING		
K.C.							
N	SW	SE	APP	IO	REC		
		ARB	FPLN	DES	FEES		

107

10/8/2

Dr J R Colville
M.B., M.R.C. Psych., F.Inst. D

Telephone: 020 7937 7285
Facsimile: 020 7937 7283

3 Eldon Road, LONDON, W8 5PU

5th February 2002

The Planning Department
The Royal Borough of Kensington and Chelsea
Town Hall
Hornton Street
London
W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
RB KJC		07 FEB 2002			PLANNING <i>14</i>	
N	<input checked="" type="checkbox"/>	SW	SE	APP	IO	BEC
			ARB	FPLN	DES	FEEES

Dear Sir

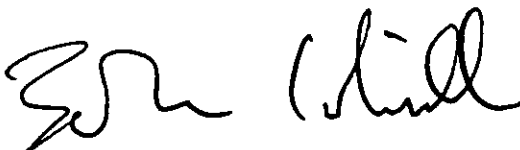
Reference: DPS/DCC/PP15929/NC

There is considerable disquiet in Eldon Road concerning the application at No 21, to construct a swimming pool. It has been estimated by an Independent Surveyor that the construction and prior excavation (removal of soil) and material will entail 18 months of work with two working lorries a day mounting up to 350/450 lorry movements over this period. This will clearly create not only noise, traffic disruption and parking problems, but considerable environmental pollution, not only from the lorries and their exhaust but from dirt.

There is also the question of noise pollution from a swimming pool pump. We already have unacceptable noise in the area from a pump in Cottesmore Gardens to the extent of disturbing neighbours sleep.

May I also point out the very high probability that such an extensive excavation is likely to cause subsidence and therefore possibility of damage and collapse to surrounding buildings. As you will be well aware, both the bricks and mortar binding them put down as foundations for these houses are both soft and friable. Therefore, in addition I think it important that a very close examination of this aspect of the proposal is made.

Yours faithfully



Cc Andrew Arends - Eldon Road Representative
Nicolas Cowley - Councillor RBKC

~~OFFICIAL~~
1276
N.C.

N.C.
Acknowledge

obj

By Fax

28 December 2001

Nicola Cowley
Planning Department
Kensington and Chelsea Council
Hornton Street
London W8

Re: 21 Eldon Road

Dear Ms Cowley,

I am writing to you with respect to the proposed swimming pool at 21 Eldon Road. I am concerned that the level of noise from the plant and equipment will create excessive noise in the back garden at 21 Eldon Road. Our back garden is but one away from 21 and the noise level is particularly low in the Eldon Road/Cottesmore Gardens area. The presence of a noisy compressor would be of concern to us.

I also understand that the Victoria Road Residents Association have been contacted by other objectors. It is my hope the Council does not rush into granting planning permission until all the parties have been heard from and certainly not over the holiday period.

Yours sincerely,

Andrew Arends

1529

sg 8/11

19 Eldon Road
London, W8 5PT
Tel: 020 737 0347

EX DIR	H	CAC	AD	CLU	AO
R.B.	K.C.	28 DEC 2001		PLANNING	AK
SW	ISE	APP	IO	REC	
		ARR	PLN	DES	FEES

M E M O R A N D U M

To: ~~Executive Director, Planning and
Conservation~~
cc: Chris Colwell (Arboriculture)

From: Director of Legal Services

Your Ref: Alison Flight

My Ref: Helen Viechweg
Ext: 2184

Date: 3 July, 2001

Re 21 Eldon Road – TPO 13 of 2001

With reference to the above, I attach a copy of a letter received from Ms Baines of No. 20 Eldon Road.

She has raised concerns regarding a possible planning application and I would be grateful if you could reply to her direct.



Helen Viechweg
for Director of Legal Services

20 Eldon Road
London W8 5PT
Tel: 0171 937 3635
Fax: 0171 937 5620

RECEIVED

27 JUN 2001

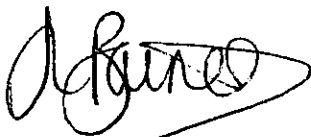
LEGAL SERVICES DEPT

23rd June 2001,

Dear Ms Viechweg,

With reference to your letter dated 7th June regarding the tree preservation order on the old Pear tree in our neighbours garden, I am writing to tell you how pleased we were that the council has issued a preservation order on this tree. We have heard on the grapevine that our new neighbour wishes to build an underground swimming pool in his garden which would mean cutting down the tree. We are totally opposed to this idea not only because of the tree but also on grounds of noise. We believe that all of the plant and equipment needed to run a swimming pool would be very noisy and heard not only from the house but especially from our garden. We already suffer from this slightly with the ground level swimming pool in Cottesmore gardens which backs on onto our garden so are easily able to imagine the noise of a pool next door. We very much hope that the council would refuse planning permission for such a project because of the inevitable killing of the tree but also because we live in a conservation area and projects such as these cannot be contemplated in such a built up residential area.

Yours faithfully



Jilly Baines

copy to PF

Obj

20 ELDON ROAD
LONDON W8 5PT

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	19 FEB 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

49

JG 19/2

M.J.French
Executive director, planning & conservation
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton St.
London w8 7NX

15th February 2002

Your ref: DPS/DCC/PP/01/01529/NC

Dear Sir

Proposed development at 21 Eldon Road, W8 5PT

We have just received copies of the revised drawings relating to the excavation of the garden at number 21 to create a new pool area. We objected to the original application last summer on the grounds of machinery noise, smell and potential damage to the pear tree which is the subject of a preservation order. Having reviewed the revised plans we have the following comments.

- 1) The existing preserved tree has evidently been removed from the plan and in its place will be some sort of structure covering the access to the plant room, changing rooms and pool area. This will obviously have to be a hard structure of some sort although we have no knowledge of what materials are proposed and could very well become an eyesore in future years. Certainly our present view over an unspoilt garden and the existing pear tree will be destroyed and something incongruous put in its place. We find it hard to understand how the council could accept this as an acceptable trade off for the removal of a preserved tree.
- 2) The plant room has now been moved from the end of the garden and sited within a metre of our garden wall and approximately 3 metres from our house. Any noise or odour emissions from the plant either through failure or design will therefore be intrusive in both our house and our garden. We have serious concerns that however well insulated and maintained, noise levels exceeding normal background ambient noise levels in this quiet area of Kensington will be evident and our enjoyment of the garden in particular diminished.
- 3) The plan now contains a roof light to the pool at the end of the garden. Again this will be a solid structure which will certainly not be as attractive to look at as natural garden features and would of course be the source of further noise and odour emissions if it was to be of the opening variety.

- 4) The excavations now required to accommodate the revised plans must entail close to 1000m³ of soil to be removed from the site and up to 300m³ of material required for construction and rehabilitation of the site. This will result in approximately 400 lorry movements through the area in addition to the traffic already being generated by residential construction in the area. The resulting disruption to traffic flow and the impact on the environment in this quiet area far outweigh the reasonable rights of the applicant. Neither can the risk to children at the three schools in the neighbourhood who regularly walk down the adjoining streets to go to chapel and sports be ignored.
- 5) We are also concerned about the risk of our garden wall collapsing with excavations to a depth of 6-8 metres within one metre of the wall. As we have a three year old child we obviously cannot agree to the wall being removed pending completion of construction which could take up to 12 months to complete as this would clearly be a danger and prohibit any enjoyment of our garden during the construction period.

