

**ROYAL BOROUGH OF KENSINGTON AND CHELSEA
REPORT BY EXECUTIVE DIRECTOR,
PLANNING AND BOROUGH DEVELOPMENT**

**APP NO. PP/11/03810/Q12
PLANNING APPLICATIONS COMMITTEE 06/03/2012
AGENDA ITEM NO. 28**

SITE ADDRESS

**Kensington Close Hotel
Wright's Lane
LONDON
W8 5SP**

**APPLICATION 29/11/2011
DATED**
**APPLICATION 19/12/2011
COMPLETE**

APPLICANT/AGENT ADDRESS

**Rosalind Gall
Savills The London Planning
Practice
Lansdowne House
57 Berkeley Square LONDON
W1J 6ER**

<u>LISTED</u>	N/A	<u>CONS.</u>	N/A	WARD	Abingdon
<u>BUILDING</u>		<u>AREA</u>			
<u>CAPS</u>	No	<u>ENGLISH</u>	N/A	ART '4'	No
		<u>HERITAGE</u>			

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
98	18	0	0	0

Applicant Kensington Close Hotel

PROPOSAL: Variation of condition 2 as 'minor material amendments' to planning permission dated 30.03.2009, ref: PP/08/00317. Amendments include various changes to ground floor accommodation, plant room, kitchen, old conservatory, reductions in number of rooms, extract vents, means of escape and other internal work.

RBK&C Drawing No(s):PP/11/03810

Applicant's Drawing No(s): Site Location Plan, Design Statement, Plant Noise Impact Assessment Report 14480/PNIA1, 3839/ 010/D, 011/B, 012/E, 013/A, 018/A, 019/D, 020/D, 021/E, 022/E, 023/D, 024/A, 1828-sk- 102/d, 103/e, 104/g, 105/f, 110/e, 111/g, 112/a, 120/d and 121/d.

RECOMMENDED DECISION:**RECOMMENDATION 1**

GRANT Planning Permission subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

- **A financial contribution of £18,850 (index linked) towards footway improvements immediately in front of the hotel in Scarsdale Place.**
- **The submission of an agreed travel plan prior to the occupation of the new hotel rooms implementation of the plan.**

RECOMMENDATION 2

DELEGATE to the Executive Director, Planning and Borough Development authority to issue the planning permission following completion of a satisfactory S106 agreement as described above, or to refuse permission if that S106 agreement is not completed by the 18th of March 2012.

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of three 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 not be carried out except in complete accordance with the details shown on submitted plans , Site Location Plan, Design Statement, Plant Noise Impact Assessment Report 14480/PNIA1, 3839/ 010/D, 011/B, 012/E, 013/A, 018/A, 019/D, 020/D, 021/E, 022/E, 023/D, 024/A, 1828-sk- 102/d, 103/e, 104/g, 105/f, 110/e, 111/g, 112/a, 120/d and 121/d. (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. **The area between the 8th floor facades and the safety balustrades hereby permitted shall not be used at any time as a terrace without a further planning permission. (C079)**
Reason - To protect the privacy and amenity of neighbouring property. (R079)
5. **The new doors and double doors hereby permitted shall be timber framed, painted, and so maintained, unless otherwise submitted and agreed in writing by the Local Planning Authority. (C075)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
6. **The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter. (C57f)**
Reason - To protect the amenities of nearby occupiers.

