

Other Documents

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PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

Andrew Pilkington Architects,
382-386 Edgware Road,
London,
W2 1EB

APPLICATION NO: PP/03/01863

APPLICATION DATED: 21/08/2003

DATE ACKNOWLEDGED: 05 September 2003

APPLICATION COMPLETE: 04/09/2003

DATE TO BE DECIDED BY: 30/10/2003

SITE: 88 Notting Hill Gate and 2 & 4 Pembridge Road, London, W11 3HH

PROPOSAL: Change of use of ground floor of 2 Pembridge Road to A3 food and drink use including basement. Rest of ground floor for retailing as before. Construction of new stair at No. 2 to provide access to currently part vacant, part previously uninhabitable, upper floors. Part demolition and reconstruction at rear. Creation of 3 or 4 new residential units at upper floor levels. Part of first floor to be office use. Modifications at roof level. Most of plant and ducting to be removed from existing second floor deck.

ADDRESSES TO BE CONSULTED

- 1.
2. 78-94 (evens) + 63-67 (odd) Notting Hill Gate
- 3.
4. 2, 4, 6, 8, 9 Pembridge Road
- 5.
- 6.
7. 2 + 4 Pembridge Gardens
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

8/9
X
(37)

CONSULT STATUTORILY

- English Heritage Listed Bdgs - CATEGORY:
- English Heritage Setting of Bdgs Grade I or II
- English Heritage Demolition in Cons. Area
- Demolition Bodies
- DoT Trunk Road - Increased traffic
- DoT Westway etc.,
- Neighbouring Local Authority
- Strategic view authorities
- Kensington Palace
- Civil Aviation Authority (over 300')
- Theatres Trust
- National Rivers Authority
- Thames Water
- Crossrail
- LRT/Chelsea-Hackney Line/Cross Rail Line 2
- Victorian Society
- DTLR Dept. Transport Loc.Gov.& Regions

ADVERTISE

- Effect on CA
- Setting of Listed Building
- Works to Listed Building
- Departure from UDP
- Demolition in CA
- "Major Development"
- Environmental Assessment
- No Site Notice Required
- Notice Required other reason
- Police
- L.P.A.C
- British Waterways
- Environmental Health
- GLA - CATEGORY:
- Govt. Office for London
- Twentieth Century Society

✓ JN
8/9
✓ JN
8/9

Royal Borough of Kensington and Chelsea
GGP Point in Polygon Search Results
Corporate Land and Property Gazetteer
Buildings and their Units

Non-Residential Shop Building		63	Notting Hill Gate	W11 3JS
Non-Residential Shop Building		65	Notting Hill Gate	W11 3JS
Non-Residential Shop Building		67	Notting Hill Gate	W11 3JS
Building Shell		78	Notting Hill Gate	W11 3HP
Non-Residential Office Unit	Second Floor	78	Notting Hill Gate	W11 3HP
Non-Residential Office Unit	Third Floor	78	Notting Hill Gate	W11 3HP
Non-Residential Bank Building		78/80	Notting Hill Gate	W11 3HP
Non-Residential Bank Building		88	Notting Hill Gate	W11 3HP
Building Shell	Devonshire Arms	90	Notting Hill Gate	W11 3HP
Non-Residential Public House Unit		90	Notting Hill Gate	W11 3HP
Non-Residential Kiosk Unit	Ground Floor	90	Notting Hill Gate	W11 3HP
Non-Residential Shop Building		92/94	Notting Hill Gate	W11 3QB
Building Shell		2	Pembridge Gardens	W2 4DU
Residential Unit	Flat 2: Ground Floor Flat	2	Pembridge Gardens	W2 4DU
Residential Unit	Flat 3: 1st Floor Flat	2	Pembridge Gardens	W2 4DU
Residential Unit	Flat 4: 2nd Floor Flat	2	Pembridge Gardens	W2 4DU
Residential Unit	Flat 5: 3rd Floor Flat	2	Pembridge Gardens	W2 4DU
Residential Unit	Flat A: Basement Flat	2	Pembridge Gardens	W2 4DU
Building Shell		4	Pembridge Gardens	W2 4DU

Residential Unit	1st Floor Flat		4	Pembridge Gardens	W2 4DU
Residential Unit	2nd Floor Flat		4	Pembridge Gardens	W2 4DU
Residential Unit	3rd Floor Flat		4	Pembridge Gardens	W2 4DU
Residential Unit	Basement Flat		4	Pembridge Gardens	W2 4DU
Residential Unit	Ground Floor Flat		4	Pembridge Gardens	W2 4DU
Building Shell			2	Pembridge Road	W11 3HL
Residential Unit	Flat A		2	Pembridge Road	W11 3HL
Residential Unit	Flat B		2	Pembridge Road	W11 3HL
Non-Residential Shop Unit	Ground Floor		2	Pembridge Road	W11 3HL
Non-Residential Shop Unit	Ground Floor		4	Pembridge Road	W11 3HL
Residential Unit	Second And Third Floor Flat: 2nd/3rd Floor Flat		4	Pembridge Road	W11 3HL
Building Shell	Basement Music Ltd		6	Pembridge Road	W11 3HL
Non-Residential Office Unit	First Floor Front		6	Pembridge Road	W11 2JY
Non-Residential Office Unit	First Floor Rear		6	Pembridge Road	W11 3HL
Non-Residential Shop Unit	Ground Floor		6	Pembridge Road	W11 3HL
Non-Residential Office Unit	Second Floor		6	Pembridge Road	W11 3HL
Non-Residential Office Unit	Third Floor		6	Pembridge Road	W11 3HL
Residential Unit	First To Third Floor Flat: 1st/2nd Floor Flat		8	Pembridge Road	W11 3HL
Non-Residential Bar/club/restaurant Unit	Ground Floor		8	Pembridge Road	W11 3HL
Building Shell	Crown Communications Group Plc	United House	9	Pembridge Road	W11 3JY
Non-Residential Office Unit	Part First And Second Floor South	United House	9	Pembridge Road	W11 3JY

Non-Residential Office Unit	Part Second Floor United House	9	Pembridge Road	W11 3JY
Non-Residential Office Unit	Third Floor United House	9	Pembridge Road	W11 3JY
Building Shell		53	Uxbridge Street	W8 7TA

Total Number of Buildings and Units Found 43

DEVELOPMENT CONTROL TECHNICAL INFORMATION

THE ROYAL
BOROUGH OF



M.L.
KENSINGTON
AND CHELSEA

ADDRESS 88 Nottingham Gate
+ 2+4 Pembridge Road

POLLING DISTRICT PEB

PP031863

- | | | | |
|-----|--|--------|--|
| HB | Buildings of Architectural Interest | LSC | Local Shopping Centre |
| AMI | Areas of Metropolitan Importance | AI | Sites of Archeological Importance |
| MDO | Major Sites with Development Opportunities | SV | Designated View of St. Paul's from Richmond |
| MOL | Metropolitan Open Land | SNCI | Sites of Nature Conservation Importance |
| SBA | Small Business Area | REG 7 | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic Use	PSC		LSC	AI	SV	SNCI	REG 7	ART IV	
									C	N							
								✓	✓	✓							

	Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
	Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area Proposed	
Proposed Plot Ratio	

Daylighting	Complies	
	Infringes	

Car Parking	Spaces Required	
	Spaces Proposed	

Notes:

2-4 PEMBRIDGE ROAD

Property Card N° : 0641 005 00

Sitename :
Comment :
TP Arch/History : 100803 H 6862
See Also : Ind. Nos.

Xref : SEE 88 NOTTING HILL GATE
Notes :

PP031863

***** No cases attached to this Property Card *****

2 PEMBRIDGE ROAD

Property Card N° : 0641 004 00

Sitename :
 Comment :
 TP Arch/History :
 See Also : 2/4

PP031863

Xref :
 Notes :

TP No	Brief Description of Proposal	1	of	4	Adverts & History No
	INSTALLATION OF A NEW SHOP FRONT.				CA 76/187

Received	Decision & Date
Completed	Unconditional 26/06/1961
Revised	

TP No	Brief Description of Proposal	2	of	4
TP/76/1466	THE ERECTION OF A NEW SHOP FRONT FOR A PROPOSED TOURIST CENTRE.			

Received	Decision & Date	Works Completed
Completed	Conditional 15/04/1977	Y 04/10/1977
Revised		

TP No	Brief Description of Proposal	3	of	4
TP/84/0257	THE INSTALLATION OF A NEW SHOP FRONT.			

Received	Decision & Date
Completed 02/02/1984	Conditional 13/07/1984
Revised	

TP No	Brief Description of Proposal	4	of	4
TP/84/0659	CONTINUED USE OF THE BASEMENT AND GROUND FLOORS AS A BUREAU DE CHANGE, COIN, STAMP AND BULLION DEALERS.			

Received	Decision & Date
Completed 21/03/1984	Conditional 13/06/1984
Revised	

4 PEMBRIDGE ROAD

Property Card N° : 0641 006 00

Sitename :
Comment :
TP Arch/History :
See Also : 2/4

Xref :
Notes :

PP031863

TP No TP/76/0018 Brief Description of Proposal 2 of 1

THE INSTALLATION OF A NEW SHOP FRONT.

Received	Decision & Date	Works
Completed	Conditional	Completed
Revised		Y

> Any Queries Please Phone 0171 361 2199/2206/2015 <
> Fax Requests (FOA Records Section) 0171 361 3463 <

88 NOTTING HILL GATE

Property Card N° : 0589 103 00

Sitename : and 2/4 Pembridge Road

Comment :
TP Arch/History : 100803 H 6862
See Also :

PP031863

Xref :
Notes :

TP No	Brief Description of Proposal	1 of 7	Adverts & History No
	THE CARRYING OUT OF ALTERATIONS AND REBUILDING OF THE SHOP FRONTS.		CA 75/166 CA 75/167 CA 75/168 CA 75/199

Received	Decision & Date
Completd	Unconditional 23/08/1960
Revised	

TP No	Brief Description of Proposal	2 of 7	Adverts & History No
	THE ERECTION OF TRUNKING ON THE ROOF.		CA 3102-1208-1450 CA 85/038

Received	Decision & Date
Completd	Unconditional 07/05/1962
Revised	

TP No	Brief Description of Proposal	3 of 7	Adverts & History No
	THE INSTALLATION OF NEW SHOP FRONTS.		CA 88/144

Received	Decision & Date
Completd	Conditional 02/03/1970
Revised	

TP No	Brief Description of Proposal	4 of 7
TP/75/0180	THE USE OF THE GROUND, 1ST AND PART OF BASEMENT FLOORS AS BUILDING SOCIETY OFFICES WITH ANCILLARY STORAGE ACCOMM., THE USE OF THE GROUND FLOOR AND EXTENDED BASEMENT OF 4 PEMBRIDGE ROAD RETAIL SHOP WITH ANCILLARY STORAGE ACCOMM. THE USE OF THE 1ST FLOORS OF 2/4 PEMBRIDGE ROAD AS A FLAT.	

