

PLANNING SERVICES APPLICATION

COTH

CONSULTATION SHEET

APPLICANT:

David Smith Planning,
295 Upper Street,
London,
N1 2TU

APPLICATION NO: PP/00/02788

APPLICATION DATED: 22/11/2000

DATE ACKNOWLEDGED: 6 December 2000

APPLICATION COMPLETE: 05/12/2000

DATE TO BE DECIDED BY: 30/01/2001

SITE: Ion Bar, 161-165 Ladbroke Grove, London, W10 6HJ

PROPOSAL: Planning permission was granted on 02/09/1996 for the erection of a restaurant and bar Ref. TP/96/0854. This current application seeks to vary Condition No. 11 (TP/96/0854) to allow the retained pedestrian access from Ladbroke Grove to Malton Road (along the northern boundary) to be no greater than 2 metres wide instead of 3.5 metres as per Condition No. 11.

ADDRESSES TO BE CONSULTED

- 1.
2.
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7.
8.
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10.
11.
12.
13.
14.
15.

As TP/96/0854

111

CONSULT STATUTORILY

- HBMC Listed Buildings
HBMC Setting of Buildings Grade I or II
HBMC Demolition in Conservation Area
Demolition Bodies
DoT Trunk Road - Increased traffic
DoT Westway etc.,
Neighbouring Local Authority
Strategic view authorities
Kensington Palace
Civil Aviation Authority (over 300')
Theatres Trust
The Environment Agency
Thames Water
Crossrail
LRT/Chelsea-Hackney Line

ADVERTISE

- Effect on CA
Setting of Listed Building
Works to Listed Building
Departure from UDP
Demolition in CA
"Major Development"
Environmental Assessment
No Site Notice Required
Notice Required other reason
Police
L.P.A.C
British Waterways
Environmental Health
GLA
Govt Office for London

DEVELOPMENT CONTROL

TECHNICAL INFORMATION



ADDRESS ION BAR
161-165 LADBROKE GROVE
W10

POLLING DISTRICT C
 PP002788

- | | | | |
|-----|--|--------|--|
| HB | Buildings of Architectural Interest | LSC | Local Shopping Centre |
| AMI | Areas of Metropolitan Importance | AI | Sites of Archeological Importance |
| MDO | Major Sites with Development Opportunities | SV | Designated View of St Paul's from Richmond |
| MOL | Metropolitan Open Land | SNCI | Sites of Nature Conservation Importance |
| SBA | Small Business Area | REG 7 | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic use	PSC		LSC	AI	SV	SNCI	REG 7	ART IV	
									C	N							
								✓			✓						

Within the line of Safeguarding of the proposed Chelsea/Hackney underground line

Within the line of Safeguarding of the proposed Eastwest/Crossrail underground line

Density	
Site Area	
Habitable rooms proposed	
Proposed Density	

Plot Ratio	
Site Area	
Zoned Ratio	
Floor Area proposed	
Proposed Plot Ratio	

Daylighting	Complies	
	Infringes	

Car Parking	Spaces required	
	Spaces proposed	

Notes:

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 Occupier
FILE COPY
FILE
FILE

Switchboard: 020-7937-5464
Extension: 2079/2080
Direct Line: 020-7361- 2079/2080
Facsimile: 020-7361- 3643
Date: 11 December 2000

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCN/PP/00/02788/DT

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: Ion Bar, 161-165 Ladbroke Grove, London, W10 6HJ

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

Proposal for which permission is sought

Planning permission was granted on 02/09/1996 for the erection of a restaurant and bar Ref. TP/96/0854. This current application seeks to vary Condition No. 11 (TP/96/0854) to allow the retained pedestrian access from Ladbroke Grove to Malton Road (along the northern boundary) to be no greater than 2 metres wide instead of 3.5 metres as per Condition No. 11.

Applicant David Smith Planning, 295 Upper Street, London, N1 2TU

Yours faithfully,

M. J. FRENCH

Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

DT

French, Michael: PC-GrpSvc

To:
Subject:

Gibb, Moira: HS-SocSvc
EPICS

2/12

Further to your e-mail of 18 December, I would confirm that the current planning application to narrow the access to the above is unacceptable. I propose therefore to recommend refusal early next year.

The UDP modifications go to inquiry next month; do you think John James wants a copy of our document? It is too late to make any comments should he wish.

