

Decision Notice

Please Index As

File Number

PLANNING AND CONSERVATION

**THE ROYAL
BOROUGH OF**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Caffe Nero,
3 Neal Street,
London,
WC2H 9PU

Switchboard: 020-7937-5464
Direct Line: 020-7361-2734
Extension: 2734
Facsimile: 020-7361-3463



**KENSINGTON
AND CHELSEA**

10 APR 2003

My Ref: PP/03/00502/CUSE/
Your Ref:

Please ask for: North Area Team

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

**TOWN AND COUNTRY PLANNING GENERAL PERMITTED DEVELOPMENT
ORDER 1995**

Permission for Development (Conditional) (DP1)

The Borough Council hereby permit the development referred to in the under-mentioned schedule subject to the conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by those plans or by the said conditions. Your attention is drawn to the enclosed information sheet.

SCHEDULE

DEVELOPMENT: Placing of two tables and four chairs on the public highway.

SITE ADDRESS: 53 Notting Hill Gate, London, W11 3JS

RBK&C Drawing Nos: PP/03/00502 and PP/03/00502/A

Applicant's Drawing Nos: CNE008/EX12 and two un-numbered photographs received on 03/03/03.

Application Dated: 02/03/03

Application Completed: 04/03/03

Application Revised: 20/03/03

**FULL CONDITION(S), REASON(S) FOR THEIR IMPOSITION AND INFORMATIVE(S)
ATTACHED OVERLEAF**



CONDITION(S) AND REASON(S) FOR THEIR IMPOSITION

1. **The development hereby permitted shall be begun before the expiration of five 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 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. (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. **Full particulars of the following shall be submitted to and approved in writing by the Executive Director, Planning and Conservation before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:**
 - (a) **the removable railings at a scale of 1:20. (C011)**
Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)
4. **The tables and chairs shall be removed from the pavement between 22.00 hours and 09.00 hours the following day.**
Reason - To safeguard the amenities of the area.
5. **On each day the tables and chairs are placed outside the premises, the occupier shall ensure the immediate area is kept litter free.**
Reason - To safeguard the amenities of the area.
6. **This permission shall be personal to Caffè Nero and shall not enure for the benefit of the land. (C006)**
Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case/applicant, and considers that use otherwise than by Caffè Nero would have had different implications, and would be likely to have resulted in planning permission being refused. (R006)

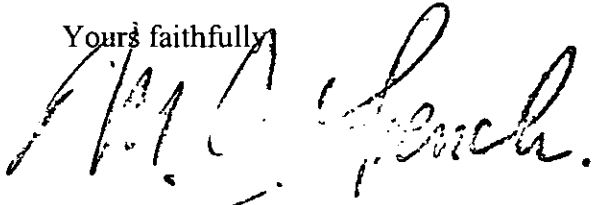
INFORMATIVE(S)

1. Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. (I10)
2. Before placing any amenities (e.g. tables and chairs) on the highway, you are advised to consult the Directorate of Transportation and Highways, Room 230, Town Hall, Hornton Street W8 7NX (020-7361-3628) regarding consent under the Highways Act 1980. (I25)

3.

You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies TR21, CD34 and CD89. (I51)

Yours faithfully

A handwritten signature in black ink, appearing to read "M. J. French". The signature is written in a cursive style with a large initial "M" and "J".

Michael J. French
Executive Director, Planning and Conservation