Received	Decision & Date
Completd	Conditional 08/05/1975
Revised	

88 NOTTING HILL GATE

Property Card No : 0589 103 00

Sitename : and 2/4 Pembridge Road

Comment :
TP Arch/History : 100803 H 6862
See Also :

PP031863

Xref :
Notes :

TP No TP/75/1077 Brief Description of Proposal 5 of 7

T C P A - 1971

A/D IN PURSUANCE OF CON. 1 OF PP DATED 8.5.75 AS
BUILDING SOCIETY OFFICES.Received Decision & Date
Completd Approval of Details 11/12/1975L
Revised

TP No TP/85/0487 Brief Description of Proposal 6 of 7

ALTERATIONS TO SHOP FRONT INCLUDING THE INSTALLATION OF
AUTOMATED TELLER MACHINEReceived 08/03/1985 Decision & Date
Completd 26/03/1985 Conditional 01/05/1985
Revised

TP No TP/88/1479 Brief Description of Proposal 7 of 7

INSTALLATION OF A CASH DISPENSING MACHINE IN EXISTING
SHOPFRONT WINDOWReceived 29/06/1988 Decision & Date
Completd 11/07/1988 Conditional 31/08/1988
Revised

> Any Queries Please Phone 0171 361 2199/2206/2015 <
> Fax Requests (FOA Records Section) 0171 361 3463 <

MEMORANDUM

TO: FOR FILE USE ONLY

**From: EXECUTIVE DIRECTOR
PLANNING & CONSERVATION**

My Ref: PP/03/01863/SG

CODE A1

Room No:

Date: 08 September 2003

DEVELOPMENT AT:

88 Notting Hill Gate and 2 & 4 Pembridge Road, London, W11 3HH

DEVELOPMENT:

Change of use of ground floor of 2 Pembridge Road to A3 food and drink use including basement. Rest of ground floor for retailing as before. Construction of new stair at No. 2 to provide access to currently part vacant, part previously uninhabitable, upper floors. Part demolition and reconstruction at rear. Creation of 3 or 4 new residential units at upper floor levels. Part of first floor to be office use. Modifications at roof level. Most of plant and ducting to be removed from existing second floor deck.

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)

M.J. French

Executive Director, Planning & Conservation

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Transportation Observations (Initial)

Direct Line: 020-7361-2096

Extension: 2096

Facsimilie: 020-7361-3463

Switchboard: 020-7937-5464

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Date: 08 September 2003

My Ref: **DPS/DCN/PP/03/01863** Your ref: Please ask for: S. Gentry

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 88 Notting Hill Gate and 2 & 4 Pembridge Road, London, W11 3HH

I enclose a copy of an application, in connection with the above proposal and should be pleased to receive your observations on these proposals as soon as possible.

It is hoped to present this application to the Planning Services Committee prior to 30/10/03. I look forward to hearing from you in the near future, in order that your comments may be reported to this Committee.

Should you require any further details in respect of this case, 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

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Director of Environmental Health,
Council Offices,
37 Pembroke Road,
London,
W8 6PW

Switchboard: 020-7937-5464
Direct Line: 020-7361-2096
Extension: 2096
Facsimilie: 020-7361-3463



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AND CHELSEA**

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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

2079/ 2080

020-7361- 2079/ 2080

020-7937-5464

Switchboard:

Extension:

Direct Line:

Facsimile: 020-7361-3463

Date: 08 September 2003

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCN/PP/03/01863/SG

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 88 Notting Hill Gate and 2 & 4 Pembridge Road, London, W11 3HH

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

Change of use of ground floor of 2 Pembridge Road to A3 food and drink use including basement. Rest of ground floor for retailing as before. Construction of new stair at No. 2 to provide access to currently part vacant, part previously uninhabitable, upper floors. Part demolition and reconstruction at rear. Creation of 3 or 4 new residential units at upper floor levels. Part of first floor to be office use. Modifications at roof level. Most of plant and ducting to be removed from existing second floor deck.

Applicant Mapeley Columbus Ltd., 33-34th Floor, Euston Tower, 286 Euston Road, London, NW1 3UQ

Yours faithfully

M. J. FRENCH
Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

WHAT HAPPENS TO YOUR LETTER

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public, including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbrooke Grove, London W11 (under the Westway near Ladbrooke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

REASON FOR DELAY

CASE NO. _____

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of.....

I have been unable to pass through the case within the target period for the following reason(s) [*highlight as necessary*]

- 1) Delays due to internal Consultation (i) Design
[highlight one or all] (ii) Transportation
(iii) Policy
(iv) Environmental Health
(v) Trees
(vi) Other
- 2) Further neighbour notification/external consultation necessary (spread or time period)
- 3) Awaiting Direction from English Heritage/other EH delays...
- 4) Revisions requested, but not received in time
- 5) Revisions received but inadequate – further revisions requested
- 6) Revisions received but reconsultation necessary
- 7) Of the Committee cycle
- 8) Applicant's instruction
- 9) OTHER REASON.....

Signed..... (Case Officer)

Royal Borough of Kensington and Chelsea
Directorate of Planning Services – Policy Observations

No: PP/03/1863 UDP Paras/Policy E3 H2 S17	Address: 2-4 Pembridge Road and 88 Notting Hill Gate	Date Received 11/09/03	Date of Obs 15/09/03	
	Development: Change of use of ground floor of 2 Pembridge Road to A3 to food and drink use including basement. Rest of ground floor for retailing as before. Construction of new stair at No. 2 to provide access to currently part vacant, part previously uninhabitable, upper floors. Part demolition and reconstruction at rear. Creation of 3 or 4 new residential units at upper floor levels. Part of first floor to be office use. Modifications at roof level. Most of plant and ducting to be removed from existing second floor deck.	Objection	No Objection See below	
		HMO?	No of Dwelling Units	
		D.C Officer SG	Existing 3	Proposed 3 or 4
		Policy Officer DR		

Site:

The site is within the core frontage of the Notting Hill Gate Principal Shopping Centre.

Existing use:

According to the 2002 PSC Survey, 2 Pembridge Road is a Bureau de Change (A2), 4 Pembridge Road is a shop A1, 88 Notting Hill Gate is a bank (A2).

According to information provided by the applicant:

The basement and 1st floor of 88 Notting Hill Gate seem to be used by the bank on the ground floor, however the uses on the 2nd/3rd floors is not clear.

The basement of 2 Pembridge Rd is a storage area that may be used by the Bureau de Change above. The basement of 4 Pembridge Rd contains storage and offices that may be used by shop above or independently.

The 1st floor of 2-4 Pembridge is a two-bed flat. The 2nd floor consist of a one-bed flat and vacant space. The 3rd floor consists of a studio (flat?) and vacant space. It is not clear what the vacant floorspace was used for.

Proposal:

The proposal will not change the basement and ground floor of 4 Pembridge Road.

The A2 use at 2 Pembridge Road will change to an A3 use (coffee shop/bar) at the ground and basement. Part of the basement of 88 Notting Hill Gate will become storage for the A3 use, the rest will continue to be used by the bank above.

The 1st floor of 2-4 Pembridge Road will become a flat or office (no internal details provided). There will be two 1-bed maisonettes on the 2nd/3rd floors.

The 1st floor of 88 Notting Hill Gate will continue to be used by the bank. There will be one 1-bed maisonette on the 2nd/3rd floors.

Comments:

There are no objections to the general mix of uses proposed.

The change of 2 Pembridge Road from A2 to A3 will not result in the loss of any shop floorspace, thus Policy S17 is not an issue. A3 uses are generally acceptable in PSCs. If there are no amenity or transport concerns, then this part of the proposal is acceptable in policy terms.

The reallocation of basement floorspace is acceptable.

Royal Borough of Kensington and Chelsea
Directorate of Planning Services – Policy Observations

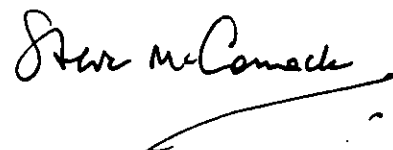
The provision of three maisonettes on the 2nd/3rd floors will provide the same number of units as already exist on the site. If the proposed maisonettes are above the UDP floorspace standard then this part of the proposal is acceptable.

Policy E3 resists the loss of small B1 office spaces above or below PSCs. There are several small areas on the upper floors that are shown as vacant where the use is not known. If they are considered to be offices then there may be an overall loss of B1 office floorspace which UDP policy is trying to protect.

The proposal is unclear as to the eventual use of the 1st floor above 2-4 Pembridge Road as the applicant has indicated it to be for offices or a flat. This floorspace (around 80m²) could be used to compensate for the possible loss of office floorspace elsewhere in the site. Policy H2 seeks residential development, however criteria (c) notes the exception for the replacement of existing commercial floorspace. Thus it is acceptable in policy terms to encourage the provision of office floorspace rather than residential on the 1st floor. If offices are provided in place of the existing flat then it could be considered that the overall development is relocating existing uses and there is no loss of residential.

If the vacant rooms on the upper floors were not in B1 use then the provision of a flat on the 1st floor is acceptable in principle. The internal layout is needed to determine if the flat would satisfy housing standards. It is not known if the vacant rooms were in HMO use.

Overall the proposal is acceptable in principal. There is a question over the proposed use of the 1st floor above 2-4 Pembridge Road. Either of the proposed uses, flat or office, is acceptable in principle however the policy emphasis may be weighted towards one of the proposed uses depending on the nature of the vacant floorspace.



