

COMMITTEE REPORT

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

DELEGATED

7/4/03
APP NO. PP/99/00678/ MNL

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

Class - 8th Schedule development

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RECOMMENDED DECISION: Grant planning permission

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

4/4/03

Exec. Director, Planning and Conservation Head of Development Control Area Planning Officer

ADDRESS OF SITE:

**152 Warwick Road, London,
W14 8PS**

APPLICATION DATED 26/03/1999

APPLICATION COMPLETE 08/04/1999

APPLICANT/AGENT ADDRESS:

Nigel Hefferman Associates,
12 Bollingbroke Road,
London,
W14

APPLICATION REVISED 25/11/1999

APPLICANT: Mohsen Merishgi,

CONS AREA **CAPS** Yes **ART '4'** No **WARD**
Edwardes
Square/Scarsdale/A

LISTED BUILDING **ENG. HERITAGE**

CONSULTED 12 **OBJ.** 1 **SUP.** 0 **PET.** 0

PROPOSAL: Retention of rear extension at ground floor level to provide additional floor space for existing cafe / restaurant (Class A3).

RBK&C Drawing No(s): PP/99/00678 and PP/99/00678/A
Applicant's Drawing No(s) MOH/98/01, MOH/98/03, 9910/01A, 9910/02A, 9910/03B and 9910/04B

CONDITIONS AND REASONS FOR THEIR IMPOSITION

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1. **The use cafe/restaurant hereby permitted shall not be carried out between 23.00 hours and 10.00 hours the following day. (C045)**
Reason - To safeguard the amenity of neighbouring property. (R042)
2. **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)
3. **Not more than one restaurant shall be created pursuant to this permission, and the restaurant (including the rear extension hereby permitted) shall not provide more than 50 covers. (C051)**
Reason - To safeguard the amenity of neighbouring property. (R048)
4. **The premises the subject of this permission shall not at any time be used for the sale of hot food for consumption off the premises. (C061)**
Reason - To safeguard the amenity of the area, in particular the levels of amenity presently enjoyed by the occupants of neighbouring property. (R059)
5. **The rear exit door at ground floor level hereby approved shall be used for emergency purposes only and shall otherwise be kept shut.**
Reason - To safeguard the amenity of the area, in particular the levels of amenity presently enjoyed by the occupants of neighbouring property. (R059)
6. **The rear yard/garden shall not at any time be used for dining or drinking or any purpose ancilliary to the Class A3 Cafe/Restaurant Use.**
Reason - To safeguard the amenity of the area, in particular the levels of amenity presently enjoyed by the occupants of neighbouring property. (R059)
7. **The rear window at ground floor level hereby approved shall be fixed shut and thereafter so maintained.**
Reason - To safeguard the amenity of the area, in particular the levels of amenity presently enjoyed by the occupants of neighbouring property. (R059)
8. **The steps to the rear yard/garden area hereby permitted shall be painted black and so maintained.**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)

9. *see attached*

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152 Warwick Road, W14

Suggested Condition ~~9~~

The wooden roof structure with corrugated sheeting erected over the rear yard/garden area of the property is not hereby approved. It is unauthorised and shall be removed within ~~six~~ ² months of the date of this permission.

REASON

To safeguard the amenities of neighbouring properties

AND

~~Delete Informative 8 or change the wording of pergola structure installed to wooden roof structure with corrugated sheeting erected to mirror the Condition.~~

Comment? - reference report

INFORMATIVES

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1. I05
2. I09
3. I10
4. I21
5. I33
6. I38
7. I29
8. You are advised that the pergola structure installed over the rear yard/garden area is not hereby approved.
9. 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 CD25, CD28, CD30, CD34, CD41, CD44, CD52, CD53, S13 and TR39. (I51)

DELEGATED REPORT

PP/99/00678

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

Background Papers

The contents of file PP/99/00678 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: JS
Report Approved By: PK/LAWJ
Date Report Approved: