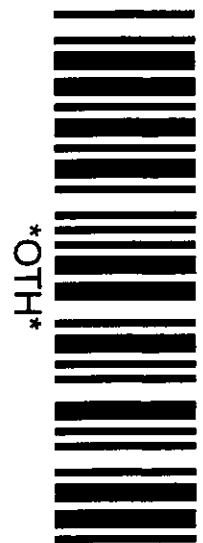


ROYAL BOROUGH
OF
KENSINGTON & CHELSEA

DOCUMENT SEPARATOR

DOCUMENT TYPE:

OTHER



6

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

Mr. P. Price,
Marylebone Associates,
24 Holborn Viaduct,
London
EC1A 2BN

APPLICATION NO: PP/02/00364

APPLICATION DATED: 15/02/2002 DATE ACKNOWLEDGED: 26 February 2002

APPLICATION COMPLETE: 22/02/2002 DATE TO BE DECIDED BY: 19/04/2002

SITE: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX
PROPOSAL: Erection of lightweight roof extension (with glazed sides) on existing roof terrace.

ADDRESSES TO BE CONSULTED

- 1. 21-25 (odd) (ex 34 + 36) CAMPDEN HILL GDNS
2.
3.
4. 140+142 CAMPDEN HILL RD
5.
6. MELBOURNE HOUSE, 50 KENSINGTON PLACE
7.
8.
9.
10.
11.
12.
13.
14.
15.

for Ambrey walk.

43
27/2

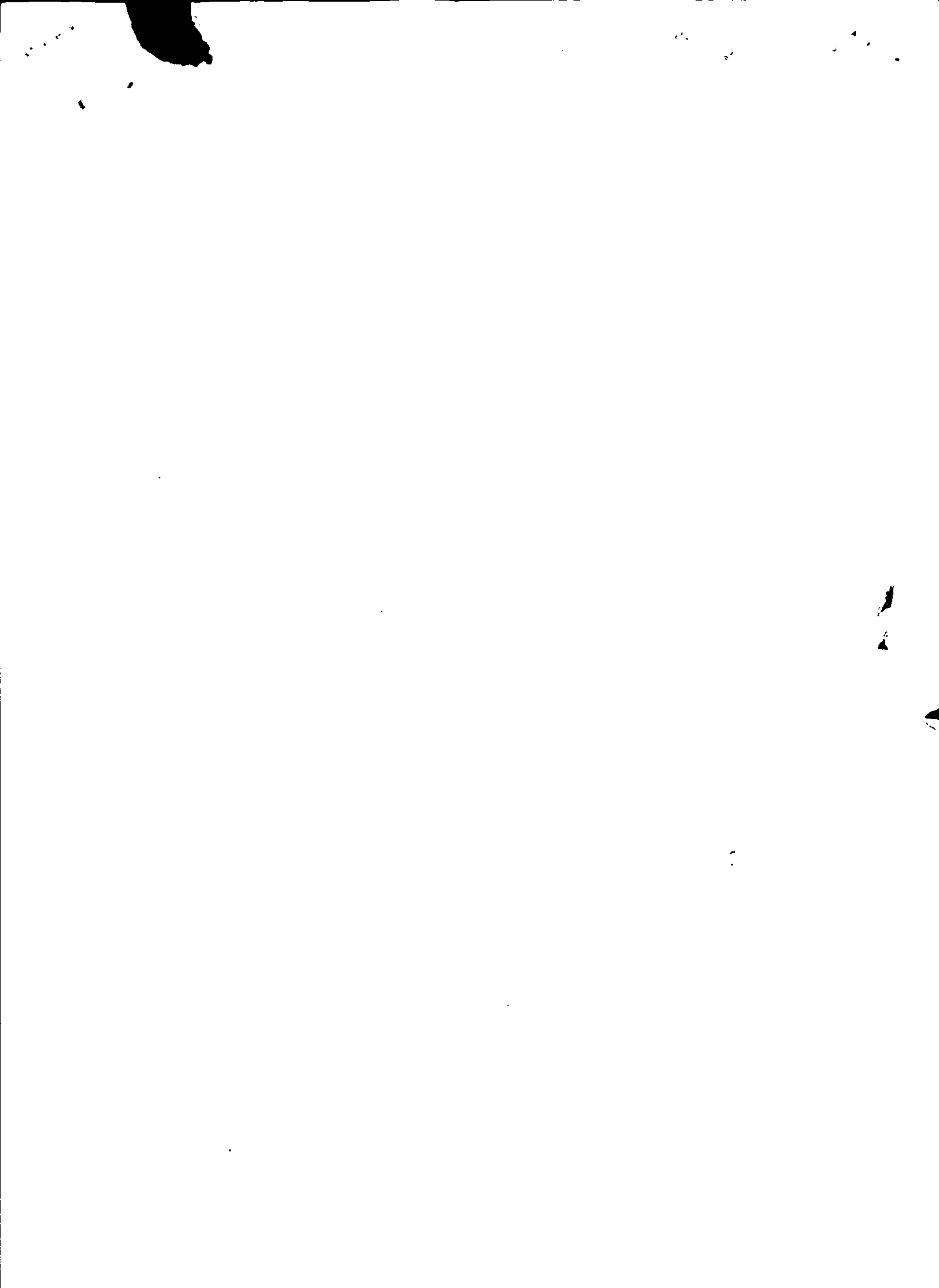
CONSULT STATUTORILY

- English Heritage Listed Bdgs - CATEGORY:
English Heritage Setting of Bdgs Grade I or II
English Heritage Demolition in Cons. 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
National Rivers Authority
Thames Water
Crossrail
LRT/Chelsea-Hackney Line
Victorian Society
DTLR Dept. Transport Loc.Gov.& Regions

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 - CATEGORY:
Govt. Office for London
Twentieth Century Society

27/2



CLPG NEIGHBOURING CONSULTEES ADDRESS SEARCH
CLPG ADDRESS SEARCH

7

WATER TOWER HOUSE 97 Campden Hill Road W8 7BA [+ 12] } including

>WATER TOWER HOUSE	Flat 1	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 10	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 11	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 12	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 2	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 3	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 4	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 5	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 6	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 7	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 8	97	Campden Hill Road	W8 7BA	() //
>WATER TOWER HOUSE	Flat 9	97	Campden Hill Road	W8 7BA	() //

Melbourne House 50 Kensington Place W8 7PW [+ 26] } including

> Flat 1	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 10	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 11	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 12	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 14	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 15	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 16	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 17	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 18	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 19	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 2	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 20	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 21	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 22	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 23	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 24	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 25	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 26	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 27	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 3	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 4	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 5	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 6	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 7	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 8	Melbourne House	50	Kensington Place	W8 7PW	() //
> Flat 9	Melbourne House	50	Kensington Place	W8 7PW	() //

la Aubrey walk.

