

**PP/25/02338 PUBLIC COMMENTS SUBMITTED VIA WEB FORM (PRINT
EMAILS/LETTERS/PHOTOS FOR COMMITTEE PACK/APPEAL)**

Name and Address



Comment received: I am writing to formally object to the planning application submitted by regarding the proposed replacement of existing windows with timber double-glazed units and the repositioning of two rear windows.

As a leaseholder and long-standing resident of within the road, I have serious concerns regarding the proposed changes, which I believe are detrimental to the amenity, privacy, and architectural integrity of the building and surrounding area. My objections are as follows:

1. Loss of Privacy & Overlooking

The repositioning of the two rear windows will result in a direct line of sight into my home, significantly affecting the privacy I currently enjoy. The new sightlines may create a feeling of being overlooked and intruded upon, which contravenes the spirit of the Local Plan's focus on protecting residents' amenity and privacy.

2. Heritage & Aesthetic Concerns

The property is part of a [state if it's a Conservation Area], and the current window positioning contributes to the building's architectural balance and visual character. Altering this symmetry by repositioning windows would disrupt the original façade and set a precedent for piecemeal, unsympathetic alterations.

3. Noise & Light Pollution

Repositioned windows may change the flow of natural light and sound between flats. There is a strong likelihood this will increase ambient noise and light disruption into adjacent units, which are not currently impacted.

4. Insufficient Consultation with Leaseholders

No formal consultation or notification has been made to affected leaseholders, regarding these proposed structural changes. The lack of meaningful engagement raises concerns about transparency and procedural fairness.

5. Alternative Solutions Not Explored

It is unclear why repositioning the windows is necessary or whether less intrusive alternatives have been considered. The application fails to justify the need for structural alteration over simple like-for-like replacement in the existing locations.

Conclusion:

Given the above concerns, I respectfully urge the planning committee to refuse the application in its current form and request that any future proposals prioritise resident consultation, heritage integrity, and protection of privacy for all occupants.

Please confirm receipt of this objection and let me know if a site visit or further resident input will be considered as part of the decision-making process.

Date of Comment: 21/06/2025 17:10:11
Comment type: Further Comment

-
Name and Address



Comment received: Dear Sir/Madam,

I am writing as a concerned resident of the building in question to formally object to the above two planning applications concerning:

PP/25/02338 - Replacement of windows to timber double glazed, and re-positioning of two rear windows

PP/25/02340 - Installation of 2no. air conditioning units to rear

These proposals raise serious concerns regarding resident privacy, safeguarding, noise impact, and procedural fairness, and I urge the Council to refuse both applications.

1. A Conservation area; not in line with area character

1. Lack of Consultation with Affected Leaseholders

No formal consultation has taken place with leaseholders directly affected by these proposed alterations. As stakeholders with a legal and financial interest in the building, leaseholders are entitled to be consulted on material changes that may impact their enjoyment, privacy, or security.

The omission of engagement demonstrates a disregard for proper process and fair neighbourly conduct - a point of particular concern in multi-occupancy freehold buildings.

2. Privacy Intrusion and Safeguarding Concerns

The proposed repositioning of rear windows significantly alters the lines of sight within the building's rear aspect, creating the potential for unwanted surveillance and visual access into private dwellings.

This is especially troubling in light of well-founded concern that the window repositioning is being sought not for functional purposes, but to create an intentional line of sight into neighbouring homes. The situation is currently being monitored closely and may require escalation to police authorities should any further breaches of privacy or harassment arise. The planning process must not be used to facilitate indirect intimidation or enable surveillance under the guise of home improvement.

3. Noise Pollution and Mechanical Nuisance

The installation of two external air conditioning units is also highly

objectionable. No acoustic report or mitigation plan has been provided, leaving residents vulnerable to:

Persistent low-frequency noise in a confined rear courtyard

Disruption of quiet enjoyment, especially during warmer months

Sleep disturbance due to night-time operation of condensers

Mechanical units of this nature should not be approved without full environmental assessments and without the informed consent of neighbouring residents.

4. Character and Design Harm

The visual and architectural impact of the proposed works - particularly the AC units and repositioned windows - is unsympathetic to the style of the property and risks degrading the design coherence of the rear elevation. This is contrary to the principles outlined in the Council's own planning guidance for alterations to residential buildings.

