

APPROVED BY
PLANNING SERVICES CTTEE

19 JAN 2000

CONSENT REF

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING &
CONSERVATION

PLANNING SERVICES COMMITTEE 19/01/2000

APP NO. PP/99/02390/COTH/47
AGENDA ITEM NO. 6011

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ADDRESS

4-4a Holly Mews, Drayton
Gardens,
Kensington, SW10 9RS

APPLICATION DATED 20/09/1999

APPLICATION COMPLETE 24/11/1999

APPLICATION REVISED N/A

APPLICANT/AGENT ADDRESS:

Mr P. C. John,
4-4a Holly Mews,
off Drayton
Gardens,
London
SW10 9RS

CONSERVATION AREA N/A

CAPS No

ARTICLE '4' No

WARD Courtfield

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 31

OBJECTIONS 3

SUPPORT 0

PETITION 0

Applicant Mrs M Gossage

PROPOSAL:

Pursuant to Section 73, grant planning permission for the conversion to a single family dwelling to enable the conversion of garage to residential accommodation with associated elevational alterations, without complying with Conditions 03, 04 and 05 of Planning Permission dated 29/9/69 (Ref. TP12458).

RBK&C Drawing No(s): PP/99/02390 and PP/99/02390/A

Applicant's Existing elevations and sections, received 3/9/1999 and proposed elevations and sections, received 10/1/2000, existing and proposed floor plans, received 3/9/1999-

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. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
4. **The window/windows hereby approved shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of appearance. (R075)

INFORMATIVES

1. You are advised that the development hereby approved involves building out over the public highway, for which a Stopping Up Order is required under the Highways Acts 1959 - 1980. Approval of this is required to be obtained from the Government Office for London, Riverwalk House, 157 - 161 Millbank, London SW1P 4RR prior to the start of works.
2. I09
3. I10
4. I21
5. I30

1.0 THE SITE

- 1.1 This is a two storey L-shaped mews property located in the north west corner of this small mews. The mews is located between Drayton Gardens and Thistle Grove. At present the front door is in the north elevation and the garage in the west elevation. The property is one of four in the mews, of which three have garages.
- 1.2 The property is unlisted and not located in a Conservation Area.
- 1.3 The property is used as a self-contained house.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the variation of conditions attached to a previous approval to allow for the conversion of the garage to residential use, with elevational alterations.
- 2.2 Planning permission was granted in September 1969 for the renovation of the property to provide a maisonette and a small flat for a controlled tenant. This scheme involved the provision of the garage. On the demise of the tenant, the property was to be converted to a single dwelling. The property was formed from a combination of an existing flat and derelict stabling, and the conversion included the provision of the garage.
- 2.3 At that time, it was considered necessary to attach the following conditions restricting the conversion of the garage to living accommodation and the removal of normal permitted development rights:
- 2.3.1 Condition 03: "The garage accommodation shall be retained as shown on the drawings approved and shall not be used for the storage of vehicles other than private motor vehicles, and no trade or business shall be carried on therefrom."
- 2.3.2 Condition 04: "The garage accommodation shall not be adapted for living purposes".
- 2.3.3 Condition 05: "No further additions, extensions or enlargements shall, at any future time, be erected or constructed to any part of the premises without the prior permission of the Council".

Hence the requirement for permission for the proposed scheme.

- 2.4 The existing black-painted garage doors would be removed and replaced with a shallow bay window, with a small bin store below. An adjoining window would be converted to the front door, and the existing front door returned to a window. At first floor level, the existing upvc windows would be replaced with timber framed windows.

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3.0 RELEVANT PLANNING HISTORY

- 3.1 Planning permission was refused in 1965 for the conversion of a garage to living accommodation and the erection of a car port on a site adjacent to nos. 3 and 4 Holly Mews.
- 3.2 Planning permission was granted, as discussed above, for the conversion of an existing flat and redundant stabling together with extensions, to one maisonette and one studio flat, subsequently converted to one dwelling.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration are the impact of the proposal on parking provision within the Borough, on the appearance of the property and on the amenities of neighbouring occupiers.
- 4.2 Policy TR47 of the Unitary Development Plan resists development that would result in the loss of off-street residential parking.
- 4.3 Policy CD44 of the Unitary Development Plan permits alterations only where the external appearance of buildings or the surrounding area would not be harmed.
- 4.4 The loss of the existing garage is clearly resisted by adopted policy and the Transportation Officer objects to the proposal in principle. However, he also considers that there are material considerations that would make a refusal based on the loss of the garage space alone difficult to justify. The garage is very small, being 2.3m wide by 3.8m in depth. This does not satisfy the Council's minimum standard for an off-street parking space and because of this small size, the range of vehicles that can be accommodated in the garage with adequate means of entry is limited to only those in the 'mini' segment of the car market, and a few in the 'supermini' segment. Furthermore, the mews is narrow and difficulties could be experienced in manoeuvring a vehicle into the garage.
- 4.5 Consequently, on balance, the loss of the garage and its conversion to residential accommodation is accepted at this property.
- 4.6 The Conservation and Design Officer raises no objection to the proposed elevational design. While bay windows are not normally associated with mews properties, it would be a design feature that would match the bay window at the adjoining property. Furthermore, it would be located below a first floor balcony and would be narrower than the balcony, thereby retaining this existing elevation proportion.

