

# **STATEMENT OF COMMON GROUND**

**TOWN & COUNTRY PLANNING ACT 1990**

**APPEAL BY CHARLES OKIN**

**AGAINST THE REFUSAL BY ROYAL BOROUGH OF KENSINGTON &  
CHELSEA OF PLANNING PERMISSION IN RESPECT OF**

**NORLAND SQUARE MANSIONS**

**53 NORLAND SQUARE**

**LONDON W11 4PY**

**Appeal reference: APP/K5600/A/1148762**

**LPA Reference: DPS/DCN/PP/04/00081**

**December 2004**

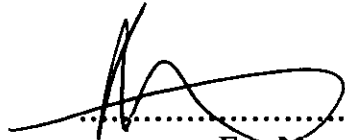
## **CONTENTS**

<b>1.0</b>	<b>Introduction</b>	<b>3</b>
<b>2.0</b>	<b>The Appeal Site and Surrounding Area</b>	<b>4</b>
2.1.0	Appeal Site	
2.2.0	Surrounding Area	
<b>3.0</b>	<b>The Proposal</b>	<b>7</b>
3.1.0	History of the Appeal Site and surrounding Area	
3.2.0	History of the Appeal Scheme	
<b>4.0</b>	<b>Inquiry Scheme</b>	<b>10</b>
<b>5.0</b>	<b>Relevant Government and Local Planning Policy</b>	<b>13</b>
<b>6.0</b>	<b>Matters not in Dispute</b>	<b>27</b>
<b>7.0</b>	<b>Matters in Dispute</b>	<b>29</b>
<b>8.0</b>	<b>Suggested Conditions</b>	<b>30</b>
	<b>Appendix 1: Core Document Schedule</b>	<b>31</b>

**1.0 INTRODUCTION**

- 1.1 This statement has been agreed between Montagu Evans (on behalf of Charles Okin, **the appellant**) and Royal Borough of Kensington and Chelsea (**the Council**), as the Statement of Common Ground in relation to the appeal scheme for the erection of a roof extension to create a self contained flat with roof terrace and alterations to the elevations at Norland Square Mansions, 53 Norland Square, London, W11 4PY. The appeal (reference APP/K5600/A/04/1148762) is to be heard at Public Inquiry on 1 February 2004.

Signed



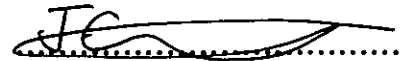
Nick Sharpe

For Montagu Evans on behalf of Charles Okin

Date

23/12/04

Signed



Jon Wade

For Royal Borough of Kensington &amp; Chelsea

Date

23/12/04

## **2.0.0 THE APPEAL SITE & SURROUNDING AREA**

### **2.1.0 Appeal Site**

- 2.1.1 The appeal site is located on the south west corner of Norland Square, with the junction of Holland Park Avenue. The site overlooks the square and lies within the Norland Square Conservation Area. The Holland Park Conservation Area is to the south and the boundary runs down the middle of Holland Park Avenue.. A site plan showing the site and the surrounding area is to be found at **CD/1**.
- 2.1.2 The building is not listed. Adjacent to the site lies terrace housing along both the west side of Norland Square and Holland Park Avenue, all of which are Grade II listed buildings. Terraces along both the north and east sides of Norland Square are also listed. Grade 2). The southern side of Norland Square is in fact a Victorian terrace in Holland Park Avenue which is not listed with the exception of No.81 Holland Park. To the west of the mansion block is a listed terrace comprising Nos 154-168 (even) Holland Park Avenue.
- 2.1.3 Photographic evidence suggests that the site was previously utilised for a school and it was occupied by the Notting Hill and Bayswater High School for Girls from 1873 until 1930. The site was then redeveloped as the mansion block which currently exists.
- 2.1.4 The existing building is a ground and four storey interwar art deco mansion block designed by the architect Arthur Ash and was erected in 1935. The property comprises 28 residential units, with a shop unit at ground floor, currently accommodating Marsh and Parson's estate agents along the Holland Park Avenue frontage. A car parking area and garages with residential accommodation above lie to the rear of the property.

### **2.2.0 Surrounding Area**

- 2.2.1 The appeal site is within the Norland Estate which was developed in the mid 1800s, based on a design by architect Robert Cantwell. The estate was based on the two principal roads of Addison Avenue and Queensdale Road, with a planned crescent (Norland Crescent) in the south west quarter and Norland Square in the south east quarter. The Norland Square Conservation Area Statement describes the houses of Norland Square as 'typical London terraces style with two rooms per floor on four floors over a basement'.
- 2.2.2 The Conservation Area Statement (**CD/2**) describes the building style of Norland Square as comprising 'three long and somewhat unrelieved terraces with stucco fronted Italianate facades, and featuring main and secondary cornices and an attic storey'. The Statement continues that the Square is as much dependant on its garden for the pleasant ambience as on the buildings, 'whose style is much more akin to general efforts of the builders of the time' and is described as 'reminiscent of some seaside resort developments of the 30s and 40s.

## 2.2.2 3.0.0 PLANNING HISTORY

### 3.1.0 History of the Appeal Site and Surrounding Properties

- 3.1.1 The full planning history of the site is set out in **CD/3** The most relevant applications are described in this section.
- 3.1.2 An application for the erection of an additional storey was refused in December 1973. The application drawings and committee report are at **CD/4**. The proposal was for an additional storey of 214 sq m to provide two additional self contained penthouse flats. The structure was set back at an angle of 45 degrees from the existing parapet on three sides. The application was refused for three reasons; firstly, due to the building appearing too dominant when compared with its neighbours, which would have a detrimental effect on the character of the conservation area; secondly, that the proposed storey would appear as a visually obtrusive protrusion on the skyline; and thirdly that the proposal represents an overdevelopment of the site.
- 3.1.3 In July 1974, an application for the erection of a roof addition to provide one penthouse flat was permitted. The application drawings and committee report are at **CD/5** The proposed addition was set back a distance of 4.9 metres behind the existing parapet on the south elevation and 2.4 metres from the east elevation (measured from the face of the parapet. The figure on the drawing of 10ft extends to the outer edge of the cornice). The proposed floorspace was 162 sq m.
- 3.1.4 A further application was submitted in August 1976 for the erection of an additional storey (ref. TP/76/0938). The application drawings and committee report are at **CD/6**. They show that the proposal was similar to the one refused in 1973 in terms of floorspace, habitable rooms and set back from the existing from the facades on the eastern and southern elevations by 3.0m and the application was refused for the same reasons as in December 1973
- 3.1.5 A further planning application was submitted in March 1980 for the construction of an additional storey to provide one penthouse flat and extension of one of the existing top floor flats (ref. TP/80/0441). The application was a resubmission of the scheme that was refused in 1976, and it was refused on identical grounds in May 1980, with an additional reason added, relating to car parking. The application drawings and committee report are at **CD/7**. An appeal against this decision was dismissed in January 1981 and the decision letter is at **CD/8**.
- 3.1.6 The other buildings in Norland Square are terraced, and in residential use, generally with a basement, ground and three upper levels. Some of these have been extended to provide accommodation at roof-level.
- 3.2.1 Prior to the submission of the planning application the appellant undertook pre-application consultations with:

- Cllr. Walker-Arnott, Ward Councillor
- Residents of Norland Square Mansions
- The Norland Square Conservation Society
- Norland Square Garden Committee

- 3.2.2 A planning application for the proposed roof extension to create a self-contained residential unit and improvements to the mansion block was submitted on 17th December 2003.
- 3.2.3 The appellant submitted an appeal to the Planning Inspectorate against the refusal of planning permission on the planning application on 23 April 2004.
- 3.2.4 The committee report is at CD/12.
- 3.2.5 The decision notice is at CD/13 and sets out the reason for refusal as follows:
- ‘The proposal to erect an additional storey and raise the parapet on the mansion block would unbalance the uniform roofline on the western side of Norland Square. On this basis it would be detrimental to the architectural cohesiveness and harmony of the Square contrary to Policies contained within the Conservation and Development chapter of the Unitary Development Plan in particular Policies CD 27, CD44, CD45, CD46, CD57, CD61 and CD62.’