French, Michael: PC-GrpSvc

(DT)

From: Gibb, Moira: HS-SocSvc
Sent: 18 December 2000 11:50
To: French, Michael: PC-GrpSvc
Subject: planning permission for access near to Epics

You may recall that when the new restaurant was being built next to epics that there was considerable concern from staff and users about too narrow a passageway. The present Leader as vice chairman of social services committee was personally involved in walking the route.

I understand that there is now a planning application in to narrow the access. We will be objecting loudly but have only just been advised and have only 2 weeks to respond which is a little difficult at this time of year. Is there any advice you can offer me? Is there application likely to be approved?

Moira

ps John H James chief Executive of Health Authority asked if he would be routinely sent the UDP in draft form?

Any idea of other dates?
Mike

I was going to do a Panel rehearsal in the first/second week of January — if it went to Cmtee. then I suppose the 23rd of January is the one!

support no, not
support!
Just no obj.!



Our ref: TFL4/1
Your ref:

TfL Street Management Services
Windsor House
42-50 Victoria Street
London
SW1H 0TL

London Borough of Kensington & Chelsea
The Town Hall
Horton Street
London
W8 7NX

Direct Line: 0207 941 7256
Fax: 0207 941 7260

21 December 2000

For the attention of M. J. French

RECEIVED BY PLANNING SERVICES:							
EX DIR	HDC	NI	C	SW	SE	ENF	AD ACK
43 28 DEC 2000 OMT 29/12							
SPS	IO	REC	ARB	FWD PLN	CON DES	FEES	

Dear Sir

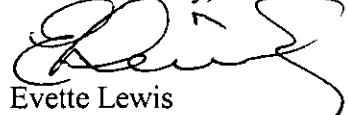
PLANNING APPLICATION NO: DPS/DCN/PP/00/02788/DT

SITE: ION BAR, 161-165 LADBROKE GROVE, LONDON W10 6HJ

Thank you for your letter of 11 December 2000 notifying Transport for London of the above planning application.

Transport for London has no comments to make on this planning application. I would be grateful if you could send your notice decision in due course.

Yours sincerely,


Evette Lewis
North & West Area Team

RBK&C TRANSPORTATION COMMENTS

PP Number: 00/2788	Address: Ion Bar, Ladbroke Grove		Date of obs: 8 Jan 2001	
Proposal: Variation to condition number 11 (TP/96/0854).			Obj √	No Obj
File Number As above	Initial Observations	√	Transportation Officer: Steve Lauder	D C Officer: DT
	Full Observations			

Supplementary information:

Comments:

Condition number 11 states that the pedestrian access shall be not less than 3.5m wide.

The applicants are requesting that the condition be re-worded to read not greater than 2 metres wide.

My understanding is that we would seek to set minimum, not maximum standards in regard to the width of footways and footpaths.

The minimum width for a footway is set 1200mm. I would therefore recommend that the width of this footpath be not less than 2400mm to facilitate a safe and commodious two way pedestrian operation.

I would also advise you to seek the views of the Council's Access Officer.

Relevant transportation policies: TR16

Recommendation: objection

Signed: 

① Ack PP/00/2811

② Ack PP/00/2788

③ Copy SW

④ JT

London the 19th of december 2000

Nina Lemm
142 Ladbroke Grove
London W10 5ne

To : the planning and conservation office

My reference : DPS / DCN / PP / 00 / 02811 / SW

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AD ACK
				28 DEC 2000	AM 29/12		
APPL	IO	REC	ARB	FWD PLN	CON DES	FEES	

Dear sirs ,

I would like to comment on 2 planning permissions sought :

SW → 1) Basement , 171 Ladbroke grove W 10 6 HJ

and

JT → 2) ION bar , Ladbroke Grove .

cc S.W.
29/12.

I live opposite these 2 locations and I must say that the noise levels after closing time on weekends seriously disturb me .

I find it human and understandable that guests of ION Bar accumulate in front of the venue after closing time ,
the main problem are the live bands which regularly play with a level of base that I could dance to it in my living room , seriously .

If these 2 venues are allowed to expand I can count on

a) being disturbed by loud music every weekend (as the time gets later the crowd and music gets livelier)

and

b) which is worse , guaranteed fights in front of ION Bar or leaving customers from the Basement.

This crowd is very extroverted and confrontations are already regular , as I can see from my living room window .

If these venues are allowed to expand and become a real night entertainment spots I foresee serious turbulences , which are already common at this point .

