

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

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R.B.K.C.
APPROVED BY
THE COUNCIL ON

- 9 MAY 2000

PLANNING SERVICES COMMITTEE 09/05/2000

APP NO. PP/99/02585/MIND/13
AGENDA ITEM NO. 4069

ADDRESS

84 Cadogan Lane with Flat 8
and ancillary storerooms,
66/67 Cadogan Place, Chelsea,
SW1

APPLICATION DATED 16/12/1999

APPLICATION COMPLETE 22/12/1999

APPLICATION REVISED 30/03/2000

RECOMMENDATION
ADOPTED.

APPLICANT/AGENT ADDRESS:

Jonathan Louth
Architects,
4 O'Meara Street,
Southwark,
London
SE1 1TE

CONSERVATION AREA Hans Town CAPS No

ARTICLE '4' No WARD Hans Town

LISTED BUILDING II

HBMC DIRECTION N/A

CONSULTED 22 OBJECTIONS 3

SUPPORT 0 PETITION 0

Applicant Lord Selsdon,

PROPOSAL:

Rebuilding of three storey mews property, including mansard roof, at No. 84 Cadogan Lane; erection of rear extension and glazed atriums at No. 67 Cadogan Place, and other minor elevational alterations.

RBK&C Drawing No(s): PP/99/2586 and PP/99/2586A
Applicant's drawing Nos: 125/D/11A and /12A; 125/B/11, /12, /13A and /14.

RECOMMENDED DECISION: Grant planning permission

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 preserve and enhance the character and appearance of the Conservation Area (R072)

4. **The roof slope(s) of the building hereby permitted shall be clad in natural slates, and so maintained. (C073)**
Reason - To preserve and enhance the character and appearance of the Conservation Area (R072)

5. **The windows hereby permitted shall be single glazed, timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area (R072)

6. **No water tank, lift motor room, or other roof structure shall be erected which rises above a roof of any part of the building, including the roof of any extensions. (C078)**
Reason - To safeguard the appearance of the terrace. (R077)

7. **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)

8. **The external pipework hereby permitted shall be painted black cast iron metal and so maintained (C088)**

Reason - To preserve and enhance the character and appearance of the Conservation Area (R072)

- 9. **The new doors here by permitted shall be of vertically boarded painted timber and so maintained.**

Reason: the preserve and enhance the character and appearance of the conservation area

- 10. **The dormer windows hereby permitted shall lead checked and so maintained.**

Reason: To preserve and enhance the character and appearance of the conservtaion area.

- 11. **Full particulars of the following shall be submitted to and approved in writing by the Executive Director, Planning and Conservation before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved**

(a) Details of roofing and facing materials (C011)

Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)

INFORMATIVES

- 1. I09
- 2. I10
- 3. I11
- 4. I21
- 5. I26
- 6. I30
- 7. I37
- 8. I38

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1.0 THE SITE

- 1.1 The application relates to a one bedroom residential property which occupies the first floor of No. 84 Cadogan Lane which is a two storey mews property. It is linked to the flat which occupies the basement area of the Nos. 66 and 67 Cadogan Place via the courtyard to the rear of No. 67 Cadogan Place.
- 1.2 The application also relates to Nos. 66 and 67 Cadogan Place which are properties which consist of a lower ground floor, upper ground floor and four upper storeys. They lie at the south eastern corner of Cadogan Place. They are grade II listed. All of the application properties lie within the Hans Town Conservation Area.

2.0 PROPOSAL

- 2.1 Conservation Area consent is sought for the demolition of the existing mews property No. 84 Cadogan Lane. (Ref. CC/99/2587.)
- 2.2 Planning permission is sought for the rebuilding of the mews property with the addition of a mansard type additional storey and for the erection of a glazed single storey rear extension spanning the garden area between No. 84 Cadogan Lane and 67 Cadogan Place. The rear extension will allow the formal linking of the two properties. Planning permission is also sought for the glazing over of the lightwell area within No. 67 Cadogan Place to create a glazed atrium. The design of the proposed mews property has been amended at the request of the officers. (Ref. PP/99/2585.)
- 2.3 Listed building consent is sought for a number of internal alterations to the basement of Nos. 66 and 67 Cadogan Place, for the glazed atrium within No. 67 Cadogan Place and for the rear extension. (Ref. LB/99/2587.)
- 2.4 The applicant intends to incorporate the existing self contained caretaker's flat which lies at the front portion of the basement into the rest of the unit. The change of use of the basement from two flats to one flat does not require planning permission as is not considered to be a material change of use. Similarly it is considered that the linking of the residential units in Cadogan Place and Cadogan Lane does not require planning permission.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Consent was granted in 1955 for the lateral conversion of Nos. 66 and 67 Cadogan Place into a single flat.
- 3.2 There is no other relevant planning history.

4.0 **PLANNING CONSIDERATIONS**

4.1 The main issues for consideration relate to; firstly, the impact that the proposals may have upon the special architectural character and historic interest of the grade II listed properties, Nos. 66 and 67 Cadogan Place, the character of No. 84 Cadogan Lane, and on the surrounding Conservation Area; and secondly, the impact that the proposals may have upon the amenity of the occupiers of the neighbouring properties.

4.2 The relevant policies for consideration are as follows:

- CD25 (High standard of design)
- CD28 (Daylight)
- CD30 (Privacy)
- CD38 (Additional storeys)
- CD39 (Additional storeys)
- CD41 (Rear extensions)
- CD42 (Conservatories)
- CD51 (Demolition within the Conservation Area)
- CD48 (Preserving and enhancing the character of Conservation Areas)
- CD52 (Preserving and enhancing the character of Conservation Areas)
- CD53 (High standard of design within Conservation Areas)
- CD58 (Works to Listed Buildings)

Works to No. 84 Cadogan Lane

4.3 The principle of the demolition of No. 84 Cadogan Lane is considered to be appropriate as will comply with Policy CD51 of the UDP. Policy CD51 states that the Council will usually resist the demolition of buildings within Conservation Areas unless one of two criteria is met and a satisfactory scheme for redevelopment has been approved. Criteria (a) is considered to have been met as the existing building is considered to be of a poor design and in a relatively poor state of repair which is not considered to make a significantly positive contribution to the character or appearance of the Conservation Area. Criteria (c) is also considered to have been met as a satisfactory scheme for redevelopment is included as part of the application. This will be considered in more detail below.

4.4 The principle of the proposed rebuild is considered to be appropriate in design terms. The proposed property will cover a similar envelope to the existing, with the rear wall at first floor level lying approximately 650 mm beyond its existing position. It will align with the rear wall of the adjoining property No. 82 Cadogan Lane. The proposed property will include the erection of an additional storey taking the form of a traditional flat topped mansard. This is considered to be appropriate in design terms as the application property lies within a stretch of terrace which is highlighted in the draft Hans Town CAPS as one where additional storeys may be acceptable. Much of Cadogan Lane is characterised by three storey properties similar to that proposed. The third storey, in the form of a mansard, forms an integral part of the mews' character. Therefore, the principle of the three storey property is considered to be acceptable. Furthermore, the application property lies immediately to the south of No. 82 Cadogan Lane which has a mansard addition similar to that proposed. The apex of the proposed

mansard roof will rise approximately 200mm above the apex of the existing hipped roof, and will lie approximately 300mm below the level of the mansard addition at No. 82.