#### 4.0 THE PROPOSAL

- 4.1 The proposal is for the removal of redundant tank rooms and ancillary accommodation at roof level, and the erection of a roof extension to create a penthouse flat with roof terrace and external alterations to the building as explained in full below.
- 4.2 The appellants and the council have agreed the points from which the proposed rooftop flat could be seen in public views from street level. A plan is appended at CD16
- 4.3 The photomontage at CD15 has been agreed to be a fair representation of the physical form of the proposals
- 4.4 The proposed rooftop flat has a floorspace of 193 sq m. The main structure is stepped off the frontage to Norland Square by an average of 2.5 metres (measured from the face of the parapet) whilst to the rear a mansard design roof is proposed which is sited immediately behind the existing parapet. The unit, which would have a flat roof is also stepped away from both flanks of the property and would have a terrace overlooking Norland Square with the eastern flank overlooking Norland Square with the southern flank overlooking Holland Park Avenue. There would be a matching render finish to the walls and a new parapet on the frontage varying between 0.45m and 0.65m higher than the existing.
- 4.5 The proposed residential unit would include a roof terrace, sited towards the south east corner of the building to limit overlooking or disturbance.
- 4.6 The appellant owns a vacant garage within the block of garages adjacent to the mansion block and this would provide a car parking space for the new residential unit. Therefore, car parking is not an issue in dispute between the appellant and the Council. (subject to an appropriately worded condition being imposed).
- 4.7 The other external alterations can be summarised as follows:
- Repaint the heavy black panels to white on the Holland Park Avenue façade
  - New canopy, signage and lighting on the Holland Park Avenue façade and repaint the black painted areas white.
  - Balcony recesses to be rendered white.
  - Adding planters, lighting and rendering over canopy to the entrance.

## 5.0 RELEVANT GOVERNMENT AND LOCAL PLANNING POLICY

5.1 The statutory development plan relevant to the site is the RBKC Unitary Development Plan which was adopted on 25<sup>th</sup> May 2002. and the London Plan which gained development plan status on 28<sup>th</sup> September 2004.

5.2 RBKC and the appellant agree that the following UDP policies are relevant to the Inquiry and the relevant extracts are attached at CD/xx:

### *RBKC Unitary Development Plan 2002*

Strategic Policies – STRAT 1, STRAT 2, STRAT 9, STRAT 10, STRAT 11, STRAT 16 and STRAT 19.

Conservation and Design Policies - CD27, CD33, CD44, CD45, CD46, CD57, CD61, CD62, CD63, CD69.

Transport Policies – TR9, TR42, TR36

Housing Policies – H2

5.3 RBKC's Norland Conservation Area Policy Statement (1982) is also relevant (CD/2).

5.4 The following national and regional guidance is relevant:

PPG1 – General Policy and Principles

Draft PPS1 – Creating Sustainable Communities

PPG3 – Housing

PPG13 – Transport

PPG15 – Planning and the Historic Environment

London Plan



## **6.0 MATTERS NOT IN DISPUTE**

6.1 The following matters are agreed by the appellant and the RBKC:

1. The appeal proposals will not result in any detrimental impact on residential amenity including in respect of daylighting and sunlighting.
2. There are no areas of disagreement relating to transport or car parking issues subject to a suitably worded condition..
3. Subject to an appropriately worded condition, The suggested materials can be appropriately controlled
4. Photomontages provided at **CD/15** have been agreed to be a fair representation of the proposal.
5. The public views where the proposed rooftop flat would be visible from street level have been agreed and are indicated on the map at **CD/16**.

## **7.0 MATTERS NOT AGREED**

7.1 The appeal will mainly be concerned with the following matters:

1. Whether the proposed development would adversely affect the roofline on the western side of Norland Square.
2. Whether the proposed development would adversely affect the character and/or appearance of Norland Square.
3. The impact of the proposed development on the character and appearance of the Norland Square Conservation Area and views within and into the Area.
4. Whether there is any detrimental effect on the setting of neighbouring listed buildings in Norland Square

## **8.0 SUGGESTED CONDITIONS**

8.1 The following conditions have been agreed without prejudice with the Council:

- ♦ The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions.

- ♦ The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority.

Reason: The details are considered to be material to the acceptability of the proposals.

The Council wish to propose further conditions in addition.

**APPENDIX 1 - CORE DOCUMENT SCHEDULE**

<b>No.</b>	<b>Name of Document</b>
CD/1	Site Location Plan
CD/2	RBKC Norland Conservation Area Policy Statement, 1982
CD/3	Schedule of Planning History
CD/4	1973 application
CD/5	1974 application
CD/6	1976 application
CD/7	1980 application
CD/8	1980 appeal decision
CD/9	Pre-application correspondence
CD/10	Representations regarding the application
CD/11	Brochure submitted to Members of Committee by Rolfe Judd
CD/12	Officer's Report to Committee
CD/13	Decision Notice
CD/14	Planning Application and Drawings
CD/15	Photomontage
CD/16	Plan showing views of building
CD/17	Extracts from Survey of London Vol XXXVII Northern Kensington
CD18	Letters relating to the construction of Norland Square Mansions available on microfiche



FAO : John Wade ✓  
RBKC Planning

CHARTERED SURVEYORS  
44-48 Dover Street, London W1S 4AZ  
Tel: 020-7493 4002 Fax: 020-7312 7548  
[www.montagu-evans.co.uk](http://www.montagu-evans.co.uk)

(19)

EX DIR	HDC	TP	C-C	AD	CLU	AO AK
R.B.			5 JAN 2005			
K.C.						
N	C	S:V	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES

WITH COMPLIMENTS

- City of London
- Glasgow
- Edinburgh



**MONTAGU  
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NS/PD6481

23 December 2004

FAO Mr. D. Shorland  
The Planning Inspectorate  
3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

EX DIR	HDC	TP	CC	AD	CLU	AO AK
R.B. K.C.		5 JAN 2005			PLANNING	
N	C	S.W.	SE	APP	IO	REC
HBS			ARB	FPLN	DES	FEES

(49)

Dear Mr. Shorland

**Appeal by Mr. C.Okin**

**Site at Norland Square Mansions, 53 Norland Square London W11 4PY**

**Your Ref: APP/K/5600/A04/1148762**

I enclose:

- Two copies of my proof of evidence
- One copy of the 'statement of common ground' agreed with the Royal borough of Kensington and Chelsea.

Please note that the proof of evidence of Mr. Christopher Pound is arriving under separate cover.

Yours sincerely,

Nick Sharpe  
Montagu Evans

Direct Dial: 020 7312 7409

Email: [nick.sharpe@montagu-evans.co.uk](mailto:nick.sharpe@montagu-evans.co.uk)

cc

Mr. J Wade  
Mr. C. Okin  
Mr. C. Pound

- Planning Dept. RBKC

p:\ns\pd6481 norlan sq mansions appeal\appeal documents\041223 inspectorate cover letter ns.doc

**PARTNERS**

R G Thomas  
W C O'Hara  
C A Riding  
S L Thomas  
T P Watkins  
S R W Harris  
J T Bailey  
A C W Rowbotham  
P B Grant

H A Rutherford  
M J Gilling  
C M M Whyte  
A J Simmonds  
N P How  
D A M Reid  
R J Cohn  
S J Waugh  
I J Michie

D A McCrory  
R D Harvey  
G S Davey  
A R McRitchie  
R V Bower  
M A C Higgin  
T J Raban  
M Gudaitis  
G H J McGonigal

Louise Younger  
W A Scott  
J N Stephenson  
G Howes  
N P Law  
I S Clark  
N D Dryburgh  
R M Philpotts  
P J Mason

S E Knight  
M J Knight  
J G Anderson  
T J Earl  
R A Clarke  
S J Fucker  
A P Richardson  
R Sewell  
M J Whitfield

Lisbeth Dovey  
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S J W Kay  
R Pixon-Jones  
J A C Raymond

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**P R Veevers**

P Burley  
Christa Dunkel  
D R Lawson  
A G B Graham

**CONSULTANTS**

D H Taylor  
G M Skekey  
R P Posner

**SECRETARY**  
S M Wilson



## Department of the Environment

Room 1411

Tollgate House Houlton Street Bristol BS2 9DJ

Telex 449321

R. B. ORK &amp; C.

RECEIVED

TOWN PLANNING

7 JAN 1981

Direct line 0272-218913

Switchboard 0272-218811

GTN 2074

HOS

Mr John Dowland RIBA ARIAS MRTPI

John Dowland Associates

27 Norland Square Mansions

Holland Park

LONDON W11 4PY

Your reference

Our reference

T/APP/5021/A/80/8372/G2

Date

16 JAN 1981

Ref.