7. **Noise emitted by all plant and equipment located within the Basement Air Handling Units Plant Room, the Ground Floor Air Handling Units Plant Room, the First Floor Conference Room Plant Room and the 8th Floor Kitchen Extract Plant Room, when operating in isolation or concurrently, hereby permitted, shall not increase the existing lowest LA90(15min) background noise level at any time when the plant is operating. The noise emitted shall be measured or predicted at 1.0m from the façade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is unable to comply with this condition, it shall be switched off and not used again until it is able to comply.**
Reason - To protect the amenities of nearby occupiers.
8. **In order to comply with Condition 1, the recommendations contained within the Plant Noise Impact Assessment report produced by Hann Tucker Associates, (dated 20 October 2011, ref: 14480/PNIA1) shall be adopted and implemented in full.**
Reason - To protect the amenities of nearby occupiers.
9. **Before the use is commenced, the new doors on the western elevation of the building shall be made self closing, and shall thereafter be kept closed at all times except when required for emergency access (C050)**
Reason - To safeguard the amenity of neighbouring property. (R050)
10. **As shown on Plan No. 3839/011/B, the windows on the south and west elevations of the Hotel serving the function/dining/restaurant areas shall be double glazed, fixed shut and so maintained. (C093)**
Reason - To safeguard the amenity of neighbouring property, and in particular to prevent noise and disturbance. (R091)
11. **The Construction Vehicle Management Statement as approved on the 18th of December 2009 shall be implemented in full during the course of construction unless otherwise agreed in writing by the Local Planning Authority.**
Reason - To minimise the impact of the development on highway and pedestrian safety and the free-flow of traffic.

12. **The Coach Management Plan as approved on the 8th of December 2009 shall be implemented in full following construction and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.**

Reason - To minimise the impact of the development on highway and pedestrian safety and the free-flow of traffic.

13. **The Servicing Management Plan as approved on the 22nd of July 2010 shall be implemented in full following construction and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.**

Reason - To minimise the impact of the development on the amenities of neighbours, on highway and pedestrian safety and on the free-flow of traffic.

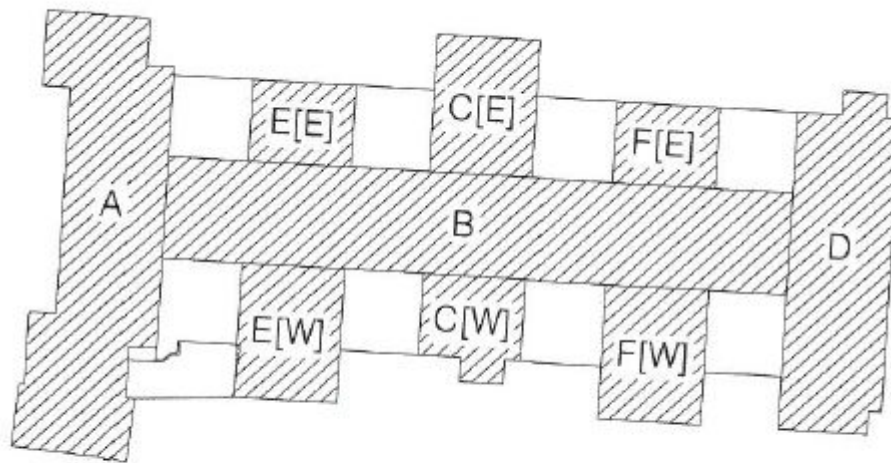
INFORMATIVES

- | | |
|---|--|
| 1 | I10 Attention to Conditions |
| 2 | I21 Building Regs. - Separate Approval |
| 3 | I09 Variations due to Building Regs. |
| 4 | I38 Nuisance and Amenity |
| 5 | I68 TFL - Olympic Route Network |
| 6 | I67A Construction Management |

