

ROYAL BOROUGH OF KENSINGTON & CHELSEA

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REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 20/07/1999 APP NO. PP/99/00740/CHSE/25
AGENDA ITEM NO. 4109

ADDRESS

14 Astell Street,
Chelsea, SW3 3RU

R.B.K.C.
REFUSED BY THE COUNCIL ON
20 JUL 1999

APPLICATION DATED 09/04/1999

APPLICATION COMPLETE 14/04/1999

APPLICATION REVISED 21/06/99

APPLICANT/AGENT ADDRESS:

Peter Tigg
Partnership
Limited,
225 Walmer Road,
Kensington,
London
W11 4EY

CONSERVATION AREA Chelsea

CAPS Yes

ARTICLE '4' No

WARD Church

LISTED BUILDING No

HBMC DIRECTION N/A

CONSULTED 7

OBJECTIONS 2

SUPPORT 0

PETITION 0

Applicant Mr & Mrs Faram,

Re Fused

PROPOSAL:

Erection of rear extensions at first and second floor levels.

RBK&C Drawing No(s): PP/99/0740 and PP/99/00740A
Applicant's drawing No(s): 14AS 01 to 05, 23, 24, 25 and 26

RECOMMENDED DECISION: ~~Grant planning permission~~

Refuse



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. **No water tank, lift motor room, or other roof structure, shall be erected which rises above the level of the roof hereby approved. (C077)**
Reason - To safeguard the appearance of the building / terrace / area. (R077)

5. **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. I09
2. I10
3. I21

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1.0 SITE DESCRIPTION

- 1.1 The application relates to a three storey property which lies on the eastern side of Astell Street backing directly onto Danube Street. The property is a single family dwelling.
- 1.2 The application property lies within the Chelsea Conservation Area.

2.0 DESCRIPTION OF PROPOSAL

- 2.1 Planning permission is sought to erect an extension at first floor level on the flat roof of the existing ground floor extension. The extension will be 3.7 metres wide and will project approximately 3.5 metres from the existing rear wall of the property.
- 2.2 Permission is also sought to extend the existing bathroom at second floor level by 500 mm.
- 2.3 The application has been amended at the request of the officers in order to safeguard the amenity of the neighbouring occupiers. The proposed first floor extension has been reduced by approximately 1.7 metres in depth.
- 2.4 The applicant also intends to build an extension at ground floor level and to alter the fenestration pattern of windows in the rear elevation. As the property is a single family dwelling house, these works can be carried out under the property's permitted development rights, as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order, 1995. The applicant has submitted a separate application for a Certificate of Lawful Proposed Development.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4.0 RELEVANT PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration relate to, firstly; the impact that the proposals will have upon the character and appearance of the property and of the surrounding Conservation Area of which it forms part; 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:

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- CD25 (High standard of design)
- CD28 (Daylight)
- CD30 (Privacy)
- CD41 (Rear extensions)
- 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)

4.2 The principle of the proposed first floor extension is considered to be acceptable in design terms. The rear of this part of Astell Street is unusual in that it is characterised by a number of pairs of similar houses. No. 8 forms a pair with 10, No. 12 with No. 14, No 16 with 18, etc. The majority of these properties are characterised by flat roofed rear outreaches at ground floor level. Extensions have since been built upon these ground floor outreaches on a number of properties in the terrace. An extension, similar to that proposed exists at the adjacent property, No 16 Astell Street, as well as at Nos. 18, 10, 8 (granted 1998) and No. 6. Therefore, the proposed extension is considered to comply with Council policy, in particular with Policy CD41 parts (c) and (d), as it will be visually subordinate to the parent building and will not rise above the general height of nearby extensions.

4.3 At the request of the officers, the proposed first floor rear extension will be set back from the existing rear building line at ground floor level by 1.7 metres. This will create a "stepped" form which is characteristic of the neighbouring properties, Nos. 16 and 18 Astell Street. The first floor extensions at Nos. 10, 8 and 6 Astell Street project further than that proposed covering the entire flat roofed area of the ground floor outreach. However, given the proximity of the properties in Danube Street and the character of Nos. 14 and 16 Astell Street, a stepped extension is considered to be more appropriate in this location. Therefore, the proposed first floor extension is also considered to comply with part (a) of CD41 as will not extend rearwards beyond the general rear building line at first floor level.

