

# PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C. M. DENT BSc M. Phil FRICS FRTP  
Director of Planning Services M. J. FRENCH FRICS Dip TP MRTP Cert ES

Wallace Downing  
4 Golden Square  
London  
W1R 3AE

Telephone: 071-937 5464

Extension:

Facsimile: 071-376 1130

29th April 1992

My reference: OPS/CSS/H/JMC Your reference: JWWD 9060 Barclay stratton Please ask for: Mrs J McDermott

Dear Sirs,

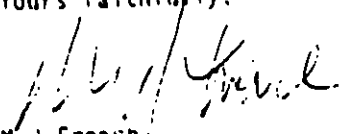
Town & Country Planning Act 1990  
Albert House: 27 Kelso Place W.8

With reference to your facsimile dated 27th April 1992, I would advise you that my planning records do not show any planning permissions issued relating to the use of the above property. However, Council records including rating records indicate that the property had been used as light industrial premises since prior to 1948. If this is the case then the normal use of the property was as light industrial premises.

I can confirm therefore that following the introduction of The Town & Country Use Classes Order 1987, the existing light industrial use of these premises was deemed to fall within Class B1 of the said Order.

Would you please forward a cheque/postal order for the sum of £25 made payable to The Royal Borough of Kensington & Chelsea to cover the cost of this reply.

Yours faithfully,

  
M. J. French  
Director of Planning Services

The Royal  
Borough of

  
KENSINGTON  
and CHELSEA

04/1992

**APPENDIX 8**  
**Letter sent from Burgess Mean to Mr and Mrs Jennison (No.26 Kelso  
Place), 31 July 2000**

31 July 2000

Mr & Mrs Jennison  
26 Kelso Place  
Kensington  
LONDON W8

DPB/20305

Dear Mr & Mrs Jennison

**Planning Application for 27 Kelso Place, London W8**

Further to my recent telephone conversation with yourselves, I am pleased to forward a copy of our revised planning application drawings, which have recently been submitted to the Royal Borough of Kensington & Chelsea.

You will note from the enclosed, that the proposals have been extensively altered following comments from yourselves and the planning and conservation officers at the council.

The amendments are as follows :

- i) the proposed second floor extension over the front buildings has now been omitted and the original roof to the right hand front building has been retained.
- ii) the proposed roof alterations to the courtyard centre building have been significantly reduced so that the new eaves level is restricted to a height of 1.5m internally, with the principle glazing to this office level being provided by rooflights within the pitched roof slope. A clerestory band of obscure glazing is now suggested beneath the eaves to prevent potential overlooking towards your property.
- iii) the original curtain wall glazing to the courtyard centre building has been removed and a more solid elevation created, with painted render piers and part glazed/part timber panelled infill sections added.
- iv) the rear courtyard building has been provided with a similar masonry and infill panel elevation, with reduced size windows at First Floor level to limit any potential overlooking towards your property.

comment:  
david burgess  
do not (sic) fee  
david mean  
do not (sic) fee  
john horace  
do not (sic) fee  
associate:  
jeremy flavell

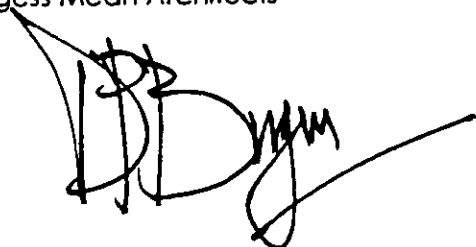
- v) the single storey courtyard extension to the front building has been remodelled to create a glazed pitched roof section local to the boundary with your property to reduce the height of the structure and sense of enclosure local to your conservatory extension.
- vi) the rear courtyard has been provided with an indicative landscaping layout, which includes a refuse storage enclosure beside the boundary wall, similar to the present arrangement, although unlike the original, we intend to provide a roof covering over this structure.

We trust that these amendments meet with your approval and should you have any further comments, then we would be most pleased to meet with you to discuss them at your convenience.

We would be grateful, that if you are happy with our new scheme and you have no further objections, then perhaps you could write to the Council to advise them accordingly so that our clients' application can be duly processed.

Kind regards.

Yours sincerely  
Burgess Mean Architects



David Burgess

cc. Susan Hoffman - Mountcashel plc  
T Oakley, Esq - The Town House Building Co  
Anne Salmon - The Royal Borough of Kensington & Chelsea Planning Department

Encs.

**APPENDIX 9**  
**Proposed Development: Floor Plans, Elevations and Sections**

**PLANS SENT TO INSPECTORATE AS PART OF SUBMISSION**  
**(Copies not enclosed herein)**

Conservation, prior to the commencement of works, and the boarding shall only be carried out as so approved and shall be so maintained.

Reason - To ensure a satisfactory standard of external appearance. (R071)

12. The window in the rear elevation of the block adjacent to 26 Kelso Place at first floor level shall be obscurely glazed and so maintained.

Reason - To safeguard the privacy of the adjoining occupier.

INFORMATIVES

1. I11
2. I21
3. I30
4. I51 ... CD25, CD28, CD30, CD30A, CD44, CD52, CD53, E2 and TR39
5. You are advised to consult Mr. Kostic, Private Works Engineer, in the Directorate of Environmental Services with regard to the removal of the existing crossover and making good of the footway.

