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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

MEMBERS' PANEL APP NO. PP/99/02540/CHSE/50
AGENDA ITEM NO. 361

ADDRESS

85 Elsham Road, Kensington,
W14 8HH

APPLICATION DATED 10/12/1999

APPLICATION COMPLETE 16/12/1999

APPLICATION REVISED 20/01/2000

APPLICANT/AGENT ADDRESS:

John Baxter
Associates,
58 Streatham High Road,
Streatham,
London
SW16 1DA

CONSERVATION AREA N/A

CAPS No

ARTICLE '4' No

WARD Holland

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 21

OBJECTIONS 1

SUPPORT 0

PETITION 0

Applicant Antioch Limited

PROPOSAL:

Erection of a three storey rear extension, enlargement of front yard, continued use of ground floor as self-contained flat, erection of roof extensions in connection with continued use of the upper floors as a House in Multiple Occupation.

RBK&C Drawing No(s): PP/99/02540 and PP/99/02540/A

Applicant's drawing(s) No(s): 9912/85/X/01, 9932/P2/201A, 9932/P2/203A, 9932/P2/204A, 9932/P2/202 (as revised by section on 9932/P2/204A)

RECOMMENDED DECISION: Grant planning permission

DELEGATED
APPROVAL
02 FEB 2000

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

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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. **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. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
3. **The roof slope(s) of the roof extension hereby permitted shall be clad in natural slates, and so maintained. (C073)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
4. **The windows shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
5. **The cheeks of the dormers shall be clad in lead and so maintained.**
Reason - To ensure a satisfactory standard of external appearance. (R071)
6. **The roof of the extension hereby permitted shall not be used at any time as a terrace without the prior written approval of the Local Planning Authority (C080)**
Reason - To protect the privacy and amenities of neighbouring properties. (R079)

INFORMATIVES

1. I02
2. I21
3. I30

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1.0 SITE

- 1.1 85 Elsham Road is a terraced properties at the South end of the street.
- 1.2 It is not within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a three storey rear extension, alterations in the front basement area, together with roof extensions.
- 2.2 It is intended to continue the use of the property as a house in multiple occupation on the upper floors, while the ground and basement would be used as self-contained flats.

3.0 PLANNING HISTORY

- 3.1 A Certificate of Lawful Existing Use for the property as five self-contained flats was refused on 28th October 1996.
- 3.2 Planning permission was refused on 16th October 1997 for the erection of a mansard roof, rear basement extension and conversion to five self-contained flats.
- 3.3 Planning permission was refused on appeal in 1997 for the provision of a two and four storey rear extension, rear dormer window, balcony and conversion to five self-contained flats.

4.0 PLANNING CONSIDERATIONS

- 4.1 There are two main considerations raised by the application. Firstly, there is the type of accommodation to be provided, and whether there would be any loss of HMO accommodation, together with the standard of accommodation to be provided. Secondly, there is the design of the proposed rear extension, alterations in the front area and roof extensions, and their effect on the appearance of the property and upon levels of amenity enjoyed by the occupiers of neighbouring properties.
- 4.2 The relevant policies are included in the 'Housing' and 'Conservation and Development' Chapters of the Unitary Development Plan, in particular Policies H20, CD25, CD28, CD30, CD39 and CD44.
- 4.3 The basement of the property is laid out as a self-contained flat, and appears to have been so laid out considerably in excess of 4 years. When the case officer visited the site in connection with the 1996 application, it was already

separated from the corridor by a partition, effectively self-containing it, together with a bathroom. As such, the use of the ground floor as self-contained accommodation is likely to be lawful.

- 4.4 The proposal retains the self-contained basement and ground floor flats. The upper floors would be divided into three non-self-contained rooms and first and second floor levels and two further rooms in the third floor, sharing one shower/bathroom with WC per floor.
- 4.5 There is clearly a policy objection to the loss of the HMO accommodation on the ground floor which took place prior to 1996. However, it is considered that the proposed accommodation would be of better quality since there would be an improvement in the WC and bathroom facilities available to each room. This is because there would be one bathroom per floor. As such, it is considered that the proposal would be acceptable. Thus, the reduction in bedspaces which would contravene Policy H20 would be outweighed by the improvement of the facilities within the house in multiple occupation.
- 4.6 The proposed rear extension is at basement, ground and first floor level. It would be constructed in matching brickwork with a flat roof. It would take the form of a chamfered bay with doors and windows on all faces at basement level and only in the rear elevation at ground and first floor level. It would extend to 0.9 metres from the rear elevation of the main building.
- 4.7 The design of the extension is considered to be acceptable and it is considered that it would not result in the loss of a significant area of the garden.
- 4.8 Due to its limited projection from the building and the chamfer so that the greatest projection is kept away from the boundaries of the adjacent properties, it is considered that there would not be a significant increase in enclosure. No windows are proposed in the side faces of the bay facing towards the adjacent properties.
- 4.9 At basement level, a front excavation is proposed to create an enlarged yard for the basement flat, which would include part of the existing vaults. A walkway from the staircase leading from the basement area would link with the path to the ground floor entrance to the property. These alterations are considered not to be harmful to the appearance of the building, and to be acceptable.
- 4.10 It is also proposed to extend the roof to the front and rear to provide mansard slopes with dormers. The design of the roof extension is considered to be acceptable to the age and character of the property.
- 4.11 This would replace the existing shallower roof slope where there are two large dormers on the front elevation and one on the rear. Most of the properties at the southern end of Elsham Road already have mansard roofs. It is considered that this extension would be appropriate to the prevailing character of this part of the street.

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4.12 It is considered that the roof extension would not result in any significant loss of amenity to any neighbouring residents.

5.0 CONSULTATION

5.1 Occupiers of 21 neighbouring properties in Elsham Road and Russell Garden Mews have been notified of the proposal.

5.2 One objection has been raised from the occupier of a flat in No. 84 adjacent. Concern is raised that the proposal would result in loss of daylight and also in loss of privacy.

It is considered that the design and limited projection of the extension would ensure that there would not be a significant increase in enclosure to No. 84. There are no windows proposed which would face towards No. 84 in the side faces of the bay. The windows in the rear elevation would afford the same view of the garden as the existing windows.

6.0 RECOMMENDATION

6.1 Grant planning permission.

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