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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

REFUSED BY  
PLANNING SERVICES CTTEE  
5 MAY 2000  
REFUSAL REF

PLANNING SERVICES COMMITTEE 09/05/2000 APP NO. PP/99/02580/CHSE/51  
AGENDA ITEM NO. 2047

ADDRESS

13 Edwardes Square,  
Kensington, W8 6HE

APPLICATION DATED 17/12/1999

APPLICATION COMPLETE 22/12/1999

APPLICATION REVISED 26/04/2000

APPLICANT/AGENT ADDRESS:

CONSERVATION AREA Edwardes Square/Scar CAPS Yes

Dinwiddle  
MacLaren,  
Arthur's Mission,  
30 Snowfields,  
London  
SE1 3SU

ARTICLE '4' No WARD Abingdon

LISTED BUILDING II

HBMC DIRECTION N/A

CONSULTED 6

OBJECTIONS 7

SUPPORT 0

PETITION 0

Applicant Dr I Benteler,

PROPOSAL:

Erection of rear first floor extension, formation of courtyard garden, construction of new glazed roof over ground floor extension and carrying out of elevational alterations.

RBK&C Drawing No(s): PP/99/2580 and PP/99/2580/B  
Applicants Drawing Nos.: 259-S-03, 259-S-04, 259-GA-01C and 259-GA-02B.

RECOMMENDED DECISION: Grant planning permission

*Refused*

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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 new brickwork shall match adjoining brickwork in terms of colour, size, texture, facebond and pointing.**  
*Reason: In order to safeguard the special architectural or historic interest of the building.*
  
4.       **The roof to the conservatory shall be glazed in glass and so maintained.**  
*Reason: To protect the character and appearance of the building which is statutorily listed.*
  
5.       **All new windows, with the exception of the basement level windows, shall be vertically sliding painted timber box sashes, single glazed and so maintained.**  
*Reason: To protect the character and appearance of the building which is statutorily listed.*
  
6.       **All external joinery shall be of painted timber and so maintained.**  
*Reason: To protect the character and appearance of the building which is statutorily listed.*

**INFORMATIVES**

1.       I09
2.       I10
3.       I21
4.       I30

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1.0 THE SITE

- 1.1 No. 13 is a terraced house located on the eastern side of Edwardes Square. It is Grade II listed and is within Edwardes Square, Scarsdale and Abingdon Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a rear extension at first floor level, for the erection of a glazed roof over part of the existing rear ground floor extension and for the carrying out of elevational alterations. Listed building consent is also sought for the above works and for the carrying out of internal alterations.

3.0 PLANNING HISTORY

- 3.1 In 1984 planning permission and listed building consent were granted for the erection of a ground floor rear extension and for the carrying out of elevational alterations.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations with regard to this proposal relate to design and impact on both the special architectural and historic interest of the listed building and on the character and appearance of the Conservation Area. Impact on the amenities of neighbouring residential properties is also of particular importance.
- 4.2 Policies CD52 and CD53 of the Council's Unitary Development Plan are of relevance to this proposal as they relate to conservation areas. In addition, Policy CD58 specifically relates to works to listed buildings and Policy CD41 specifically relates to rear extensions.
- 4.3 No. 13 has been heavily altered to the rear. The rear main wall has been pushed rearwards by approximately 2500mm. In addition, a full-width rear extension at ground floor level projects from the existing rear main wall by a further 16 metres. It is proposed that a first floor extension is erected over part of the existing ground floor extension. It would project by 7.1 metres with a centrally located bay projecting by a further 800mm. It is proposed that a lightwell is created adjacent to the main building through removal of a section of the existing ground floor extension and basement area below. The proposed first floor extension would wrap around the new lightwell. This first floor extension would therefore consist of a full-width element to the rear which would be linked to the main building by a corridor element with a width of 2500mm which would run along the northern boundary with No. 12.