I hope these comments will have some impact on the planning , I understand that Notting Hill is an area in progress with cultural potential , but in this very spot the levels of disturbance have already exeeded reasonable levels .

Thank you for your understanding ,
apart from that merry christmas ,
yours sincerely ,

Nina Lemm

DAVID SMITH PLANNING
CHARTERED TOWN PLANNING CONSULTANTS

① PC + UB

② DT

David Smith BSc MSc Dip UPI MRTPI

Mr D Taylor
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX

2nd January 2001

✓
CT
3/1/2001

Dear Mr Taylor

Ion Bar 161-165 Ladbroke Grove PP/00/02788

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC		C	SW	SE	ENF	AO ACK
-3 JAN 2001 41							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

I refer to the above application and our previous correspondence. I have had the opportunity now to visit the site on various occasions in November and December of last year and at various times of the day. On no occasion have I noticed any pedestrians experiencing any difficulties walking along this access to Maldon Road. The access way is not heavily used and I have not encountered a situation where pedestrians with or without prams, buggies, wheelchairs etc have had any difficulty passing each other. As you are aware a children's buggy and a wheelchair can pass within 1.7m. pavement. The situation here is also safer than a pavement as there is no risk of falling over a kerb, being interrupted by a lamppost or the unsettling effect of nearby fast moving traffic.

In the light of the above perhaps you could clearly identify your concerns and any particular time of day you are concerned about.

I would add that the planting is considered to greatly improve the appearance of the general area.

Yours sincerely




David Smith

Cc Tania Harrison

The security of the EPICS building has been improved in response to the known risks in Malton Road. The passage currently provides the safest access to EPICS but I have a concern that if the passage were narrowed it would offer an increased opportunities to the muggers who operate in the area. I have a responsibility to ensure that risks to users and staff are minimised and it is my view that risks would be increased if the passage were narrowed.

In conclusion, I would like to re-iterate that the passage as originally conceived meets its purpose but that in our view if it were reduced to 2 metres it would not continue to provide easy access and it would add to the real risks facing users and staff who require access to EPICS. I therefor object to the proposed variation to Condition 11 on the grounds that it would have an adverse impact upon the surrounding area and on its adjoining neighbour, EPICS.



 Moira Gibb
Executive Director, Housing and Social Services

DAVID SMITH PLANNING
CHARTERED TOWN PLANNING CONSULTANTS

David Smith BSc MSc Dip UPI MRTPI

With Compliments

295 Upper Street London N1 2TU Tel: 020 7704 2828 Fax: 020 7704 6333 Email: DSPlanning@aol.com

DAVID SMITH PLANNING
CHARTERED TOWN PLANNING CONSULTANTS

David Smith BSc MSc Dip UPI MRTPI

The Planning Inspectorate
Appeals Registry
Tollgate House
Bristol BS2 9DJ

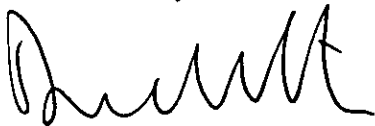
12th February 2001

Dear Sirs

Ion Bar 161-165 Ladbroke Grove W10

Please find enclosed an appeal against the decision of the RB Kensington and Chelsea to refuse permission to vary condition 11 of the consent for the Ion Bar and Restaurant granted in 1996 ref TP/96/0854.

Yours faithfully



David Smith

Cc RB Kensington and Chelsea
Tania Harrison

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
13 FEB 2001							(13)
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

PLANNING APPEAL FORM

Please send each appeal on a separate form

Your appeal and essential supporting documents must reach the Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice (or, for 'failure' appeals, within 6 months of the date by which they should have decided the application).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

WARNING: If any of the 'Essential supporting documents' listed in Section J are not received by us within the 6 month period, the appeal will not be accepted.

A. APPELLANT DETAILS

The name of the person(s) making the appeal must be the same as on the planning application form.

