

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING APPLICATIONS COMMITTEE 25/02/2025

REPORT BY THE DIRECTOR, PLANNING AND PLACE

Application:	CON/24/08127	Agenda Item:	S018	
Address:	Land Rear of, 402-416 King's Road, LONDON			
Proposal:	Details required by condition 3 (Construction Traffic Management Plan (CTMP)) of planning permission 21/05681 (Erection of single storey plus basement, two bedroom dwelling with associated landscaping).			
Applicant:	Porubin			
Agent:	Mr C Porubin			
Properties notified:	Objections:	Support:	Comments:	Petition:
0	10	0	0	0
Conservation area: Sloane/Stanley				

1. Summary

- 1.1 It is recommended that the amended CTMP is approved.
- 1.2 Objections received from interested parties have been taken into consideration and are addressed throughout the report and in Section 7.

It is recommended that Committee grants approval to discharge Condition 3 of PP/21/05681.

2. Reason for committee consideration

- In line with the Council's constitution, conditions can be approved using delegated powers unless the Local Planning Authority have received three or more objections in time (that directly relate to the condition) and the Chairman has asked for the matter to be determined by Committee.

Cllr Cyron has confirmed the application can be presented to the Planning Applications Committee.

3. The site and its surroundings

- 3.1 The site is situated to the rear of 402-416 Kings Road; a backland site which previously contained a single storey shed/garage building, demolished in 2015. Access to the site is

via a dog-legged passageway in one corner of Lamont Road. The south-eastern side of the site is curved, which mimics the sweep of properties located on the Kings Road.

- 3.2 The properties adjacent to the site facing out to the Kings Road are known collectively as Kings House and they generally have commercial units at ground floor level with residential on upper floors
- 3.3 The site is located within the Sloane Stanley Conservation Area.

4. The proposal and any relevant planning history

- 4.1 Approval is sought for a new Construction Traffic Management Plan (CTMP), submitted to discharge condition 3 of planning permission PP/21/05681. There is an extant CTMP covering the methodology for construction and delivery vehicles, but an amendment is sought to allow for ready-mixed cement to be delivered to the site rather than cement being prepared on-site.
- 4.2 The amendment would add the use of a cement truck and a pump truck on-site to the previously approved methodology, requiring the suspension of two parking bays for a total of 14 days, staggered over the total period of construction.
- 4.3 A small amendment has been allowed during the consideration of this application to change the version number of the CTMP from version 18 to version 19. The change does not materially alter the contents of the document and is acceptable.
- 4.4 Officers visited the site on 30 January 2025.
- 4.5 Selected relevant planning history is set out below:

Reference	Description	Decision
PP/13/04914	Demolition of shed and erection of single storey plus basement, two-bedroom dwelling, with associated landscaping.	Refused. Allowed on appeal 27/02/2014
PP/15/00355	Variation of condition 2 (approved drawings) of planning permission PP/13/04914, to alter location of bin and cycle storage space.	Granted 21/04/2015
CON/17/01043	Details required by Conditions 3a and 3b (sample of materials), 7 (Construction Traffic Management Plan), 8 (Demolition Method Statement) of planning permission PP/13/01043 allowed under appeal ref. APP/KS600/A/13/2210526 (Demolition of shed and erection of single storey plus basement, two bedroom dwelling, with associated landscaping)	Approved 11/04/2017
PP/21/05681	Erection of single storey plus basement, two-bedroom dwelling with associated landscaping.	Granted 22/09/2022
CON/24/01368	Details required by condition 3 (Construction Traffic Management Plan (CTMP)) of planning permission 21/05681 (Erection of single storey plus basement, two-bedroom dwelling with associated landscaping)	Approved 09/05/2024

5. Main policies and strategies relevant to the decision

The development plan

5.1 The main planning considerations applying to the site and the associated policies are:

	Local Plan
Transport and streets	TR6
Living conditions	CD9
Basement development	CD11

5.2 These policies can be read online at:

- Local Plan:
<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/local-plan/local-plan>

Other local strategies or publications

5.5 The relevant supplementary planning documents adopted by the Council is:

- Transport and Streets

5.6 This document can be read online at:

<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/supplementary-planning-documents-and-guidance>

6. Evaluation

6.1 The parent development (PP/2105681), for the creation of a single storey plus basement dwelling, is extant and has been implemented, as has the associated CTMP, approved under CON/24/01368, which details the approved methodology that construction must follow. This evaluation only considers the impact that delivering pre-mixed concrete would have on the living conditions of neighbouring occupants and on the condition of nearby highways and their users.