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- 4.4 The proposed extension would have a height of 6.8 metres. It would be flat-roofed and would be constructed in London stock brick to match existing. The rear bay would contain three timber sash windows.
- 4.5 It is also proposed that a shallow pitched glazed roof is erected over the remaining section of ground floor extension. It would replace the existing unsightly felt roof with side rooflights and the adjacent pitched glazed roof. The rear elevation to the ground floor extension is also proposed to be altered through the introduction of a glazed bay.
- 4.6 It is proposed that an unoriginal projecting bay at rear third floor level is replaced by sash window to match existing, that existing water tanks on the main roof are removed and that the waste pipes on the rear elevation are rationalised. These elements of the proposal are considered to represent an improvement.
- 4.7 It is also proposed that associated internal works are carried out.
- 4.8 Nos. 14 and 15 Edwardes Square are located to the South of No. 13. The rearward projection to the proposed first floor extension would align with the existing three storey extensions at both properties. The extension at No. 14 is full-width and the adjoining extension at No. 15 is half-width. The property to the North at No. 12 has not been extended and still has the original three-storey rear extension, which only projects by approximately half the depth of the proposed extension at No. 13. However, the adjoining properties at Nos. 11 and 10 both have three storey extensions which project beyond the proposed extension at No. 13. The extension at No. 11 is half-width and the extension at No. 10 is full-width. It is considered that the proposed extension must be assessed within the context of these neighbouring properties which have, in the main, been heavily extended at the rear.

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4.9 Formal Observations of the Conservation and Design Officer

English Heritage have authorised this Council to determine the application for listed building consent as it sees fit. The Formal Observations of the Council's Conservation and Design Officer are as follows:

"The scheme entails rear extensions, elevational alterations and internal works. The building has been the subject of extensive past alterations with the original rear elevation almost obscured by a later full height and full width extension.

The rear extension is compatible with the bulk, height and massing of other extensions in the close vicinity of the building which represents the localised character of the listed terrace at this point. The design of the extension is compatible with the later Victorian and Edwardian character of similar large extensions in the general vicinity. The associated elevational alterations are appropriate in terms of design, detailing and materials. Other elevational alterations involve the removal of an incongruous projecting bay at third floor

level and its replacement with a more appropriate recessed sash window. The works also entail the removal of the water tanks at roof level.

The internal works will not harm the sense of spacial integrity and coherence of the original planned form and the re-instatement of the sense of enclosure of the rear room through the construction of a new wall and modest opening will improve the planned form at this point.

The works will not harm the special architectural or historical character of the building."

- 4.10 Of relevance to this proposal is the refusal of planning permission in 1998 for the erection of a ground and first floor rear extension of a similar form to the proposal at No. 13 at No. 3. The subsequent appeal was dismissed. In his Decision Notice the Inspector concluded that the proposal would not preserve either the the setting of No. 3 or the adjoining listed building to the South, but that it would have no harmful effect on the the character or appearance of the Conservation Area. He stated that it would not spoil or disrupt the even rhythm of rear additions in this part of the terrace. He also concluded that it would not result in a loss of daylight to the South or in a loss of residential amenity to neighbouring properties through increased sense of enclosure. He continued:

"However the sum total of the extensions to the house would not be visually subordinate to the original, unextended, parent building, and the proposal would result in a full width extension that is not usually allowed.

In a number of respects the proposal in your client's planning application would not be in accordance with the development plan. You have suggested that because of the number of 2 storey full width extensions to the south of the appeal site, and because the first floor extension would be in character with adjoining development, it should be appropriate to accept the proposal as an exception to the usual restrictions on full width extensions. However several of the existing extensions were permitted before the adoption of the Council's present policies, and the Council are now paying greater attention than before to the preservation of the special architectural character of the terrace. Neither that nor any other material consideration raised indicate that my decision on your client's planning appeal should be otherwise than in accordance with the plan."

- 4.11 On balance, it is considered that the proposed first floor extension is acceptable by virtue of the particular circumstances of the site. As stated above, the rear extension is compatible with the bulk, height and massing of other extensions in the close vicinity of the building which represents the localised character of the listed terrace at this point. No. 3 is located at the northern end of this section of Edwardes Square and is not enclosed by three storey extensions as is the case at No. 13. In addition, the existing rear to No. 13 is considered to be unsatisfactory as it has been heavily altered and it is considered that the proposal will not detract from the character and appearance of the listed building and allows for limited opportunities for elevational improvements.