Name MEAN FIDDLER
 Address 16 HIGH ST
HARLESDEN
LONDON
 Postcode NW10 4LY
 Your reference _____
 Daytime phone no _____
 Fax no _____
 E-mail address _____

B. AGENT DETAILS (if any)

Name DAVID SMITH PLANNING
 Address 295 UPPER ST
ISLINGTON
LONDON
 Postcode W1 2TU
 Your reference _____
 Daytime phone no 020 7704 2828
 Fax no 020 7704 6333
 E-mail address DSPlanning@aol.com

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA RB UFWINGTON & CHELSEA
 Date of the planning application 22/11/00
 LPA's application reference no PP/00/02784
 Date of LPA's decision notice (if issued) 25/01/01

D. APPEAL SITE ADDRESS

Address IRON BAR
161-165 LADBROKE GROVE, LONDON W10 6HS
 Postcode W10 6HS
 National grid reference _____

(Please see the key on an Ordnance Survey map for instructions; this should be 2 letters and 6 numbers, eg TQ 298407)

E. DESCRIPTION OF THE DEVELOPMENT

(This must be the same as on the application sent to the LPA, unless minor amendments were agreed)

VARIATION OF CONDITION 11 TO PLANNING
PERMISSION REF TP/96/0854

Size of the whole appeal site (in hectares)

Area of floor space of proposed development (in square metres)

F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:

Please tick **one** box only

- 1. Refuse planning permission for the development described in Section E.
 - 2. Grant planning permission for the development subject to conditions which you do not like.
 - 3. Refuse approval of details listed under a previous outline planning permission.
 - 4. Grant approval of details listed under a previous outline planning permission subject to conditions which you do not like.
 - 5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).
- or The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) of an application for permission or approval.

G. GROUNDS OF APPEAL

If you want your appeal dealt with by the written procedure, your **FULL STATEMENT MUST** be made, otherwise we will return the appeal form. You should give a clear explanation of why you disagree with each of the LPA's reasons for not granting permission, if appropriate. Please continue on a separate sheet(s) if you need to and attach them to this form. If you have requested a hearing or an inquiry, please provide a brief outline of your case.

SEE ATTACHED STATEMENT.

G: GROUNDS OF APPEAL (continued)

H. CHOICE OF PROCEDURE

Appeals dealt with by written representations are usually decided more quickly than by the hearing or inquiry methods. It is important that you read our booklet 'Making your planning appeal' about the various procedures used to determine planning appeals.

Please tick **one** box only ✓

1. WRITTEN REPRESENTATIONS

Can the whole site be seen from a road or other public land and there is no need for the Inspector to enter the site (eg to take measurements or to enter a building)? If yes, please tick the box. If so, we will arrange an unaccompanied site visit.

2. HEARING

Although you may prefer a hearing, we will decide whether a hearing is suitable for your appeal after consulting the LPA.

3. INQUIRY

Please give reasons why you think an inquiry is necessary.

To fully test the evidence given by the LPA for the reason
for refusal.

I: APPEAL SITE OWNERSHIP DETAILS NOT REQUIRED FOR S73 APPEAL.

We need to know who owns the appeal site. If you do not own the appeal site or if you own only a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES. Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, Certificate A will apply: Please tick **one** box

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates;

OR

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

Owner's name	Address at which notice served	Date the notice was served
_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATES C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

AGRICULTURAL HOLDINGS CERTIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b) **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenant's name'.**

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding;

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person other than the appellant who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below:

Tenant's name	Address at which notice served	Date the notice was served
_____	_____	_____
_____	_____	_____
_____	_____	_____

PLEASE SIGN BELOW

I confirm that this section has been fully completed and the details of the ownership of the appeal site are correct, to the best of my knowledge.

Signed David Smith (on behalf of) MEAN FIDDLER
Name (in capitals) DAVID SMITH Date 12/02/01

J. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed in 1-6 below, **must** be sent with your appeal form; 7-10 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 6 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

- 1. A copy of the original **planning application** sent to the LPA.
- 2. A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form).
- 3. A copy of the **LPA's decision notice** (if issued).
- 4. A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map).
- 5. Copies of **plans, drawings and documents** sent to the LPA as part of the application.
- 6. Any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (eg drawings for illustrative purposes).

Copies of the following must also be sent, if appropriate:

- 7. **Additional plans or drawings** relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here:

- 8. Any relevant **correspondence** with the LPA.
- 9. If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, please enclose:
 - (a) the relevant outline application;
 - (b) all plans sent at outline application stage;
 - (c) the original outline planning permission;
- 10. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
- 11. If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

K. PLEASE SIGN BELOW

(Unsigned forms will be returned. Signed forms must be received by us within the 6 month time limit)

- 1. I confirm that I have sent a copy of this appeal form and documents to the LPA - **N.B.** if you do not, your appeal will not normally be accepted.
- 2. I confirm that section J has been fully completed.
- 3. I will send 2 copies of any further documents relating to this appeal to the Inspectorate.