Existing

	b.	g.	1st	2nd	3rd
88 N H G.	bank	bank	bank	?	?
2 Pembridge	storage	B de C.	2 bed flat	1 bed	studio flat
4 Pembridge	storage	A1.		+ vacant	+ vacant

Proposed

	b.	g.	1st	2nd	3rd
88 N H G.	part storage for A3	part bank	bank	1 bed maisonette	
2 Pembridge	A3	A3.	flat or office	2 1 bed maisonette	
4 Pembridge					

+ plant + ducts. - upper floors = 2nd flr.

Henry at glp + bment no. 4.
A3 - noise, litter

OAL OSC

TIM BROOME
DAVID READ
JENNIFER PALMER
SARAH LAMBERT *
ADRIAN E JONES

BOWLES & CO
SOLICITORS
18 Church Street Epsom Surrey KT17 4QD

TEL: 01372 725241

FAX: 01372 724429

law@bowlesco.co.uk

CONSULTANT
BRUCE CAPORN

DX 30709 Epsom

www.bowles-solicitors.co.uk

Bowles & Co is regulated by the Law Society
*Member of the Law Society's Family Law Panel

Our Ref: DJR/JS/D0072001/Day Change Limited

Your Ref: DPS DCN PP 03 01863 SG

12 September 2003

Dear Sirs

**Proposed Development at 88 Notting Hill Gate and 2 and 4 Pembridge Road,
London W11
Town and County Planning Act 1990**

We act for the lessees of 2 Pembridge Road Notting Hill Gate who have passed us a copy of your letter dated 8th September advising them of the above application. We should be most grateful if you would kindly let us have a copy of the application and any documents supporting the same and in that regard, please accept this letter as our undertaking to discharge your reasonable photocopying charges.

We look forward to hearing from you as soon as possible.

Yours faithfully

BOWLES & CO

The Royal London Borough Of Kensington
And Chelsea
The Town Hall
Hornton Street
London
W8 7NX

EX DIR	HDC	TP	CAC	AD	CLU	AC
R.B.	15 SEP 2003			AK	PLANNING	
✓	C	SW	SE	APP	IO	REC
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①pc ②sg

TIM BROCKIE
DAVID READ
JENNIFER PALMER
SARAH LAMBERT *
ADRIAN E JONES

BOWLES & CO
SOLICITORS
18 Church Street Epsom Surrey KT17 4QD

M
23/9

TEL: 01372 725241
FAX: 01372 724429
law@bowlesco.co.uk

CONSULTANT
BRUCE CAPORN

DX 30709 Epsom

www.bowles-solicitors.co.uk

Bowles & Co is regulated by the Law Society
*Member of the Law Society's Family Law Panel

Our Ref: DJR/JS/D0072001/Day Change Limited

Your Ref: DPS DCN PP 03 01863 SG

19 September 2003

Dear Sirs

**Proposed Development at 88 Notting Hill Gate and 2 and 4 Pembridge Road,
London W11
Town and County Planning Act 1990**

We enclose a copy of our letter dated the 12th September and look forward to hearing from you by return.

Yours faithfully



BOWLES & CO

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39

✓ sent 24/9.

The Royal London Borough Of Kensington
And Chelsea
The Town Hall
Hornton Street
London
W8 7NX

TIM BRÖÖME
DAVID READ
JENNIFER PALMER
SARAH LAMBERT *
ADRIAN E JONES

CONSULTANT
BRUCE CAPORN

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Bowles & Co is regulated by the Law Society
*Member of the Law Society's Family Law Panel

Our Ref: DJR/JS/D0072001/Day Change Limited

Your Ref: DPS DCN PP 03 01863 SG

12 September 2003

Dear Sirs

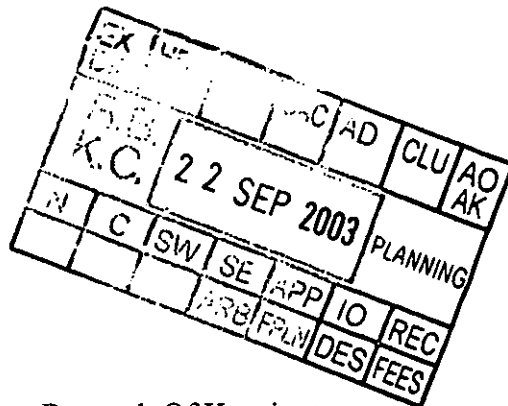
**Proposed Development at 88 Notting Hill Gate and 2 and 4 Pembridge Road,
London W11
Town and County Planning Act 1990**

We act for the lessees of 2 Pembridge Road Notting Hill Gate who have passed us a copy of your letter dated 8th September advising them of the above application. We should be most grateful if you would kindly let us have a copy of the application and any documents supporting the same and in that regard, please accept this letter as our undertaking to discharge your reasonable photocopying charges.

We look forward to hearing from you as soon as possible.

Yours faithfully

BOWLES & CO



The Royal London Borough Of Kensington
And Chelsea
The Town Hall
Hornton Street
London
W8 7NX

① Call by
 ② Pass to SG
 Manzara Restaurant,
 24, Pembridge Road,
 London W11 3HL. 26/9.

The Royal Borough of Kensington & Chelsea,
 Planning and Conservation Department,
 Planning Information Office,
 The Town hall,
 Horton Street,
 London W8 7NX

25 September 2003

Your Reference: DPS/DCN/PP/03/01863/SG

For the attention of: Miss Sarah Gentry

Dear Miss Gentry,

With respect to the above referenced letter requesting redevelopment of 88 Notting Hill Gate and 2 & 4 Pembridge Road, we wish to protest in the strongest possible terms to this proposed development. We regard this application as both unnecessary and unwanted by both existing restaurateurs and caterers and the general public.

Over the past 10 years, we have seen substantial redevelopment and/or change of use of premises in the Gate, which broadly have been to the detriment of consumers and existing restaurateurs. Two particular features come to mind - the proliferation of "coffee bars", now currently numbering five, and the disappearance of local community shops. E.g. there are no florists in NHG, no shoe-shops, no butchers, no grocers, only one travel agent, now only one optician. Whilst we recognise consumers, both domestic and tourists, require and should have choice, the addition of yet another A3 category establishment will do little to enhance the existing choice - indeed we would argue that there are already too many of these establishments in the immediate area. This can only work to the detriment of the existing businesses and bring yet further pressure to bear on restaurants, which are already highly competitive, with tight margins and have suffered from recent economic impacts over the last few years.

It has also come to our attention that a number of premises, particularly coffee bars, are flagrantly flouting existing laws. A particular example is the provision of toilet facilities and there are a number of these who provide seating in excess of twelve people, yet do not provide toilet facilities. When this has been pointed out to the department, it is agreed it is unfair, not legal, yet nobody does anything about it!

Yours Faithfully
 Sergio Han
 The Proprietor, Manzara Restaurant

16

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① Ark

② SG

M. 25/9.

Recorded delivery
RA 7089 6013 5GB

JANE KAHN

4 PEMBRIDGE ROAD, LONDON W11 3HL
UNITED KINGDOM

TEL +44(0) 207 792 2616 FAX +44(0) 207 221 5111
EMAIL info@janekahn.co.uk
www.janekahn.co.uk

Sarah Gentry
Planning and Conservation
The Town Hall
Hornton Street
London W8 7NX

23 September 2003

Your Ref. DPS/DCN/PP/03/01863/SG

EX DIR	HDC	TP	CAC	AD	CLU	AK
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K.C.						
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Proposed application for 88 Notting Hill Gate, 2 & 4 Pembridge Road W11 3HH

Dear Ms Gentry

I refer to our telephone conversation regarding the above planning application and would like to state the following.

We as the occupiers of the shop and basement of 4 Pembridge Road must formally object to the change of use of the retail section of 2 Pembridge Road from A2 to A3 .

The reasons are as follows:

1. The likelihood of cooking smells. We are already experiencing this from Mooks, which is 2 doors away.
2. Rodents and other unsavoury by products of restaurants. We are experiencing this already since Mooks became a restaurant instead of a pub.
3. We are open until seven and frequently work after hours up to 9.00PM or so. We have experienced considerable amount of loud music and rowdy behaviour since Mooks became a late night restaurant. Since this area became saturated with food and coffee places, we have experienced more refuse, empty hamburger wrappers, coffee cups and a decline in cleansing standards. We are particularly worried at the prospect of a fast food chain becoming our neighbour. Commercially this is much more likely than a high quality booking type restaurant. This type of fast food restaurant will in practice mean groups of people eating on our doorstep. Blocking access into our shop and even more refuse outside our shop not to mention the possibility of rowdy groups outside our shop. (Please ask the local police how many times they are called to some fast food place when the schools close late afternoon.)
4. We have within a few yards of us in Pembridge Road, Mooks, Manzarra, a new Malaysian Restaurant, a Thai restaurant/take away , an Indian restaurant, and also the 12th house. These are all A3 use. In addition 2 more coffee shops. Do we really have to have another restaurant in Notting Hill Gate? Or more businesses serving food?
5. We have been here as a retail shop since 1992, and in the 11 years or so we see less and less diversity more and more drinking and eating-places. We would appreciate it if the council could take a longer-

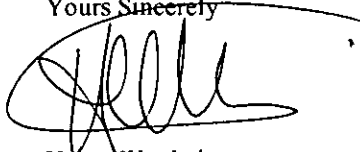
term view and encourage more small retailers and non food businesses to trade here. I really do believe that the community would benefit from having more shops and less of the same.

As to the other proposals of building flats and an office space above the shop, we have no objections.

Jane and I thank you for the time you took in explaining to us the planning issues and our position as neighbours to No.2 Pembridge Road.

Please do not hesitate to contact us, if you need further information,

Yours Sincerely



Henry Wertheimer
Partner



Jane Kahn
Partner

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R.B. K.C.	25 SEP 2003				PLANNING	
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Memorandum

DATE: September 24, 2003

TO: Director of Planning
FAO Sarah Gentry

FROM: Director of Environmental Health
Keith Mehaffy-extension 5702.

