

BR

THE BUSINELLI - WILMOT PARTNERSHIP

5

CHARTERED ARCHITECTS
(JBP)
ONE GREAT CUMBERLAND PLACE
LONDON W1H 7AL

TELEPHONE 0171 723 1993
FACSIMILE 0171 723 3860

For the Attention of:
Brian Roche Esq
Planning Officer
Planning Department
Department 705
The Town Hall
Hornton Street
London W8 7KX

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	AM A
12 NOV 1996				67
Exec Dir		<input checked="" type="checkbox"/>	AFB	Con Dev
Manals	IO	Food Off	Forward Plan	Head DC

Your Ref:
Our Ref: JW/9617

8th November 1996

Dear Sirs

Re: Town & Country Planning Act 1990 [as amended]
Application for Permission to Develop Land at 26 Bina Gardens London SW5

With reference to the above and your letter dated 6th November last please find enclosed 4 copies of TP.1. Part 1 Certificate of ownership under Article 7 completed and signed as requested.

If you require any further information please do not hesitate to contact us.

Yours faithfully

José Wilmot
The Businelli Wilmot Partnership
c.c Denrose Investments Limited

Royal Borough of Kensington & Chelsea
CASH ACCOUNTING OFFICER'S DEPOSIT



Dept. **PLANNING** Section: **DEV. CONTROL** Paid in by: _____

This report relates to receipts up to: _____ *S/1/1*

6

Nature of Income: APPLICATIONS	£10 notes & over	
Notes: If more than three cheques/P.O.s are deposited, please use a separate cheque list and enter below the TOTAL only.	£5 notes	
	£1 coins	
<i>26 Bina Johns</i>	50 pence	
	'Silver'	
	'Bronze'	
	Total Cash	
<i>000947</i>	Total Cheques/P.O.s LIST N ^o _____	<i>500</i>
* Class: A B C	REFERENCE N ^o * 48130/48143/48156	TOTAL AMOUNT <i>500</i>

1020182 05 051196 0948130

£*****800.00 CHEQ COAF



TP902489

MA

Handwritten notes: TP, DT, C, and a circled 8.

The Royal Borough of Kensington and Chelsea

Development Control Technical Information

Address: 26, Bina Gardens, SW5

Comp Index Data:

Conserv. Area	HB	CPO	TPO	Specif. Ind. Area	CSF	LSC No.	PSC	Unsuit. Dip. Use	Area: Local Interest	Area: Local Character	Met. Open Land	ART IV
11B			18175									

Density
Site Area
Habitable rooms proposed
Proposed density

Plot Ratio	
Site Area	
Zoned Ratio	2:1
Floor area proposed	
Proposed Plot Ratio	

Daylighting

Complies / Infringes

Car Parking:

Spaces required:

Spaces provided:

MEMORANDUM

9

From: EXECUTIVE DIRECTOR,
PLANNING AND CONSERVATION

To: FOR FILE USE ONLY

My Ref: TP/96/2489/AJF

Your Ref:

P.A.X.No. 3190

Date: 18/11/96

DEVELOPMENT

26 BINA GARDENS, S.W.5

Change of use and conversion of existing guest house into 5 residential units.

Would you please advertise the above development under:-

1. Section 28 (i) (a) of the Town and Country Planning Act, 1971 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area).

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

THE ROYAL
BOROUGH OF

NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON
AND CHELSEA

10

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

(a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd Floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The information Office, Chelsea Old Town Hall, Tel. 0171-352-1856.

For postal areas W10, W11, and W2: The Advisory Service Office, The Information and Aid Centre, 140 Ladbroke Grove, W10 (under Westway, opposite Ladbroke Grove Tube Station), Tel. 0181-969-2433

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Department 705) within 21 days of the date of this notice.

SCHEDULE

Reference: TP/96/2489/AJF

Date: 22/11/96

26 BINA GARDENS,
S.W.5

Change of use and conversion of existing guest house into 5 residential units.