**APPENDIX 10**  
**Report of the Executive Director, Planning and Conservation Department,**  
**9 August 2000**



ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

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APP NO. PP/00/01400/CHSE/24/  
PLANNING SERVICES COMMITTEE 05/09/2000 AGENDA ITEM NO. 2090

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ADDRESS

27 Kelso Place, Kensington,  
W8 5QG

APPLICATION DATED 02/06/2000

APPLICATION COMPLETE 15/06/2000

APPLICATION REVISED 31/07/2000

APPLICANT/AGENT ADDRESS:

Burgess Mean  
Architects,  
Ivydell House,  
3 Cowper Road,  
London, SW19 1AA

CONSERVATION AREA De Vere

CAPS Yes

ARTICLE '4' No

WARD Queen's Gate

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 19

OBJECTIONS 50.

SUPPORT 0

PETITION 0

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Applicant Mount Cashel PLC

PROPOSAL:

Alterations and extensions and refurbishment of existing office buildings including ground floor extensions, alterations to the elevations and roof form of the main building and alterations to the elevations in the Kelso Place frontage for single user office accommodation.

RBK&C Drawing No(s): PP/00/01400, PP/00/01400/A and PP/00/01400/B  
Applicant's drawing No(s): 98216/001, 98216/02, 20305/001, 20305/002,  
20305/003, 20305/004, 20305/05B, 20305/06B and  
20305/007

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RECOMMENDED DECISION: Grant planning permission

**CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:**

1.       **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**  
*Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)*
2.       **The second floor clerestorey windows in the courtyard elevation of the main building shall be obscurely glazed and shall be so maintained.**  
*Reason - To safeguard the amenity of neighbouring property. (R042)*
3.       **The roof glazing in the single storey extension adjacent to No. 26 Kelso Place shall be obscurely glazed and shall be so maintained.**  
*Reason - To safeguard the amenity of neighbouring property. (R042)*
4.       **No water tank, lift motor room, or other roof structure, shall be erected which rises above the level of the roof hereby approved. (C077)**  
*Reason - To safeguard the appearance of the building / area. (R077)*
5.       **The infill extension on the front elevation shall be finished in yellow stock brickwork to match the brickwork on the elevation of the existing building and shall be so maintained.**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
6.       **The windows shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
7.       **The ground floor entrance screen shall be constructed in timber and shall be so maintained.**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
8.       **The roof of the main building shall be finished in natural Welsh slates and shall be so maintained.**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
9.       **A sample of the window frames of the internal aluminium framed windows shall be submitted to and approved in writing by the Executive Director, Planning and Conservation prior to the commencement of works, and the window frames shall be installed as so approved and shall be so maintained.**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
10.      **The rooflights in all roof slopes shall be conservation style rooflights set flush with the roofslopes and shall be so maintained.**  
*Reason - To ensure a satisfactory standard of external appearance. (R071)*
11.      **A sample of the cedar cladding of the courtyard buildings shall be submitted to and approved in writing by the Executive Director, Planning and**

## 1.0 SITE

1.1 27 Kelso Place is an existing office development with a two storey main building fronting onto a courtyard and two storey buildings including a glazed structure fronting onto Kelso Place, with access to parking in the courtyard off Kelso Place.

1.2 The site is within the De Vere Conservation Area.

## 2.0 THE PROPOSAL

2.1 Planning permission is sought for alterations, extensions, and refurbishment of the existing office buildings. The proposal includes ground floor extensions, alterations to the elevations and roof form of the main building, and alterations to the elevations on the Kelso Place frontage.

2.2 No change of use is proposed. The extensions would provide an additional 185 sq.m. of office floorspace.

## 3.0 PLANNING HISTORY

3.1 Planning permission was granted on 5th September 1960 for the erection of a three storey block of 8 flats with garages for 2 cars and parking space at the rear for 2 cars.

3.2 Planning permission was granted on 13th September 1979 for the reconstruction of the glazed facade damaged by fire, including the replacement of the existing garage doors and brickwork.

3.3 Planning permission was granted on 5th June 1980 for the construction of a retractable fabric canopy to cover the internal courtyard.

## 4.0 PLANNING CONSIDERATIONS

4.1 There are five main items for consideration in this proposal:

4.1.1 Any implications regarding increased office floorspace and impact on residential amenity.

4.1.2 The principle of the infill extension under the arch at ground floor level on the Kelso Place elevation and the resulting loss of on-street parking within the site.

4.1.3 The design and form of the ground floor extensions adjacent to No. 26 Kelso Place and the effect of these on levels of amenity enjoyed by the occupiers of the neighbouring residential property.

4.1.4 The alterations to the elevations of the buildings on the Kelso Place elevation and the effect of these on the character and appearance of the conservation area.

4.1.5 The alterations to the elevations and roof form to the main building fronting onto the courtyard and the effect of this and the character and appearance of the conservation area.

4.2 The relevant policies are included within the 'Conservation and Development', 'Offices and Industry' and 'Transportation' chapters of the Unitary Development Plan and the Proposed Alterations to the Unitary Development Plan, in particular Policies CD25, CD28, CD30, CD30A, CD41, CD44, CD52, CD53, E2 and TR39.

#### Increase in Office Floorspace

4.3 The existing offices are mainly on two floors with a small amount of accommodation in a mezzanine floor. The existing office accommodation comprises 577 square metres. The additional office area of 185 square metres, or approximately 32%, is considered to be acceptable because it represents a relatively small increase in the office use. This is not considered to detract substantially from the residential amenity of the area. The scheme has been amended to reduce the impact of the proposal, and on additional floorspace, on the amenities of nearby residents. The increase in office floorspace of 185 sq.m. is not considered to contravene any of the 'Offices and Industry' policies of the Unitary Development Plan, and the proposal remains to be considered against the other policies of the Plan.

