

ROYAL BOROUGH OF KENSINGTON & CHELSEA

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REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 11/04/2000 APP NO. PP/99/02505/MINO/12
AGENDA ITEM NO. 66

ADDRESS

6 North Pole Road,
Kensington, W10 6QL

APPLICATION DATED 29/11/1999

**RECOMMENDATION
ADOPTED.**

APPLICATION COMPLETE 13/12/1999

APPLICATION REVISED 06/03/2000 and
21/03/2000

APPLICANT/AGENT ADDRESS:

Stiff & Trevillion
Architects,
4 Westbourne Grove Mews
Kensington
London
W11 2PA

CONSERVATION AREA NO

CAPS N/A

ARTICLE '4' No

WARD Kelfield

APPROVED BY
PLANNING SERVICES CTTEE
SUBJECT T0-S.106
11 APR 2000

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 72

OBJECTIONS 3

SUPPORT 0

PETITION 0

CONSENT REF
Applicant Mr. H. Patel.....

PROPOSAL:

Erection of rear extensions at ground and first floor levels, elevational alterations and formation of new (Class B1) studio/office to rear ground floor.

RBK&C Drawing No(s): PP/99/02505, PP/99/02505/B and PP/99/02505/C

Applicants Drawing No(s): 2028/01, /02A, /10B, /11C and /12

RECOMMENDED DECISION:

1. Subject to a Planning Obligation under Section 106 of the Town and Country Planning Act 1990, to ensure that:

(a) the additional residential accommodation is not occupied until all of the elevational alterations shown on the approved plans, including the removal of the advertisement hoarding and replacement of existing casement windows with timber sashes, are completed to the satisfaction of the Executive Director, Planning and Conservation.

2. 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 ensure a satisfactory standard of external appearance. (R071)

4. **All new windows shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of external appearance. (R071)

5. **All external windows and doors shall be of painted timber and shall be 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 amenity of neighbouring property (R080)

INFORMATIVES

1. I10
2. I08
3. I21
4. I30

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1.0 THE SITE

- 1.1 No.6 North Pole Road is a three storey end of terrace property, situated on the North side of North Pole Road, on the corner with Brewster Gardens.
- 1.2 The property is in used as a retail shop (Class A1) on the ground floor with three residential flats on the upper floors.
- 1.3 The property is not Listed and is not within a Conservation Area. However, it should be noted that the properties opposite, on the East side of Brewster Gardens and part of the South side of North Pole Road fall within the Oxford Gardens Conservation Area, with the boundary running along the centre of these roads. The retail premises are within the North Pole Road Local Shopping Centre.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 The proposal is for the erection of rear extensions at ground and first floor levels, together with elevational alterations and the formation of a Class B1 studio/office unit at rear ground floor level.
- 2.2 The proposed rear extension at ground floor level will take the form of a glazed roof, covering the open rear courtyard which measures 6 square metres. This glazed roof will also extend over the existing rear storage building, covering the full width of the property and will be of a lean-to design. It is also proposed to build up the existing ground floor flank wall, facing on to Brewster Gardens, by approximately 0.5 metres, in order to conceal the glass roof from view from the street.
- 2.3 The proposed first floor level extension will be situated alongside the existing 2-3 storey rear addition. It will measure approximately 1.8 metres high, 2.5 metres wide and 5.2 metres deep and will be positioned on top of an existing ground floor level extension. It will be constructed from matching stock brick, with a flat roof and timber sash window to the rear. Its East facing flank wall will face directly onto Brewster Gardens. This extension will provide additional accommodation for one of the existing residential flats.
- 2.4 The elevational alterations affect all sides of the building. To the front, it is proposed to replace existing inappropriate casement windows at first and second floor levels with new timber sashes to match the originals. To the rear, two existing casement windows in the rear of the rear addition will be replaced with timber sashes and one casement in the side of this rear addition will be bricked up and another replaced by a timber sash. An existing casement window at second floor level in the main rear elevation is to be bricked up. To the side, it is proposed to remove an existing 48 sheet advertisement hoarding from the flank wall of the main building at second floor level. Two new timber sashes are proposed at second floor level, and two existing casement windows will be replaced by timber sashes.

2.5 The proposed Class B1 unit will be located at rear ground floor level and will result in the loss of approximately 27 square metres of ancillary retail floor space, which is currently used for storage. It will have a total floor area of approximately 35 square metres (including the new extension). A separate access to this unit will be formed in the Brewster Gardens elevation, with a timber panelled door and a timber sash window.

2.6 The proposal has been significantly amended. It was originally proposed to erect a larger rear extension at first and second floors, form an additional residential flat, and change the use of the ground floor shop to a Class A3 restaurant. These elements have been removed from the scheme following negotiations with Officers.

