

TP892137 - B ~~_____~~ Hortensia Rd.

Please notify all the people notified
of the application re: revisions. & in
addition. N° 38 Guntw Grove.

Can you add an informative to let
people know that its going to committee
on 12/2/90

— thanks

Christine

Nick Stoop will collect all letters
tomorrow at about 11:30.

P.S. I have left a set in Inquiry Office
You ~~may~~ ^{want} to send a
set down to Chelsea TH.

- ✓ Mrs. S. Lampert - Flat 2, 23 ~~Gunter~~ ^{Gunther} Grove, SW10, OUS.
- ✓ Councillor Dr Ewing, Flat 5, 29 St. James's ~~St.~~ ^{Gardens}, W11 4RF.
- ✓ Nick De Kothbuisere, Wintonley 3R Eve., 11 Hill St., W1X 7FB.
- ✓ Sloane Cottage, Hortensia Rd., SW10.

✓ 55	Hortensia	Ase,	"	"	"	"
✓ 54	"	"	"	"	"	"
✓ 53	"	"	"	"	"	"
✓ 52	"	"	"	"	"	"
✓ 51	"	"	"	"	"	"
✓ 50	"	"	"	"	"	"
✓ 49	"	"	"	"	"	"
✓ 48	"	"	"	"	"	"
✓ 47	"	"	"	"	"	"
✓ 46	"	"	"	"	"	"
✓ 45	"	"	"	"	"	"
✓ 44	"	"	"	"	"	"
✓ 43	"	"	"	"	"	"

done. 19.1.90
AD.

(EVEN)
28-44, Gunter Grove ✓
34, 36-38 Gunter Grove, (INC IN ABOVE)

27
/ 32

People to be notified.

Gunter Grove :

No's 42 a
42 b

M/s Sarah-Louise Lampaert, 42 Gunter Grove

Mr Washbourne 42 Gunter Grove.

44

42

40b

40a

40

36a

36b

36c

36d

34

30

28

26a

26c

26

22

20 (Studio flat)

20a

20b

28/12/89

N. de Lottbiniere

Grimley J Rere, 11 Hill St, W1X
TFB

Councillor S. Orr-Ewing

Town Hall, Horse St, W8.

Sloane cottage, Hortensia Rd, SW10.

Quarter Grove, SW10.

20c

20d

18

18a

16

14 (studio flat)

14

12

10

10 (studio flat)

10b

8a

6a

4c

2b

2c

Hortensia House, Hortensia Rd SW10.

N^{os} 1, 2, 3, 4, 6, 7, 8, 9, 10, 12, 13, 14, 15,
16, 17, 18, 19, 21, 23, 24, 25, 26, 27, 28,
29, 30, 31, 32, 33, 34, 35, 37, 39, 40,
41, 42, 43, 44, 45, 46, 47, 48, 49, 50,
51, 52, 53, 54, 55.

Sloane Cottage, Hortensia Rd, SW10.

Knights House, Hortensia Rd. :

1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 20,

Knights House Studios, Hortensia Rd.

1, 2, 3

Kings Road.

N° 542, 540a, 540c, 540d, 538.

**TOWN PLANNING APPLICATION
CONSULTATION SHEET**

Application Number TP. TP/89/2137/S

Officer Responsible Exc. 2086

Application Dated 13/11/89

APPLICANT

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA.

SITE

CHELSEA COLLEGE SITE,
MORTENSIA ROAD,

S.W. 10

NATURE OF PROPOSAL

1. Amendments to previous planning permission (Ref. 88/0633). Amendments involve formation of 21 flats in front building (instead of 9 flats & 4 houses previously approved). Also alterations to office buildings at front & rear. 2. Approval of details - access ramp and landscaping.

Application Complete
12/12/89

Date to be decided by
06/02/90

Date Acknowledged
13/12/89

	Address to be consulted	Letter Sent	Reply Received	Observations		Decision letter sent
				For	Against	
1						
2						
3						
4						
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7						
8						
9						
10						

CHECK SECTION 26 certificate/Section 27 certificate/Environmental Impact Statement

CONSULT STATUTORILY

- 1. HBMC
 - (a) Circ. 8/87 (para. 82) Listed Buildings.
 - (b) Demolition in a Conservation Area.
 - (c) Circ. 8/87 (Para. 28) setting of Grade I or II.
- 2. Circ. 8/87 (para. 81) bodies.
- 3. (a) Department Transport (Trunk Roads) - increased traffic
- (b) (WEIR safeguarding).
- 4. Neighbouring local authority.
- 5. Dept. of Environment (Kensington Palace) amenity and security.
- 6. Civil Aviation Authority (over 300').
- 7. Development affecting Theatres (Theatre Trust)

- Police**
 - Asst. Commissioner of Police.
 - Chief Supt. Notting Hill Traffic/Architectural Liaison.
 - Chief Supt. Kensington Traffic/Architectural Liaison.
 - Chief Supt. Chelsea Traffic/Architectural Liaison.

ADVERTISE

- T. & C.P. Dev. Plan Direction 1981 (subs. dptrs)
- S.28 Town and Country Planning Act, 1971
- Town and Country Planning (Listed Buildings and Buildings in a Conservation Area Regulations 1987)
- Environmental impact statement

OTHER CONSULTATION

- L.P.A.C. (strategic proposals)
- Safeguarded School Site : Director of Education
- Likely to affect school premises: Director of Education.
- London Regional Transport (A/WS/17/1C)
- British Waterways Board
- P.L.A.
- Local Associations
- Thames Water



KENSINGTON

St Mary Abbots Church
(C of E)

St Mary Abbots C of E
Primary School

Old Court House

Fire Station

Hostel

Ingelow House

The Old House

Clinic

GREGORY PLACE

KENSINGTON CHURCH COURT

Bank

Bank

Bank

Bank

High Street Kensington Station

DERY STREET

LC 619

Meml

B.M.

KENSINGTON CHURCH WALK

OLD COURT PLACE

KENSINGTON HIGH STREET

YOUNG STREET

St Mary Abbots Garden

Bank Malls Iron

Underground Railway

Hornton Place

7th Studio

Shelter

PH

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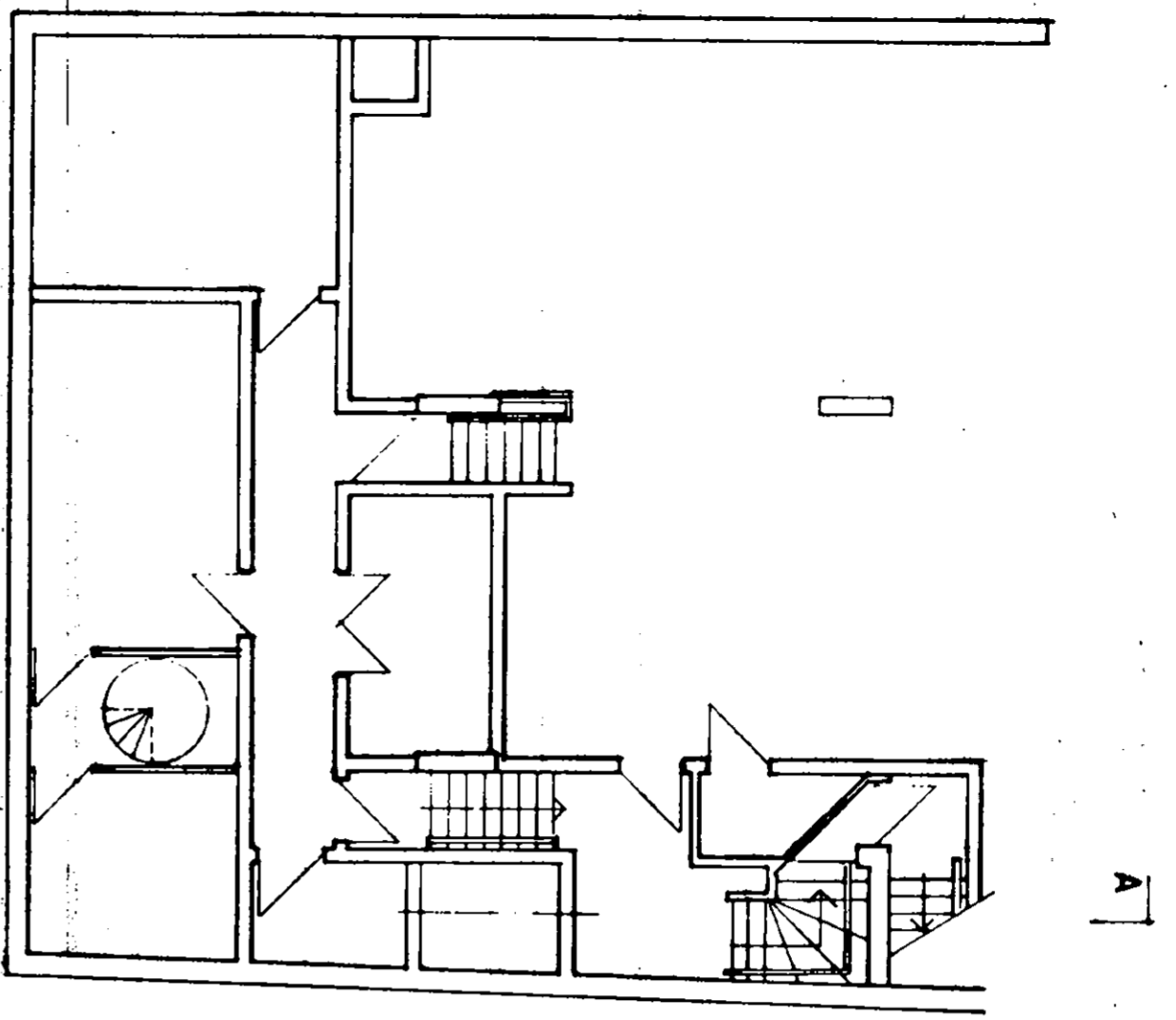
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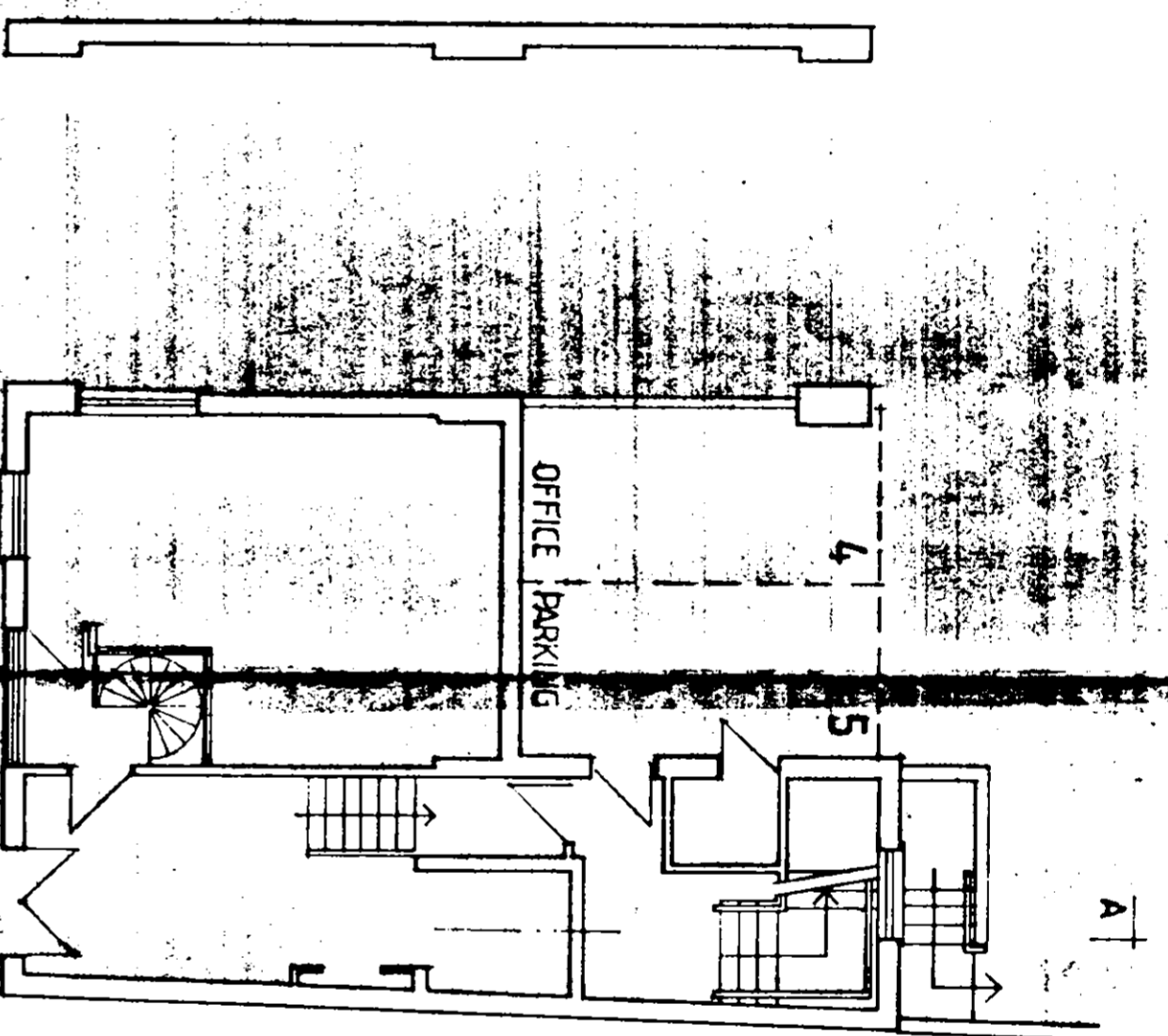
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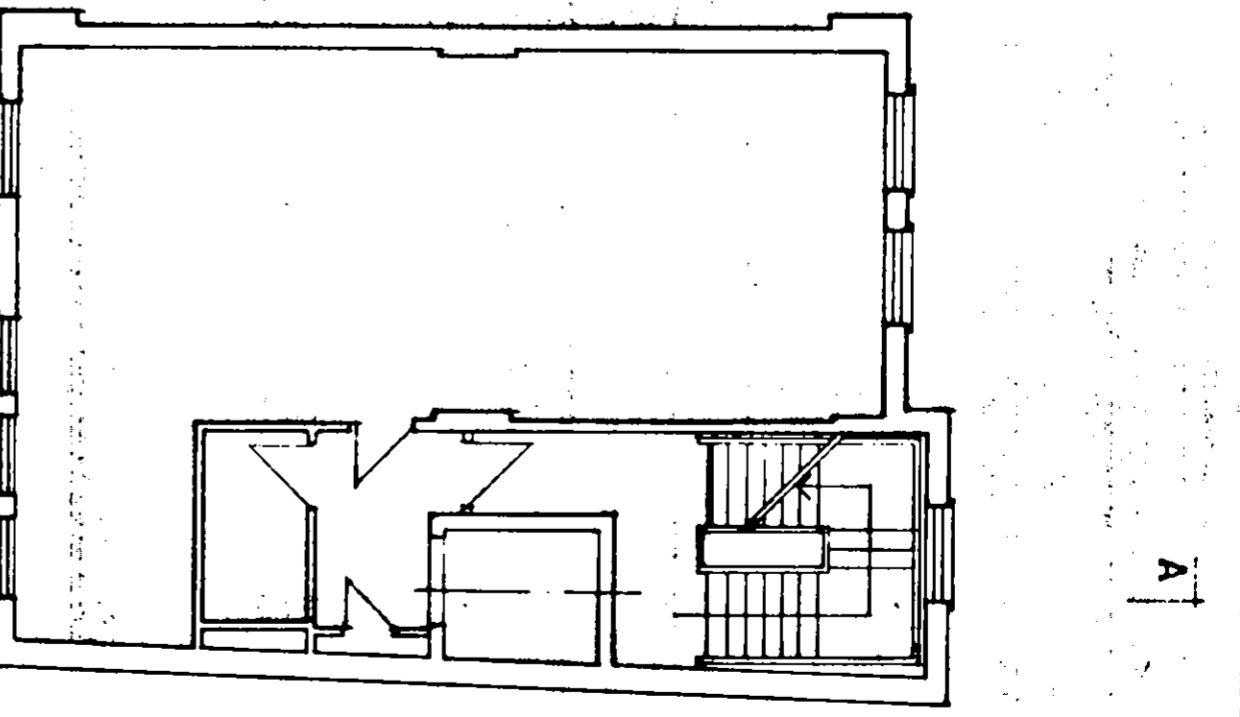
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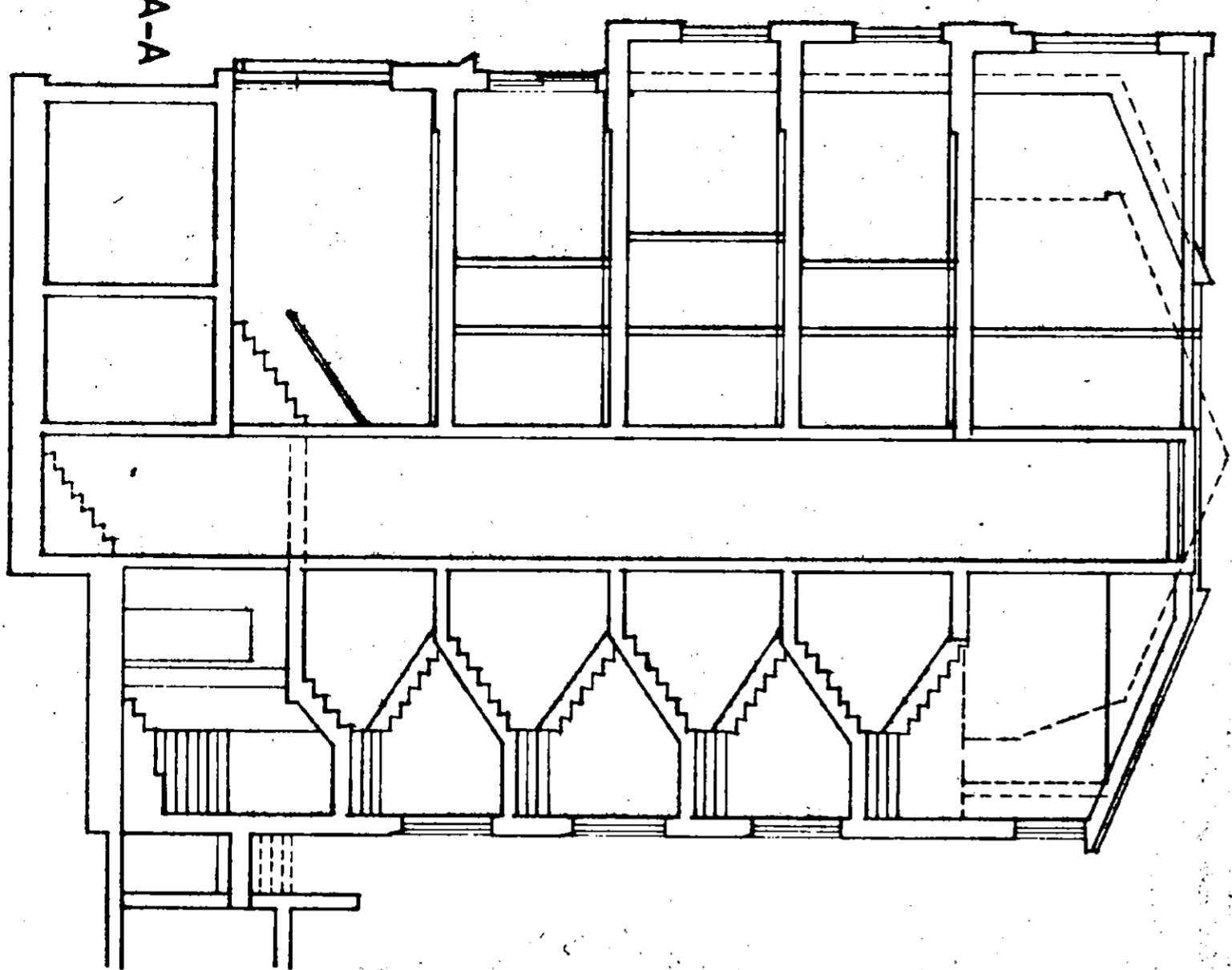
BASEMENT



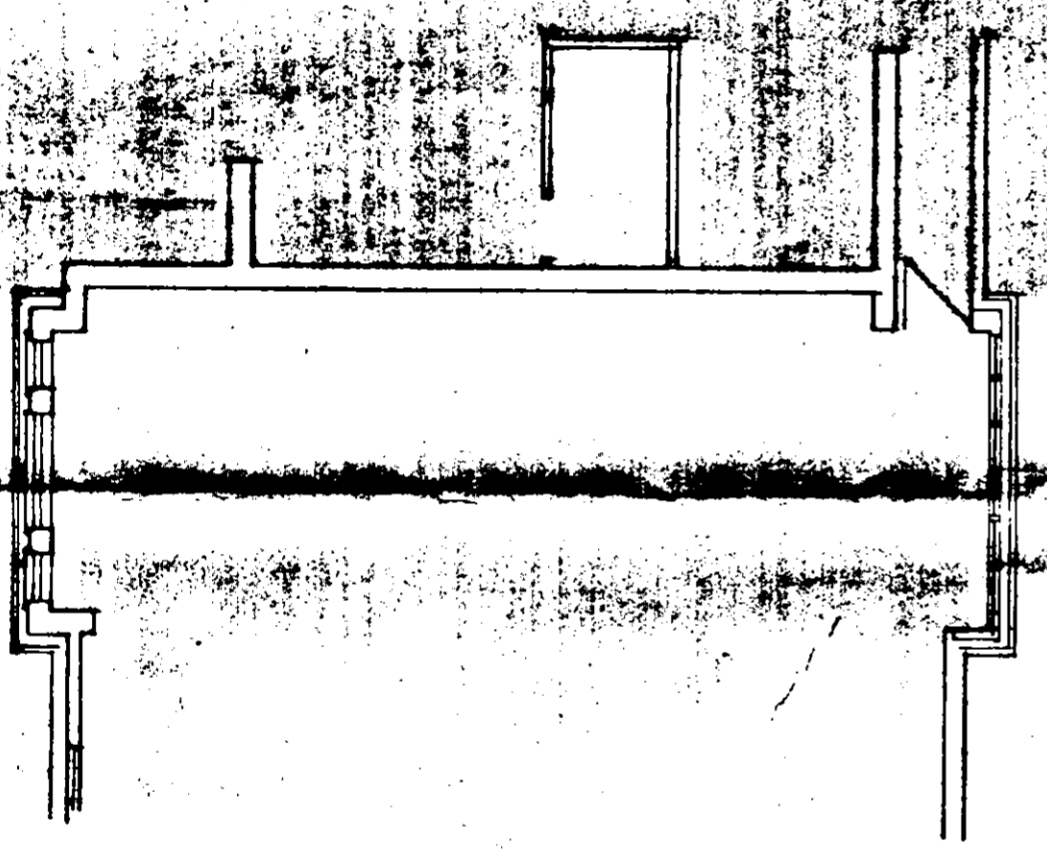
GROUND FLOOR



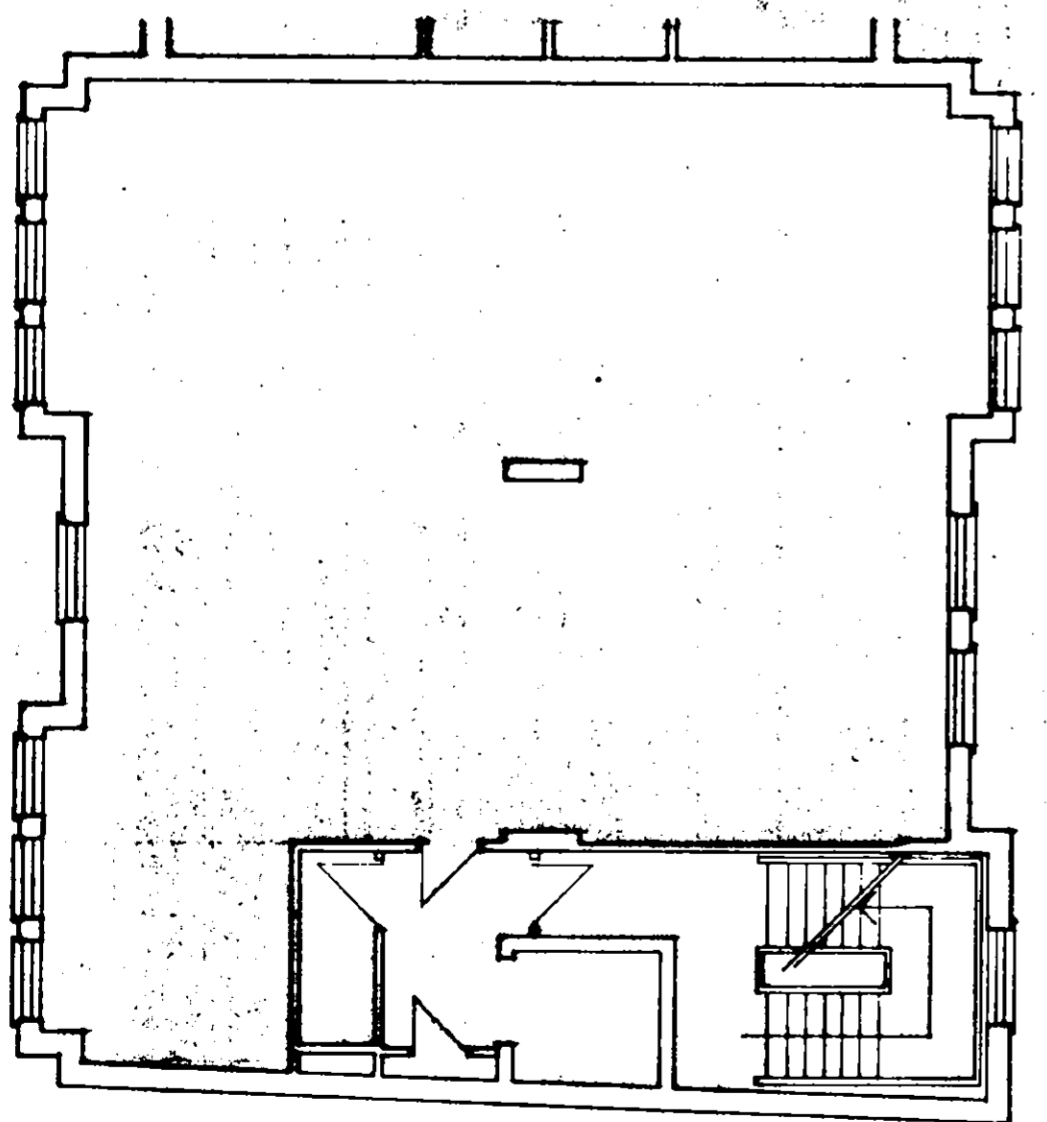
FIRST FLOOR



SECTION A-A



FOURTH FLOOR
(SHOWING ACCESS TO ESCAPE STAIR)