6.2 The proposed delivery of concrete using Mini mix vehicles up to 7.2m with a pump truck up to 8.8m in length would require two resident parking bays to be suspended on days when concrete deliveries occur. Given the scale of the site, it is anticipated there would be a requirement for up to a maximum of 12 concrete deliveries throughout the project and the pump would only be located on the highway on days when concrete pours are required and would be removed outside of these times.

6.3 Highways officers consider that the proposals could be suitably accommodated on Lamont Road without resulting in any undue impacts upon local highway conditions or neighbouring amenity and they raise no objection is raised to the proposals in respect of its impact upon the local highway network.

6.4 A key issue with the proposed method of concrete delivery concerns the requirement for a concrete hose running through the entrance passageway between Lamont Road and the development site. It is crucial that these works be managed such that it would not obstruct the use of this route use by occupants in properties on King's Road for which it serves as a fire escape route.

6.5 Building Control Officers have confirmed that, subject to appropriate management to ensure the concrete pipe would not prevent movement through the passageway or pose a trip hazard, a suitable arrangement could be achieved, and Building Control should be further consulted. Further conditions cannot be imposed on an application to approve an

existing condition and, therefore, an informative is recommended to advise the applicant of this requirement.

Issues and balancing

- 6.6 The proposed amendment to the approved CTMP, to allow for the delivery of pre-mixed concrete to the building site would not cause a significant further disturbance to those living and working nearby, nor further impact on the condition of the highways.

7. Consultations carried out

Comments from interested parties

- 7.1 Nearby owners/occupiers are not notified directly on approval of details applications.

- 7.2 However, ten letters were received objecting to the application, summarised as:

	Comment	Response
1	The previously approved CTMP contained information that was known to be incorrect to the applicant, namely that there would be no parking restrictions, and that cement would be mixed on site.	The information that was submitted in the previous CTMP is not being evaluated here. However, for clarity, the information submitted and approved formed the only methodology that the constructors could follow. It is not for the LPA to question whether the applicant submitted a methodology that they knew could not be achieved.
2	The Construction Method Statement (CMS) of the parent application (PP/21/05681) stated that ready-mix concrete would be required showing that the applicants knew before hand that mixing concrete on site would not be feasible.	The information that was submitted in the previous CTMP is not being evaluated here. However, for clarity, CMS documents are not an approved document. The CTMP that was approved (CON/24/01368) put forward a methodology for concrete to be mixed on site. This was found to be acceptable and was the only method of concrete delivery approved under the previous CTMP. T
3	The applicant calls himself Porubin. This is not a real person or company.	This is not for the Council to question.
4	The document states that it is version 18, which is the same version number used for the previous CTMP.	This has been amended to version 19.
5	The above is evidence of the false, misleading and illegal approach the developer is taking.	The information that was submitted in the previous CTMP is not being evaluated here. However, for clarity, the developers previously had approval for concrete to be mixed on site. There is nothing illegal or misleading about this as at the time of this report being written, they do not have approval for any other type of concrete delivery. This application has been submitted to amend the delivery methodology as the developer now wishes to have ready-mixed concrete delivered on site.
6	It is presumably an offense to	The information that was submitted in the

	submit information that is deliberately false or misleading when applying for approval.	previous CTMP is not being evaluated here. Under the previous CTMP, the applicant asked if concrete to be mixed on site would be an acceptable method and the Council agreed it would be.
7	The CTMP states that deliveries will be made between 09:30 and 15:00 hours which have been blatantly ignored on a regular basis.	If deliveries are made outside of the stated hours, the Council's Construction Management team should be notified.
8	Other statements in previous submissions need to be emphasised, such as the fire escape footpath being unobstructed. The means of escape being maintained at the moment is dangerous, with a slippery piece of plywood covering a gap.	Compliance with building regulations is not being considered under this application.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Director of Transportation and Highways	No objection although building control approval may be required.	Paras. 6.1 – 6.5

8. Recommended conditions if the application is granted.

- Condition 3 of planning permission PP/21/05681 can be approved. The details and methodology contained in the submitted CTMP demonstrate that works can be carried out without significant disturbance to those living and working nearby and without significant impact on the conditions of the highway.

INFORMATIVES

- Separate approval for the concrete pump hereby proposed may be required by the Building Act 1984 and the Building Regulations 2018 (as amended), and the grant of planning permission does not imply that such approval will be given. The District Surveyor, Town Hall, Hornton Street, W8 7NX should be consulted before works commence.

**Background papers:
Documents associated with the application (except exempt or confidential information)**

may be viewed at www.rbkc.gov.uk/CON/24/08127. Access to computers is also available in the Customer Service Centre at the Town Hall.

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