1-27

36 Campden Hill Gardens W8 7AZ [+ 7] } including

> Flat 1	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 2	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 3	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 4	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 5	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 6	36	Campden Hill Gardens	W8 7AZ	() //
> Flat 7	36	Campden Hill Gardens	W8 7AZ	() //

25 Campden Hill Gardens W8 7AX [+ 5] } including

> 1st Floor Flat	Flat 3	25	Campden Hill Gardens	W8 7AX	() //	
> 2nd Floor Flat	Flat 4	25	Campden Hill Gardens	W8 7AX	() //	
> 3rd Floor Flat	Flat 5	25	Campden Hill Gardens	W8 7AX	() //	
> Basement/Ground Floor	Flat (Rear)	Flat 1	25	Campden Hill Gardens	W8 7AX	(
> Basement/Ground Floor	Flat (West)	Flat 2	25	Campden Hill Gardens	W8 7AX	(

34 Campden Hill Gardens W8 7AZ [+ 0]

23 Campden Hill Gardens W8 7AX [+ 0]

21 Campden Hill Gardens ~~WB 7AX~~ [+ 0]

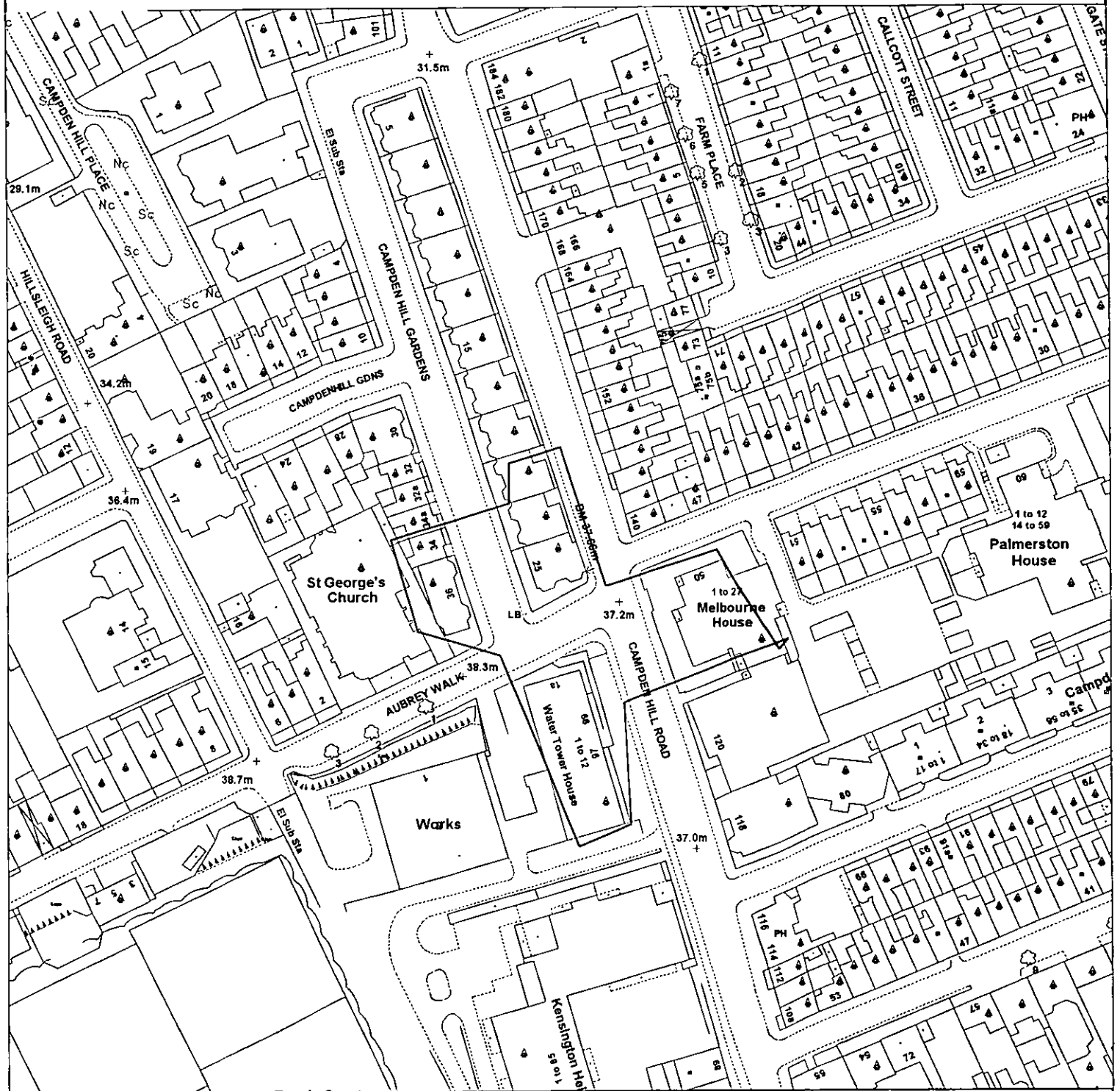


End of list CLPG Address Search

Source: RBKC Corporate Land and Property Gazetteer (as on July 2001)- RBKC/Plat
QuickMap (27/02/02)

RBKC - Planning and Conservation - Card Index - Site Map

CLPG Address Search



Tennis Courts

Ordnance Survey Map Extract - Crown Copyright Reserved - RBKC Internal Use Only

QuickMap(27/02/02)

Map width : 243.74m

Scale 1 : 1250

DEVELOPMENT CONTROL TECHNICAL INFORMATION

ADDRESS

~~25 CAMPDEN HILL ROAD~~
GARDENS

UPPER FLOOR

25 CAMPDEN HILL GARDENS

POLLING DISTRICT

I

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

- | | | | |
|-----|--|--------|--|
| 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						
6																

	Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line
	Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line

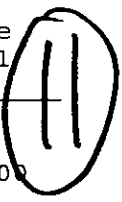
Density	
Site Area	
Habitable Rooms Proposed	
Proposed Density	

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

Daylighting	Complies	
	Infringes	

Car Parking	Spaces Required	
	Spaces Proposed	

Notes:



25 CAMPDEN HILL GARDENS

Property Card No : 0122 024 00

Sitename :
 Comment :
 TP Arch/History : 32863 H 2137
 See Also :

PP020364

Xref :
 Notes :