- 4.7 The installation of timber fenestration is welcomed as an improvement to the appearance of the property.
- 4.8 The south opening on the bay window will be located in close proximity to the north opening on the bay window at the adjoining property. Some overlooking of each window will result. However, given that the windows are quite narrow and would not afford views deep into each room, overlooking will be minimised and a refusal of planning permission could not reasonably be justified.
- 4.9 The proposal is considered on balance to be an acceptable alteration to the property that would not cause considerable harm to its appearance or to the amenities of neighbouring occupiers. The loss of the garage will increase pressure on on-street parking within the vicinity, but considerations material to this site justify its loss.

5.0 PUBLIC CONSULTATION

- 5.1 Occupiers of thirty one properties in Holly Mews, Drayton Gardens and Holly Mews were notified of the proposal.
- 5.2 To date, three letters of objection have been received from neighbouring occupiers.
- 5.3 An occupier of a property in Thistle Grove indicates that he/she owns a garage in the mews. The occupier objects to the proposal on the grounds that the loss of the garage would cause increased pressure on the availability of on-street residents' parking. He notes that the occupier of 4/4A Holly Mews does not park his vehicle in the garage, but uses a residents' on-street parking permit and parks in the mews itself, causing difficulties for him in the use of his own garage. He suggests that if the owner does not wish to use the garage himself, he should let it to others. A neighbouring occupier in Holly Mews raises similar concerns over congestion in the mews resulting from this development.

It is recognised that the loss of the garage could result in increased pressure on on-street parking provision, although no more than at present as the current occupier already parks on-street. It is understood that the garage is not used because it is too small. As discussed above, the loss of the garage is regretted, but given its sub-standard size, it would prove difficult to justify a refusal of planning permission on these grounds.

- 5.4 The occupier of the adjoining property in Holly Mews, while stating that she welcomes the proposal in principle, is concerned that it will result in noise disturbance through the shared wall and overlooking from the side window. She recommends that noise insulation be required and no window inserted in the south elevation of the bay.

It is considered appropriate to attach a condition requiring details of noise insulation measures on the boundary wall. As discussed in paragraph 4.8 above, the proposed south window in the bay is considered acceptable and not to result in a loss of amenity through overlooking of the neighbouring occupier that would justify a refusal of planning permission.

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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/99/02390 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

**Report Prepared By: NB
Report Approved By: PK/LAWJ
Date Report Approved: 11/01/2000**

PSC00.01/NB.REP

ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

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PLANNING SERVICES COMMITTEE 19 JANUARY 2000

The Planning Services Committee is asked to note and agree the following amendments to the Committee reports for the SOUTH WEST area.

AGENDA ITEM 6007 59-79 Cromwell Road S.W.7.

CA/99/2102 The application has been withdrawn by the applicants in a letter dated 14th January 2000. The unauthorised advertisement has been removed.

AGENDA ITEM 6011 4-4A Holly Mews, Drayton Gardens S.W.10.

PP/99/2390 Add Condition 5:

Prior to occupation of the converted accommodation hereby approved, insulation to prevent the transmission of excessive airborne and impact noise shall be installed on the party wall with the adjoining property in accordance with details to be first submitted to and approved by the Executive Director, Planning & Conservation, and so maintained.

Reason:- To safeguard the amenities of neighbouring properties.

AGENDA ITEM 6013 1 King's House Studios, Lamont Road Passage S.W.3.

PP/99/0297 This application is withdrawn from the agenda.

AGENDA ITEM 6014 160-164 Earl's Court Road S.W.5.

PP/99/1725 Councillor Phelps expresses his full support for the revised design.

Re-word condition 7 as follows:

The loading and unloading of vehicles servicing the retail unit shall not be carried out between 23:45 hours and 06:00 hours the following day, Monday to Friday nor between 23:45 hours on Saturdays and 08:00 hours the following Sunday.

Reason:- To safeguard the amenities of neighbouring properties and to ensure the free flow and safety of traffic on the Red Route.