

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

**PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
DELEGATED**

**APP NO. PP/04/02306 /IW
AGENDA ITEM NO.**

ADDRESS/SUBJECT OF REPORT:

**114-120 Notting
Hill Gate, London,
W11 3QE**

APPLICATION DATED 08/10/2004

APPLICATION REVISED

APPLICATION COMPLETE 11/10/2004

APPLICANT/AGENT ADDRESS:

**TTG Architects,
28-30 Kirby Street,
London
EC1N 8TE**

CONS. AREA N/A CAPS No

ARTICLE '4' No WARD PEA

LISTED BUILDING No

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET.

RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

Ae

ROYAL BOROUGH OF KENSINGTON & CHELSEA
REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

Date: 11/11/2004

DELEGATED

APP NO. PP/04/02306/MINR

This application is for a class of development to be determined under powers delegated to me by the Council on 18th July, 2001 and is not a major, controversial or sensitive application nor one which a Ward Councillor has asked to be considered by Planning Services Committee.

Class - 8th Schedule development

RECOMMENDED DECISION: Refuse planning permission

I hereby determine and refuse this application under the powers delegated to me by the Council, subject to the condition(s) indicated below imposed for the reason(s) appearing thereunder, or for the reasons stated.

Exec. Director, Planning and Conservation

Head of Development Control

Area Planning Officer

hdwy

15/11/04

16/11/04

ADDRESS OF SITE:
114-120 Notting Hill Gate,
London, W11 3QE

APPLICATION DATED 08/10/2004

APPLICATION COMPLETE 11/10/2004

APPLICANT/AGENT ADDRESS:
TTG Architects,
28-30 Kirby Street,
London
EC1N 8TE

APPLICATION REVISED 11/11/2004

APPLICANT: Tesco Stores Ltd.,

DELEGATED
17 NOV 2004
REFUSAL

CONS AREA N/A

CAPS No

ARTICLE No

WARD Pembridge

LISTED BUILDING No

ENG. HERITAGE

CONSULTED 95

OBJ. 6

SUP. 0

PET. 1

PROPOSAL: Installation of one cash dispensing machine within shopfront to front ground floor street elevation.

RBK&C Drawing No(s): PP/04/02306 and PP/04/02306/A
Applicant's Drawing No(s) 11/A.

REASONS FOR REFUSAL

1. The proposed cash machine is an insensitive and unsympathetic addition to the existing parent building and is not in keeping with the style, character, scale, bulk, proportion and rhythm and would have a detrimental impact on the amenity for the surrounding properties and as such, would not preserve or enhance but would spoil and harm the front elevation, the terrace of properties of which this one forms a part and the surrounding area and are therefore contrary to the Council's Policies which seek to preserve and enhance the character and appearance of the Borough as stated in the Council's Unitary Development Plan, in particular, Policies CD27, CD50 and CD51.

INFORMATIVE(S)

1. You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD27, CD50 & CD51. (I51)

1.0 THE SITE

- 1.1 The property is located on the north side of Notting Hill Gate, between its junctions with Pembridge Road and Ladbroke Terrace.
- 1.2 The property is a retail unit within Class A1 and is located within the Core Frontage of the Notting Hill Gate Principal Shopping Centre.
- 1.3 The property is not a listed building and is not within a Conservation Area, although this site borders the Kensington Conservation Area.

2.0 RELEVANT PLANNING HISTORY

- 2.1 On 6th September 1985 (Ref:TP/85/1216) and 19th August 1996 (Ref:TP/96/1462), planning permission was granted for the insertion of new shopfront at this premises.
- 2.2 During October 2004, Advertisement consent was granted for replacement shopfront and fascia advertisements (Ref:CA/04/1973).
- 2.3 On 11th October 2004, a planning application was submitted for alterations to the shopfront and fascia (Ref:PP/04/2307).

3.0 THE PROPOSAL

- 3.1 Planning permission is sought for the installation of one cash-point machine within the most eastern end of the shopfront.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations in the determination of this application is the effect of this proposal on the character and appearance of the front elevation of this property, the effect on the terrace of which this property forms a part and the surrounding area as a whole.
- 4.2 The relevant Policies are contained within the Unitary Development Plan 2002. Policies CD27, CD50 and CD51 are of particular relevance to this application. Also for consideration is 'The London Plan, Spatial Development Strategy for Greater London', February 2004.
- 4.3 Within the Notting Hill Gate Principle Shopping Center there are ten existing cash machines, within approximately 150 metres of the site.

- 4.4 In terms of the design, the proposed cash point machine is considered to be an insensitive harmful addition which neither preserves nor enhances but harms the front elevation of this property and the simply dignity of the shopfront as a whole. The cash point is an un-sympathetic addition which individually spoils the appearance of the building and would be collectively detrimental to the streetscene, and the residential character and amenity for the surrounding area. In view of this, the proposal is considered to conflict with Policies CD27, CD50 and CD51.

5.0 CONSULTATION

- 5.1 Ninety three letters of notification were sent out to properties within Notting Hill Gate and a site notice was displayed outside this property.
- 5.2 To date, six letters and one petition with 46 signatures have been received in response to this application. The letters and petition object to the application on the grounds that these additions would adversely affect the character and level of amenity for surrounding nearby residents attracting vagrants and will attract litter and crime. The petition has been signed by residents of the adjoining residential block 'Campden Hill Towers'.

- 5.2.1 The prayer of the 46 signature petition is as follows;

'We believe that these cash dispensers are inappropriately positioned and will cause unwanted litter and loitering in our doorway. These ATM's should not be installed. If however, RBK&C should decide to approve the installation in principle, we petition that the machines should be located within the store or in the shopfront at the furthest possible point from the front entrance of Campden Hill Towers.

- 5.3 The objections relating to litter, crime and the attraction of vagrants are not valid planning objections. It is considered that the objections relating to the effect on the character and amenity has been considered in the body of this report.

6.0 RECOMMENDATION

- 6.1 Refuse planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of file PP/04/02306 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: LW
Report Approved By: DT/LAWJ Lawy
Date Report Approved: 16/11/02