

**ROYAL BOROUGH  
OF  
KENSINGTON & CHELSEA**

**DOCUMENT SEPARATOR**

**DOCUMENT TYPE:**

**COMMITTEE REPORT**



ROYAL BOROUGH OF KENSINGTON & CHELSEA

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REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
DELEGATED

APP NO. PP/02/01731  
AGENDA ITEM NO.

ADDRESS/SUBJECT OF REPORT:

Basement, Acklam  
Road Barrier  
Block, Swinbrook  
Estate. W.10

APPLICATION DATED 30/05/2002

APPLICATION REVISED

APPLICATION COMPLETE 05/08/2002

APPLICANT/AGENT ADDRESS:

Notting Hill  
Housing Trust,  
Grove House,  
27 Hammersmith  
Grove,  
London  
W6 0JL

CONS. AREA N/A CAPS No

ARTICLE '4' No WARD GOC

LISTED BUILDING No

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET:

RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:



**BASEMENT, ACKLAM ROAD BARRIER BLOCK**

**SWINBROOK ESTATE**

**KENSINGTON W11**

**1.0 PLANNING CONSIDERATIONS**

1.1 The Barrier block consists of Nos 43-49 and 147-151 Acklam Road and is situated on the West side of the road and is one of many blocks of flats that form the Swinbrook Estate which are owned by the Council's TMO Department

1.2 The application relates to the basement car park which is accessed by a ramp in Acklam Road.

1.3 The Council granted planning permission in 1992, for the use of part of the basement car park for the storage of furniture and secure storage, the permission was given for a limited period of time of two years. The permission was renewed in 1994, for a further two years.

1.4 The Council renewed the permission twice more in 1996 and 1997 with an added restriction that it would be made personal to the applicant Notting Hill Housing Association. The last permission was limited until 1999, and the applicant submitted a renewal application which was not determined and withdrawn by the Council in 2002.

1.5 The issues regarding this proposal have been discussed in the previous reports and the main consideration still remains the loss of off street residents car parking spaces.

1.6 The Director of Transportation and Highways has not objected to the proposal but has stated that the Council is currently developing a corporate approach to the future use of Council/ TMO car parks with the objective of returning them to use as car parks. It is acknowledged that this car park is substandard in its dimensions but not to an insurmountable level. The D of T &H, would object to permanent loss of the area for car parking but does not object to the short term loss as proposed and conducted since 1992. He further requests that the use is conditioned for not more than two years and personal to the applicant.

1.7 The use as proposed for a limited period is considered to be consistent with Policy TR47 which seeks to resist the loss of off street parking, and Policy TR39 which resists development if it would materially increase traffic, parking or congestion in the area.

**2.0 PUBLIC CONSULTATION**

2.1 The Council notified thirty three addresses of the proposal and to date has received no letters relating to it.

EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

(15)

**Background Papers**

The contents of file PP/02/01731 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: AP  
Report Approved By: DT/LAWJ  
Date Report Approved:

DELEGATED REPORT

Address

Acklam Road  
Sumbrook Estate

Reference 11/02/1731

Conservation Area NO

75

Listed Building Yes/No

Type of Application

~~Planning Permission/Approval of Materials/Variation of Condition/Listed Building Consent/Conservation Area Consent~~

Type of Development

Residential Extension

Roof

Rear

Storeys \_\_\_\_\_

Side

Front

Garden

Residential Alterations

Residential Conversion

From \_\_\_\_\_

To \_\_\_\_\_

Other

Shopfront

Non-Residential Extension

Listed Building Demolition

whole  part

Listed Building Alterations

Unlisted Building - Demolition

whole  part

jections (withdrawn etc.) (incl. internal - Design, Policy, Transportation etc.)

io \_\_\_\_\_  
ercome by Amendment/Withdrawn/Not Relevant/Other \_\_\_\_\_

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isting

sues/Policy/Precedent/Conditions/Third Schedule

see attached

Standards	satisfactory
Light	<input checked="" type="checkbox"/>
Privacy	<input type="checkbox"/>
Room Sizes	<input type="checkbox"/>
Parking	<input type="checkbox"/>
Trees	<input type="checkbox"/>
<b>HBMC</b> Direction/Obs.	<input type="checkbox"/>
Obs. Rec'd	<input type="checkbox"/>
Direction Rec'd	<input type="checkbox"/>
Consultation Expired	<input checked="" type="checkbox"/>

GRANT/APPROVE

subject to conditions

Informatives

Report by *AP*

Date

Agreed *DT / haws*  
*20/9/12*

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA  
MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT 1972

JA  
AC

To: Chief Administrative Officer (Planning) Date: 30 September 2002  
From: The Executive Director, Planning & Conservation Our Ref: PP/02/01731/CUSE

Application Date: 30/05/2002 Complete Date: 05/08/2002  
Revised Date:

Agent: Notting Hill Housing Trust, Grove House, 27 Hammersmith Grove, London W6 0JL

Address: **Basement, Acklam Road Barrier Block, Swinbrook Estate. W.10**

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
- Class - Listed building consent for above Classes.
- Class - shop fronts
- Class - Conservation area consent
- Class - conversion from non s/c dwellings etc
- Class - approval of facing materials
- Class - amendments as required by T.P. Committee
- Class - grant of planning permission for a change from one kind of non-residential use to another non-residential use except where this would involve the loss of a shop in a

Principal

Class - grant or refuse certificates of Lawful development under

Class - Crossover under S.108 of the Highways Act 1980

core shopping frontage.

