

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

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MEMBERS' PANEL

APP NO. PP/99/02426/ *CUSE*
AGENDA ITEM NO.

ADDRESS

140 Holland Park Avenue,
Kensington, W11 4UE.

APPLICATION DATED 15/11/1999

APPLICATION COMPLETE 02/12/1999

APPLICATION REVISED 17/05/00

APPLICANT/AGENT ADDRESS:

Icewit Design
Partnership,
148 Battersea Business Centre,
103-109 Lavender
Hill,
London
SW11 5QL

CONSERVATION AREA Norland CAPS Yes

ARTICLE '4' No WARD Norland

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 20 OBJECTIONS 1

SUPPORT 0 PETITION 0

Applicant Ashgarden Limited,

PROPOSAL: *first floor*

Extension of s ~~Single storey~~ rear extension to existing rear addition, new shopfront and change of use to office at basement, second and third floor levels.

RBK&C Drawing No(s): PP/99/2426 and PP/99/2426 Rev.D

Applicant's Drawing Nos. PL-01 - PL-08 (existing plans), PL-10/Rev.B, PL-11/Rev.B, PL-12/Rev.A, PL-13/Rev.B, PL-14/Rev.A, PL-15/Rev.B, PL-16/Rev.A and PL-17/Rev.C (proposed plans).

RECOMMENDED DECISION: Grant planning permission

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CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
3. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing. (C071)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
4. **The window on the first floor addition, hereby permitted, shall be a traditional timber framed, painted white, double hung, sliding sash, and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
5. **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) details of design, external appearance and materials of the new (fire escape) front door access. (C011)

Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)
6. **A portable ramp shall be provided at the premises, and a bell to call for assistance together with a sign shall also be installed outside the premises and shall be so maintained.**
Reason: To ensure that the shop is accessible for all those with special mobility needs.
7. **The roof of the extension hereby permitted shall not be used at any time as**

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a terrace without the prior written approval of the Local Planning Authority (C080)

Reason - To protect the privacy and amenity of neighbouring property (R080)

INFORMATIVES

1. I10
2. I11
3. I21
4. I30
5. I43

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1.0 THE SITE

- 1.1 No. 140 Holland Park Avenue is a four storey (plus basement) building situated on the north side of Holland Park Avenue.
- 1.2 The building has a retail unit at ground floor level with ancillary office/storage space at basement and first floors and residential accommodation on the upper storeys. There is no separate access to the residential accommodation.
- 1.3 The building is not listed but is situated within the Norland Conservation Area.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 Planning permission is sought for shop front alterations, a single storey rear extension to the rear at first floor level and for a change of use from ancillary storage to offices at basement, second and third floor levels.
- 2.2 The existing shopfront is to be replaced with a new one which will incorporate the formation of a new fire escape door access.
- 2.3 A single storey rear extension is proposed at first floor level. The extension will be finished in London yellow brick stock, will have one timber framed sash window in the rear elevation and shall measure approximately 2.5m in width, 2.25m in height and will be 1.8m deep. ✕

3.0 RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted conditionally in 1971 for the installation of a new shopfront.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations ~~in this respect of this application~~ relate to the design of the proposed rear extension and shopfront alterations in terms of their impact on the external appearance of this building, residential amenity and the character and appearance of the conservation area. ✕
- 4.2 Also for consideration is suitability of the proposed change of use in relation to the host building and the locality.
- 4.3 The relevant planning policies are contained within the "Conservation and Development", "Housing" and "Offices & Industry" chapters of the Unitary Development Plan. The following policies are considered to be of particular relevance to this application:

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- CD30 (Privacy)
- CD33 (Safety In Design)
- CD41 (Rear Extensions)
- CD53 (Design In Conservation Areas)
- CD63 (Shopfronts)
- CD67 (Access)
- H1 (Loss of Residential Accommodation)
- E2 (Small Scale Business)
- E15 (Small Offices)

4.4 The proposed rear extension will effectively form an additional storey on the existing rear two storey closet wing. The principle of this extension is acceptable. The design of the extension is traditional in nature, with brickwork to match the existing. The extension at this level will not exceed in height other similar closet wing extensions to the rear of this terrace and will not breach the rear building line. The proposed window is in keeping with the fenestrative pattern of the main building. There will be no ^{significant} unreasonable loss of light caused to the nearest neighbouring rear windows and no harm caused to general residential amenity.