#### The front ground level infill

4.4 There is an existing courtyard accessed from Kelso Place which is capable of providing 3 off-street parking spaces for the existing office use. The Transportation Officer has commented that the Unitary Development Plan parking standards seek a maximum of 1 space per 1500 square metres for this type of land use. However, this provision is not considered to be essential and in this instance is not desired, given the residential nature of the area. An Informative is recommended, advising that the crossover should be removed and the footway made good at the applicant's expense. (The applicants have stated in writing that they are prepared to do this).

4.5 The proposed ground floor infill extension would fill the arch at ground floor level on the Kelso Place elevation and extend to approximately half the depth of the courtyard leaving a much smaller open area towards to the rear of the site.

4.6 The present courtyard is only used for parking purposes, and it is considered that the creation of a smaller courtyard within the office buildings would not harm the amenities of the area.

4.7 The front elevation, comprising glazing set within the existing arch, is

considered to be acceptable and would not detract from the appearance of Kelso Place.

The extension adjacent to No.26

4.8 There is an existing conservatory to No. 26 which abuts the side boundary with No. 27. This slopes up to a ridge from the side boundary wall.

4.9 The extension adjacent to No. 26 is a single storey extension, with a sloping roof angled away from the boundary in order to reduce the height on the boundary to No. 26. It is considered that this would not result in a significant increase in enclosure to No. 26. In addition, since this is an office building, it is considered that its use would not result in a significant intrusion in terms of lighting adjacent to the boundary because it would be used in office hours.

4.10 This extension continues with a flat roof across the site from south to north behind the front buildings which are two storey in height.

4.11 Adjacent to the single storey extension, a small brick dustbin enclosure is proposed within the courtyard. This is all below the boundary wall and is not considered to be harmful to the residential amenity of the neighbours.

Kelso Place elevation

4.12 There is currently a two storey narrow block with no windows adjacent to No. 26, a glazed first floor over the arch onto the site and a two storey building with sash windows and rooflights set in a shallow roofslope behind the front parapet adjacent to No. 28.

4.13 It is proposed to insert two windows to match those on the north side of the entrance into the narrow southern partition. In addition, it is proposed to replace the exiting glazed portion with solid structure with a flat roof, with two sash windows in the front elevation. The roof pitch of the northern building on the front would not be altered, but replacement rooflights are proposed.

4.14 The design of the buildings on the front elevation is considered to be acceptable. It is considered that these would not harm the appearance of the street nor the character of appearance of the conservation area.

Courtyard alterations

4.15 The roof pitches to the west and north sides of the building are not proposed to be altered. A continuous rooflight is proposed in the north roofslope. This would be set flush with the roof, and is considered to be acceptable. One rooflight would be removed from the roofslope on the west elevation.

4.16 Within the courtyard, the existing building across the western end has a rendered finish, with one large window at first floor level and doors at ground floor level. It is proposed to remodel the elevation to provide a glazed screen at ground floor level across part of the building, with two windows over the glazed portion set in timber cladding and the remainder of the building in render. No increase in the height of the buildings is proposed.

4.17 On the courtyard elevation of the main building, it is proposed to raise the front wall, making the roof slope shorter and less steep. Rooflights would be provided in the front roofslope. It is considered that this increase in height of 0.8m would not result in a significant increase in enclosure to any neighbouring properties.

4.18 The courtyard elevation of the building, which is fully glazed at present, would be finished in glazing at ground floor level, cedar boarding at first floor level with three windows, and a line of obscurely glazed windows at second floor levels to light the second floor of the building. This detailing, including the cedar cladding, would be repeated on the first floor of the west range and the rear of the front range, to create a more harmonious arrangement.

4.19 The design of the refaced building is considered to be acceptable. It is considered that the alterations would not harm the character or appearance of the Conservation Area and would comply with the relevant planning policies.

## 5.0 CONSULTATION

5.1 Occupiers of 19 neighbouring properties in Kelso Place and St. Mary's Place have been notified of the proposal.

5.2 To date, fifty letters raising objection to the scheme have been received.

5.3 The Victoria Road Residents' Association have objected both directly and via a consultant. Concern is raised at the increase in density of the office use, the increase in the bulk of the building, loss of light to surrounding properties and loss of parking within the existing site.

The full additional storey over the main courtyard building and the buildings to the front on Kelso Place has been deleted from the scheme. The roof of the courtyard building would be altered in pitch to make a more usable roofspace. It is considered that the loss of off-site parking within the site complies with the policies of the amended Unitary Development Plan. This is a mostly residential area, but is close to public transport.

5.4 The Kensington Green Residents Association have objected on the grounds of loss of sunlight and result of the additional storey.

The additional storey to the courtyard building which would have affected them has been deleted.

Concern is also raised regarding overlooking from windows in the west elevations. No windows are proposed in this elevation.

5.5 Many residents of Kelso Place object to the proposal on the grounds of loss of light as a result of the additional storey. This part of the proposals could well

have resulted in light problems and has now been deleted from the scheme. The additional office accommodation would be gained by alterations rather than substantial extensions at roof level.

5.6 Concern is raised by the occupier of No. 26 regarding increased enclosure and loss of privacy. The extension at ground floor level adjacent to No. 26 has a sloping roof angled away from the boundary with No. 26 to avoid any increase in enclosure. The clerestorey windows in the office building at second floor level will be obscurely glazed to avoid overlooking.

5.7 Many of the residents also object to the proposal on the grounds of increased congestion because of the much larger office building.

The bulk of the extensions, and thereby a large amount of the increase in office space, has been deleted from the proposal. The extent of the extensions now proposed is not considered to result in loss of amenity to an extent which would justify a refusal of planning permission.

