

Other Documents

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APPENDIX IV

Costs involved following advice from Mr Derek Taylor, Senior Planning Officer, Kensington & Chelsea pertaining to 25 Penzance Street:

1) Redrawn plans for 25 Penzance Street (June/July 2001)	£ 500
2) Architectural drawings for extension of 26 Penzance Street	£ 2,000
3) Technical drawings of the rear of the house of 25 Penzance Street	£ 1,000
4) New architectural drawings for 25 Penzance Street	£ 2,500
5) Three submissions (two for 25 and 26 Penzance Street)	£ 330
6) Appeal Cost for 25 Penzance Street	£ 17,870
<u>TOTAL COST</u>	<u>£ 21, 690</u>

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

The Rt. Hon. Michael Portillo, MP,
House of Commons,
LONDON, SW1A 0AA.

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Direct Line: 020 7361 2944
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01 March 2005

My reference: EDPC/MJF

Your reference:

Please ask for: Mr. French

Dear Mr. Portillo,

I refer to your letter of 17 February 2005, regarding correspondence from Professor Ciclitira about the continued refusal of the Council to grant planning permission for a rear extension at 25 Penzance Street.

I would inform you from the planning history to this property, that planning permission was refused for a rear extension at first floor level in July 2001, again in March 2002, and then again in January 2004. In the meantime, in March 2002, permission was also refused at the neighbouring property, no.26, for similar development. Notwithstanding the fact that Officers recommended refusal in each of these cases over three years, he has suggested that he based his application on each occasion upon Officer advice that such an application might be considered favourably.

I clearly do not know what Officers did say to him or his agent, or how he or his agent interpreted what was said. He has not shown me any written opinion provided to him, and I have no reason to assume that Officers ever tried to offer anything less than their best verbal advice. However their advice had been interpreted, the submission of a formal planning application will always be the final test, and this test was engaged in three times over three years with the same result; four times, if the neighbouring property is included. I also note from the history here that there were three different Case Officers involved, all of whom arrived at the same conclusion regarding a rear first floor extension. There would certainly seem to be a good deal of consistency in the Officers approach.

He has attached a copy of the Inspector's Decision following his decision to test the most recent of these refusals on appeal. If the Officers had been too harsh in their decision making, then that might be expected to be revealed in a decision by the Inspector to allow his appeal. However, it is clear from this that the Inspector agreed with the Officer's views that the height and massing of the existing extensions to nos. 23, 24 and 27 paid little regard to the scale or form of the host properties (para.13), and that the proposed development would be harmful to the integrity of the terrace (para.s 17 and 18). It seems to me that the Planning Inspector's conclusions were consistent with the four Council decisions regarding no.25 and 26 over four years.

I fully understand how he must feel frustrated after such a long process, particularly if he feels that Officer advice during the process was not clear or inconsistent. However, I have not seen anything here to indicate that the Council's decision making process was in any way inconsistent or unfair, as ultimately borne out by the Inspector's decision.



INVESTOR IN PEOPLE

If I can be of further help, please do not hesitate to contact me.

Yours sincerely,

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

The Rt Hon Michael Portillo, MP



HOUSE OF COMMONS

LONDON SW1A 0AA

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

17 February 2005

Dear Mr French,

Professor Paul J. Ciclitira, 25 Penzance Street, London, W11 4QX

In Michael Portillo's absence from the office I am forwarding on to you the attached letter he has received from his above named constituent.

I know that Mr Portillo would be grateful to receive your comments on this case.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'Sue Townsend'.

Sue Townsend
Private Secretary



Paul J Ciclitira
Professor of Gastroenterology

- 4 FEB 2005

25 Penzance Street
London
W11 4QX

Tel/fax: 0207 565 0415
Tel/fax: 0207 603 3594
E-mail: paul.ciclitira@kcl.ac.uk

Date: 31/01/2005

Hon Michael Portillo
Member of Parliament for
Chelsea & Kensington
House of Commons
Parliament Square
London SW1

Dear Mr Portillo,

Your help is respectfully sought as my constituency Member of Parliament. I am a resident in Penzance Street, Holland Park, London W11 4QX. You will almost certainly not remember me, although, we did briefly meet at the Chelsea Arts Club.

I am writing to you to seek your assistance in the possible referral of planning issue pertaining to my house.