TP No Brief Description of Proposal 1 of 2
**APPROVAL TO REVISE FRONT ELEVATION IN CONNECTION WITH
 REBUILDING**

Received Decision & Date
 Completd **Unconditional** 14/07/1950
 Revised

TP No **TP/85/0509** Brief Description of Proposal 2 of 2
**CONVERSION OF THE EXISTING ROOF INTO A MANSARD ROOF,
 WITH ASSOCIATED ELEVATIONAL ALTERATIONS**

Received **21/03/1985** Decision & Date
 Completd **22/03/1985** **Conditional** 17/06/1985
 Revised **29/05/1985**

> Any Queries Please Phone 0171 361 2199/2206/2015 <
 > Fax Requests (FOA Records Section) 0171 361 3463 <

12

MEMORANDUM

TO: FOR FILE USE ONLY

**From: EXECUTIVE DIRECTOR
PLANNING & CONSERVATION**

My Ref: PP/02/00364/SG

CODE A1

Room No:

Date: 27 February 2002

DEVELOPMENT AT:

Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

DEVELOPMENT:

Erection of lightweight roof extension (with glazed sides) on existing roof terrace.

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)

M.J. French

Executive Director, Planning & Conservation

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

13
THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

File Copy

2079/ 2080

020-7361- 2079/ 2080

Switchboard:
Extension: 020-7937-5464
Direct Line:

Facsimile:

020-7361-3463

My reference:

Your reference:

Please ask Date: 27 February 2002

My Ref: DPS/DCN/PP/02/00364/SG

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

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

Erection of lightweight roof extension (with glazed sides) on existing roof terrace.

Applicant Mr. T. Groell, 25 Campden Hill Gardens, London W8

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

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more 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

15

Discussed with K0 -
agreed roof ext unacceptable in principle.

28/3/02.

TR pre-app meeting where advised as above.

16

THE ROYAL
BOROUGH OF

NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON
AND CHELSEA

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

(a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 0171-361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 0171-727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice.

SCHEDULE

Reference: PP/02/00364/SG

Date: 08/03/2002

Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

Erection of lightweight roof extension (with glazed sides) on existing roof terrace.

APPLICANT Mr. T. Groell,

SG railings
6/3/02

REASON FOR DELAY

CASE NO / /

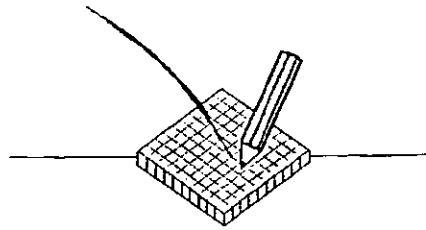
This case is identified as a "Target" application, with the target of being passed through to the Head of Development Control within 6 weeks of the completion date.

In the case of this application, there has been a delay, **beyond 8 weeks**,
of.....

I have been unable to ensure that this case has been determined within the 8 week period for the following reason(s) [*highlight - there may be more than one reason!*]

- 1) Delay in arranging initial Site Visit [*a date for this should be fixed up in the first week after you receive the case!*]
- 2) Delays due to internal Consultation [*highlight as many as necessary*]
 - (i) Design – Discussions/initial Obs.
 - (ii) Design – Formal Obs.
 - (iii) Transportation
 - (iv) Policy
 - (v) Environmental Health
 - (vi) Trees
 - (vii) Other
- 3) Further neighbour notification/external consultation necessary [*spread or time period - please specify*]
- 4) Revisions not requested in time
Remember - Request all revisions by end of fourth week to stand reasonable chance of renotifying and determining case within 8 weeks !
- 5) Revisions requested in time, but not received in time
- 6) Revisions received but inadequate – further revisions requested
- 7) Revisions received but reconsultation necessary
- 8) Awaiting Direction from English Heritage/other EH delays...
- 9) Because of the Committee cycle
- 10) Applicant's instruction
- 11) OTHER REASON [*Please state*].....

Signed..... (Case Officer)



Marylebone Associates

① PC

② SG

18

Vjn
15/3.

Kensington and Chelsea
Planning and Conservation
Town Hall
Hornton Street
London W8 7NX

12 March 2002

For the attention of Ms S Gentry

Dear Ms Gentry,

LIGHTWEIGHT ROOF EXTENSION - 25 CAMPDEN HILL GARDENS, LONDON W8

I write to confirm that access will be provided for your visit to the above on 27th March 2002 at 2.00 pm as requested.

Please ring the top bell when you arrive at the main entrance to the premises.

Yours faithfully,

Phillip Price RIBA

cc PRDG

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	14 MAR 2002			PLANNING SF		
	C				REC	
			ARB	PLN	DES	FEE

Marylebone Associates Ltd

24 Holborn Viaduct London EC1A 2BN - Tel 020 7236 2020 Fax 020 7221 6820

APPEALS TIMETABLE

ADMINISTRATION

Initials

Time
Hours

Cost
LAWJ

- (1) Notification of appeal to third parties
- (2) Pre Statement Inquiry/hearing
- (3) Preparation of Statement and Documentation
- (4) Notification of appeal decision

CASE OFFICER

- (1) Preparation
 - (2) Meeting
- Legal
Counsel
Transportation
Design
Policy
BEHO
Other Parties

- (3) Statement
- (4) Public Inquiry/Local Hearing

Policy

Preparation
Meetings
Statement if applicable

Design

Preparation
Meetings
Statement if applicable

Transportation

Preparation
Meetings
Statement if applicable

20

APPEAL

TO: DT

FROM: RAG

DATE RECEIVED: 26-04-02

EXTN: 2081

APPEAL CASE OFFICER: <u>SG</u>	APPEAL ADMIN OFFICER: <u>JR</u>
OUR REF: <u>PP/02/364</u>	DTLR REF: <u>A/02/1088983</u>

ADDRESS: UPPER FLOOR, 25 CAMPDEN HILL GARDENS, W8

REASON FOR APPEAL: REF

THE APPEAL WILL BE DETERMINED BY WAY OF:

WRITTEN REPRESENTATIONS INFORMAL HEARING PUBLIC INQUIRY

START DATE OF APPEAL:	<u>26th APRIL 2002</u>
3 RD PARTY LETTERS DUE:	<u>10-05-02</u> SENT: <u>7-5-02</u>
QUESTIONNAIRE DUE:	<u>10-05-02</u> SENT: <u>7-5-02</u>
WRITTEN REPS STAT DUE:	<u>7/06/02</u> SENT: <u>6/06/02</u>
INFORMAL HEARING STAT DUE:	SENT:
PUBLIC INQUIRY FILE 6/0 DUE:	SENT:
PROG...	SENT:



The Planning Inspectorate

21

3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-3728930
Switchboard 0117-3728000
Fax No 0117-3728443
GTN 1371-8930

<http://www.planning-inspectorate.gov.uk>

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

Your Ref: PP02/00364

Our Ref: APP/K5600/A/02/1088983

Date: 26 April 2002

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	29 APR 2002			PLANNING ST		
N	C	SW	SE	APP	IO	REC
			ARB	FPLN	DES	FEES

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR T GROELL
SITE AT 25 CAMPDEN HILL GDNS, LONDON, W8 7AX

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

You must submit the following documents within this timetable:

Within 2 weeks from the starting date -

You must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit 3 copies within **6 weeks of the starting date**. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
- ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
- iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

You must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

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Within 6 weeks from the starting date -

You must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000*. Please also include a list of any conditions or limitations you would agree to, if the appeal were to be allowed. I will send you and the appellant a copy of any comments submitted by interested parties.

Within 9 weeks from the starting date -

You and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully

A. Burden

PP Mr Dave Shorland

102(BPR)

For official use only
Date received

23

PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language, please contact our diversity helpline on 0117 372 8939

Please use a separate form for each appeal

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 Mr T Groell

Address 25 Campden Hill Gardens, Daytime phone no _____

London Fax no _____

Postcode W8 7AX E-mail address _____

B. AGENT DETAILS (if any)

Name David Stewart Associates

Address Selgars House, Uffculme, Your reference DIS/1367

Cullompton, Devon Daytime phone no 01884 841999

Fax no 01884 841640

Postcode EX15 3DA E-mail address stewart.associates@btinternet.

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA Kensington and Chelsea RLBC LPA's application reference no PP02/00364

Date of the planning application 22/02/02 Date of LPA's decision notice (if issued) 8/04/02

D. APPEAL SITE ADDRESS

24

Address 25 Campden Hill Gardens, London

Postcode W8 7AX

If the whole site can be seen from a road or other public land and there is no need for the Inspector to enter the site e.g. to take measurements or to enter a building, please tick the box.

E. DESCRIPTION OF THE DEVELOPMENT

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

Proposed provision of roof extension with glazed sides on existong roof terrace

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 to which you object.
 - 3. Refuse approval of details required by a previous outline planning permission.
 - 4. Grant approval of details required by a previous outline planning permission subject to conditions to which you object.
 - 5. Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).
- or**
- 6. 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. CHOICE OF PROCEDURE

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CHOOSE ONE PROCEDURE ONLY

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 note that when we decide how the appeal will proceed, we take into account the LPA's views

Please tick **one** box only ✓

1. WRITTEN REPRESENTATIONS

The written procedure involves an exchange of written statements followed by a site visit by the Inspector. The grounds of appeal should make up your full case.

2. HEARING

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest;
- involve cross-examination (questioning) of witnesses.

Although you may prefer a hearing, the Inspectorate must consider your appeal suitable for this procedure. Hearings are open to the public.

3. INQUIRY

This is the most formal of the procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and LPA usually have legal representatives. Inquiries are open to members of the public.

An inquiry is held if you or the LPA decide that you cannot rely on the written procedure and a site visit, and we have decided that a hearing is unsuitable. Sometimes we decide that an inquiry is necessary. If we do, you will be given reasons for our decision.

H. GROUNDS OF APPEAL

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If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

This is an outline of the grounds of appeal with the intention being to submit a full statement of evidence within the six period allowed for under the new Rules.

The refusal notice cites eight policies from the UDP although it appears that at least one of them is actually from Proposed Modifications to the plan. Not all of these policies can actually apply in any event, since one of them deals with "other alterations" to a building, and the proposal has clearly been dealt with under the specific policies dealing with alterations to the roof of a building. A number of the policies are couched in the most general of terms, referring to the need for high standards of design, for example, or setting out the statutory test for development in conservation areas. Nor is the single reason for refusal helpful in explaining what specifically is claimed to be wrong with the proposal, since it refers to a broad range of design issues without identifying within them what aspects of, for example, design or materials are held to be wrong. Indeed the refusal reason is ambiguous in the extreme in claiming that the proposal is contrary to the UDP and "in particular" the eight policies it goes on to list, and then advises in a note underneath that a "number" of policies from the plan were considered and again notes the eight as being the ones "in particular" that were used. Either there were other policies that were relevant or there were not. To expect the appellant to trawl through the entire UDP in case there were some other policies that the Council might elect to throw in at the appeal stage is simply not good enough. At the very least the recipient of a refusal is entitled to be clear as to precisely what is claimed to be wrong rather than be given a vague assertion that every conceivable aspect of the proposal is alleged to be harmful, but without any indication at all as to the way in which such harm is alleged to have occurred.

Thus in framing the evidence for the appeal, we are left in the position of having to canvass a wide range of potential issues in order to ensure that most of the possible aspects might be covered. That does of course mean that our comments on the Council's statement may have to be broader than would normally be the case if they raise issues that could not have been anticipated from the information supplied by them to date. Our evidence will address the issues of the location of the structure on the roof of an already extended building, with a bulk that is subservient to the main structure and a design and materials that provide a complementary structure that is in keeping with the scale and setting of the building. It will also be necessary to draw attention to the Council's own failure to follow their own adopted plan policies since they have permitted a development just across the street from the appeal site which will seriously affect the privacy of the appellant and which should not under the terms of their policies have been possible.

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I. APPEAL SITE OWNERSHIP DETAILS

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 only

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 the notice was served	Date the notice was served
Mr Sperry	25 Campden Hill Gardens, London	19 April 2002
Mr Fischer	25 Campden Hill Gardens, London	19 April 2002
Mr Davis	25 Campden Hill Gardens, London	19 April 2002

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 the notice was served	Date the notice was served
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 all **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.

PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED

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K. PLEASE SIGN BELOW

(Signed forms together with all supporting documents 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 relevant documents to the LPA (if you do not, your appeal will not normally be accepted).
2. I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature *D.I. Stewart*

(on behalf of) Mr TGroall

Name (in capitals) D.I. Stewart

Date 19 April 2002

The Planning Inspectorate is registered under the Data Protection Act to hold personal data supplied by you.

NOW SEND:

• **1 COPY to us at:**

The Planning Inspectorate
Customer Support Section
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

We do not currently accept
appeals by e-mail or fax.

• **1 COPY to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

• **1 COPY for you to keep**

When we receive your appeal form, we will:

- 1) Tell you if it is valid and who is dealing with it.
- 2) Tell you and the LPA the procedure for your appeal.
- 3) Tell you the timetable for us receiving further information or representations.