Conclusion

In light of the above, I strongly urge the Royal Borough of Kensington & Chelsea to refuse both applications in full, or at minimum, require:

Immediate suspension of the applications pending formal leaseholder consultation

A full privacy and safeguarding impact assessment

Submission of acoustic and mechanical engineering reports

A design and access statement that justifies the functional necessity of the repositioned windows

This objection is submitted with the intention of preserving resident rights, building harmony, and upholding the integrity of the planning process. I request to be kept informed of any developments or hearings relating to these applications.

Yours faithfully,

Date of Comment:
Comment type:

21/06/2025 17:33:42
Objection

Name and Address

Comment received:
Date of Comment:
Comment type:

23/06/2025
Objection

-
Name and Address

Comment received:

Date of Comment:

Comment type:

23/06/2025

Objection

-
Name and Address

Comment received:

This application is confusing and as yet insufficient for neighbours to be able to take an informed view. Revised information and plans are needed and an extended public consultation period.

The windows have already been expanded and relocated, without planning permission it seems, altering the original exterior in a Conservation Area. This sets an unfortunate precedent if not rectified. They expand visibility into neighbouring properties especially 36a Burnaby Street and Uverdale and Upcerne Road back gardens. Are they necessary or even desired?

The plans are inconsistent with the actual and proposed doors at the rear. What else is incorrect or misleading?

Regarding air con units: The noise report is not clear and it is highly unlikely that two large air conditioning units for a big house, attached to a party wall and outside, with two other leasehold dwellings with rear access nearby and bedroom windows to the same outside space, will not cause noise and heat disturbance to neighbours and fellow leaseholders who do not appear, I hear, to have been consulted at all. Again this would set a difficult precedent in a close situation and densely housed back garden layout of dwellings.

The council are urged to invite the owners to submit correct and up to date plans and paperwork, full noise reports for these specific air con units, including impact on a shared wall and to consult fellow leaseholders as to all possible solutions to avoid infringing leaseholder rights.

Date of Comment:

26/06/2025 21:01:46

Comment type:

Objection

-
Name and Address

Comment received:

To ensure conformity with the conservation area, it should be made explicit that all glazing should be of timber construction and painted white and maintained in white paint.

Officers should consider the extent to which the new positions of the windows invade the privacy of the near neighbours.

Officers should consider how these developers and those in the area are discouraged from undertaking development without planning consent.

Date of Comment: 07/07/2025 12:59:51
Comment type: Objection

Name and Address

Comment received:

Construction on this address continues well beyond proposed timelines, causing ongoing disruption to surrounding residents and downstairs neighbours in basement flats. Deadlines on the project have been extended multiple times already and this further planning application will again add months of disruption.

Due to the layout of this address, this construction has been occurring above two occupied lower ground flats. As a result heavy, noisy and repetitive construction has been frequently occurring above, and within meters of these dwellings to the front and rear of the properties.

So far this has resulted in significant noise starting from early in the morning, access issues on the footpath in front of the address and entranceways to the lower ground apartments (works have been completed in this space, delivery of materials and work vans constantly occupying parking spaces along the street) and repeatedly significant debris and mess left behind by workers affecting these lower ground residents, forcing them to continually clean areas on their own property and remove fallen debris. The owners have been contacted about this, but workers never returned to clean up after themselves.

Furthermore a permanent hoarding has been present in front of the residence since September 2024, significantly restricting natural light into the front windows of these lower ground apartments. On one occasion, without consultation, scaffolding was installed at the back side of the building, being present for 1 week. This was put in place to make alterations to one of the rear windows on the ground floor. This blocked all natural light from entering the rear of the lower ground apartment, created significant mess and debris, blocked one of the rear drains to the lower ground apartment, and entailed heavy construction occurring less than 2 meters from the bedroom window.

There are concerns that further structural changes to windows at the rear of the property will entail further scaffolding, noise, and disruption similar to that outlined above, which surrounding residents have already had to endure.