5.8 The objectors have been renotified of the revised proposals. Any further representations will be reported.

## 6.0 RECOMMENDATION

6.1 Grant planning permission.

**M.J. FRENCH**  
**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

### List of Background Papers:

The contents of file PP/00/01400 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: ALS  
Report Approved By: DT/LAWJ  
Date Report Approved: 09/08/2000

PSC0009/ALS.REP

**APPENDIX 11**  
**Standard Questionnaires: Employees, Visitors and Suppliers**



**Staff (to be completed by each member of staff once)**  
**How do you typically travel to the office each working day**

<b>Name</b>	
<b>Origin - where do you travel from every day?</b>	
<b>How do you travel to work?</b>	<b>How do you travel from work?</b>
Walk <input type="checkbox"/>	Walk <input type="checkbox"/>
Bike <input type="checkbox"/>	Bike <input type="checkbox"/>
Bus <input type="checkbox"/>	Bus <input type="checkbox"/>
Tube/Train <input type="checkbox"/>	Tube/Train <input type="checkbox"/>
Car/car share <input type="checkbox"/>	Car/car share <input type="checkbox"/>
Taxi <input type="checkbox"/>	Taxi <input type="checkbox"/>
Other <input type="checkbox"/>	Other <input type="checkbox"/>
<b>If you use more than one mode of transport, please explain:</b>	
<b>If you car share how many people travel in the car?</b>	
<b>If you travel by car, where is it parked during the day?</b>	Office Parking Space <input type="checkbox"/>
	Car Park <input type="checkbox"/>
<i>If you park in the street, please specify street name</i>	Street <input type="checkbox"/>
	_____
	Other <input type="checkbox"/>
<b>How do you travel to and from meetings during the day?</b>	Walk <input type="checkbox"/>
	Bike <input type="checkbox"/>
	Bus <input type="checkbox"/>
	Tube/Train <input type="checkbox"/>
	Car/car share <input type="checkbox"/>
	Taxi <input type="checkbox"/>
	Other <input type="checkbox"/>

**Suppliers**

<b>Date</b>	
<b>What is the reason for your visit to this office?</b>	
<b>How did you travel to/from this office today?</b>	
Bike	<input type="checkbox"/>
Motor Bike	<input type="checkbox"/>
Van	<input type="checkbox"/>
Taxi	<input type="checkbox"/>
Other	<input type="checkbox"/>
<b>Where did you park?</b>	

## Visitors

Date	
What is the reason for your visit to this office?	
How many people in your party?	
How did you travel to this office today?	
Walk	<input type="checkbox"/>
Bike	<input type="checkbox"/>
Bus	<input type="checkbox"/>
Tube/Train	<input type="checkbox"/>
Car/car share	<input type="checkbox"/>
Taxi	<input type="checkbox"/>
Other	<input type="checkbox"/>
If you travelled by car, where is it parked?	
Office Parking Space	<input type="checkbox"/>
Car Park	<input type="checkbox"/>
Street	<input type="checkbox"/>
<i>If you parked in the street, please specify street name</i>	
Other	<input type="checkbox"/>
How will you travel when you leave this office today?	
Walk	<input type="checkbox"/>
Bike	<input type="checkbox"/>
Bus	<input type="checkbox"/>
Tube/Train	<input type="checkbox"/>
Car/car share	<input type="checkbox"/>
Taxi	<input type="checkbox"/>
Other	<input type="checkbox"/>

**APPENDIX 12**  
**Survey Results**

# 27 KELSO PLACE, LONDON W8

## RESULTS OF SURVEY INFORMATION FOR TRAVEL PLAN

### TRAVEL TO/FROM WORK

	EXISTING STAFF	PROPOSED STAFF
WALK	0	5
BIKE	0	0
BUS	1	0
TUBE/TRAIN	20	10
CAR/CAR SHARE	7	2
TAXI	0	0
OTHER	0	0
BUS AND TRAIN	1	0
WALK AND TRAIN	5	0
CAR AND TRAIN	2	2
CAR AND TAXI	0	1
	36	20