- 4.5 The design of the proposed property has been significantly amended at the request of the officers and following discussions with English Heritage. The amended proposal is of a brick built house which is considered to maintain a mews character. The windows will be of traditional single glazed box sashes. The doors on the front elevation will be timber and appropriately proportioned and are considered to reflect the traditional form of mews properties. It is considered to be of an appropriate and high quality design which will enhance the character and appearance of the Conservation Area.
- 4.6 The design of the proposed mansard is considered to be acceptable as it is of a traditional flat topped design set behind a low parapet to front and rear. It will remain subordinate to the rest of the building which will help ensure that the property will maintain its mews character. It will be clad in natural slates with three lead cheeked dormers in the front and rear roof slopes which will align with the windows below. The proposed front parapet will not rise up above the level of the existing and it will align with that of the adjoining property No. 82.
- 4.7 Turning to the impact of the proposals on the amenity of the neighbouring occupiers, the proposed development is not considered to have a significantly detrimental impact on the daylight or sunlight enjoyed by the adjacent properties Nos. 66, 67 and 68 Cadogan Place. No. 68 Cadogan Place lies to the south of the application property and, therefore, will not experience any loss of sunlight due to the rebuilding of the property with an additional storey. Furthermore, No. 68 Cadogan Place enjoys the benefit of garden which further ensures that any loss of daylight will be minimal.
- 4.8 The rear of the application property does lie close to the windows in the upper ground floor extensions of Nos. 66 and 67 Cadogan Place. (The lower ground floor windows serve the flat which is part of the application property.) Given this close proximity the applicants have provided a daylight survey calculating the impact of the proposal on the daylight experienced by these windows. This report confirms the officer's view that any loss of light experienced by the windows of both Nos. 66 and 67 Cadogan Place will not be so significant as to merit a recommendation for refusal. The report concludes that the proposed mansard extension will comply with the Building Research Establishment (BRE) standards on daylight and sunlight. Furthermore, members will note that the windows most affected in Nos. 66 and 67 Cadogan Place are both obscurely glazed, and therefore, that the proposal is unlikely to have a significant impact on the sense of enclosure experienced by these properties.
- 4.9 The rebuilding of the property with an additional storey is not considered to have a seriously detrimental impact on the privacy of the neighbouring occupiers. Given that a number of windows already exist in the rear wall of the existing property at first floor level the introduction of three further windows in the rear roof slope is not considered to significantly increase the degree of overlooking. Members will note that the window of No. 67 Cadogan Place potentially most affected by the proposal is currently obscurely glazed.

- 4.10 The application includes the retention of an off street car parking space. The proposed garage will be 5.2 metres long by 2.6 metres wide. This is considered to be of an appropriate size. The Council's Transportation Officer does not object to the proposal.

Works to Nos. 66 and 67 Cadogan Place

- 4.11 The principle of the covering of the small courtyard area of No. 67 is considered to be appropriate in terms of its impact on the townscape. The existing open area is just 6 square metres in area and is considered to add nothing to any sense of garden openness. It is bounded to the east and west by buildings and to the north and south by single storey out buildings. Furthermore, the infilling of the garden area of the properties in Cadogan Place is a well established precedent. The detail design of the structure is considered to be an appropriate. It will be of a lightweight glazed nature. The creation of a glazed atrium within No. 67 Cadogan Place is also considered to have no more than a minimal impact on the character of the Conservation Area.

Formal observations of the Conservation and Design Officer

- 4.12 English Heritage have not indicated whether they wish to retain or release this case. The works to the basement of Nos. 66 and 67 Cadogan Place are minor in nature and are not considered to harm the special architectural character or historic interest of the listed building. The observations of the design officer are as follows:

"The works involve minor internal and external alterations at basement level.

The internal works involve the removal of later partitioning and the provision of new partitioning. The interior has been subject to extensive past alterations. The works are localised and will not adversely affect the sense of coherence and integrity of the planned form.

The external alterations consist of localised re-modelling to create an internal garden/atrium which is appropriately located against the building line of the original building. The elevational alterations are appropriate in design, detailing and materials.

The works are considered not to harm the special architectural or historic character of the building."

- 4.13 The building up of the party wall with No. 68 Cadogan Place by approximately 1.2 metres is not considered to have a detrimental impact on the daylight enjoyed by the neighbouring property. The party wall lies to the north of No. 68, which is a property which enjoys an open aspect to the east. Furthermore, the impact will be further reduced as the railings at No. 68 are currently backed with opaque corrugated plastic.
- 4.14 Although English Heritage have not advised the Royal Borough whether they have retained or released the application for Listed Building Consent (it is presumed they are retaining it) they have commented on the application for Conservation Area Consent, and object to the demolition of the existing mews house. It is understood that the revised scheme has addressed this objection, but at the time of writing this report a written response to the revisions is awaited.