Furthermore if any significant changes to windows at the front of the property require scaffolding, this will block access to the entrance of the lower ground apartments entirely. This will either restrict these residents from being able to enter and exit their own properties and/or force them to once again live on/within a construction site without any say in the matter

Date of Comment: 07/07/2025 17:56:51
Comment type: Objection

-

Name and Address

Comment received: EMAIL IN DMS
Date of Comment: 07/07/2025
Comment type: Objection

-

Name and Address

Comment received:
Date of Comment: 22/09/2025 14:37:34
Comment type: General Comment

-

Name and Address

Comment received: OPL
Date of Comment: 02/10/2025 10:44:17
Comment type: Objection

-

Name and Address

Comment received:
Date of Comment: 02/10/2025
Comment type: Objection

-

PLANNING APPLICATION PUBLIC COMMENT

Application number: PP/25/02338

Site address: 38-40 Burnaby Street, London, SW10 0PL

Proposal: Replacement of windows to timber double glazed, and re-positioning of rear windows and the removal of a door and window (retrospective application)

Comment received: Please do not publish my details or email address.

I am commenting on behalf of my household

OBJECTION RE WINDOWS APPLICATION 38-40 BURNABY STREET
PP/25/02338/ / JABR AMENDED

We previously objected to this proposal, mainly on the grounds that the plans were not only inaccurate but misleading, whilst commenting that the replacement of upvc windows with traditional white painted wood was a positive action.

Sadly the plans remain inaccurate and they do not represent the truthful layout of the windows before all the illegal demolition took place, despite this being a retrospective application. Surely documents need to be accurate before planning consent can be given?

They still also show the Brown stained French doors which are a NEW (ie without planning) set of doors, inserted by demolishing the brickwork to widen the opening from a single door to a double door. The drawings show them beside ONE of the original doors, but that has long gone

If you look on the DAS you can see (low resolution) there were two white glazed Doors

The DAS states the windows and doors will be timber, finished in

white but there is no revised application Form to back this up

Online it is the same application form as in April. The form still states

“Proposed materials and finishes:

To match existing as close as possible in texture and colour”.

Therefore if they are saying the Brown wood door is existing, then

they could mean other new windows will be brown. The form still

states the work hasn’t been started without consent, which is, again, untrue.

The DAS does state “a single door and window are “being entirely removed” but this is still an inaccurate description.

We need reiteration that the NEW brown French doors will indeed be painted white, and that they ARE a new feature and therefore require planning consent. Much is made of having “Georgian” style sash windows (in a Victorian property) but nothing is said or drawn about the French Doors. Will they also have “Georgian” glazing bars?

It may appear pedantic, but we should not encourage this kind of behaviour. We are within a conservation area and any architect or technician should be aware of that. By leaving this unchallenged you are purely encouraging new residents or developers to simply undertake changes, then assume they’ll get retrospective planning because they bank on the council not making them rectify it.

The UPVC sash windows at the rear have indeed now been replaced, this is a positive breach of planning at least.

As it stands, the rear elevation brickwork is badly patched and has several openings

As an aside. Your planning portal is still incredibly unreliable. So it is not always possible to view applications.

Regarding due process, the letter addressed to the householder stated there was a revised application, our thanks for that, the one

addressed individually didn't have a postcode so that was slow to arrive. In addition, our household is not receiving notice of Committee dates for applications despite having made objections. We are only hearing about them on the grapevine. Was the planned Committee meeting cancelled in light of the amended application?

What is happening with the "sister application" for air conditioning? PP/25/02340. It says still at the pre determination stage. I would be obliged if we were informed of any Committee date in good time.



Date of comment: 02/10/2025, 11:44:17

Comment type: Objection

PLANNING APPLICATION PUBLIC COMMENT

Application number: PP/25/02338

Site address: 38-40 Burnaby Street, London, SW10 0PL

Proposal: Replacement of windows to timber double glazed, and re-positioning of rear windows and the removal of a door and window (retrospective application)

Comment received: The windows shown as existing are NOT now like this - they have already been resized and moved without permission nor consultation and a whole new set of double doors has already been installed in new place, again without permission or consultation. This changes the outer look of two Victorian cottage exteriors without any conservation consideration given.