In conclusion we find this proposal entirely unacceptable both in terms of the direct impact on our enjoyment of what up to now has been a secluded and quiet garden network between the houses of Cottesmore Gardens and Eldon Road and the level of disruption to the entire neighbourhood during the construction period. Should you wish to examine the points I have made in this letter in more detail I would be happy to attend the forthcoming planning meeting to make an oral submission.

Yours faithfully



R. H. Baines

Cc: Cllr. D Moylan
Mrs M Lersten, Victoria Rd Residents Association.

RK/NC

copy to
TF

20 ELDON ROAD
LONDON W8 5PT

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	19 FEB 2002				PLANNING	
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEES	

M
 M.J. French
 Executive director, planning & conservation
 Royal Borough of Kensington & Chelsea
 The Town Hall
 Hornton St.
 London W8 7NX

15th February 2002

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Yours faithfully



R.H. Baines

Cc: Cllr. D Moylan
Mrs M Lersten, Victoria Rd Residents Association.

on
JG
AK

Dr J R Colville
M.B., M.R.C. Psych., F.Inst. D

Telephone: 020 7937 7285
Facsimile: 020 7937 7283

3 Eldon Road, LONDON, W8 5PU

5th February 2002

The Planning Department
The Royal Borough of Kensington and Chelsea
Town Hall
Hornton Street
London
W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AK
R.B.	- 6 FEB 2002				PLANNING	(34)
K.C.						
N		SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEB

Dear Sir

Reference: DPS/DCC/PP15929/NC

There is considerable disquiet in Eldon Road concerning the application at No 21, to construct a swimming pool. It has been estimated by an Independent Surveyor that the construction and prior excavation (removal of soil) and material will entail 18 months of work with two working lorries a day mounting up to 350/450 lorry movements over this period. This will clearly create not only noise, traffic disruption and parking problems, but considerable environmental pollution, not only from the lorries and their exhaust but from dirt.

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May I also point out the very high probability that such an extensive excavation is likely to cause subsidence and therefore possibility of damage and collapse to surrounding buildings. As you will be well aware, both the bricks and mortar binding them put down as foundations for these houses are both soft and friable. Therefore, in addition I think it important that a very close examination of this aspect of the proposal is made.

Yours faithfully

Cc Andrew Arends - Eldon Road Representative
Nicolas Cowley - Councillor RBKC

REVISED DRAWINGS RECEIVED

RENOTIFICATION INSTRUCTIONS

FILE NUMBER PP/01/1529
ADDRESS 21 Eldon Road, W8
.....
.....

[delete, circle, highlight, or add as appropriate – a typical combination would be 2, 5 and 6, or 1, 4, 5 and 6]

- 1. Please re-notify ALL those notified on application, including objectors
- 2. Please re-notify all objectors
- 3. Please re-notify the following people/parties
 - + Councillor Daniel Moylan
 - + Robert Baines, 2 Avenue De Camoens Paris 75116

✓ JG 30/1

- 4. Please re-advertise (Site Notice/Press Advert)
- 5. Please REVISE DESCRIPTION to read:
"Revised drawings received involving amending the rear extension at lower ground floor level, and excavation beneath garden for new pool."

"I would be grateful if you could ensure all further comments are received by 15th February 2007 as the case will be decided soon after this date"

~~6. Please forward a set of revised drawings to relevant library~~

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

File Copy
1 2079/ 2080
020-7361- 2079/ 2080

Switchboard:
Extension: 020-7937-5464
Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Please ask Date: 30 January 2002

My Ref: DPS/DCC/PP/01/01529/NC

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 21 Eldon Road, London, W8 5PT

You were recently notified on, and/or have commented on, the application for development at the above address. The Council has now received **AMENDMENTS** to this application, and brief details of these are set out below. The Council's Planning Services Committee, in considering the proposal, welcomes comments upon these amendments. Members of the public may **inspect copies of the amended plans**, and any other submitted documents. Details are provided overleaf.

Amended Proposal

Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below. ** Revised drawings received amending the rear extension at lower ground floor level and excavation beneath garden for new pool ** I would be grateful if you could ensure all further comments are received by 15th February 2002 as the case will be decided soon after this date **

Applicant Richard Pease, 34 Campden Hill Gardens, London W8 7AY

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, **cannot** be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

WHAT HAPPENS TO YOUR LETTER

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public, including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

INFORMATION REQUEST FORM

Planning Services to Environmental Health

To: *Tan Hooper*
Paul Morse Director of Environmental Health

Address/Issue
 21 Eldon Road

Planning Reference No.: *PP10/1529*

Planning Case Officer: *Nicola Conroy*

Summary of Proposal:
Policy Issue/Subject of Advice

(key Features)(Uses,Scale etc.)(Main Issues/Problems).

Rear extension and underground swimming pool

Schedule of Attachments:		Schedule of Key Dates:	
Specifications	<input type="checkbox"/>	1. Case initiated/Application received:	<input type="checkbox"/>
Drawings	<input type="checkbox"/>	4. Information required by:	<input type="checkbox"/>
Supporting Info.	<i>25 NOV 2001</i>	2. Sent by Planning Services:	<input type="checkbox"/>
Draft Text etc.	<input type="checkbox"/>	5. Returned by Environmental Health:	<input type="checkbox"/>
ENVIRONMENTAL HEALTH R.B.K. & C.		3. Entered on EHIS	<input type="checkbox"/>

Purpose/Status of Request:

<input checked="" type="checkbox"/> Planning Application	<input type="checkbox"/> Planning Appeal	<input type="checkbox"/> Planning Brief
<input type="checkbox"/> Planning Issues paper	<input type="checkbox"/> Planning Guidance	<input type="checkbox"/> UDP Consultation
<input type="checkbox"/> Impact Assessment	<input type="checkbox"/> General Advice	<input type="checkbox"/> Other

Nature of Request in brief:
(noise)
 Please comment on mechanical plant, + chlorine odour from swimming pool, as adjoining neighbour has objected.
 Are there any standard conditions we can use?

Previous Planning History:

Need for telephone discussion of background

Essentials of relevant UDP or other Policy:

Need for telephone discussion of background

Specific Issues for Environmental Health Comment

<input type="checkbox"/> Food	<input type="checkbox"/> Health and Safety	<input type="checkbox"/> HMO's	<input checked="" type="checkbox"/> Other
<input checked="" type="checkbox"/> Noise and Nuisance	<input type="checkbox"/> Contaminated Land	<input type="checkbox"/> Air Quality	<i>Odour</i>

E.H. Response: *(Continue on reverse if necessary)* **EHIS Reference No.:** *749839*

See attached memo | await revised drawings

E.H. Case officer(s) and telephone number(s): *Tan Hooper 5163*

Hooper, Ian: ES-EnvHlth

From: Hooper, Ian: ES-EnvHlth
Sent: 29 November 2001 16:30
To: Cowley, Nicola: PC-PlanSvc
Subject: 21 Ebdon Road pp/01/1529

Nicola

I think I would raise objections if I lived next door!

There is no indication of the plant which is to be installed and I think if you are minded to grant permission we could do so on the basis of conditions to be discharged before the use commences, as follows:-

1. Noise emitted by all plant comprising this proposal including air conditioning and ventilation and hygiene plant all operating together shall not increase the lowest existing background LA90 level measured or predicted at 1.0m from the nearest residential window or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The use shall not commence until a fully detailed noise survey and report has been submitted to and agreed in writing by the LPA. The report shall show how this condition will be met.
2. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises.
3. Odour expelled from any flue serving the hygiene plant or providing ventilation to the swimming pool area shall not cause annoyance to any adjacent occupied premises. The use shall not commence until a fully detailed scheme indicating the measures to be used to control and minimise odour has been submitted to and approved in writing by the LPA.