4.15 Therefore, the proposed alterations are considered to comply with Council policy as set out in Chapter 4 of the Unitary Development Plan, in particular with Policies CD25, CD28, CD30, CD38, CD39, CD41, CD42, CD48, CD52, CD53 and CD58 as are considered to preserve the character and appearance of the Hans Town Conservation Area and of the grade II listed building.

5.0 **PUBLIC CONSULTATION**

5.1 Twenty adjoining occupiers have been consulted in Cadogan Place and Cadogan Lane. Three letters of objection have been received.

5.2 The occupier of No. 68 Cadogan Place objects to the proposals on the grounds of loss of privacy and of loss of sunlight. The proposal is not considered to adversely effect the sunlight received by this property as the application property lies to the south. It is considered that no loss of privacy will occur as a number of windows already exist in the rear wall of the property. The addition of new windows in the mansard will not significantly increase any loss of privacy. Furthermore it is noted that any views into No. 68 Cadogan Place will be oblique.

5.3 The occupiers of Nos. 79 and 83 Cadogan Lane object to the proposed mansard on the ground of loss of light.

These properties lie on the eastern side of Cadogan Lane, and it is considered that any loss of daylight experienced by the lower windows of these properties (the windows potentially most affected) will be minimal. In respect of these properties, the proposed mansard is considered to comply with Council standards on daylighting as set out in Chapter 13 of the UDP.

5.4 The occupier of No.79 Cadogan Lane also objects to the proposals on the grounds of its impact on the character of the Conservation Area and on the grounds that the implementation of the permission will result in noise nuisance and congestion.

At the request of the officers the design of the proposed property has been amended. The amended design is considered to be appropriate and to enhance the character and appearance of the Conservation Area. Members will be aware that noise and congestion in relation to the implementation of a planning permission cannot be a material planning consideration. However, an informative is recommended informing the applicants of their obligations with regards the relevant environmental protection legislation.

5.5 The objectors have been notified of the further revisions and any comments will be reported to the Committee verbally.

6.0 **RECOMMENDATION**

6.1 Grant planning permission, conservation area consent and listed building consent.

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M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/99/02585 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: CT
Report Approved By: BC/LAWJ
Date Report Approved: 25/04/2000

PSC00/05/CT.REP

**ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING &
CONSERVATION
PLANNING SERVICES COMMITTEE
09th MAY 2000**

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

AGENDA ITEM 4065 52 SYDNEY STREET, SW3

Further letter received from the occupiers of No. 50 Sydney Street in response to the revised drawings reiterating objections set out in the report.

**AGENDA ITEM (4069) 84 CADOGAN LANE WITH FLAT 8 AND ANCILLARY - 9 MAY 2000
STOREROOMS, 66/67 CADOGAN PLACE, SW1**

Letter from occupier of 68 Cadogan Place who seeks clarification of how far the height of the existing party wall will be extended; the height and width of the proposed top floor and first floor rear windows and the extent of proposed railings.

The occupier refers to other properties, Nos. 66 and 67 Cadogan Lane and the extent of obscured glazing. However, he does not refer to the impact on his own property.

The occupier of 68 Cadogan Place also objects to the potential loss of privacy in relation to his property and the first floor windows of Nos. 67 and 68 Cadogan Place and the ground and basement windows of No. 68 Cadogan Place.

It is confirmed that the case officer has visited No. 68 Cadogan Place and assessed the impact of the proposals on this property.

AGENDA ITEM 4074 2 BASIL STREET, SW3

The Knightsbridge Association object on similar grounds to previous letters. There are already two hotels and a fire station in close proximity in Basil Street and a further increase in traffic, taxis and service vehicles would lead to further congestion, contribute to difficulties in operating the fire station efficiently and detract from the quality of life of residents in the area.

The applicants wish the description to be altered to "Change of use from Class B1 (offices) and Class A1 (retail) to Class C1 (hotel), together with erection of roof extensions on Basil Street and Brompton Road frontages, and minor internal alterations to adjoining ground floor retail units".

An appeal for non-determination has been received so the recommended decision is amended to: "Minded to Refuse".

**P.B.K.C.
APPROVED BY
THE COUNCIL ON**

- 9 MAY 2000