

Yours ref DPS/DCC/PP/99/02480/ALS

① Ach
② ALS

Dear Sirs,

33, Launceston Place

RECEIVED BY PLANNING SERVICES									
EX	HDC	N	G	SW	SE	ENF	AG	AS	

20 Dec '99
124
21

Please note our interest in the adjacent neighbours:

Mr. Christopher J. Brougham
Mrs Mary O. Brougham
of, 34 Launceston Place, W8 5RN
0171 938 1608

Our adviser on Town Planning and listed Building consent is:

Mr. Bruce Bond ARICS NAITP
(a town planning consultant)
of 45 Princesdale Road, W11 4NP
0171 229 1120.

He will report back to us when he has had an opportunity to inspect the plans.

Our preliminary objection is to the inaccurate and misleading text of the proposal, submitted by the applicants. Without punctuation, the text reads as if the applicants (i.e. the Architects)

simply wish to primp up an ² existing tucky extension at the back of the house, and is doing the house and neighbourhood a favour.

(125)

If the text is to be meaningful, a comma, should be inserted after the word 'house', if the line is to run consecutively, or, alternatively, the two proposals must be distinguished, by placing them on separate lines e.g.

Proposals for which permission is sought
Refurbishment of existing house.
Extension at basement rear.

However, there is no basement at the rear. The house is split between two levels. There is an upper ground floor, at the front of the house, with entry, via a flight of steps from the pavement, across a garden path, to the front porch,

and a lower ground floor level, at the rear and side, with access at ground level to the back garden, where, permission is being sought to site the new building, and demolish partly, existing walls. (126)

Interested parties reading the yellow notice placard, tied to the front railing of No 33 will be misled into thinking that the facade and layout of the front of the house, is similar to that of the rear, and consider the proposal innocuous.

I respectfully suggest, the Notice is returned to the applicant, for amendment, re-submission for your approval, and republication, so time may run again, as interested parties can be alerted to the true nature of the scheme.

Yours sincerely,
M. O. Bringham.

① Ash ② ALS

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N		SW	SE	ENF	ACK
7 JAN 2000 26							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

Bruce Bond A.R.I.C.S., M.R.T.P.I.
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Fax: 020 7792 8915

e-mail: brucebond@talk21.com

6th January, 2000

Royal Borough of Kensington and Chelsea
 Planning and Conservation
 The Town Hall
 Hornton Street
 London W8 7NX

Attention of Ms. A. Salmon

Dear Madam,

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

33 Launceston Place, Kensington, SW7

Ref. No. DPS/DCC/PP/99/02480/ALS

I refer to your letter concerning the proposed development at the above site.

I have been instructed by the owners of the adjoining house, No. 34 Launceston Place, to assess the effect of the proposed development on their property. Having inspected the plans and carried out a site visit I am making a formal objection to the application on the following grounds.

The development would result in a building less than one metre from the boundary with my clients' property. In addition the terrace and staircase would in such a position that overlooking directly both into the adjoining garden and into the rear windows of no. 34 Launceston Place.

The detailed grounds of objection to the applications are set out as follows:

1. Out of Character

1.1 The proposed development is out of character with the existing development in the area, which consists, primarily, of residential properties with private rear gardens. The adjoining buildings, and majority of properties in the area, are listed buildings. The application site is situated in the heart of the De Vere Conservation Area and the size, siting and design of the extension, terrace/balcony and extension are out keeping with the character of the general development in this conservation area.

RR
21.00

2. Overlooking and Loss of Privacy

2.1 The proposed terrace/balcony and staircase will dominate the immediate surroundings and result in the direct overlooking of the adjoining properties, in particular my clients house and garden at no. 34 Launceston Place. There will, therefore, be a consequent loss of privacy and amenity to local residents.

2. Loss of Amenity

2.1 The development would result in an intrusive and unsympathetic addition to an important listed building. It would therefore cause the loss of visual amenity to the adjoining properties and the area generally.

3. UDP Policies

3.1 Control of Development Policies

3.2 **Policy CD25** The proposal is not of a high standard of design and is an unsympathetic addition to the listed building. It is similarly unsympathetic to its surroundings, which consist of listed buildings and the De Vere Conservation Area. It is not sensitive to, or compatible with, the character of its surroundings. **The proposal contravenes policy CD25.**

3.3 **Policy CD26** The proposal does not (a) conform to existing building lines or overall scale and character of the area nor (b) have respect the form and materials of adjoining buildings. **The proposal contravenes policy CD26.**

3.4 **Policy CD30** The development, by introducing a balcony immediately adjoining the boundary of the adjoining property would result in a loss of visual privacy. The development has not been *“designed to ensure sufficient visual privacy of residents”*. **Therefore the proposal contravenes policy CD30.**

3.5 **Policy CD41** refers specifically to rear extensions. The development fails to comply with important criteria of this policy because;

(h) there would be a significant increase in overlooking of neighbouring properties and gardens and,

(i) the detailed design would not be in character with the existing building.