Ian Hooper

Specialist Noise Officer



Chartered Architects

NC.

112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL · LONDON · SW11 5QL
t 020 7924 4555 · f 020 7924 5666 · w www.granit.co.uk · e info@granit.co.uk

Ms N Cowley,
Planning Department,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton St,
London,
W8 7NX.

24.01.02

RE: 21 ELDON RD

Dear Nicola,

As discussed I enclose 3 copies of the revised drawings for the garden/pool application at 21 Eldon Rd, Ref: 01529.

Taking on board your comments we have revised the proposal.

The pool roof has been reduced to allow 1m of topsoil at the rear of the garden reducing to 400mm adjacent to the courtyard. The rear terrace has been articulated to reduce the height at both boundaries and a handrail has been pulled back to give better privacy to no.20. The pool plant has also been relocated under the courtyard with air intake and extracts located within the space, directed away from the neighbours. The replacement tree has been situated to the rear most corner, where natural soil depths allow generous room for growth and other localised planting of shrubs and bushes.

We are keen to reach a quick agreement on this remaining application and as such would appreciate a call to discuss once you have reviewed the drawings.

Yours sincerely

Alex Head
for Granit Chartered Architects.

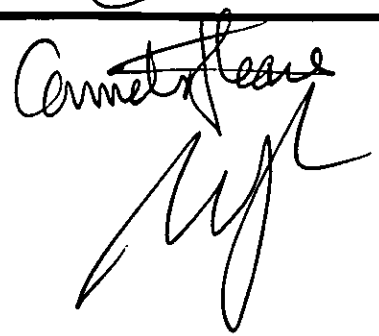
EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		25 JAN 2002			PLANNING 50	
N	C	SW	SE	APP	REC	
		ARB	PPLN	DES	FEES	

PIC
COPY OF PLANS
TO INFORMATION
OFFICE PLEASE

French, Michael: PC-GrpSvc

From: Daniel Moylan [daniel@durwardhouse.demon.co.uk]
Sent: 25 January 2002 19:47
To: rhb@antrakgroup.com
Cc: Michael J French; Andrew S Dalton; Fiona Buxton
Subject: Fw: 21, Eldon Road

(P/Le)



21 Eldon Road.doc

Dear Mr. Baines,

Thank you for your e-mail and please see below the comments from the Executive Director of Planning and Conservation on the current state of play. This fundamentally bears out your understanding.

As I mentioned before, the disruption caused by building works is not normally a material planning consideration (although there is legal protection for you to some extent from statutory nuisance, but this does not I believe apply to nuisance emanating from vehicles).

That leaves two grounds of objection in your letter that I can discern:

1. the noise and vapour/smell emanating from the pool's plant;
2. the damage to a tree benefiting from a Tree Protection Order and to other plantings.

Please understand that I am not a planning expert. You have retained a firm of architects to act for you. This is very wise. You may wish to engage the services of a planning consultant. If so, I can give you a name (without recommendation). You should consider this carefully.

For what they are worth, these are my entirely amateur opinions.

The question of noise and fumes/vapours will no doubt be referred to the Council's Environmental Health Officers for an opinion. They will establish if a statutory nuisance is likely. If it is, they will require action to prevent it. However, from your remarks, I gather that it is improbable that, on the basis of the annoyance you suffer from Lord Black's pool, a statutory nuisance will be found likely. Nonetheless, officers will no doubt seek to persuade the applicant to include measures to alleviate whatever nuisance might arise (even non-statutory nuisance). These will probably include an amount of acoustic baffling and a place and manner of venting the chlorine vapours that will be away from neighbours. I would guess that the applicant will concede all these requests: he wants his planning permission and the extra cost will not be great. If so, this will cut you off at the knees in opposing on these grounds.

A Tree Protection Order, on the other hand, is a powerful instrument (penalty for breach: up to six months in prison); nor is it one that the Royal Borough is in the habit of setting aside easily. I do not know how officers will react to the suggestion that the TPO be waived provided a mature tree is replanted later. (How would one enforce this retrospectively, for example?) I suspect that they will be doing all they can to have the pool redesigned to avoid any damage to the tree as it stands. This I think is your best ground, of those you have mentioned in your letter. The damage to the shrubs is, I think, of less weight: shrubs can be re-planted - the applicant will agree to any arrangement of shrubs that you or the officers suggest if that is what it takes. (Wouldn't you?)

For the same reason, I think your reference to the damage done to a mature garden by the removal of the wall is probably weak as well. You do not,

however, say if the wall is itself of historic or architectural interest. If it were, this might be another string to your bow.

On the facts as you present them, the furthest I would be willing to go in your support would be to object to the grant of planning permission subject to satisfactory arrangements being made in regard to noise and vapour nuisance and to the retention of the TPO-protected tree. I shall do that if you like but I shall await your comments first.

I am sorry if this is not quite as optimistic as you would like. It is, as I say, the view of an amateur and you can place what weight on it you like.

I look forward to hearing from you.

Daniel Moylan

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

From: <Michael.French@rbkc.gov.uk>
To: <daniel@durwardhouse.demon.co.uk>
Sent: Friday, January 25, 2002 5:17 PM
Subject: RE: 21, Eldon Road

Dear Councillor Moylan,

Thank you for your e-mail of 23 January. An application for a roof extension was granted planning permission at the last Planning Services Committee; the applicants already have a Lawful Development Certificate to carry out a rear extension without planning permission. There is an outstanding planning application for a swimming pool and the officers are negotiating revisions; these are expected in the near future. At the present time, there is no date for Committee consideration.

M. J. French,
Executive Director, Planning and Conservation.
020 7361 2944

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

From: Daniel Moylan [mailto:daniel@durwardhouse.demon.co.uk]
Sent: 23 January 2002 23:04
To: Michael J French
Cc: Fiona Buxton; Andrew S Dalton
Subject: 21, Eldon Road

Dear Mr. French,

I have started to receive objections from residents to the application to build a swimming pool under the garden at 21, Eldon Road. I understand the reference no. of the application is PP/01/01529.

In gather there might be some urgency about this since the application may be close to being determined. In any event, could you possibly let me have sight of the application and tell me how far it has progressed?

Perhaps we could discuss on the telephone? Could you call me when you have had a chance to look at the papers perhaps?

Daniel Moylan

The Royal Borough of Kensington and Chelsea

This e-mail may contain information which is confidential, legally privileged and/or copyright protected. This e-mail is intended for the

2 AVENUE DE CAMOENS
PARIS 75116
(e mail rhb@antrakgroup.com)

Mr D Moylan
6a Durward House
31 Kensington Court
London W8 5BH

22nd January 2002

Dear Mr Moylan

I understand that you are our local councillor representing the area covered by the Victoria Rd residents association. We normally live at 20 Eldon Rd but will be in Paris until the summer while our house is being renovated. Our new neighbour at number 21, Mr Richard Pease, is also renovating the house he recently acquired. His proposed works do however include the installation of a 12m X 3m (approx) swimming pool under his garden. Whilst we have no particular objections to the house renovations we are strongly opposed to the swimming pool project for the reasons expressed in the attached two letters.

