

282-292 Westbourne Grove, Portobello

This site is in a very prominent location on the corner with Portobello Road, and was occupied by Lipka's antiques arcade.

The first planning application for this site was in 2004. Application PP/ 04/01293 the description of the development was for erection of a mansard roof addition, first floor rear extension, alterations to the ground floor shopfronts, the creation of two additional self contained flats and alterations to both the front and rear elevations. Site and press notices were put up 20th June 2004 and 52 consultation letters were sent out on 16th June. There was one response from the Ladbroke Association in favour and 4 objections. This application went to Planning Committee on 15th February and was approved 17th February 2005. The details of this application can be viewed on:

<http://www.rbkc.gov.uk/planning/documentsdrawings.asp?caseyear=04&casetype=P&caseno=01293&provider=edm>

This application was amended with PP/07/03527, the description of the development was for alterations in connection with reduction of existing residential units from 6 to 3 and amendments to the existing permission including alterations to roof and fenestration and rear extension. 52 consultation letters were sent out on 10th Jan 2008 and site and press notices were put up on 18th January 2008. There was one response in favour from the Ladbroke Association and no objections. This application was decided under delegated powers and approved 1st May 2008. The details of this application can be viewed on:

<http://www.rbkc.gov.uk/Planning/planningdecisions/decisionsdetails.asp?CaseType=PP&CaseYear=07&CaseNo=03527&strcode=GTD>

In 2009 there was an application PP/09/00363 the description of the development was for alterations to the ground floor shopfront (amendments to existing permission Ref. PP/07/02527). 19 consultation letters were sent out on 23rd February 2009 and site and press notices went up 27th February 2009. There was one response in favour from the Ladbroke Association and no objections. This shopfront was approved under delegated powers on 16th April 2009. The details of this application can be viewed on:

<http://www.rbkc.gov.uk/Planning/planningdecisions/decisionsdetails.asp?CaseType=PP&CaseYear=09&CaseNo=00363&strcode=GTD>

The shop front that has been built is not entirely in accordance with the permission granted. A further application PP/10/00509 was received on 19th February 2010 for installation of new shopfronts on the Westbourne Grove Portobello Road elevations, including further alterations to each shopfront elevation (part retrospective).

Consultation on this application in accordance with the Council's normal planning application consultation procedures will comprise:

1. A press notice which is expected to be published on 5 March 2010.
2. A site notice which it is expected will be published and erected outside the premises before 5 March 2010.
3. Letters to adjoining occupiers which it is expected will be dispatched next week.

4. The applications will appear in the Council's usual weekly list applications registered.

Other alleged deviations to the earlier applications for alterations to the building are being investigated.

At no time was there an application for a change of use for this site from an antiques arcade to a fashion outlet or to amalgamate the small arcade units into one large unit because neither of these changes requires planning permission. An antiques arcade is classified as an A1 shop use as is a fashion retailer. Planning consent is not required to amalgamate small units into a larger one, although the Council has lobbied central Government for this legislation to be amended because the RBKC Retail Commission identified that the loss of small shop units was a concern for retail diversity.

The Council is concerned that factually incorrect information is being circulated in relation to planning applications for this particular site. The Council wishes to make it absolutely clear that all the applications were handled in accordance with normal planning procedures, and that it is not in the Council's power to control what type of retailer occupies a shop.

Peter Lerner
Executive Director of Planning and Borough Development

24th February 2010