APPLICANT Denrose Investments Ltd.

27/11/96
eric G.
Ravens

Anna Ahuja
6 Gledhow Gardens
London SW5 OBL
Phone 0171-244-9692

A-JF

✓ BB 16/12

11

December 11, 1996

The Director of Planning and Conservation
Planning Department
Kensington Town Hall
Hornton Street
London W8 7NX

RECEIVED PLANNING SERVICES			
DC N	DC	SC	As Ack
68		13 DEC 1996	
Exec Dir		Records	Con Des
Appeals Office	10	Fees Office	Head DC

Dear Sir or Madam,

26 Bina Gardens, Reference TP/96/2489

I note that there is a planning application to convert this building into five self-contained units. I would like to register my objections to this. Although Bina Gardens is a block away from us, I am most concerned about what happens there, as any developments affect neighbouring streets.

The application states that the building was previously a guest house. I saw the building before it was sold. I would certainly have classified it as a family home. It is true that some of the rooms were periodically rented out, but essentially it was a family home. It had been in the same family for about 50 or 60 years, I believe, and as such, retained many beautiful features which it would almost certainly lose if converted.

I think it would be atrocious to allow such a conversion to take place. This is a conservation area and like standards must apply to all streets. Number 26 Bina Gardens is a beautiful family home, well preserved, and should remain as such.

I would also like to point out that red paint has been put on number 24. This is an outrage. I do hope that the painting will be stopped and the owner forced to clean the bricks. The Bina Gardens terrace is a fantastic terrace. The fact that 28-30 has been painted is no excuse whatsoever to allow any of the other buildings in this terrace to be so defaced.

I hope that my comments will be taken into consideration and look forward to hearing from you.

Yours sincerely,

Anna Ahuja
Anna Ahuja
Anna Ahuja

12

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

TP No: TP/96/2489	Address: 26 Bina Gardens, SW5	Date Received 3/12/96	Date of Obs.
UDP Paras/Policies		Obj. <input checked="" type="checkbox"/>	No obj.
	Development: Change of use and conversion of existing guest house into 5 res units	HMO? ??	No. of Dwelling Units Existing Proposed 5
		D.C. Officer AJF	Policy Officer AEP

Comments:

History: pp 1951 - continued use as guest house

Existing use: appears that may have been be in use as HMO since at least 1977. Env Health records (c. Mike George x5622) indicate HMO use since 1977 (LFCDA record - ie fire brigade), also fire notice issued 11/3/83 which indicates HMO use. Further info. may be available from Env Health microfiche records.

Land use records show as residential

Proposed: 5 x 2 bed s/c flat

Issues:
Loss of HMO would be contrary to H20

If not an HMO then no policies to resist loss of guest houses and residential would be welcomed in principle by STRAT 13, 14 and H3 layout & room sizes OK

Possible objection - loss of HMO

PH 13.12.96

THE BUSINELLI - WILMOT PARTNERSHIP

YBB-PC
2/ AOT ✓

CHARTERED ARCHITECTS
(JBP)
ONE GREAT CUMBERLAND PLACE
LONDON W1H 7AL

TELEPHONE 0171 723 1993
FACSIMILE 0171 723 3860

13

For the Attention of:
Mrs Flight
Planning Officer
Planning Department
Department 705
The Town Hall
Hornton Street
London W8 7KX

Your Ref: DPS/DOC/TP/96/2489
Our Ref: JW/9617

13th January 1997

Dear Madam

Re: Town & Country Planning Act 1990 [as amended]
Application for Permission to Develop Land at 26 Bina Gardens London SW5

With reference to the above and our telephone conversation of today, please find enclosed 4 copies of our revised drawings 9617-F01A & S01A showing the first floor landing/mezzanine level in the same position on both the existing and proposed plans.

We confirm our meeting on site with you on Thursday 16th January 1997 at 11.00a.m.