When we were back in London over Christmas we became aware that the VRA and others likely to be affected by the proposed pool were either not aware of the planning application or of the likely effects of its construction on the neighbourhood. Our understanding is that whilst the planning applications relating to the house have either been dealt with under delegated powers or have been to committee the swimming pool issue has not yet been considered. We would therefore like to enlist your support in objecting to the application for the reasons mentioned and we understand that the VRA intends to act similarly. We would add that Victoria Rd which would presumably be the access road for this project already suffers from severe traffic congestion at certain times of the day due to the two schools in the area not to mention the risk to the children themselves.

Should you feel able to help us with this issue we would be most grateful and can of course provide you with any further information you might require, to the extent we have it available.

Yours sincerely

Robert Baines

20 Eldon Road
London W8 5PT
0207 937 3635
0207 937 5620

M J FRENCH
PLANNING DIRECTOR
TOWN HALL
HORTON ST
LONDON W8 7NX

Your ref: dps/dcc/pp/01/01529/ajf

24th July 2001

Dear Sir

We have only recently received your letter regarding the proposed building works to No. 21 Eldon Rd as we are currently abroad. Your letter refers to a "single story extension to lower ground floor excavation beneath garden to allow for swimming pool below". We presume these are two separate issues i.e. a lower ground floor extension and the swimming pool under the garden.

On the assumption that we are correct we have no objection subject to seeing plans to the lower ground floor extension. However, the swimming pool we object to most strongly for the following reasons;

- Excavation of a garden this size to accommodate a swimming pool would probably require the removal of at least 300m³ of earth and it is hard to see how this could be done without damaging the root structure of the recently protected pear tree or indeed the well established shrubs growing along the garden wall between our two homes. Furthermore there must be some risk that the garden wall itself would have to be rebuilt, all of which would destroy a mature garden.
- We, along with other residents, already suffer some irritation from the plant associated with Mr Black's swimming pool behind his house in Cottessmore Gardens. Another pool next door with even the most modern plant cannot possibly avoid further mechanical noise and chlorine vapours reducing ours and other residents enjoyment of their gardens.

We hope you will take these views into consideration when putting this application before the planning committee.

Yours faithfully

J L Baines

Royal Borough of Kensington & Chelsea
Planning Department
The Town Hall,
Hornton Street
London
W8 7NX

22nd January 2002

By Post & Fax: 020 7361 3463

Dear Sir/Madam,

Re: 21 Eldon Road, London – Application for Swimming Pool – Objection

My Clients, Mr & Mrs Robert Baines, who reside at No 20 Eldon Road have asked me to register a further objection to the proposed swimming pool at the above.

In reviewing the proposal, I have pointed out to our Clients that the process of excavation and the refilling of the site with topsoil is going to have a dramatic effect on the neighbourhood as a consequence of the number of lorries that will be required to remove the excavated material, and to deliver the required 1metre of topsoil and to deliver the general building materials associated to the construction for the pool alone .

My Clients wish to object on the basis that the disruption of the local environment. At a conservative estimate the number of loads required will be in the region of 350-450 lorries. The number of loads particularly with the extraction and delivery of the soil will probably not exceed 2 vehicles a day. On this basis the disruption to my Client and to the immediate neighbourhood will last for a minimum of 18 months.

My Clients also understand that there is a proposal to remove the existing pear tree and replace it with a mature tree. It is obvious that the replacement mature tree cannot be installed until the works are fundamentally complete. As there is no alternative access to the site other than through the property, we would challenge this proposal as impractical.

Yours sincerely,

Peter Jones
For Jones Lambell Architecture & Design Ltd.

French, Michael: PC-GrpSvc

PK/NE

From: French, Michael: PC-GrpSvc
Sent: 25 January 2002 17:18
To: 'Daniel Moylan'
Subject: RE: 21, Eldon Road

Dear Councillor Moylan,

Thank you for your e-mail of 23 January. An application for a roof extension was granted planning permission at the last Planning Services Committee; the applicants already have a Lawful Development Certificate to carry out a rear extension without planning permission. There is an outstanding planning application for a swimming pool and the officers are negotiating revisions; these are expected in the near future. At the present time, there is no date for Committee consideration.

M. J. French,
Executive Director, Planning and Conservation.
020 7361 2944

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

From: Daniel Moylan [mailto:daniel@durwardhouse.demon.co.uk]
Sent: 23 January 2002 23:04
To: Michael J French
Cc: Fiona Buxton; Andrew S Dalton
Subject: 21, Eldon Road

Dear Mr. French,

I have started to receive objections from residents to the application to build a swimming pool under the garden at 21, Eldon Road. I understand the reference no. of the application is PP/01/01529.

In gather there might be some urgency about this since the application may be close to being determined. In any event, could you possibly let me have sight of the application and tell me how far it has progressed?

Perhaps we could discuss on the telephone? Could you call me when you have had a chance to look at the papers perhaps?

Daniel Moylan

CD27a TO RESIST SUBTERRANEAN DEVELOPMENTS WHERE:

- a) THE AMENITY OF ADJOINING PROPERTIES WOULD BE ADVERSELY AFFECTED; OR**
- b) THERE WOULD BE A MATERIAL LOSS OF OPEN SPACE; OR**
- c) THE STRUCTURAL STABILITY OF ADJOINING OR ADJACENT BUILDINGS WOULD BE HARMED; OR**
- d) A SATISFACTORY SCHEME OF LANDSCAPING INCLUDING ADEQUATE SOIL DEPTH HAS NOT BEEN PROVIDED; OR**
- e) THERE WOULD BE A LOSS OF TREES OF TOWNSCAPE OR AMENITY VALUE.**
- f) THERE WOULD BE A LOSS OF IMPORTANT ARCHAEOLOGICAL REMAINS**

Plot Ratio for Non-Residential Development

- 4.3.5 Plot ratio is used to assess the maximum quantity of accommodation which may be provided in non-residential developments, and is a planning tool which can indicate building bulk and levels of activity likely to be generated by development of a site. Plot ratio is not an exact control. In assessing what would be an acceptable building bulk for a site, the plot ratio standard will be the starting point. However, it cannot of itself be the determining factor, because, for example, a building with above average floor-to-ceiling heights will have a greater building bulk, but will have the same plot ratio as a lower building. The emphasis will be on the design and compatibility with adjoining buildings, the effect on the character and amenity of the area and on traffic. The Council is concerned that development to high plot ratios allowed in the past has had harmful consequences for the character and environment of the Borough. The Council will therefore be seeking lower plot ratios in new development in order to achieve a reduction in the intensity of development and thereby protect the residential character and quality of environment of the Borough. In all cases critical examination of the massing, traffic generation, access to public transport and employment density of the scheme will also be undertaken.
- 4.3.6 No standard could be expected to be universally applicable, however a plot ratio of up to 2:1 will normally be acceptable. In areas which derive their character from low intensity of building, a plot ratio lower than 2:1 will be expected; on the other hand plot ratios of up to 2.5:1 may be appropriate in areas of more intensive existing development. Over 2.5:1 may be justified only on townscape grounds.
- 4.3.7 This plot ratio assessment may also apply to extensions to existing buildings.
- 4.3.8 Guidance on the calculation of plot ratio is contained in the Planning Standards Chapter.

RBKC ARBORICULTURAL OBSERVATIONS

Address		Application No.	DC Officer	Date of Obs
21 Eldon Road		PP/01/1529/	AJF	21/11/01
Development			Obj.	No Obj.
Rear extension and underground pool				
Status of Tree(s):				
C.A. No. (if any)	T.P.O. No. & Details (if any)		Tree Work Applications	
C9	13/01			
Comments:				

Further to my previous observations I have undertaken a visit with Arboricultural Association approved consultant Mr. Appleyard and provide the following comment on his tree condition report.