Signed David Merty (on behalf of) MEAN FIDLER
 Name (in capitals) DAVID MERTY Date 12/2/01

Grounds of Appeal relating to variation of condition 11 on planning consent tp/96/0854 at the Ion Bar 161-165 Ladbroke Grove London W10

This appeal relates to the refusal of planning permission to vary condition 11 to reduce the width of the pedestrian access from Ladbroke Grove to Malton Road from 3.5m to 2.0m to accommodate bamboo planters.

The existing condition and the distance referred to is misleading as the access way varied in width between 3.5m and 2.5m. It now varies between 3.0m and 2.0m in order to accommodate the planters which are 0.5m deep. A plan sent to the LPA is attached and the new condition could refer to this plan and that the hatched area should be kept clear of obstruction.

The planters were placed at the site in Spring 2000 in order to screen the Ion Bar and Restaurant from pedestrians walking through the access way and provide privacy to customers of the bar and restaurant. The planters also soften the appearance of the area which is generally hard and uninviting.

Correspondence between the LPA and the appellants resulted in a letter dated 28th September indicating that the footpath remains accessible to all pedestrians and that the placing of the planters in this location has not resulted in any undue obstruction of the footpath. The LPA therefore indicated that they would not pursue the matter further and the enforcement case was closed.

A contradictory letter was received on the 23rd October indicating that the case had been reopened and reassessed.

The application to vary the condition was submitted on 22nd November 2000 and refused consent on 25th January. The reason for refusal suggests two reasons for refusing consent. First, contrary to the earlier officer view, pedestrian movement would be hindered and second, that pedestrian safety and security would be reduced.

Neither reason has any substance to it.

Regarding pedestrian movement the varying width of between 2.0m and 3.0m over a length of passage way of less than 10m enables pedestrians to pass each other comfortably whether walking, in a wheelchair or pushing a buggy. The elderly persons day centre has no busy rush periods such as a school may have where large numbers of people all leave at the same time when the passage might become congested. It is therefore completely without foundation that pedestrian movement will be hindered.

Regarding pedestrian safety and security, again the short distance involved of less than 10m and the very minor reduction in width particularly adjacent to a busy thoroughfare such as Ladbroke Grove does not give rise to any meaningful reduction in safety or

security. Again it is the view of the appellants that there is no basis for the reason for refusal.

The appeal should therefore be allowed.

A full statement of case and proof of evidence will follow at the appropriate time.

David Smith Planning
February 2001

APPEAL NOTIFICATIONS

Re: 10N BAR: 161-165 WADBROKE GROVE W10

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

WARD COUNCILLORS:

- 1.
- 2.
- 3.

KENSINGTON SOCIETY (Ms Susie Symes, 19 Denbigh Terrace,
London W11 2QJ)

CHELSEA SOCIETY (Mr Hugh Krall, 51 Milman's Street,
London SW10 0DA)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

- 1.
- 2.
- 3.

ALL 3RD PARTIES ORIGINALLY NOTIFIED

ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS:.....

*** PLEASE ATTACH FILE
BEFORE RETURNING.**

NEW APPEAL

DATE: 14.2.01.

TO: DEREK TAYLOR / PAUL KELSEY
ROY THOMPSON / BRUCE COEY

* A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA -
~~FILE(S) ATTACHED~~. THE SITE ADDRESS IS:

10N BAR: 161-165 LADBROKE GROVE
W10

**1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING
WITH THIS APPEAL:**

DT

**2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE
APPEAL TO BE DETERMINED:**

- ◆ WRITTEN REPRESENTATIONS
- ◆ HEARING
- ◆ PUBLIC INQUIRY

N.B. The appellant has requested Written Reps / a Hearing an Inquiry. The appellant has the right to be heard. If the appellant wants a Hearing and you choose Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and you would prefer a Hearing, a letter outlining reasons why will normally be required.