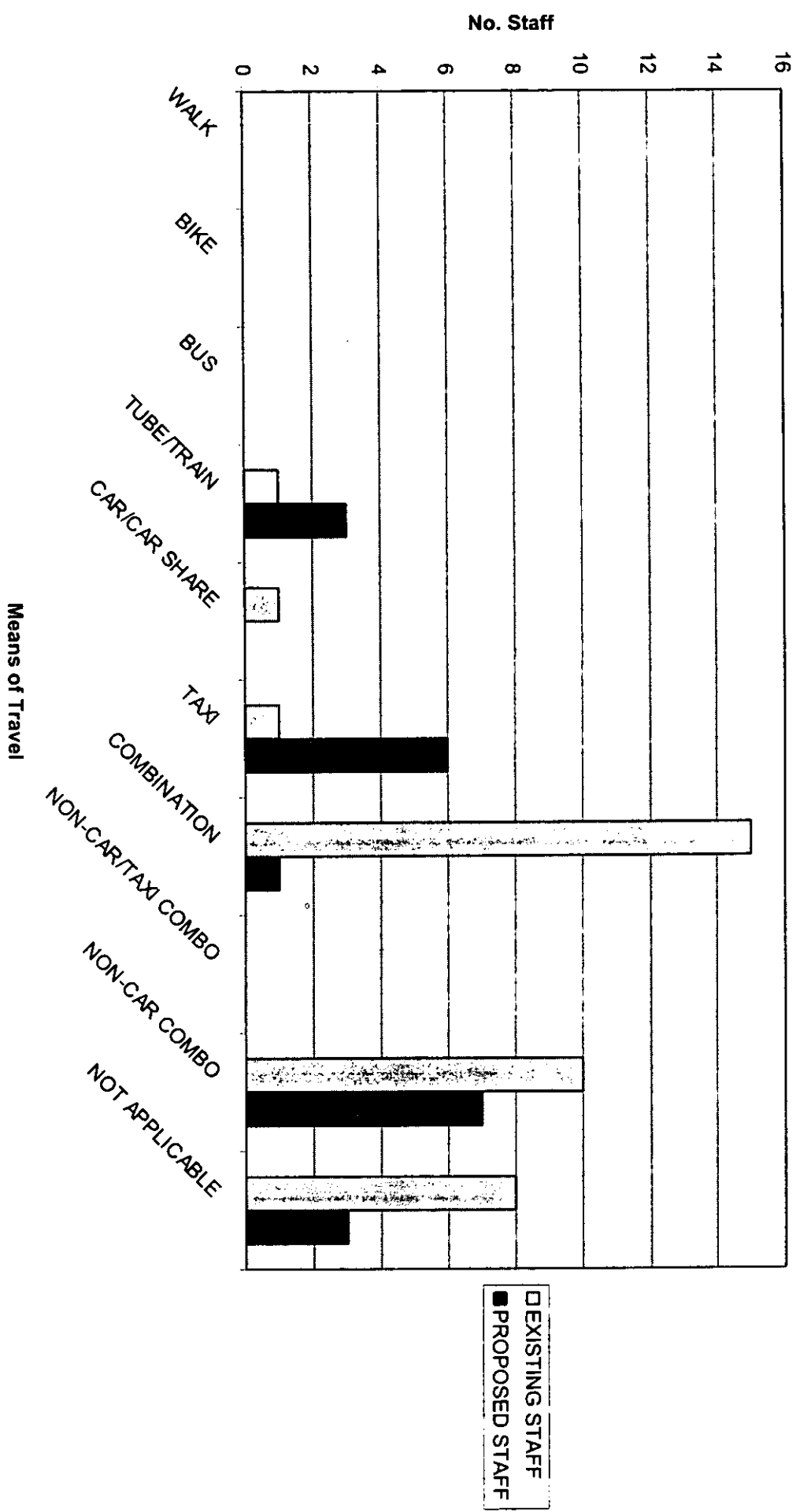
### WHERE CAR PARKED DURING THE DAY

	EXISTING STAFF	PROPOSED STAFF
OFFICE PARKING SPACE	7	0
CAR PARK	2	3
STREET	0	0
	9	3

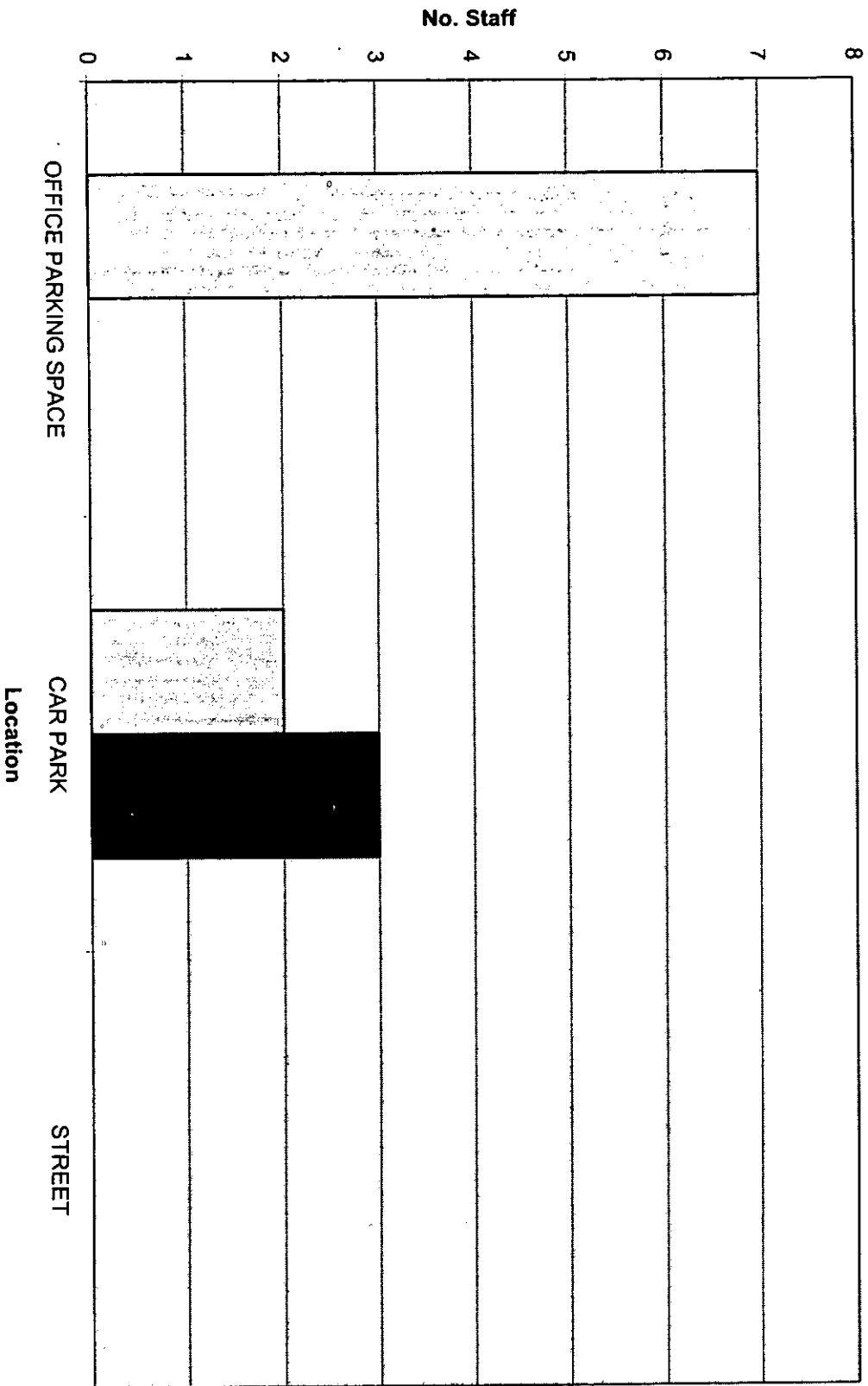
### TRAVEL TO AND FROM MEETINGS DURING THE DAY

	EXISTING STAFF	PROPOSED STAFF
WALK	0	0
BIKE	0	0
BUS	0	0
TUBE/TRAIN	1	3
CAR/CAR SHARE	1	0
TAXI	1	6
COMBINATION	15	1
NON-CAR/TAXI COMBO	0	0
NON-CAR COMBO	10	7
NOT APPLICABLE	8	3
	36	20

# TRAVEL TO/FROM MEETINGS DURING THE DAY

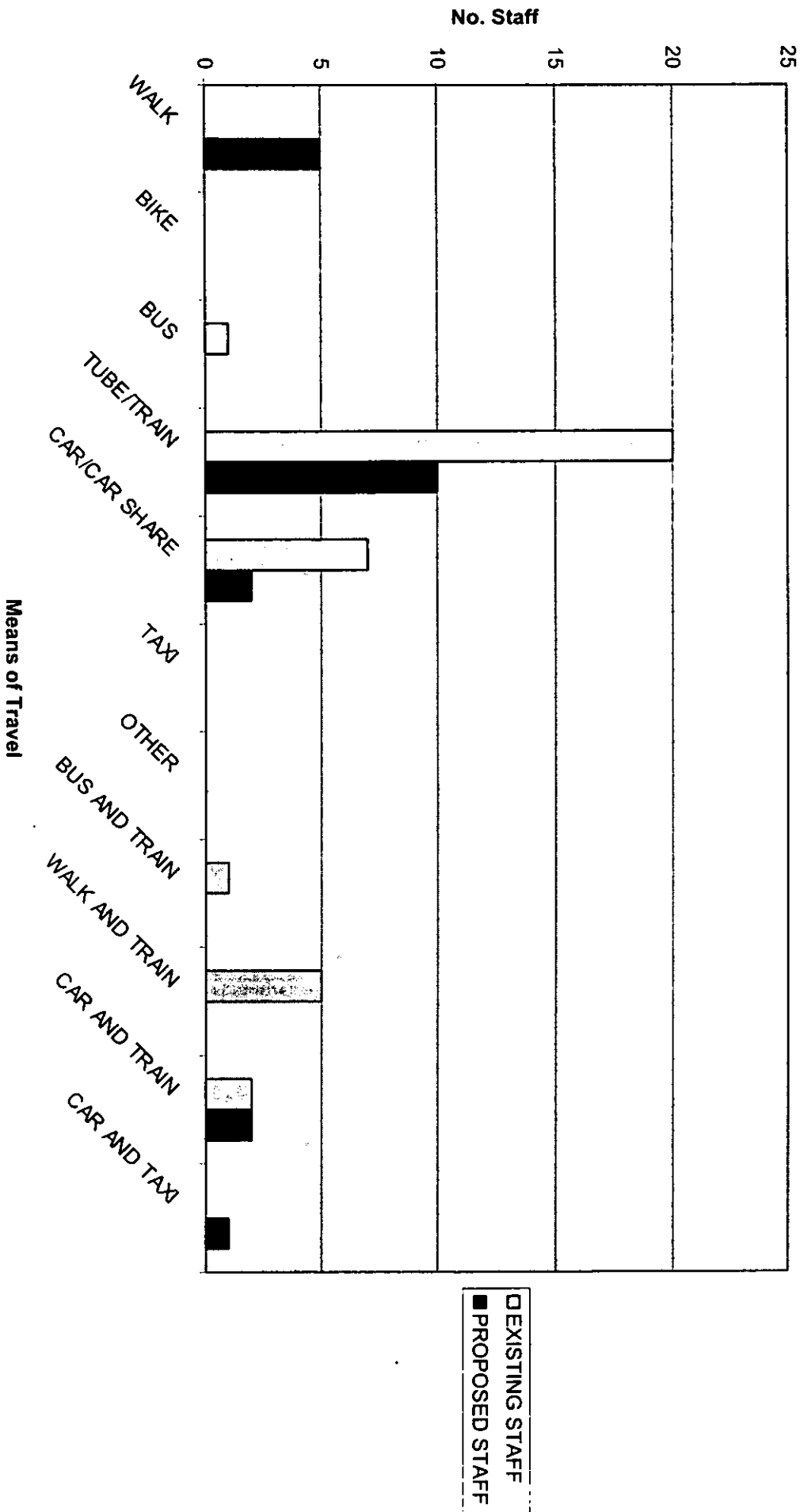


WHERE CARS ARE WOULD BE PARKED AT 27 KELSO PLACE



EXISTING STAFF  
 PROPOSED STAFF

# MEANS OF TRAVEL TO/FROM WORK AT 27 KELSO PLACE





**APPENDIX 13**  
**Letter from Barclay Stratton**



Albert House . 27 Kelso Place . London W8 5QG . Telephone 020 7544 6000 . Fax 020 7544 6290  
Website: [www.barclaystratton.com](http://www.barclaystratton.com)

30<sup>th</sup> November 2000

Ms Susan Hoffman  
Mountcashel plc  
223a Kensington High Street  
London W8 6SG

By fax and post

Dear Susan

Further to your request for information about the number of visitors to our office, on a typical working day between 10 and 12 people visit our office for meetings, typically in groups of 2-4 people.