I concur with the findings that significant decay extends down the main trunk and that, notwithstanding the apparently normal condition of the tree's canopy, its condition is such that the production of corrective wood is weak.

The tree's life expectancy is limited and therefore I recommend that we do not object to its removal. However, its loss, in my view, is detrimental to amenity and I therefore recommend that planning permission, if granted, be subject to a condition to plant, within the garden a replacement tree of appropriate size and species.

To comply with CD27 and avoid the loss of garden open any development beneath the rear garden must be located at sufficient depth to permit a layer of not less than 1 metre of soil between the upper surface of the structure and existing ground level. (We need to approve section drawing to cover this point)

I also suggest that the applicant submit for approval a landscaping scheme to include at least one tree (species to be agreed) of a stem diameter not less than 25cm.

Condition C16(a) should cover this.

Signed: 


Date: 21/11/01

RBKC ARBORICULTURAL OBSERVATIONS

Address	Application No.	DC Officer	Date of Obs
21 Eldon Road	PP/01/1529/	AJF	10/9/01
Development		Obj.	No Obj.
Rear extension and underground pool		Objections	
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
C9	13/01		
Comments:			

The proposed development will result in the loss of a mature Pear tree situated within the rear garden of the above property. The tree is a fine healthy specimen some 30 feet in height. It is subject to a confirmed TPO and an application to fell the tree made in July 2001 was refused. I also note that the applicant did not appeal against the Council's decision.

I therefore object to the current proposal because it is contrary to UDP policy CD72 and in my view the loss of the tree would be detrimental to amenity and harmful to the character and appearance of the conservation area.

Signed: 

Date: 10.9.01

21 ELDON ROAD

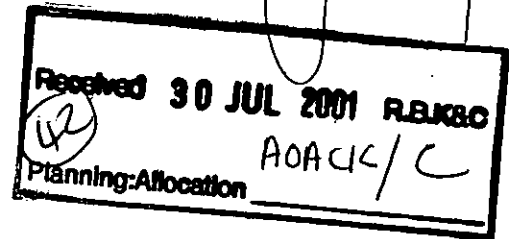
- ① chimney stacks to both sides
- no need for heavy one.
- ② SIOB best cause of reason
to implement both consents
- ③ positioning of front of the houses -
- no heavy all.

Rear extension

- ① should be as wide as wall of
rear room or both levels.



20 Eldon Road
London
W8 5PT
0207 937 3635
0207 937 5620



M J FRENCH
PLANNING DIRECTOR
TOWN HALL
HORTON ST
LONDON W8 7NX

Your ref: dps/dcc/pp/01/01529/ajf

24th July 2001

Dear Sir

We have only recently received your letter regarding the proposed building works to No. 21 Eldon Rd as we are currently abroad. Your letter refers to a "single story extension to lower ground floor excavation beneath garden to allow for swimming pool below". We presume these are two separate issues i.e. a lower ground floor extension and the swimming pool under the garden.

On the assumption that we are correct we have no objection subject to seeing plans to the lower ground floor extension. However, the swimming pool we object to most strongly for the following reasons;

- Excavation of a garden this size to accommodate a swimming pool would probably require the removal of at least 300m³ of earth and it is hard to see how this could be done without damaging the root structure of the recently protected pear tree or indeed the well established shrubs growing along the garden wall between our two homes. Furthermore there must be some risk that the garden wall itself would have to be rebuilt, all of which would destroy a mature garden.
- We, along with other residents, already suffer some irritation from the plant associated with Mr Black's swimming pool behind his house in Cottesmore Gardens. Another pool next door with even the most modern plant cannot possibly avoid further mechanical noise and chlorine vapours reducing ours and other residents enjoyment of their gardens.

We hope you will take these views into consideration when putting this application before the planning committee.

Yours faithfully

pe. *Mh Hargan*

J L Baines



RECEIVED
MAY 10 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
DIRECTORATE OF PLANNING AND CONSERVATION

APPLICATION FOR PERMISSION TO CONSTRUCT CROSSOVER
(HIGHWAYS ACT 1980 SECTION 184)

(The completed form should be returned to the Directorate of Planning & Conservation, Town Hall,
Hornton Street, London, W8 7NX, Telephone 020 7361 2013)

Name of Applicant MR R. PEASE

Applicant's Address 34 CAMPDEN HILL GARDENS, LONDON, W8 7A7.

Home Telephone No. 7 221 3313 Work Telephone No. 7 314 4739

Agents Name (if applicable) ALEX HEAD of GRANT CHARTERED ARCHITECTS LTD.

Agents Address 112 BATTERSEA BUSINESS CENTRE, LAVENDER HILL, SW11 5RL. LONDON.

Telephone No. 020 7 924 4555

Address of property where crossover is requested 21 ELDON RD, LONDON, W8.

Is property a single family house? YES/~~NO~~. If no give details _____

Is the applicant the owner of the property YES/~~NO~~

Will existing walls/fences need to be altered? YES/~~NO~~ If yes give height of walls/fence 550mm.

Please provide a plan (Hand drawn is acceptable), showing the following details: SEE 3 NO. ENCLOSED
DRUGS.

- 1) Location and dimensions of cross-over
- 2) Where car will be parked, please give dimensions of parking space.
- 3) Show length and width of garden
- 4) Mark approximate location of any trees which are 2 metres or less from the proposed cross-over/hardstanding
- 5) Mark approximate location of any lamp posts, parking meters, residents parking bays, yellow lines etc. which are near the proposed cross-over.