53

Sir

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9  
 APPEAL BY MESSRS WILLIAM SINDALL LTD  
 APPLICATION NO:- PV/TP80/444/KZ/14/96

1. I refer to this appeal, which I have been appointed to determine, against the decision of the Council of the Royal Borough of Kensington and Chelsea to refuse planning permission for the erection of a mansard roof to provide a new dwelling and extend an existing dwelling at Norland Square Mansions, 53 Norland Square, London W11. I have considered the written representations made by you and by the Council and also those made by other interested persons and organisations. I inspected the site on Wednesday, 19 November 1980.

2. From my inspection of the appeal site and surrounding area and from the representations made I am of the opinion that the decision in this case turns on whether the proposed development would be detrimental to the street scene.

3. The appeal property, within the Norland Square Conservation Area, is a 5-storey inter-war corner block of flats adjoining 2 mid-19th century stucco fronted terraces, of which that facing Norland Square is listed. You claim that the proposal is similar to a scheme which was given planning consent in 1974 and would improve the appearance of both the building and the area as a whole. The Council submit that while there were overriding legal and financial considerations which justified the 1974 consent, the set-back on the east side was greater than in the present proposal and policies with the object of preventing the upward extension of buildings of this type are now contained in the approved District Plan.

4. Although the appeal property is of much later date than the adjoining terraces they collectively appeared to me to form a harmonious group of buildings and the general consistency of roof line along the west side of Norland Square was particularly evident. In my judgement this relationship, which can be appreciated from many vantage points within the Norland Square Communal Gardens and Holland Park Avenue east of Norland Square, would be seriously undermined by the additional storey despite the proposed set-back on 2 sides. I accept that the visible parts of the existing tank rooms and other structures on the roof are rather unattractive, however they do not read against the sky as a large mass and in my view are considerably less obtrusive than the proposed development would be.

5. Turning to the density and parking aspects, these seem to me to be largely related. The Council say that the proposal would cause the density targets contained in the Initial Development Plan for Greater London and the Greater London Development Plan

be further exceeded. Parking at the kerbside is mainly restricted to the holders of residents' permits and in the particular circumstances of this case I do not consider that one additional dwelling would place an undue burden on parking facilities or other local services. Nevertheless, I find the additional storey sufficiently objectionable in itself to condemn the proposal as wholly unsuitable.

6. I have taken into account all the other matters raised, including the proposed materials and the possible problems of overlooking, but they do not outweigh the harm to the local environment which would result from permission.

7. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir

Your obedient Servant



F E PALMER BArch DipCD RIBA FRSA FBIM FRTPI  
Inspector



## APPEAL NOTIFICATIONS

Re Norland Square Mansions, 53 Norland Square, London, W11 4PY

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

✓ **WARD COUNCILLORS:**

1. Cllr. David Lindsay.
2. Cllr. E. P. Tomlin
3. Cllr. R. Walker-Arnott.

✓ **KENSINGTON SOCIETY**

Mrs. Ethne Rudd, 15 Kensington Square, W8 5HH

**CHELSEA SOCIETY** (Mr. Terence Bendixson, 39 Elm Park Gardens, London, SW10 9QF)

✓ **RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:**

1. Norland Conservation Society
2. Mrs. A Frone.
3. 23 St. James Gdns. W11 4RE

✓ **ALL 3RD PARTIES ORIGINALLY NOTIFIED**

✓ **ALL OBJECTORS/SUPPORTERS**

**STATUTORY BODIES ORIGINALLY NOTIFIED**

**ENGLISH HERITAGE**

**OTHERS .....**

Sent 17-Mar-84.

---

## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

File Copy

Switchboard: 020-7937-5464

Direct Line: 020-7361-2573

Extension: 2573

Facsimilie:

020-7361-3463

Date: 17 May 2004

~~My Ref: DPS/DCN/PP/04/00081~~ Please ask for: Mr.J. Wade

ODPM's Reference: App/K5600/A/04/1148762

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Notice of a Planning Appeal relating to: Norland Square Mansions, 53 Norland Square, London, W11 4PY**

**Appellant: Charles Okin, Agent: Rolfe Judd Planning,**

A Planning Appeal has been made to the Planning Inspectorate in respect of the above property. The appeal is against the Council's decision to refuse planning permission for: **Erection of roof extension to create self-contained flat with roof terrace and alterations to elevations to building.**

This appeal may be heard at an informal hearing or public inquiry which you may attend and, at the discretion of the Inspector, make representations. In the meantime, any representations you wish to make in writing should be sent to: **The Planning Inspectorate, Room 3/07, Kite Wing, Temple Quay Hse, 2 The Square, Temple Quay, Bristol BS1 6PN.** Please note that any representations already made at application stage will be forwarded to the Inspectorate.

Please send 3 copies, quoting the ODPM's reference given above, and indicate if you wish to speak. **The Inspectorate must receive your representations by 18/06/2004 for them to be taken into account.** Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

The Council's reasons for refusal and the Appellant's grounds of appeal may be inspected in the Planning Information Office at the Town Hall. When this department receives further details regarding the date and procedure by which the appeal will be heard, we will write to you again. If you have any further queries, please do not hesitate to contact the case officer on the above extension.

**Yours faithfully**

**M. J. FRENCH**

**Executive Director, Planning and Conservation**



INVESTOR IN PEOPLE



# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

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Mrs R Townley (Dept Of Planning &  
Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 11 January 2005

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR C OKIN  
SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY

I enclose a copy of the appellant's proof of evidence.

Yours faithfully

Mr Dave Shorland

325(BPR)

EX DIR	HDC	TP	C&C	AD	CLU	AO AK
R.B. K.C.		12 JAN 2005			PLANNING	
N	C	S.W	SE	APP	IO	REC
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(31)



# The Planning Inspectorate

3/23 Hawk Wing  
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<http://www.planning-inspectorate.gov.uk>

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Switchboard 0117-3728000  
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Mrs R Townley (Dept Of Planning &  
Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 15 December 2004

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990  
APPEAL BY MR C OKIN  
SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY**

## NOTIFICATION OF INSPECTOR

I am writing to inform you that the Inspector appointed to hold the inquiry into the above appeal will now be:

Ms Linda Wride DipTP MRTPI.

You have already been given notice of the arrangements for this inquiry.

Yours faithfully

Mr Ben Morrell

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

206C

(81)

EX DIR	HDC	TP	CAD	AD	CLU	AO AK
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## Gill, Rebecca: PC-Plan

---

From: Titcombe, Heidi: CP-Legal  
Sent: 05 May 2004 12:34  
To: Gill, Rebecca: PC-Plan  
Cc: Wade, Jonathan: PC-Plan  
Subject: PUBLIC INQUIRY, NORLAND SQUARE MANSIONS, 53 NORLAND SQUARE, LONDON

Dear Becky and Jon,

Many thanks for providing me with a copy of the appeal form. Please note that I will be dealing with the inquiry so could you please liaise with me when setting up the case conference.

Could you please supply me with two copies of the following documents in preparation for the case conference:-

1. the committee report and Minute of committee meeting
2. Appellants Rule 6 statement (when received)
3. List of people consulted and consultation list
4. notification of any amendments to the application
5. Letters of objection/support
6. Any Planning Brief applicable to the site.
7. Conservation policy document relevant to the site
8. Details of any planning decisions which may support the Council's case.
11. set of the Application plans
12. The planning application and any supporting documentation.

Kind regards

Heidi

**Heidi Titcombe**  
**Senior Solicitor, Planning and Property Law Team**  
**For Director of Law and Administration**  
**Tel: 020 7361 2617**  
**Fax: 020 7361 2748**

The following documents have been sent with the questionnaire.

Site notice - ✓

Delegate/committee report ✓ + MINUTES (04/03/04)

Cons area map - (2) NORLAND.