YOU MUST KEEP TO THE TIMETABLE

If information or representations are received late we may disregard them. They will not be seen by the Inspector but will be sent back to you.

- 4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

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St Clements House
2-16 Colegate
Norwich NR3 1BQ

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

31
**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

File Copy

Direct Line: 020-7361-2096

Extension: 2096

Facsimilie:

Switchboard: 020-7937-5464

020-7361-3463

Date: 07 May 2002

My Ref: DPS/DCN/PP/02/00364

DTLR's Reference: App/K5600/A/02/1088983

Please ask for: Ms.S. Gentry

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Notice of a Planning Appeal relating to: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

A Planning Appeal has been made by Mr. T. Groell, to the Planning Inspectorate in respect of the above property. This appeal is against the Council's decision to refuse planning permission for: Erection of a roof extension with glazed sides on existing roof terrace.. This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to:

The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Please send 3 copies and quote the DTLR's reference given above. **The Inspectorate must receive your representations by 07/06/2002 for them to be taken into account.** (Representations made in respect of the planning application have already been copied to the Inspectorate, and these will be considered when determining the appeal unless they are withdrawn before 07/06/2002). Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

I attach a copy of the Council's reasons for refusal and the Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office after 07/06/2002 (**please telephone ahead in order to ensure that these are available**). If you have any further queries, please do not hesitate to contact the case officer on the above extension.

Yours faithfully

M. J. FRENCH

Executive Director, Planning and Conservation

NOTICE OF A PLANNING APPEAL

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Reasons for Refusal

1. **The roof extension, by reason of its location, bulk, height, design and materials, would be harmful to the appearance of the building and the conservation area. It would be contrary to the Council's Unitary Development Plan policies, in particular CD25, CD38, CD39, CD42, CD44, CD44a, CD52 and CD53.**

Property

Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

Proposal

Erection of a roof extension with glazed sides on existing roof terrace.

Plans and drawings are/are not available for inspection.

(If plans are available, these may be seen in the Planning Information Office between the hours of 9.15 a.m and 4.30 p.m Mondays to Thursdays and between 9.15 a.m and 4.00 p.m on Fridays)

II. GROUNDS OF APPEAL

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, please provide a brief outline of your grounds.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

This is an outline of the grounds of appeal with the intention being to submit a full statement of evidence within the six period allowed for under the new Rules.

The refusal notice cites eight policies from the UDP although it appears that at least one of them is actually from Proposed Modifications to the plan. Not all of these policies can actually apply in any event, since one of them deals with "other alterations" to a building, and the proposal has clearly been dealt with under the specific policies dealing with alterations to the roof of a building. A number of the policies are couched in the most general of terms, referring to the need for high standards of design, for example, or setting out the statutory test for development in conservation areas. Nor is the single reason for refusal helpful in explaining what specifically is claimed to be wrong with the proposal, since it refers to a broad range of design issues without identifying within them what aspects of, for example, design or materials are held to be wrong. Indeed the refusal reason is ambiguous in the extreme in claiming that the proposal is contrary to the UDP and "in particular" the eight policies it goes on to list, and then advises in a note underneath that a "number" of policies from the plan were considered and again notes the eight as being the ones "in particular" that were used. Either there were other policies that were relevant or there were not. To expect the appellant to trawl through the entire UDP in case there were some other policies that the Council might elect to throw in at the appeal stage is simply not good enough. At the very least the recipient of a refusal is entitled to be clear as to precisely what is claimed to be wrong rather than be given a vague assertion that every conceivable aspect of the proposal is alleged to be harmful, but without any indication at all as to the way in which such harm is alleged to have occurred.

Thus in framing the evidence for the appeal, we are left in the position of having to canvass a wide range of potential issues in order to ensure that most of the possible aspects might be covered. That does of course mean that our comments on the Council's statement may have to be broader than would normally be the case if they raise issues that could not have been anticipated from the information supplied by them to date. Our evidence will address the issues of the location of the structure on the roof of an already extended building, with a bulk that is subservient to the main structure and a design and materials that provide a complementary structure that is in keeping with the scale and setting of the building. It will also be necessary to draw attention to the Council's own failure to follow their own adopted plan policies since they have permitted a development just across the street from the appeal site which will seriously affect the privacy of the appellant and which should not under the terms of their policies have been possible.

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PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Department of Transport,
Local Government and the Regions,
3/07 KiteWing,
Temple Quay House,
2 The Square, Temple Quay,
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimile: 020-7361-3463

(24)
**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Date: 07 May 2002

My Ref: DPS/DCN/PP/02/00364/SG
DTLR's Reference: App/K5600/A/02/1088983

Please ask for: Rebecca Gill

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Appeal relating to: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

With reference to the appeal on the above premises, I return the completed questionnaire, together with supporting documents. In the event of this appeal proceeding by way of a local Inquiry the Inspector should be advised that Committee Rooms in the Town Hall must be vacated at 5.00 p.m. unless prior arrangements have been made for the Inquiry to continue after 5.00 p.m.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. P. Price,
Marylebone Associates,
24 Holborn Viaduct,
London
EC1A 2BN

Switchboard: 020-7937-5464
Direct Line: 020-7361- 2096
Extension: 2096
Facsimile: 020-7361-3463



**KENSINGTON
AND CHELSEA**

Date: 07 May 2002

My Ref: DPS/DCN/PP/02/00364/SG
DTLR's Reference: App/K5600/A/02/1088983 Please ask for: Ms.S. Gentry

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Appeal relating to: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

With reference to your appeal on the above address(es), enclosed you will find the Council's Questionnaire and attached documents as necessary.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

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PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

David Stewart Associates
Selgars House, Uffculme
Cullompton,
Devon
EX15 3DA

Switchboard: 020-7937-5464
Direct Line: 020-7361- 2096
Extension: 2096
Facsimile: 020-7361-3463



**KENSINGTON
AND CHELSEA**

Date: 09 May 2002

My Ref: DPS/DCN/PP/02/00364/SG
DTLR's Reference: App/K5600/A/02/1088983 Please ask for: Ms.S. Gentry

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Appeal relating to: Upper Floor, 25 Campden Hill Gardens, London, W8 7AX

With reference to your appeal on the above address(es), enclosed you will find the Council's Questionnaire and attached documents as necessary.

Yours faithfully,

M.J. FRENCH

Executive Director, Planning and Conservation

Enc.