Signed  on Behalf of MR R. PEASE Date 13/06/01

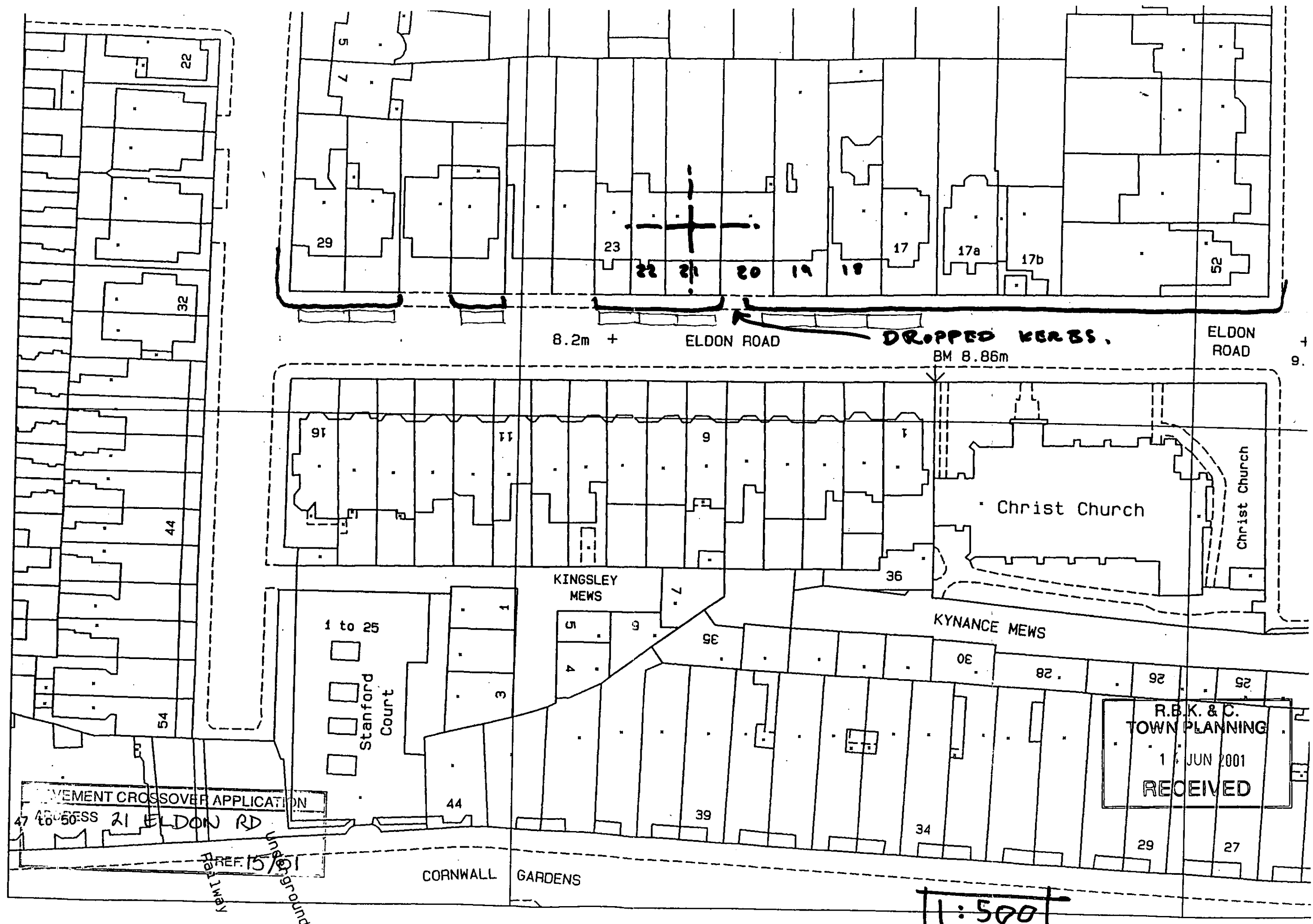
FOR COUNCIL USE ONLY

Application Reference 15/01 Date Acknowledged 28/6/01

15/01

792

28m



8.2m + ELDON ROAD

DROPPED KERBS.