**3. YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE
AT THIS STAGE**

**PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE
APPEALS SECTION WITHIN 24 HOURS**

THANK YOU

APPEAL

TO: DT

FROM: P.A/HD

DATE RECEIVED: 13.2.01

EXTN: 2081

APPEAL

CASE OFFICER: DT

APPEAL

ADMIN OFFICER: _____

OUR REF: PP/00/2788

DETR REF: _____

ADDRESS: 10N BAR: 101-165 WADBROKE GROVE

W/O

REASON FOR APPEAL: REF

THE APPEAL WILL BE DETERMINED BY WAY OF:

WRITTEN REPRESENTATIONS

INFORMAL HEARING

PUBLIC INQUIRY

START DATE OF APPEAL: _____

3RD PARTY LETTERS DUE: _____ SENT: _____

QUESTIONNAIRE DUE: _____ SENT: _____

RULE 6/8 DUE: _____ SENT: _____

STATEMENT DUE/DATE OF PROOF EXCHANGE: _____ SENT: _____



The Planning Inspectorate

DT.

Room 1003
Tollgate House
Houlton Street
Bristol BS2 9DJ
<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-9878930
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-8930

Ms H Divett (Dept Of Planning & Conservation)
Kensington And Chelsea R B C
3rd Floor
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: PP/00/00788/COTH
Our Ref: APP/K5600/A/01/1059086
Date: 26 February 2001

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MEAN FIDDLER
SITE AT ION BAR, 161-165 LADBROKE GROVE, LONDON**

Please find enclosed a copy of my letter informing the agent that the appeal is invalid because an ownership certificate should have accompanied the application.

Yours faithfully

D Shorland

Mr D Shorland

211B(BPR)

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
27				27 FEB 2001			
				APP	IO	REC	ARB



The Planning Inspectorate

Room 1003
Tollgate House
Houlton Street
Bristol BS2 9DJ
<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-9878930
Switchboard 0117-9878000
Fax No 0117-9878443
GTN 1374-8930

David Smith Planning
295 Upper Street
Islington
London
N1 2TU

Your Ref:
Our Ref: APP/K5600/A/01/1059086
Date: 26 February 2001

COPY

Dear Sir

**TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MEAN FIDDLER
SITE AT ION BAR, 161-165 LADBROKE GROVE, LONDON**

Thank you for your appeal against the local planning authority's refusal to vary condition 11 of planning permission TP/96/0854.

The application was submitted in accordance with Regulation 3(3)(b) of the Town and Country Planning (Applications) Regulations 1988. Therefore, the question of whether an Article 6 certificate should have accompanied the application has to be considered.

Article 5 (2)(b) of the GDO provides that in the case of an application made under regulation 3(3) of the 1988 regulations, "sufficient information to enable the authority to identify the previous grant of planning permission, together with the certificate and any other documents required by Article 7" has to be lodged with the local planning authority.

Article 7 of the GPDO requires the applicant to certify in the appropriate form prescribed in Part 2 of Schedule 2 to the GPDO or in a form substantially to like effect that the requisite notice of applications has been given in accordance with Article 6.

Therefore, certification of the original application is not sufficient and the appeal in these circumstances is invalid, the Secretary of State being deprived of jurisdiction.

Yours faithfully

Mr D Shorland

DT

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Councillor J. M. Blakeman,
The Town Hall,
Hornton Street,
LONDON, W8 7NX.

Switchboard: 020 7937 5464
Extension: 2944
Direct Line: 020 7361-2944
Facsimile: 020 7361 3463
Web: www.rbkc.gov.uk

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

01 May 2001

My reference: EDPC/MJF

Your reference:

Please ask for: Mr. French

Dear Councillor Blakeman,

Ladbroke Grove Station

PP/00/2788: 161/165-Ladbroke-Grove, W.10?

Further to your letter of 25 April, I would inform you that planning permission has been refused on two occasions to retain the planters outside the windows of the Ion Bar. It has appealed against the first refusal, but the DETR refused to accept the appeal as the wrong certificate had been filled in. It has now appealed against the second refusal, and we are currently trying to persuade it that a local Public Inquiry is not necessary. I have asked the officer dealing with this case to keep you informed.

With regard to the flyposting at Ladbroke Grove Station, we have approached London Underground on a number of occasions requesting the removal of flyposting, but whilst London Underground is apparently willing to remove it, the company has no strategy to keep its property free of flyposting and tend to remove it on an adhoc basis only. You may be interested to know that the Council, through its graffiti initiative, has already removed flyposters and graffiti from Ladbroke Grove Station on three occasions in the last six months. I have asked one of my officers to seek to obtain an undertaking from London Underground to maintain its property in a clean and tidy condition.

Yours sincerely,

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

Handwritten initials and a circled mark at the top right of the page.