If you require any further information please do not hesitate to contact us.

Yours faithfully

José Wilmot
The Businelli Wilmot Partnership
c.c Denrose Investments Limited

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Ack
JK		15 JAN 1997		
Exec Dir		Records	ARB	Con Des
Appeals Office	IO	Fees Officer	Forward Plan	Head DC

Site:	26 BINA GARDENS	File reference:	PHG/2489
Subject:	P. app	Site <input checked="" type="checkbox"/>	Office <input type="checkbox"/>
R.B.K. & C Planning Services		Date: 13-2-97	
NOTES OF MEETING			

Names of persons attending:

Officers

Alison Kyle

Applicant/Agent/Resident

14

Matters discussed:

11-00 Michael Brarelli
 FRONT DOOR: 2 entry BEHO.
 layout (see related dwgs) indicates
 a great house "type" use as
 opposed to an HMO.
 Will check with BEHO
 as to type of HMO.

Signatures:

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

15

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

The Bisinelli-Wilmot Partnership
1 Great Cumberland Place
London
W1H 7AL

Switchboard: 0171-937 5464

Extension: 2733

Direct Line: 0171-361 2733

Facsimile: 0171-938 1445

28 February 1997

My reference: **DPS/DCC/TP/96/** Your reference:
2489

Please ask for: Allison Flight

Dear Sir,

Town and Country Planning Act, 1990
Re: 26 Bina Gardens, Kensington SW5

I write with reference to your current application (TP/96/2489/AJF) for the change of use and conversion of an existing guest house into five residential units at the above mentioned premises.

It has been brought to our attention that this property may have been in use as a house in multiple occupation since at least 1977. Policies relating to the provision of housing within the Borough are contained in the Royal Borough of Kensington and Chelsea Unitary Development Plan which was adopted in 1995. I would like to draw your attention, in particular, to Policy H20 which states:

H20 Normally to resist proposals for the conversion into self-contained accommodation of those houses in multiple occupation and individual bedsitting rooms which comply with, or are capable of reaching, the standards laid down by the Housing Acts.

If the above mentioned property is found to have been in use as a house in multiple occupation, your proposal will, therefore, be contrary to this policy and your application for a change of use into five residential units may be refused on these grounds. My main concern, however, is that work to convert the property has already commenced prior to a formal decision being made by the Planning Services Committee.

I must, therefore, advise the immediate cessation of these works until the established use of the property is determined. Please contact my assistant immediately on the above direct line so as to discuss this matter.

Yours faithfully,


Lesley Jones,
Area Team Leader,
For the Executive Director of Planning and Conservation.

R

THE BUSINELLI - WILMOT
PARTNERSHIP

CHARTERED ARCHITECTS
JBP
ONE GREAT CUMBERLAND PLACE
LONDON W1H 7AL
TELEPHONE 0171 723 1993
FACSIMILE 0171 723 3860

YBB-PC
2/1008

17

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC	E	Ao Ack
11 APR 1997 (32)				
Exec Dir		Records	ARB	Con Des
Appeals Office	10	Fees Officer	Forward Plan	Head DC

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

8th April 1997
Your Ref: DPS/DCC/TP/96/2489
Our Ref: MAB/9617

Dear Ms. Flight

Re: Conversion of 26 Bina Gardens SW5 into selfcontained Apartments

We refer to your recent letter and our meeting of the 3rd April last in which our Mr. Businelli explained that the above premises were run by the previous owner Mrs. Griffith as a guest house in conformity with the planning use granted in 1957.

Mr. Businelli explained that the premises were recently sold to our clients ' Denrose Investments Limited' as a guest house use.

Mrs. Griffith and her family resided on the premises occupying the Basement, Ground floor and First floor of the above premises for thirty four years until the property was sold to our clients.

Since our meeting our clients have spoken to Mrs. Griffith and a letter of confirmation will be sent directly to you by Mrs. Griffith.

