

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO. PP/00/02859/CUSE

MEMBERS' PANEL

ADDRESS

Estate Manager's Flat,
Sutton Estate, Cale Street,
London, SW3 3SG

APPLICATION DATED 06/09/2000

APPLICATION COMPLETE 13/12/2000

APPLICANT/AGENT ADDRESS:

William Sutton
Trust,
Two Waters House,
Lawn Lane,
Hemel Hempstead, Herts. HP3 9WH

CONSERVATION AREA Chelsea

CAPS Yes

ARTICLE '4' No

WARD Church

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 1

OBJECTIONS 1

SUPPORT 0

PETITION 0

Applicant William Sutton Trust,

PROPOSAL:

Change of use of Estate Manager's Flat (Class C3) above the Estate Office into a meeting room for the Estate's Tenants' Association for Committee Meetings, Advice Sessions and the co-ordination of community activities (Class D1).

RBK&C Drawing No(s): PP/00/02859

Applicant's Drawing No(s): 1, 2 and unnumbered annotated site plan (received 07/09/2000)

RECOMMENDED DECISION: Grant planning permission

DELEGATED
APPROVAL
11 APR 2001

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. **This permission shall be personal to the William Sutton Trust and shall not enure for the benefit of the land. (C006)**
Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case/applicant, and considers that use otherwise than by the William Sutton Trust would have had different implications, and would be likely to have resulted in planning permission being refused. (R006)
3. **No music shall be played within the premises the subject of this permission so as to be audible outside the premises. (C048)**
Reason - To safeguard the amenity of neighbouring property. (R048)
4. **The premises the subject of this permission shall only be used for social and community purposes by the Tenants' Association of the William Sutton Trust and for no other purpose.**
Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case/applicant, and considers that use otherwise than by the Tenant's Association of the William Sutton Trust for social and community facilities would have had different implications, and would be likely to have resulted in planning permission being refused. (R006)

INFORMATIVES

1. I10
2. I30
3. I38
4. 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 H1, SC5, STRAT13 and STRAT14. (I51)



1.0 THE SITE/LOCATION

- 1.1 The Sutton Estate is a 463 unit housing estate owned and operated by the William Sutton Trust and located on the North side of Cale Street. It is bounded to the West by Ixworth Place, to the North by Marlborough Street and to the East by Elystan Place.
- 1.2 The three bedroom Estate Manager's Flat occupies the 1st floor of a two storey detached property located in the centre of the estate. The ground floor of the property is occupied by the Trust's Estate Office.
- 1.3 The buildings of the estate are not listed. Whilst part of the Estate is within the Chelsea Conservation Area the building to which the application relates falls outside it.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the Change of Use of the Estate Manager's Flat (Residential Use - Class C3) over the Trust's Estate Office into a base for the Estate's Tenants' Association. The Tenants' Association would use the flat to hold Committee Meeting, advice sessions and as a base for co-ordinating community activities. The proposed use of the flat would be for Social and Community Purposes (Class D1).
- 2.2 No external alterations are proposed.

3.0 RELEVANT PLANNING HISTORY


- 3.1 There is no relevant planning history.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration are the principle of the loss of residential accommodation and the effect of the proposals on the existing levels of amenity enjoyed by neighbouring residential properties, including those on the Estate.
- 4.2 The relevant planning policies are contained within the "Housing", "Social and Community Uses" and "Conservation and Development" Chapters of the Unitary Development Plan and proposed alterations of the Unitary Development Plan.

Loss of Residential Accommodation

- 4.3 The loss of residential accommodation is contrary to Council Policy in particular Policy H1 which is to resist the loss of permanent residential accommodation in all but the most exceptional circumstances.