~~Listed building listing~~ --

Udp policies -

CD 27, 33, 44, 45, 46, 57, 61, 62,  
TR 9, 36, 42.

Conservation area proposal statement -  
(page numbers)

1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 25, 34,  
35, 36, 56, 69, 70, 71, 72, 73.

Other

Representations - (14)

Norland CAPs

- Norland Square appeal

cover, 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 25, 34, 35, 36, 56, 69, 70, 71, 72, 73

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# EXISTING VIEW FROM HOLLAND PARK AVENUE



A: EXISTING ELEVATION TO NORLAND SQUARE



# PROPOSED VIEW



B: PROPOSED ELEVATION





# Norland Square Mansions, W11

## THE PROPOSAL

- Provides a single new residential flat.
- Replaces redundant rooftop tank-rooms, etc.
- Set well back from roof edge (except at rear).
- Extensive pre-application consultations undertaken with Norland Square Residents Association and other groups.
- Also involves external improvements to the mansion block including new planters and main entrance upgrade.
- Southeast corner terrace is designed to avoid overlooking adjacent properties.

## THE DESIGN

- New rooftop space is designed as a subsidiary element, set back from the roof edge, and thus does not add significantly to the bulk.
- It has a carefully considered relationship to the original architectural composition.
- Specifically designed to complement the original architecture, and provide a well-proportioned resolution to the building, resulting in a balanced architectural composition.
- The proposals do not increase the overall height of the building: the new element of work would generally be no higher than the existing brick tank-rooms and plant/boiler room.
- As the photomontages show, the roof elements can be glimpsed from across the square, but do not have an intrusive impact. No views to other important buildings or spaces are impeded.
- Policy CD45 states that additional roof storeys will be permitted where the alterations are architecturally sympathetic and would not harm the character of the building.
- We believe that the proposals will preserve and enhance the character and appearance of Norland Square, providing a pleasing termination to the top of the building in place of the current ugly brick plant enclosures.

## DEVELOPMENT STANDARDS

- The proposal meets Council requirements for:
  - Daylight & Sunlight
  - Amenity Space
  - Unit size
  - Car Parking Provision

## CONCLUSIONS

The key issue is clearly whether the proposal is obtrusive and inappropriate, or harmonious and a benefit to the Conservation Area - and this is a matter which is to some extent a matter of subjective judgement: We feel that the photomontages show that it is the latter. If this is the case, then clearly, the Council's policies do allow approval.

Councillor Ahern  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Miss Weatherhead  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Buxton  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Cunningham  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Edge  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Hoier  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX

Councillor Husband  
Planning Services Committee  
Royal Borough of Kensington & Chelsea  
Town Hall, Hornton Street  
London W8 7NX



# The Planning Inspectorate

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2 The Square  
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Bristol BS1 6PN

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GTN 1371-8930

Ms K Sedov (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 12 July 2004

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR C OKIN**  
**SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY**

I enclose for your information a copy of the appellant's final comments on the above appeal. Normally, no further comments, from any party, will now be taken into consideration.

Yours faithfully

*M. Gregory*

pp Mr Dave Shorland

217L(BPR)

(42)

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	16 JUL 2004				PLANNING	
N	C	SW	SE	W	IO	RE

RLA/NS/P2181A

8<sup>th</sup> July 2004The Planning Inspectorate  
3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS16PNE-Mail: [rachela@rolfe-judd.co.uk](mailto:rachela@rolfe-judd.co.uk)

Direct Dial Telephone: 020 7556 1617

For the Attention of: Dave Shorland

Dear Mr Shorland

**Norland Square Mansions, 53 Norland Square, London, W11 4PY**  
**Appeal by Mr C Okin (Ref: APP/K5600/A/1148762)**

On behalf of our client Mr Charles Okin, we write to respond to a number of issues raised in the Royal Borough of Kensington and Chelsea's Statement of Case and by third party objectors. These are set out below;

**Points within the Royal Borough of Kensington & Chelsea's Statement of Case:**

Paragraph	Comment
2.2	Paragraph 2.2 states that the appeal property is ' <i>adjoining 2 mid nineteenth century stucco fronted terraces</i> '. For clarity, whilst Norland Square Mansions does adjoin the Victorian terrace along Holland Park Avenue, the building itself does not physically adjoin the terrace along the west side of Norland Square.
3.6	We note the Council's comments in paragraph 3.6 in relation to the appeal against the application made in 1980, which states that ' <i>the issues raised by this decision are still considered to be relevant and will be discussed</i> '. It will also be demonstrated within evidence that the application approved in 1974 is of equally comparable, if not greater, relevance.
4.3	Paragraph 4.3 refers to the proposed rooftop flat being ' <i>stepped away from the frontage by an average of 2.5 metres</i> '. This is slightly misleading. For clarity, the proposed new element is stepped back by approximately 4 metres, on both the north and south flanks, and 2.5 metres from the front façade.
5.2	Paragraph 5.2 refers to the policies in the UDP, which the Council may refer to in the consideration of the appeal. We note a number of these are additional to those referred to by the Council in their decision notice – in particular STRAT 10,

Planning Inspectorate  
8<sup>th</sup> July 2004

	<p>STRAT11, CD33 and CD69.</p> <p>These principally relate to additional residential dwellings, the character or appearance of conservation areas and architectural design standards. It would perhaps have been more helpful if these policies, if they are in fact, relevant had been given proper consideration during the council's original deliberations.</p> <p>We were particularly surprised to note the introduction of policies <b>CD33</b> and <b>CD69</b>, as the Council has not previously raised a concern in relation to either policy. These policies are individually discussed below;</p> <ul style="list-style-type: none"> <li>• Policy <b>CD33</b> states that development will be resisted which significantly reduces sunlight or daylight enjoyed by existing adjoining buildings and amenity spaces. We also note a third party objector has raised issues with regard to the impact of the proposal on the level of daylight and sunlight entering flats below via a lightwell at roof level (although in respect of the policy this is not an adjoining building or amenity space). The Council have not raised the issue of loss of daylight and sunlight previously, and the officer's committee report states that <i>'there would appear to be no material loss of daylight and sunlight to occupiers of the flats'</i>. It will be demonstrated that the position of the proposed rooftop flat would not lead to a material loss of daylight or sunlight to adjoining properties or amenity space, or to properties within the mansion block. Whilst the position of the proposed rooftop flat would be close to the one side of the lightwell this would not prevent light entering the lightwell, and given that internal windows adjoining the lightwell appear to serve only non-habitable corridors and bathrooms/toilet, we do not consider it can be justified that a material or adverse loss of daylight and sunlight would occur to flats below.</li> <li>• Policy <b>CD69</b> seeks to resist development which would adversely affect the setting of a listed building. Whilst clearly recognising that the appeal site is adjacent to terraces of listed buildings, the Council have not previously contended that the scheme would lead to an adverse impact on these listed terraces. We note that the Council crossed through question 12b - which asks whether the proposed development would affect the setting of a listed building - in the appeal questionnaire. It thus seems that there is some confusion in the council's mind as to whether there is indeed an adverse effect. Nevertheless it will be demonstrated within evidence that the proposal would <i>not</i> adversely affect the setting of the listed terraces.</li> </ul>
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### Third Party Objections:

The letters received from third party objectors set out a number of comments not originally raised, and we address these below;

Planning Inspectorate  
8<sup>th</sup> July 2004

- **Effect on the Gardens:** The residents of the Square privately own the garden within the Square, and the proposal would block sunlight into the Square. It will be demonstrated that the proposal would not result in a significant loss of sunlight into the Square.
- **Loss of privacy to occupiers at Norland Mansions:** The impact of the proposal on light entering the lightwell has been discussed above, however the objector also states there would be a loss of privacy. Loss of privacy has never been raised as an issue by either the Council or residents, and from a practical point of view, we fail to see how the proposal could have such an effect. It will therefore be demonstrated within evidence that neither a significant loss of privacy or light would occur.
- **People on the Terrace:** It is suggested that the presence of people on the roof terrace would break the 'harmony of the roofline'. We do not believe that this is a valid 'planning' reason to resist these proposals. This will be further addressed in evidence.

We trust you will find these comments of assistance and we enclose two copies of these comments, one for onward transmission to the Royal Borough.