Yours sincerely


Michael A Businelli

The Businelli Wilmot Partnership
cc. To Denrose Developments Limited
cc. To Mrs. Griffith

PLANNING AND CONSERVATIONTHE TOWN HALL HORNTON STREET LONDON W8 7NX

18

**THE ROYAL
BOROUGH OF****KENSINGTON
AND CHELSEA**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**London Fire and Civil Defence Authority
Western Command
156 Harrow Road
London W2 6NL**

Switchboard: 0171-937 5464

Extension: 2011

Direct Line: 0171-361 2011

Facsimile: 0171-361 3463

06 June 1997

My reference: **DPC/DCC/TP/96/ 2489** Your reference: **Team Leader
RBKC (File No
011877)** Please ask for: **Allison Flight**

Dear Sir

Town and Country Planning Act 1990**Re: 26 Bina Gardens, Kensington SW5**

I am writing in connection with a current planning application we have received in respect of the above property.

The information that was submitted with the application states that the use of the property was as a guest house. However, other evidence that we have received would indicate that the property may have been in use as a house in multiple occupation. As there appears to be an inconsistency as regards the use of the building, I would be grateful for any information you have on your file which may clarify the situation, in particular if you have any copies of floorplans or fire certificates that have been issued on the premises.

If you have any further queries regarding this matter, please contact my assistant, Allison Flight who is available on the above extension number. I look forward to hearing from you.

Yours faithfully

M.J French
Executive Director, Planning and Conservation

① PC ② ASJF

THE BUSINELLI - WILMOT PARTNERSHIP

CHARTERED ARCHITECTS
(JBP)
ONE GREAT CUMBERLAND PLACE
LONDON W1H 7AL

TELEPHONE 0171 723 1993
FACSIMILE 0171 723 3860

19

Alison Flight (Miss)
Planning & Conservation
The Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London W8 4TNx

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Ack
11 JUN 1997				(105)
Exec Dir		Records	ARB	Con Des
Appeals Office	10	Fees Officer	Forward Plan	Head DC

Our Ref: MAB/9617

9th June 1997

Dear Miss Flight

Re: 26 Bina Gardens - London SW5

We refer to our meeting of the 3rd April last and our recent telephone conversation.
We enclose herewith copy of the letter received from our client,s solicitors who acted for our client for the purchase of the property.

This should clarify the position of the planning situation.

Yours sincerely


Michael A Businelli
Copy to Denrose Investments Ltd.

20

PRINCE EVANS SOLICITORS

REPLIES TO ENQUIRIES BEFORE CONTRACT BASED ON THE
STANDARD FORM 29 (LONG)

RE: 26 Bina Gardens London S.W.5

SIGNED:  DATED: 17th November 1995

These replies except in the case of any enquiry expressly requiring a reply from the Seller's solicitors are given on behalf of the proposed Seller and without responsibility on the part of his solicitors their partners or employees. They are believed to be correct but the accuracy is not guaranteed and they do not obviate the need to make appropriate searches, enquiries and inspections.

1. BOUNDARIES

The Seller states that he has not regarded any boundaries as his responsibility and no maintenance has been carried out by him.

2. DISPUTES

- (a) The Seller is not aware of any such save that last year he entered into correspondence with the owner of Number 30 regarding the unsatisfactory installation of a Satellite Dish and this was then installed correctly and the matter settled amicably. The Buyer should rely on his own inspection and survey.
- (b) No

3. NOTICES

The Seller is not aware of any such but no warranty is given and the Buyer should make his own enquiries.

4. GUARANTEES

- (A) No works have been carried out carrying the benefit of any Guarantee Certificates
- (B) The Seller is not aware of any defects or claims which might arise in respect of any of the above but no warranty is given and the Buyer must rely on his own inspection and survey.