4.4 The proposed extension at second floor level is considered to acceptable as it will have no more than a minimal effect on the character of the property and on the Conservation Area of which it forms part. The extension will be just 500 mm deep, the rear wall being brought forward to the level of the existing chimney stack.

4.5 The detailed design of the proposed extensions is considered to be appropriate. The extensions will be of brick to match the rest of the property with matching windows. Therefore, the proposed extensions are considered to comply with Council Policy, as set out in Chapter 4 of the UDP, in particular with Policies CD25, CD41, CD48, CD52 and CD53 as they are considered to preserve and enhance the character and appearance of the Conservation Area.

4.6 Turning to the impact of the proposed development on the amenity of the surrounding properties, it is considered that the rear extension at first floor level does not have a seriously detrimental impact on the daylight or sunlight experienced by the adjoining properties. Similarly, the proposed extension is not considered to cause an unacceptable sense of enclosure. The three neighbouring properties most affected by

the proposed extension are Nos. 12 and 16 Astell Street, and No. 16 Godfrey Street, lying on the east side of the alley way known as Danube Street, and the impact of the proposals on each property will be dealt with in turn.

- 4.7 The impact of the proposed first floor extension on the rear window in the rear elevation at first floor level of No. 12 Astell Street is considered to comply with Council standards on daylighting as set out in Chapter 13 of the UDP. Furthermore, a further window serves this room - a window unaffected by the proposal. This window will not experience an undue sense of enclosure given the relatively small size of the extension (3.5 metres deep) and given that the window will not directly look out onto the proposal.
- 4.8 The property which will be most affected by the proposed first floor extension is No. 16 Astell Street as it has a number of windows in the flank elevation of the existing out reach at both ground and first floor levels which look over the application property. The dining room at ground floor level and a bed room on the first floor are the rooms which will experience the greatest potential impact as all other affected rooms are either non-habitable and, therefore, are of less significance, or have other windows not affected by the proposal. However, the impact on the daylight experienced by these windows is considered to comply with Council standards on daylighting as set out in Chapter 13 of the Unitary Development Plan. The amended extension is just 3.5 metres deep and its flank wall will lie approximately 4.5 metres from them. Similarly, the windows in this outreach looking south will experience the greatest sense of enclosure. However, the increased sense of enclosure is not considered to be unacceptable given the relative position of the windows and the size of the proposed extension. The window most affected by the proposed extension serves a bedroom lying at first floor level. However, any loss of outlook is not considered to be significant given the current view from this window which is of the existing flank wall of the application property. One will only be able to see the proposed extension from this window if one were to stand very close to the opening and to look out obliquely east.
- 4.9 The raising of the party wall in connection with the construction of a ground floor extension may have some impact on both the sense of enclosure and daylight experienced by No. 16 Astell Street. This extension is not the subject of this application as does not require planning permission. It can be carried out under the property's permitted development rights. However, following discussions with both the occupiers of No. 16 and with Council officers, the height of the proposed party wall has been reduced.
- 4.10 The impact of the amended proposal on No. 16 Godfrey Street is also not considered to be unacceptable. At the request of the officers the proposed extension will be set back by 1.7 metres from the existing rear wall of the ground floor extension. This is considered necessary to ensure that it will meet Council standards on daylighting. Similarly the first floor window in the rear elevation of No. 16 Godfrey Street is not considered to experience an unacceptable sense of enclosure given that it will lie approximately 5 metres from the extension and will be seen against the backdrop of the buildings in Astell Street.

- 4.11 The proposed extension at second floor level is not considered to have a significant impact on the amenities of neighbouring properties given its small size. It will not stand forward of the existing chimney stack.
- 4.12 The neighbouring properties are not considered to experience a significant loss of privacy. No new window openings will be created in the flank wall of the extensions overlooking No. 16 Astell Street. The bedroom window will look towards No. 16 Godfrey Street. However, this is not considered to cause a significant reduction in privacy as the extension replaces an existing roof terrace. Any loss of privacy or disturbance is considered to be greater from the use of this terrace than from the use of the new bedroom window.
- 4.13 Therefore, the proposed extensions are also considered to comply with Policies CD28 and CD30 of the UDP.

5.0 PUBLIC CONSULTATIONS

- 5.1 Seven adjoining properties have been consulted in Astell Street and Godfrey Street. Letters of objection have been received from the occupiers of No. 16 Astell Street and No. 16 Godfrey Street on the grounds that the proposed extension will have an unacceptable impact on the daylight and sense of enclosure of the neighbouring properties. The occupier of No. 16 Godfrey Street is also concerned that the proposal will have an unacceptable impact on his privacy.