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- 4.4 However, Policy SC5 is normally to permit proposals for the development of social and community facilities to meet local needs unless certain criteria apply.
- 4.5 These criteria include where the property is suitable for residential purposes, nonetheless in this instance an exception is considered justified. Furthermore, paragraph 5.2.1 of the proposed alterations to the Unitary Development Plan states that the change of use from residential accommodation may be acceptable where an essential community facility requires accommodation.
- 4.6 This is a relatively large estate with 463 residential flats, including 73 providing sheltered accommodation. At present there is nowhere for the Tenants' Association to meet and this location is considered ideal since it is directly above the Trust's Estate Office, in the middle of the estate and away from other flats. In addition the Estate Manager's Flat has not been occupied since 1999 since the Estate Manager now lives off the Estate.
- 4.7 In view of the above the proposal is considered acceptable in land use terms subject to conditions restricting the use of the premises to Social and Community Use and to the William Sutton Estate only.

Amenity Considerations

- 4.8 The location of the Flat, above the Trust's Estate Office and in the centre of the estate is considered ideal in amenity terms. The proposed base for the Tenants' Association would be away from the main residential accommodation and, therefore, not likely to cause any noise disturbance. In any event the Trust state that it is not proposed that any social events or other activity generating noise or disturbance would take place at the premises.

5.0 PUBLIC CONSULTATION

- 5.1 A letter of notification was sent to the Estate Manager of the Sutton Estate. In addition a site notice was displayed on the railing outside the Trust's Estate Office. To date one letter of objection has been received.
- 5.2 The letter of objection is from the Chelsea Society who state that they object to the conversion of a flat into an office since loss of residential is contrary to STRAT13 and 14 as well as Policy H1 of the Unitary Development Plan and, therefore, should be resisted.

It is considered that the Change of Use into an office would normally be unacceptable. However, in this case a base for the Tenants' Association is proposed which is a valuable social and community facility meeting local need. In view of this the proposal is considered acceptable.



6.0 **RECOMMENDATION**

6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

DPI

Ac
Waters

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

~~PLANNING & CONSERVATION COMMITTEE~~
~~PLANNING SERVICES COMMITTEE~~
MEMBERS PANEL

APP NO. PP/00/02859
AGENDA NO.

CUB3

ADDRESS/SUBJECT OF REPORT:

Estate Manager's
Flat, Sutton Estate,
Cale Street,
London, SW3 3SG

APPLICATION DATED 06/09/2000

APPLICATION REVISED

APPLICATION COMPLETE 13/12/2000

APPLICANT/AGENT ADDRESS:

William
Sutton Trust,
Two Waters House,
Lawn Lane,
Hemel Hempstead, Herts.
HP3 9WH

CONS. AREA Chelsea CAPS Yes

ARTICLE '4' No WARD Church

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED | OBJ. |

SUPPORT 0 PET. 0

RECOMMENDED PROPOSAL:

Change of use of Estate manager's flat (class C3) above the Estate office into ~~an office~~ ^{a meeting room} for the Estate's Tenants' Association ~~for committee meetings~~ for committee meetings, advice sessions and the co-ordination of community activities. (Class D1)

RBK & C DRAWING NO(S): PP/00/2859

APPLICANT'S DRAWING NOs: 1, 2 and unnumbered annotated site plan (received 7/9/00)

RECOMMENDED DECISION:

Grant Planning Permission.

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

① C.1 ② C.6 The William Sutton Trust.....

③ C.48

④ The premises the subject of this permission shall only be used for social and community purposes ~~for committee meetings~~ by the Tenants' Association of the William Sutton Trust and for no other purpose.

(cont).

REASONS

- ① R.1
- ② R.6 The William Jutter Trust
- ③ R.48
- ④ R.6 The Tenants Association of the William Jutter Trust for Social and Community facilities

INFORMATIVE

- ① 1.10
- ② 1.30
- ③ 1.38
- ④ I51.. H1, SC5, STRAT13, STRAT14.

1.0 SITE/LOCATION.

463 unit

1.1 The Sutter Estate is a housing estate owned and operated by the William Sutter Trust and located on the North side of Cole Street. It is bounded to the West by Exmouth Place, to the North by Marlborough Street and to the East by Elystan Place.