RE: Planning reference PP03/01863
2&4 Pembridge Road and 88 Notting Hill Gate London W11

I acknowledge receipt of the above application in regard to the change of use of the ground and basement floors of number 2 Pembridge Road to provide A3 use, office accommodation on the first floor and residential dwellings on the second and upper floors of all three properties. I have now had the opportunity of assessing the plans and I would like to make the following observations:

I have concerns in regard to the potential for the sound levels generated in the operation of the bar premises in the ground and basement floors of number 2 Pembridge Road to escape the building and cause disturbance within the office and neighbouring residential dwellings. At the moment the use of the first floor of number 2 and 4 Pembridge Road has not been confirmed and there is the possibility that a residential dwelling will be created, which would be located directly above the proposed bar area. In view of this, it is important that the sound levels are contained within these premises and the separating partitions are acoustically treated. I consider that these premises may wish to operate after the normal licensing hours and I was wondering if there is the potential for restricting the hours of operation of the premises until 23.30am. Once they have had the opportunity of operating for a period of time then they can make a further application for an extension of hours.

I am also concerned at the potential for sound disturbance to neighbouring residents from the operation of plant associated with the use of the premises and to respond to this, it is essential that the plant is attenuated such that the lowest background sound pressure level, during the period of operation of the plant, is not exceeded (zero dB(A) increase), when measured 1 metre from the façade of the nearest noise sensitive dwelling. I am not sure whether a kitchen extract system may be required and if so it would need to be installed such that a smell nuisance is not created to neighbouring dwellings and commercial premises.

The other main issue that I have concerns about is the potential for disturbance to be created between residential dwellings; and between the commercial premises in all three properties and the new residential units. I consider that this needs to be designed such that an acceptable acoustical environment is maintained within these dwellings and there is adequate acoustical protection for the occupiers.

If you are minded to approve this application, I would suggest that a condition is attached requiring that the operation of the basement and ground floor premises of number 2 Pembridge Road does not give rise to nuisance within the neighbouring residential and commercial accommodation. I would also suggest that a condition is attached requiring a scheme of acoustical works to be agreed and correctly installed, prior to the residential dwellings being occupied to safeguard the acoustical environment for the residents from the neighbouring residential dwellings and the commercial premises.

I hope that this information is of use to you. Please do not hesitate to contact me on the above extension should you wish to discuss this matter further.

Mr K Mehaffy
Area Senior Environmental Health Officer
Noise and Nuisance Team

RBK&C TRANSPORTATION COMMENTS

PP Number: 03/ 1863	Address: 88 Notting Hill Gate, and 2 & 4 Pembridge Road W11	Date of obs: 10 th Sep 2003
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Proposal:
Change of use of ground and basement of 2 Pembroke Road to A3 Coffee Bar.
Reconstruction of part residential, part disused, floors to enable creation of office space and 3 maisonettes.

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

Comments:

The applicant proposes redevelopment of three addresses around the corner formed by Notting Hill Gate and Pembridge Rd. It is proposed that the Bureau de Change and basement has a COU to become a coffee bar. Above No.2 & 4 at first floor, the existing flat is proposed as "office or flat". The other flat, studio flat and vacant spaces are to become 3 maisonettes.

TR42 of the UDP sets out the Council's policy '*to require new residential development to include off-street parking*'. No such provision is indicated.

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*'. The increase in the number of dwellings, assuming the first floor above Nos 3 & 4 becomes a flat, from three to four is likely to increase the residential traffic to and from the site.

This change in type of dwellings, from studio and small flats to larger maisonettes, is associated with an increased level of car ownership.

Regarding the A3 use, the increase in size from ground floor Bureau de Change to ground floor and basement coffee shop/bar is likely to lead to increased number of customers using the premises. The COU is likely to lead to increased use in the evenings compared to the Bureau de Change, leading to increased stress on parking in the vicinity, particularly during the evening peak.

P.T.O.

Paragraph 7.21.27 of the UDP states *"In those circumstances where no, or reduced off-street parking is proposed the Council will wish to ensure that such development does not generate unacceptable levels of on-street parking demand...When a residential development is proposed with no on-site car parking provision, adequate means must be agreed with the Council to avoid any increase in on-street parking demand from the development."* The applicant has not proposed any such means. The surrounding streets already have 100 % of Pay and Display and 80 % of resident's parking occupied in the evenings and overnight, according to the Council's 2000 survey. The development is suitable for a Car and Permit Free agreement, which would mitigate the effects of the development on residential parking stress.

TR9 of the UDP requires the Council *'to require the provision of cycle parking facilities in residential and commercial developments...'*. The plans do not indicate any such facilities. The creation of a new stairwell may provide the opportunity for the provision of safe, secure facilities at ground level for residents.

Relevant transportation policies: TR42, TR36 and TR9.

Recommendation: The Director of Transportation and Highways objects to the proposal.

Signed:

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



RBKC

District Plan Observations CONSERVATION AND DESIGN

Address <i>88, Notting Hill gate and nos 2+4, Pembridge Pt, W11</i>	Appl. No. <i>03/1863/567</i>	L.B. <i>—</i>	C.A. <i>—</i>	N <input checked="" type="checkbox"/> C S
Description <i>changes of use, rear conversion of upper levels, rear elevation (no 2), rear roof and elevation changes</i>	Code	<i>SA</i>	<i>X</i>	<i>part AS</i>

This is an interesting scheme attempting to refurbish and sort out some of the unsightly development elements (at the rear of properties). Some aspects clearly welcome, some raise queries and will need to be assessed on site:

1. infill of front 1-well of no 2 (is this already covered?)
- 2) proposed open shopfront (4 full height without a fascia) at no 2?
- 3) rear extn + its height - + no 2? + query extra floor rear on ~~drwg~~ 1st floor.
- 4) new tall rear chimneys at no 4?
- 5) rear roof profile + glazing for no 88 - looks inspired but glaze?
- 6) front roof tenaces of just raised planters? (DS happy?)
- 7) Any fire escape proposal consequences for the elevations? must show.
- 8) various queries on elevs. + sections - see highlighted on drwg.

As to meeting with the designers please.

J. 26/9/03

2 October 2003

LPA ref: DPS/DCN/PP/03/01863/SG





TOWN AND COUNTRY PLANNING ACT 1990

PROPOSED DEVELOPMENT AT 88 NOTTING HILL GATE AND 2 & 4 PEMBRIDGE ROAD, LONDON W11 3HH



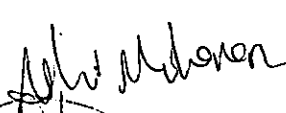
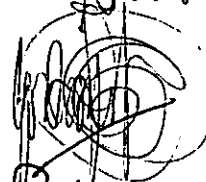



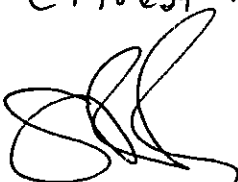
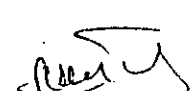
PETITION TO THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



We the undersigned declare our objection to the above proposal on the following grounds:

- its likely harm to the vitality, viability and function of the Notting Hill Gate Principal Shopping Centre
- the adverse effects of a likely material increase in traffic and parking
- the likely harm to existing and proposed amenities arising from increases to unacceptable levels of noise, disturbance and odours
- the absence of appropriate information as to the siting of new plant and equipment at rear adjoining the Pembridge Conservation Area
- the likely harm to adjoining interests of privacy arising from the use of the proposed rear roof terrace


NAME	ADDRESS	SIGNATURE
1. SHANBAZ	130Y BEST 18 PEMBRIDGE RD	
MANDAR	22 PEMBRIDGE RD	
2. MUSIATE	5 LADBROKE ROAD	
3. Mercury Antiques	1 Ladbroke Road	
4. Mark Hedley	Kensington Parish	


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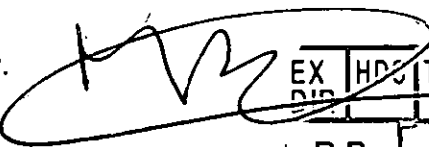

5.  LAURA PINGSTEL 21 PEMBRIDGE RD
LONDON W11 3HG
6. M. Casimir M. CASIMIR 23. Pembroke Rd
London. W11 3HG
7. MR. B. DEAFORUE B. DEAFORUE. 27 Pembroke Rd.
W11 3HG.
8. S. MOORE-DANIEL  CAROL MANOHELI
31 PEMBRIDGE RD.
W11 3HG
9. A. NALL-CAIN ANALL-G 37/39 Pembroke
RD
10. ALI M. LAREN  41. Pembroke R
11. G. PETERS  47 PEMBRIDGE RD, W11. 3HG
12. ROBERTS  49. PEMBRIDGE RD W11
13. M. Rowell.  53. Pembroke Rd
14. V Debell MARISON 55 Pembroke Rd
15. T. Mores T. Mores 57 B PEMBRIDGE RD
16. C. Polist AN  15 B Pontbello Rd
17.  S. FENNY 40 PEMBRIDGE RD
 10 pembroke Rd
18. MARICOS

19.  Hill Jole 

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- 20.  12 Pembroke Rd W11 3HA
- 21. Andde 29, Pembroke Rd W11
- 22. L. Barbello 15 Pembroke Rd W11,
- 23. A. Joliet. 3, Ladbroke Rd.
- 24. L. French Lauren French 192 Notting Hill Gate
- 25. Subrata Chowdhury Boots the Chemists
96-98, Notting Hill Gate
LONDON
- 26. AMIR VIRANI 100. Burgess King
N.H.G.

- 27. Simon Dawer. 102. Notting Hill Gate,
London. W11 3QA.
- 28.  P. NEWBY
CARPHONE WAREHOUSE
124 NOTTING HILL
W11 3QG

- 29.  EX HDG TP CAC AD GLU AO
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K.C. 126 - 128 Nottinghill
Gate.
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31. *[Signature]*

GAP
132-136 Notting Hill Gate.

32. N. Chutkan

Futon Company
138 Notting Hill Gate

33. A. CHARK

164 N.H.G
LONDON
W11.

34. M. Maslow

154 Notting Hill
Gate.
W11.

~~35. *[Signature]*~~

MARIO ZADRO

147-149 NOTTING HILL
GATE
W11

36. *[Signature]*

145 Notting Hill GATE

37. M. Dickinson Odbins

141 NOTTING HILL
(ODDBINS)

38. Sergio Bruschi PITA Express

139 Notting Hill

39. J. Jacobson
J. JACOBSON

ROTSBERIE
JULES

133A Notting Hill
Gate W11

40. G. BALASWAR

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HILWATER
ST,
W8 7SP

41. NIKHEL SHAH

B Pindley

97 NOTTINGHILL GATE
LON W11 3JZ

42.