- 4.12 The proposed extension would have a height of 6.8 metres and would project from the existing rear main wall by 7.1 metres. It would result in a loss of sunlight and daylight to the rear of the adjoining property at 12 Edwardes Square. The proposal would also result in a sense of enclosure to this property. As stated in paragraph 4.8, No. 12 is the only property in the group of six properties between 10 and 15(inclusive) which has not been extended heavily to the rear. The levels of light reaching the ground floor windows to the rear of No. 12 are already severely restricted by virtue of the three storey rear extension to No. 14 and the existing rear extensions to No. 13. On balance, it is considered that the proposal would not result in a further reduction which is significant enough to justify a refusal on these grounds. It is also considered that the increased sense of enclosure would only be experienced within a small section of the rear garden area which is immediately adjacent to the the main building. On balance, it is therefore considered that the detrimental impact in these terms would also not be significant enough to justify a refusal.
- 4.13 The extent of glazing to the rear bay at first floor level has been reduced and it is now considered that the proposal will not allow for a significant level of overlooking into neighbouring properties or gardens. The windows at this level would be set approximately 16 metres from the rear boundary with Pembroke Place. The side of the bay has been amended in order that it is constructed in brickwork. It would therefore not allow for views into the rear windows of either No. 14 or No. 12.

#### 5.0 PUBLIC CONSULTATION

- 5.1 Six neighbouring properties on Edwardes Square have been consulted with regard to this proposal. Seven letters of objection were received with regard to the original proposal. The objectors include the Pembroke Place Residents' Association. The areas of concern were as follows:
- 5.1.1 The extension would be the only structure of that height and dimension along the rear gardens on this side of the the Square.

The proposed extension would be one storey lower than the majority of neighbouring extensions within the immediate vicinity and would not project beyond the established rear building line within this group.

- 5.1.2 The extension would break the the view of gardens and greenery and would be intrusive.

It is considered that the proposal would not break the view of of gardens and greenery and would not be intrusive as it would not project beyond the established rear building line within the vicinity.

- 5.1.3 The extension would affect the levels of light and air into neighbouring properties and gardens.

- 5.1.4 Would eliminate almost all light to kitchen at No. 12 and would reduce light to drawing room at first floor level.

It is acknowledged that the proposal would result in a loss of sunlight and daylight to the rear of the adjoining property at 12 Edwardes Square. However, as stated above, the levels of light reaching the ground floor windows to the rear of No. 12, which include the kitchen, are already severely restricted by virtue of the three storey rear extension to No. 14 and the existing rear extensions to No. 13. On balance, it is considered that the proposal would result in a further reduction at ground floor level which is not significant enough to justify a refusal on these grounds. In addition, it is not considered that the proposal would result in a significant loss of light to the drawing room window at first floor level.

- 5.1.5 Out of keeping with the character of the area.

As outlined in paragraphs 4.8 and 4.11, it is considered that the proposal is in keeping with the character of the area.

- 5.1.6 The extension would allow for the occupiers of No. 13 to overlook neighbouring gardens and to look directly into neighbouring properties with resultant loss of privacy.

- 5.1.7 The bay window at first floor level would allow for overlooking into the property to the rear, including the roof terrace, with resultant loss of privacy. This will be exacerbated by conversion of no. 13 into flats. It would also allow for overlooking into the adjacent bedroom window at first floor level to No. 14 and the second floor bedroom at No. 12.

- 5.1.8 The large East facing windows would significantly increase the degree to which the rear of Pembroke Place houses would be overlooked.

The extent of glazing to the rear bay at first floor level has been reduced and it is now considered that the proposal will not allow for a significant level of overlooking into neighbouring properties or gardens. The windows at this level would be set approximately 16 metres from the rear boundary with Pembroke Place. The side of the bay has been amended in order that it is constructed in brickwork. It would therefore not allow for views into the rear windows of either No. 14 or No. 12. It is not proposed that the property is converted into flats.