BM 8.86m

ELDON ROAD

Christ Church

Christ Church

KINGSLEY MEWS

KYNANCE MEWS

Stanford Court

CORNWALL GARDENS

R.B.K. & C.
TOWN PLANNING
1 JUN 2001
RECEIVED

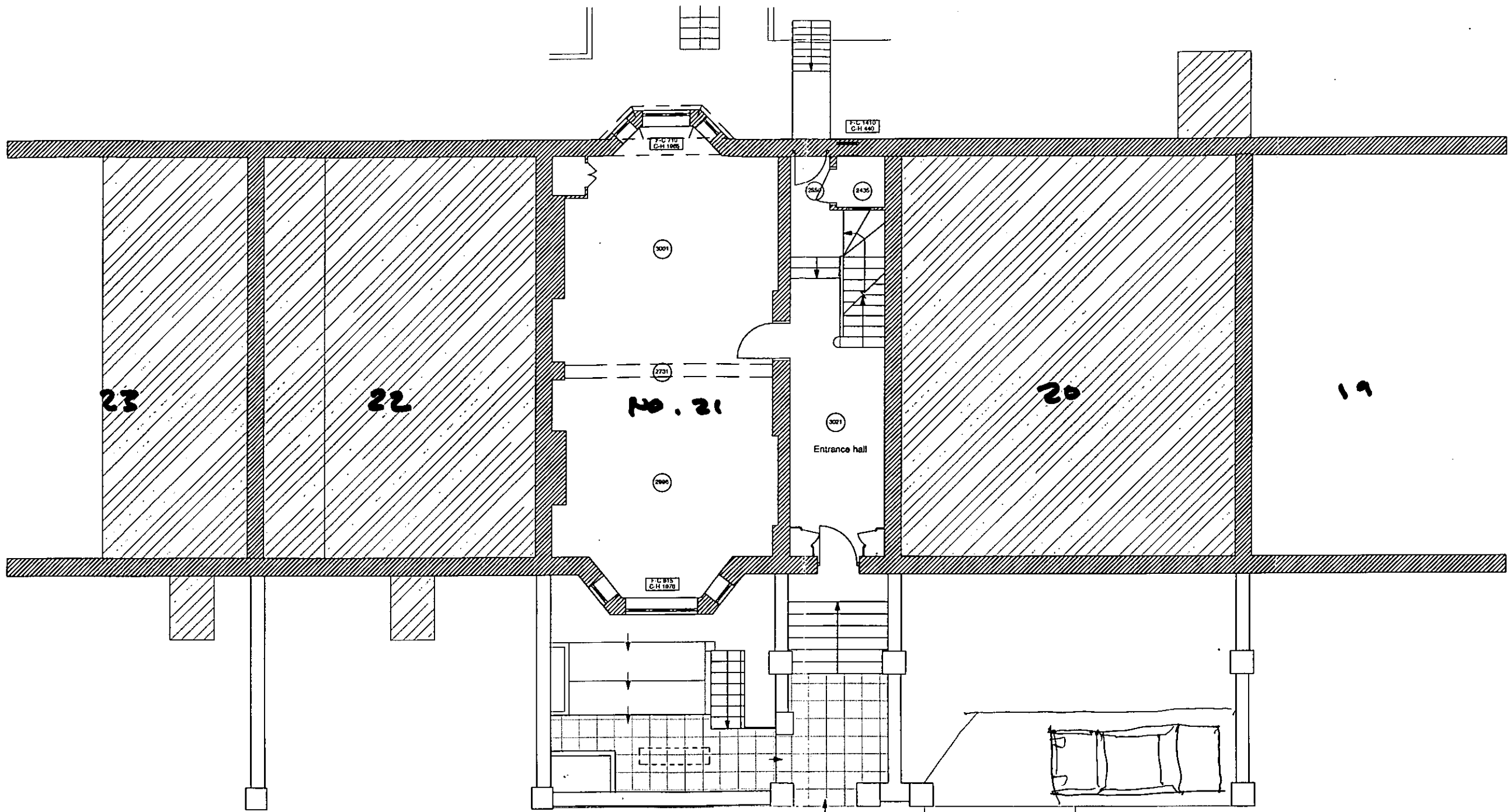
1:500

DRIVEWAY CROSSOVER APPLICATION

ADDRESS 21 ELDON RD

REF. 15/01

259



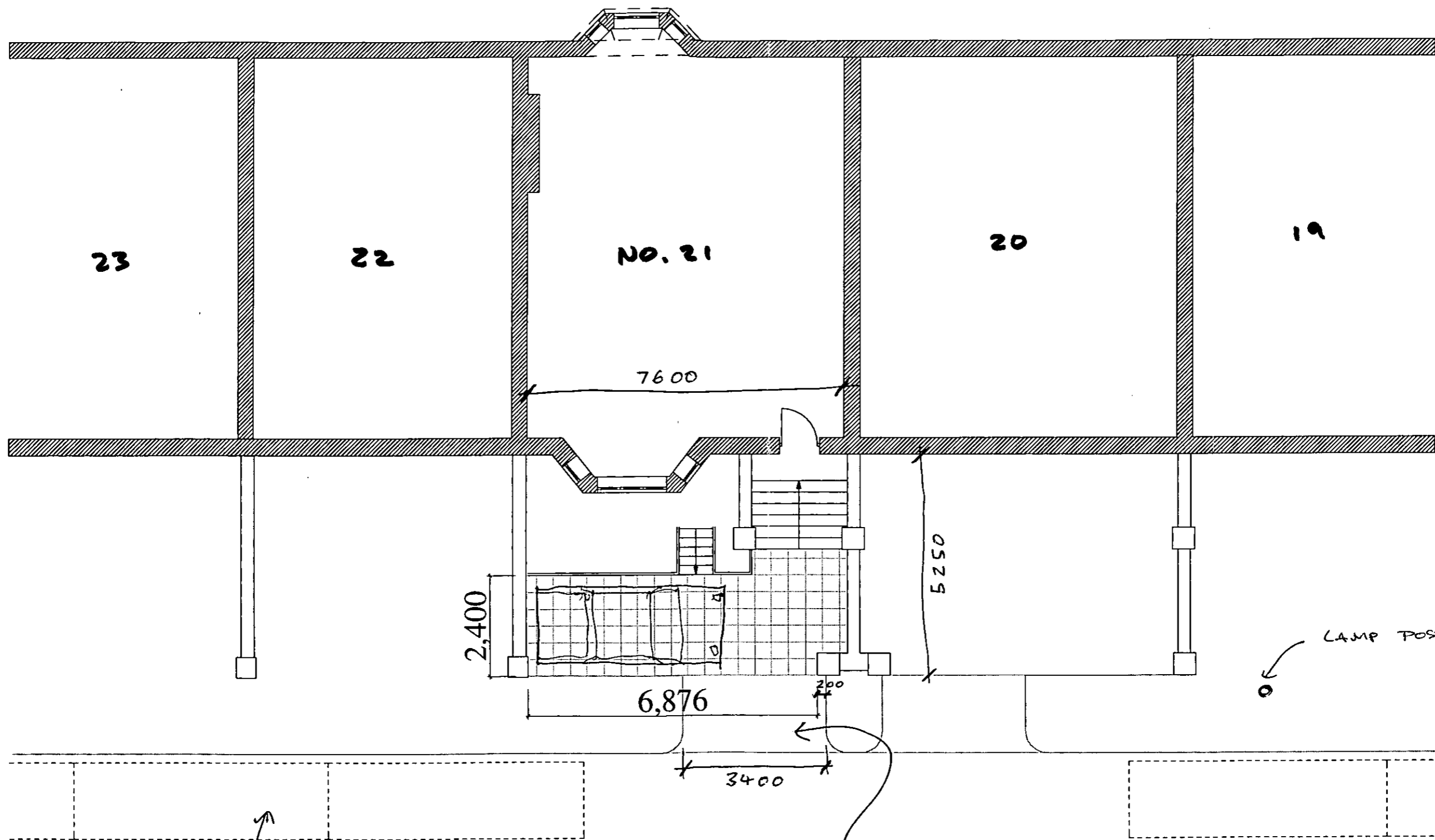
SINGLE YELLOW LINE.

EXISTING PARKING BAYS.
(RESIDENTS ONLY).

MOVEMENT CROSSOVER APPLICATION
ADDRESS 21 ELDON RD
REF. 15/01

13/06/01.
EXISTING PLAN.
SCALE 1:100.

R.B.K. & C.
TOWN PLANNING
14 JUN 2001
RECEIVED



PAVEMENT CROSSOVER APPLICATION
 ADDRESS 21 ELDON RD
 REF. 15/01

RESIDENTS PARKING BAYS.

ELDON RD

PROPOSED DROPPED CURB TO MATCH NEIGHBOURS.

13/06/01.
 PROPOSED PLAN.
 SCALE 1:100.

R.B.K. & C.
 TOWN PLANNING
 14 JUN 2001
 RECEIVED

21 ELDON ROAD

Property Card N° : 0286 021 00

Sitename :
Comment :
TP Arch/History : H 13307
See Also :

Xref :
Notes :

TP No **PP/01/1374** Brief Description of Proposal 1 of 1

**EXTENSION OF THE EXISTING MAIN ROOF TO THE PARTY WALL AND
REMOVING TWO OLD DORMERS AND REPLACING THEM. FOUR NEW DORMERS
ARE TO BE ADDED IN LINE WITH THE WINDOWS BELOW. HOUSE IS FOR
RESIDENTIAL USE.**

Received **19/06/2001** Decision & Date
Completd **19/06/2001**
Revised **CURRENT**

> Any Queries Please Phone 0171 361 2199/2206/2015 <
> Fax Requests (FOA Records Section) 0171 361 3463 <



RBKC

District Plan Observations

CONSERVATION AND DESIGN

Address <i>21, Edon Road</i>	Appl. No. <i>01/1529/A#</i>	L.B. -	C.A. <i>9C</i>	N C S <input checked="" type="checkbox"/>
Description <i>Rear LG floor level extension with raised full width terrace above, rear garden</i>	Code <i>X G M</i>			

plant room and pavilion structures, rooflights and raised garden levels, front pavement boundary wall removal and hardstanding in front garden?

It all seems very worrying, unneighbourly and an unwelcome precedent. Can we please discuss before the site meeting.

*M.
7/9/01*

NB. Any trees affected?

REASON FOR DELAY

CASE NO. PP101/1529

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of 6 months

I have been unable to pass through the case within the target period for the following reason(s) [highlight as necessary]

- | | |
|--|---|
| 1) Delays due to internal Consultation
[highlight one or all] | (i) Design
(ii) Transportation
(iii) Policy
(iv) Environmental Health
(v) Trees
(vi) Other |
|--|---|

Further neighbour notification/external consultation necessary (spread or time period)

3) Awaiting Direction from English Heritage/other EH delays...

4) Revisions requested, but not received in time

5) Revisions received but inadequate

6) Revisions received but reconsultation necessary

7) Of the Committee cycle

8) Applicant's instruction

9) OTHER REASON..... Needed to request further information - noise survey

Signed Dawley (Case Officer)

NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON
AND CHELSEA

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

- (a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 0171-361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 0171-727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice.

SCHEDULE

Reference: PP/01/01529/AJF

Date: 20/07/2001

21 Eldon Road, London, W8 5PT

Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

APPLICANT Richard Pease,

Tree
18/7

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

File Copy

1 2079/2080

020-7361- 2079/2080

Switchboard: 020-7937-5464

Extension:

Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Please ask for: **Date: 11 July 2001**

My Ref: DPS/DCC/PP/01/01529/AJF

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 21 Eldon Road, London, W8 5PT

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

Proposal for which permission is sought

Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

Applicant Richard Pease, 34 Campden Hill Gardens, London W8 7AY

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, **cannot** be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

MEMORANDUM

TO: FOR FILE USE ONLY

**From: EXECUTIVE DIRECTOR
PLANNING & CONSERVATION**

My Ref: PP/01/01529/AJF

CODE A1

Room No:

Date: 11 July 2001

DEVELOPMENT AT:

21 Eldon Road, London, W8 5PT

DEVELOPMENT:

Single storey extension to lower ground floor excavation beneath garden to allow for new pool area below.

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)

M.J. French

Executive Director, Planning & Conservation

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

- (i) Outline planning permission NO
- (ii) Full planning permission YES
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted. NO
- (iv) Consideration under Section 72 only (Industry) NO

If "Yes" strike out any of the following which are not to be determined at this stage.

- 1. Siting
- 2. Design
- 3. Landscaping
- 4. External appearance
- 5. Means of access

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

- (i) Present use of buildings/land RESIDENTIAL
- (ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

EXISTING LOWER & UPPER GROUND PLANS & REAR ELEVATION & SECTION. DRG NO.S 0115-L(02, 03, 08, 10). PROPOSED PLANS, REAR ELEVATION & SECTIONS, DRWG NO.S 0105-L(13, 14, 20, 24, 25).