Yours sincerely

Jenny Thomas  
Managing Director



Barclay Stratton Limited . Registered Office: 40/41 Molesworth Street London WC1A 1LT .  
Registered in England & Wales No 2336723  
PRCA Compliance Management Standard . A member of PricewaterhouseCoopers Worldwide . A global network with 60 offices in 33 countries

**APPENDIX 14**  
**Appeal Decision Letter: 22 Chelsea Manor Street, London SW3**



**Planning Inspectorate**  
**Department of the Environment**

Room 1404 Tollgate House Houlton Street Bristol BS2 9DJ  
 Telex 449321

Direct Line 0272-218927  
 Switchboard 0272-218811  
 GTN 1374

COMPASS	
DCP	14.1
D/BASE	

Baker & McKenzie  
 Solicitors  
 Aldwych House  
 Aldwych  
 LONDON WC2 4JP

Your Reference:

Our Reference:

T/APP/K5600/A/88/93596/P2

Date:

9 NOV 88

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9, AS  
 AMENDED BY THE HOUSING AND PLANNING ACT 1986  
 LOCAL GOVERNMENT ACT 1972 - SECTION 250 (5)  
 APPEAL, AND APPLICATION FOR COSTS, BY COMSHARE LTD  
 APPLICATION NO:- TP/87/0162/L/46

1. I have been appointed by the Secretary of State for the Environment to determine this appeal, against the decision of the Royal Borough of Kensington and Chelsea to refuse outline planning permission for the replacement of the existing roof by a mansard roof incorporating additional office floorspace, at 22 Chelsea Manor Street, London SW3. I held a local inquiry into this appeal on 18 October 1988. At the inquiry, an application for costs against the Council was made on behalf of your client, and I deal with this separately below.

**APPEAL**

2. Comshare Ltd has ground and first floor accommodation within a predominantly modern development occupying what is almost an island site between Chelsea Manor Street, Flood Walk and Chelsea Manor Gardens, just off Kings Road. This development comprises a 2-storey podium building, with 2 blocks of private flats (Chelsea Towers) above, and, in general terms, occupies a transitional position between the primarily commercial frontage of Kings Road, and the predominantly residential area to the south of that thoroughfare. The streets here are subject to parking controls, with a mixture of meters and residents-only parking areas. The proposal relates to that part of the building which faces Flood Walk, and involves the replacement of the present north-lit roof by an additional floor of office accommodation, in the form of what is described as a mansard roof. This project would result in the addition of some 1388 sq m of floorspace, to Comshare's present accommodation of about 4087 sq m (of which the office area evidently accounts for some 3158 sq m).

3. I have been conscious, in my consideration of this appeal, that there has been a considerable number of letters, raising objections to this proposal, from local residents. Some of the matters raised therein relate to matters which are, in my view, of little relevance to this appeal, for example, the problems caused in the past by emission of steam, or water-vapour, from your client's air-conditioning system. Nor, bearing in mind that the plans submitted with the outline application were intended to be illustrative only of how the scheme could be carried



out, do I see any reason to disagree with the Council's view that such concerns as loss of privacy and light can be resolved at detailed stage. There is, however, a general view held by those residents that this additional floorspace would be likely to generate additional traffic which would be harmful to this area, and it was clear to me from Mrs Hampson's evidence that this is the Council's principal objection to this proposal, bearing in mind that it is the major aim of the District Plan to 'maintain and enhance the character and function of the Borough as a residential area'. Therefore, I consider that it is on this issue that your client's appeal turns.

4. Evidence was given that there is, at present, a daily average of 70-80 Comshare employees at these premises. It is anticipated that up to 80 additional employees would be based on the premises as a result of the proposed extension. 30 of these would be management and accounting staff transferred from other premises, the remainder being new programming staff, but of these latter personnel, it seems that only 1 in 5 will be in the office on each day, because of the nature of their duties. Mr Thompson used 2 methods in an attempt to predict the likely increase in vehicle movements in this area as a result of this proposal being implemented; firstly, by extrapolating the results of a recent survey at these premises, and, secondly, by using a GLC study which enables the parking demand for development proposals to be assessed in a standardized manner. The result was, according to Mr Thompson, that the increase in vehicle movements may be in the order of 30-50 per day, with a 'worst situation' figure of 60-70. Mrs Hampson, using the same GLC study, arrived at a similar 'norm' figure of 44, but suggested that because of relatively poor public transport in this area, this figure should be increased to about 84 additional movements. My conclusion was that public transport is not so poor as Mrs Hampson suggested, but even if there were as many as 84 additional movements (and I am conscious of Mr Beale's suggestion that the GLC study may now represent an underestimate of traffic generation), that would, evidently, represent an increase of less than 3% above the present traffic levels in Chelsea Manor Street.

5. It is noteworthy that no strong objections to this proposal were raised by the Council's traffic section, which considered that 'in a controlled parking location workers and visitors would be put off from using their own cars'. I am inclined to agree that difficulty of parking in this area may well act as a disincentive to the use of private cars, especially when used simply for the purpose of getting to and from work. However, I agree with Mrs Hampson that it is necessary to consider the effect of traffic on amenity. I consider that, in this case, it is not so much the amenity that residents have within their homes that is involved, since, in this area, which is one predominantly of multi-storey blocks of flats, many dwellings are relatively isolated from the roads. It is more a matter, as Mrs Hampson put it, of the amenity of living in a predominantly residential area. Yet, it seems to me that, for anyone living in a part of Chelsea where there is not only a high density of residential development, but also commercial properties and other traffic generators in very close proximity, it must be reasonably expected that a great deal of traffic, and its attendant problems, will be an unavoidable part of life. The increase in traffic which is likely to be brought about by this proposal will be small in proportion to that which now exists, and I am not persuaded that its impact on the amenity of local people will be so significant as to warrant turning down this proposal.