1.0 SITE

- 1.1 The Kensington Close Hotel is located on Scarsdale Place, at the southern end of Wrights Lane.
- 1.2 The hotel was constructed in 1938 and comprises ground and up to seven upper storeys. The hotel was original configured with a central 'spine' with three wings located at right angles to the 'spine' (at the front centre and rear).
- 1.3 The site is not located within a conservation area and is not a listed building. However, there are five conservation areas surrounding, although not immediately adjoining the hotel. The existing building can be viewed from limited vantage points in the De Vere, Cornwall and Edwardes Square Scarsdale and Abingdon Conservation Areas.
- 1.4 The premises currently provide 550 bedrooms and a number of ancillary facilities including; a health spa; 15 conference suites and meeting rooms and three restaurants.
- 1.5 Construction works are currently being undertaken in relation to a 2009 Planning Permission (Ref: PP/08/00317) for an extension to the hotel to accommodate additional bedrooms (see Section 3 of this report), a 2010 Planning permission (Ref. PP/10/01696) for external alterations to the front elevation and ground floor level and a 2010 amendment to the original Planning Permission (Ref: PP/10/03876) for amendments to the original application.
- 1.6 Following the implementation of this permission the hotel will be configured again with a central 'spine' but with five wings located at right angles to the spine. Two new wings have been introduced as infill extensions to the centre of the building.
- 1.7 Block A refers to the most northern wing, Block B refers to the central spine, Block C refers to the central wing, Block D refers to the most southern wing and Blocks E and F refer to the two centrally placed infill wings. See Figure 1 below:

Figure 1: Key Plan of Hotel Building



KEY PLAN

2.0 **PROPOSAL**

- 2.1 Permission is sought for a number of amendments to the previously approved applications which are currently under construction on site (herein referred to as 'the approved scheme').
- 2.2 Amendments to the approved scheme include the following:
- 2.3 Changes to the West Elevation (adjoining residential properties on Marloes Road)
- 2.3.1 **Two storey extension to the ground floor and basement level** on the western side of the building. The ground floor accommodation will serve the restaurant space and the basement will be used to house plant equipment. A new means of escape is proposed from the ground floor extension from a new bridge link and access stair. A new **bris soleil** is also proposed along this elevation to provide solar control and unify the extension with the re-built conservatory adjacent.
- 2.3.2 **Demolition and rebuild of the conservatory** on the western elevation. In the approved scheme this was shown to be part demolished as the existing conservatory could not be attached to the new extension without creating an 'awkward' junction. However, this has been resolved as the glazed extension will be re-built with a new flat roofed structure.
- 2.3.3 **Single storey extension to ground floor over the car park entrance ramp** to form office accommodation. This area is currently enclosed by walls as it serves the hotel as a light well.

2.3.4 **Demolition and rebuild of the conference plant room at first floor level.** This will be rebuilt to match the existing structure. There will be no significant change to the visual appearance of the elevations as a result of this development.

2.4 Changes to the East Elevation (adjoining the Copthorne Tara Hotel).

2.4.1 **A new plant room at lower ground floor level** below the new bedroom wing, Block C (E).

2.4.2 **Infilling an existing void on the eastern side of the building** by creation a new platform approximately 1.3m above ground level between an existing brick work wall and a wall forming part of the approved scheme. This will still enable vehicles to pass underneath.

2.4.3 **Retention of existing central plant room at the 8th floor of Block B.** This was originally intended to be demolished as part of the approved scheme, however, this can now be retained and incorporated into the 8th floor extension. External walls of this structure are now to be kept.

2.4.4 **Creation of new screen to kitchen extract at 8th floor level to Block B.** A timber screen is proposed to avoid warm air discharging over the chillers.

2.5 Other Alterations to the Building

2.5.1 **Reduction in the number of bedrooms** at 7th and 8th floor of Block D. Larger rooms will be created as a result of a net loss of 8no. rooms to provide a greater variety of room sizes. No external changes are proposed as a result of this element of the scheme.

2.5.2 **Internal alterations at ground floor level** involving

- Opening up of the Foyer and relocation of the reception area
- Relocation of the Bar from the rear of the building to be adjacent to the Foyer
- Relocation of the Restaurant into the former Bar area
- Alterations and refurbishment of the existing meeting rooms to the west of the hotel
- Relocation of the meeting rooms to the rear of the building into the centre of the ground floor to create a new suite of meeting rooms
- Creation of two new lifting platforms, suitable for wheelchairs, on either side of the lower ground floor to make all areas of the ground floor accessible
- Improved means of emergency escape from the building.

2.5.3 **Other minor external alterations including:**

- New doors to beer cellar at basement level due to the relocation of the bar.

- Change to the elevations of the basement plant room by infilling the existing double doors with louvres.
- New extract vents through windows/external walls of Block D at 7th floor level.
- New means of escape from the ground floor on the eastern elevation with the introduction of two new doors, a new escape stair and the removal of a section of an existing concrete walkway.
- An increase in the amount of zinc cladding not he 8th floor of Blocks B and D.
- Omission of service ducts at 8th floor.
- Omission of zinc cladding from the boiler flue at roof level.
- A new smoke ventilator 450mm above the existing parapet wall on the roof of Block A to comply with fire regulations.
- New doors to create roof access given that the existing structure in the centre of Block B is to be retained.
- New items of external plant at basement and first floor levels referred to in the acoustic report.
- Retention of existing brick work at 7th floor level (the existing structure of Block D adjacent to the stair core was to be demolished, however, this is in good condition and is to be retained).

3.0 RELEVANT PLANNING HISTORY

- 3.1 **PP/03/00284** – Installation of air-conditioning condensers at roof level. Granted 27/11/2003. This permission was implemented.
- 3.2 **PP/08/00317** - Extension and alteration of Kensington Close Hotel to create additional 172 hotel bedrooms, including construction of an additional storey (eighth floor) along the central spine and southern wing of the building; two infill wings rising to fourth floor level on the western elevation; two infill wings rising to seventh floor level on the eastern elevation; extension to the existing central wing on the eastern elevation; extension to the southern wing on the western elevation. Granted 30/03/2009. This permission has been implemented and construction works are currently ongoing at the site.
- 3.3 **PP/10/01696** - External alterations to front elevation at ground floor level, including erection of two new glazed conservatories either side of new main front entrance and accessible entrance doors, and new lift over-run at main roof level. Granted 20/09/2010. This permission has been implemented and construction works are currently ongoing at the site.
- 3.4 **PP/10/03876** - Amendment to Planning Permission Ref: PP/08/00317 dated 31.03.2009 fir extension and alteration of Kensington Close hotel to create additional 172 hotel bedrooms. Amendments include alteration of fenestration design to new 8th floor; elevational alterations; enlargement of approved lift

over-runs, additions to and relocation of external plant at main roof level; provision of safety balustrades at 8th floor level; removal of extension to Block D; reduction in number of hotel bedrooms from 172 to 164; removal of servicing bay within east elevation; extension of Block C(E) by 400mm. Approved subject to a S106 agreement at the Planning Applications Committee 24/05/2011.

4.0 PLANNING CONSIDERATIONS

4.1 The main considerations in the determination of this application are the impact of the proposed development on:

- the character and appearance of the building, the street scene and the surrounding conservation areas;
- the amenities enjoyed by neighbouring occupiers in respect of light, privacy, noise and enclosure;
- the function of the public highway.

Policy Context

4.2 The relevant policies against which to assess this proposal are contained within the Core Strategy of the Local Development Framework, as well as certain policies 'saved' from the Unitary Development Plan 2002 (as amended 28th September 2007).

4.3 The Core Strategy of the Local Development Framework for the Royal Borough was adopted on December 8th 2010, and contains planning policies which have succeeded the majority of those in the Unitary Development Plan (UDP). For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the 'Development Plan' now comprises the Core Strategy, the London Plan of 2011, plus relevant 'saved' policies from the UDP.

4.4 The relevant Core Strategy policies are:

CF8 (Hotels);
CL1 (Context and Character);
CL2 (New Buildings, Extensions and Modifications);
CL3 (Historic Environment);
CL5 (Amenity);
CL6 (Small-scale Alterations and Additions);
CE6 (Noise and Vibration);
CT1 (Improving Alternatives to Car Use);
CR7 (Servicing).

The relevant 'saved' policies to this application are as follows;

CD44 (roof extensions / alterations);
CD45 (roof extensions / alterations);
CD47 (extensions).

- 4.5 The Transport SPD and the relevant Conservation Area Proposals Statements have also been given weight as Supplementary Planning Guidance.
- 4.6 The relevant Core Strategy Policies (CL1, CL2, CL3 and CL6), *inter alia*, require development to respect context, character and appearance; take opportunities to improve and enhance the quality and character of buildings; require alterations to reinforce the integrity of the building; be sympathetic to the architectural style and character of the building and in the case of small scale alterations, not harm the existing character and appearance of the building and its context.
- 4.7 In addition, Core Strategy Policy CL5 requires development to achieve high standards of amenity.
- 4.8 It is within this policy context that the proposed amendments have been assessed.

Changes to the West Elevation (adjoining residential properties on Marloes Road)

- 4.9 *Two Storey Extension to the Ground Floor and Basement and New 'Bris Soleil'*
- 4.9.1 The proposed extensions are considered to have an acceptable impact on the character and appearance of the host building as they are discreetly positioned on the western elevation of the building and enclosed by existing high boundary treatments.
- 4.9.2 The extensions and alterations will not be visible from within the adjoining conservation areas.
- 4.9.3 The proposed extensions are considered to have an acceptable impact on neighbouring residential amenity. Set at ground and lower ground floor levels, over 12m from a high boundary wall shared with residential neighbours, the extensions are positioned in an acceptable position which will ensure they do not result in a significant loss of light or outlook to neighbours nor an increased sense of enclosure.
- 4.9.4 As described in Section 5 of this report, 18 letters of objection have been received from neighbouring residents to the site. The majority of these objections raise concerns with regard to noise and disturbance from the application site.
- 4.9.5 The site has a history of noise complaints which have been recorded by the Council's Environmental Health Team. Many of the noise complaints have been received against noise breakout from the premises during social events and also after such events when visitors leave the premises. Whilst this is acknowledged, it is important to note that the Hotel does not

require planning permission to use its banqueting and conferencing facilities for functions and events.

4.9.6 Nevertheless noise mitigation measures have been included in the proposal. The plans which have been submitted indicate that ground floor windows on the western and southern elevations of the building, where conferencing and banqueting facilities exist, are proposed to be double glazed and fixed shut. These measures have been taken to reduce noise breakout from this side of the building and reduce noise and disturbance to neighbours. A condition is recommended to ensure that these windows are to be retained as proposed.

4.9.7 A new fire exit is proposed on the western side of the building and concern is raised that this will be used as an outside amenity area. To overcome this concern a condition has been recommended to ensure that this door is only used in the event of an emergency.

4.9.8 It is also important to note that a 'Bris Soleil' is a permanent sun-shading mechanism to prevent large amounts of glass from overheating during the summer. This addition will not provide a covered seating area for hotel residents.

4.10 *Demolition and Rebuild of Conservatory*

4.10.1 The conservatory was previously proposed to be demolished in its entirety due to the proposed extensions. This is now proposed to be re-built with an amended design, incorporating a flat roof.

4.10.2 Given that the size and siting of the conservatory will remain largely unchanged, the impact on the character and appearance of the host building will be minimal. In addition, given that the built form is comparable to that existing, the relationship shared with residential neighbours on Marloes Road will be largely unchanged.

4.11 *Single Storey Extension to Ground Floor over the Car Park Entrance Ramp*

4.11.1 The new extension is set along the same established building line as the existing built form on site, infilling a recess which currently exists above the entrance to the car park. This extension is considered to have an acceptable impact on the appearance of the host building as it will respect the proportions of the existing building and incorporate windows and detailing appropriate to the main building.

4.11.2 The extension is sited over 10m from the nearest residential neighbours to the site in Cedar House and Zetland House. Given the distance retained and the ground floor position of the extension is not considered to cause any harm to residential

amenity.

4.12 *Demolition and Rebuild of the Conference Plant Room at First Floor Level*

4.12.1 The plant room will be rebuilt to the same dimensions as was previously existing, set over 9m from the nearest boundary shared with the residential neighbours. Given that this built form was already existing on site it will not harm the character and appearance of the property or the residential amenities of neighbours.

4.12.2 The Director of Environmental Health has assessed the noise information submitted and is satisfied that the plant room and associated equipment will not cause undue noise and disturbance to neighbours. Conditions have been recommended to ensure the plant equipment has an acceptable impact on noise sensitive properties adjacent.

Changes to the East Elevation (adjoining the Copthorne Tara Hotel)

4.13 *A New Plant Room at Lower Ground Floor Level*

4.13.1 An updated acoustic report has been prepared which considered the impact of the new plant equipment on the nearest noise sensitive receptors. With regard to this element of the proposal the nearest neighbour is the Copthorne Tara Hotel.

4.13.2 As stated previously, the report has been assessed by the Council's Environmental Health Team and they raise no objection to the new plant equipment, subject to compliance with relevant noise and vibration conditions which have been recommended.

4.14 *Infilling an Existing Void*

4.14.1 The void will be infilled by creating a platform 1.3m above ground level between an existing wall and a wall forming part of the previous approval. Given that the wall are existing/approved, enclosing this space will have a very minimal impact on the character and appearance of the Hotel. The relationship to the nearest neighbour, the Copthorne Tara Hotel, will remain largely unchanged.

4.15 *Retention of Existing Central Plant Room at the 8th Floor of Block B*

4.15.1 This internal change will have no impact on the character and appearance of the building or the residential amenities of neighbours. Noise from the plant equipment can be controlled by the conditions recommended.

4.16 *Creation of new Screen to Kitchen Extract at 8th Floor Level to Block B*

- 4.16.1 The new timber screen will not be readily visible as it will be set approximately 16m back from the central wing of the building on the 8th floor facing the Copthorne Tara Hotel. The addition is of a limited size and is considered to be located in a discreet position on the existing building. This addition is not considered to cause any harm to neighbouring amenity and is not considered to harm the character and appearance of the hotel.

Other Alterations to the Building

4.17 *Reduction in the Number of Bedrooms*

- 4.17.1 Policy 4.5 of the London Plan seeks to achieve 40,000 additional hotel bedrooms by 2031 and Policy CF8 of the Core Strategy encourages the upgrading of existing hotels.

- 4.17.2 Whilst the development will result in a net loss of 8no. rooms which were to be provided as part of the new extension, the hotel will provide additional tourist accommodation as a result of the development as a whole.

- 4.17.3 Fewer units on site will assist in providing a variety of hotel room sizes and spaces and may well result in a slight reduction in visitor numbers, slightly reducing the level of comings and goings from the hotel.

4.18 *Internal Alterations at Ground Floor Level*

- 4.18.1 The internal alterations will not require planning permission as they will not result in an increase in floorspace or any additional uses which are not already in existence at the hotel. All changes create accommodation which is ancillary to the hotel use.

4.19 *Other Minor External Alterations*

- 4.19.1 The new doors, louvres, vents and escape stairs will have an acceptable impact on the appearance of this commercial building. The changes will not harm the character of the hotel site and surrounding area. These minor changes will not impact on neighbouring amenity.

- 4.19.2 The changes to materials and omission of service ducts and cladding will have a positive impact on the appearance of the building and will have no impact on amenity.

- 4.19.3 Appropriate conditions have been recommended to ensure that the new doors/access arrangements do not lead to outside spaces on the western side of the building being used as outdoor space for hotel residents and guests. These conditions seek to protect neighbouring residential occupiers from noise and

disturbance.

- 4.19.4 New plant equipment is proposed for the Hotel both internally in plant rooms and externally on flat roofs of the building. The plant equipment, by reason of its siting, size and distance from neighbouring properties is considered acceptable in terms of its design, appearance and impact on neighbouring amenity. The plant equipment has also been assessed by Environmental Health following the submission of a noise assessment. No objection is raised on the grounds of noise and disturbance from this equipment but conditions have nevertheless been recommended to safeguard amenity.

Section 106 Planning Obligation

- 4.20 The approved scheme was subject to a Section 106 agreement and as such the current scheme would also be subject to a agreement of the same or substantially similar content.
- 4.21 It is important to note that details relating to construction vehicle management, coach management and servicing were proposed to be secured through the previous Section 106 agreement. However, these details have previously been agreed by the Local Planning Authority through consultation with the Director of Transportation. As a result, conditions have been recommended to ensure the relevant management plans are implemented in full in order to reduce the impact of the increased hotel accommodation on both the adjoining highways and neighbouring amenity.

5.0 PUBLIC CONSULTATION

- 5.1 105 addresses including the nearest residential properties on Marloes Road were notified of the proposal.
- 5.2 18 letters of objection were received, on the following basis:

5.2.1 Construction noise and disruption.

The impact of the construction process is a material planning consideration and, where appropriate, planning conditions can be used to supplement powers under other legislation such as the Environmental Protection Act, Highways Acts, and Control of Pollution Act. Such conditions are recommended in this case, in order to minimise the impact of the construction process on the amenity of local residents, and function of local highways, as far as can reasonably be achieved under the Town and Country Planning Act.

5.2.2 Hotel management has a reputation of being inconsiderate to neighbours.

This is not a material planning consideration, however, the
/PP/11/03810: 15

Agent has been advised that this objection has been received.

5.2.3 External areas may be used by guests for entertainment causing further disturbance.

Conditions have been recommended to ensure new doors on the western elevation are only used in the event of an emergency.

5.2.4 Increased traffic congestion.

The proposed amendments are not considered to generate additional implications for traffic and congestion in comparison to the approved scheme. The density of development has been reduced with the loss of 8no. bedrooms in the new extension to the hotel.

5.2.5 Increased noise and disturbance from plant and general activity.

Appropriate noise conditions have been recommended to ensure plant equipment does not cause undue noise and disturbance to noise sensitive properties. General activity on the site is not considered to significantly increase as a result of the amendments proposed.

Windows on the western elevation at lower ground floor level serving the function rooms will be double glazed and fixed shut as per the submitted drawings.

5.2.6 Extensions that have already been allowed are excessive.

The previous applications were approved and the history is detailed in Section 3 of this report.

5.2.7 Plans provide for entertainment to be carried out in the rooms adjoining the neighbouring residential properties.

Internal alterations do not require planning permission. Conditions have been recommended where possible, in accordance with planning legislation.

Where a noise nuisance is identified, this can be dealt with separately by the Council's Environmental Health Team under relevant legislation.

5.2.8 Plans provide the opportunity for outside entertainment.

Conditions have been attached to ensure outside areas on the western elevation are not used by hotel residents/visitors on a regular basis, only in the event of an emergency. Conditions have also been attached with regard to existing flat roofed areas as with the previous permission.

5.2.9 **Plans provide the opportunity for entertainment rooms to be moved next to the boundary shared with residential neighbours.**

The function rooms will have fixed glazing to reduce noise break out.

It is important to note that internal changes do not require planning permission.

5.2.10 **The hotel has a history of noise complaints including last New Years Eve**

Where a noise nuisance is identified, this can be dealt with separately by the Council's Environmental Health Team.

5.2.11 **Various applications have been submitted which will turn into something which would have been refused by the committee at the outset.**

The changes proposed in this application did not form part of the original application. However, each case must be assessed on its merits and the amendments proposed are considered to be acceptable in line with relevant planning policies.

5.2.12 **Installation of further plant may increase the noise level which already exceeds the legal permitted level.**

Environmental Health have assessed the noise information submitted and raise no objection, subject to conditions which have been recommended.

5.2.13 **Existing air conditioning plant goes on an off all night cause noise nuisance to neighbours. Full details of noise levels need to be considered before the application is considered.**

Where a noise nuisance is identified, this can be dealt with separately by the Council's Environmental Health Team.

Noise information has been submitted and considered. Relevant conditions have been recommended as a result.

6.0 CONCLUSION

- 6.1 The proposed external alterations to the Kensington Close Hotel are considered acceptable and would not result in harm to the appearance of the building, preserving the character and appearance of the adjacent conservation areas and complying with relevant policies including Policies CL1, CL2, CL3, CL6, CD44, CD45 and CD47. The proposal is not considered to result in material harm to the amenities of neighbouring occupiers which adjoin the site, subject to compliance with recommended

conditions, and would be in accordance with Policies CL5 and CE6. The amendments to the previously approved scheme will not harm highway and pedestrian safety nor the free-flow of traffic in the vicinity of the site.

7.0 RECOMMENDATION

7.1 RECOMMENDATION 1

Planning Permission is granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure:

- **A financial contribution of £18,850 (index linked) towards footway improvements immediately in front of the hotel in Scarsdale Place.**
- **The submission of an agreed travel plan prior to the occupation of the new hotel rooms implementation of the plan.**

RECOMMENDATION 2

Delegate to the Executive Director, Planning and Borough Development authority to issue the planning permission following completion of a satisfactory S106 agreement as described above, or to refuse permission if that S106 agreement is not completed by the 18th of March 2012.

**JONATHAN BORE
EXECUTIVE DIRECTOR, PLANNING AND BOROUGH DEVELOPMENT**

List of Background Papers:

The contents of file PP/11/03810 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

**Report Prepared By: FIDI
Report Approved By: ER/DT
Date Report Approved: 22/02/2012**

PSC03/12/FIDI.REP

23/02/2012 09:10:42

Variation of condition 2 as 'minor material amendments' to planning permission dated 30.03.2009, ref: PP/08/00317. Amendments include various changes to ground floor accommodation, plant room, kitchen, old conservatory, reductions in number of rooms, extract vents, means of escape and other internal work.

SUMMARY OF REASONS FOR DECISION

You are advised that this application was determined by the Local Planning Authority with regard to Development Plan policies, including relevant policies contained within the Core Strategy of the Local Development Framework, the London Plan, as well as policies 'saved' from the Unitary Development Plan, and was considered to be in compliance with the relevant policies. In particular, the following policies were considered:

Core Strategy adopted 8 December 2010

CF8	Hotels
CL1	Context and Character
CL2	New Buildings, Extensions and Modifications
CL3	Heritage Assets - Conservation Areas and Historic Spaces
CL5	Amenity
CL6	Small-scale Alterations and Additions
CE6	Noise and Vibration
CT1	Improving alternatives to car use
CR7	Servicing

'Saved policies of the Unitary Development Plan adopted 25 May 2002

CD44	Resist Additional Storeys and Roof Level Alterations
CD45	Permit Additional Storeys and Roof Level Alterations
CD47	Resist Proposals for Extensions

London Plan Spatial Development Strategy for Greater London adopted July 2011

4.5	London's visitor infrastructure
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The material circumstances of the case, including site history, location, and impact on amenities were considered.

In addition, consideration was given to the results of public consultation.

It was concluded that there was no impact upon the amenities of adjoining occupiers, or upon the character or appearance of the area, that would justify a refusal in this case.

The proposed external alterations to the Kensington Close Hotel are considered acceptable and would not result in harm to the appearance of the building, preserving the character and appearance of the adjacent conservation areas and complying with relevant policies including Policies CL1, CL2, CL3, CL6, CD44, CD45 and CD47. The proposal is not considered to result in material harm to the amenities of neighbouring occupiers which adjoin the site, subject to compliance with recommended conditions, and would be in accordance with Policies CL5 and CE6. The amendments to the previously approved scheme will not harm highway and pedestrian safety nor the free-flow of traffic in the vicinity of the site.

The full report is available for public inspection at the Planning Information Office, Ground Floor, Town Hall, Hornton Street, London, W8 7NX.