6. ADDITIONAL INFORMATION State Yes or No

- (a) Is the application for non-residential development NO If "Yes" complete PART THREE of this form (See PART THREE for exemptions)
- (b) Does the application include the winning and working of minerals NO If "Yes" complete PART FOUR of this form
- (c) Does the proposed development involve the felling of any trees YES If "Yes" state numbers and indicate precise position on plan NO. TO BE REPLACED.
- (d) (i) How will surface water be disposed of? VIA DRAINS TO EXISTING DRAINAGE SYSTEM
- (ii) How will foul sewage be dealt with? AS ABOVE
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
 - (i) Walls RENDER
 - (ii) Roof CONCRETE SLAB WITH TIMBER DECKING
 - (iii) Means of enclosure CONCRETE BLOCKS / CONCRETE

We hereby apply for (strike out whichever is inapplicable)

- (a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith
- (b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed [Signature] on behalf of MR R. PEASE. Date 06.07.01

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.

CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is unapplicable. 1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
- 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
- ~~3. I have / the applicant has given requisite notice to every person other than myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-~~

(a) "Owner" means a person having freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Name and Address of Tenant

Date of Service of Notice

Signed [Signature] on behalf of MR R. PEASE Date 06.07.01

TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR BUILDINGS UNDER PLANNING PERMISSION

FOR OFFICE USE ONLY

Fee £ 95-00 P.P. 011529
 Cheque / Postal Order / Cash 001135
 Receipt No. Issued 0276374 09/07/01

Borough Ref.
 Registered No. **COMPLETE**
 Date Received 10 JUL 2001

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	£ <u>95</u>
-----------------	--	-------------

1. APPLICANT (in block capitals)
 Name RICHARD PEASE
 Address 34 CAMPDEN HILL GARDENS
LONDON
W8 7A7
 Tel. No. 7 314 4739

AGENT (if any) to whom correspondence should be sent
 Name GRANITE ARCHITECTS LIMITED
 Address 112 BATTERSEA BUSINESS CENTRE
LAURENCE HILL, BATTERSEA
LONDON N15 5QL
 Tel. No. 020 7924 4555 Ref. ELDON RD.

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies
21 ELDON ROAD, KENSINGTON W8
KENSINGTON
W8

(b) Site area
SAME AS ABOVE

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use.
TO REAR GARDEN
~~24m²~~ SINGLE STOREY EXTENSION TO LOWER
GROUND FLOOR, EXCAVATION BENEATH
GARDEN TO ALLOW FOR NEW POOL AREA
BELOW. REMOVAL & REPLACEMENT OF EXISTING
TREE

(d) State whether applicant owns or controls any adjoining land and if so, give its location.
NO

(e) State whether the proposal involves:- State Yes or No

(i) New building(s) or extension(s) to existing building(s) YES NO

If "Yes" state gross floor area of proposed building(s). 24 m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats. CONSERVATORY

RECEIVED BY PLANNING SERVICES

EX DIR	HDC	N	E	SW	SE	ENV	AD ACK
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JUL 2001

(ii) Alterations YES NO

CHG OF USE	REC	ARB	FWD	GGN	FEES
PLN	DES				

(iii) Change of use of building(s) YES NO

(iv) Construction of new access to a highway

vehicular	<input type="checkbox"/>
pedestrian	<input type="checkbox"/>

(v) Alteration of an existing access to a highway

vehicular	<input checked="" type="checkbox"/>
pedestrian	<input type="checkbox"/>

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use). /

Hectares/m²

Strike out whichever is inapplicable

TP.

DEVELOPMENT CONTROL

TECHNICAL INFORMATION

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

ADDRESS 21 ELDON ROAD

PP011529

POLLING DISTRICT 5

- | | | | |
|-----|--|--------|--|
| HB | Buildings of Architectural Interest | LSC | Local Shopping Centre |
| AMI | Areas of Metropolitan Importance | AI | Sites of Archeological Importance |
| MDO | Major Sites with Development Opportunities | SV | Designated View of St. Paul's from Richmond |
| MOL | Metropolitan Open Land | SNCI | Sites of Nature Conservation Importance |
| SBA | Small Business Area | REG 7 | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic Use		PSC	LSC	AI	SV	SNCI	REG 7	ART IV
								C	N							
9c			K44 ✓													

↑ proposed 13/2001

Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area Proposed	
Proposed Plot Ratio	

Daylighting	Complies	
	Infringes	

Car Parking	Spaces Required	
	Spaces Proposed	

Notes:

21 ELDON ROAD

Property Card N° : 0286 021 00

Sitename :
Comment :
TP Arch/History : H 13307
See Also :

PP011529

Xref :
Notes :

TP No PP/01/1374 Brief Description of Proposal 1 of 1

EXTENSION OF THE EXISTING MAIN ROOF TO THE PARTY WALL AND
REMOVING TWO OLD DORMERS AND REPLACING THEM. FOUR NEW DORMERS
ARE TO BE ADDED IN LINE WITH THE WINDOWS BELOW. HOUSE IS FOR
RESIDENTIAL USE.

Received 19/06/2001 Decision & Date
Completd 19/06/2001
Revised CURRENT

> Any Queries Please Phone 0171 361 2199/2206/2015 <
> Fax Requests (FOA Records Section) 0171 361 3463 <

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS' PANEL

APP NO. PP/01/01529
AGENDA ITEM NO.

ADDRESS/SUBJECT OF REPORT:

21 Eldon Road,
London, W8 5PT

APPLICATION DATED 06/07/2001

APPLICATION REVISED

APPLICATION COMPLETE 10/07/2001

APPLICANT/AGENT ADDRESS:

Grant Architects
Limited,
112 Battersea Business Centre,
Lavender Hill,
Battersea, London
SW11 5QL

CONS. AREA 9C

CAPS Yes

ARTICLE '4' No

WARD J

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

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

M. J. FRENCH, FRICS, Dip. T. P. MRTP1, Cert TS
Executive Director of Planning and Conservation

*Pratt Architects Ltd,
112, Portico Business Centre,
Leicester Hill,
London SW11 5QL*

11/7/01

Switchboard: 020 7937 5464
Extension: 2010
Direct Line: 020 7361 2010
Facsimile: 020 7361 3463

My reference: TP/PEND/

Your reference:

Please ask for:

Dear Sir (Madam),

**Town and Country Planning Act. 1990 - Town and Country Planning
(General Permitted Development) Order 1995 and (Application) Regulations 1988**

**Town and Country Planning (Fees for Applications and Deemed Applications)
(Amendment) Regulations 1993 et seq**

I refer to your Town Planning Application dated *6/7/01* for *21 Eldon Rd*

In support of your application could you please supply me with the following information:-

- Photograph (s) of *area near application*
- Copies of *4 sets of all drawings already submitted dated 11/50*

In the meantime your application will be registered; however, you are requested to note that the processing of the application will be delayed unless the requested information is received within 14 days of the date of this letter.

Yours faithfully,

M.J. French
Executive Director of Planning and Conservation

PLEASE RETURN TEAR OFF SLIP BELOW WITH INFORMATION REQUIRED

REF: TP/ *C* /APP/PEND _____ ATT/PM

Address: *21 Eldon Rd* _____

To be completed by applicant: Please find enclosed the following:-

_____ Signed _____

_____ Date _____