I am seeking to build an extension identical to three others, which have previously been built in a terrace of seven similar houses of which mine is the central one. I enclose (i) *Appendix I* – a statement of facts pertaining to a request to seek planning permission for a single room extension on the first floor of a mews house, (ii) *Appendix II* – the architectural plans for the extension, (iii) *Appendix III* – planning appeal ruling pertaining to the above and (iv) *Appendix IV* – costs incurred.

My concern relates to having followed to the letter the advice of Mr Derek Taylor, Senior Planning Officer and Head of the Kensington & Chelsea North Planning Team over a period of 4 years. He has now changed his mind regarding support for my application. Mr Taylor's formal advice, which he confirmed to my architect, cost me over £ 21,000. I believe it is entirely unsatisfactory that a senior government officer should advise a householder to pursue a course of action, which results in above expense without any responsibility for his actions then advise that he changed his mind.

While I appreciate that external pressure would be unable to overturn the Council Planning Department decision, I would be grateful if he would be willing to ask the Council whether they would be prepared to reconsider their decision and if not, to reimburse fully the costs that their senior planning officer has involved me in.

It is unclear why I have been subjected to discrimination in that three out of seven householders have been allowed to build an extension, which I am seeking to duplicate while a planning permission for my application has been repeatedly refused.

Any help with this matter would be gratefully appreciated. I would be very happy to meet you in the constituency or walk across the bridge from St Thomas' Hospital to meet you in the House of Commons should you feel this would be helpful. Any help or support in this matter would be gratefully appreciated.

With best wishes and kind regards,

Yours sincerely,



Paul J Ciclitira
Professor of Gastroenterology

- Enc. 1. Statement of facts
2. Architect plans
3. Appeal findings
4. Costs incurred

Paul J Ciclitira
Professor of Gastroenterology

25 Penzance Street
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W11 4QX

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Date: 31 January 2005

APPENDIX I

To Whom It May Concern:

Re: 25 Penzance Street, London W11 4QX

Following my purchase of this property in June 2001, I sought planning permission for a one-bedroom extension on the flat roof on the first floor. The house comprises a terrace of seven properties all of which are identical except for the centre one which I own. This is because the centre one is marginally wider, by approximately 1 brick length and the rear eave height is slightly higher. My initial application for planning permission for the extension was through Carl Falk Associated Ltd. Miss S Gentry from the *Planning Department of Kensington and Chelsea* contacted me via the architects, requesting the plans to be re-drawn on two separate occasions. My architects and I were led to believe that complying with these requests would result in planning permission being granted. The cost for this was approximately £ 500. The application was subsequently declined.

I subsequently sought a meeting with a member of the Planning Department to seek advice as to how best to proceed with this. I met Mr Derek Taylor at my property 25 Penzance Street. He advised that in his opinion the refusal for the permission above was a mistake and advised me to re-apply possibly with a concurrent application for a similar extension at 26 Penzance Street. The latter was drawn by Carl Falk Associates at a cost of approximately £ 2,000. The two planning applications of both 25 and 26 Penzance Street were submitted separately. I was led to believe by the planning officer who came to visit the property that there would be no problems pertaining to this. However, the application was declined the second time.

Subsequently I employed another architect, Mr John Langley from Tectus Ltd. who telephoned Mr Taylor at Kensington and Chelsea Planning Office. He advised further drawings be made and for another submission to be entered. Technical drawings of the rear of the house were obtained shortly after submission at approximate cost of £ 1,000. The additional architects cost approximately £ 2,500. Mr John Wade from the *Planning Department of Kensington and Chelsea* visited the property. He expressed the view that he saw no problems with the application being successfully processed. However, the application was declined again. Mr Derek Taylor advised both myself and Mr Langley that we should proceed to an appeal as in his opinion this would almost certainly result in planning permission being granted.

Thus, I have received advice from three planning officers from *Kensington and Chelsea Planning Office*; 1) Miss Gentry whom I now know to be Mr Taylor's assistant, 2) Mr Taylor and 3) Mr Wade, all of whom advised that permission which should be a formality in view of seeking an extension on a house in a terrace of seven of which three of the properties have already have such an extension, I am being subject to discrimination. I am concerned that the facts do not make sense, particularly following repeated advice from Mr Taylor, *Head of the North Team Planning Section for Kensington and Chelsea*.