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QUESTIONNAIRE

PLANNING, LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT

OUR REF: PP/02/364

APPEAL REF: APP K5600/A/02/1088983 GRID REF: _____

APPEAL BY: MR T GROELL

SITE: 25 CAMPDEN HILL GARDENS, W8

You must ensure that a copy of a completed questionnaire together with any enclosures is received by us and the appellant within 2 weeks from the starting date given in our letter. You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan. Please send our copy to the case officer. Their address is shown on our letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the starting date.

<p>1. Do you agree to the written representations procedure?</p>	<p>YES / NO</p>
<p>OR Do you wish to be heard by an Inspector at:</p> <p>a. a local inquiry?</p> <p>or b. a hearing?</p>	<p>YES / NO</p> <p>YES / NO</p>
<p>2. If the written procedure is agreed, could the Inspector make an unaccompanied site visit?</p> <p><i>(It is our policy that Inspectors make an unaccompanied site visit whenever practicable e.g. the site can be seen clearly from a road or other public land. You must only indicate the need for an accompanied visit when it is necessary to enter the site e.g. to view or measure dimensions from within it.)</i></p>	<p>YES / NO</p>
<p>3. Does the appeal relate to an application for approval of reserved matters?</p>	<p>YES / NO</p>
<p>4. Was an Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?</p>	<p>YES / NO / NA</p>
<p>5. Was it necessary to advertise the proposals under Article 8 of the GDPO 1995 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990?</p>	<p>YES / NO</p>

6. Is the appeal site within an approved Green Belt or AONB?

Please specify which

YES NO

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7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? (If YES, please attach details.)

YES NO

8. a. Are there any other appeals or matters relating to the same site or area still being considered by us or the Secretary of State?
If YES, please attach details and, where necessary, give our reference numbers.

APP/KS606/A/01/1077702

YES NO

b. Would the development require the stopping up or diverting of a public right of way? If YES, please provide an extract from the Definitive Map and Statement for the area, and any other details.

YES NO

9. Is the site within a Conservation Area? If YES, please attach a plan of the Conservation Area. (If NO, go to Q11.)

YES NO

10. Does the appeal relate to an application for conservation area consent?

YES NO

11.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II* / II listed building?

YES NO

~~Grade I / II* / II~~

b. Would the proposed development affect the setting of a listed building?

YES NO

If the answer to question 11a or b is YES, please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest. (If NO, go to Q13.)

12. Has a grant been made under Sections 3A or 4 of the Historic Buildings and Ancient Monuments Act 1953?

YES NO

13.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

YES NO

b. If YES, was English Heritage consulted? Please attach a copy of any comments.

~~YES / NO~~

14.a. Is the appeal site in or adjacent to or likely to affect an SSSI?

If YES, please attach the comments of English Nature.

YES NO

b. Are any protected species likely to be affected by the proposals?

If YES, please give details.

YES NO

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15. Copies of the following documents must, if appropriate, be enclosed with this questionnaire:

- a. Is the development in Schedule 1 or column one of Schedule 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999? If YES, please indicate which Schedule.
- b. Is the development within a 'sensitive area' as defined by regulation 2 of the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?
- c. Has a screening opinion been placed on Part 1 of the planning register? If YES, please send a copy to us.
- d. Any comments or directions received from the Secretary of State, other Government Departments or statutory agencies / undertakers whether or not as a result of consultations under the GDPO;
- e. Any representations received as a result of an Article 7 (or Regulation 6) notice;
- f. A copy of any notice published under Article 8 of the GDPO 1995; and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990; and/or Regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990;
- g. Any representations received as a result of a notice published under Article 8 and/or Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (or Regulation 5);
- h. Details of any other applications or matters you are currently considering relating to the same site;
- i. For all appeals, including those against non determination, you must provide details of all relevant development plan policies. *Each extract must include the front page, the title and date of approval or adoption. Where plans & policies have not been approved or adopted, please give the stage or status of the plan.*
EXTRACTS FROM UDP CHAPTERS 1-4 AND PROPOSED MODIFICATIONS - DEPOSIT STAGE
- j. Any supplementary planning guidance, together with its status, that you consider necessary. **EXTRACTS FROM THE CONS. AREA PROPOSAL STATEMENT**
- k. Any other relevant information or correspondence you consider we should be aware of.

YES / NO

Sch 1 Sch 2 col 1

YES / NO

YES / NO

Number of Documents Enclosed	N/A
	✓
	✓
1	
	✓
	✓
✓	
✓	
NOT CONSIDERED IF APPROPRIATE YET.	

16. a. What is the date you told those you notified about the appeal that we must receive any further comments by?

7-06-02
7-5-02. **49**

Notif. letters dated ->

b. Copies of the following documents must, if appropriate, be enclosed with this questionnaire.

due:
10-5-02.

Number of Documents Enclosed	N/A
	✓
✓	
	✓

i) representations received from interested parties about the original application

ii) the planning officer's report to ~~committee~~ **DELEGATED** ~~for members panel~~

iii) any relevant committee minute

17. FOR APPEALS DEALT WITH BY WRITTEN REPRESENTATIONS ONLY

Do you intend to send another statement about this appeal?
If NO, please send the following information:-

NO

a. In non-determination cases:

- i) what the decision notice would have said;
- ii) how the relevant development plan policies relate to the issues of this appeal.

b. In all cases:

- i) the relevant planning history;
- ii) any supplementary reasons for the decision on the application;
- iii) matters which you want our Inspector to note at the site visit.

18. THE MAYOR OF LONDON CASES ONLY

a. Was it necessary to notify the Mayor of London about the application?
If YES, please attach a copy of that notification.

YES / NO

b. Did the Mayor of London issue a direction to refuse planning permission
If YES, please attach a copy of that direction.

YES / NO

I confirm that a copy of this appeal questionnaire and any enclosures have been sent today to the appellant or agent.

Signature:  on behalf of RBK+C Council

Date sent to us and the appellant 7/5/02.

Please tell us of any changes to the information you have given on this form.

This document is printed on a recycled (UK) paper containing 100% post-consumer waste.

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1 Clements House
16 Colgate
Norwich NR3 1BQ

NEW APPEAL

DATE: 24-04-02.

(41)

TO: DEREK TAYLOR / PAUL KELSEY
JOHN THORNE / BRUCE COEY

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

UPPER FLOOR, 25 CAMPDEN HILL GDNS, W8 .

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

SG

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

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APPEAL NOTIFICATIONS

Re: UPPER FLOOR, 25 CAMPDEN HILL Gdns, W8

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. Cllr Tim Ahern, 5 Campden Hill Square, LONDON W8 7LB. ✓
- 2. Cllr Christopher Buckmaster, 23, Kensington Place, LONDON W8 7PT.
- 3. Cllr Robert J. Freeman, 12, Pitt Street, LONDON W8 4NY.