SECOND, THIRD AND FOURTH FLOOR

This drawing must not be scaled.
Figured dimensions, levels, etc., only are to be used.
Any inaccuracies, etc. must be notified to the Architect.
This drawing is copyright.
Detail drawings and larger scale drawings take precedence over smaller scaled drawings.

no	date	revisions
1	DEC 87	PLANNING DRAWINGS UPDATES TO COORDINATE WITH WORKING DRAWINGS
2	JAN 90	SECTION LINES INDICATED
3	FEB 90	PLANING, WALL INDICATED

189 2137/D



Cohyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Cohyn Bay London
DATE 03/7/85 01-938 2444

Job
HORTENSIA ROAD

Title
FRONT OFFICES

Drawn
Date
DEC 89

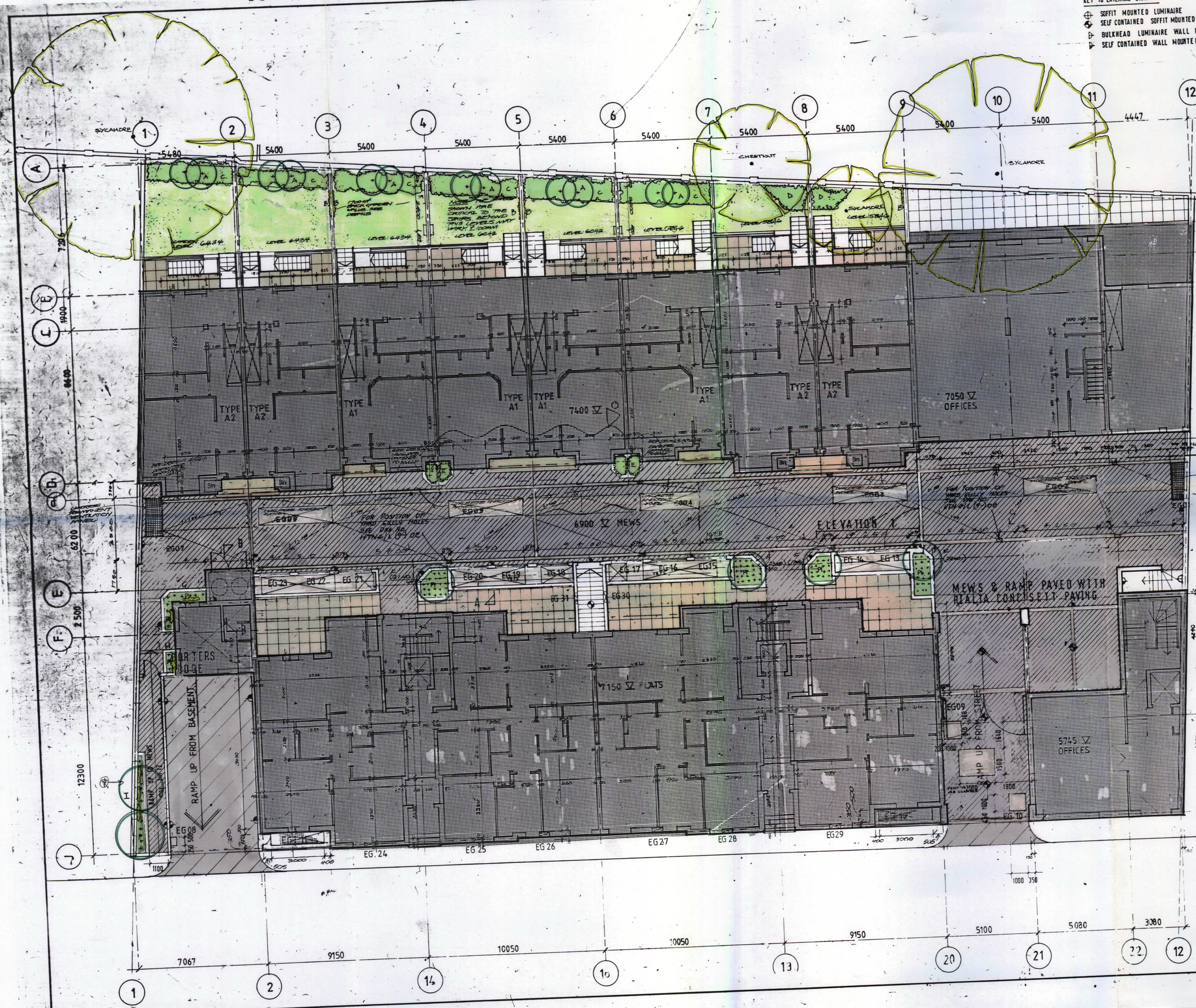
Drawing No
HTN/01/114 rev F

Scale
1:100

KEY TO EXTERNAL LIGHTING
 ⊕ SOFFIT MOUNTED LUMINAIRE
 ⊕ SELF CONTAINED SOFFIT MOUNTED EMERGENCY LIGHT
 ⊕ BULKHEAD LUMINAIRE WALL MOUNTED
 ⊕ SELF CONTAINED WALL MOUNTED EMERGENCY LIGHT

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no	date	revisions
A	6/90	REDRAWN
B	6/90	LANDSCAPE AMENDED



A TREES - ULTIMATE HEIGHT 10m +
 2ND. BETULA PENDULA PER
 PLANT.
 B SHRUBS TO WALL TRELLIS.
 PLANTED IN PORTABLE PLANTER
 CLIMATIC VARS. WITH BERGEM
 LEADIFLORA AS GROUND COVER
 C PLANTING TO REAR SCREENS
 WALLS
 HEDERA COLCHICA
 PENSTEMON HYDRANGEA
 PETIOLARIS CTO SIDE WALLS
 WALL SHRUBS TO 2m HEIGHT
 ERGONOTHUS VARS. AS WALL
 VARS. VIBURNUM BURKWOODII
 LACTUCA VARS. FORSTYI
 IN SUSPENS. LOTONNEASTER
 LACTUCA BERBERIS VARS
 D WALL SHRUBS TO CORNER
 D LOCATIONS 2m HEIGHT
 D SHRUBS TO 2m HEIGHT
 JASMINE NUDIFLORUM
 NYRACANTHA ROGERIANA
 N SHRUBS TO 1m HEIGHT
 BERBERIS VARS. EDGEM
 VARS. LOTONNEASTER VARS
 E PLANTING TO RAISED BEDS
 AT RAISED BEDS
 SHRUBS TO 1.2m HT.
 CHARISMELES LINDLEY
 ERGONOTHUS FORSTYI VARS.
 LOTONNEASTER LONGIFLORUS
 DECIDUUS
 F 1 NO. GLENDITZIA
 TRIACANTHUS ELEGANTISSIMUS
 FEATHERED.
 HEDERA HELIX GOLDHEART
 (NO. AS SHOWN)
 G 2 NO. LOTONNEASTER
 HORIZONTALIS AND 10. NO.
 HEDERA HELIX HIBERNICA
 H 1 NO. LOTONNEASTER
 HORIZONTALIS AND 3NO.
 HEDERA HELIX HIBERNICA
 I 2 NO. LOTONNEASTER
 HORIZONTALIS
 10 NO. HEDERA HELIX
 GOLDHEART.
 1 NO. SORBUS ACUPARIA
 SWEETWATER SEEDLING
 SELECTED STANDARD.

TP/89/2157E
 Cell 29/6/90

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01-938 2400

Job
 HORTENSIA ROAD

Title
 LANDSCAPING

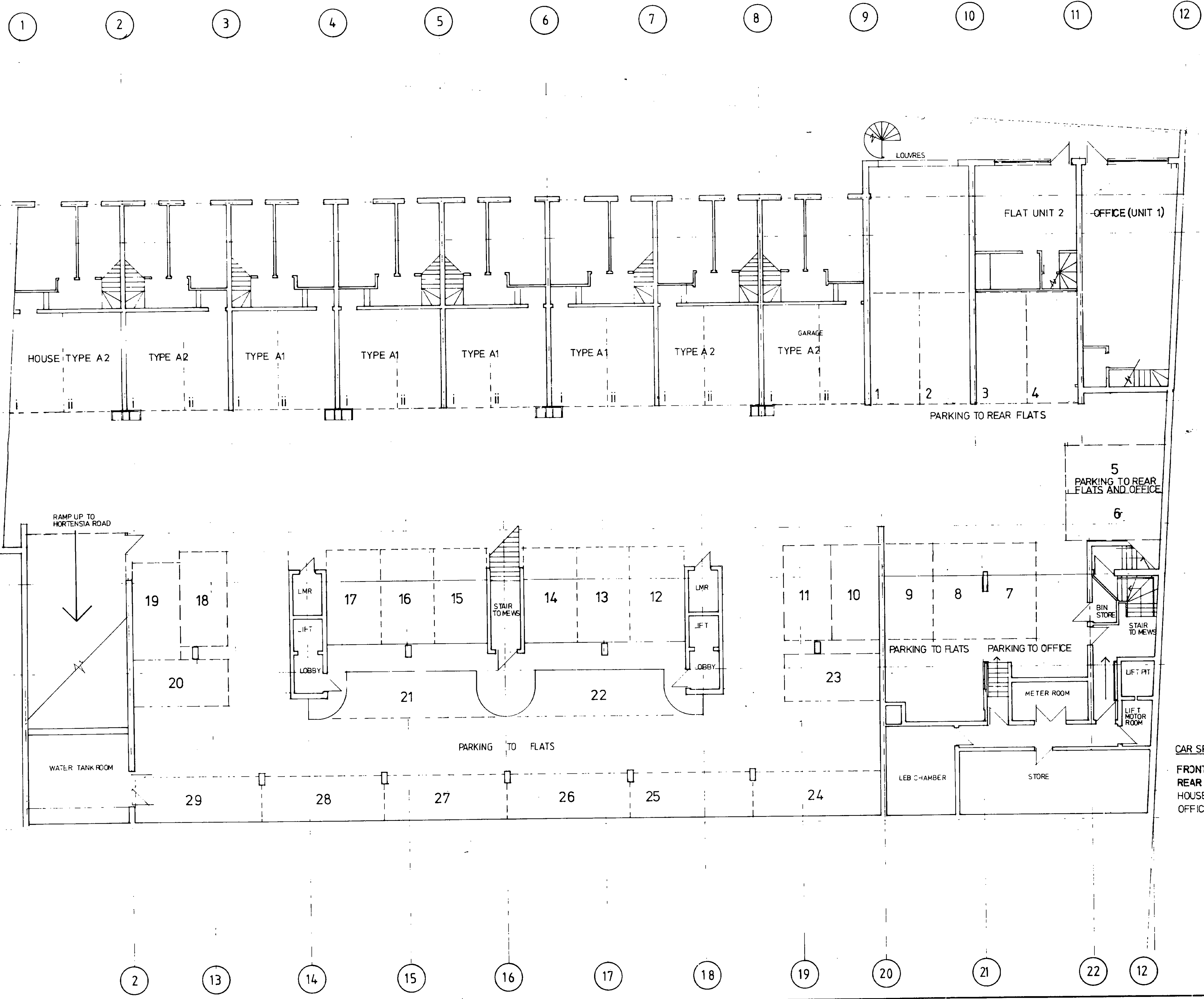
Drawn
 Date
 6/90

Drawing No
 HTNA L(1)-04 B

Scale
 1:100

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no	date	revisions
3	20.6.90	Rear office moved to flats 4 no car spaces added - no system revised notes added



RECEIVED BY UNIT
 25 JUN 1990
 DC N DC C
 AL O PLAN
 LU
 DC
 ENV PLAN
 AO ACK

A 2/90 RELATED DRAWING SHEETS

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 932738 London 01-938 2444

CAR SPACE ALLOCATION

FRONT FLATS	21+1
REAR FLATS	6
HOUSES	16
OFFICE	1+1(MEWS)

Job
 HORTENSIA ROAD

Title
 BASEMENT PLAN
 PARKING LAYOUT

Drawn Date
 11.89

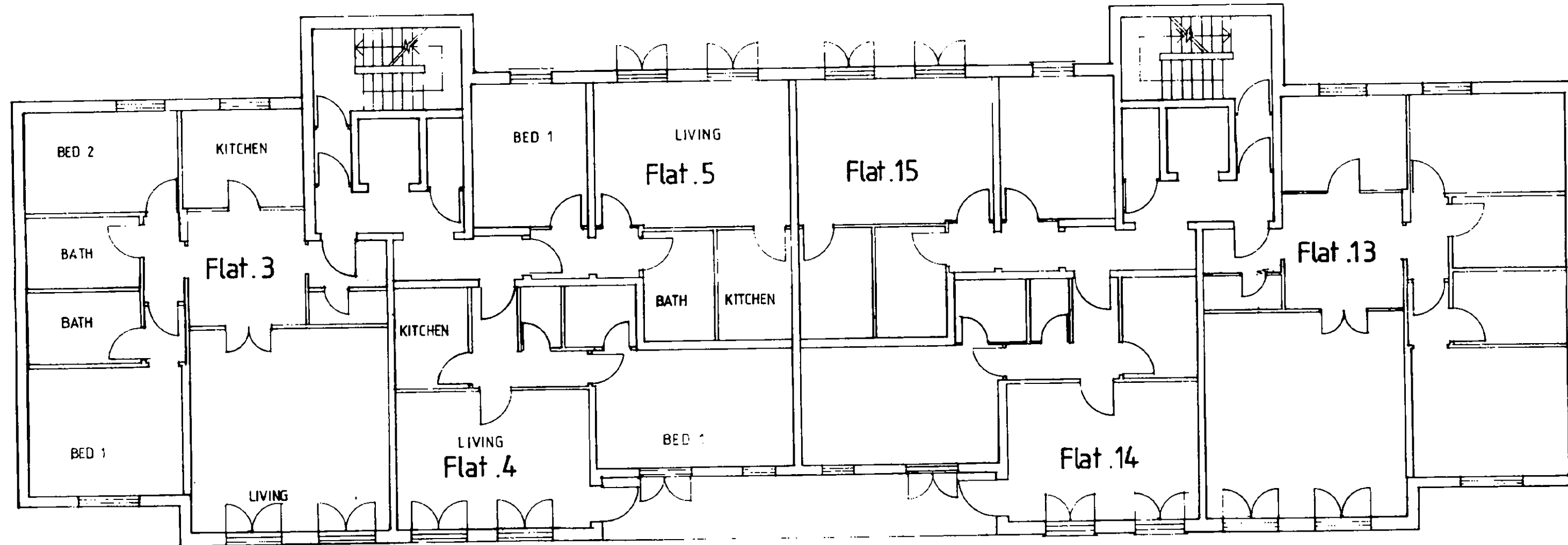
Drawing No
 HTN 01 119 A.S

Scale
 1:100

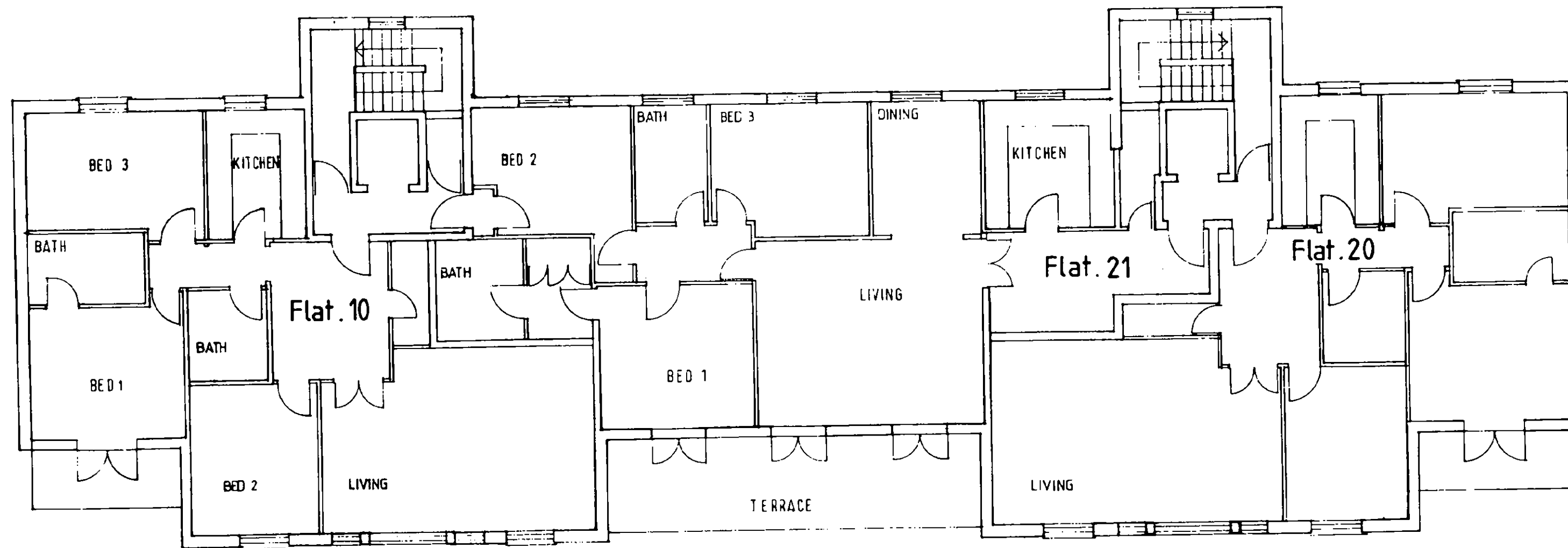
46
 10/89/2317E

NOTE: This drawing is NOT for construction.
For reference to flats numbers only

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FIRST FLOOR ALTERNATE PLAN WITH ONE BED FLATS



PENTHOUSE PLAN ALTERNATE PLAN WITH THREE x THREE BED FLATS

RECEIVED
On 25 JUN 1990
DC
AR
LUR

no	date	revisions
A	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
B	4 4 90	FLATS No's 11000 & No. 11

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 | London 01-938 2464

Job
HORTENSIA ROAD
LONDON

Title
ALTERNATE FLAT PLANS

Drawn
Date
DEC 88

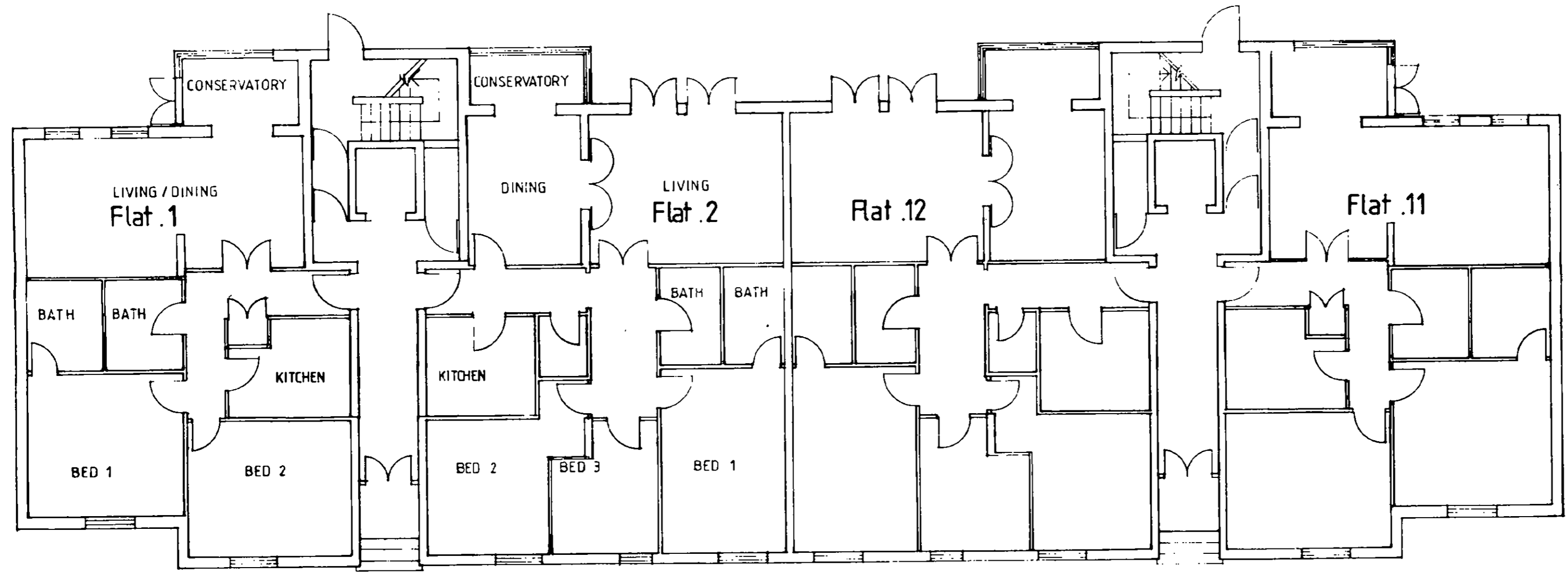
Drawing No
HTN / 01 / 122 B

Scale
1:100

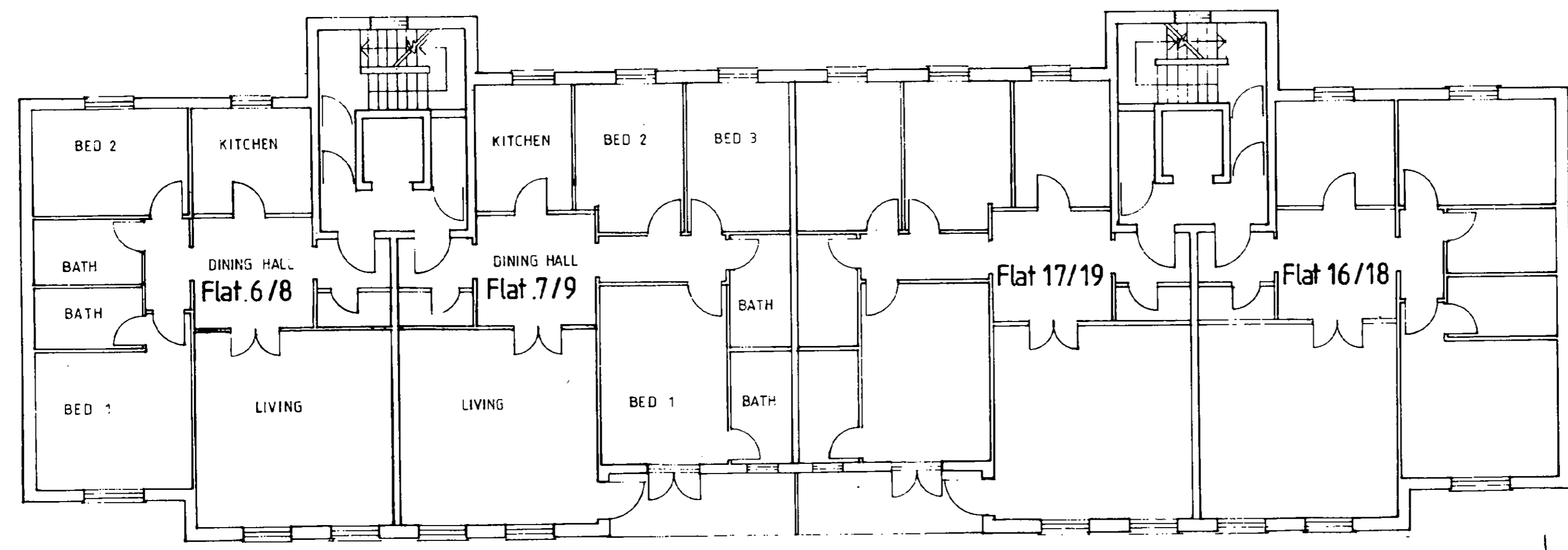
TP/89/2317E

NOTE This drawing is NOT for construction.
For reference to flats numbers only

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GROUND FLOOR



SECOND AND THIRD FLOOR

Handwritten: P/80/2317 E

no	date	revisions
A	DEC 88	PLANS FOR WORK TO BE COORDINATED WITH WORKING DRAWINGS
B	4.9.90	FLATS REFERENCE Nos. Added. Note REDED.