Kind regards,

Yours sincerely

Rachel Allwood  
Rolfe Judd Planning

Encs

Cc	Charles Okin	-	Edward Charles & Partners (Private & Confidential)
	Joanna Clayton	-	2 Harcourt Buildings

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**LAW AND ADMINISTRATION**  
**INTERNAL MEMORANDUM**


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TO: ~~John White~~ ROOM NO: ~~Planning and Conservation - Policy~~  
CC: Kate Orme - Planning and Conservation - Design  
FROM: Heidi Titcombe ROOM NO: 230  
TELEPHONE: 020 7361 2617 FAX: 020 7361 2748  
EMAIL: heidi.titcombe@rbkc.gov.uk  
DATE: 30 June 2004 REF: HT/10032213  
SUBJECT: RE: 53 NORLAND SQUARE MANSIONS PUBLIC INQUIRY

---

I enclose a copy of the Appeal Decision concerning Nell Gwynn House which I dealt with in May 2004. This is relevant to the present appeal and you will see that it was dismissed.

Kind Regards

  
Heidi Titcombe  
Senior Solicitor  
Planning and Property  
For Director of Law and Administration

enc

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	1 JUL 2004				PLANNING	
N	C	SN	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

(39)



# The Planning Inspectorate

TW

3/23 Hawk Wing  
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2 The Square  
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Bristol BS1 6PN

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Ms K Sedov (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 21 June 2004

Dear Madam

## TOWN & COUNTRY PLANNING ACT 1990

### APPEAL BY MR C OKIN

SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY

I am writing to confirm that the inquiry into this appeal will open at 10:00 on Tuesday 1 February 2005 at The Town Hall, Hornton Street, Kensington which should be reserved for 1 day. The sitting day is at the Inspector's discretion and may be changed once the inquiry has opened. Please arrange a car-parking space for the Inspector. Could you send the details, together with a location plan of the venue, to the case officer quoting our appeal reference number?

We will confirm the Inspector to you at a later date.

Please note that disabled people who may be concerned about facilities at the inquiry venue have been advised to write to or contact your Council to confirm that proper provisions are in place.

Yours faithfully

*C.L. Welding*

Miss Carolyn Welding

**NB: All further correspondence should be addressed to the case officer mentioned in the initial letter.**

206BL

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B.	24 JUN 2004				PLANNING	
K.C.						
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

73



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**PLANNING AND CONSERVATION**

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THE TOWN HALL HORNTON STREET LONDON W8 7NX

**Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS**

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Office of the Deputy Prime Minister,  
3/07 KiteWing,  
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2 The Square, Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimilie: 020-7361-3463

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

Date: 18 June 2004

My Ref: DPS/DCN/PP/04/00081/JW

ODPM's Reference: App/K5600/A/04/1148762

Please ask for: Kavita Sedov

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: Norland Square Mansions, 53 Norland Square, London, W11 4PY**

With reference to the Appeal on the above premises, I attach 2 copies of this Council's statement.

Yours faithfully

**Michael J. French**

**Executive Director, Planning and Conservation**

Enc.



INVESTOR IN PEOPLE



# The Planning Inspectorate

TW

3/23 Hawk Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

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GTN 1371-8098

Ms K Sedov (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 8 June 2004

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR C OKIN**  
**SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY**

*Accepted 9 June 04*

I am writing to tell you that we propose to hold an inquiry into this appeal at 10.00am on Tuesday 1 February 2005, at a venue to be arranged. We anticipate that the inquiry will last for 1 day.

We allow each party only one refusal of an inquiry date, before we set a date, time and place for the inquiry. If you cannot accept the date offered, you may agree a reasonable alternative with the other party. The availability of the Inspector is a crucial factor in this process. We will let you know whether we can supply an Inspector for any date you agree between yourselves, but this date must meet with our general aim of deciding appeals quickly. Any negotiation of an alternative date must be concluded within one month from the date of this letter.

You can reply to me by telephone or letter. If I do not hear from you by 17 June 2004, I will assume that the proposed inquiry date is acceptable, and that you are not intending to negotiate an alternative inquiry date with the other party.

You should not assume that the inquiry date offered here is the one that will eventually go ahead. We will write to you again to confirm the final arrangements.

Yours faithfully

*C.L. Welding*

Miss Carolyn Welding

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 JUN 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

49

**NB: Only correspondence concerning the inquiry date (and venue) should be addressed to the above room. All other correspondence should be addressed to the case officer mentioned in the initial letter.**

① P C      ② J W

21  
10/6.

The Chauffeur's Flat  
Norland Square Mansions  
Norland Square  
London  
W11 4PY

Tel: 0207-684-8881  
Fax: 0207-684-8882  
e-mail: Alison@stockwool.co.uk

Kensington and Chelsea Town Hall  
Planning Department  
Hornton Street  
London  
W8 7NX

7 June 2004

Dear Sirs

**53 Norland Square Mansions, W11**

I recently visited your offices to examine the Planning File APP/ A/ 04/ 1148762, regarding the application/ appeal for development of an additional storey to a mansion block on the corner of Holland Park Avenue and Norland Square.

I live in the first floor above the garages, 10m to the rear (north west) of the building and I am considering making a representation on the grounds of loss of day/ sunlight. I was not consulted during the Planning Progress and therefore did not object to the application.

I would welcome an officer's view as to whether my objection would add weight to the Borough's decision to refuse the application.

Yours faithfully

*Alison Poole*

Alison Poole

24

186

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	09 JUN 2004				PLANNING	
N	C	DM	SP	APP	IO	REC
			ARB	FFL	DES	FEES

---

## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. Charles Okin,  
12/14 Wigmore Street,  
LONDON W1U 2DU.

Switchboard: 020 7937 5464  
Extension: 2944  
Direct Line: 020 7361-2944  
Facsimile: 020 7361 3463  
Web: [www.rbkc.gov.uk](http://www.rbkc.gov.uk)

12 February 2004

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: EDPC/MJF

Please ask for: Mr. French

Dear Mr. Okin,

**Norland Square Mansions, W.11.**

Councillor Tim Ahern, Chairman of the Planning Services Committee, has asked me to thank you for your letter of 6 February setting out your concerns with regard to the determination of the above planning application. Councillor Ahern has requested that the application be considered by the Planning Services Committee. I do not at this time have any firm date for Committee consideration, and we are currently undertaking internal consultations on the application. I have referred your letter to Mr. Derek Taylor, the Area Planning Officer, for his attention.

As Councillor Ahern may be chairing this meeting, it would be inappropriate for him to make further comments at this stage.

Yours sincerely,

M. J. French,  
Executive Director, Planning and Conservation.

c.c. Councillor Tim Ahern – Chairman, Planning Services Committee



INVESTOR IN PEOPLE

**Charles Okin**  
**12-14 Wigmore Street**  
**London**  
**W1U 2DU**  
**Tel: 020 7462 6108**

Councillor Tim Ahern,  
Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
London  
W8 7NX

6 February 2004

Dear Councillor Ahern,

**Norland Square Mansions London W11 –**  
**Planning Application for proposed new top floor flat**

I am writing to ask you if your committee would be kind enough to consider this matter, which your officers inform me they currently intend to determine themselves, and which they apparently wish to refuse.

The proposal is to introduce a flat in place of the current tank rooms and other miscellaneous rooftop plant on this building. When we met at the site, your officers, Mr. Wade and Ms. Orme agreed that the proposed design is good, but then explained that they felt that in principle the building was not suitable for an extension of this type, because the resulting flat would be too prominent, and this would be harmful to the Conservation area.

I would hope that when you see the drawings and the perspectives which we have had prepared, you will agree that is simply not the case. Whilst we obviously respect of the opinions of your officers, we do not believe that they reflect local opinion. Before making the application, we took some time and trouble to consult the local residents' association, and the local amenity society, and we certainly have the strong impression that they did not consider the proposals to have such a prominent or detrimental impact, and both felt they were acceptable. Quite clearly then, there is an element of subjectivity in the judgments to be made on this point.

Given this apparent difference of opinion, I do feel it would be helpful for the Elected Members to consider this matter, and I would be grateful if you could ask that this be done, as the planning officers tell me that I am not able to request it directly.