4.5 The proposed new shopfront will replace a particularly unsightly, ~~disproportionate existing~~ ^{badly proportioned} modern shopfront that ~~exists to the front of this property~~. The new shopfront design ^{replaces} reduces the existing deep fascia with one which will align with the shallower fascia boards of the neighbouring shopfronts on either side. The overall shopfront design is a modern but good standard of design, and will significantly enhance this property's street elevational external appearance.

4.6 Thus the proposed external works are considered to comply with relevant Conservation and Development policies.

4.67 The entrance door to the shopfront is well proportioned and gives the required amount of clearance ^{for those with special mobility needs}. A slight step exists. A ramp and appropriate bell and signage will be provided, as required by condition, to ensure reasonable ease of access to all. ^{The scheme is considered to comply with Policy CD 67.}

4.78 No separate ~~entry~~ ^{Class} access currently exists to the lower ground, first, second and third floors. All existing access is through the ground floor door into the immediate shop unit; therefore, it is considered that these floors are not separate or independent planning units and their established uses are all ancillary to the main ^{Class} AI shop use.

4.89 The upper floors have clearly been used at times in the past as residential accommodation and storage, both ancillary to the main AI use. It is considered that, ^{Class} in the absence of separate access ^{from the streets} this context these upper floors are not ^{capable} suitable or viable to be used as independent, self contained, residential units without significant ^{external and} internal layout revision, and that in this context, a change of use to ^{ancillary} office accommodation on all of the proposed floors does not involve a loss of permanent residential accommodation and is acceptable.

4.910 A new separate access door has been provided, ^{with internal stair down} giving access to the basement to meet fire regulations by providing a separate means of escape from fire. It provides an indirect fire escape route ^{from the street to the upper floors but is} that would not be considered suitable or reasonable as a general means of access to the upper floors. ^{particularly practical}

4.1011 The proposed internal reconfiguration at basement, second and third floors in

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association with the proposed change of use to offices is modest and acceptable. It is considered overall that the proposed use of these floors accord with Policies E2 and E15. Small scale offices is an appropriate use for the upper floors of this commercial property.

4.11 This side of Holland Park Avenue is predominantly commercial in character, with a mixture of residential accommodation and low key commercial uses in the upper floors. The proposed office use is considered appropriate in this location. The proposal will not impact upon parking in the locality as parking provision is not made and is not possible. Substantial parking controls are in operation in the area.

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* INSERT → PTO ⇒ (additional paragraphs)

5.0 PUBLIC CONSULTATION

5.1 Twenty letters of notification were sent out to properties in Holland Park Avenue, Holland Park Place and Holland Park in respect of the application as originally submitted, which proposed a large rear extension with light well infill at ground floor level and a first and second floor addition to the existing building.
5.2 One letter of objection ~~has been~~ ^{was} received from the occupant of No. 9 Norland Place raising concern about how the proposed extensions will affect his property in terms of loss of daylight, increased overlooking, and about the very principle of this form of extension to the rear of properties in that section of Holland Park Avenue and ~~the~~ ^{the implications, for car parking demands, of the change of use.} ~~the~~ ^{near extension} ~~described~~ ^{at paragraph 2-3 above.} The application was amended to reduce the rear extension to that described at paragraph 2-3 above. It is considered that the proposed rear extension is modest and acceptable in size and scale in relation to the host building and the overall terrace. The property of the objector is not a neighbouring property and will not be adversely affected by the extension in terms of loss of light or general amenity issues. The proposal does not pose any adverse precedent implications, and is an established form of development along these rear elevations. Furthermore, it is considered that there are no adverse parking implications posed by this small scale proposed change of use to offices, and that there will not be any significant intensification of commercial usage in this building.

5.3 No further objections have been received.

6.0 RECOMMENDATION

6.1 Grant Planning Permission

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/99/02426 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: ZL
Report Approved By: SW
PP/99/02426: 6

4.12

The Conservation & Design Officer has no objections to the scheme. The character & appearance of the conservation area will remain unharmed. ~~The policy officer has no objections to the scheme.~~

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Date Report Approved:

PSC9912/ZL.REP