RECEIVED BY P.T.	25 JUN 1990
ON	
OR	
MR	
DDPI	

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 | London 01-938 2464

Job
HORTENSIA ROAD

Title
FLAT PLANS

Drawn
Date
DEC 88

Drawing No
HTN/01/120 B

Scale
1:100

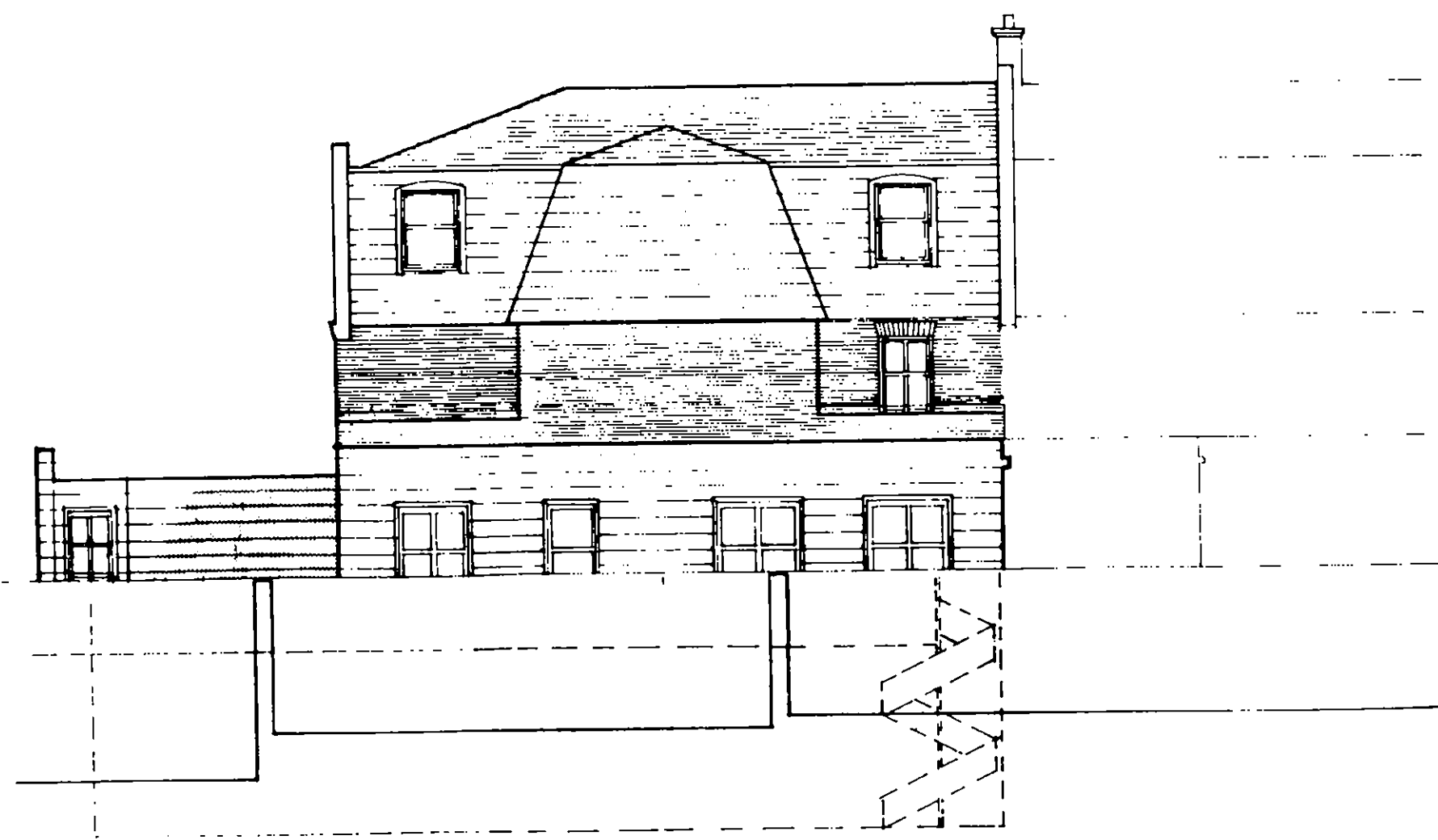
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no	date	revisions
A	DEC 89	OFFICE ROOF HATED A - 1/4" - 1/2" END.
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED.
D	JUNE 90	REBUILT ACCOMMODATION - ALL RESIDENTIAL



REFER TO APPROVED
 PLANNING DWG NO
 HTN 01/03 FOR ELEVATION

FRONT ELEVATION



REAR ELEVATION

*TP/89/2317E
 Red 25/6/90*

**COLWYN FOULKES
 & PARTNERS**
 Chartered Architects, Planning
 & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01937 1444

Job
 HORTENSIA ROAD

Title
 REAR FLATS
 AND OFFICE

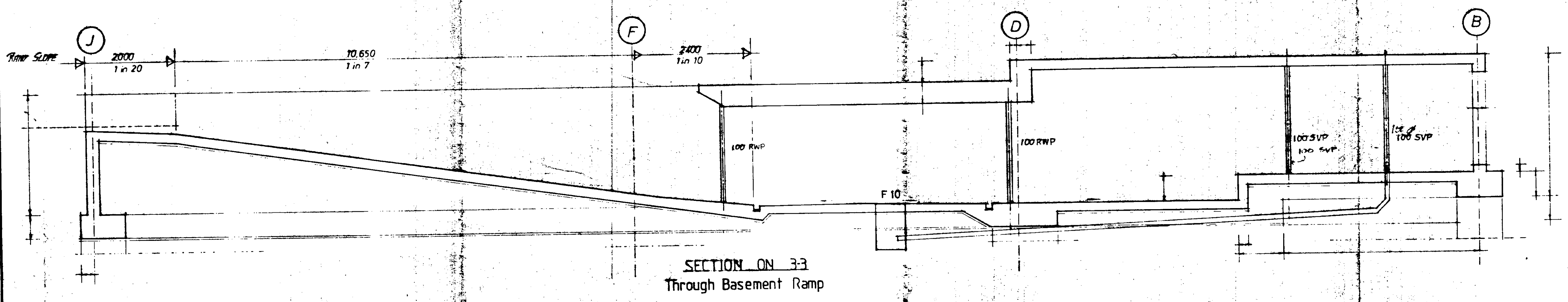
Drawn
 Date
 DEC 89

Drawing No
 HTN/01/115 D

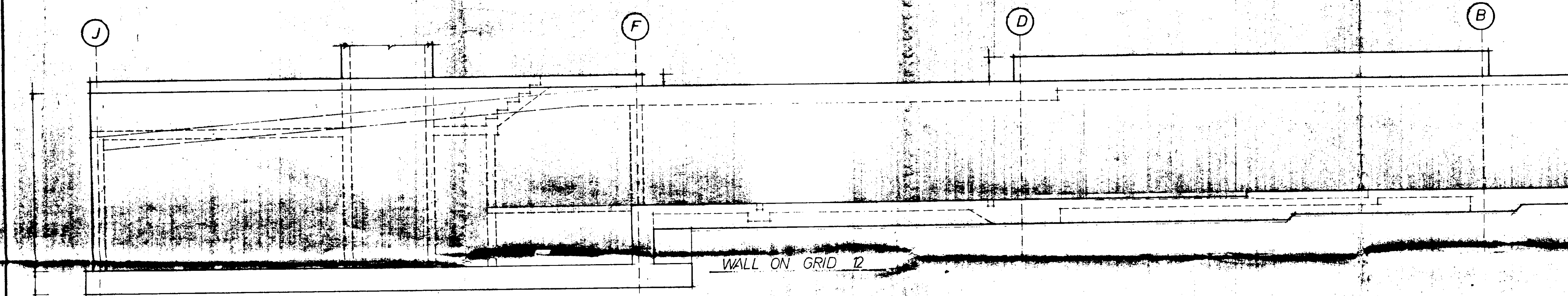
Scale
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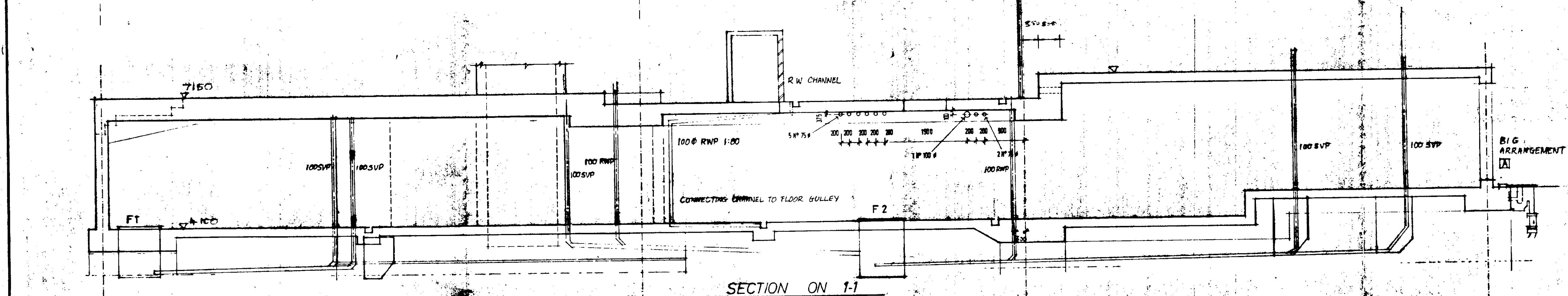
no	date	revisions
1	2/11/89	DIMENSIONS AND SLOPE OF RAMP ADDED.



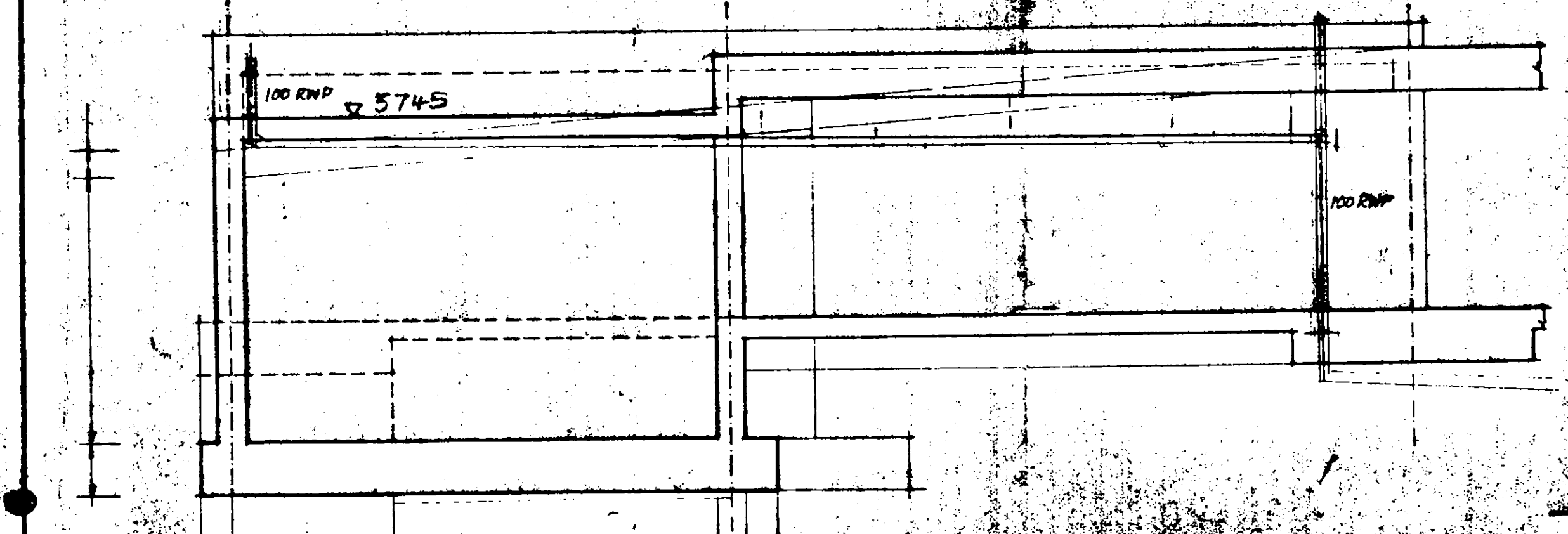
SECTION ON 3-3
Through Basement Ramp



SECTION ON 1-1



SECTION ON 2-2



SECTION ON 1-2

THIS DRAWING TO BE USED IN CONSTRUCTION WITH REG. NO'S HTN4/L (52) 01
A(52) 02, A(52) 03
FOR SETTING OUT REFER TO "SETTING OUT", BASEMENT DRAINAGE
HTN4/L (3) 06

Approval of Ramp

RECEIVED BY D. P. T.
On 6 NOV 1989

DC N	DC C	DC B	DC E
APB	D. PLAN	ACD-10	EB1
DCPT	LD	TAMA	351

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay Gwent SA73 3JH London 01-252 2400

Job
HORTENSIA ROAD

Title
RETAINING WALLS AND SECTIONS

Drawn Date
APR 89

Drawing No
HTN4/L (1) 011 A

Scale
1:50

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no	date	revisions



ELEVATION TO HORTENSIA ROAD

CF&P

Cokryn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Cokryn Bay
 0482-8888
 01-538 2484

Job 27 NOV 1989

HORTENSIA ROAD SW 11

DC	DC	DC	DC
ARB	D. PLAN	OPT	ENV. PLAN

Title	DATE	BY
ELEVATIONS		

Drawn	Date
	NOV 89

Drawing No
 HTN / 01 / 101 P

Scale
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no	date	revisions
A	Sep 84	Sections A-B SUIT
B	Nov 84	REVISIONS
C	Nov 84	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
D	Nov 84	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
E	Nov 84	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
F	Nov 84	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
G	Nov 84	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
H	Jan 85	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
J	June 85	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS
K	June 85	FRONT ENTRANCE REVISIONS REVISIONS OF PLANT FRONT GARDEN + REVISIONS REAR OFFICES REVISIONS REAR OFFICES REVISIONS



Handwritten:
 T. H. 21/5/85
 C. H. 29/6/85

SECTION LINES REFER TO
 DRAWING NO. HTN/01/96

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay, Lancashire
 London, 01-429 3400

Job
 HORTENSIA RD.

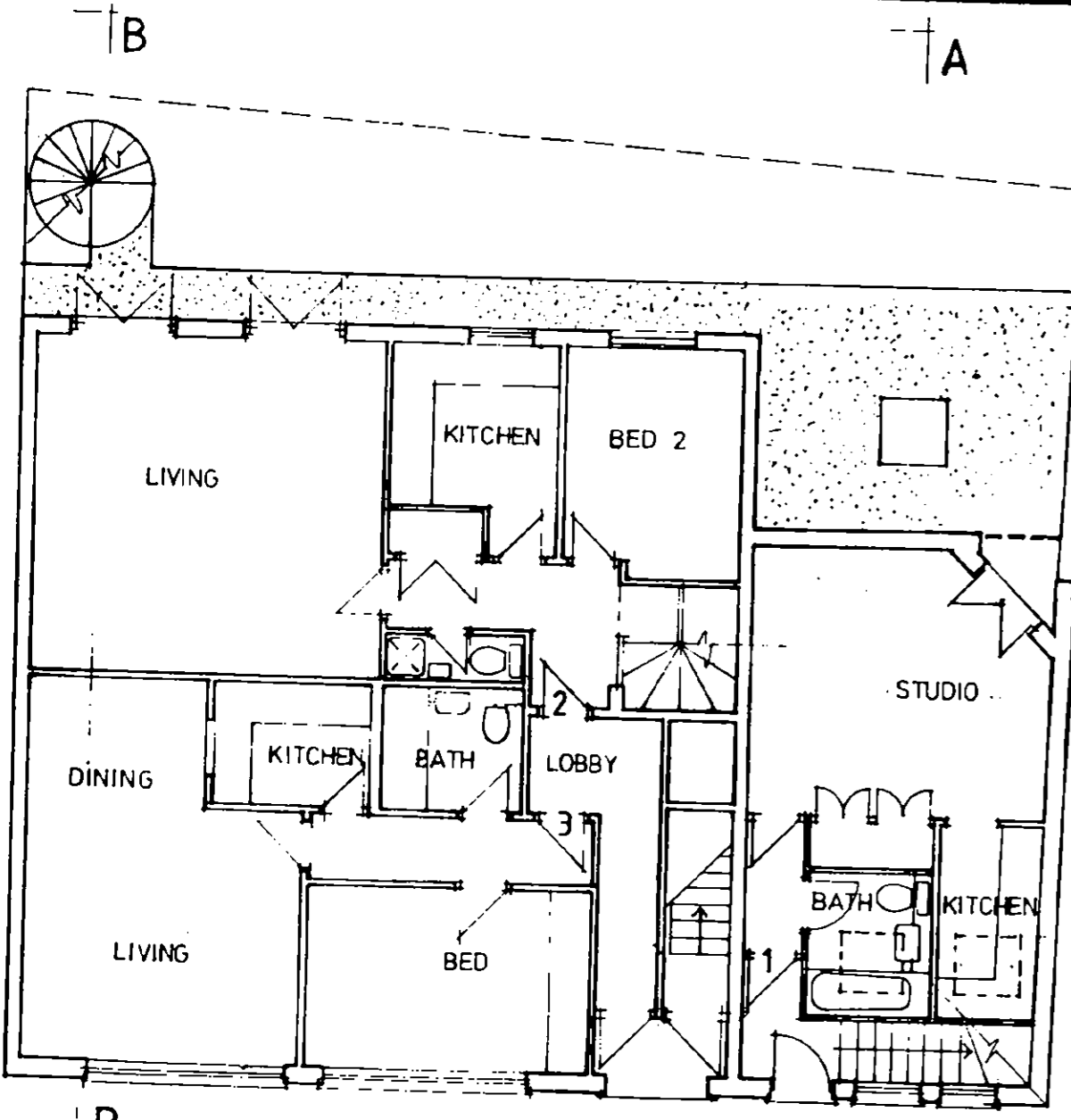
Title
 SITE PLAN

Drawn
 Date
 MAY 85

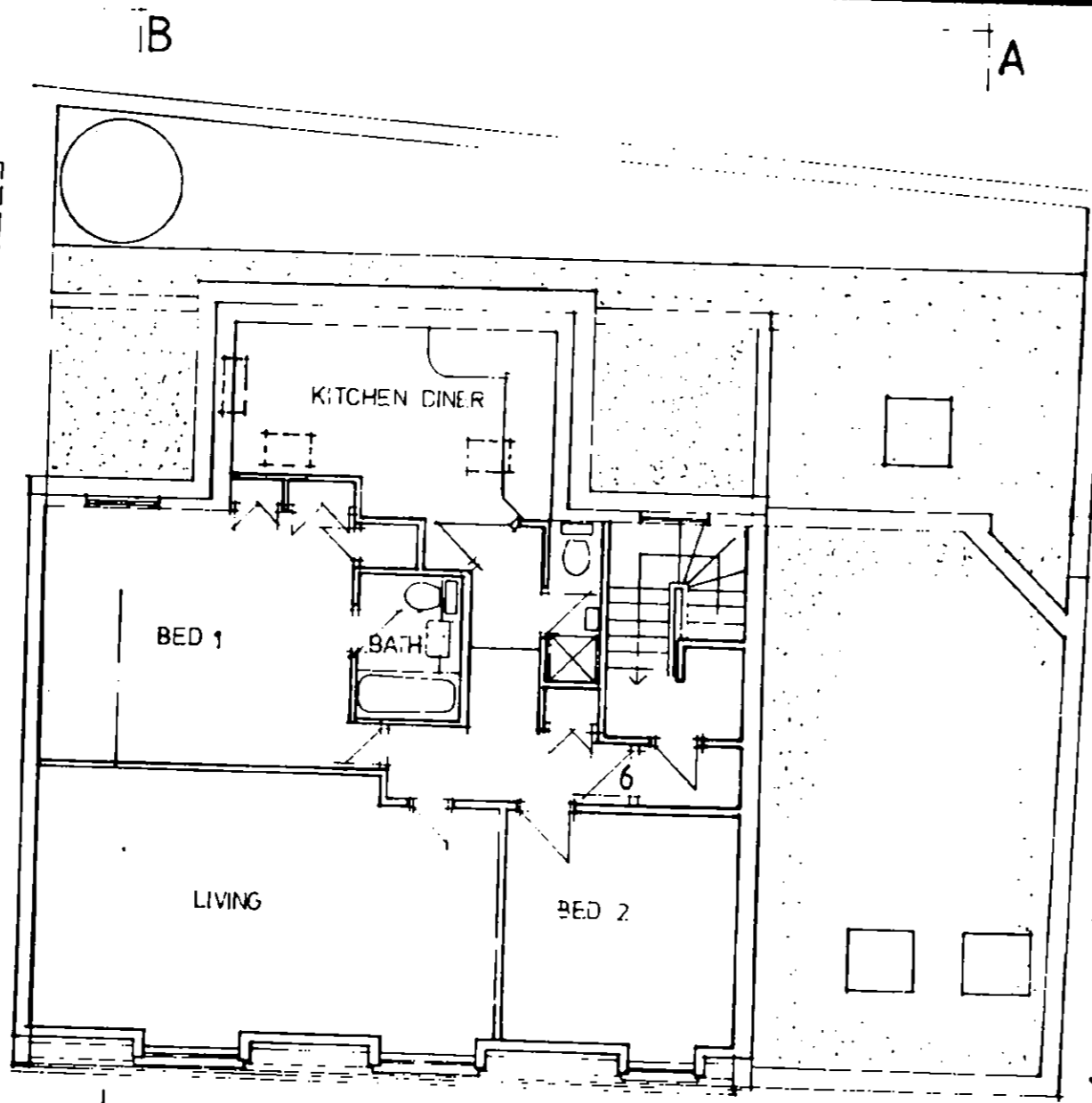
Drawing No.
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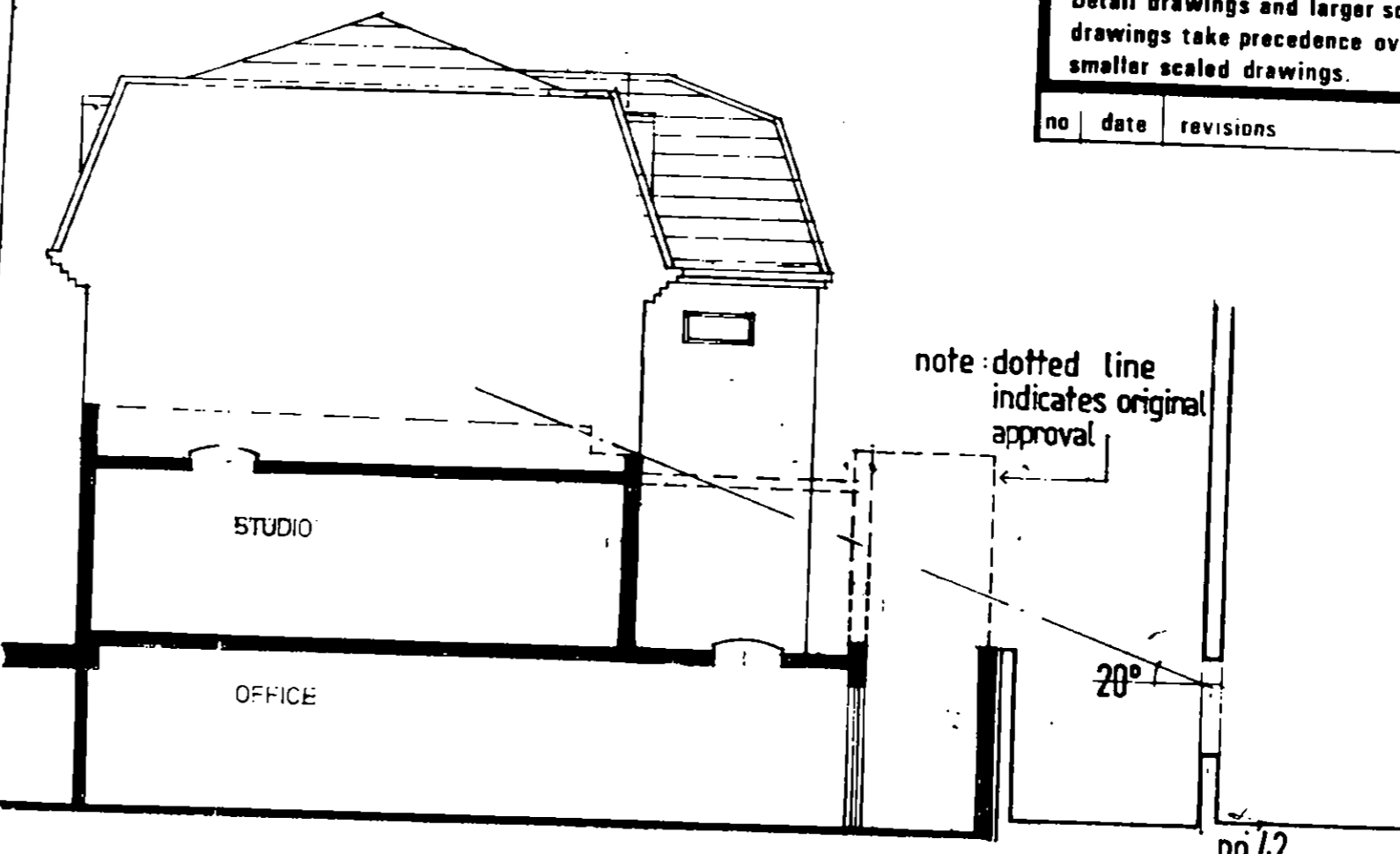
6.4.14 5/9