I would obviously be delighted to show you the site or explain in more detail what I would like to do, (though I appreciate that you must be very busy) and if you did feel this would be useful, please do let me know.

I am sending a copy of this letter to Cllr Richard Walker-Arnott, who has met us on site and advised us to present our proposals to the local groups.

Yours sincerely

A handwritten signature in black ink, appearing to be 'C. Okin', with a long horizontal flourish extending to the right.

**Charles Okin**

15 Norland Square Mansions Norland Square London W11 4PY

9<sup>th</sup> February 2004

Yr Ref: DPS/DCN/PP/04/00081/JW

Town and Country Planning Act 1990 - Proposed Development at Norland Square Mansions

Dear Sir,

We are the lessees of the above flat and are writing in reply to your letter of 13<sup>th</sup> January. We have seen copies of Mr Okin's architects' Report describing the proposal and of Mr Okin's Planning Application and have a number of comments to make.

1. A lot is made in the architect's Report of Art Deco. The block can hardly be said to be a prize example of Art Deco (an expression used to cover almost anything, it seems, in the 1920s and '30s), but it looks as though the lift, which is a feature, would be lost.
2. The proposals, not unnaturally, aim at showing the project in the best light, but we are somewhat worried that the raised roofline would spoil the otherwise strong horizontal roofline round the whole Square.
3. Mr Okin has told the lessees that he has consulted the Norland Conservation Society and the "residents association of the square". Neither of us has been in touch with the Conservation Society and, of course, there is no such body as a "residents association of the square". I (KGA) have been in touch with the Garden Committee whose Secretary tells me that "informed" was more appropriate to Mr Okin's approach than "consulted". I was for some years Secretary of a nearby Garden Committee and know well that their statutory powers are limited to running the garden in the square where they live. They have no status in relation to a planning application like this.
4. Mr Okin told me on the telephone that the whole operation would take 6-9 months and that there would be no lift operating for 5-6 weeks. At a meeting on 15<sup>th</sup> January owners of the leases of about 12 flats in the block all felt that neither common sense nor experience supported such short periods. A realistic assessment might result in figures twice as long or more.
5. Such major works as are proposed would, if carried out, result in the suspension of parking bays. The road immediately outside the block takes up to six cars. Finding a parking slot is often far from easy and the suspension of bays would exacerbate the problems on the West side of the Square, in Queensdale Road and beyond. Cars delivering children to or collecting them from Norland Place School naturally occupy for short periods any vacant slots outside the block or as near as possible to Holland Park Avenue. Many cars and other vehicles come out of the Avenue and use the West side of the Square as a rat run. Some of them accelerate furiously as soon as they round the corner into the Square. The suspension of bays would exacerbate these problems.

① Acl  
② JW  
Yh  
11/2

DCN/AOAOX

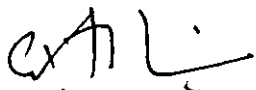
32

6. Over the years during which we have had our lease of the flat there have always been one or two elderly or infirm people living in the block. The inability of such people to use the lift over a substantial period would make it difficult or impossible for them to live in their flats. Mr Okin's architects' Report says that the contractors "would provide a person in attendance at the building to assist carrying groceries etc. up and down the staircase while the lift is out of service." At all times during the day and into the evening or just while work was in progress? Residents would often be unable to park near the block: would the person in attendance carry to and from a car parked some distance away; how would he know that his services were needed; etc., etc.
7. There would inevitably be occasional interruption of utility services and, at all times, a considerable amount of dirt (the Critall windows are about 60 years old and fit far from perfectly), noise and vibration. Insurers would limit or withdraw cover while the work was in progress. Many of the lessees sub-let their flats. Some of their tenants would leave and it would be surprising if a lessee were able to find a tenant for an empty flat.
8. If these factors are applied to one residence they could be regarded as constituting a temporary nuisance resulting, in most cases, from the owner of the residence applying for permission to do work to his own residence. With Norland Square Mansions the application is not made by any of the 28 (ignoring the porter's flat) residents, and it is the occupants of 28 residences who would suffer over a long period which, in aggregate, amounts to loss of amenity which bears no relation to a temporary nuisance. Also, the size and length of the operation would result in appreciable hardship to residents in the neighbourhood.
9. Mr Okin has offered to meet the costs of the new lift and repairs to the roof. Maintenance of the lift and the roof are the responsibility of the tenants. But, of course, the building of a rooftop flat makes a new lift and the replacement of the existing roof necessities for the person building the flat. He has not offered any compensation for loss of amenities and the more positive damage (e.g. inability to sub-let) that will be suffered by residents, whether lessees or tenants.
10. If planning permission is granted we hope that it will be subject to binding and enforceable guarantees that the whole operation and, as a separate matter, the loss of a lift will be finished within short and acceptable periods; that there will be reasonable compensation for the losses suffered by the lessees; lastly that there will be adequate funds, if the work is not completed, to get it completed. The request for these guarantees and compensation is not intended to imply any doubts whatsoever about Mr Okin's financial position: it is unknown to us and, no doubt, to the other lessees – that is a fact, not a criticism. It is also a fact that larger ventures than this have foundered; for example the large block behind Sainsbury's on the Cromwell Road. Maybe financial matters like this are not directly relevant to planning considerations. But the result of any failure to complete a project like this would affect the whole neighbourhood and the traffic in Holland Park Avenue because, at the minimum, of parking and traffic disruption. It seems to us that the Council should do all it can to avoid any such risk.

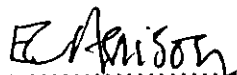


Lastly we hope that the presentation of the application to the Planning Services Committee will be delayed for a reasonable time. A number of the lessees live abroad and may need time to reply to your letter.

Yours faithfully,



.....  
K. G. Allison



.....  
Mrs. E. C. Allison

M. J. French  
Executive Director, Planning and Conservation  
RBK&C

# RBK&C TRANSPORTATION COMMENTS

<b>PP Number:</b> 04/81	<b>Address:</b> Norland Square Mansions, 53 Norland Square, W11	<b>Date of obs:</b> 13 <sup>th</sup> Feb 2004
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**Proposal:**

Erection of roof extension to create self contained flat.

More info needed	No Objection	No objection STC	Concern Raised	Objection
		✓		
Initial Observations		Transportation Officer:		DC Officer:
Full Observations	✓	Robert Johnson		Jon Wade
Further Observations (no. )				

**Comments:**

TR42 of the UDP sets out the Council's policy '*to require new residential development to include off-street parking*'. The proposal involves creation of an additional self contained flat with 4 habitable rooms. No additional parking is proposed. The architect states that an existing single garage will be used, currently owned by the applicant and unused. The applicant is freeholder of the site. Council standards require a maximum of one off-street parking space to be provided for this development. According to Ms Rachel Allwood, of the applicants agent, a total of 8 off-street spaces are available for the existing 28 flats. This level of parking provision does not meet Council standards, which suggests a maximum of 28 spaces. The vacant garage available must therefore be conditioned for the use of the new flat, to minimise any further impact on residential parking in the area.

TR36 of the UDP states that the Council is '*to resist development which would result in inter alia any material increase in traffic or parking, or in congestion on the roads or on public transport*'. Creation of an additional flat without additional, conditioned, parking provision is likely to increase parking pressure on nearby resident's parking spaces, particularly as parking capacity to Council standards does not exist on site at present. The offer of a garage space currently in the freeholder's control should therefore be used to condition a space for the residents of the new flat.

P.T.O.

TR9 of the UDP says the Council is "*Where appropriate, to require the provision of cycle parking facilities in residential and commercial developments...*". The site can easily provide the one safe, secure and convenient cycle parking space required by this standard, and further provision, for the existing flats, would be welcomed. I am happy to discuss this, if the C.O. is minded to approve.


Relevant Transportation policies: TR36, TR42 and TR9.

Suggested Conditions:

- Garage space, minimum 2.4m by 4.8m, identified on a drawing, to be conditioned for use of flat (C28).
- Minimum one safe, secure and convenient cycle parking space to be provided (C28b).

Recommendation: The Director of Transportation and Highways has no objection to the development, subject to conditions.

Signed:

A handwritten signature in black ink, appearing to read 'R. Johnson', is written over the 'Signed:' label.