5. SERVICES

The property enjoys the usual services but the Seller has no information as to the direction of any wires, pipes, cables etc and the Buyer must satisfy himself exclusively by inspection and survey that all services are connected and functioning.

6. FACILITIES

- (a) There are no facilities enjoyed exclusively by the property unless already disclosed or apparent on inspection save that Numbers 24, 28 and 30 have access to the flat roof for fire escape but there is no known documentation relating to this.
- (b) No
- (c) No sums have been paid or required to be paid or work carried out

7. ADVERSE RIGHTS

- (A) The Seller is not aware of any rights or informal arrangements specifically affecting the property. Nevertheless the property is sold subject to any there might be.
- (B) (i) The property is occupied by the Seller and his wife. All other occupiers will have vacated the property prior to exchange of Contracts.
(ii) No other persons have any interest in the property.
- (C) The Seller is not aware of any overriding interests, other than disclosed or apparent on inspection.

R.B.K. & C.
TOWN PLANNING
11 JUN 1997
RECEIVED

21

8. RESTRICTIONS

- (A) The Seller has received no notice of breach in respect of any restrictions which may affect the property.
- (B) The Seller is not aware that any person's consent or approval of plans is required in respect of any such restrictions.

9. PLANNING ETC.

- (A) (i) The present use commenced many years ago
- (ii) The present use has been continuous since it commenced so far as the Seller is aware.
- (B) Not to the Seller's knowledge
- (C) There are none such

10. FIXTURES, FITTINGS etc.

- (A) The Seller will not be removing any items properly regarded as fixtures and fittings. Please see Fixtures Fittings and Contents Form herewith.
- (B)
- (C) N.A.

11. OUTGOINGS

- (A) (i) Valuation Band H. Council Tax £1,082.59 - Water Rates £856.75 per annum
- (ii) No works have been carried out.
- (B) No other property is included for rating purposes.
- (C) There are no other periodic charges affecting the property, unless already disclosed.

12. COMPLETION

- (a) The completion date should be discussed and agreed prior to exchange of contracts.
- (b) Yes

13. NEW PROPERTIES

Not applicable

R.B.K. & C.
TOWN PLANNING
11 JUN 1997
RECEIVED

LFCDA

LONDON FIRE AND CIVIL DEFENCE AUTHORITY

LONDON FIRE BRIGADE

RBK&C Planning Dpt
Town Hall,
Horton St, W8 7NX

156 Harrow Road
London W2 6NL

Telephone 0171-587 2300
Telex 918200
Facsimile 0171-587 2305
My reference FS/Sm/12/11877.
Your reference
Date 9/7/97

22 ✓ CM 11/7

Dear Sir/Madam,

Premises: 26 Bina Gdns, SW5

M. George is on leave 23/7 left message for D. Cunningham

With reference to your recent request for advice, ~~and the visit made to the above-mentioned premises~~, I confirm the advice you were given is as follows:-

I spoke with Mike George of RBK&C Environmental Health who believes the above was a HMO but has since become vacant & is now undergoing refurbishment. He also believes it is likely to become ~~to~~ private residential self contained units. It ceased being a guest house in 1977 according to our records.

This matter has been dealt with by SMO ~~munus~~ to whom any queries should be addressed in the first instance. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting the above reference.

Yours faithfully,



for Commander

By BUILDING CONTROL

RECEIVED BY PLANNING SERVICES				
DC N	DC C	DC S	E	Ao Ack
11 JUL 1997 SD				
Exec Dir		Records	ARB	Con Des
Appeals Office	10	Fees Officer	Forward Plan	Head DC

NOTE The contents of this letter are without prejudice to any requirements or recommendations that may be made by the Authority under the Fire Precautions Act 1971/Petroleum (Consolidation) Act 1928, the local authority or the Health and Safety Executive. All alterations should comply with the appropriate provisions of the current Building Regulations.