65 NOTTINGHILL GATE

43.

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63 Notting Hill Gate
London W11

44.

[Handwritten signature]

59. Notting Hill Gate
LONDON W11

45.

MAHESH AMIN

[Handwritten signature]

55-57 NOTTING HILL GATE
LONDON W11 3J5

46.

PRINCE UNAMBOOWE

49-51 NOTTINGHILL GATE
LONDON W11 3J5

47.

Sharon Duvier

215-217 Kensington
Church St W8

48.

B. Roberts.

201 Kensington Church
St. W8 7LX.

49.

[Handwritten signature]

THE FISH SHOP
201 KEN. CHURCH ST
W8 7LX

50.

[Handwritten signature]

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OLDSWAN,
206 Church St.
KENSINGTON

51. ALSO ORTD - 14 - NOTTING HILL GATE
W11 3JE *admitted*

52. GWADYS COURER. 60 NOTTING HILL GATE
W11 3HT *Paul*

53. ~~PAUL KHAMON~~ Starbucks Coffee 64 NOTTING
Hill gate R. *[Signature]*

54. SID AHMED
68 NOTTING HILL GATE
RYMAN LTD.

[Signature]

55. *[Signature]*

DOLLOND & AITCHISON
The Opticians
70 NOTTING HILL GATE
LONDON
W11 3HT
020 7229 2681

56. K. Khan

SARINIS ASYLUM
10 NOTTING HILL
GATE.

57. P. HAFTEL
PRINTHOUSE
54 NOTTING HILL GATE
LONDON W11 3HT

[Signature]

58. B. EDWARDS

SUNNY SUNS
22 NOTTING HILL GATE

59. JUSTIN ZSCHERPEL
[Signature]

Per Pro
HSBC Bank plc
25 Notting Hill Gate
London
W11 3JJ

60. MUZABBAR RANA *[Signature]*

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[Signature] w8 4113

61. Battis

Global Travel Agency
6, Pembroke Road
London W11 3HL

62. Aliz
Benedetto

CARRÉ NOVO
NOTTING HILL

63. Noaa Heckerle
Heckall

PLANMEDIA LTD BAGEL FACE
31 NOTTING HILL GARD

64. G. CALTHORPE
~~_____~~

6 PEMBROKE RD

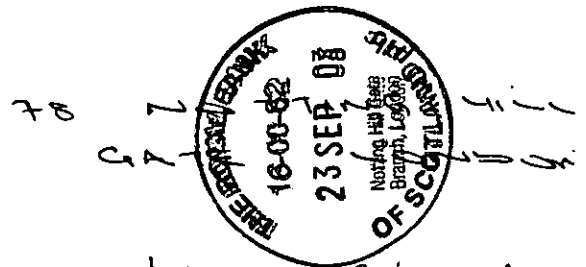
65. Ann H J
Coffee Republic

8 Pembroke rd

66. D. Talento
D. TALENTO

WELFTH HOWE
35 PEMBROKE ROAD.

67. A. D. S. J. A.
~~_____~~



68. Robert Lee Manager

2a Kensington Park Road.

69. ISTANBUL CATERERS LTD 24 Pembroke
Road London W11
3HL.

70. JANE KAHN
HENRY WERTHEIMER 4 PEMBROKE
ROAD

Jane Kahn

Jane Kahn

EX DIR	HDC	TP	CAC	AD	CLU	AL	AR
R.B.	K.C.	- 8 OCT 2003			PLANNING		
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LONDON
W11 3HL

please reply to
 Gloucester Square
 7 October 2003

Your ref: DPS/DCN/PP/03/01863/SG
 Our ref: EA/MB/467/03

Jr
 8/10

BY COURIER

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

EX DIR	HDC	TP	CAC	AD	CLU	AC
R.B.	- 8 OCT 2003				PLANNING	
K.C.						
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Dear Ms Gentry

**TOWN AND COUNTRY PLANNING ACT 1990
 PROPOSED DEVELOPMENT AT 88 NOTTING HILL GATE AND 2&4
 PEMBRIDGE ROAD, LONDON W11 3HH**

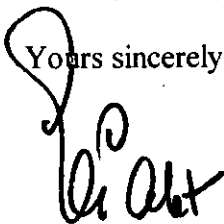
We act on behalf of Day Change Ltd., the occupiers of 2 Pembridge Road, and I refer to our telephone conversation last Thursday 25 September.

Pursuant to your letter of 8 September to our clients you very kindly granted us an extension of time to today 7 October for representations to be made about this application. They are accordingly forwarded by courier together with a petition from 70 local businesses and residents.

In the event of any modifications to the scheme please be so kind as to advise us, and let us know in any event when the application is due for consideration in Committee.

Thank you for your attention to this matter.

Yours sincerely



Eli Abt

cc: Day Change Ltd

Kinetic Business Centre
 Theobald Street
 Borehamwood
 Hertfordshire WD6 4PJ
 tel: 0181-387 4000
 fax: 0181-387 4004

27 Gloucester Square
 London W2 2TB
 tel: 0171-262 9714
 fax: 0171-262 1578

email: abt.archplan@virgin.net



Eli Abt B Arch (Rand) RIBA MRTP MAE

please reply to
Gloucester Square
7 October 2003

Royal Borough Kensington and Chelsea
LPA ref: DPS/DCN/PP/03/01863/SG
Our ref: EA/MB/467/03

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development

at

**88 Notting Hill Gate and 2 & 4 Pembridge Road
London W11 3HH**

OBJECTIONS TO PROPOSAL

made on behalf of

Day Change Limited
2 Pembridge Road
London W11 3HH

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		ARB		PLN	DES	FEE

Kinetic Business Centre
Theobald Street
Borehamwood
Hertfordshire WD6 4PJ
tel: 0181-387 4000
fax: 0181-387 4004

27 Gloucester Square
London W2 2TB
tel: 0171-262 9714
fax: 0171-262 1578

email: abt.archplan@virgin.net



1.0 INTRODUCTION

1.1 The proposal essentially comprises

- change of use of ground floor and basement of 2 Pembridge Road to A3 food and drink use
- conversion of upper floors to part offices, part residential

1.2 Both the Notting Hill Gate and Pembridge Road frontages of the application site are core frontages within the Notting Hill Gate Principal Shopping Centre. Both roads are London distributors and the application site is well related to public transport. It is excluded from but immediately adjoins the Pembridge Conservation Area on two sides.

1.3 References to UDP policies in these objections are to those in the Royal Borough of Kensington and Chelsea Unitary Development Plan adopted 25 May 2002

2.0 SHOPPING OBJECTIONS

2.1 The objector Day Change Ltd. is a Bureau de Change trading under the title Halep Change at 2 Pembridge Road. It has occupied the 5 storey premises since 1991. The primary ground floor use is A2 with ancillary areas above and in the basement.

2.2 With only one other Bureau de Change operating within the PSC core frontages at 30 Notting Hill Gate, Halep Change has developed a thriving business contributing to the vitality, viability and function of the centre in terms of UDP policy S6.

2.3 On the other hand, as confirmed in the LPA's principal shopping centres survey July 2003, no less than 20 restaurants, bars, cafes, coffee shops, take-aways and public houses already trade within the Notting Hill Gate PSC core frontages. If the non-core frontages are included the number of food and drink premises rises to 59.

2.4 The loss of the current use to further food and drink premises will therefore be contrary to **UDP policy S6** "to seek to maintain and improve the vitality, viability and function of the shopping centres throughout the borough".

2.5 This objection is reinforced by the objector company's particular contribution to local tourism. UDP para. 2.1.25 states

"it is clear that today the visitor industry plays a considerable part in the local economy, and the economy of London as a capital city".

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Compared to the negligible role for visitors of a 60th restaurant in the area, the contribution to tourism of a Bureau de Change is a significant material consideration in this case.

3.0 TRANSPORTATION OBJECTIONS

3.1 It is clear from the location of the proposed restaurant as well as its likely relationship with the other 59 food and drink premises cited in 2.3 above that it is likely to be a "Destination A3 outlet" in terms of the UDP Glossary definition:

- "(i) they tend to be upmarket operations which have a wider than local catchment area attracting people from outside the area;
- (ii) a higher than average proportion of customers will travel to the premises by car;
- (iii) they act as an attraction in their own right and customers will go there specifically."

3.2 Thus in contrast with the existing Bureau de Change which attracts predominantly passing pedestrian trade the proposal is likely to generate parking stress in terms of UDP para. 7.21.8:

"Some land uses, notably large destination restaurants, also place considerable pressure on parking provision within the vicinity of a development. Over time, a collection of smaller scale destination activities may have a cumulative effect on parking stress in the immediate area. This can cause considerable inconvenience to local residents and result in a loss of residential amenity and character."

3.3 The proposal is therefore in breach of UDP policy TR36 "to resist development which would result in....any material increase in traffic or parking" and in particular UDP policy S17 to resist A3 uses in the core frontage of a Principal Shopping Centre where they are likely to cause "any material increase in traffic or parking".

3.4 These conclusions are supported by UDP para. 8.4.21:

"....applications for destination A3 outlets, which are expected to attract substantial amounts of car borne customers to an area are less likely to succeed. The generation of even a few additional parked vehicles, in an area which has already reached saturation point, can

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have serious effects on the character of the neighbourhood, and on residential amenity. For example, if residents are obliged to park some distance from home, there is the inconvenience, or more serious difficulties for elderly or infirm drivers, and fears for personal safety, especially after dark. Drivers undertaking long search loops to find a parking space, cause additional noise, pollution and general environmental loss. People are tempted to park illegally, or in places which can cause obstruction and sometimes hazard to other road users, particularly pedestrians. If residents have parked a long way from their home, they are unable to respond to car alarms, resulting in yet more noise."

All these considerations apply in this case.