COUNCILLOR JUDITH BLAKEMAN

COLVILLE WARD

50 WESLEY SQUARE, LONDON W11 1TS TEL: 020-7221-2675
cllr.blakeman@rbkc.gov.uk

25 April 2001

Mr. M. French
Executive Director of Planning & Conservation
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8 7NX

Dear Mr. French

LADBROKE GROVE STATION AREA

I would be grateful if you can look into the following matters for me and respond at your earliest opportunity:

Handwritten: JT ①

- To clarify whether the Ion Bar has planning permission for the monstrously ugly planters containing struggling bamboo outside the windows of the Ion Bar and down the side passage to Malton Road, and if not, to have them removed; and

Handwritten: KP ②

- To ask London Underground to remove the fly posters on their property around the station, and to ensure that in future it is kept clear of fly posting. This should include the monolith they have put up just outside the station that was originally intended to direct people to the Portobello Market.

Yours sincerely

JUDITH BLAKEMAN
Councillor Colville Ward

Handwritten: ①

Handwritten note: We have refused an application to retain the planters twice! They appealed against the first one, but their appeal was ~~today~~ ~~out of time~~ and the DETR ~~wouldn't~~ not accompanied by the right certificate and the DETR wouldn't accept it. They are now appealing against the second refusal - I'm trying to persuade them -

that they don't need a Public Inquiry!

Dweh 27/4

② we have approached London Underground a number of times requesting that their properties be kept free of fly-posting, and we have advised them on three occasions that fly-posting should be removed from this station in particular. It is my understanding that although willing to remove it, LU have no strategy to keep their properties free of fly-posting and tend to remove it on an ad-hoc basis only.

As well as highlighting the importance of putting a strategy for consistent maintenance and fly-poster removal in place, the Council, through its new initiative have removed fly-posting and graffiti from this station on three occasions since last summer.

KP 30 April 2001

K

Memorandum

The Royal Borough of Kensington and Chelsea - Planning Services

To:	Moira Gibb, EDH&SS	From:	Executive Director, Planning and
of:		of:	Conservation
Room:	248/A1	Room:	322B
		Ext:	2944

Your ref:	My Ref: EDPC/MJF
-----------	------------------

cc:	Date: 25 January 2001
-----	-----------------------

Re: PP/00/2788: Ion Bar, 161/165 Ladbroke Grove, W.10.

Just to confirm that I have now refused planning permission to retain the various planters along the passage from Ladbroke Grove. I have enclosed a copy of the decision for your information.

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

PP / 00 f2788

Taylor, Derek: PC-PlanSvc

THE ROYAL
BOROUGH OF

From: Taylor, Derek: PC-PlanSvc
Sent: 09 April 2001 13:00
To: Jones, Jacqueline: HS-SocSvc
Subject: Kenley Walk Hall, 10 Kenley Walk



Further to your Memorandum of 5th April, I can confirm that no further planning permission would be required to use the above Hall as a nursery school/creche. Planning permission was granted on 8th January 2001 for the use of the hall as a weekday nursery for children between 3 and 5 years.

The Permission did carry two Conditions; (1) that there should be no more than 30 children and 5 staff on the premises at any one time, and (2) that the nursery should not operate on Saturdays or Sundays or outside the hours of 09.00 to 16.00 on weekdays.

I hope this is helpful.

Derek Taylor
for
Executive Director, Planning & Conservation

KENSINGTON
AND CHELSEA

PP/00/2788

To: Director of Planning Services
Room 322
Kensington Town Hall
London, W8 7NX

From: Under Eights Section
Room 140/B
Kensington Town Hall

Under Eights Advisor/Contact Name: JACQUELINE JONES

Extension: 2422

Date: 5TH April, 2001

RE: INSPECTION OF PROPOSED DAY CARE RESOURCE

Name and address of facility: The Cherry Orchard

Kenley Walk Hall, 10 Kenley Walk, London W11 4BA

Contact name and telephone no.: Mrs Ann Barrett Telephone no.: 020 8961 2081

The above named is being considered for registration as a ~~Childminder/Day Nursery/~~
~~Playgroup/Nursery School/Crèche/After School Holiday Playscheme/Other~~ for the
reception of 20 children aged 2 - 5 years.

Could you please clarify whether planning permission would be necessary in this
instance.

REPLY:

DATE:

- Existing Group
 New Registration
 Change of Registration/Ownership