The development would therefore contravene policy CD41

3.6 **Policy CD48 and Policy CD52.** These policies seek to ensure that applications preserve or enhance the character and appearance of the conservation area. The proposal, by reason of its size, position and design would form an intrusive and unsympathetic feature in this part of the De Vere Conservation Area and would neither preserve nor enhance the area. Furthermore the site adjoins several listed buildings and the development would adversely affect the setting of these listed buildings. **The proposal contravenes Policy CD48 and Policy CD52.**

3.7 Policy CD53 seeks to ensure that development in conservation areas is to a high standard of design. The proposed terrace/balcony and stairs would not be compatible with; (a) the character and scale and; (c) proportion and rhythm of surrounding development. **The proposal does not comply with policy CD53.**

3.8 Policy CD56 seeks to resist unsympathetic small-scale developments where the cumulative effect of a number of similar proposals would be detrimental to the area. The proposal on its own is detrimental to the listed building and its neighbours, and a number of similar proposals would destroy the character of the conservation area. **Policy CD56 supports the refusal of this application.**

In addition to the Council's Policies the Department of the Environment in the Planning Policy Guidance gives guidance notes (PPGs).

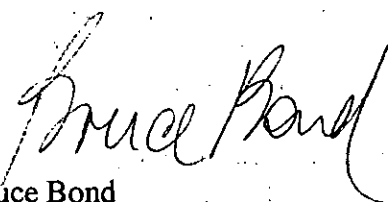
PPG 1 advises that applications may be permitted if they comply with the development plan and all material considerations. It states further that applications should not be permitted if they cause demonstrable harm to interests of acknowledged importance. **The proposal contravenes the guidance in PPG1 because it fails to comply with the development plan (UDP). It would cause demonstrable harm to the conservation area.**

PPG15 advises on Listed Buildings and Conservation Areas. It states that development in a conservation area should either preserve or enhance the area. **On design grounds alone the proposal fails to preserve or enhance the character area and therefore contravenes the guidance in PPG15.**

The application contravenes the Policies and Standards in the adopted UDP and the guidance given in the PPGs. There are, therefore, clear and compelling reasons why the applications for planning permission and listed building consent are unacceptable and should be refused.

I would be grateful if you could acknowledge the receipt of this letter and confirm that the objections will be presented to the appropriate committee.

Yours faithfully,



Bruce Bond

① Adv ② ALS
J 13/1

Christopher Brougham Q.C.

Mary Brougham LLB, Solicitor

34 Launceston Place

Kensington

London W8 5RN

Tel: 0171-938-1608

12 January 2000

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX

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RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N		SW	DE	ENF	NO ACK		
13 JAN 2000									
APPEALS	IO	REC	ARE	FWD PLN	CON DES	FEES			

Dear Sir/Madam,

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

33 Launceston Place, Kensington, London W8 5RN

Ref. No. DPS/DCC/PP/99/02480/LAS

We have extreme objections to the proposals to extend irrevocably 33 Launceston Place at the lower ground floor level to the rear and in the direction of our house, which proposals incorporate an overhead terrace and a protruding staircase overlooking our property.

Mr Bruce Bond A.R.C.I.S., M.R.T.P.L., our Town Planning Consultant, is dealing with specific Listed Building and Planning issues on our behalf. We, however, are better qualified than our Consultant to make general legal points.

First, the proposals will seriously interfere with our privacy. We do not feel that anyone, apart from ourselves, cares about our privacy or feels entitled to object on this ground. The only neighbours likely to object on the "privacy" grounds are our

neighbours at No. 32, whose own privacy may be infringed by the proposed overhead terrace. The number of objectors must be irrelevant. Where Listed Building consent is concerned, any proposed breach of the principles, whether pointed out by one or by a thousand objectors, remains a proposed breach of the principles. It is surely the Council's duty, as delegated to it by English Heritage, to prevent such proposed breaches, even if *no* letter of objection is received. Can it seriously be suggested that if, for example, all the residents of Launceston Place agreed that they would not object to each other sticking satellite dishes on the front of their houses, or erecting saunas in their front gardens, that the Council, in the absence of objections, would consent to proposals to erect such satellite dishes or saunas? Are the wishes of the current residents in the Conservation Area, many of whom are here only for a short time, relevant?