The costs of advice that I have followed to the letter from Mr Taylor have resulted in expenditure to my household of in excess of £ 21,000.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Paul J Ciclitira". The signature is written in a cursive style with a horizontal line underneath it.

Paul J Ciclitira
Professor of Gastroenterology



8-9 Stephen House
London W1T 1AF

25 Penzance Street, W11 4QX

DESIGN REPORT

November 2003

Introduction

This design report is submitted to the London Borough of Kensington & Chelsea in support of an Application for Planning Permission to extend the rear of 25 Penzance Street, W11 4DX at second floor level.

Existing Building

No 25 is a mid terrace property within seven similar properties fronting Penzance Street. At the rear it has been altered considerably and already has a modern extension to ground and first floor levels.

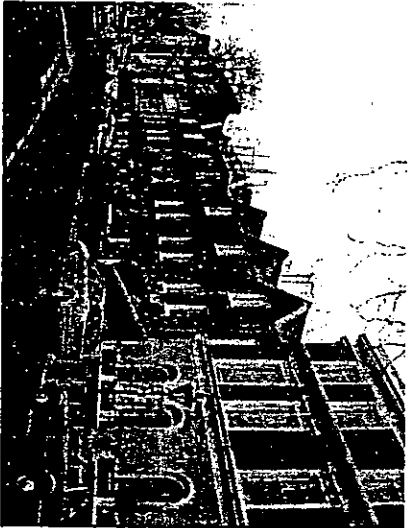
The Proposal

The proposals are for a new extension, which is designed:-

- to rise no higher than the existing neighbouring and nearby extensions;
- to rise only to a height well below the existing eaves of the property;
- to incorporate traditional detailing appropriate to a Conservation Area.

Character and Context

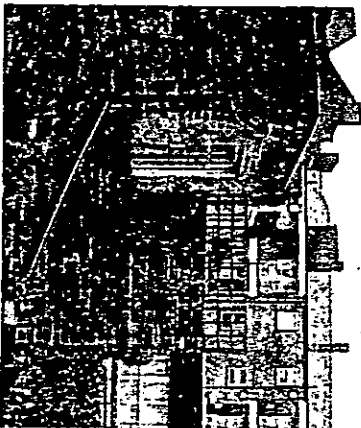
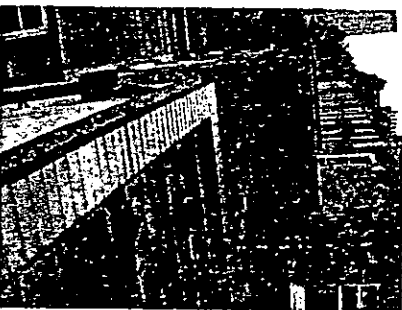
No 25 is a mid terrace property within seven properties that present a relatively unaltered, coherent and unified frontage to Penzance Street. At the rear however there is little unity remaining. Nos 23, 24 25 and 27 in particular have been considerably re-modelled and extended, and nos 23, 24 and 27 already have second floor extensions.



View from Penzance Street



Views at Rear

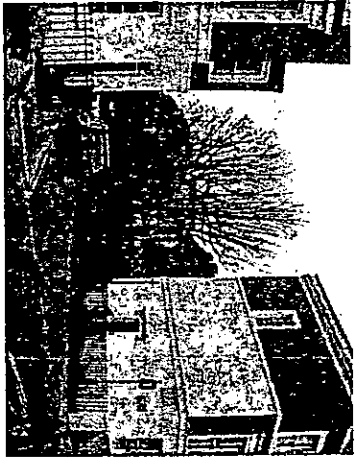


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tactus

The continuation of Penzance Street into St James Gardens presents a frontage to the square that is also relatively unaltered, coherent and unified. Unlike nos 22 - 28 Penzance Street, the rears of these properties also exhibit these characteristics. At the opposite end of the street however, the buildings forming the setting for the terrace are a mixture of large and small-scale modern buildings of undistinguished design.

Whilst the frontages to nos 22-28 Penzance Street are prominent and clearly visible within this surrounding townscape, the rear of the properties are virtually invisible. The rear gardens of these houses back onto Princes Place where they are bound by a high brick wall that is further made visually protective by the presence of a timber trellis and abundant planting. Access into Princes Place from Princedale Road is circuitous, and tall modern buildings completely block any views of the rear of the buildings and gardens to Penzance Street. From street level in Princes Place only largely obscured glimpses of the roofs of the houses on Penzance Street are possible.