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

CHELSEA SOCIETY (~~Mr Hugh Kendall, 51 Milman's Street,~~
MISS Samantha Wyndham, 4 CRANLEY PLACE, SW7 3AB London ~~SW7 0 0 0 A~~)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

- 1.
- 2.
- 3.

serv
7/5.

ALL 3RD PARTIES ORIGINALLY NOTIFIED

ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS:.....

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

*Sarah -
draft appeal letter.*

(43)

The Planning Inspectorate
Room 3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Switchboard: 020-7937 5464
Extension: 2096
Direct Line: 020 - 7361 2096
Facsimile: 020- 7361 3463

5th June 2002

My reference: DPS/DCN/
PP/02/00364

Your reference: App/K5600/A/02/1 Please ask for: Sarah Gentry
088983

Dear Sir,

**Town and Country Planning Act 1990
Upper floor, 25 Campden Hill Road, W8 7AX**

I refer to the appeal made by Mr T. Groell under section 78 of the Town and Country Planning Act 1990 against the Royal Borough of Kensington and Chelsea's decision to refuse planning permission for the erection of a roof extension with glazed sides on the existing roof terrace extension at 25 Campden Hill Road.

You have already received copies of the following documents:

- A1 A copy of the Officer's delegated report
- A2 Extracts from Chapters 1- 4 of the Royal Borough's Unitary Development Plan, as adopted on 28th August 1995
- A3 Extracts from Chapter 1-4 of the Royal Borough's Proposed Modifications to the Unitary Development Plan
- A4 Extracts from the Conservation Area Proposals Statement for the Kensington Conservation Area.

I include a copy of the Council's decision letter. It is considered that, with this letter to explain the status of the Council's Unitary Development Plan, the delegated report clearly amplifies the Council's reasons for the refusal of planning permission. These documents, together with this letter, constitute the Royal Borough's representations.

Status of the Unitary Development Plan

The original Unitary Development Plan was adopted in August 1995. Alterations to the Unitary Development Plan were approved for consultation in 1999, subject of consultation, and a public inquiry was held in January 2001. The Council decided which of the Inspector's recommendations it was going to accept and these Proposed Modifications were incorporated into a Modified Unitary Development Plan. These Proposed Modifications to the Altered UDP were approved by Cabinet on 4th April 2002, and by full Council on 17th April. The notice to adopt was issued on 26th April and the Unitary Development Plan was officially adopted on

the 25 May 2002. The text as contained within the Proposed Modifications is now fully adopted and has become the adopted Unitary Development Plan 2002 and the development plan for the Borough for the purposes of section 54A.

44

Planning History of the Property

Planning permission was granted on the 14th July 1950 to alter the front elevation in connection with rebuilding. On 17th June 1985 planning permission was granted for the conversion of the existing roof into a mansard roof with associated elevational alterations.

The Appellant's grounds of appeal

Some brief comments are required with regard to the appellants' grounds of appeal.

The eight policies, as specified in the reason for refusal and the informative on the decision letter, are the policies which are considered relevant to this appeal. These eight policies are also listed in the Officer's delegated report as the relevant policies. There is no intention to introduce additional policies at this stage. The appellant argues that Policy CD44 is not relevant since the title to the section refers to "other alterations", however the supporting text refers to "alterations and extensions". Policy CD44a is from the Proposed Modifications to the Unitary Development Plan. This policy was contained as Policy CD56 within the original Unitary Development Plan, but has been altered slightly and expanded to apply to all parts of the Borough, not just conservation areas, in the Proposed Modifications.

The Council's reason for refusal specifies the aspects of the proposal which are considered to be harmful i.e. the design, bulk, and materials. The reason for refusal is necessarily broad as there are many elements of the proposal that are considered to be unacceptable. The Council's report, available to the appellant, clearly amplifies the reasons for refusal and explains how these aspects of the proposal are considered to be harmful to the appearance of the building and the conservation area.

The appellant notes that his statement will address the issue of the location of the structure on the roof of an already extended building. Policy CD38 is to resist additional storeys on buildings that already have an additional storey or mansard. The existing roof extension was granted consent in the 1980s and the proposed extension would rise above the height of the existing roof extension and would appear as a prominent addition which would not relate satisfactorily with the existing extension or the rest of the building. It is considered that for this reason, it would result in harm to the appearance of the building and the conservation area, contrary to Policies CD52 and CD53.

The appellant argues that the bulk of the extension would be subservient to the main structure. However, it is considered that the proposed extension would rise above the height of the existing roof and appear as a bulky addition which would be out of keeping with the rest of the building.

Finally, the appellant states that the design and materials provide a complementary structure that is in keeping with the scale and setting of the building. Whilst the proposed roof would be constructed from GRP, it is considered that the design and materials of the structure as a whole are more akin to a conservatory, with large expanses of glazing. Policy CD42(c) is to normally resist proposals for conservatories if they are located significantly above garden level. Conservatories in the historic townscape in this part of London are normally located at the garden level or close to it. The proposed conservatory would be at roof level and it is considered that it would appear as an alien feature as it has no relationship to the garden.

The appellant mentions other developments in the area, including the development of the Campden Hill Reservoir site. This development is not considered to be directly comparable to

the appeal, and the Council would maintain that they are therefore of extremely limited relevance. It should be noted that the Conservation Area Proposals statement in its townscape analysis of this part of the Conservation Area on page 30 and 31 identifies the large monolithic buildings on the main road, which have "their own aesthetic principles and their own internal geometry, the logic of which does not necessarily relate to the street scene or acknowledge wider townscape considerations" which is contrasted with "quieter residential streets where traditional buildings predominate". This appeal site ^{is} clearly ^{more of} related to these smaller scale streets, ~~and is~~ being attached to the terrace of Campden Hill Gardens. It is considered that the proposed roof extension would be overly prominent and out of keeping with the terrace and this part of the Kensington Conservation Area.

(45)

11? clarify

To conclude, the roof extension which is the subject of this appeal fails to comply with the relevant policies of the Unitary Development Plan and would harm the character and appearance of the building and the conservation area and the Inspector is requested to dismiss this appeal.

Conditions should the appeal be allowed

Without prejudice to the arguments set out in this letter and the report which sets out why the Royal Borough considers that planning permission should be refused, the Inspector is requested to impose the following conditions should the appeal be allowed.