Secondly, the Council is, we assume, under a duty, as a matter of Human Rights, to give us reasonable notice of the date of the Committee meeting at which the planning application will be considered, so that we can make ourselves available and/or instruct representatives, whether legal or our Consultant, to attend.

Thirdly, we believe that the yellow planning notice affixed to the front railings of No. 33 has misled our neighbours and other members of the public. It reads: "Refurbishment of existing house extension at basement rear". It is not at all clear from this notice that the applicants intend to build a *new* extension. To make the proposals clear, the notice should have stated that the applicants intended (1) to refurbish the existing house and (2) build an extension. This misleadingness may well be one of the reasons why there have been so few objections to the proposals. We strongly contend that the application should be re-advertised in proper form, and that time for objections should be extended accordingly.

Fourthly, what particularly upsets us is that we have been instinctive conservationists of *this* house and garden. We have had the privilege of living here for twenty years. We do not regard the houses in this street as National Trust properties, but as family homes. However, we feel our house is on loan to us; we would regard it as a breach of trust to interfere with the archaic structure of the house and garden. For example,

we have left our relatively large front and side gardens open to public view, which has had the effect of making these gardens unusable by ourselves and particularly our children, who would be so vulnerable to passers-by. If the privacy of our back garden is curtailed by the applicants' proposals, we shall have to reconsider our policy in order to create a private garden for ourselves. Consequently we shall have to follow the examples of 14 Victoria Grove, Albert ~~Place~~^{Lodge} (in Victoria Grove) and Nos.22 and 23 Launceston Place and board up our front and side gardens.

Finally, we hope that you will come to our house with English Heritage and Councillors as soon as possible to see how conservation and privacy are intertwined.

Yours faithfully,

Christopher Braggam

M. O. Bringham

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Bruce Bond A.R.I.C.S., M.R.T.P.I.
45 Princedale Road
London
W11 4NP

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AC ASK
20 JAN 2000							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

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19th January, 2000

Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX

P Laehdj -> ALS

Attention of Ms. A. Salmon

Ref. No. DPS/DCC/PP/99/02480/ALS

Dear Madam,

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

33 Launceston Place, Kensington, SW7

I refer to my letter dated 6th January, 2000, concerning the proposed development at the above site and to the revised plans dated 12th January, 2000.

Having inspected the plans and assessed the effect of the proposed development on my clients' property I am reiterating the formal objection to the application on the same grounds.

The development would result in a building some 1.5 metres and a terrace less than 2 metres from the boundary with my clients' property. The terrace would still be in a position to overlook directly into the adjoining garden and into the rear windows of no. 34 Launceston Place.

The detailed grounds of objection to the applications were set out in detail in my last letter. To avoid repeating that letter in full I have summarised the grounds of objection as follows:

The extension and roof terrace is unacceptable because it would be **Out of Character** and result in **Overlooking Loss of Privacy** and **Loss of Amenity**.

M 20.1.00 R

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The development would fail to comply with the following policies in the **Unitary Development Plan:**

Control of Development Policies: Policy CD25, Policy CD26, Policy CD30, Policy 3.6 Policy CD48 and Policy CD52, Policy CD53 and Policy CD56.

The proposal contravenes the guidance in Planning Policy Guidance Note 1 because it fails to comply with the development plan (UDP). It also contravenes the advice in Planning Policy Guidance Note 15 because the proposal fails to preserve or enhance the character or appearance of the area.

The application contravenes the Policies and Standards in the adopted UDP and the guidance given in the PPGs. There are, therefore, clear and compelling reasons why the applications for planning permission and listed building consent are unacceptable and should be refused.

The advice in PPG1 is clear. In particular, paragraph 40 states that "*..applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a planning permission...*". In this case the development is contrary to the policies in the adopted development plan. The material considerations in this case are the overlooking, loss of privacy and loss of amenity. The examination of the material considerations make it clear that the application should be rejected on those grounds alone even without the weight of the policy objections.

I would be grateful if you could acknowledge the receipt of this letter and confirm that the objections will be presented to the appropriate committee.

Yours faithfully,



Bruce Bond

C.C. James Brown

PP/99/2480

① Ach - Support

② ACS

135

July 26/1.