Class - grant permission license or no objection

Sections 73, 74, 138, 143, 152, 153, 177 & 180 of the Highways Act

**DELEGATED APPROVAL**  
**30 SEP 2002**

Consent under T&CP Control of Advertisement Regulations 1984-90; incl. refusal of consent for Reg. 15 applications.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

**Continued use of part of the basement as a furniture store and use of a vacant car park to provide a secure storage area. (Planning Permission was previously granted in 1997 for the said use for a limited time period).**

**RECOMMENDED DECISION Grant planning permission**

RBK&C drawing(s) No. PP/02/01731

Applicant's drawing(s) No. Unnumbered floor plan date stamped 18th January 1999, at a scale of 1:200.

**Number of Objections - 0**

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

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

PP/02/01731: 1

laws  
30/9/02

30/9/02

**CONDITIONS AND REASONS FOR THEIR IMPOSITION**

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1. **The use hereby permitted shall be retained for a limited period only until 1st October 2004 , on or before which date the use shall be discontinued. (C004)**

*Reason - There is insufficient evidence available at this stage to assess the impact of the development, and permission for a limited period will allow the authority to reassess the development in the light of experience of the use. (R004)*

2. **This permission shall be personal to Notting Hill Housing Trust and shall not enure for the benefit of the land. (C006)**

*Reason - In granting this permission the Local Planning Authority has had regard to the special circumstances of the case/applicant, and considers that use otherwise than by Notting Hill Housing Trust would have had different implications, and would be likely to have resulted in planning permission being refused. (R006)*

3. **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 Local Planning Authority. (C068)**

*Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)*

**INFORMATIVES**

1. I09

2. 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 TR39 and TR47 (I51)



**Taylor, Derek: PC-Plan**

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**From:** Taylor, Derek: PC-Plan  
**Sent:** 29 October 2003 14:57  
**To:** Cllr-Paget-Brown; Doolan, Ian: CP-Val; Paterson, Andrew: PC-Plan; Case, Richard: ES-HwayTraf; Lawrence, Christine: CP-PPU; Treherne, Jerome: CP-Gov  
**Subject:** Barrier Block Acklam Road - Car Park

Dear Cllr. Paget-Brown,

I write in connection with the meeting this Friday at 9.30am at Acklam Road, regarding the car park under the 'Barrier Block' of the Swinbrook Estate; I understand that a brief note is required to set out the planning position on this. Mr Paterson, Senior Planning Officer in the North area planning team, will be attending on Friday.

History

This purpose built basement car park received planning permission in 1992 for a temporary period, for change of use of part of the car park from residential parking to a furniture store. This was subsequently renewed in 1994, 1996, 1997 and 2002, personal to the Notting Hill Housing Trust, with this latter permission expiring in October 2004.

Planning issues

I understand that Workspace wish to take a lease on part or all of this underground car park to use it for staff, i.e for what is commonly described as 'commuter parking'.

Clearly, as a planning authority we have accepted the temporary loss of part of the car park from its intended residential parking use. However, the purpose of the temporary and personal Conditions imposed since 1992 is to ensure that such loss would not be other than temporary, with these Conditions facilitating the return of the space to residential parking at some future point.

The use of the space for commuter parking, i.e a change of use from residential parking to parking for non-residents, would be contrary to the relevant Policies of the adopted Unitary Development Plan (UDP). Advice from the planning department has been clear on this in the past, the Director of Transportation and Highways has also laid down an objection to the long term loss of residential parking here, and unless Workspace produce some very convincing reason why they qualify for a major exception to UDP policy then in my opinion they can have very little hope of achieving planning permission for commuter parking in this space.

I hope this note is helpful for the discussion on Friday.

Derek Taylor  
Area Planning Officer  
for  
Executive Director, Planning & Conservation

Tracking:	Recipient	Read
	Cllr-Paget-Brown	
	Doolan, Ian: CP-Val	
	Paterson, Andrew: PC-Plan	
	Case, Richard: ES-HwayTraf	Read: 29/10/2003 14:58
	Lawrence, Christine: CP-PPU	
	Treherne, Jerome: CP-Gov	Read: 29/10/2003 14:58

Viability of Tube well.

well

e.