4.0 NOISE AND ODOURS OBJECTIONS

- 4.1 Whereas at first sight the proposal to remove the multiplicity of unsightly ductwork at second floor level appears beneficial it raises major planning issues. The proposed second floor plan suggests "new chimneys to replace metal extract ductwork" and the south-north section "relocate all ducts and s&vp" without addressing the respective questions what premises this plant presently serves and is intended to serve since inspection will confirm that it is unlikely to be the application premises.
- 4.2 In that connection the absence from the application drawings of any reference to the adjoining "Mook" bar at 90 Notting Hill Gate is relevant. If that property is within the applicant's control it should have been shown as such on the drawings. If not, and existing/proposed ductwork across the application premises serves the adjoining bar, proper notice should have been served upon the occupier under Article 6 of the GDPO 1995. The local planning authority needs to satisfy itself as to the actual planning position and the objectors therefore request that a detailed inspection of all the plant and equipment on the roof be made for that purpose.
- 4.3 Turning to policy considerations, in terms of **UDP policy S17 Use Class A3** proposals in the core frontage of a Principal Shopping Centre "will be resisted where they are likely to cause....any material reduction in residential character or amenity including by smells or late night noise". With the "creation of 3 or 4 new residential units at upper floor levels" above these premises the proposal will clearly be in breach of the policy. In that respect the proposed change from the current A2 Use, which generates no odours, noise, nuisance or late night disturbance, is adverse and therefore unacceptable.

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4.4 Furthermore the proposed A3 food and drink use is also in breach of UDP policy CD40 "to resist proposals where the noise generated by the use or activity would cause material disturbance to occupiers of surrounding properties." Related para.4.3.37 confirms the particular adverse effects of food and drink establishments on residential amenity.

4.5 Finally even if the proposal were allowed, UDP para.8.4.23 will apply in the event that the "Mook" bar is found to be in the same ownership or under the same control as the application premises:

"Proposals resulting in two or more separate adjoining units in A3 use will be subject to a planning obligation and/or conditions to prevent them being used as one planning unit. Amalgamation can intensify the use of premises as they can accommodate a larger number of people than the two individual premises with implications for amenity and parking conditions".

4.3 The local planning authority therefore needs to satisfy itself as to the precise planning relationship of the proposal premises with the "Mook" bar adjoining.

5.0 PLANT AND EQUIPMENT OBJECTIONS

5.1 In proposing "new chimneys" immediately adjoining the rear of properties in Pembridge Gardens the application is in breach of UDP policy CD52 "to resist the installation of plant and equipment where

- a) they would cause material harm to the appearance of the building or the character of the area, or
- b) noise or vibration generated would cause material disturbance or nuisance to occupiers of surrounding properties, or
- c) odours would cause material disturbance or nuisance to occupiers of surrounding properties."

5.2 In that regard it is relevant that nowhere do the sections show the proposal in relation to the rear of the Pembridge Gardens properties. This consideration is particularly material because those buildings lie within the Pembridge Conservation Area, and indeed are considered in the Conservation Area Proposals Statement to be "of equal interest to those on the statutory list." In that respect, therefore, the proposal is also in breach of UDP policy CD63 "to consider the effect of proposals on views.....into and out of conservation areas."

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5.3 Finally it is unclear whether the “chimneys” are to incorporate the “relocated” air conditioning/ventilation plant only or the equipment relating to the proposed restaurant as well. Whatever the case the proposal does not appear to comply with UDP para. 4.4.16:

“Not only can this equipment be unsightly, but it can cause harm to nearby residents by reason of noise and odours. It is important that all new equipment is incorporated in a sympathetic manner. Ideally they should be incorporated inside the building, and any vents should be located so that they do not cause problems to residents or other occupiers of nearby buildings. Where plant and equipment is to be added to existing buildings, they should be sympathetically located so that they do not cause material harm to the building, or to the amenity of nearby residents.”

5.4 The drawings do not show precisely where the new equipment is to be incorporated; if inside the building, where; if not, where else it is likely to be of appropriate appearance and unlikely to harm amenity. Adjoining as it does a Conservation Area this is not a matter for conditions but fundamental to the proposal itself.

6.0 PRIVACY

6.1 In proposing a terrace at roof level at rear of properties in Pembridge Gardens, the application is in breach of UDP policy CD35 requiring “development to be designed to ensure sufficient visual privacy of residents and the working population”. Related para. 4.3.24 is relevant:

“Where existing levels of privacy are good, development involving new, direct overlooking from a balcony or terrace into an adjoining habitable room window or private garden below should be avoided.”

6.2 On the same basis the proposal is in breach of UDP policy CD46 “to resist the introduction of roof terraces if...significant overlooking of, or disturbance to neighbouring properties or gardens would result.”

7.0 CONCLUSIONS

7.1 The application should be refused on the following grounds:

- its likely harm to the vitality, viability and function of the Notting Hill Gate Principal Shopping Centre

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- the adverse effects of a likely material increase in traffic and parking
- the likely harm to existing and proposed amenities arising from increases to unacceptable levels of noise, disturbance and odours
- the absence of appropriate information as to the siting of new plant and equipment at rear adjoining the Pembridge Conservation Area
- the likely harm to adjoining interests of privacy arising from the use of the proposed rear roof terrace



.....
Eli Abt RIBA MRTPI MAE

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88 Notting Hill Gate, W11

Existing uses

	Basement	Ground	1 st	2 nd	3 rd
88 Notting Hill Gte	storage (for bank?)	bank	bank	vacant?	?
2 Pembridge Rd	storage	Bureau de Change	2 bed flat	1 bed flat	studio flat and vacant
4 Pembridge Rd	storage	A1 retail		vacant	

Proposed uses

	Basement	Ground	1 st	2 nd and 3 rd floors
88 Notting Hill Gte	A1 storage/part bank storage	A3	bank	1 bed maisonette
2 Pembridge Rd	A3	A3	flat or office	2 1 bed maisonettes
4 Pembridge Rd	storage	A1 retail		

Policy

Principal Shopping Centre

Change of use of no. 2 from A2 to A3, no loss of A1 so ok subject to amenity and transportation concerns. *Consider A1 element.*

No. of objections relate to proliferation of A3 uses and negative impact on PSC but no direct policy basis to object to this.

Provision of three maisonettes on 2nd/ 3rd floors – same no. as exists?

Check UDP floorspace standards.

*1st floor 2 bed 100 m²
2+3rd - 1bed 100
1bed 100.*

Resist loss of small B1 office spaces.

Any loss of B1 uses? If so, use 1st floor as B1 rather than flat.

Amenity concerns

- Impact of A3 use-
- Cooking smells
- Rodents
- Noise
- Proliferation of A3 uses

Food - no kitchens proposed.

openings

What type of use proposed? No.s? Hours?

— unsure, will consider evening use.

Environmental Health

Concerns relating to noise from A3 use-

- to first floor of no. 2 and 4 Pembridge (flat or office)- needs to be acoustic treated and hours restriction

Disturbance between residential dwellings and new residential units- need soundproofing.

Plant and equipment- needs to be attenuated such that the lowest background sound pressure level, during the operation of the plant, is not exceeded (zero dB(A) increase), when measured 1 metre from the façade of the nearest noise sensitive dwelling.

Is kitchen extract system required- if so needs to be installed so no smell nuisance.

Transportation issues

Objection.

Increase in number of residential units (if first floor becomes flat) is from 3 to 4.

Cycle parking?

A3 use-

Evening use? No. covers? No. staff?

Physical alterations- design /amenity

- 1) Infill front lightwell of no.2?
- 2) Shopfront to no.2?
- 3) Rear extension and height at no.2. plan?
- 4) Rear chimneys to no.4
- 5) Rear roof profile and glazing no. 88. Large amount of glazing.
- 6) Front roof terraces- raised planters only?
- 7) Fire escapes?
- 8) queries on drawings - chimney
- dormer on section?
- 9) rear terrace- overlooking? - task?

reduce
down

Issues raised in objections-

3 objections and 70 signature petition

Loss of A2 use and proliferation of A3 uses harm PSC

Parking stress from A3 use

Plant and equipment-

2nd floor plan refers to "new chimneys to replace metal extract ductwork", south north section refers to "relocate ducts and svp".

Where does this serve? Is Mook within applicants control?

Relationship of "new chimneys" to rear of Pembridge Gardens properties. Do these new chimneys incorporate relocated air conditioning/ventilation plant only or equipment to proposed restaurant? Is new equipment incorporated inside the building or external?

ac
show what is staying
ie. Mook equipment
- amend proposed
check Mook's pp.
- make details
restrict access
reduce projection
+ height

Roof terrace to rear – privacy?

ANDREW PILKINGTON
ARCHITECT
15 COURTNELL STREET · LONDON W2 5BU
020 7351 0060 · 07352 4928

① PC

② SG

Ja

4/11

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

October 29th 2003

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Dear Sarah,

Re 88 Notting Hill Gate and 2 and 4 Pembridge Road W11 3HH

Further to our meeting with you on site on October 10th, please find enclosed revised drawing proposals showing amendments to the Town Planning application as follows:

Front elevation; on further reflection we think it best to pursue restoring the existing elevational format of the four terrace buildings that form this corner: that of undecorated modern Portland stone pilasters and Crittall type windows as assumed to have been set out when this position was a Lyons Corner House (please refer to enclosed historical archive drawing). Shown along and behind the front parapet is a handrail as an alternative means of escape is required. Proposed shop front details are now also drawn.

? The A3 use on the ground floor will be a café. A designated area of A1 use within this is now shown on the plan drawing.

The proposed new rear stair extension is reduced in size as far as it can be. This stair is a fundamental insertion that releases the currently un-occupiable upper parts. It should not be seen as a 'back extension', need not resemble one and need not establish a precedent for these. Therefore, (and amongst other reasons) we feel that it should be curved, be made out of Portland stone rather than London stock brick, and be fenestrated in a particular way so as not to resemble a back extension.

The 2nd floor across roof access has been altered to show incorporated planting to create privacy. It is occupied with big planters to eliminate places on it where one might overlook others. Similarly, planters are also shown in front of rear dormer windows.

We have worked on the fenestration pattern to the north elevation to rear of 88 Notting Hill Gate. This is like an artist's north light window. Whilst retaining the overall format of this type of window we have reduced the amount of vertical glass by a quarter so as to combat electric lamp glare. Timber slatted blinds will be fitted internally. The construction is specified in exterior joinery timber Douglas fir stained with Sikken's micro-porous exterior sealer.