GROUND FLOOR unit 1,2+3



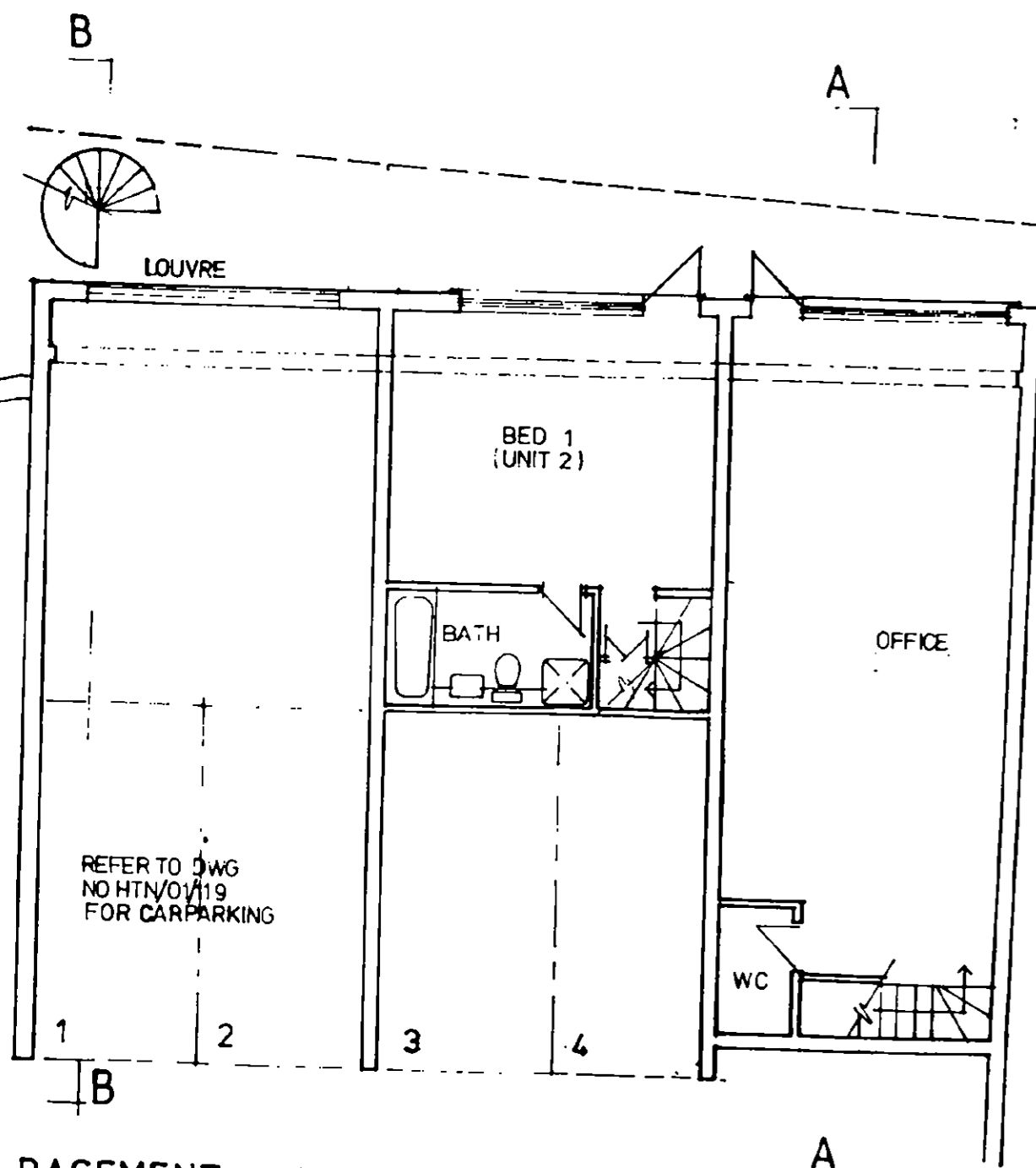
SECOND FLOOR unit 6



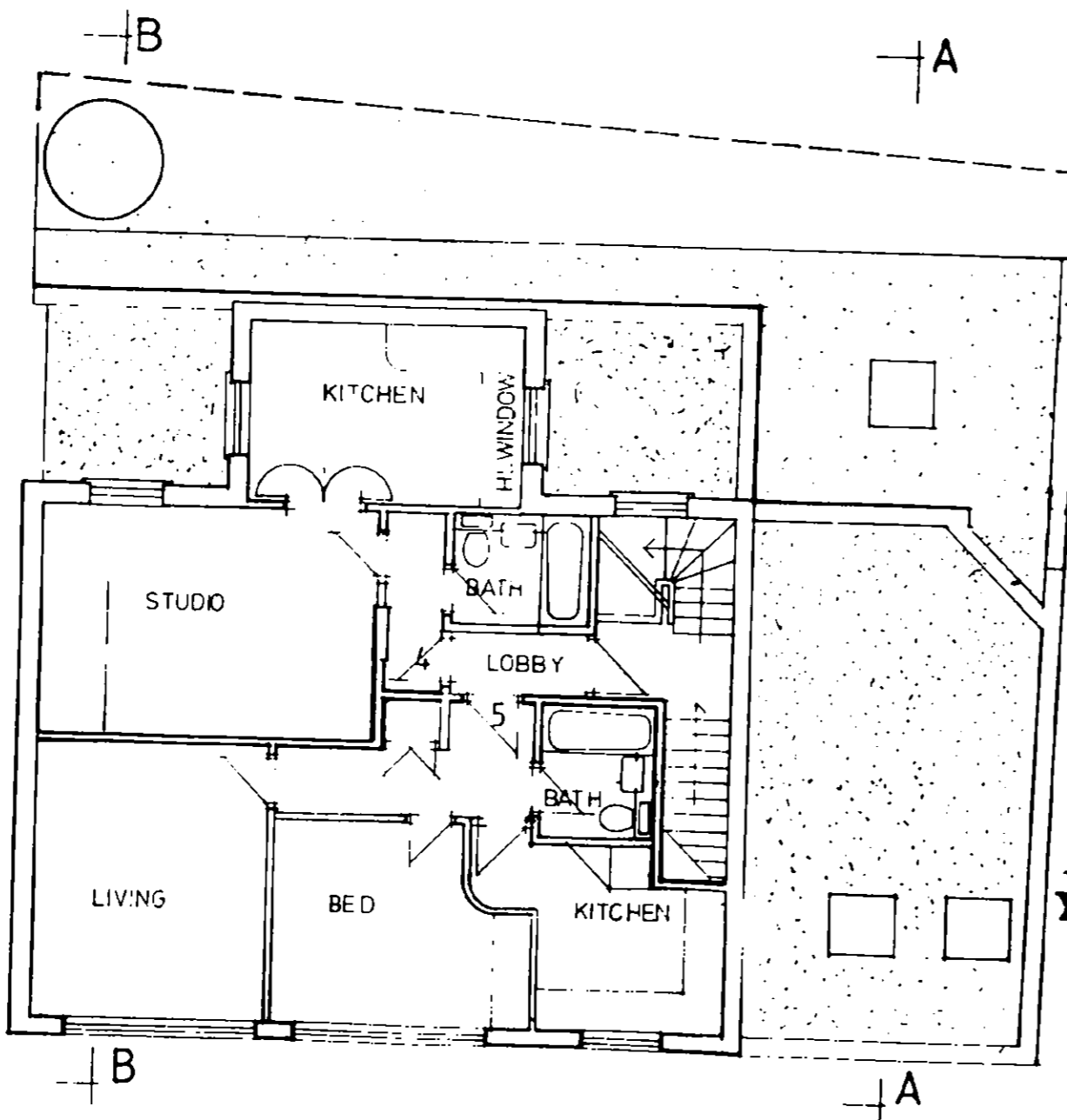
SECTION A-A

This drawing must not be scaled.
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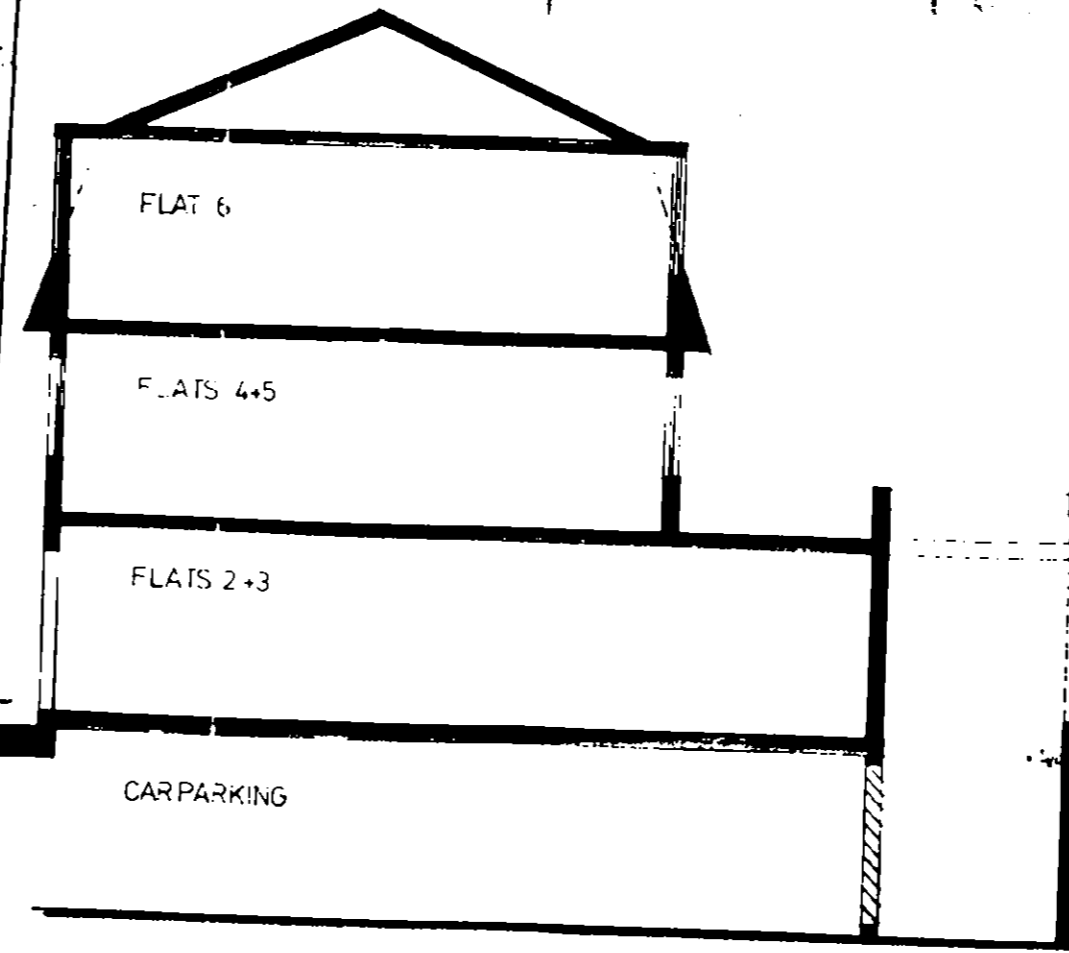
no	date	revisions



BASEMENT unit 2



FIRST FLOOR unit 4+5



SECTION B-B

C	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
D	DEC 89	SECTION A-A UPDATED TO INCLUDE ADJOINING PROPERTY
C	JAN 90	UNIT 2 GROUND FLOOR REDUCED
E	JAN 90	BALCONY/LOBBY ANGLE INDICATED
F	JAN 90	REMOVED RECOMMENDATION - ALL BEDROOMS

COLWYN FOULKES & PARTNERS
Chartered Architects, Planning & Landscape Consultants
Colwyn Bay 0492 2735
Cardiff 0222 31833
London 01937 1444

Job
HORTENSIA ROAD

Title
REAR FLATS AND OFFICE

Drawn
Date
DEC 89

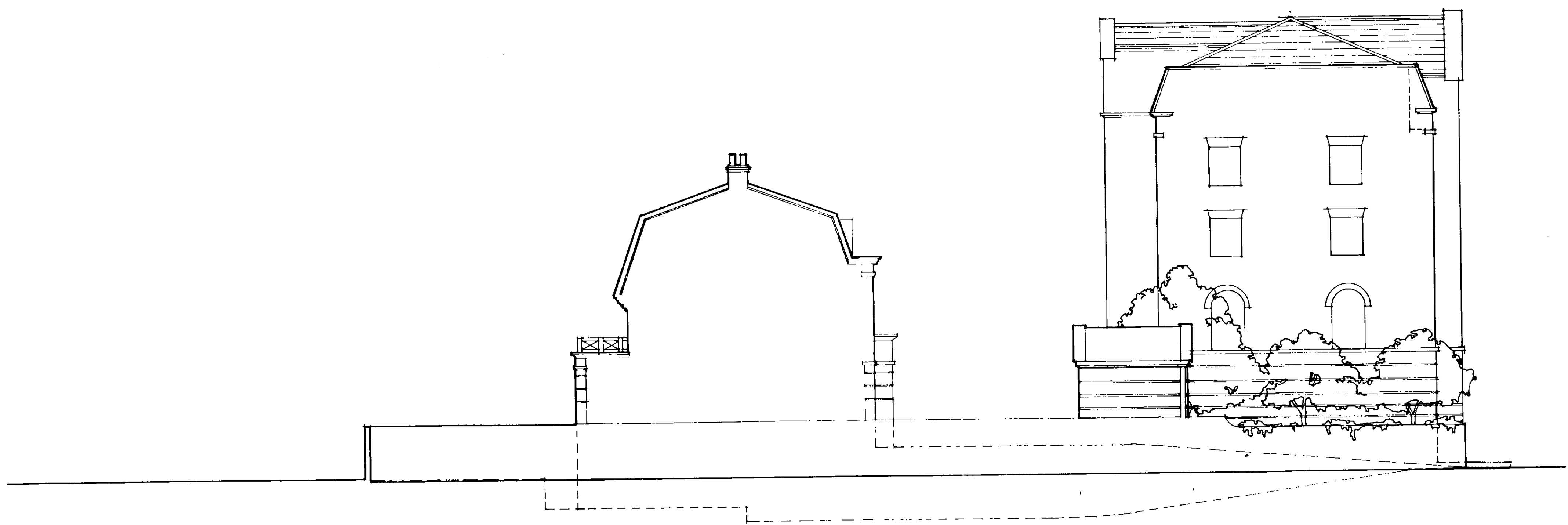
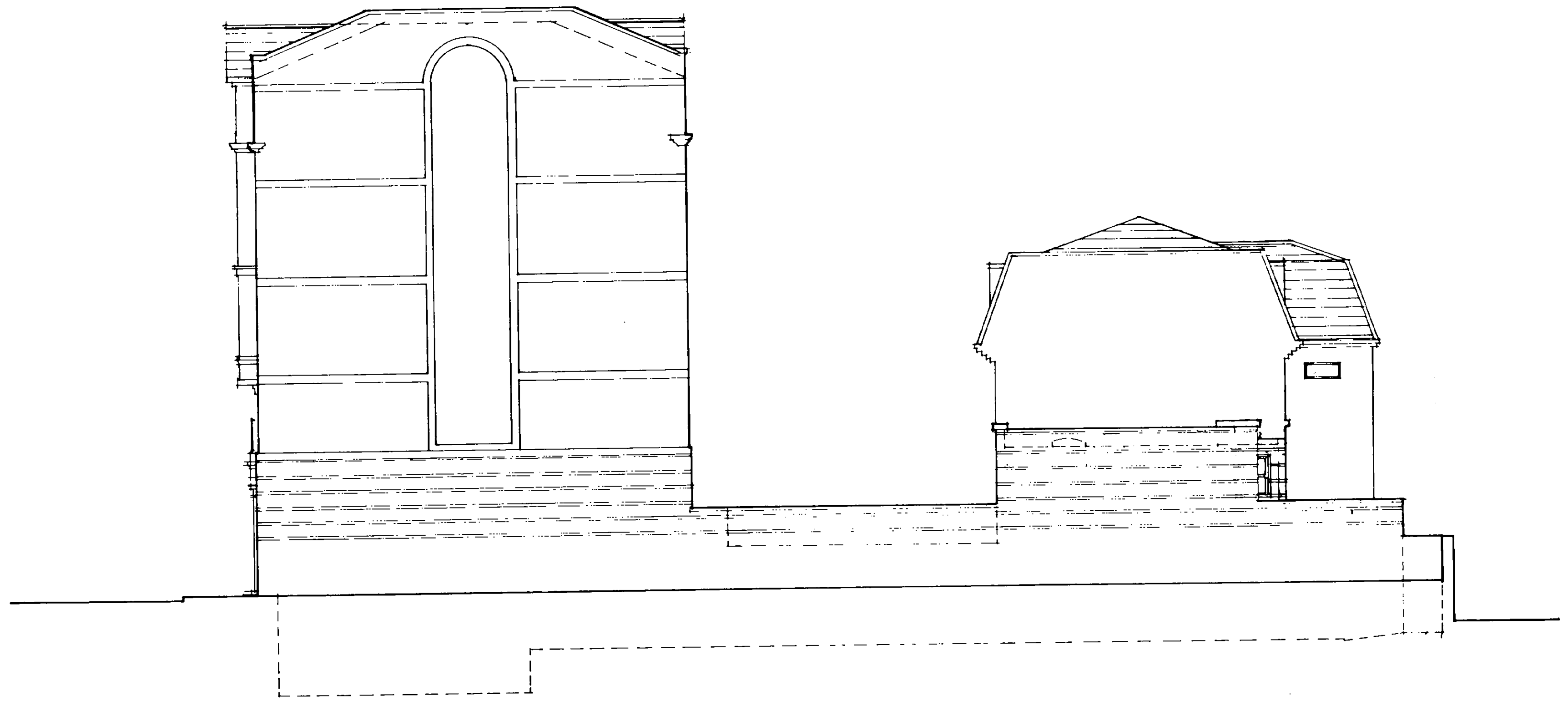
Drawing No
HTN/01/113 rev 6

Scale
1 : 100

TP/89/2317E

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no	date	revisions
A		
B	June 20	Rear office revised to flats



RECEIVED BY D. P. T.
25 JUN 1990

On	DC N	DC C	DC F	DC P	DC A
ARB	D PLAN	DOPT	DOPT	DOPT	DOPT
DOPT	LD	LD	LD	LD	LD

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 London 01938 2484

Job
HORTENSIA RD.

Title
ELEVATIONS

Drawn	Date
	11. 89

Drawing No
HTN 01 107_B

Scale
1.100

7/12/89

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN PLANNING MAIN COMMITTEE 13/03/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
44

REPORT BY THE DIRECTOR OF PLANNING AND TRANSPORTATION

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA.

Application dated 13/11/89
Revised 16/01/90
Completed 12/12/89
Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Not known

District Plan Proposals Map:

<u>Cons.Area</u>	<u>CAPS</u>	<u>Article 4</u> <u>Direction</u>	<u>Listed</u> <u>Building</u>	<u>HBMC</u> <u>Direction</u>	<u>A/O</u> <u>Consulted</u>	<u>Objectors</u> <u>(to date)</u>
NO	NO	NO	NO	NO	123	17

RECOMMENDED DECISION :-

1. That Subject to the applicants entering into a Section 52 Agreement, whereby they undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of the signing of this agreement.
2. Grant Conditional Planning Permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), including the approval of the details relating to the access ramp, landscaping and facing materials.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137, 892137B, 892137C, 892137D

Applicants drawing(s)No(s) : HTN/01, 101P, 105H, 107, 113F, 114F,
115B, 119A, 120A, 122A, HTN/L (1-) 04,
011A

CONDITIONS

1. C.22 2. C.11 3. C.14 4. C.34 5. C.48 6. C.52
7. The windows of the rear office block directly behind No. 40 and 42 Gunter Grove at ground, 1st and 2nd floor level and the East elevation shall be fitted with obscure glass/vertical blinds and so maintained.
8. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles by the occupiers of the building, and details shall be submitted to and approved by the Director of Planning and Transportation in writing of the steps which are to be taken to ensure that the residential parking is not available for use by any other party, other than that to satisfy the Council's parking standards.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.13 2. R.6 3. R.7 4. R.5 5. R.21 6. R.27
7. To protect the privacy of adjoining residential properties.
8. To ensure the provision and retention of the car parking for residential occupiers, and to safeguard the use of these spaces.

INFORMATIVES

1. I.44 2. I.3 3. I.12 4. I.18 5. I.7 6. I.33 7. I.34
8. I.35

1.0 SITE

- 1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove respectively, which in the main comprise residential properties. On the western side of Hortensia Road are Chelsea School and Sloane School.
- 1.2 Development of the application site is currently being carried out, following the planning approval dated on the 22nd December 1988, (88/0663) for the redevelopment of the site.

2.0 BACKGROUND AND HISTORY

- 2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the Hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and offices (B1).

The scheme provided for (a) the erection of 8 three storey mews type houses to the rear of the site, behind the rear of 28-38 Gunter Grove, with a 3 storey and basement office building (total gross area 490 square metres) at the southern end of the block directly behind 40-42 Gunter Grove and for (b)

A further separate block fronting Hortensia Road, providing 9 flats and 4 houses with a further office block (total gross area 620 square metres) at the southern end of the block, close to Knights House. The scheme included car parking at basement level.

2.2 Additional Office Area

When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as new office space; this did not include any figure for office space in the original building used by the University of London. The total area of office should in fact have been 1,110 square metres of office; this being the floorspace shown on the approved drawings.

- 2.3 The permission was granted subject to 10 conditions. The most relevant for the purposes of the consideration of this application are conditions:

02 Approval of facing materials

'The facing materials to be used on the building shall not be otherwise than those approved by the Council before any work on site is commenced, and samples of such facing materials, including details of any pointing shall be submitted for the Council's consideration.'

05 Landscaping

'No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping

08

"The new buildings hereby approved shall relate to adjoining premises, Hortensia House and Knights House, in height and plan exactly as shown on the drawings now approved and if for reasons of different levels, or any cause it is subsequently found not possible to comply with this requirement, the permission hereby granted becomes null and void.

10 Access ramp

'Details of the access ramp to the basement car park shall be submitted to and approved by the Director of Planning and Transportation, in writing before any work is commenced.'

2.4 The details requested by conditions 2 & 5 have been submitted and also relate to the current application, and are considered to be acceptable.

3.0 PROPOSAL

3.1 Since the application was approved on 22nd December 1988, the scheme has been slightly changed, the alterations are being carried out on site without the benefit of planning permission. The application before committee includes the proposed changes to the scheme, which involve;

1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation, and alteration to the footprint of the building.
2. Alterations to the rear office block, directly behind 40 & 42 Gunter Grove, resulting from discussions between the architects and Council officers.

3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.

3.3 The overall bulk and scale of the proposed development remains as approved, and there is no change in the overall floor area.

3.4 However the Officer advised that in the light of these changes it was necessary for a full planning application to be submitted, so that consideration could be given to the whole development.

4.0 CONSULTATION

4.1 123 letters of notification have been sent to adjoining occupiers, these include all residents in Hortensia House, Knights House and the West side of Gunter Grove.

4.2 Before the application was submitted letters were received by the Council - mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed was that the residents were not aware as to the extent of the scheme approved in December 1988 and, some stated that they were unaware of the previous application. It appears that some residents were invited by the developers to a meeting before the original scheme was determined which took place on the 1st June 1988. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.

4.3 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to be 2 storey and not 3 storey, and that had they been aware of the extent of the development they would have strongly objected.

4.4 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House. The applicants state that they carried out a widespread consultation exercise (between 140-150 leaflets were distributed in the area)

4.5 The Council has received further letters of objection as a result of this application;

Further grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

5.0 ENFORCEMENT

- 5.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not fully in accordance with the approved plans and therefore unauthorised. Further investigations were carried out on the rear block but it was concluded that this was being built in accordance with the approved plans.
- 5.2 The planning decision dated 22nd December 1988 was conditioned and stated that the approval of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to two enforcement notices being served.
- 5.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.
- 5.4 The second enforcement notice was served against the operational development and further states that the applicants had carried out work which was in breach of condition 08 of the 1988 decision.
- 5.5 Both the enforcement notices were served on the 31st October 1989. The applicants have subsequently appealed the enforcement notices which are now subject of a public inquiry on the 26th June 1990.

6.0 CONDITION 08 OF PLANNING DECISION 22/12/88 (APPENDIX A)

6.1 The implication of condition 08 has been considered. This condition is considered in its wording to be beyond the limitations allowed under the Act since the 1971 Town & Country Planning Act allows for any changes to an approved scheme (except maybe a minor amendment) to be the subject of a further planning application. However, whilst members are aware of the earlier decision, they are of course able to consider this as a new application. The proposed development must then be considered bearing in mind the large five storey building which previously existed on the site. If it is then considered that the new scheme does not cause significant harm to any interest of acknowledged importance then the Council should approve the proposed development.

7.0 FURTHER CONSIDERATIONS

7.1 Front Block

The provision of 21 flats is considered acceptable and accords with the Councils Housing policies contained within the District Plan. The planning and design standards are also complied with, and the Design Officer, considers that the proposed elevation to Hortensia Road is a positive improvement over the approved scheme. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of B1 use.

7.2 Rear Office Block

The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. Revisions have been actively sought and the applicants have made a modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally 4.5 metres away. The revision is to be welcomed but still is not acceptable to some residents in Gunter Grove. The office area in this block is 490 square metres. The office space lost by the setting back of the rear office block, has been relocated to the basement area.

7.3 Details of the proposed basement car parking have been submitted and show the provision of 22 spaces for the flats, three spaces for the offices (both units) and 16 integral spaces for the houses. This is in full accordance with the Council's standards, and in part in excess of them.

8.0 COMMENT ON LOCAL CONSULTATION

8.1 Sunlight and Daylight

Detailed submissions have been made by advisors acting for the owner/occupier of 42A Gunter Grove - it is alleged that the rear South West facing garden window of this unit will have its sunlight reduced to below the recommended standard of three hours.

Daylight and sunlight are both taken 2m above ground level and therefore at approximately the window head of the unit. It is accepted that there will be a loss of sunlight to below three hours to the window on the extreme North end of the property, but members are advised that a further two windows and a French door also open onto this same room, the furthest window being over 12ft further South. In the officers opinion the sunlight to the room itself will comply with the recommended three hours.

There will be substantial improvements in sunlight received to Nos. 28, 30, 32, 34 and 36 Gunter Grove caused by the removal of the old Hudson Building.