- 5.1.9 Height of new chimney to conservatory. If very high could look incongruous and would allow for smoke into bedroom window of No. 14.

It is not proposed that a chimney is erected above the conservatory.

- 5.1.10 No drawing of the roof covering of the proposed extension. Query as to how it would adjoin No. 14.

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It is proposed that the flat roof to the main extension is clad in felt. The new pitched roof at ground floor level would be constructed in glass. The manner in which the proposed extension adjoins No. 14 would be agreed by both parties involved and would be the subject of a party wall agreement.

- 5.2 In addition, one respondent has confirmed that they have no objection to the proposal in principal. They state that they are concerned by noise and dirt caused by building works and would like an assurance that the trees at the back of the garden will be retained. They also state that they would prefer that all building works are carried out during the week and that the cold water storage tank on the main roof is removed. Disturbance due to the carrying out of building works is not a planning matter and cannot therefore be addressed with regard to this report. It is proposed that all trees in the rear garden area retained and that the cold water storage tank on the main roof is removed.
- 5.3 As stated above, the proposal has been amended. All respondents have been consulted, however, as yet, no response has been received.

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

**List of Background Papers:**

**The contents of file PP/99/02580 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: KO**  
**Report Approved By: DT/LAWJ**  
**Date Report Approved: 26/04/2000**

**PSC00/05/KO.REP**



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**Memorandum**

***The Royal Borough of Kensington and Chelsea - Planning Services***

To: PRINCIPAL ADMINISTRATIVE OFFICER EXECUTIVE DIRECTOR,  
PLANNING & CONSERVATION

Ext. 2004 Room 324A

cc: CHIEF EXECUTIVE & TOWN CLERK (Attention Steven Modric)

Date: 10<sup>TH</sup> May, 2000

**PLANNING SERVICES COMMITTEE: 9<sup>th</sup> May, 2000**

Please note the following amendments, which were approved by the Planning Services Committee in making its decisions, in addition to those in the Addendum Report circulated and approved at the meeting.

**NORTH**

No changes

**CENTRAL**

99/2580  
2047

13 Edwardes Square,  
W8

**Refused**

1. The proposed first floor extension would cause detriment to the present levels of residential amenity enjoyed by occupants of the neighbouring property, in particular by increasing the sense of enclosure within that property by an unacceptable degree. As such, the proposal is contrary to the policies of the Unitary Development Plan (UDP), in particular Policies CD28, CD41 and CD30a as set out in the deposited Proposed Alterations to the UDP.
2. The proposed first floor extension would, in combination with the existing very large ground floor extension, result in an overall bulk and scale of extension at this property that would harm the character and appearance of this part of the Conservation Area and the special architectural character

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and historic interest of this Listed building, contrary to policies of the Unitary Development Plan (UDP), in particular Policies CD25, CD41, CD52, CD53 and CD58.

99/2581 13 Edwardes Square,  
2048 W8

Refused

1. The proposed first floor extension would cause detriment to the present levels of residential amenity enjoyed by occupants of the neighbouring property, in particular by increasing the sense of enclosure within that property by an unacceptable degree. As such, the proposal is contrary to the policies of the Unitary Development Plan (UDP), in particular Policies CD28, CD41 and CD30a as set out in the deposited Proposed Alterations to the UDP.
2. The proposed first floor extension would, in combination with the existing very large ground floor extension, result in an overall bulk and scale of extension at this property that would harm the character and appearance of this part of the Conservation Area and the special architectural character and historic interest of this Listed building, contrary to the policies of the Unitary Development Plan (UDP), in particular Policies CD25, CD41, CD52, CD53 and CD58.

99/1765 R/O 38 Gloucester Road,  
2049 SW7

Amended Condition

14. The use hereby permitted shall only be carried out between 08.00 hours and 18.30 hours on any day.

Additional Informative

10. You are advised that this planning permission has been granted solely in the light of the particular circumstances of the application for Class B1 office use only and the existing mixed use office and retail building on the site. Any future proposals for a change of use or for redevelopment for residential purposes would be resisted.