

OUR REFERENCE:
Letter of Objection



25 April 2023

Laura Fogarty
Planning Services
Royal Borough of Kensington and Chelsea
Town Hall
Hornton Street
W8 7NX

Dear Laura Fogarty,

Re: PP/23/00968 – 81-103 King’s Road, London, SW3 4NX

We have been instructed by our client, [REDACTED], to comment on the planning application for proposed works at 81-103 King’s Road, described as ‘Demolition of existing building and redevelopment for new building up to four storeys and basement (Use Class E - commercial, business and service); roof terraces, landscaping works; installation of plant; and associated works. (MAJOR APPLICATION)’.

The Royal Borough of Kensington & Chelsea Town Planning Application reference is PP/22/00968

Our client is the owner and occupier of 41 Radnor Walk which is located to the south of the application site, (81-103 King’s Road).

GarnettArchitecture LLP are RIBA Chartered Architects with over 20 years of experience working on residential refurbishment and new build projects in within the Royal Borough of Kensington & Chelsea.

Our client has examined the proposals in conjunction with his professional advisors and wishes to object strongly to the development as currently proposed.

We have set out below our client’s specific objections using the relevant policies of the Royal Borough of Kensington & Chelsea’s Local Plan as a framework.

CONTEXT AND CHARACTER

Policy CL1 requires all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions.

Policy CL 1(a) requires development to contribute positively to the townscape through the architecture and urban form, addressing matters such as scale, height, bulk, mass,

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proportion, plot width, building lines, street form, rhythm, roofscape, materials and historic fabric as well as vistas, views, gaps, and open space.

Policy CL 12(b) on Building Heights states that the council can resist buildings significantly taller than the surrounding townscape other than in exceptionally rare circumstances, where the development has a wholly positive impact on the character and quality of the townscape

Grounds for Objection

With two additional stories being added, the scale, height, bulk, mass and proportion are all seeing a significant increase which does not contribute positively to the townscape. These additional heights will cause a loss of privacy and sunlight for some of the surrounding residential properties and will contribute to the sense of enclosure of the road.

This development will also negatively impact the view from Chelsea Garden down Markham Street to the King's Road which negatively impacts the context and character.

DESIGN QUALITY

Council Policy CL2 requires all developments to be of the highest architectural and urban design quality, taking opportunities to improve the quality and character of buildings and the area and the way it functions.

Policy CL 2(a) lists a number of requirements including 'Locally Distinctive – responding well to its context', 'Sustainable' and 'Inclusive'

Grounds for Objection

Townscape

The existing buildings have been designed to reflect the original plot divisions of the site, with architectural features that maintain the original pattern of development. The proposed approach creating a single 'block' with repetitive architectural features, and 'curved' frontage, loses all reference to the original scale and pattern of development. While the scheme makes reference to locally distinctive architectural features on the King's Road elevation, these are of a scale and number that are out of character with the existing context.

Sustainability

This proposal involves the complete demolition of a 1980s building which appears to be in serviceable condition. Although the proposal has good environmental credentials, the damage caused by the demolition and new construction will cause a substantial increase in carbon emissions causing a negative environmental impact. A scheme which works with the existing building structure fabric and works to improve the environmental credentials of the scheme should be investigated. This could involve a part demolition and re-cladding of the existing frame, reducing the need for groundworks and demolition of a substantial part of the existing structure, thereby being more consistent with the Council's sustainability policy objectives.

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Inclusive

Although the proposal will retain its existing retail space, the reduction in car parking from 106 to 29 spaces will reduce accessibility to the retail area. This will mean less people can access the shop and will be discriminatory towards people with accessibility needs who rely on blue badge parking when shopping. This reduction also means more air pollution in the surrounding areas as cars will circle, waiting for one of few parking spots to become available.

LIVING CONDITIONS

Council policy CL5 requires all development ensures good living conditions for occupants of new, existing and neighbouring buildings. Paragraph 22.3.40 of the Local Plan states:

“An overbearing or over-dominant sense of enclosure can significantly reduce the quality of living conditions both inside and outside. The impact on the sense of enclosure, is dependent on on-site judgment”.

And paragraph 22.3.41 of the Local Plan states:

“The level and type of activity generated by the development in its final form, as well as during construction, can affect the conditions of building users, through increased traffic, parking, noise, odours and vibrations in addition to impacts created by the development’s physical structure which can have microclimatic effects. The anticipated level of activity as well as the effects on the local microclimate should be taken into consideration.”

Policy CL 5(b) ensures that good standards of daylight and sunlight are achieved in new development and in existing properties affected by new development; and where they are already substandard, that there should be no material worsening of the conditions.

Policy CL 5(c) require that there is reasonable visual privacy for occupants of new development and for occupants of existing properties affected by new development.

Policy CL 5(d) requires that the proposal will not involve harmful increase in the sense of enclosure to existing buildings, neighbouring gardens, balconies and terraces.

Policy CL 5(e) requires that the reasonable enjoyment of the use of buildings, gardens and other spaces is not harmed due to increases in traffic, servicing, parking, noise, disturbance, odours or vibration or local microclimatic effects.

Grounds for Objection

The primary concern is the increased noise and light pollution that will be caused by new building occupants on the terraces at the rear of the proposal and the negative effects this would have on existing residents to the rear of the development. The planning application

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also clearly shows that many surrounding properties will see a decrease in sunlight which would be a material worsening of conditions. While planters have been introduced, increase in bulk and height of building envelope will reduce natural light and create sense of enclosure to properties backing onto the scheme. Finally, this scheme would increase the residential density of the area which will put pressure on local amenities and services.

During the construction the traffic management will cause congestions, pollution and noise. In an area that has already been subject to ongoing construction works, this is particularly damaging to residents.

SUMMARY OF OBJECTIONS

The following is a summary of our client's objections to the proposal:

- Increase of light, noise and air pollution as a result of construction and position of rear terraces

- Reduction in sunlight and privacy for surrounding houses

- Increased residential density which will put pressure on local amenities and services

- Total demolition and rebuild will cause unnecessary carbon emissions and be unsustainable

- Reduction in car parking spaces will cause more air pollution and make the shop less accessible and inclusive to the local community

- Highly disruptive construction works

- The additional height and repetitive form will be detrimental to the context and character of the site

CONCLUSION

The National Planning Policy Framework §47 states that the law requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Conflict with Local Plan policies should, therefore, lead to refusal of planning permission unless the Council is persuaded by the applicants that there is justification for not applying those policies.

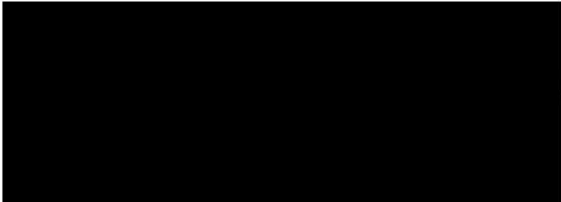
It is clear that the proposed development would conflict with numerous Local Plan policies and we do not consider that there are any good reasons to set aside council policies and guidance.

The development would cause harm to the local area, will be detrimental to living conditions over an extended period for our client and other neighbouring occupiers. Accordingly, the application should be refused planning permission.

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Yours sincerely



Associate Partner
For and on behalf of Garnett Architecture LLP