8.2 Loss of Privacy

There will be no increase in overlooking to the rear of Gunter Grove properties, beyond that approved in 1988 which ranges from the closest which is at No. 42 Gunter Grove - a distance of 8m to the farthest at No. 28 Gunter Grove of over 20m. The level of overlooking between the respective components is considered acceptable, but in an attempt to reduce the impact on No. 40, and No. 42 it is suggested that some form of privacy protection be used on the rear windows of the office building. Members are reminded that such a condition was not on the original permission and the applicants have advised that they would not be prepared to accept obscured glazing but they would provide vertical blinds etc. if required. The windows are set back a further 3.5m from the approved scheme, and the proposed office unit will be less intrusive onto the privacy of No. 42, than a residential use (24 hours a day, 7 days a week).

8.3 Outlook/Security Risk

As outlined above the proposed development is closest to the rear windows of No. 42 Gunter Grove, a distance now improved to 8m, however it is to be noted that the development extends less than 40% along the rear frontage of No. 42. For the majority of residents in Gunter Grove the outlook will be considerably improved. Security risks have been complied with as far as this is possible, and the use of the site for primarily permanent residential use should greatly increase security risks to the rear of the Gunter Grove properties.

8.4 Inaccuracy of Drawings and Model

Council officers have already dealt with this matter earlier in the report, and members were advised at the Sub-Committee by the applicants how this had occurred in respect of the model.

8.5 Housing Density

The proposed density of the present scheme comprising of 8 houses and 21 flats is slightly lower than that on the previous scheme, at 480 h.r.h. but this is still less than the average density in this area of 600 h.r.h., and the Borough average of 700 h.r.h. As this is a mixed development comprising residential and some offices it is to be noted that the overall plot ratio for the scheme is approximately 1.9:1, which is below the Council's recommended standard of 2:1. Members are of course reminded that this scheme provides for a net residential gain of 29 units, a 100% improvement as no residential previously existed on this site.

8.6 Office Policy

As reported earlier the site previously comprised a large 5 storey building used by the University of London for educational purposes, it is accepted that the site is not appropriate for a major office user (i.e. a single unit over 1000sq.m. in size), but it is considered that the provision of two office units of 490 sq.m. and 620 sq.m. would be appropriate given the previous history of the site and the non-residential character of the west side of Hortensia Road.

Members are further reminded that the draft policy relating to B1 uses was not adopted by the Council until January 1989, some four months after members considered the previous application. It is not a rigid policy based solely on floor area, but has flexibility afforded by the siting, and its proximity to other commercial uses.

With regard to the previously approved floor area of 675 sq.m., members are advised that the approved drawings which form part of the Council's decision show quite clearly that two small office suites were to be provided on the southern end of each block totalling 1100sq.m. in all. This is not increased in the present scheme. Further legal advice will be given to members at the meeting.

9.0 **RECOMMENDATION**

- 9.1 Planning permission be granted subject to a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing Nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of the signing of this agreement for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), together with the approval of details relating to the access ramp, landscaping and materials.

C.M. DENT
DIRECTOR OF PLANNING AND TRANSPORTATION

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.
- 2) The contents of file number TP/88/0633.

REPORT PREPARED BY: MJF
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 05/03/90

TP9002.MJF.REP

ROYAL BOROUGH OF KENSINGTON & CHELSEA

TOWN PLANNING (APPLICATION) SUB-COMMITTEE - 24/04/90

CHELSEA COLLEGE SITE, HORTENSIA ROAD, S.W.10

REPORT BY THE DIRECTOR OF PLANNING & TRANSPORTATION

TP/89/2137

AGENDA ITEM 4138

The attached report (Agenda item 44) was considered by the Main Town Planning Committee at their meeting on the 13th March, and deferred to enable the offices to discuss amendments to the rear office block to secure additional residential accommodation.

Discussions have taken place, and members are advised that the rear office block has been amended to provide 2 separate office units on basement and ground floor with 2 residential units of 2 bedroom each on the 1st and 2nd floors. It is proposed that the rear block now provides for atelier type accommodation, whereby residential is provided with the office units to provide residential office/business units.

The overall floor area of the rear block remains as previously reported, but the amount of space which will be used for solely office purposes is reduced to 160 sq.m. and 100 sq.m. respectively. The overall development therefore provides for 880 sq.m. of solely office space as opposed to the 1110 sq.m. previously sought.

The amendments at the side and rear of this block are still to be provided, and give substantial improvements to the occupier at No. 42A Gunter Grove, over that previously approved in October 1988.

Adjoining owners/occupiers have been re-notified of these amendments, and any comments received will be reported to the Committee. Members are reminded that the report in March was amended to show 34 objections.

RECOMMENDATION

Members are asked to consider the scheme as now amended, and refer their comments to the Planning Applications Committee which meets on the 30th May 1990 for decision.

C. M. DENT
DEPARTMENT OF PLANNING & TRANSPORTATION

TP/89/2137: 2

REPORT PREPARED BY: MJF
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 11/04/90

LIST OF BACKGROUND PAPERS

- (1) The contents of the file number TP/89/2137 referred to at the head of this report.
- (2) The contents of file no. TP/88/0633.

TP9004MJF.REP

KMM

(To be read in conjunction with ... Committee agenda)

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

MEMORANDUM FROM TOWN CLERK TO CHIEF OFFICERS

PLANNING AND CONSERVATION COMMITTEE - 9TH JULY, 1990.

Will you please note the following decisions made by the above Committee and, where necessary, take action accordingly.

Number and heading of item on Agenda	Decision	Action by
<u>AGENDA - PART A</u>		
MEMBERSHIP TERMS OF REFERENCE	) Noted)	-
MINUTES (Town Planning Committee of 12th March and 2nd April, 1990 and Special Meeting of Planning and Conservation Committee 23rd May, 1990).	Confirmed and signed. Arising thereon: Consideration to be given to supplying copies of draft minutes to all members of Committee.	- TC&CE
<u>TOWN PLANNING APPLICATIONS - 11-13 BROMPTON PLACE AND HARRODS CAR PARK, SW3.</u> (A1) (TP/90/0084/F/09) (TP/90/0085/X/09) and (TP/90/0086/X/09).	Recommendations not adopted. Planning permission, Listed Building Consent and Conservation Area consent refused. (N.B. These applications were determined in Part B).	D.P.S. (Council)
<u>APPLICATIONS REFERRED FROM THE PLANNING APPLICATIONS COMMITTEE 30TH MAY AND 12TH JUNE, 1990.</u> (A2)	Recommendations adopted on basis of revised drawings.	D.P.S. (Council)
(i) and (ii) ^{127/133} Portobello Road, W11. (TP/90/0190/F/11) and (TP/90/0191/X/11).	Noted.	(Council)
iii) Council's Own Development Schemes. (iv) and (v) The Cottage, Gilston Road, SW10. (TP/90/0007/G/01 and (TP/90/0008/X/01).	Recommendations not adopted. Planning permission and Conservation Area consent refused.	D.P.S.

Number & Heading of Item on Agenda	Decision	Action By
vi) Chelsea College Site, Hortensia Road, SW10. (Planning Application Report) (TP/89/2137/A/03 as amended).	Recommendation adopted. (N.B. This application was determined in part B).	DPS -
Report by Director of Legal Services - Chelsea College, Hortensia Road, SW10.	Noted.	-
<u>WESTMINSTER AND CHELSEA HOSPITAL NURSES HOSTEL</u> (A3)	Noted.	-
	Also noted that the Chairman would write again to the Chairman of the Regional Health Authority, concerning the possibility of further negotiation on this case.	DPS
<u>WHITE CITY CENTRE DEVELOPMENTS</u> (A4)	Noted.	-
<u>RESULTS OF PLANNING APPEALS</u> (A5)	Noted. Arising thereon:	-
	Councillor Horton to be supplied with copy of all appeal decision letters when they are made available to the Council.	DPS
<u>REPORT ON PERFORMANCE MONITORING BY PLANNING APPLICATIONS COMMITTEE</u> (A6)	Noted.	-
<u>DRAFT UDP SHOPPING CHAPTER</u> (A7)	Noted that Development Plans Advisory Group had suggested that policy S2 be amended by the addition of a proviso that there be no loss of residential accommodation or amenity. Recommendation adopted subject to policy S2 being amended as suggested and noted that some minor corrections would be made to the maps.	-

Number & Heading of Item on Agenda	Decision	Action By
<p><u>DRAFT UDP OFFICES AND INDUSTRY CHAPTER</u> (A8)</p> <p><u>DRAFT TRANSPORTATION POLICY</u> (A9)</p>	<p>Text to be amended to clarify whether the policies apply to all shops or just those shown on the maps.</p> <p>Definition of non-core shopping areas and the Portobello Road and the Kings Road/Old Church Street Shopping Centres to be investigated further by the Officers in conjunction with points made by members.</p> <p>Recommendation adopted.</p> <p>Agreed that officers should look at definition of small sized business premises (currently defined as 465 sq.m.) and report back as part of the report on the consultation exercise.</p> <p>Noted that Development Plans Advisory Group had suggested (i) that paragraph 5.6 be amended by deleting the words "at a modest sum" in the 4th line and replacing them with "at an appropriate sum" (ii) that further thought should be given to the proposed two tier parking system for residents proposed in paragraph 5.6 and (iii) that the Roads Hierarchy Plan on page 10 should be clarified to match the text.</p> <p>Recommendation adopted subject to these comments being considered further as part of report on public consultation exercise. <u>Arising thereon:</u></p> <p>Agreed that consideration be given to any possible locations for cycle routes which might be suggested by Members.</p>	<p>DP&C (<u>Council</u>)</p> <p>DP&C (<u>Council</u>)</p> <p>DP&C/DHT (<u>Council</u>)</p> <p>DP&C</p>

Number & Heading of Item on Agenda	Decision	Action By
<u>SHAPING THE SOUTH EAST PLANNING STRATEGY</u> (A10)	Recommendations adopted.	DPS (<u>Council</u>)
<u>UDP - PROTECTION OF STRATEGIC VIEWS</u> (A11)	Recommendation adopted.	DPS
<u>PLANNING FOR BEAUTY - REPORT BY ROYAL FINE ART COMMISSION</u> (A12)	Recommendation adopted.	DPS
<u>REPORT FROM HIGHWAYS AND TRAFFIC COMMITTEE</u> (A13)		
Paragraph 1 - Capital Expenditure	Recommendations adopted and 5047 action noted.	DHT/TC&CE (Ref to P&R Committee) (<u>Council</u>)
Paragraph 2 - Traffic Control Systems Unit - Budget Programme for Future Years.	Recommendation adopted.	DHT/TC&CE (Ref to P&R Committee)
Paragraph 3 - Temporary Structure Licences - Charges	Recommendation adopted.	DHT/TC&CE (Reference to P and R Committee) (<u>Council</u>)
Paragraph 4 - UDP - Draft Transportation Chapter.	Noted.	DHT
Paragraph 5 - Petitions.	Noted.	TC&CE (<u>Council</u>)
Paragraph 6 - North Kensington Residents Parking Zone.	Noted.	(<u>Council</u>)
Paragraph 7 - Miscellaneous Parking Matters.	Noted.	(<u>Council</u>) Item on Doctors Only.
Paragraph 8 - Accident Remedial Schemes.	Noted.	(<u>Council</u>)
Paragraph 9 - LRT/Borough Liaison Meeting.	Noted.	(<u>Council</u> - Except 9.6)
Paragraph 10 - Ladbroke Grove/Harrow Road - Proposed Improvement Scheme.	Noted.	-

Number & Heading of Item on Agenda	Decision	Action By
<u>TRANSPORT POLICIES AND PROGRAMME SUBMISSION 1991/92</u> (A14)	Agreed that final document be prepared for submission to the Department of Transport.	DHT/TC&CE (Reference to P & R Committee)
<u>SLOANE SQUARE CONSERVATION AREA - REVISION OF BOUNDARIES</u> (A15)	Noted that the reference to "Sloane Square" in line 3 of recommendation 6.1 (ii) should read "Sloane Street". Subject thereto, recommendations adopted.	DPS/TC&CE (<u>Recommend- ation to Council</u>)
<u>HANS TOWN CONSERVATION AREA PROPOSED EXTENSION</u> (A16)	Recommendations adopted.	DPS.TC&CE (<u>Recommend- ation to Council</u>)
<u>OXFORD GARDENS/ST. QUINTIN CONSERVATION AREA PROPOSALS STATEMENT.</u> (A17)	Recommendation adopted. Arising thereon: Factual errors identified at Development Plans Advisory Group to be corrected.	DP&C/ (<u>Council</u>) DP&C
<u>CONSERVATION GRANTS</u> (A18)	Recommendation adopted.	DPS
<u>ENVIRONMENT AWARD SCHEME</u> (A19)	Noted.	DP&C/(<u>Council</u>)
<u>CIVIC TRUST AWARDS 1989</u> (A20)	Noted.	(<u>Council</u>)
<u>MISCELLANEOUS MATTERS</u> (A21)		
Item 1 - Appointment of Representatives to serve on the LRT Borough Liaison Group.	Councillors Horton and Miss Weatherhead re-appointed.	TC&CE (<u>Council</u>) (<u>All to Note</u>)
Item 2 - Planning Applications Committee - Quorum.	Agreed to increase the Quorum to four Members.	TC&CE/All Officers to Note.
Item 3 - Rota Attendance - Planning Applications Committee.	Noted. Also noted that Councillors Boulton and Spry would attend the meetings scheduled to deal with performance monitoring.	-

Number & Heading of Item on Agenda	Decision	Action By
Item 4 - Action Taken Pursuant to Standing Order 47.	Noted.	-
	Arising thereon:-	
	Councillor Horton to be supplied with copies of the documents referred to in items 4.2, 4.3 and 4.21.	TC&CE
<u>ANNUAL REVIEW OF CHARGES FOR SERVICES</u> (A22)	Recommendation adopted.	DP&C. /TC&CE (Reference to P&R Committee) (<u>Council</u>)
<u>ATTENDANCE AT ANNUAL CONFERENCES</u> (A23)	Agreed to the attendance of the nominated officers to their respective summer school and conference.	DP&C
<u>STREET NAMING AND PROPERTY NUMBERING</u> (A24)	Agreed to assign the address 129 Highlever Road.	DPS
<u>INNER AREA PROGRAMME - FACELIFT GRANT</u> (A25)	Recommendation adopted.	DPS
<u>OTHER PUBLIC MATTERS</u> Environmental Policy Statement.	In response to a question from a member. Noted that relevant parts of this Statement would be considered for report to Committee in due course.	DP&C
<u>APPLICATIONS REFERRED FROM PLANNING APPLICATIONS COMMITTEE</u> (B1)	<u>AGENDA - PART B</u> <u>PRESS AND PUBLIC EXCLUDED</u>	
i) 4 Campden Grove, W8. (TP/89/2098/M/49)	Noted that the Valuer had estimated that the Council could be liable for a compensation claim of £11,200. Committee minded to refuse permission and agreed that the application be referred to the Policy and Resources Committee for determination.	TC&CE (Reference to P & R Committee)

Number & Heading of Item on Agenda	Decision	Action By
ii) 1-3 Trebovir Road, SW5. (TP/90/0209/K/06)	<p>Noted that the Valuer had estimated that the Council could be liable for a compensation claim of £566,000.</p> <p>Committee minded to refuse permission and agreed that the application be referred to the Policy and Resources Committee for determination.</p> <p>P & R Committee also to be reminded of past precedents for granting Schedule 8 cases where it had not been considered to be in the public interest to pay such a large amount of compensation.</p>	TC&CE (Reference to P & R Committee)
iii) 23 Eldon Road, W8. (TP/90/0566/M/13)	<p>Noted that the Valuer had estimated that the Council could be liable for a compensation claim of £10,000.</p> <p>Committee minded to refuse permission and agreed that the application be referred to the Policy and Resources Committee for determination.</p>	TC&CE (Reference to P&R Committee)
iv) 167 Finborough Road, W10. (TP/89/2111/M/49)	<p>Noted that the Valuer had estimated that the Council could be liable for a compensation claim of £10,500.</p> <p>Committee minded to refuse permission and agreed that the application be referred to the Policy and Resources Committee for determination.</p>	TC&CE (Reference to P&R Committee)
v) 16, Caversham Street, SW3. (TP/89/1996/M/08)	Recommendation adopted.	DPS
vi) & vii) 7 Milborne Grove, SW10. (TP/89/1917/K/17) and (TP/89/0220/X/17)	Recommendations adopted on basis of revised Drawing Nos.	DPS

P.P. ramp - rented accom and office

Rent flats 21 flats at the front

6 flats at the rear.

Rear office 49 sq. m gross

Front office 703 sq. m gross

752 sq m gross

Net flats 530 sq m.

~~HAHA~~

Letter sent to attached.

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI
Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS



F

Telephone: 071-937 5464
Extension: 2944
Facsimile: 071-376 1130
16th July 1990

My reference: TP/89/2137 Your reference: Please ask for: Mr. French

Dear

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road

I write with reference to your recent letter regarding the outstanding planning application on the above site. As you are already aware, the proposals before the Council sought to regularise the development as it has now been erected where it was not in accordance with the approved scheme of December 1988.

The application was determined by the Main Planning and Conservation Committee at their Meeting on 9th July 1990 and Members were fully advised as to the extent of local feelings on this development, and I would assure you that all material considerations were taken into account before the decision was reached.

The permission which has now been granted approves the amendments and also incorporates specific conditions relating not only to the development at the rear of the site, but also specifies precisely the amount of lettable office space within the development (not more than 530 sq.m.).

I am, for your information, enclosing a copy of the press release which was issued by the Council following the decision of the Committee on 9th July.

Finally, I would assure you that the Council's relevant Officers will continue to monitor development on the site to ensure that no further departures occur over and above those which have now been agreed by the Committee.

Yours faithfully,

Director of Planning Services

OBJECTORS and type of objection.

	Total	Letter	Petition
Gunter Grove	33	29	20
Hortensia Road	37	18	34
Edith Terrace	2	0	2
Fulham Road	2	0	2
General	4	4	0
TOTALS	78	51	58

Gunter Grove SW10 33 29 20

Address	Name	Letter	Petition
42A	✓ Mrs ^{E.A} Stoop	1	1
42A	✓ Nick Stoop	1	1
42/1	✓ Mrs S Lampaert	1	1
42B	✓ James Allen	1	
40B	✓ Mrs F Higginson	1	1
40B	✓ Mrs P Coe	1	1
40A	✓ Mrs V Hall	1	1
40	✓ Mr M Dight	1	
38	✓ Mr Lawson	1	
38A	✓ Mrs M Kayley	1	1
36A	✓ Mrs N Kelly	1	1
✓ 36B	✓ Mr S Weeden	1	
36C	✓ Mr T Healy	1	1
36C	✓ Mrs Healy	1	1
✓ 36D	✓ Mrs Fairchild	1	
34	✓ Mr S El-Felahi	1	
✓ 32	✓ Mr R Knight	1	
30	✓ Mrs K Cross-Kelly	1	1
30	✓ Miss P Maxwell	1	1
30	✓ Mr T Phillips	1	1
30	✓ Mrs Dalton	1	
30	✓ Mr J Jones		1
28	✓ Mr T Paterson	1	1
28A	✓ Mr B Miller	1	
26	✓ Mrs R Mott	1	1
24	✓ Mrs Williams		1
24	✓ Miss T Copping		1
✓ 22	✓ Mr S Gold	1	
22A	✓ Mr R Hornsey	1	
10	✓ Mr R Atkinson		1
✓ 8A	✓ Mrs D Bourguignon	1	1
6A	MS ✓ Karin Jonzen	1	
1	✓ Mr Norriss	1	

Fulham Rd SW10 2 0 2

Letter Petition

304 ✓ Miss S Kingcome 1
304 ✓ Miss F Scott 1

Edith Terrace SW10 2 0 2

Letter Petition

3 ✓ Miss V Saint 1
3 ✓ Miss Barron 1

Hortensia Road

		Total	Letter	Petition
	Knights House	17	8	16
			Letter	Petition
1	✓ Mrs Barratt		1	1
5	✓ Mrs ^M Lawless			1
9	✓ Mrs Stretton			1
9	✓ Mr ^R Stretton			1
10	✓ C Sharp			1
11	✓ Mr ^R Barrett		1	1
11	✓ Mrs Barrett		1	1
13	✓ Mrs ^D Burbridge		1	1
15	✓ Mr ^R Fowler			1
15	✓ Mrs Fowler			1
✓ 16	✓ Mr ^E Kohler		1	1
16	✓ Mrs ^J Kohler		1	1
17	✓ Mrs ^P Shorrocks		1	
19	✓ Mrs Baxter			1
19	✓ Mrs Baxter			1
Studio 1	✓ H. Ribbons			1
Studio 2	✓ Mrs ^S Wysocka		1	1

Hortensia House

		Total	Letter	Petition
	Hortensia House	20	10	18
			Letter	Petition
56	✓ C O'Connor			1
56	✓ C. Orgill			1
55	✓ Mr Cross		1	1
55	✓ Mrs Cross			1
✓ 54	✓ Mary Wyatt		1	1
✓ 54	✓ Teresa Wyatt		1	1
53	✓ Mr M. Dennis			1
53	✓ Mrs E. Dennis			1
52	✓ Mrs Skeffington		1	1
51	✓ M. Dainty		1	1
49	✓ M. Fernandez		1	1
49	✓ A. Fernandez			1
48	✓ E. Georgiou			1
48	✓ Theresa Georgiou			1
46	✓ P. Hyland			1
45	✓ Mrs M. Labinger		1	1
45	✓ P. Finch		1	1
44	✓ M. Kelleher			1
31	✓ Mrs P. Masters		1	
30	✓ Miss C. Charles		1	
41	✓ C. Gillen			

General letters of objection.

- ✓ The Chelsea Society
- ✓ E.A. Powdrill and Associates
- Grimley J.R. Eve
- Messrs Royds Barfield, Solicitors



THE ROYAL BOROUGH OF KENSINGTON & CHELSEA

THE TOWN HALL, HORNTON STREET, LONDON, W8 7NX

PRESS & PUBLIC RELATIONS
937 5464 Ext. 2825, 2115, 2826

INFORMATION
937 5464, Ext. 2828, 2827

EARLS COURT INFORMATION/
ADVICE
370 6467

PLANNING INFORMATION
Ext. 2079, 2080

CHELSEA INFORMATION OFFICE
352 1856

WESTWAY INFORMATION CENTRE
969 2433, Ext. 0283

INFORMATION

NO. 31/90

DATE 10 July, 1990

SERIOUS CONCERN OVER PLANNING VARIATIONS

Serious concern relating to instances where building development is undertaken which is not in accordance with the originally granted planning permission was forcibly expressed at the Planning and Conservation Committee meeting last night (9th July 1990). Members were considering an application for development of the Chelsea College site in Hortensia Road by the erection of 27 flats, 8 houses, offices and car parking.

Permission had been granted in December, 1988, for a similar scheme for the site. Works had started, but in the course of construction certain changes had been made by the developer to the approved development. The application, considered last night, sought to regularise the position by seeking permission for the development as constructed.

Members were seriously concerned about a number of aspects of the development, including the variations from the scheme as originally approved.

At Committee, Members expressed the view that they were minded to refuse permission, but finally resolved that permission should be granted. Councillor Professor Sir Anthony Coates, Chairman, said after the meeting:-

"Members hold very strong views about departures from original planning permissions that takes place prior to supplemental permissions being sought, discussed and agreed to by this Committee.

"However, having considered the matter very carefully and having taken further advice from the officers, the Committee decided to grant permission in this particular instance."

SUPPLEMENTARY TO MAIN
AGENDA DESPATCH BY VIRTUE
OF INFORMATION NOT PROCESSED
AT TIME OF AGENDA DESPATCH.
PLACED ON PUBLIC DEPOSIT
11TH JUNE 1990.

Agenda Item: 68

PLANNING APPLICATIONS COMMITTEE - 12TH JUNE 1990

REPORT BY THE DIRECTOR OF PLANNING SERVICES

CHELSEA COLLEGE SITE, HORTENSIA ROAD

OBSERVATIONS ON OBJECTOR'S SUBMISSION

1. The submission comprises objections to the proposed development accompanied by seven appendices relating to different parts of the development including observations on the earlier permission of 1988.
2. The development is considered unacceptable to residents as it constitutes an overdevelopment of the site in conflict with the Council's environmental policies and has adverse effects on adjoining properties in terms of daylight/sunlight, overlooking and privacy. It is considered that the interests of local residents have not been adequately considered or protected.
3. The residents do not object to the retention of the front block at its original height and the rear eight houses, subject to no other development of the site and the structure at the rear of Nos. 38-42 Gunter Grove being demolished.
4. Appendix 1 contains the petition against the development and the authority to Mr. Stoop to speak on their behalf. This is referred to in paragraph 7.4 of the Council's report.
5. Appendix 2 is a submission from Mr. E. Powdrill setting out in paragraph 1 the nature of the objection and the planning history. In paragraphs 2.1-2.9 comments are made on other planning applications, notably TP/88/1410, TP/88/1410A and TP/88/0632. No decision was made on TP/88/1410 - a report was prepared, but not submitted to Committee. TP/88/1410A was a duplicate application and appealed against for non-determination. TP/88/0632 was recommended for refusal, but again no decision was taken by the Committee. Members gave none of these applications any consideration, as they were withdrawn before the meetings. Application TP/88/0633 was amended by the deletion of one storey from the rear block and the gabling of the end blocks adjoining Hortensia House. In none of the reports, which were prepared, was

the provision of office accommodation recommended as a reason for refusal. The Council Officer's primary objection was to the height and massing of the rear block and its effect upon adjoining occupiers. In paragraph 2.7, reference is made to drawing numbers - the drawings submitted relating to the site section were marked incorrectly and the applicant was asked to submit amended drawings correcting this. Similarly the position of the site sections was not clearly shown on the plan and this was also corrected.