Three bedrooms

1.2 The Estate manager's flat occupies the 1st floor of a two storey detached property located in the centre of the estate. The ground floor of the property is occupied by the Trust's Estate Office.

1.3 The buildings of the estate are not listed, whilst part of the Estate is within the Chelsea Conservation Area the building to which the application relates falls outside it.

2.0 THE PROPOSAL.

2.1 Planning Permission is sought for the change of use of the Estate manager's flat (Residential Use - Class C3) over the Trust's Estate Office into a base for the Estate's Tenants' Association. The Tenants' Association would use the flat to hold committee meetings, advice sessions and as a base for co-ordinating community activities. The proposed use of the would be for social and community purposes (Class D1).

2.2 No external alterations are proposed.

3.0 RELEVANT PLANNING HISTORY.

3.1 There is no relevant planning history.

4.0 PLANNING CONSIDERATIONS.

4.1 The main issues for consideration are the principle of the loss of residential accommodation and the effect of the proposals on the existing levels of amenity enjoyed by neighbouring residential properties, including those on the Estate.

4.2 The relevant planning policies are contained within the "Housing", "Social and Community Uses" and "Conservation and Development" chapters of the adopted UDP and proposed alterations of the UDP.

Loss of Residential Accommodation.

4.3 The loss of residential accommodation is contrary to Council Policy in particular Policy H17 which is to resist the loss of permanent residential accommodation in all but the most exceptional circumstances.

4.4 However, Policy SCS is normally to permit proposals for the development of social and community facilities to meet local needs unless certain criteria apply.

4.5 These criteria include where the property is suitable for residential purposes, nonetheless in this instance an exception is considered justified. Furthermore, paragraph 5.2.1 of the proposed alterations to the UDP states that the change of use from residential accommodation may be acceptable where an essential community facility requires accommodation.

4.6 This is a relatively large estate with 463 residential

flats, including 73 providing sheltered accommodation. At present there is nowhere for the Tenants' Association to meet and this location is considered ideal since it is directly above the Trust's Estate Office, in the middle of the estate and away from other flats. In addition the Estate Managers flat has not been occupied since 1999 since the Estate Manager now lives off the estate.

4.7 In view of the above the proposal is considered acceptable in land use terms, subject to ~~the~~ conditions restricting the use of the premises to Social and Community Use and to the William Sutton Estate only.

Amenity Considerations.

4.8 The location of the flat, above the Trust's Estate Office and in the centre of the estate is considered ideal in amenity terms. The proposed base for the Tenants' Association would be away from the main residential accommodation and, therefore, not likely to cause any noise disturbance. In any event the Trust state that it is not proposed that any social events or other activity generating noise or disturbance would take place at the premises.

5.0 PUBLIC CONSULTATION.

5.1 A letter of notification was sent to the Estate Manager of the Sutton Estate. In addition a site notice was displayed on the railings outside the Trust's Estate office. To date one letter of

objection has been received.

5.2 The letter of objection is from the Chelsea Society who state that they object to the conversion of a flat into an office since loss of Residential is contrary to STRAT 13 and 14 as well as Policy H1 of the UDP and, therefore, should be resisted.

It is considered that the change of use into an office would, ^{normally} be unacceptable. However, in this case a base for the Tenants' Association is proposed which is a valuable social and community facility meeting local need. In view of this the proposal is considered acceptable.

6.0 RECOMMENDATION

6.1 Grant/~~Refuse~~ planning permission/~~Listed Building~~
~~Consent/Conservation Area Consent.~~

M.J. French

Director of Planning Services

Background Papers

The contents of file ~~PP/00/2859~~ save for exempt or
confidential information in accordance with the Local
Government (Access to Information) Act 1985.

Report Prepared By: JS
Report Approved By: AS/ WWS
Date Report Approved:

PSC9 / .REP