6. Therefore, my conclusion is that your client's appeal should be allowed. I have taken into account all other matters raised against this proposal, but these do not outweigh the considerations which have led me to this conclusion. I have considered the conditions that the Council suggested should be imposed on any permission, but it is my view that only the conditions which are normally applicable to an outline permission are necessary.

7. For the reasons given above, and in exercise of powers transferred to me, I hereby allow this appeal, and grant planning permission for the replacement of the existing roof by a new mansard roof incorporating additional office floorspace, at 22 Chelsea Manor Street, London SW3, in accordance with the terms of the application (No: TP/87/0162/L/46) dated 23 January 1987, with illustrative plans submitted therewith, subject to the following conditions:-

1. a. approval of the details of the siting, design and external appearance of the extension (hereinafter called "the reserved matters") shall be obtained from the local planning authority;
- b. application for approval of the reserved matters shall be made to the local planning authority before the expiration of 3 years from the date of this letter;

2. the development hereby permitted shall be begun on or before whichever is the later of the following dates:

a. 5 years from the date of this letter; or

b. the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter approved;

8. Attention is drawn to the fact that an applicant for approval of reserved matters has a statutory right of appeal to the Secretary of State if approval is refused or granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

9. This letter does not convey any approval, or consent which may be required under any enactment, byelaw, order or regulation other than section 23 of the Town and Country Planning Act 1971. Your client's attention is drawn to the enclosed note relating to the provisions of the Chronically Sick and Disabled Persons Act 1970.

#### APPLICATION FOR COSTS

10. In support of the application for costs, it was said for your client that the Council had not produced substantial evidence to support its decision; that the evidence produced was generalized; and that it did not satisfy the criterion of showing that the development would cause demonstrable harm to interests of acknowledged importance.

11. In reply, it was said for the Council that the generalized nature of the evidence was due to the nature of this case; that the character of the area and traffic/congestion had been taken into account; that whilst the officers had recommended approval, the report had not been strongly in favour of such a course; and that the Council had concluded here that 'enough was enough'.

### My Conclusions

12. In determining this application for costs, I have borne in mind that in planning appeals the parties are normally expected to meet their own expenses, irrespective of the outcome of the appeal, and that costs are awarded only on grounds of unreasonable behaviour. Accordingly, I have considered the application for costs in the light of Circular 2/87, the appeal papers, the evidence submitted by the parties, and all the relevant circumstances in this appeal.

13. I agree with the Council that the nature of its evidence stemmed from the nature of their objection to the proposal. This objection related to the impact on residential amenity of the additional traffic likely to be generated by the proposal, and this is certainly an interest of acknowledged importance. The Council used the same GLC study as your client to assess the likely levels of additional traffic, but the issue between the 2 parties was not so much the results of these calculations, which were broadly similar, as the impact that such additional traffic would have on amenity. An assessment of such impact is not, in a case such as this, susceptible to either measurement or calculation, and must, essentially, be a matter of opinion. My opinion on the effect on amenity was different to that of the Council, but I find no basis for concluding that the Council were unreasonable in coming to the view they did.

### Formal Decision on Costs

14. For the above reasons, and in exercise of the powers transferred to me, I hereby determine that that your application for an award of costs be refused.

I am Gentlemen  
Your obedient Servant



C F TREWICK ARICS  
Inspector

9/11/88

Ref No: T/APP/K5600/A/88/93596/P2

**APPEARANCES****FOR THE APPELLANT**

Mr G Roots

- Counsel, instructed by Baker & McKenzie, Solicitors, of London

He called:

Mr G J Chapman

- Data Centre Manager, Comshare Ltd

Mr N Thompson BA(Hons) BPI MA MRTPI

- Associate, Nathaniel Lichfield & Partners, of London

**FOR THE COUNCIL**

Mr D Bulman

- Solicitor, with the Royal Borough of Kensington & Chelsea

He called:

Mrs W A B Hampson BA(Hons) DipTP  
MRTPI

- Appeals Officer, with the Royal Borough of Kensington & Chelsea

**INTERESTED PERSONS**

Mr J Herzog

- 16 Chelsea Towers, Chelsea Manor Street, London SW3

Mr N Beale

- Chairman, Chelsea Towers Residents Ass, 20 Chelsea Towers, Chelsea Manor Street, London SW3

**DOCUMENTS**

Document 1 - List of persons present at the inquiry

Document 2 - Letters of objection, submitted by the Council

Document 3 - Appendices to Mr Thompson's proof

Document 4 - Extracts from District Plan

Document 5 - Copy of application form



- Document 6 - Letter notifying nearby owners of application, with replies
- Document 7 - Officers' report to Committee
- Document 8 - Copy of decision notice
- Document 9 - List of conditions suggested by the Council

#### PLANS

- Plan A - Plans submitted with application
- Plan B - Plans (including photos) submitted by Mr Thompson
- Plan C - Isometric plan of Comshare premises
- Plan D - Land Use plan, submitted by the Council
- Plan E - Plan showing on-street parking provision.

**APPENDIX 15**  
**Location Map for 22 Chelsea Manor Street**

# 22 CHELSEA MANOR STREET, SW3



**22 Chelsea Manor  
Street, SW3**

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(Scales other than at Survey Scale should not be used for accurate measurement). Business occupancy data ©2000 Thomson Directories Ltd.



## LOCATION MAP











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(no drawing possible)

97/FEB/26

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