- 5.1 The enforcement notices referred to in paragraphs 2.10 and 2.11 are dealt with in the Officer's report.
- 5.2 In paragraph 3, reference is made to offices - this is considered covered in the accompanying report. It is accepted that the application of 1988 sought 694 sq.m. of offices and a valid planning permission exists for 675 sq.m. At no time have Members been recommended to refuse any of the applications on the grounds which relate specifically to the provision of office accommodation, including the TP/88/1410 application which comprised 767 sq.m.
- 5.3 It is not accepted that this is a large scale office development as paragraph 3.8 would set out. It comprises an application containing three separate units, none of which approach the 1,000 sq.m. criteria - a criteria not agreed and then only in draft form in January 1989. Paragraph 6.6 of the Council's report deals more fully.
- 5.4 Paragraphs 3.9-3.12 relate to density calculations which are not accepted by the Council. The Officers neither accept the gross site area as given nor the number of habitable rooms. Details of the Council's figures are included in the report in paragraph 6.5.
- 5.5 Paragraphs 3.13-3.15 relate plot ratio - again the Officers do not accept the figures given, nor the methodology used, which appears as a form of residual calculation. Plot ratio is clearly defined in the Council's approved plan and is clearly appropriate to a mixed form of development. Again, reference is made to paragraph 6.5 of the Council's report.
- 5.6 Attempts to discuss the calculations with Mr. Powdrill have proved difficult due to the problems of contacting him, despite numerous attempts.
- 5.7 Paragraphs 3.16-3.17 relate to height, a matter covered by Appendix 7, and should be related to the overall height not to individual parts of the front elevation. It is agreed that the front building is higher than that shown on the plan - but depending on where measurements are taken by not more than 300mm.

- 5.8 Paragraphs 3.18-3.21 relate to daylight and sunlight and are in conflict with an earlier report submitted by the previous advisers to the objector. Neither are accepted by the Council and whilst Appendix 6 from John Anstey is a useful sun-path diagram, it relates solely to No. 42A Gunter Grove. In the circumstances, an independent daylight and sunlight expert has been asked to advise the Council on these matters.
- 5.9 Paragraphs 3.22-3.25 relate to matters already in the Council's report.
- 5.10 Paragraphs 4.1-4.4 ask Members to consider the proposal now before them in the light of the objections raised and the earlier matters in the report and giving careful attention to all material considerations to take appropriate action. Council Officers of course would endorse Members having full regard to all material planning considerations and then making their decision.
6. Appendix 3 contains two letters from the Chelsea Society objecting to the development. Members are advised that the previous use of the site was for educational purposes (Class D1 of the 1987 Use Classes Order) and whilst you may wish to disregard the size and effect of the building now - it was very much a consideration when discussions over its replacement began in 1988 - it is not suggested that any independent office use previously existed on the site, only that the entire site was 100% non-residential.
7. Appendix 4 sets out the planning history on the site - such parts as are relevant have already been referred to in Appendix 2 and the Officer's report. Members have before them a complete planning application for determination setting out the details and making recommendations. Members are reminded that the site is not within a designated Conservation Area and there is Government advice that the presumption is always in favour of development unless there are sound and clear cut reasons for refusal.
8. Appendix 5 is a Counsel opinion from Mr. Moriarty and whilst not all of his opinion is accepted, the relevant part relating to a valid permission of 675 sq.m. is accepted and supports the Council's own legal advice.
9. Appendix 6 John Anstey's report will be subject to a proper daylight/sunlight report covering all Gunter Grove properties by an independent expert.
10. Appendix 7 from Warner Land Surveys relates to the siting and height. It is agreed by the applicants that the siting of Knights House is in error due to the dependance on the Ordnance Survey sheets. However, the applicant strongly denies that the boundary wall, the main buildings and Mr. Stoop's garden walls are incorrect. The question of heights has already been discussed.

- 10.1 Winkworth's report on Knights House's positioning is accepted by the applicants and they will be producing separate drawings showing this in more detail, together with the changes in the foot-print of the building and also the relative height of the front building.
11. Appendix 8 relates to photographs and highlights in No. 2 the position of the wall closest to 42A Gunter Grove which it is now proposed to amend.

M. J. French,
Director of Planning Services,

List of Background Documents

Taken from objector's submission and Council Officer's report,
TP/89/2137 dated 21st May 1990.

Officer Contact

Any person wishing to inspect the above documents should contact Ruth Goundry, Planning Information Office, telephone 937 5464 extn. 2079.

Report prepared by MJF
Date report prepared 31/5/90

TP9006MJF.REP

SUPPLEMENTARY TO MAIN
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OF INFORMATION NOT PROCESSED
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PLACED ON PUBLIC DEPOSIT
11TH JUNE 1990.

Agenda Item: 68

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M. J. French,
Director of Planning Services,

List of Background Documents

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Officer Contact

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Report prepared by MJF
Date report prepared 31/5/90

TP9006MJF.REP



TOWN HALL KENSINGTON W8 7NX 01-937 5464

11th April 1990

Nick Stoop Esq.,
Gunter Grove Residents' Association,
The Cottage,
42a Gunter Grove,
LONDON, S.W.10.

Dear Mr. Stoop,

I write with reference to your letter to Councillor Miss Massy which she has passed to me regarding the development of the Chelsea College site in Hortensia Road.

In dealing with your letter which raises many different points, I think it is essential that I concentrate upon the relevant issues and in this connection I must first refer to the enforcement notices which were served in November of last year. Two notices were served; the first related to the non-compliance with Condition 8 in that the front building was not being erected in full accordance with the approved scheme and therefore the whole permission should fall due to this failure and the second enforcement notice related to the applicant's failure to submit details pursuant to Conditions 2, 5 and 10 of the planning permission granted in December 1988. The applicants have appealed both enforcement notices and in the light of this appeal, the effectiveness of the enforcement notice is placed in abeyance pending the decision of the Secretary of State's Inspector on the appeal which is due to be heard on 26th June.

I have discussed the notices with the Council's legal advisers and will continue to do so especially having regard to the fact that the details required in the second notice have now been submitted for approval and that the requirements of the first notice would appear to be open to legal interpretation.

As you are aware, both planning applications are being submitted to the Applications Sub-Committee on 24th April. The first application which deals with the larger site now incorporates amendments which seek to provide two residential/office studio units at the southern end of the rear block closest to your property and the second application is for the approval of an amendment to the front block to provide 21 flats in place of the approved scheme which provided four houses and nine flats. I understand that you have already requested to address the Sub-Committee and that a time has been allocated for you to do so.

Having regard to the information and advice from the Council's Officers I do not propose at this stage to serve stop notices on the work as in reality much of the work has been completed and it is my understanding that the rear block is not materially different from that which received planning permission. However, the Council do of course reserve the right to serve further enforcement notices should the situation be considered to warrant it but I consider matters such as this should be considered and determined by the Members of the Planning Committee so that they are able to have the full benefit of both legal and planning advice before reaching their determination.

Yours sincerely,

Councillor Sir Anthony Coates,
Chairman - Town Planning Committee.

Miss Dent.
The cause is soon known.
Please look at it urgently.
Plan no ① to the Stop Notice copy to this house
+ copy to Labour Council on this
The Cottage, *Wroughton*
42a Gunter Grove, *of T.C.*
London S.W.10.

Tel: 376 3272

1st April 1990.

Re: Chelsea College Site, Hortensia Road, SW10.
Applications Reference nos. TP/89/2137, TP/90/0296

Dear Councillor Massy,

Thank you very much for the kind interest that you have shown to date in our plight.

Some of the recent events have been encouraging, including the strong support from the Chelsea Society, and the acknowledgement by the Council's legal experts at the last Committee meeting that the developers have valid planning permission neither for the flats they are building at the northern end of the site, nor for the offices to the south.

Residents are extremely alarmed, however, that in spite of this last fact and the Enforcement Notices which were served more than five months ago, the developers have been allowed to continue work on the unauthorised structures. Even though the developers wrote to the Council last year acknowledging that they were building "at risk", you will appreciate that the fact that the buildings are so near to completion is deeply distressing to all local residents. This is especially true for Gunter Grove residents and for the community in Knights House (including a number of artists) who have been deprived of sunlight, daylight, peace and privacy to their homes and gardens and who have lost their views of the sunset and of the listed Sloane School buildings.

We would like an assurance that the Council will take effective enforcement action and without further delay, on the basis that what is being built is materially in excess of any planning permission that may have been granted in 1988, in terms of the height of the buildings and their plan, as well as the size of the office development. The Enforcement Notice of 31st October 1989 specifically referred to the loss of light and amenity being caused to residents of adjoining properties, particularly in Gunter Grove.

Presumably enforcement action has been delayed up until now pending the outcome of the Application (No TP/89/2137) which was submitted in November 1989. The residents are naturally disappointed that this Application was not refused at the Committee meeting of 13th March 1990, and note that the Application would now appear to have been suspended or withdrawn. Given the very long delay to date, and the fact that there will be no further meeting of the full Committee until next June, after the new Council has been formed, we would like an assurance now that effective Enforcement action, including the serving of Stop Notices, will take place without any further delay.

Another aspect of this saga that is distressing to local residents has been the confusing number of Applications that have been submitted for the redevelopment of the Site. There have been at least six distinct Applications since 1988. When one considers in addition the amendments and alterations to these Applications the figure rises to double figures. We now understand that yet another new Application (TP/90/0296) has been submitted, this time relating only to the north-west corner of the Site.

We would like an assurance that pending further investigation of the facts, this latest Application will not be treated in isolation. We have been advised that it would be quite wrong in planning terms with so much doubt existing over the remainder of the planning unit for this Application to be treated as being something entirely on its own.

We have been informed that the new, partial Application may be put on the Agenda to be considered by the Town Planning Applications Sub-Committee on the 24th April 1990. Notwithstanding the points made above about the developers' attempts to have the planning unit considered in portions, there are a number of other reasons why we believe that the Application should be determined only by the full Town Planning Applications Committee. First, the Sub-Committee on 12th February 1990 has already deferred a similar Application relating to the same Site to the full Committee. Second, this Application represents a major development, both in terms of the commercial and the residential portions.

Third, this is a highly controversial development which has already given rise to more than fifty objections, the service of Enforcement Notices by the Council, the Issuance of a Stop Notice (which has not yet been served), and a date being set for a Public Inquiry (26th June 1990). In addition, there has been a lot of activity on the legal front, with the Council seeking Leading Counsel's opinion and being advised that the developers' claims (supported by the officers) about their original permission were not legally valid. The residents were forced to seek a High Court Injunction because, among other things, the Council's officers were significantly misleading the Committee about material planning facts.

Given all these facts we would like an assurance that any Application relating to this planning unit, or to part of this planning unit, will be considered by the full Town Planning Committee. We have also been warned that the developers may be seeking to take advantage of the fact that the Planning Committee will be broken up and re-formed as a consequence of the forthcoming local elections. Given the performance to date of the officers concerned in this matter, we would naturally like an assurance from the Council that this Application will be determined by the full Committee and not by any officers or individuals under delegated powers.

In conclusion, we hope that you appreciate the justice of our claims, and we would be extremely grateful if you could take the opportunity at Monday's planning meeting to press for the following assurances from the Council:

(i) That effective enforcement action will be pursued without further delay. This is important because of the long delay to date and the fact that there will be no more full Committee meetings before June, the month of the Public Inquiry.

(ii) That the Council will not determine partial Applications for the site like the latest Application (TP/90/0296) in isolation, but will

make a decision based upon the whole planning unit. This is especially important at the moment given that there is so much doubt about this particular planning unit.

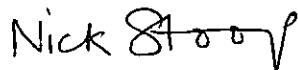
(iii) That the latest Application and any future Applications relating to this proposed scheme be determined by the full Town Planning Committee. This is vital given the highly controversial nature and history of this particular proposed development.

Once again I would like to thank you for your kind interest to date. You will appreciate that the residents have been caused a great deal of trouble and distress by this whole affair, which has largely been brought about by what was described by the Chelsea Society as "devious and dishonest" behaviour by the developers combined with a "highly negligent" performance by the officers.

Clearly the above assurances will not completely resolve the problems thus caused, but they will go a long way towards relieving the justified anxiety of the local community and will demonstrate that the Council possesses the will to protect the interests and legitimate expectations of local residents.

With kind regards,

Yours sincerely,

A handwritten signature in black ink that reads "Nick Stoop". The signature is written in a cursive style with a large, stylized 'S' at the end.

Nick Stoop,
Gunter Grove Residents Association.

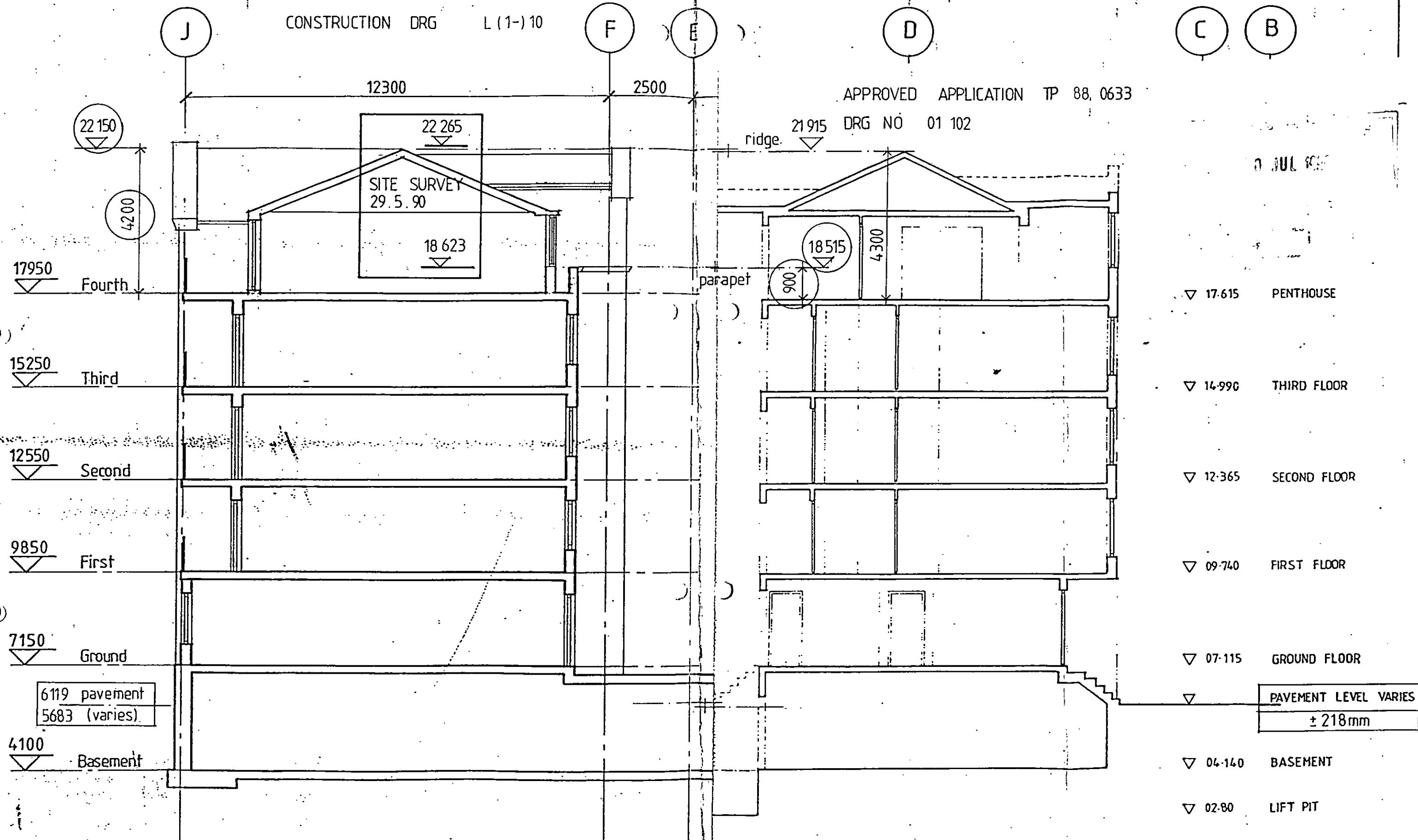
HEIGHT COMPARISON APPROVED vs AS BUILT

CONSTRUCTION DRG L (1-1) 10

APPROVED APPLICATION TP 88, 0633

DRG NO 01 102

C B



22150
4200
17950 Fourth
15250 Third
12550 Second
9850 First
7150 Ground
6119 pavement
5683 (varies)
4100 Basement

21915 ridge
18515
4300
900 parapet

▽ 17-615 PENTHOUSE
▽ 14-990 THIRD FLOOR
▽ 12-365 SECOND FLOOR
▽ 09-740 FIRST FLOOR
▽ 07-115 GROUND FLOOR
▽ PAVEMENT LEVEL VARIES ± 218mm
▽ 04-140 BASEMENT
▽ 02-80 LIFT PIT

FLATS

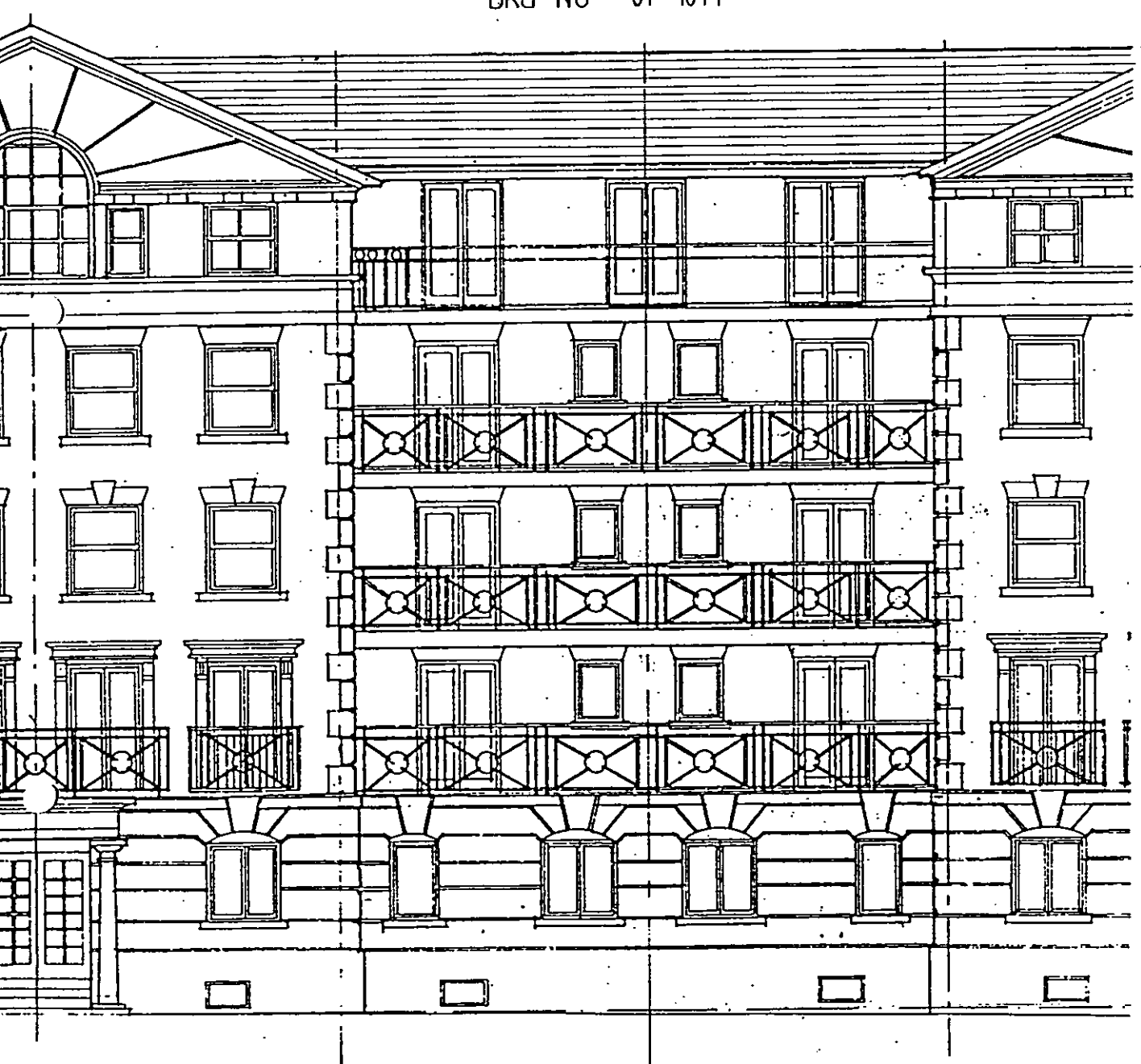
SECTION A

SECTION A-A IS TAKEN FURTHER SOUTH ACROSS THE SITE THAN SECTION A, DUE TO THE FALL ACROSS THE SITE THE TRUE DIMENSIONS TO A-A SHOULD BE ± 200mm