Johnson, Robert: ES-HwayTraf

---

From: Rachel Allwood [Rachel@rolfe-judd.co.uk]  
Sent: 11 February 2004 17:09  
To: 'robert.johnson@rbkc.gov.uk'  
Cc: Charles Okin (E-mail); Nick Sharpe  
Subject: Norland Square Mansions

Dear Robert,,

Further to our telephone conversation yesterday I have spoken with the applicant (who is also the freeholder of the site) and to answer your questions;

- \* There are 28 flats within the mansion block comprising of 6 studios, 18 one bed flats and 4 two bed flats
- \* Two of the flats have garages.
- \* There are no definite arrangements for parking; we would estimate there is room within the site to park at least 6 cars. This is used on an ad-hoc basis and space is not allocated

The applicant owns a garage on the site which is currently vacant. It is proposed that the garage would provide car parking space for the proposed roof top flat. Given that the existing garage is privately owned and does not currently contribute to the car parking available on site, the proposal would not alter the current car parking provision in anyway. The provision of one car parking space for the roof top flat is consistent with the maximum standard set out within the UDP.

I hope this answers your queries, however should you require further information please contact myself on 020 7556 1617.

Yours Sincerely,

Rachel Allwood  
Rolfe Judd Planning

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This email message has been swept for the presence of computer viruses.

Rolfe Judd Ltd  
Old Church Court  
Claylands Road  
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London  
SW8 1NZ

PH +44 (0)20 75561500  
FX +44 (0)20 75561501  
<http://www.rolfe-judd.co.uk/>

Mrs. Marina Puig  
11 Horbury Crescent, London W11 3NF

① Ach  
② OW

h  
3/2.

To Planning and Conservation.  
The Town Hall of R.B K C.

PROPOSED ; Development Norland Sq Mansions.  
Your ref: DPS/DCN/PP/04/0008/JW

24th January 2004.

Dear Sirs,

I own flat 6 and top floor flat 24, at NORLAND SQUARE MANSIONS.

I received with dismay your planning notification reference the proposed development and erection of a dwelling on the roof of the above block.

Norland Square Mansions was erected in 1936 and designed in its existing form of basement and four floors by the noted architect Arthur Ash. Today it fortunately remains intact and in its original form, being a prime example of the architectural style of that period.

I need not remind you that more buildings of architectural merit have been disfigured by such planning applications than by World War 2 bombs.

Furthermore its existing height is in keeping with the grade Two status of Norland Square.

As an existing leaseholder of two flats, I strongly object to the proposed development.

Yours faithfully,

Mrs M. Puig.

*M. Puig*

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	03 FEB 2004				PLANNING	
N1	C	SW	SE	APP	IO	REC
			ARB	FPL	DES	FEES

24

# PLANNING AND CONSERVATION

THE TOWN HALL, HORNTON STREET, LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MKTP Cert S

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

The Owner/Occupier  
Flat 6 Norland Square Mansions  
53 Norland Square  
London  
W11

020-7937-5464  
Switchboard 2079 2080  
Extension 020-7361- 2079 2080  
Direct Line

Fax 020-7361-3493

Date: 13 January 2004

My ref: 04

Your reference:

Please refer to:

My Ref: DPS.DCN PP-04/06081 JW

Planning Information Office

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT 1990

**Proposed development at: Norland Square Mansions, 53 Norland Square, London, W11 4PY**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Please telephone should you require further information.

**Proposal for which permission is sought.** Erection of roof extension to create self-contained flat with roof terrace and alterations to elevations to building.

**Applicant** Charles Okin, c/o Rolfe Judd Planning, Old Church Court, Claylands Road, The Oval, London SW8 1NZ.

-Yours faithfully

M. J. FRENCH  
Executive Director, Planning and Conservation

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		03 FEB 2004			PLANNING	
N	C	SW	SE	APP	IO	REC
		ARB	FFL	DES	FEE	

① Ach  
② JV

Mr Jon Wade  
Planning and Conservation  
The Town Hall  
Hornton Street  
London  
W8 7NX

Miss I F Mobley  
1 Norland Square Mansions  
53 Norland Square  
London  
W11 4PY

in  
28/1.

27 January 2004

Tel: 020 7371 3343

Dear Jon Wade

TOWN AND COUNTRY ACT 1990

Proposed development at: Norland Square Mansions 53 Norland Square Mansions London W11 4PY

When I first saw the proposed plans I was concerned about the removal of the bush in front of my flat for security reasons. The crime officer who visited my flat through the Norland Square Neighbourhood Watch told me I was lucky to have the bush as this would help to be a deterrent from robbery. Also the agents next door use it as a short cut, rubbish is thrown into the area plus a few unpleasant things, I know that this is part of life but if the bush is removed this will be happening right outside my window.

I made an appointment to see Mr Okin and when he called I explained the above to him and later I received a letter saying the bush would not be effected by the proposed works.

When I went to the Town Hall to see the proposed plans I noted that the bush had been removed (copies enclosed).

I would appreciate your help in this matter.

Yours sincerely,

*I. F. Mobley*

COPY OF PLANS  
TO INFORMATION  
OFFICE PLEASE

6 enclosures

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	27 JAN 2004			PLANNING FD		
N	C	SW	SE	APP	S	REC
			ARB	EPLN	DES	FEES

11 Norland Square Mansions  
London W11 4PY  
Tel: 020 7603 8570

① Ark

② JW

2

26/1.

January 19th '04.

Mr. M.J. French, FRICS.,  
Planning & Conservation,  
R.B.K. &C.,  
Town Hall,  
Hornton Street,  
W.8.

your ref: DPS/DCN/PP/04/0081/JW

Dear Mr. French,

Thank you for your letter of January 13th regarding the proposed development of Norland Sq. Mansions. I am writing to you today as a very distressed OAP at the thought of possibly having to climb 2 flights of stairs with or without shopping when the building starts, especially at the time when the building of the new lift starts.

I have lived at this address since 1946 and the planned new construction has only disadvantages for the lessees in my opinion.

PTO.

EX	INDC	TP	CAC	AD	CLU	AC
DIR						AK
23 JAN 2004						
39						



continued....

What would happen if the money should run out half way ? One has heard of similar situation We would be left with a partly finished building.-

I must say, everything considered, I am altogether very much against the plan, not only because of the points mentioned but of all the various items going wrong.

Yours sincerely,

*A. Springer*  
Mrs. A. Springer.

0 Ash 02W

26/1.

Paul Nicholls & Annamaria Gagliardini  
Flat 27, Norland Sq. Mansions  
53, Norland Square  
London W11 4PY

20 January 2004

Yr. Ref. DPS/DCN/PP/04/00081/JW

Mr. M.J. French  
Executive Director  
Planning and Conservation  
The Royal Borough of Kensington and Chelsea  
The Town Hall  
Hornton Street  
London W8 7NX

Dear Sirs,

EX DIR	HDC	TP	CAC	AD	CLU	AC AK
R.B. K.C.	23 JAN 2004			PENDING		
	C	SW	SE	APPL	IO	REG
			ARB	FPLN	DES	FEE

**RE: Proposed Rooftop Flat at Norland Square Mansions**

We are most concerned about the proposed construction of a roof flat on the top floor of Norland Square Mansions. We feel that the alterations and additions proposed by Mr Charles Okin and his Architects would seriously compromise the authentic period charm of the building and the square itself. This, for various reasons:

1. The raised storey would break the horizontal line of the roofs of all buildings in the square, which at present contributes to its harmony and unity (a dangerous precedent).
2. The same would disrupt the panoramic view that buildings on the opposite side of the square presently enjoy.
3. The new flat would necessarily be constructed with modern materials which, however treated, would be at variance with the character of the building as it stands.
4. The necessity to provide services for the proposed flat would necessitate the substitution (i.e. destruction) of the lift, a feature of rare Art Deco charm, and the substantial alteration of the core of the building (the addition of a further flight of stairs, modification of the lighting arrangement around the lift etc).

In conclusion, we are convinced the building would become a travesty of Arthur Ash's original design.

Other, no less cogent reasons for our objection to the project concern the enormous inconvenience that would be caused to tenants by the alterations: dust and noise, high security risk, difficulty of access both internal and external, interruption of essential services etc., for a period which common experience suggests would be far longer than predicted. We feel these problems are unfairly minimised in the Architects' presentation.