They are also proposing it seems to move the previous suggested site for aircon units to the middle of the garden where it will be by a party wall to a neighbour's living room and give noise out onto an enclosed courtyard with two basement bedrooms giving onto this small area where noise pollution will be an issue for others but not for the owners.

Plans need to be correct BEFORE The planning committee can consider them surely? This feels confused. Has the planning officer not done a site visit to see the existing window and door changes?

They should be put back to how they were - it is conservation area and this would set a precedent of "Do the work without permission and they will grant it retrospectively". They are changing the look of a conservation building with little benefit.

Date of comment: 22/09/2025, 15:37:34

Comment type: General comments

From: [REDACTED]
To: [REDACTED]
Subject: OBJECTIONS PP/25/02338 and PP/25/02340 Planning Application objection on the grounds of Privacy Concerns: Objections to Planning Applications PP/25/02338 and PP/25/02340
Date: 21 June 2025 17:27:16

[REDACTED]

Hello Planning officer,

Royal Borough of Kensington & Chelsea
Re: Objections to Planning Applications PP/25/02338 and PP/25/02340
Address: 38–40 Burnaby Street, SW10 0PL
Ward: Chelsea Riverside

Dear Sir/Madam,

I am writing as a concerned resident of the building in question to **formally object** to the above two planning applications concerning:

- **PP/25/02338** – *Replacement of windows to timber double glazed, and re-positioning of two rear windows*
- **PP/25/02340** – *Installation of 2no. air conditioning units to rear*

These proposals raise serious concerns regarding **resident privacy, safeguarding, noise impact, and procedural fairness**, and I urge the Council to refuse both applications.

1. Lack of Consultation with Affected Leaseholders

No formal consultation has taken place with leaseholders directly affected by these proposed alterations. As stakeholders with a legal and financial interest in the building, leaseholders are entitled to be consulted on material changes that may impact their enjoyment, privacy, or security.

The omission of engagement demonstrates a disregard for proper process and fair neighbourly conduct — a point of particular concern in multi-occupancy freehold buildings.

2. Privacy Intrusion and Safeguarding Concerns

The proposed **repositioning of rear windows** significantly alters the lines of sight within the building's rear aspect, creating the potential for **unwanted surveillance and visual access into private dwellings**.

This is especially troubling in light of well-founded concern that the window repositioning is being sought **not for functional purposes**, but to create an intentional line of sight into neighbouring homes. The situation is currently being **monitored closely and may require escalation to police authorities** should any further breaches of privacy or harassment arise. The planning process must not be used to **facilitate indirect intimidation or enable surveillance** under the guise of home improvement.

3. Noise Pollution and Mechanical Nuisance

The installation of **two external air conditioning units** is also highly objectionable. No acoustic report or mitigation plan has been provided, leaving residents vulnerable to:

- Persistent low-frequency noise in a confined rear courtyard
- Disruption of quiet enjoyment, especially during warmer months
- Sleep disturbance due to night-time operation of condensers

Mechanical units of this nature should not be approved without full environmental assessments and without the informed consent of neighbouring residents.

4. Character and Design Harm

The visual and architectural impact of the proposed works — particularly the AC units and repositioned windows — is unsympathetic to the style of the property and risks degrading the design coherence of the rear elevation. This is contrary to the principles outlined in the Council's own planning guidance for alterations to residential buildings.

Conclusion

In light of the above, I strongly urge the Royal Borough of Kensington & Chelsea to **refuse both applications in full**, or at minimum, require:

- Immediate suspension of the applications pending formal leaseholder consultation
- A full privacy and safeguarding impact assessment
- Submission of acoustic and mechanical engineering reports
- A design and access statement that justifies the functional necessity of the repositioned windows

This objection is submitted with the intention of preserving resident rights, building harmony, and upholding the integrity of the planning process. I request to be kept informed of any developments or hearings relating to these applications.

Yours faithfully,

A Concerned Leaseholder and Resident



Subject:
Date:



PP/25/02338 and PP/25/02340. 38-40 Burnaby Street
22 June 2025 19:06:15

Dear Planning

Firstly. Ref the application PP/25/02338. Windows.

I will respond with a formal comment , but in the interim I have some observations on discrepancies which may make the current application/s invalid.

Application form: It states Gauvin is the agent, but the agent is different, ie it hasn't been correctly filled in.