SECTION A-A

APPLICATION TP 89 2137
DRG NO 01 101 P

APPROVED APPLICATION TP 88 0633
DRG NO 01 101



ELEVATION TO HORTENSIA ROA



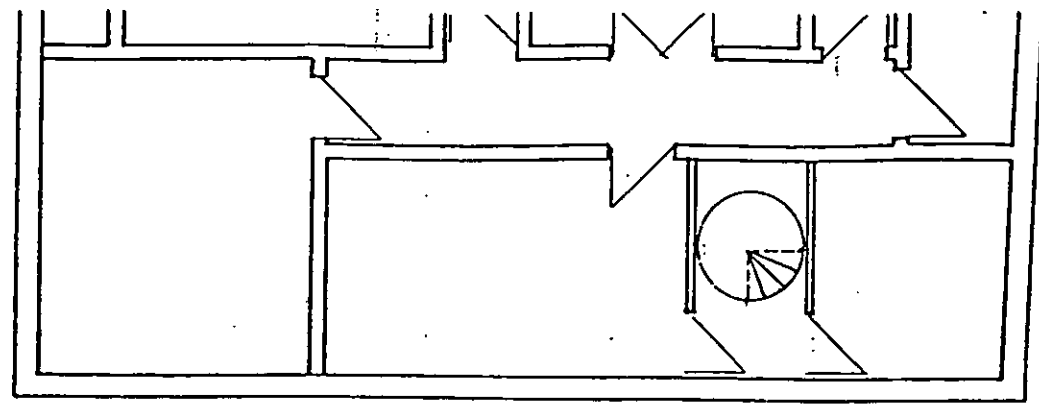
HORTENSIA TERRACE - SOUTH WEST ELEVATION

RECEIVED BY D. P. T.
On 11 JUN 1990

DC N	DC C	DC S	DC E	DB
			OPT	ENV. PLAN

HEIGHT COMPARISON

APPROVED vs APPLICATION

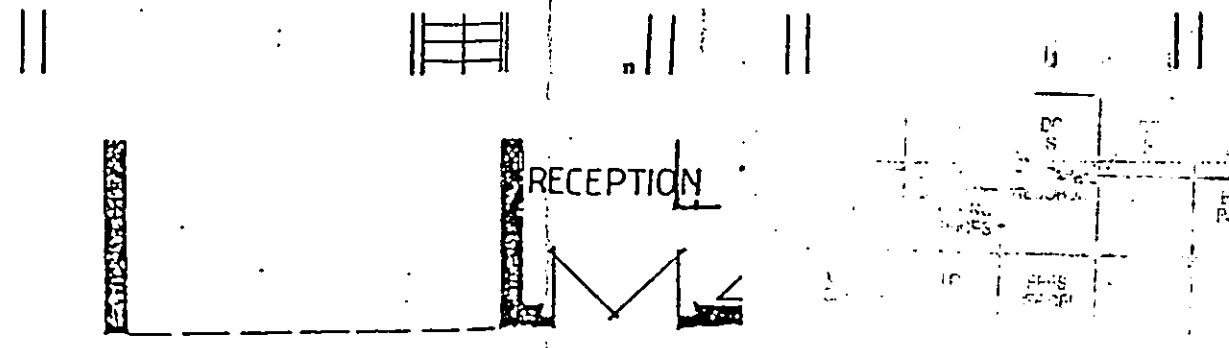


BASEMENT

APPLICATION TP 89 2137
DRG NO 01 114 F

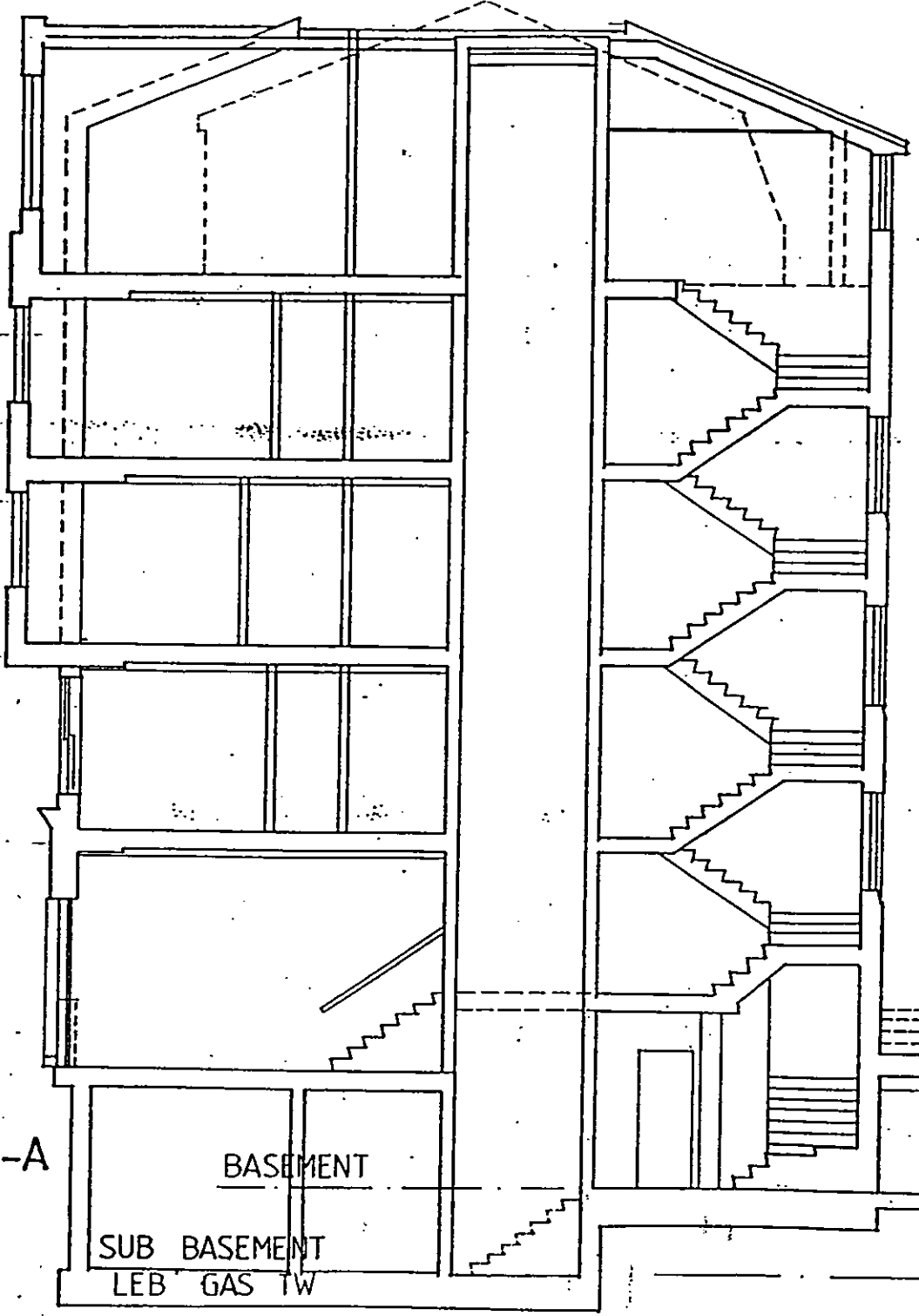
A

GR



GROUND FLOOR

APPROVED APPLICATION T P 88 0633
DRG NO 01 114 DRG NO 01 101

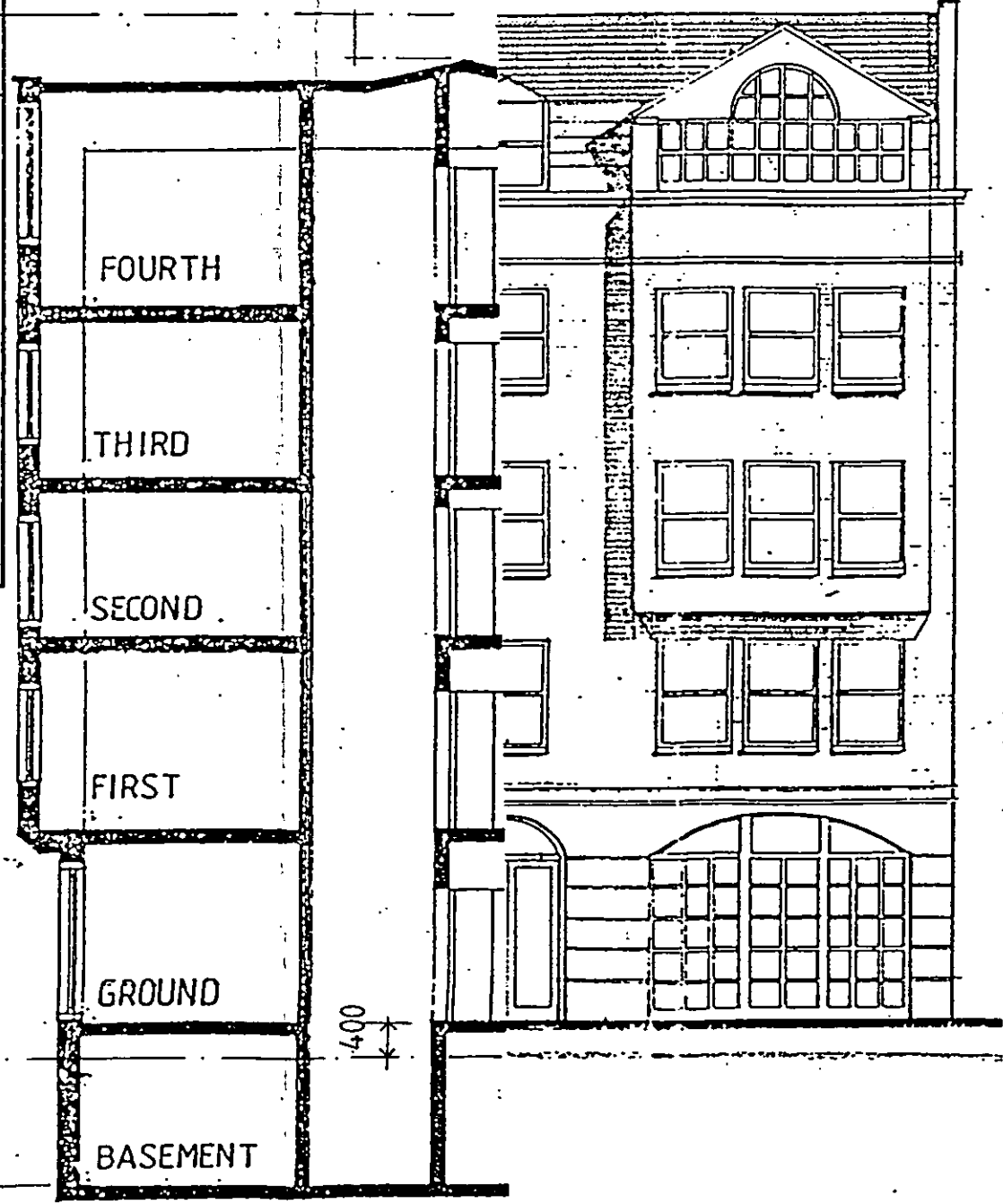


SECTION A-A

BASEMENT

SUB BASEMENT
LEB GAS TW

ridge
300
parapet
OFFICE BUILDING
RAISED 400mm
TO ACCOMODATE
FALL ACROSS
SITE
(6.119 - 5.683 = 436mm)
AND MAINTAIN
CONSTANT PARAPET.



FOURTH

THIRD

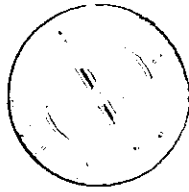
SECOND

FIRST

GROUND

BASEMENT

SECTION A-A



TRUST ESTATES LIMITED

WITH COMPLIMENTS

243 Knightsbridge, London SW7 1DH. Tel: 01-581 1322. Telex: 295973. Fax: 01-584 2297.

A London & Edinburgh Trust Company



TRUST ESTATES LIMITED

243 Knightsbridge, London SW7 1DH. Tel: 01-581 1322. Telex: 295973. Fax: 01-584 2297.

HLF/03/09
9 February 1990

For the attention of:

M J French Esq
Director of Planning and Transportation
Royal Borough of Kensington & Chelsea
Town Hall
Horton Street
London
W8 7NX

Dear Councillor,

CHELSEA COLLEGE SITE, HORTENSIA ROAD

We have submitted a revised planning application with respect to the above site to seek formal permission for a number of amendments to the original scheme permitted on 22 December 1988. The scheme had proceeded on the basis that the Company believed that approval would be given as merely amendments, as confirmed in writing, by the authority and in the knowledge that the development now pursued incorporated a number of major improvements on the original scheme, for which planning permission had been granted.

Having now seen your Officers Report to Committee we would wish to endorse the following points.

1. The submitted scheme is an improvement on the 1988 permission reducing the size of the rear office block above basement level by approximately 380 sq ft and stepping back the ground floor to the main building line (paragraph 6.01). It is also confirmed that the offices as built are in accordance with the existing permission (paragraph 5.01).
2. The front block, now changed to include only flats as per the council's approved policy on housing (District Plan), provides a greater level of units within the same mass of building. It is our understanding that your Design and Conservation Area officer finds the overall design to be an improvement (paragraph 7.1).

It is noted that there have been a number of objections now raised by local residents. It is pointed out that there were several detailed consultations, carried out by my company at the time of the original application, as we were convinced that the scheme was a major improvement to the site. My company's original consultation was carried out on the basis of an earlier and larger scheme, the rear block of which, was one storey higher, than was eventually permitted.

cont/...

Page 2/...
9 February 1990


Reference has been made by residents to a model and that it was grossly inaccurate. We would, however, advise members, that the model was completed to considerable accuracy based on survey drawings and showed the scale of adjoining buildings. It sought to demonstrate the height and sitting of building on the site in relation to surrounding buildings. In any event, the model did not form part of the application and actually presented a higher and more dense scheme than finally permitted. At no time was any of the public misled.

We are amazed that there were residents who are now advising that they were not consulted at the time of the earlier application. Your own officers have confirmed that all adjoining residents were notified and we were so convinced of the merits and improvements brought about by the proposals that we arranged detailed consultations with surrounding residents. A summary of the consultation is attached in Appendix B.

Finally, we would draw to the attention of the authority that we have a planning permission which was properly granted on the consideration of all material facts. One major consideration was the impact of the existing development and which is best illustrated by the attached photograph (Appendix A). Such impact now appears to be forgotten. We had always acknowledged that one or two residents would lose some sunlight but that most residents would have appreciable gains.

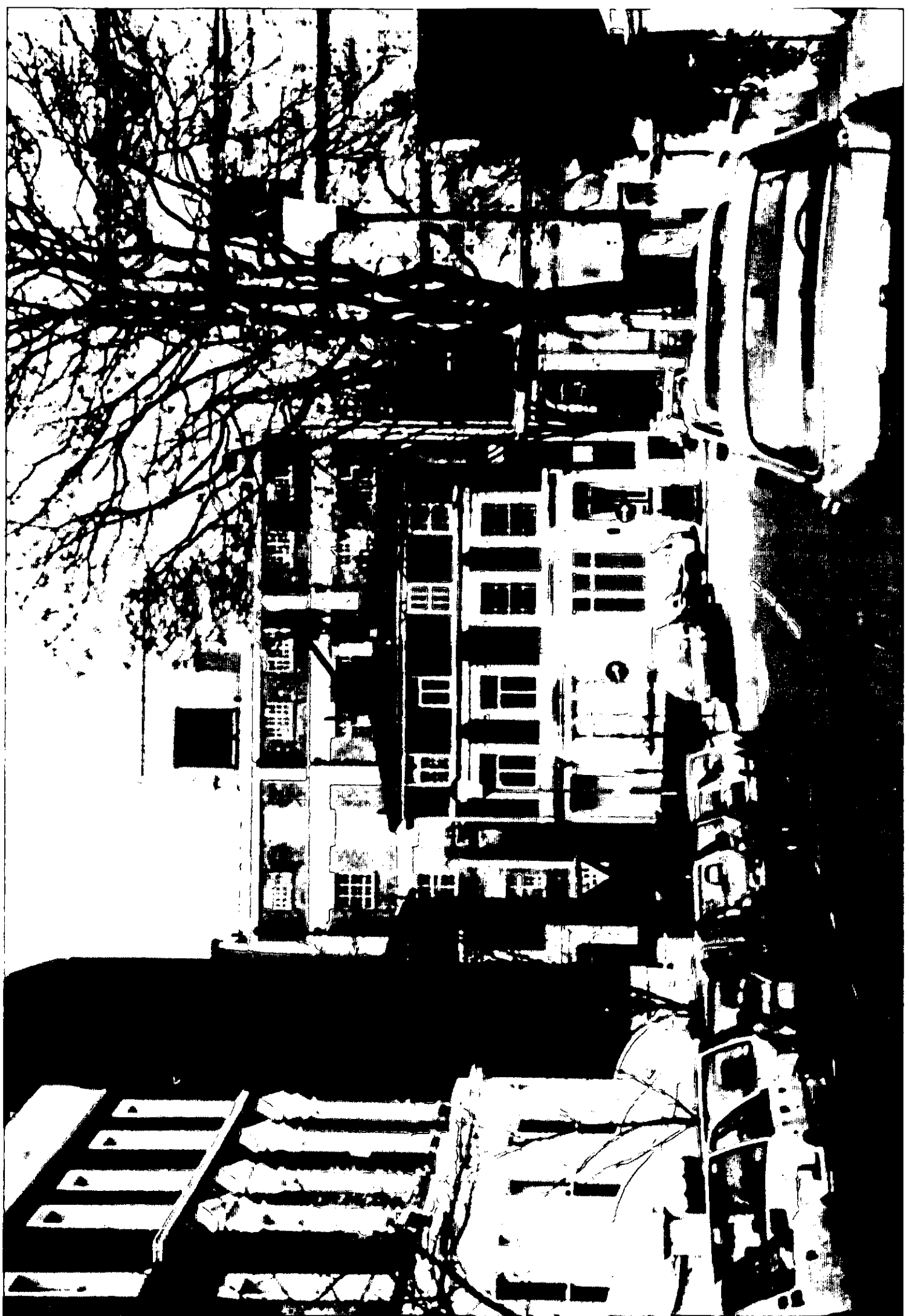
The scheme now before the authority brings further gains and we would respectfully request that it should be permitted. We have tried to keep this letter as brief as possible, but note that certain residents have raised detailed criticisms and we would be happy to answer those in more detail as necessary on 12 February.

Yours faithfully,



L E HOYER MILLAR
for and on behalf of Trust Estates Ltd





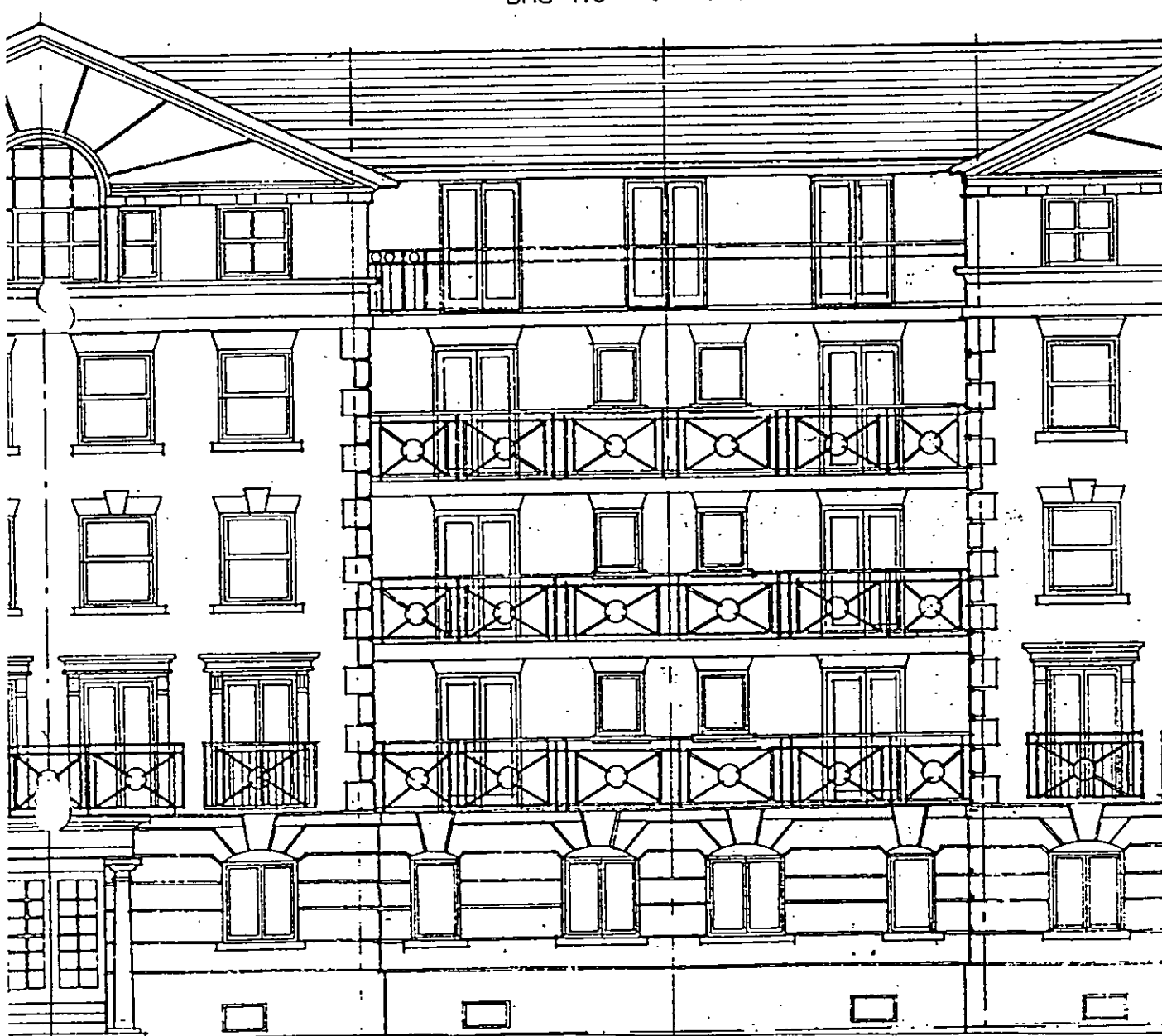
HEIGHT COMPARISON APPROVED vs APPLICATION

VER. JAN. 1990

JUL 1990

APPLICATION TP 89 2137
DRG NO 01 101P

APPROVED APPLICATION TP 88 0633
DRG NO 01 101



ELEVATION TO HORTENSIA ROA

HORTENSIA TERRACE - SOUTH WEST ELEVATION

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

R. L. Barrett Esq.,
11 Knight House,
Hortensia Road,
LONDON S.W.10.

Telephone: (01) 937 5464
Extension: 2944
Facsimile: 01 - 938 1445

21st May 1990

My reference:
DPS/MJF/PYD

Your reference:

Please ask for:
Mr. French

Dear Sir,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road

Thank you for your letter received on 27th April regarding the development on the above site. As you will be aware, planning permission already exists for the development of this site and the application currently before the Council seeks alterations and amendments to that which has been approved in broad principle.

The contents of your letter will be reported to the Committee when the application comes to be considered and you will be advised of the outcome after the Committee meeting.

Yours faithfully,

Director of Planning Services.

RECEIVED BY D. P. M.		43
CC	2/12/90	R. L. Barrett
FC		11, Knights House
EC		Hortensia Rd.
DP		S. W. 10
LO		
AC		
AD		

12/4/90

C2 Family
plans

Dear Miss Dent

R/E. Chelsea College Site

As in my previous letter about the Chelsea College site I enclose the following comments.

- (1) The Building would block the lights into flats 1-16 on that side
- (2) It would also block the lights to the cottage owned by Mr. Stoop. I have enclosed a photostatic copy showing the measurements of how near it is.

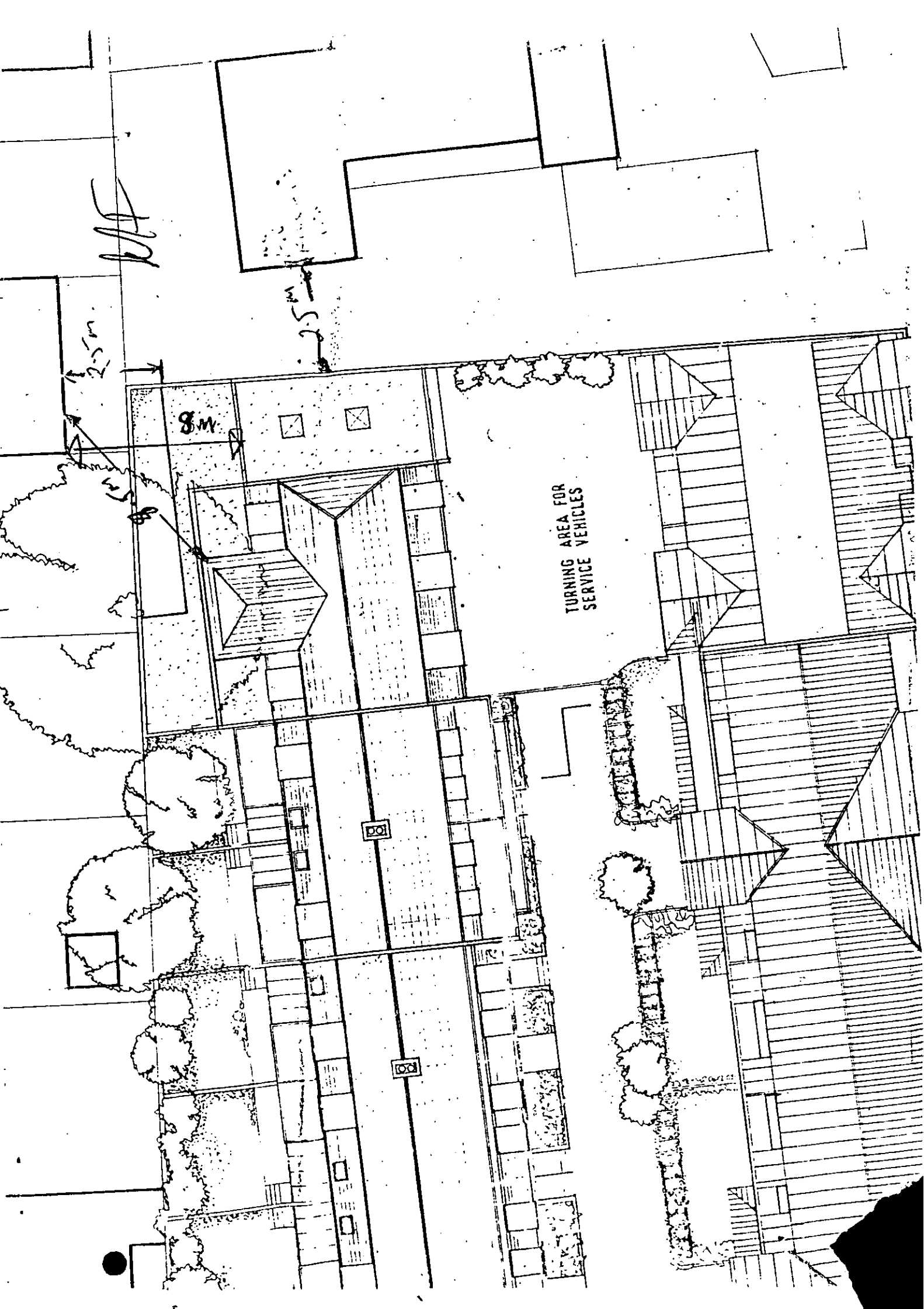
(3)

That part of building should be pulled down and turned into a car park, or at least the 1ST & 2ND floors should be removed and the ground floor converted into garages.

(4) This building is already up, and nearly completed so why are you asking

Yours sincerely

R. L. Barrett.



MA

2.5m

8m

5m

TURNING AREA FOR SERVICE VEHICLES

DOOR

DOOR



SUPPLEMENTARY TO MAIN
AGENDA DESPATCH BY VIRTUE
OF INFORMATION NOT PROCESSED
AT TIME OF AGENDA DESPATCH.
PLACED ON PUBLIC DEPOSIT
11TH JUNE 1990.

Agenda Item: 68

PLANNING APPLICATIONS COMMITTEE - 12TH JUNE 1990

REPORT BY THE DIRECTOR OF PLANNING SERVICES

CHELSEA COLLEGE SITE, HORTENSIA ROAD

OBSERVATIONS ON OBJECTOR'S SUBMISSION

1. The submission comprises objections to the proposed development accompanied by seven appendices relating to different parts of the development including observations on the earlier permission of 1988.
2. The development is considered unacceptable to residents as it constitutes an overdevelopment of the site in conflict with the Council's environmental policies and has adverse effects on adjoining properties in terms of daylight/sunlight, overlooking and privacy. It is considered that the interests of local residents have not been adequately considered or protected.
3. The residents do not object to the retention of the front block at its original height and the rear eight houses, subject to no other development of the site and the structure at the rear of Nos. 38-42 Gunter Grove being demolished.
4. Appendix 1 contains the petition against the development and the authority to Mr. Stoop to speak on their behalf. This is referred to in paragraph 7.4 of the Council's report.
5. Appendix 2 is a submission from Mr. E. Powdrill setting out in paragraph 1 the nature of the objection and the planning history. In paragraphs 2.1-2.9 comments are made on other planning applications, notably TP/88/1410, TP/88/1410A and TP/88/0632. No decision was made on TP/88/1410 - a report was prepared, but not submitted to Committee. TP/88/1410A was a duplicate application and appealed against for non-determination. TP/88/0632 was recommended for refusal, but again no decision was taken by the Committee. Members gave none of these applications any consideration, as they were withdrawn before the meetings. Application TP/88/0633 was amended by the deletion of one storey from the rear block and the gabling of the end blocks adjoining Hortensia House. In none of the reports, which were prepared, was

the provision of office accommodation recommended as a reason for refusal. The Council Officer's primary objection was to the height and massing of the rear block and its effect upon adjoining occupiers. In paragraph 2.7, reference is made to drawing numbers - the drawings submitted relating to the site section were marked incorrectly and the applicant was asked to submit amended drawings correcting this. Similarly the position of the site sections was not clearly shown on the plan and this was also corrected.