The artificial chimney that contained a route for possible extracts and ducts has been removed.

Yours sincerely

SG
COPY OF PLANS
TO INFORMATION
OFFICE PLEASE

Enclosed drawing 088.planning revised October 17th 2003 - 8 copies

Andrew Pilkington RIBA

Cc Maneley Ltd

ANDREW PILKINGTON · AA Dipl · RIBA

RBKC
Observations

CONSERVATION AND DESIGN

Address: 88 Notting Hill Gate, and 2 and 4 Pembridge Rd	Appl. No: 03/1863	D.C. Officer: SG	L.B. -	C.A. -	Area: N
Description: Change of use, conversion of upper levels, rear extension at no. 2, rear roof and elevational changes, new shopfronts			C&D Officer HB		Code: EA,X, AS

Comments:

The revisions received 4/11/03 have addressed some of our concerns but not all. I am still unsure about the following:

- lack of any fascias on the shopfronts, possibly these are of too minimalist, too glazed? ✓
- rear chimneys to be addressed
- extension r/o no. 2 is not very welcome in principle and its elevational design now is a joke
- are we sure about the roof terraces on four sides of the roofs? If they are only planters, then these should be closer to the windows and the windows definitely inward opening.
- where exactly is the railing for the fire escape? Must show on the third floor plan
- the LHS rear dormer at no. 2 is still further out than the existing one.
- X - I am disappointed about the front windows on the Pembridge Rd. elevation not being changed
- the dormers have to be annotated as no changes to existing profiles (both on the elevation and section drawings. Also need to amend the survey west elevation drawing.
- XX - rear elevation to no. 88 still does not convince, does not quite tally with the plans either.

Sarah, shall we discuss?

Helena Benes

6/11/03



88 Notting Hill Gate, W11
Outstanding issues for town hall meeting

Use

Basement 60m sq of A3/ G/f 30m sq

Need to **confirm proposed use**- drawings show A1 retail at g/f, basement A3.

Transportation objection- condition 50 people? (50-100, above 100 destination)

No. of objections relate to proliferation of A3 uses and negative impact on PSC but no direct policy basis to object to this.

shop with cafe at basement level.
A1-g/f. A3 - 40 people.
9pm?

What type of use proposed? No.s? Hours?

Environmental Health - soundproofing

Plant and equipment- within roof void- needs to be attenuated

Physical alterations- design /amenity

- Shopfront
Too minimalist. Stallriser, subdivisions etc.
→
- Rear chimneys? — what used for? Front elevation - reinstate as part of terrace. Timber windows
- Extension to rear of no. 2
- contrary to policy, no other extensions at this level. Possibly allow on grounds that enables use of upper floors for residential- but not really necessary. Omit. Reduce — like chimney to only 300mm, need upper section.
- roof terraces on main roof
omit these inward opening doors. omit b,
- railing to fire escape? — shown on plan - sk.
- dormers
to front and rear- as existing- annotate revise existing drawing.
Check inconsistency.
- rear elevation to no. 88
Still too much glazing, impact of roof glazing as well as elevational
- reduce size of terrace — as annotated.

Already 1 set of revisions —

∴ submit as new application.
(benef. — re. 70.)

Gentry, Sarah: PC-Plan

From: Andrew Pilkington Architects [map@lineone.net]
Sent: 26 November 2003 11:36
To: sarah.gentry@rbkc.gov.uk
Cc: Paul Makin
Subject: we agree to withdraw the current Town Planning application

Further to our meeting 18th November 2.00pm with you and Design Officer Helena Benes and Paul Makin of Mapeley, we agree to withdraw the current Town Planning application. We will be re-lodging new amended application forthwith clarifying the A1 and A3 use, usage time, signage, the projection of the stair extension. We will again look at the top dormer windows, 2nd floor north light window, rear terrace privacy and planting, labelling the ducting and the shop front proposals.

Andrew Pilkington Architects 382-386 Edgware Road London W2 1EB
tel 020 7402 4013
www.andrewpilkington.com

PP031863

LOOKING NORTH



VIEW FROM BACK OF NO 88



LOOKING WEST



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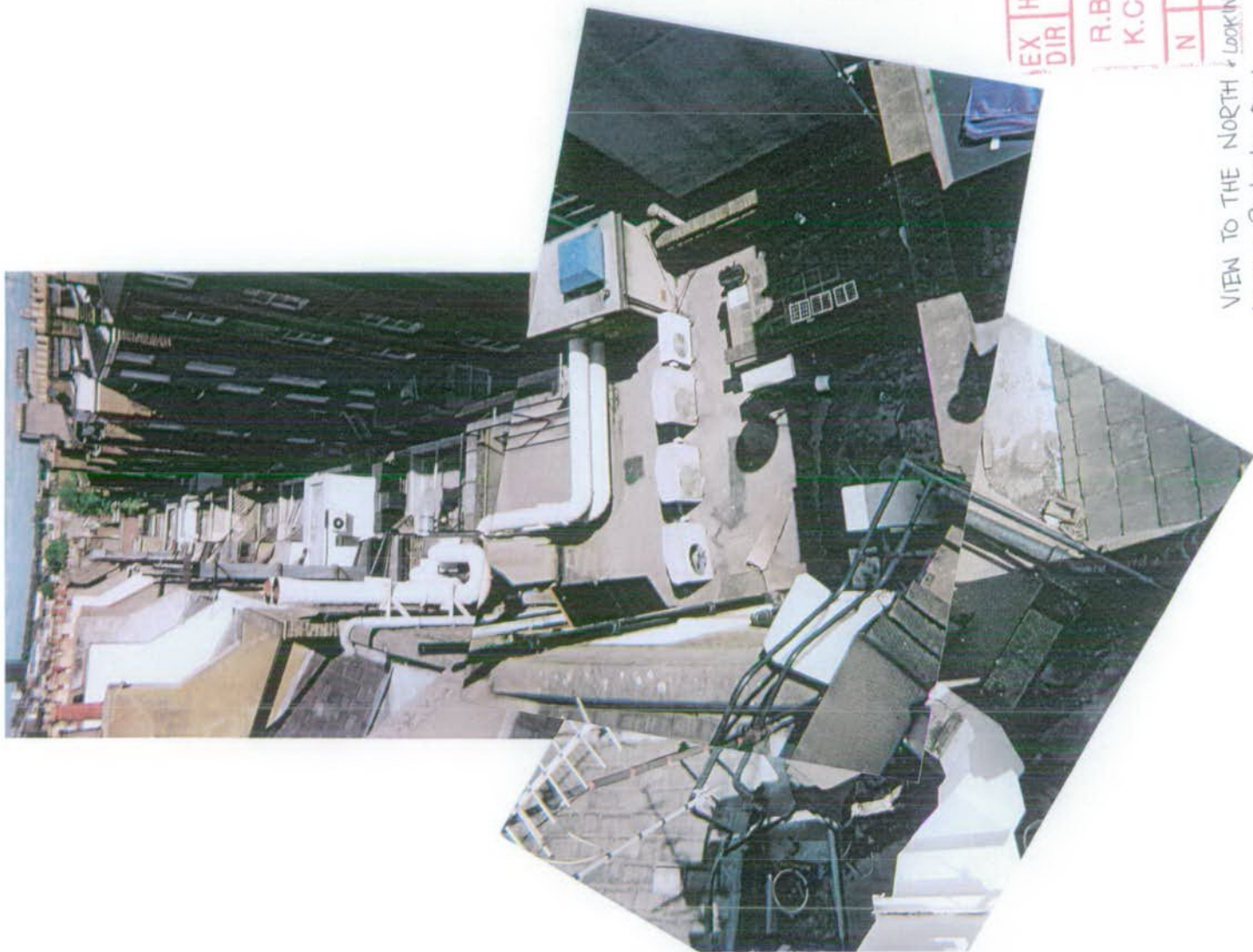
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VIEW TO THE NORTH
OVER N15 2.8.4



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LOOKING DOWN			ARB	FPLN	DES	FEES	

Photographs - 88 Nottinghill Gate and 2&4 Pembridge Road, London W11 3HH



VIEW TO THE NORTH
between Pembridge Road
and Pembridge Gardens



PART OF REAR ROOF OF No.88



BACK LOWER PART OF No.88



No.88 No.2



REAR OF No.88



SOUTH EAST ACROSS No.88



NORTH BETWEEN THE BACKS



No.4

No.2



88 NOTTING HILL GATE

HDC TP CAG AD CLU AO AK
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INDEX



001



FROM THE TOP OF THE WALL



FROM THE TOP OF THE WALL



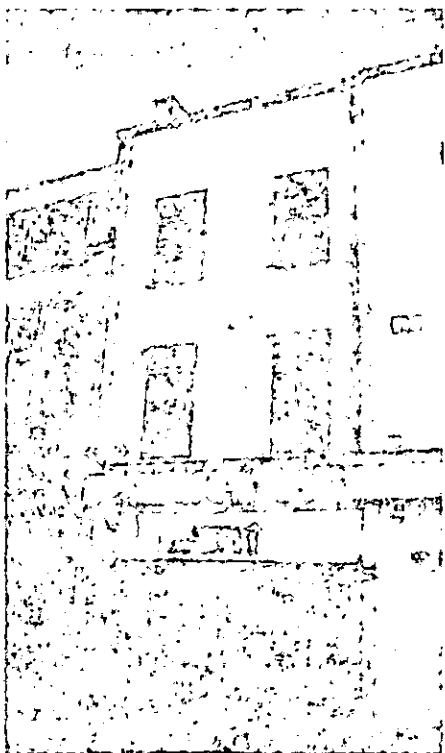
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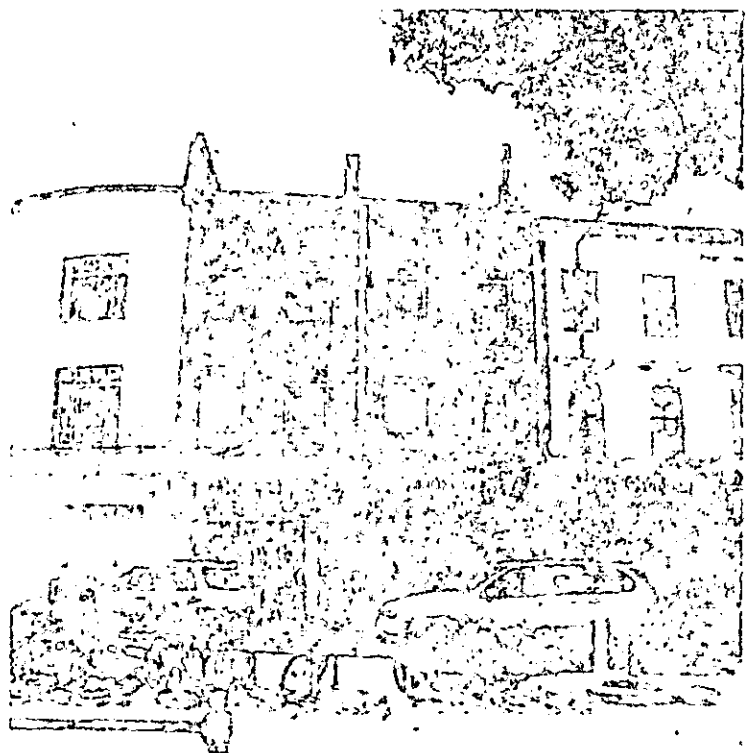
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FROM THE TOP OF THE WALL