* delete as appropriate

D. Cunningham says re mixed use for some s/c flats + some beds etc

(Rev 3, May 1995) Form 5524 (PAD)



Alison - you have a class on this prop

26 Bina Gdn
John - after phone to phone 24/7 re. any work going on **(23)**

He hasn't been there recently but a year ago (Mar '96)
~~but~~ Pry was there in '97
were any works going on '96?
Had letter for resident - said brought guest house - but was there
no work going on then.

4/8/97
John to Rems
George

Rems is an hmo
bst/gf already a maisonette
nothing above that & not
doing ~~work~~ has stopped work:
no contact except builder for BELLO

PLANNING AND CONSERVATIONTHE TOWN HALL HORNTON STREET LONDON W8 7NX

24

**THE ROYAL
BOROUGH OF****Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS**

**Businelli Wilmot Partnership
1 Great Cumberland Place
London W1H 7AL****Switchboard: 0171-937 5464****Extension: 2011****Direct Line: 0171-361 2011****Facsimile: 0171-361 3463****KENSINGTON
AND CHELSEA****04 August 1997**

**My reference: DPS/DCC/TP/96/ Your reference: 9617/JW
2489****Please ask for: Allison Flight**

Dear Sir

Town and Country Planning Act 1990**Re: 26 Bina Gardens, Kensington SW5**

I am writing in connection with the current planning application for the change of use of the above property to use as five self contained flats.


As you are aware, there is an inconsistency in evidence as regards the previous use of the building. I note your clients state that the premises were used as a guest house, however, records held by this Council's Environmental Health Officer and the London Fire and Civil Defence Authority indicate that the property has been in use as a house in multiple occupation since 1977. In addition, the Electoral Register also indicates use of a permanent residential nature which is inconsistent with the more 'short term' use which is typical of a guest house type use. On the information that is currently available, I would conclude that the previous use of the premises was as a house in multiple occupation, and as such the proposal to convert the property into self contained flats is considered unacceptable in terms of this Council's planning policies which seek to retain this type of accommodation.

In these circumstances, unless you can obtain further evidence regarding the previous use of the building as a guest house, I shall have no alternative other than to recommend the application for refusal at a meeting of the Planning Services Committee as it is contrary to Policy H20 of this Council's Unitary Development Plan. If you wish to discuss this matter further I would be grateful if you could contact my assistant, Allison Flight who is available on the above extension number.

I look forward to hearing from you.

25

Yours faithfully


M.J. French
Executive Director, Planning and Conservation

THE BUSINELLI - WILMOT
PARTNERSHIP

CHARTERED ARCHITECTS
JBP
ON GREAT CUMBERLAND PLACE
LONDON W1H 7AL
TELEPHONE 0171 723 1993
FACSIMILE 0171 723 3860

26

For the Attention of:
M.J. French FRICS
Dip TP MRTPI Cert TS
Executive Director
Planning & Conservation
The Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London W8 7NX

ASJF

RECEIVED BY PLANNING SERVICES								
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK	
				(50)	27 NOV 1997			
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES		

Our Ref: MAB/ 9617

26th November 1997

Dear Mr French

Re: 26 Bina Gardens, Kensington - London SW5

An application for self-contained apartments was made on the 24th October 1996.

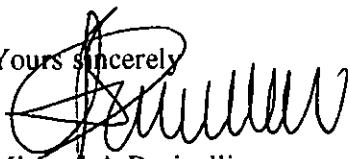
The officer dealing with the application has been reluctant to consider the application until there is evidence that the property was a guest house.

From the planning records in the planning department it is clear that continue consent was given to the previous owner by letter dated 9th July 1951, copy of which we enclose for your attention.

Since the application has been for determination for over a year our clients would be obliged if you could give your consideration at your earliest convenience.

In thanking you for your assistance we remain,

Yours sincerely


Michael A Businelli
The Businelli-Wilmot Partnership
cc. Mr. Antonio [Denrose Investments Limited]
cc. Alison Flight