3.0 RELEVANT PLANNING HISTORY

3.1 Planning permission was granted in 1974 for the erection of a single storey rear extension at ground floor level.

4.0 PLANNING CONSIDERATIONS

4.1 The main considerations in this case are the impact of the proposal on the appearance of the building and the local area, as well as the effect on views into and out of the neighbouring Conservation Area. Also for consideration is the effect of the proposal on the amenities of occupiers of neighbouring properties, together with the principle of a Class B1 use in this location and the resulting loss of the Class A1 floorspace.

4.2 This part of North Pole Road was previously within the London Borough of Hammersmith and Fulham and was transferred to the Royal Borough in April 1996. Therefore, the Hammersmith and Fulham Unitary Development Plan is the statutory plan for the site. The relevant Policies of this document are considered to be EN8 (Design of new developments), EN4 (Employment uses), SH1 (Retention of A Class floorspace), and SH3 (Key Local Shopping Centres). However, the Policies of the Royal Borough's Unitary Development Plan are a material consideration when assessing planning applications. It should also be noted that the shop premises were within the North Pole Road Key Local Shopping Centre under Hammersmith and Fulham.

4.2 The relevant policies of the Unitary Development Plan are as follows:

- . CD41 (Rear extensions)
- . CD25 (High standards of design)
- . CD54 (Effect of proposals on views into and out of Conservation Areas)
- . CD28 (Sunlight and Daylight)
- . CD30 (Privacy)
- . S1 (Loss of shop units and floorspace)
- . E2 (Small scale business uses)

- 4.3 The proposed ground floor level rear extension will not be significantly visible from the street. A number of the other properties in this terrace have infilled their rear courtyard areas in a similar manner. It is considered that the detailed design of the lean-to glazed roof is appropriate for this location and the appearance of the building will not be harmed.
- 4.4 All of the properties in this terrace of similar buildings have large 2-3 storey rear additions that appear to be original to the buildings. The proposed first floor rear extension will be situated alongside the existing rear addition. This will effectively form a full-width rear extension at first floor level, which is contrary to part (f) of Policy CD41 of the UDP. The extension will be visible from the street in Brewster Gardens. Furthermore, none of the other properties in this terrace appear to have carried out similar alterations. However, the height of the extension will be kept to a minimum which will significantly reduce its visual bulk. In addition, it is commonplace in townscape terms for corner properties to vary in relation to design or bulk from the remainder of the terrace. This variation can also add interest to corner elevations.
- 4.5 The effect of the rear extension on the appearance of the building and the area must also be balanced against the considerable enhancements proposed to the elevations through the removal of several inappropriate features including a large advertisement hoarding and non-original casement windows, as well as the installation of timber sash windows.
- 4.6 In view of the enhancements proposed to the elevations, the Conservation and Design Officer considers the proposal to be acceptable, and these enhancements will outweigh any harm caused by the first floor extension. Therefore, it is considered that the appearance of the building and the local area will, on balance, be improved. Furthermore, views into and out of the neighbouring Conservation Area will be enhanced. However, in order to ensure that the elevational alterations are carried out before the additional accommodation is occupied, it is recommended that the applicants enter into a Planning Obligation under Section 106 of the Town and Country Planning Act.
- 4.7 It is not considered that the proposal will have a significant effect on the levels of sun and daylight available to neighbouring properties. This is because of the limited height of the extensions. Furthermore, it is not considered that the proposal will have a significant effect on the privacy of neighbouring properties.
- 4.8 The loss of retail floorspace is contrary to Policy S1 of the UDP and is also contrary to Policy SH1 of the Hammersmith and Fulham UDP. However, the retail shop will still retain a significant proportion of its floor area (some 57 square metres) with approximately one third of the floor area (which comprises ancillary retail storage) converted to Class B1 floorspace. The shop will also incorporate new storage and lavatory facilities at the rear. Therefore, it is considered that this local retail shop will be able to continue to function in a viable manner.

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4.9 It is considered that the provision of the small Class B1 unit will be appropriate for this location. Furthermore, small business operations generally contribute to the health and vitality of the local economy, providing employment opportunities for local people. It is not considered that this unit will have an adverse effect on the amenities of neighbouring properties. The Transportation Officer raises no objection to the proposal.

5.0 PUBLIC CONSULTATION

5.1 Occupiers of seventy-two neighbouring properties in North Pole Road and Brewster Gardens were notified of this application.

5.2 To date, three letters of objection have been received. All of the objections relate to the previously proposed restaurant use which has now been omitted from the scheme.

6.0 RECOMMENDATION

6.1 Grant Planning Permission, subject to a Section 106 Planning Obligation.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/99/02505 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: MC
Report Approved By: RT/LAWJ
Date Report Approved: 31/03/2000

PSC0004/MC.REP