The scale of the proposal has been amended and this is considered to have substantially reduced its impact. The rear wall of the extension is to be set back 1.7 metres from the original. This amended proposal is considered to comply with Council standards on daylighting as set out in Chapter 13 of the UDP. Similarly, given the location of neighbouring windows, the size of the proposed extension and its distance from the windows, it is not considered to increase any sense of enclosure experienced by neighbouring properties by such a degree as to merit a recommendation for refusal. The creation of a bedroom window is not considered to cause undue overlooking, given the distance of the window from No. 16 Godfrey Street and given that the extension replaces an existing roof terrace.

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

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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/99/00740 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: 05/07/99



ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR,
PLANNING & CONSERVATION
PLANNING SERVICES
COMMITTEE 20TH JULY 1999

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 ~~4109~~ 14 ASTELL STREET, SW3

1. Councillor Joanna Gardner objects to the proposed works on the grounds of the adverse effect they will have on the amenities currently enjoyed at the neighbouring property, 16 Astell Street, in particular due to loss of light to habitable rooms.
2. The Astell Street et al Residents Association object on the grounds that the proposed design will upset the original twinned design of the houses; represents overdevelopment and will have a seriously deleterious effect on the neighbouring property.
3. The occupier of 16 Godfrey Street objects to the revised proposals on the grounds of loss of light and increased sense of enclosure.

In response to these objections the attention of the Committee is drawn to paragraphs 4.8, 4.9, 4.10 and 5.1 of the report. In brief, the extensions at first and second floors comply with the relevant Unitary Development Plan policies and standards. The widened ground floor extension does not, but falls within the scope of 'permitted development' and does not require planning permission.

AGENDA ITEM 4112 180 WALTON STREET, SW3

The Chelsea Society recommend that Condition 1 of the planning consent granted on 24/11/98 be retained as it was imposed for a good reason.

AGENDA ITEM 4113 179-181 BROMPTON ROAD, SW3

West London Architectural Society object on the grounds that the Brompton Road elevation is somewhat bland, and suggest a number of improvements to the fenestration. The Committee are advised that the revised proposals have improved the originally submitted design that the Society are referring to.

MEMORANDUM

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SOUTH-WEST

No changes

SOUTH-EAST

99/0740
4109

14 Astell Street,
SW3

R.B.K.C.
REFUSED BY THE COUNCIL ON
20 JUL 1999

Refused

The proposed first floor rear extension, due to its height, bulk and detailed design, would be harmful to amenities enjoyed by the occupiers of adjoining properties and harmful to the character and appearance of this part of the Chelsea Conservation Area, contrary to policy set out in Chapter 4 of the Unitary Development Plan, in particular Policies CD28, CD41, CD52 and CD53.

99/0553
4114

Duke of York's
Headquarters,
King's Road, SW3

Amended Condition

Add to end of condition 2 ... and the site returned to its condition, including removal of all litter, at the end of each day.

99/0628
4120

141/144 Sloane
Street and Cadogan
Mansions, Sloane
Square and 255/267
Pavilion Road, SW3

Subject to a Section 106 Agreement, in respect of the payment by the applicants for the costs of the works to the highway and a commuted sum for the maintenance of the tessellated tiling to be used for the surface of the highway.

Additional Informative
I.8


MICHAEL J. FRENCH,
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

28/7/99

 MEMORANDUM

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TO : PRINCIPAL ADMINISTRATIVE OFFICER
 cc. CHIEF EXECUTIVE & TOWN CLERK
 (Attention Steven Modric)

FROM: EXECUTIVE DIRECTOR,
 PLANNING & CONSERVATION

Ext. 2004
 Room 324A

Date: 22nd July, 1999

PLANNING SERVICES COMMITTEE: 20th July, 1999

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

99/0910 188 Westbourne Grove.
 107 W11

Additional Condition

14. The air conditioning unit hereby permitted shall only operate between the hours of 08.00 and 24.00 on any day and shall be switched off at all other times.

Reason - To safeguard the amenities of neighbouring residential properties.

99/0965 Tavistock Road
 108 paved area. W10

Additional Condition

6. The kiosk hereby permitted shall be removed and the land restored to its former condition within one month of it becoming redundant or ceasing to trade.

Reason - In the interests of visual amenity and in order to safeguard the appearance of the piazza.

CENTRAL

No changes