For these reasons, although much could certainly be done to improve the building's physical appearance, a major and inappropriate intervention of the kind proposed would seriously compromise the building's authenticity and our right to services.

Yours faithfully,

Paul Nicholls & Annamaria Gagliardini

**Paul Nicholls and Annamaria Gagliardini**

PS Please address all future correspondence c/o Mrs Alpa Wadher, 27 Granville Gardens, Norbury  
London SW16 3LN.

JN  
25/1.

① Ach ② JW

12 NORLAND SQUARE MANSIONS  
NORLAND SQUARE  
LONDON W11 4PY

18th January 2004

The Royal Borough of Kensington  
and Chelsea  
Planning & Conservation  
The Town Hall  
Hornton Street  
London W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		20 JAN 2004			PLANNING	
M	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEEs

Dear Sirs,

Ref: DPS/DCN/PP/o4/00081/JW

Proposed development at Norland Square Mansions, W114PY

With reference to the above, I would comment as follows:

1. A similar application, made some years ago, was rejected by the Council.
2. Although I do not feel that this new proposal would adversely affect the appearance of the outside of the building or its surroundings, there are other considerations, namely -
  - The development is to be constructed on top of a fully occupied building, with consequent disturbance and disruption to the services provided to residents e.g. water, gas and electricity supplies. In particular, removal of the only lift would create problems, especially for older residents. (I am 73, my neighbour is 85).
  - Erection of scaffolding around the building for many months would restrict daylight to the flats, and increase security risks, with insurance implications.
  - Parking restrictions to enable access for contractors' vehicles and materials would exacerbate an existing difficult situation at the junction of Norland Square and Holland Park Avenue. Residents already have problems parking outside the Mansions. There is frequent congestion when schoolchildren are being taken to, and collected from, nearby Norland Place School.

I hope the Council, when considering this application, will recognise that the benefit to the developer will be at the expense of the residents' right to the peaceful enjoyment of their homes.

Yours faithfully,

*Ann E. Robinson*

(Mrs.) Ann E. Robinson

① Ark ② SW

11 Norland Square Mansions  
London W11 4PY  
Tel: 020 7603 8570

Alley  
H. K. 1950  
S/S - as  
dye

May 3rd, 2004.

R.B.K.C Planning

05 MAY 2004

Mr. M.J. French, FRICS.,  
Planning & Conservation,  
R.B.K. & C.,  
TOWN HALL,  
Hornton Street,  
W.8.

AD: AC4/N  
81

Your ref: DES/DCN/PP/04/0081/JF

Dear Mr. French,

Regarding the proposed development of NORLAND SQ. MANS., I understand from Rolfe Judd Planning on behalf of Mr. Charles OKin in their letter dated April 23rd, '04 that they are appealing to the First Secretary of State (the office of the Deputy Prime Minister) against the decision of the Council.

I would like to say that as previously stated in my letter to you of January 19th last, I am very much against the project from all possible angles. The more I think about it the more reasons could be cited to refuse even looking at it!

Yours sincerely,

A. Springer  
Mrs. A. Springer  
(aet 85)



# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Ms K Sedov (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/00081/MIND/14  
Our Ref: APP/K5600/A/04/1148762  
Date: 21 June 2004

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR C OKIN**  
**SITE AT NORLAND SQUARE MANSIONS, 53 NORLAND SQ, LONDON, W11 4PY**

I enclose a copy of the appellant's statement plus interested party letters relating to the above appeal.

If you have any comments on the points raised, please send 2 copies to me no later than 9 weeks from the starting date. You should comment solely on the representations enclosed with this letter.

**You cannot introduce new material or put forward arguments that should have been included in your earlier statement. If you do, your comments will not be accepted and will be returned to you.**

Comments submitted after the 9-week deadline will not be seen by the Inspector unless there are extraordinary circumstances for the late submission.

Yours faithfully

Mr Dave Shorland

211AL(BPR)

EX DIR	HDC	TP	CAC	AD	CLU	AS	AK
R.B. K.C.		22 JUN 2004			PLANNING		
N	C	SW	SE	APP	IO	REC	
		ARB	FPLN	DES	FEES		

15 NORLAND SQUARE MANSIONS NORLAND SQUARE  
LONDON W11 4RA

15<sup>th</sup> June 2004

Dear Sirs,

Planning Appeal – Norland Square Mansions London W11 4RA  
App/K5600/A/04/1148762

1. We are the lessees of the above flat and wish to make written representations to you about the above appeal. We have seen copies of the Report of the RBK&C's Executive Director, Planning and Conservation, which was approved on 23<sup>rd</sup> February and of the Grounds of Appeal dated 23<sup>rd</sup> April.
2. In our original representations to the Council we objected to the Planning Application on, broadly speaking, grounds of inconvenience to the residents of the flat and the neighbourhood, but now appreciate that the grounds on which it is possible to object are much more limited. One of us has, therefore, carefully looked at the block and the rest of the west side of the square, before the trees in the Square were in leaf, and considered how the implementation of the detailed plans, of which also we have copies, would affect what people presently see. This, of course, was from ground level only. No doubt from a higher level the effect would be greater.
3. At present the roofline of the block appears to be only marginally higher than the roofline of the terraced houses on the same side of the Square to the north, and indeed right round the Square. Our view is that even a very small increase in the roofline of the block or of the parapet at the front of it would seriously affect the harmony of the roofline in the Square. The appearance of the west side of the Square affects particularly local residents who day by day approach the Square from the west down Holland Park Avenue where the local shops and underground station (Holland Park) are.
4. There is, what seems to us, an important point that was not raised by the plans or, it seems, considered by the Planning Committee. The detailed plans show that to the east and south of the proposed flat the space between it and the parapet will be occupied by a timber-decked terrace. That terrace will be used by the residents in the flat and their guests: if not, what is the point of it? Their presence and movement on the terrace would, in particular, break the harmony of the roofline. Any argument that only the proposed changes to the architectural appearance may be considered on the appeal is a false one. In considering the appearance of any building one must take into account the use to which the exterior (in this case the terrace) is bound to be put. We are not considering here a flat vertical frontage, but a recessed vertical frontage with a horizontal space between it and the parapet. That space will, from time to time, have on it figures which will catch the eye of people looking in the general direction of the block. The presence of such figures seems wholly incongruous in the context of an otherwise harmonious skyline of the square with no figures or movement on it.
5. In the light of what we've said in paragraph 4 we suggest that the minimum height (on safety grounds) of parapets be established before the hearing, so that any revisions to the plans made or undertakings given by the appellant are consistent with safety requirements. Such requirements may in themselves be irrelevant to a planning appeal but, if they contain a minimum height for parapets, that height is

*held*

relevant to this appeal. At the end of paragraph 6 of the Grounds of Appeal the appellant's architects say "It would in any case be possible to introduce the roof extension without raising the parapet if this were considered desirable." Surely safety regulations require a parapet of a minimum height if people are going to use the space behind it and so need protection? This must be a matter of fact, which we feel ought to be established before the hearing.

6. So we support the decision described in the Report, particularly paragraphs 4.4 and 5.5. The support of Councillor Walker-Arnott is noted in paragraph 5.3 of the Report. We know that he has served the Borough well over many years, but we consider that the fact that he is a Councillor is irrelevant in the context and that his opinion should be given no more weight than that of any other individual and less than that of those who daily see the west side of the Square, residents and others.
7. The garden in the middle of the square is, under an 1850s (?) Act of Parliament which deals with garden squares in Kensington, controlled and, to all intents and purposes, owned by the residents of the Square who levy a rate (now Council Tax) for the upkeep of the garden. The raising of the roofline over the Norland Square Mansions block would reduce sunlight coming to the gardens when the sun is shining from behind the block.

We are sending three copies of this letter and would be grateful if you would acknowledge their receipt and, in due course, send us a copy of the Inspector's decision letter. At present neither of us wishes to speak at the hearing.

Yours faithfully,

  
K.G. Allison

E.C. Allison



The Planning Inspectorate  
Room 3/07  
Kite Wing, Temple Quay House  
2, The Square  
Temple Quay  
Bristol BS1 6PN

RECEIVED  
16 JUN 2004  
PINS AA FEP