Description: The wording "to match existing as close as possible in texture and colour" is ambiguous. The existing are partly UPVC, this should state timber, painted white.

Description of proposed works: "Replacement Reposition two". More than two are being repositioned

Re the question: Has the work already been started without consent? Answer: No. But work started over two years ago on knocking out windows and repositioning them. I can send visual proof.

Rear elevation drawings: They show pre planning application changes, eg the wood stained French doors were created by demolition of brick and taking away the single width back door. In addition, the drawing on the sister application (for air-conditioning units) shows a triple French door arrangement as proposed. Which is correct?

There's mention about style etc, the lower extreme left does not seem to match in the drawings. Can this be clarified?

Secondly Ref the application PP/25/02340. Air con units

Drawings: See above re discrepancy on the rear elevation

Missing drawing: There is no elevation drawing showing the side wall and the placement and height. Only a side view and a very small plan which does not have dimensions. Please may I have dimensions.

Photo with arrows: ignores 40a. I've already sent an email with queries regarding this application. 40a is now aware of the application. The impact totally ignores my roof terrace, it only mentions my first floor, the basement, the ground floor, the first floor, the second floor and the roof terrace will all be impacted by noise vibration and heat.

General question: May we ask why the date received was 7th April this year, but both were only registered on the 13th June? I only saw this application late on the 20th via my planning alert email.

In view of the discrepancies we feel an extension to the public consultation date is in order

Kind regards



Sent from my iPad

[REDACTED]
[REDACTED]
Cc:
Subject: FW: PP/25/02338 FUR OBJ FROM 42 Burnaby Street
Attachments:

[REDACTED]
Sent: 07 July 2025 11:15
[REDACTED]
Subject: PP/25/02338 FUR OBJ FROM 42 Burnaby Street

Good morning

Please find below our formal objection. I don't know if the online form worked or not, there seems to be a problem with it

Please redact all details, name, address etc.

Kind regards

[REDACTED]
[REDACTED] et

FORMAL OBJECTION:

OBJECTION RE WINDOWS APPLICATION 38-40 BURNABY STREET

PP/25/02338

Whilst we are pleased to see the use of traditional timber sash windows, especially to replace some UPVC units, it has to be noted that the drawings are incorrect

We previously submitted information regarding discrepancies regarding the application. We can see no corrections on line.

We wish to reiterate that it should not state to match as existing. It should state timber, painted white as per most applications in the Conservation area. If matching existing this would just be replicating the UPVC and the brown stained new (without permission) doors

As previously stated, the rear elevation is a patchwork of demolition and infilling by the applicants, without permission. For example, where there was one single glazed rear door there is now a double brown stained wood set of doors. One drawing shows a triple door set.

As previously stated the plans shown on this, the window application, do not match the air conditioning application, one set is dated 2024, another 2025, so it is hard to know what to trust as being correct.

Clarification should therefore be sought before permission is granted. Therefore instead of this being a supportive submission, it is an objection to the application AS IT STANDS.

Should the drawings and application be corrected it would be a supportive comment.

Sent from my iPhone

[REDACTED]
Sent: 06 Oct 2025 02:17:48
[REDACTED]

Cc:

Subject: FW: OBJECTION RE WINDOWS APPLICATION 38-40 BURNABY STREET - PP/25/02338

Attachments:

[REDACTED]
Sent: 02 October 2025 17:21
[REDACTED]

Subject: OBJECTION RE WINDOWS APPLICATION 38-40 BURNABY STREET - PP/25/02338

[REDACTED] Dear Sirs

Firstly I would like to point out that I have tried to look at the documents of this Application on your Planning Portal at the RBKC website but each time I do it tells me there is an error with the website and I am unable to study the documents. This is no way to run a planning department and it is not the first time this has happened to me. When will it be sorted out so that we may look at the things in the proper way?

I understand that this is a retrospective application and that many inaccuracies have occurred. I object wholeheartedly to this application and hope that the planning department will look into it all much more closely to be sure the correct decision is made.

Please confirm that you have recorded this email as an objection to PP/25/02338

Regards
[REDACTED]
[REDACTED]

07836 266219
[REDACTED]