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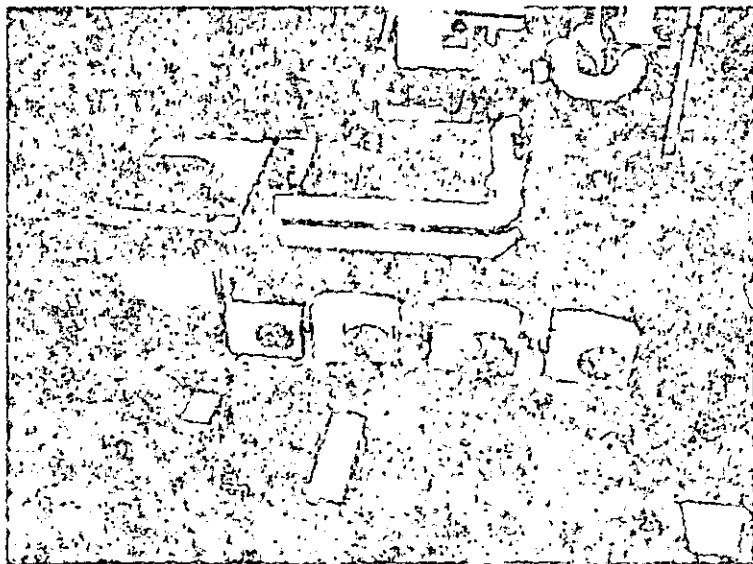
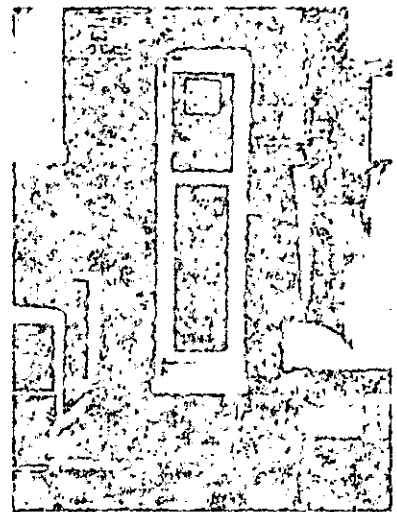
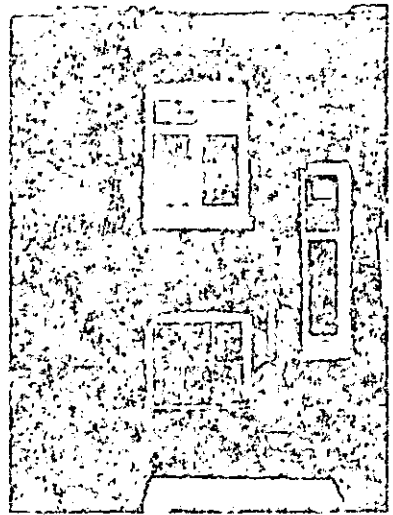
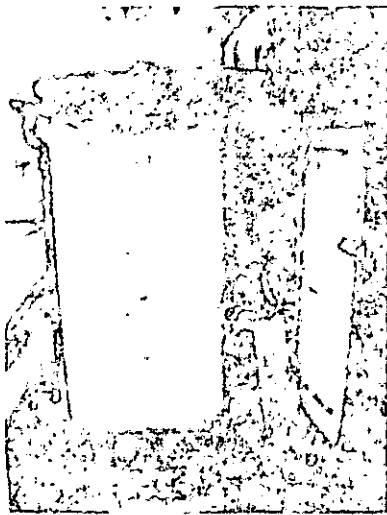
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VIEWS DOWN ONTO THE REAR ROOF DECK



PHOTOGRAPHS BY SA [unreadable]

PP031863

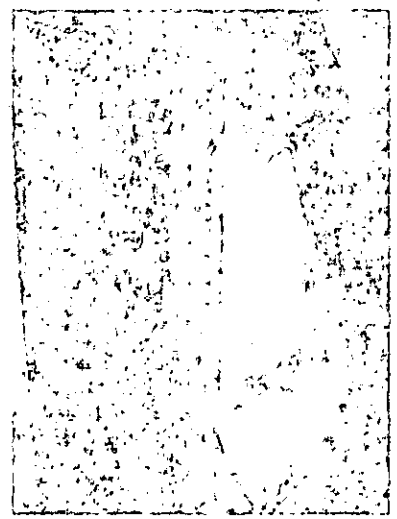
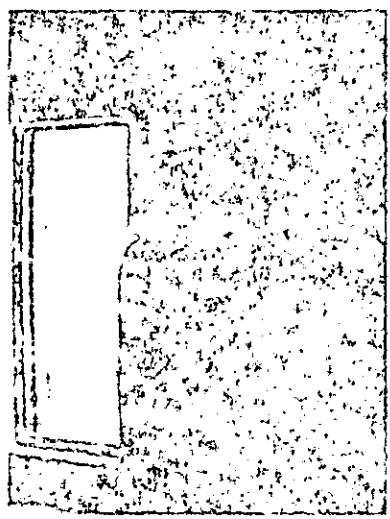
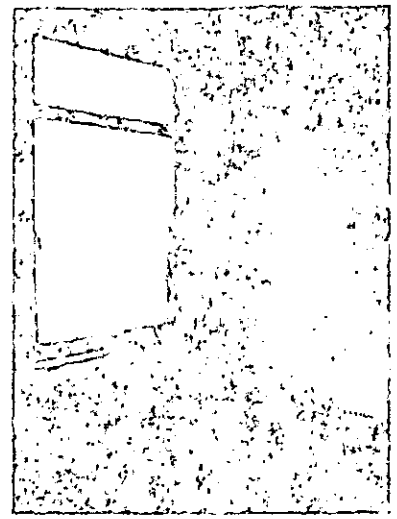
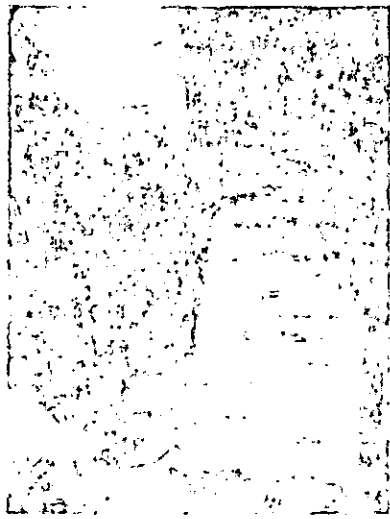


VIEWS OF SECOND FLOOR OF No.4

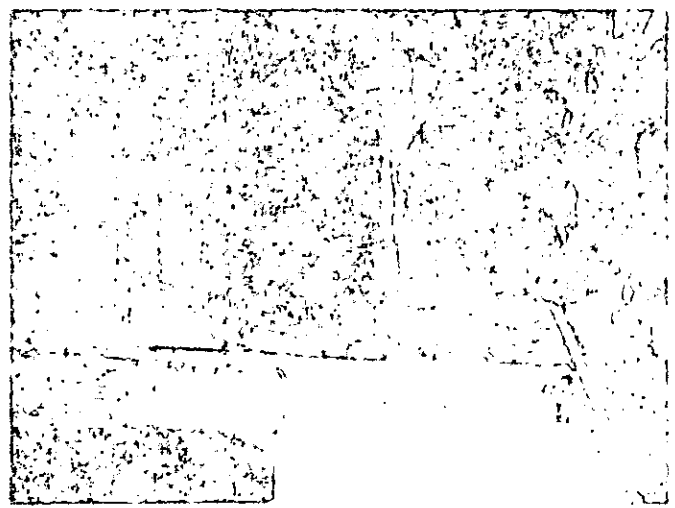


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1	2	3	4	5	6	7	8	9	10

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VIEW WEST TO BACK OF N°2



VIEW EAST OVER NO 88



VIEW NORTHWEST TO N°2 & N°4



VIEW SOUTH TO BACK OF N° 88



VIEW DOWN INTO CORNER BETWEEN N°2 & N° 88

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Design.

REQUEST FOR OBS

Could I please have your observations on:

application no PP/03/1863

address 88 NottingHG.

date requested 4/11.

Orefn.
02089602960
23 Ca

Sarah Gentry
DC North (x2096)

Helena,

Any comments on revisions? I'll try and
arrange a visit to view roof from
property opposite.

I'm not convinced about stair enclosure, ...

Sarah
—

ANDREW PILKINGTON
ARCHITECT
15 COURTNELL STREET, LONDON W2 5BU
020 7351 0060 7352 4928
402 4013

① PC

② SG

Jm

4/11

October 29th 2003

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

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							FEE

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Yours sincerely

SG
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Andrew Pilkington RIBA

Cc Manelev Ltd

ANDREW PILKINGTON · AA DIPL · RIBA

ANDREW PILKINGTON
ARCHITECT
15 COURTNELL STREET, LONDON W2 5BU
020 7351 0060 7352 4928
402 4013

① PC

② SG

Ja

4/11

October 29th 2003

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

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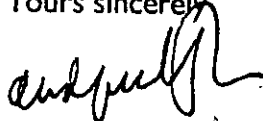
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