- 1) The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Executive Director, Planning and Conservation.
- 2) All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture and profile.
- 3) No water tank, lift motor room or other roof structure shall be erected which rises above the level of the roof hereby approved.
- 4) The roof of the extension hereby permitted shall not be used at any time as a terrace without the prior approval in writing of the Executive Director, Planning and Conservation.

Yours faithfully,

MJ French
Executive Director, Planning and Conservation

FAX FROM

46

NAME: S. Gentry

THE ROYAL
BOROUGH OF

THE DIRECTORATE OF PLANNING SERVICES

DATE: 06/06/02

MAIN TELEPHONE NUMBER: 020 7937 5464

DIRECT LINE: 0207 361 2096



KENSINGTON
AND CHELSEA

FAX NUMBER (if different from below): _____

TO

NAME: Mr D. Shorland

OF: _____

ADDRESS: _____

_____ POSTAL CODE _____

FAX NUMBER: 0117 372 8443

NUMBER OF PAGES TO FOLLOW: 6

COMMENTS AND/OR INSTRUCTIONS (if any)

APP/K5600/A/02/1088983
Fax copy of Council's statement (due 07/06).
Hard copies in post.

OUR FAX NUMBER IS: 020 7361 3463

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

47

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

The Planning Inspectorate
Room 3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Switchboard: 020-7937 5464
Extension: 2096
Direct Line: 020 - 7361 2096
Facsimile: 020- 7361 3463

6th June 2002

My reference: DPS/DCN/
PP/02/00364

Your reference: App/K5600/A/02/1 Please ask for: Sarah Gentry
088983

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Upper floor, 25 Campden Hill Road, W8 7AX**

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I include a copy of the Council's decision letter. It is considered that, with this letter to explain the status of the Council's Unitary Development Plan, the delegated report clearly amplifies the Council's reasons for the refusal of planning permission. These documents, together with this letter, constitute the Royal Borough's representations.

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B

the 25 May 2002. The text as contained within the Proposed Modifications is now fully adopted and has become the adopted Unitary Development Plan 2002 and the development plan for the Borough for the purposes of section 54A of the 1990 Act.

48

Relevant Legislation and Central Government Guidance

Attention is drawn to section 70(2) and section 54A of the 1990 Act and the related advice contained within Planning Policy Guidance: General Policies and Principles (PPG1) Paragraph 40, in particular that applications which are not in accordance with the relevant policies in the Plan should not be allowed unless material considerations justify granting planning permission.

Attention is also drawn to the Planning, Listed Buildings and Conservation Areas Act 1990 concerning the duties imposed by sections 71 and 72. The Council's Conservation and Development policies and the publication of the Kensington Conservation Area Proposals Statement are consistent with these requirements.

PPG1 identifies Design as one of the themes underpinning the Government's approach to the planning system (Paragraph 3). It emphasises the importance of good design (Paragraph 15) and states that applicants should be able to demonstrate how they have taken account of relevant policies and supplementary planning guidance. It states that local planning authorities should reject poor designs "which may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings". Paragraph 32 stresses the importance of protection for the historic environment.

Planning Policy Guidance: Planning and the Historic Environment (PPG15) contains relevant advice, in particular paragraphs 1.1, 4.1, 4.14 and 4.19.

Planning History of the Property

Planning permission was granted on the 14th July 1950 to alter the front elevation in connection with rebuilding. On 17th June 1985 planning permission was granted for the conversion of the existing roof into a mansard roof with associated elevational alterations.

The Appellant's grounds of appeal

Some brief comments are required with regard to the appellant's grounds of appeal.

The eight policies, as specified in the reason for refusal and the informative on the decision letter, are the policies which are considered relevant to this appeal. These eight policies are also listed in the Officer's delegated report as the relevant policies. There is no intention to introduce additional policies at this stage. The appellant argues that Policy CD44 is not relevant since the title to the section refers to "other alterations", however the supporting text refers to "alterations and extensions". Policy CD44a is from the Proposed Modifications to the Unitary Development Plan. This policy was contained as Policy CD56 within the original Unitary Development Plan, but has been altered slightly and expanded to apply to all parts of the Borough, not just conservation areas, in the Proposed Modifications.

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granted consent in the 1980s and the proposed extension would rise above the height of the existing roof extension and would appear as a prominent addition which would not relate satisfactorily with the existing extension or the rest of the building. It is considered that for this reason, it would result in harm to the appearance of the building and the conservation area contrary to Policies CD52 and CD53.

49

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The appellant mentions other developments in the area, including the development of the Campden Hill Reservoir site which is located on the junction of Campden Hill Road and Aubrey Walk. This large scale re-development is not considered to be directly comparable to the proposed roof extension at the appeal site. In addition, it should be noted this part of the Conservation Area has different characteristics from the area in which the appeal site is located. The Conservation Area Proposals statement in its townscape analysis on page 30 and 31 identifies the large monolithic buildings on the main road, which have "their own aesthetic principles and their own internal geometry, the logic of which does not necessarily relate to the street scene or acknowledge wider townscape considerations" which is contrasted with "quieter residential streets where traditional buildings predominate". This appeal site is clearly in one of these smaller scale streets being attached to the terrace of Campden Hill Gardens and its character is distinct from the Campden Hill Reservoirs site. The Council would therefore maintain that reference to this site is of extremely limited relevance.

To conclude, the roof extension which is the subject of this appeal fails to comply with the relevant policies of the Unitary Development Plan and would harm the character and appearance of the building and the conservation area and the Inspector is requested to dismiss this appeal.

Conditions should the appeal be allowed


Without prejudice to the arguments set out in this letter and the report which sets out why the Royal Borough considers that planning permission should be refused, the Inspector is requested to impose the following conditions should the appeal be allowed.

- 1) The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Executive Director, Planning and Conservation.
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4) The roof of the extension hereby permitted shall not be used at any time as a terrace without the prior approval in writing of the Executive Director, Planning and Conservation.

A handwritten signature consisting of the letters 'L' and 'F' intertwined, enclosed within a hand-drawn circle.

Yours faithfully,

 MJ French
Executive Director, Planning and Conservation

186 Holland
CA/01/0211

51

2.4.5) Campden Hill site →

Overloading to roof terrace.

More attention given to ~~the~~ minuate changes than mjr building projects.

CD38.

24 ELGIN CRESCENT

Property Card No : 0287 022 00

Sitename :

Comment :

TP Arch/History : H 18967

See Also :

Xref :

Notes :

***** No cases attached to this Property Card *****

> Any Queries Please Phone 0171 361 2199/2206/2015 <
> Fax Requests (FOA Records Section) 0171 361 3463 <