Access into Princes Place from Princedale Road



View towards band in Princes Place



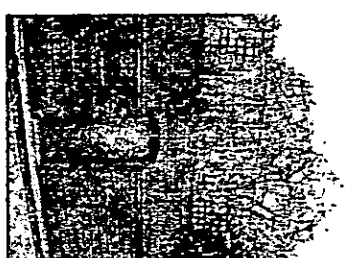
Princes Place



Oblique view along Princes Place showing greatest visibility of rear extensions



View along Princes Place with 18/ 19 Penzance Street to rear



Typical view from Princes Place towards Penzance Street

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TECTUS

Whilst we accept that the situation for the properties facing St James Gardens is otherwise, we do not believe that the existing rears of no's 22-28 Penzance Street contribute in any positive way to the character and amenity of the conservation area.

Building Design

No 25 Penzance Street has an existing extension to first floor level that is of modern appearance, and is finished in roughcast white render. At second floor level the historic openings have been substantially modified, and present an incoherent and unattractive appearance to the building at high level.

Our proposals are for an additional extension in traditional materials, with second hand stock brickwork walls, and painted timber joinery to the new window and door. A shallow 'terrace', with a railed opening matching those to no's 23, 24 and 27 allows the second floor to be recessed behind the line of the existing extension. The existing rough-cast render is extended up to the line of the coping to this terrace, and terminated along a projecting matching stringcourse that demarcates the boundary between render and stock brickwork.

The scale, materials and detail of the proposed extension would ensure that the varied, yet repetitive rear character of this unseen row of properties in the conservation area is not only maintained, but also enhanced.

Privacy and Overlooking

As has been acknowledged by the Council with regard to a previous application (PP/02/00267 - delegated report) - these proposals would not result in any significant increase in overlooking, given the existing access to the whole of the roof, and that there are other similar terraces nearby.

Daylighting and Sunlighting

As has also been acknowledged by the Council with regard to a previous application (PP/02/00267 - delegated report) - these proposals would not result in any significant loss of light to the neighbouring properties.

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524117m

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Key Plan



Client: 28 PRINCES STREET
Project: PRINCES STREET
Location: LONDON W1T

Drawing Title: LOCATION PLAN

Drawing No.: 1001 / 01

Date: October 03

Scale: 1:1000 @ A1

Drawn: [Signature]

Checked: [Signature]

Architects & Design:

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 Telephone: +44 (0)207 438 4000
 Fax: +44 (0)207 438 4411
 Email: info@6-8southview.co.uk
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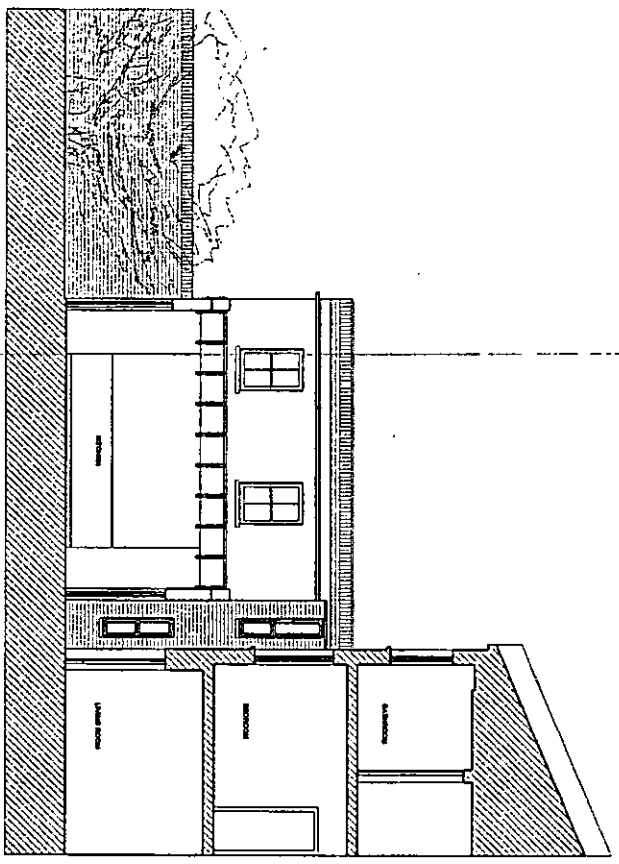
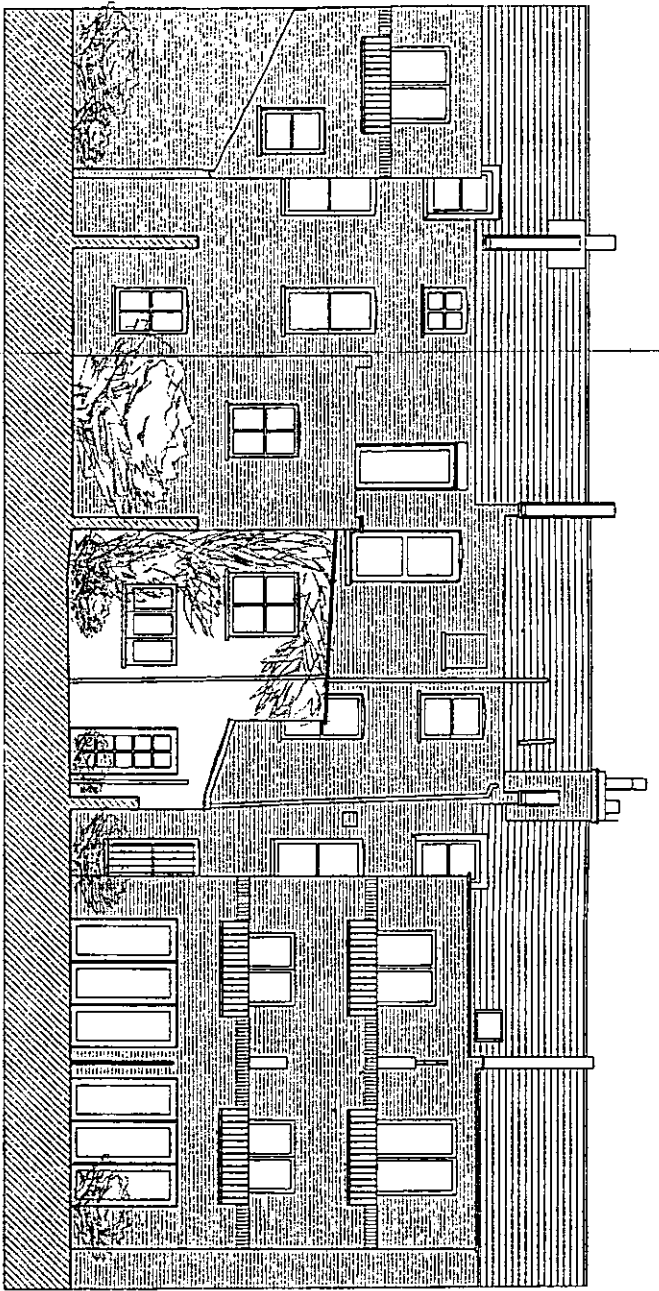
NOTES

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2. Contractors to check dimensions of all items.
3. This drawing is copyright.

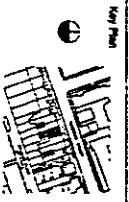


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Key Plan	
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Client
25 PENANCE STREET
LONDON, W11

Drawing Title
ELEVATION DRAWINGS

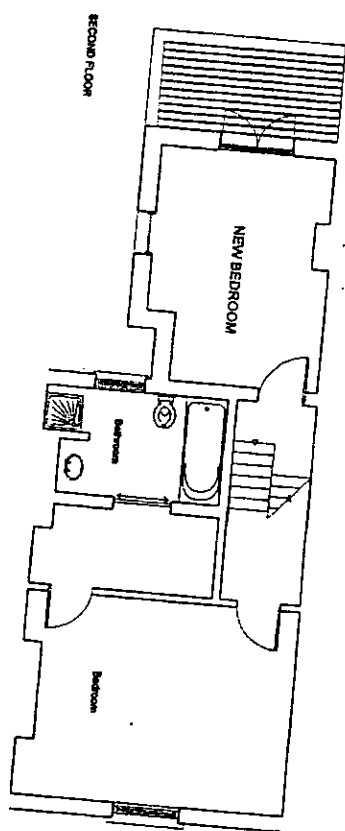
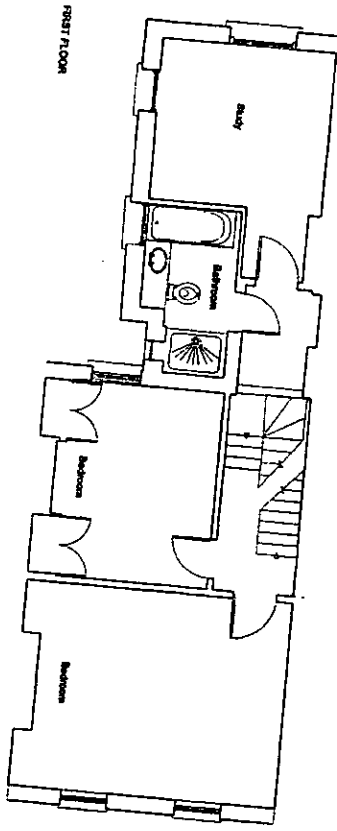
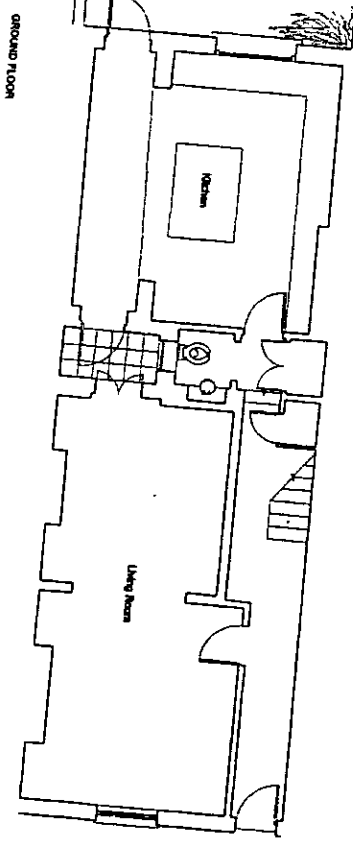
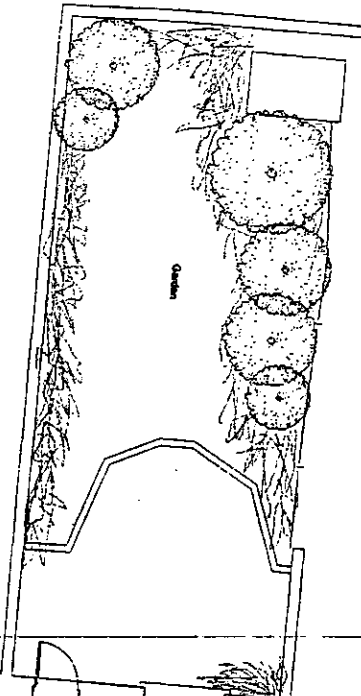
Drawing No. 1438 P 03 Rev. 0

Date October '03 Scale 1:50 @ A1

Drawn Checked

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- NOTE**
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Proposals Client: 75 PERAZANCE STREET Project: LONDON W11	
Drawing Title: Proposed Plans	
Drawing No: 100 P 01	
Date: October 03	
Scale: 1:100 @ A1	
Drawn: Chandler	
Checked:	
Architects & Designers 2-9 Radford House London W11 1JQ	

25 Penzance Street

PP/03/2526

SUBJECT-SITE

FILE REFERENCE:

R.B.K. & C. Planning Service.

24/1/5

NOTES OF MEETING

DATE:

NAMES OF PERSONS
ATTENDING:

D. Taylor (RBK)

Mr Cichira (owner)

Derek Home (agent)

? (arch)

OFFICERS:

MATTERS
DISCUSSED:

Discussed

After successive refusals of planning permission, and a Public Inquiry, appeal dismissed (December).


I advised that I could not see any way forwards for them to add a second floor - the scale and form of what was built as a fairly modest property would simply not allow it. I explained that the neighbouring extensions, which we viewed from the garden, were 'good' examples of how not to extend a Victorian property and they greatly compromised the appearance of the buildings and

LITERATURE:
POLICY, PAPERS, ETC.

SIGNATURES:

the integrity of the terrace.

I advised that I could see some flexibility to extend a little into the garden at garden level, but that an upper level extension, bedroom or otherwise, would not seem possible at all on this property.

 2e/16.5