Mr. M. French
Executive Director
Planning & Conservation
Town Hall
Hornton St.
W8 7NY

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	S	SW	SE	ENF	AO ACK
26 JAN 2000							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

25 January 2000

Dear Mr. French:

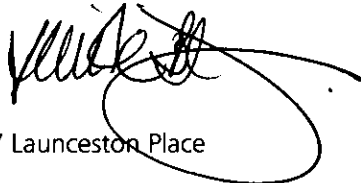
As a resident of Launceston Place, I am in full support of the plans for 33 Launceston Place.

It is wonderful that 33 LP will be upgraded and restored into a family home. Further, the plans are in keeping with the tone of the eastern side of the street, and entirely sympathetic with the historic plans for the original Launceston Place villas.

I understand that the plans have already been altered to satisfy a neighbour concerned about privacy. I think this is a generous concession for the new owners to put forth.

Please accept this letter of support to the planned renderings, as all of the neighbours on the street shall surely benefit from the upgrading of number 33.

Sincerely yours,



27 Launceston Place

Paroltype 23/21 2000
① Ark
② ALS
✓ 9/7/20

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
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APPEALS	IC	REC	ARB	FWD PLN	CON DES	FEEES	

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4th February, 2000

Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX

Attention of Ms A. Salmon

Ref. No. DPS/DCC/PP/99/02480/ALS

Dear Madam,

**Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990**

33 Launceston Place, Kensington, SW7

I refer to my letters dated 6th and 19th January, 2000, concerning the proposed development at the above site and to the second set of revised plans dated 24th January, 2000.

The revised plans show a fixed railing across the doorway leading onto the roof of the proposed rear extension. It appears, therefore, that there will be no access to the roof and that the roof will not be used as a terrace.

On the basis that there will be no access to the roof, and that any grant permission for the work will contain conditions preventing its use as a terrace, my clients would withdraw their objections to the loss of privacy and overlooking. It should be stressed that the imposition of an enforceable condition, or an appropriate legal undertaking, would be the only acceptable means of ensuring that there would be no loss of privacy.

Notwithstanding the fact that the revised plans now show no overlooking, concerns remain about the other extensive works to the listed building. The submitted plans and elevations, being very simple line drawings, do not provide any details of the work proposed. **Policy CD53** states that development in conservation areas must be to a high standard of design. The submitted plans fail to demonstrate that standard.

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Although the revised plans have deleted the terrace, the proposal would still fail to comply with the following policies in the Unitary Development Plan:

Control of Development Policies: Policy CD25, Policy CD26, Policy CD48 and Policy CD52, Policy CD53 and Policy CD56.


From the scant details shown on the plans the proposal contravenes the Council's policies and Standards in the adopted UDP and the guidance given in the PPGs, particularly Planning Policy Guidance Note 15, because the proposal fails to preserve or enhance the character or appearance of the area. There are, therefore, clear and compelling reasons why the applications for planning permission and listed building consent are unacceptable and should be refused.

The advice in PPGI is clear. In particular, paragraph 40 states that "*...applications which are not in accordance with relevant policies in the plan should not be allowed unless material considerations justify granting a p/anning permission...*". In this case the development is contrary to the policies in the adopted development plan and there are no material considerations which justify ignoring adopted Council policies or national policy advice.

I would be grateful if you could acknowledge the receipt of this letter and confirm that the objections will be presented to the appropriate committee.

Finally, having found out about the second set of revised plans purely by chance, both my clients and I request that we receive a formal letter of notification of any further revisions. Similarly, we would also request formal notification of the date of the committee to which these applications will be reported.

Yours faithfully,



Bruce Bond

① PC ② ALS

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RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	Q	SE	ENF	AP	ATK		
15 FEB 2000									
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEEES			

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45 Princesdale Road
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14th February, 2000

Corrette
23/2

Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX

Attention of Ms A. Salmon

Ref. No. DPS/DCC/PP/99/02480/ALS

Dear Madam,

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

33 Launceston Place, Kensington, W8

I refer to your letter dated 7th February, 2000, concerning the applications for planning permission and listed building consent on the above property.

I have examined the revised plans, which show a very minor alteration to those previously submitted. There is no difference in substance and the alterations do not alleviate, in any way, my clients concerns and objections. The contents of my letter dated 4th February, 2000, which you have acknowledged, still apply to the applications.

I would be grateful if you could acknowledge the receipt of this letter and confirm that the objections set out in my letter of 4th February will be presented to the appropriate committee.

Yours faithfully,

Bruce Bond

Bruce Bond

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15.2.00
[Signature]