- 5.1 The enforcement notices referred to in paragraphs 2.10 and 2.11 are dealt with in the Officer's report.
- 5.2 In paragraph 3, reference is made to offices - this is considered covered in the accompanying report. It is accepted that the application of 1988 sought 694 sq.m. of offices and a valid planning permission exists for 675 sq.m. At no time have Members been recommended to refuse any of the applications on the grounds which relate specifically to the provision of office accommodation, including the TP/88/1410 application which comprised 767 sq.m.
- 5.3 It is not accepted that this is a large scale office development as paragraph 3.8 would set out. It comprises an application containing three separate units, none of which approach the 1,000 sq.m. criteria - a criteria not agreed and then only in draft form in January 1989. Paragraph 6.6 of the Council's report deals more fully.
- 5.4 Paragraphs 3.9-3.12 relate to density calculations which are not accepted by the Council. The Officers neither accept the gross site area as given nor the number of habitable rooms. Details of the Council's figures are included in the report in paragraph 6.5.
- 5.5 Paragraphs 3.13-3.15 relate plot ratio - again the Officers do not accept the figures given, nor the methodology used, which appears as a form of residual calculation. Plot ratio is clearly defined in the Council's approved plan and is clearly appropriate to a mixed form of development. Again, reference is made to paragraph 6.5 of the Council's report.
- 5.6 Attempts to discuss the calculations with Mr. Powdrill have proved difficult due to the problems of contacting him, despite numerous attempts.
- 5.7 Paragraphs 3.16-3.17 relate to height, a matter covered by Appendix 7, and should be related to the overall height not to individual parts of the front elevation. It is agreed that the front building is higher than that shown on the plan - but depending on where measurements are taken by not more than 300mm.

- 5.8 Paragraphs 3.18-3.21 relate to daylight and sunlight and are in conflict with an earlier report submitted by the previous advisers to the objector. Neither are accepted by the Council and whilst Appendix 6 from John Anstey is a useful sun-path diagram, it relates solely to No. 42A Gunter Grove. In the circumstances, an independent daylight and sunlight expert has been asked to advise the Council on these matters.
- 5.9 Paragraphs 3.22-3.25 relate to matters already in the Council's report.
- 5.10 Paragraphs 4.1-4.4 ask Members to consider the proposal now before them in the light of the objections raised and the earlier matters in the report and giving careful attention to all material considerations to take appropriate action. Council Officers of course would endorse Members having full regard to all material planning considerations and then making their decision.
6. Appendix 3 contains two letters from the Chelsea Society objecting to the development. Members are advised that the previous use of the site was for educational purposes (Class D1 of the 1987 Use Classes Order) and whilst you may wish to disregard the size and effect of the building now - it was very much a consideration when discussions over its replacement began in 1988 - it is not suggested that any independent office use previously existed on the site, only that the entire site was 100% non-residential.
7. Appendix 4 sets out the planning history on the site - such parts as are relevant have already been referred to in Appendix 2 and the Officer's report. Members have before them a complete planning application for determination setting out the details and making recommendations. Members are reminded that the site is not within a designated Conservation Area and there is Government advice that the presumption is always in favour of development unless there are sound and clear cut reasons for refusal.
8. Appendix 5 is a Counsel opinion from Mr. Moriaty and whilst not all of his opinion is accepted, the relevant part relating to a valid permission of 675 sq.m. is accepted and supports the Council's own legal advice.
9. Appendix 6 John Anstey's report will be subject to a proper daylight/sunlight report covering all Gunter Grove properties by an independent expert.
10. Appendix 7 from Warner Land Surveys relates to the siting and height. It is agreed by the applicants that the siting of Knights House is in error due to the dependance on the Ordnance Survey sheets. However, the applicant strongly denies that the boundary wall, the main buildings and Mr. Stoop's garden walls are incorrect. The question of heights has already been discussed.

- 10.1 Winkworth's report on Knights House's positioning is accepted by the applicants and they will be producing separate drawings showing this in more detail, together with the changes in the foot-print of the building and also the relative height of the front building.
11. Appendix 8 relates to photographs and highlights in No. 2 the position of the wall closest to 42A Gunter Grove which it is now proposed to amend.

M. J. French,
Director of Planning Services,

List of Background Documents

Taken from objector's submission and Council Officer's report,
TP/89/2137 dated 21st May 1990.

Officer Contact

Any person wishing to inspect the above documents should contact Ruth Goundry, Planning Information Office, telephone 937 5464 extn. 2079.

Report prepared by MJF
Date report prepared 31/5/90

TP9006MJF.REP

OMGODSMAN

MARY'S OFFICE

FRIDAY

File
TP89/2137

2 Coey

H. AS/pt

3 Wdsl

4 French

Files

COMMISSION FOR LOCAL ADMINISTRATION IN ENGLAND

21 Queen Anne's Gate
London, SW1H 9BU
Telephone (01) 222-5622

29 Castlegate
York, YO1 1RN
Telephone York (0904) 30151

NOTE ON INVESTIGATION PROCEDURE

1. Section 28(2) of the Local Government Act 1974 provides that investigations shall be made in private and that procedures shall be such as the Local Commissioner considers appropriate. Under the terms of the Act, the Local Commissioners have authorised the Commission's staff to perform any function of a Local Commissioner other than the issuing of a final investigation report.
2. The investigator will wish to study the Authority's relevant files, and may wish to interview Members and officers and other people who can help with the investigation.
3. If interviews prove necessary the Members and officers who actually dealt with the particular matter will usually be seen and other appropriate Members (e.g. Chairman of responsible Committees) of chief and senior officers may also be interviewed. The investigator is always prepared to see the Member who referred the complaint to the Local Commissioner and the chief officer of the department concerned even if they are not specifically asked for interview.
4. The Authority are asked to appoint a named officer, of appropriate seniority, to act as the link between the Commission's investigator and the Authority and to be responsible for:-
 - (a) ensuring that all the Authority's files, and other documents, relevant to the complaint are available for the investigator to examine;
 - (b) providing a private room, i.e. an office or a small committee room, suitable for the examination of those documents and for all the interviews with Members and officers concerned;
 - (c) ensuring that any person to be interviewed has been shown this note on procedure together with the Commission's letter to the Authority setting out the complaint being investigated;
 - (d) arranging to provide photocopies of documents requested by the investigator.
5. Interviews will usually be conducted individually and always in private. However, if a Member or officer would like to have a "friend" present, e.g. a trade union representative, because, for example, his personal actions have been questioned by the complainant, this will normally be acceptable although the decision rests with the investigator.

6. The choice of any "friend" is a matter for the person being interviewed but the investigator will wish to ensure that there is no conflict of interest for the "friend". A conflict could arise, for example, if the "friend" were someone who was also to be interviewed in course of the investigation, or someone who is considered to be concerned primarily with the interests of the Authority or department, rather than with the interests of the person being interviewed (e.g. a solicitor employed by the Authority, or the senior officer of the person being interviewed).

7. The Local Commissioner may consider at some stage that the investigation need not continue. For example, after the files have been studied he may consider that there has been no maladministration, or that a local settlement of the complaint may prove possible. In such cases the investigation may be ended either by letter or by a formal discontinuation report.

8. But in cases where the investigation justifies it, a draft report will be prepared stating the facts found. This draft will be sent to the Chief Executive of the Authority for any comments on the accuracy of the draft; any additional general comments will also be taken into account. The covering letter with the draft will explain that the draft should be shown to the Members and officers who have been involved or are referred to in the text, and that it is sent in confidence. In most cases the draft report of the facts will also be sent to the complainant for comment.

9. The Local Commissioner's final report, with conclusions, will then be prepared and sent to the Authority, the complainant and the Member of the Authority who referred the complaint to the Local Commissioner. Only exceptionally will anyone be named in the report.

10. The Authority then have to make the report available publicly and if injustice caused by maladministration has been found, to consider the report and tell the Local Commissioner what action they propose to take. The precise arrangements are in Sections 30 and 31 of the Local Government Act 1974.

L E G A L S E R V I C E S

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Director of Legal Services A G PHILLIPS LLB

Councillor Mrs Iain Hanham, JP
Chairman
Policy and Resources Committee

Telephone: 071-937 5464
Extension: 2257

Facsimile: 071-376 0501

3 December 1992



My reference: dls/ag/mn Your reference:

Please ask for: Mr Phillips

Dear Madam Chairman

MR STOOP, CHELSEA COLLEGE SITE, HORTENSIA ROAD - OMBUDSMAN INVESTIGATION

I enclose copies of correspondence that I have had from the Ombudsman. In brief, the Ombudsman has expected me to make arrangements for interviewing up to six officers, fifteen councillors and three ex-councillors. Originally, he had intended that this take place before Christmas. The Ombudsman has relented somewhat by his letter of 2nd December. However, I am concerned that councillors may be puzzled if they are expected to attend interviews on short notice on matters that took place some considerable time ago. I thought it advisable to let you know what was happening.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alun Phillips'.

Alun Phillips
Director of Legal Services

encs.

Commission for Local Administration in England

MS

D. C. M. Yardley, LL.D., D.Phil.
Local Government Ombudsman

J. J. Bash
Director
Solicitor to the Commission

21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396

Your ref: DLS/AG/NS
My ref: 90/A/1263/LH/
mlr

A Phillips Esq
Director of Legal Services
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

2 December 1992

Dear Mr Phillips

INVESTIGATION INTO COMPLAINT BY MR N STOOP

I refer to Ms Heffernan's letter of 24 November 1992 and to your subsequent telephone conversation with her about interviews for the above investigation.

I am sorry that you do not think it will be possible to arrange the interviews prior to Christmas. I appreciate the difficulties involved in setting up interviews but would be disappointed if none could take place on the eight days which Ms Heffernan has proposed. I should be grateful if you would reconsider whether it will, at least, be possible to make a start on the interviews before Christmas. It seems to me that it is in all of our interests to complete this investigation without any further delays.

In view of your comments to date, Ms Heffernan has set aside the week starting 11 January 1993 to complete any interviews. I shall be grateful for your cooperation in meeting this timescale.

Yours sincerely

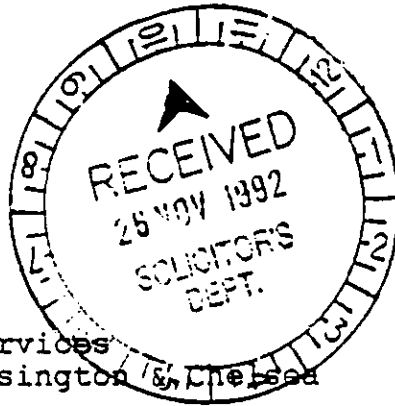

JOHN BASH
Director



Commission for Local Administration in England

D. C. M. Yardley, LL.D., D.Phil.
Local Government Ombudsman

J. J. Bash
Director
Solicitor to the Commission



21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396

Your ref dls/ja/lh

My ref 90/A/1263/LH/
mlr

A Phillips Esq
Director of Legal Services
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

24 November 1992

Dear Mr Phillips

Investigation into Complaint by Mr N Stoop of 42a Gunter Grove

I am sorry that I have not been in contact with you about the above complaint since examining your Council's files. I am grateful for the assistance which Ms Goodliffe provided and for copies of the documents from your files.

I should now like to make arrangements to interview the officers and the Councillors who have been involved in this case. If at all possible I should like to interview the following officers at the Town Hall on either 8, 9, 10, or 11 December:-

Mr J Wells
Mr I Parry
Mr B Coey
Miss C Zacharia
Mr J Walsh
Mr M French.

I appreciate that some of the above Officers may no longer be employed by the Council, in view of the time which has elapsed since the events leading to the complaint occurred. I would find it helpful, nevertheless, to interview them at the Town Hall where they will have access to the Council's files. If for any reason this is not acceptable, please provide details of their home addresses, current work places and contact telephone numbers so that I can make arrangements with them direct. I would like to start the interviews at 10.00 am (with access to the interview room from 9.30 am) and suggest that one hour should be allowed for each interview with an hour's break for lunch. If possible I should like to see Mr Wells first and Mr French last.

/....

If possible I should like to interview the Honourable Simon Orr-Ewing and the Councillors who were present at the Town Planning (Applications) Sub-Committee on 13 October 1988, either on one of the above dates (but after I have interviewed the officers) or in the following week commencing 14 December (but not 18 December). I understand that the relevant Members are:-

Councillor Mrs Elizabeth Russell,
Councillor Miss Doreen Weatherhead,
Gerald Gordon and
Stuart Shapro,

but perhaps you would confirm that this is correct. I anticipate that each interview should last no more than one half hour. I would find it helpful if you would let me know in advance of any interviews which of the above four Councillors voted for or against the recommendations to grant planning permission in respect of TP/88/0633, and to oppose the appeal against the non-determination of TP/88/0632 if these details were minuted at the meeting.

I should forewarn you that I may wish to interview the Councillors who attended the Planning and Conservation Committee on 9 July 1990. If so, I would also like to carry out these interviews in the week starting 14 December 1990. However before making any arrangements, I would like to receive a full list of the Councillors who attended that meeting and of their voting decisions in respect of planning application TP/89/2137 both before and after the private session was held to consider it.

Finally I should be grateful if you would provide me with copies of the relevant minutes of the following Committee meetings showing attendance and the decision minuted in respect of planning application TP/89/2137:-

- 12 February 1990 - Town Planning Applications Sub-Committee (Agenda Item 4043)
- 19 February 1990 - Town Planning Main Committee (Agenda Item 4043/36)
- 13 March 1990 - Town Planning Main Committee (Agenda Item 44)
- 24 April 1990 - Town Planning Applications Sub-Committee (Agenda Item 4138)
- 12 June 1990 - Planning Applications Committee (Agenda Item 68)
- 9 July 1990 - Planning and Conservation Committee (Agenda Item 97)

/.....

I appreciate that making arrangements for a large number of interviews is an administrative burden and am grateful for your assistance. Please do not hesitate to contact me to discuss any arrangements.

Yours sincerely

Lynn Heffernan.

LYNN HEFFERNAN
Investigator

LEGAL SERVICESTHE TOWN HALL HORNTON STREET LONDON W8 7NX

Director of Legal Services A G PHILLIPS LLB

John Bash Esq
Director
Commission for Local Administration
in England
21 Queen Anne's Gate
LONDON SW1H 9BU

Telephone: 071-937 5464
Extension: 2257

Facsimile: 071-376 0501

3 December 1992



My reference: dls/ag/ll

Your reference: 90/A/1263
LH/mlr

Please ask for: Mr Phillips

Dear Mr Bash

INVESTIGATION INTO COMPLAINT BY MR N STOOP

I acknowledge receipt of your letters of 24th November and 2nd December. I telephoned your office after your first letter because I considered the time scale was unrealistic and somewhat unreasonable.

The Council received notice of the complaint some two years ago on 18th December 1990. After some enquiries were made responses were provided in March 1991 to aspects of the complaint that related to events prior to November 1989. You were also informed that Mr Stoop was seeking judicial review of the Council's decision of 9th July 1990. The matter was heard in June 1991 in the High Court and lasted for four days with his application being dismissed and an order for costs being made. These costs exceeded £5,000. However, the order cannot be enforced unless I can demonstrate to the court that Mr Stoop is in funds. I refer to this only to demonstrate that the Council has already spent considerable time and resource dealing with Mr Stoop's complaints. In May 1992 the Council was notified that you had decided to investigate matters in relation to the planning decision that took place in October 1988. Files were made available to you for inspection.

You may, therefore, understand my surprise when I received your letter of 24th November requiring interview arrangements to be made for six officers or ex-officers, two councillors (one of whom has been very ill) and three ex-councillors commencing the second week in December. You also indicated that you may want to interview another thirteen councillors in the second week of December.

I am sure many of the councillors, certainly those dealing with the planning application in October 1988, will not recollect much detail. Given this, the delays since the original complaint, and the resources already spent on dealing with Mr Stoop, I trust you will understand my concern at arranging interviews at such short notice at a busy time of year.

I will obtain the documentation and will put in hand the necessary arrangements for the interview of officers or ex-officers. Whilst I do not wish to impede or delay the investigation I consider there should be further discussion on the interviewing arrangements for the councillors and ex-councillors.

Perhaps we can discuss this further.

Yours sincerely

A handwritten signature in black ink, appearing to read "Alun Phillips". The signature is written in a cursive, slightly slanted style.

Alun Phillips
Director of Legal Services

L E G A L S E R V I C E S

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Director of Legal Services A G PHILLIPS LLB

Councillor Mrs Iain Hanham, JP
Chairman
Policy and Resources Committee

Telephone: 071-937 5464

Extension: 2257

Facsimile: 071-376 0501

3 December 1992



My reference: dls/ag/mn Your reference:

Please ask for: Mr Phillips

Dear Madam Chairman

MR STOOP, CHELSEA COLLEGE SITE, HORTENSIA ROAD - OMBUDSMAN INVESTIGATION

I enclose copies of correspondence that I have had from the Ombudsman. In brief, the Ombudsman has expected me to make arrangements for interviewing up to six officers, fifteen councillors and three ex-councillors. Originally, he had intended that this take place before Christmas. The Ombudsman has relented somewhat by his letter of 2nd December. However, I am concerned that councillors may be puzzled if they are expected to attend interviews on short notice on matters that took place some considerable time ago. I thought it advisable to let you know what was happening.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Alun Phillips', with a long horizontal flourish extending to the right.

Alun Phillips
Director of Legal Services

encs.

Please file

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX



Executive Director Miss C M DENT BSc M Phil FRICS FRTPI
Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Charles D. Moore Esq.,
Architect,
34 Milton Road,
LONDON, SE24 ONP.

Telephone: 071-937 5464
Extension: 2944
Facsimile: 071-376 1130

13th May 1991

My reference:	Your reference:	Please ask for:
DPS/MJF/PYD		Mr. French

Dear Mr. Moore,

Town and Country Planning Act 1990
Hortensia Road Development

I write with regard to your letter of 30th April to which you attached sketch drawings showing your proposal for additional landscaping on the mews elevation of the new development on the above site.

I have discussed your proposals with the Area Planning Officer, Mr. Coey, and both he and I are in agreement that your proposals do not constitute development requiring further planning permission. In our view, the proposed landscaping is to be welcomed and will considerably soften and enhance the residential accommodation which is now to be provided on the ground floor in lieu of the previous office use and to a design which reflected the commercial use.

Should you have any further queries, would you please contact Mr. Coey, but in the meantime, I have filed your drawings for future reference purposes.

Yours sincerely,

M. J. French,
Director of Planning Services.

0100/CM/03/jj

30 April 1991

Charles D Moore
Architect
34 Milton Road
London
SE24 ONP

Director of Planning
The Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
Kensington High Street
London

For the attention of Mr French

Dear Sir

REAR FLATS - ADDITIONAL LANDSCAPING
HORTENSIA ROAD, LONDON, SW10

Further to our meeting earlier today at your offices, I would confirm the following items;

- 1 A Full Planning application is not required for the alterations discussed which can be termed as additional landscaping.
- 2 I confirm your preliminary approval of the alterations shown on the attached sketch drawing No HTN/RF1/SKO7A and will forward a detailed fully dimensioned drawing with covering letter for your approval as soon as possible.

I look forward to hearing from you.

Yours faithfully

Charles Moore

Charles Moore

cc L Hoyer-Millar Esq - Forthold Ltd
A Gosland Esq - Lilley Developments
R Wilkinson Esq - Projjex Management
File ✓

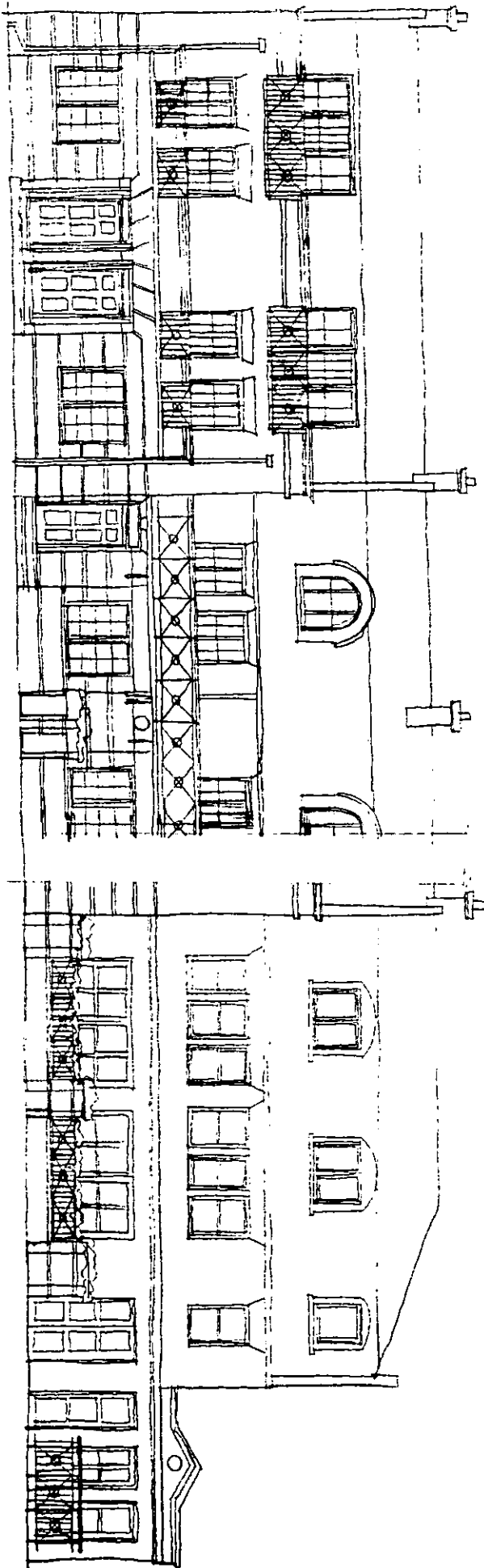
Brace (BC)

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development to
me*

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3/5/91

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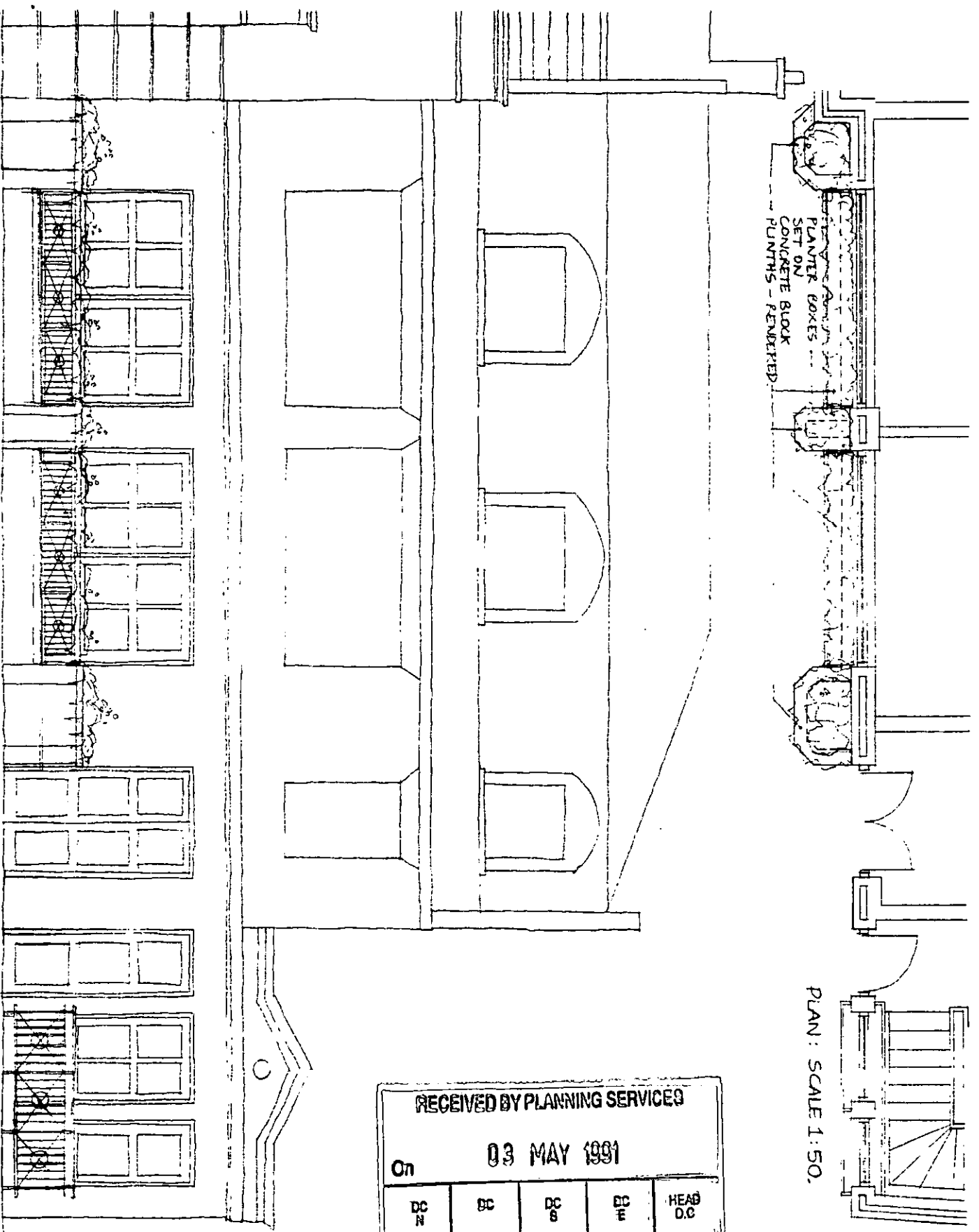
RECEIVED BY PLANNING SERVICES

On 03 MAY 1991

DC N	DC	DC S	DC E	HEAD D.C
EXEC D/R	DIRECTOR PLANNING SERVICES	RECORDS	ARB	ENV. PLAN
MAPS OFFICE	LO	FEES OFFICER	FORWARD PLAN	AO ACK

CHARLES D. MOORE : ARCHITECT.

REAR FLATS : MENS ELEVATION : SCALE 1:50



PLAN : SCALE 1:50.

RECEIVED BY PLANNING SERVICES				
03 MAY 1991				
Cn				
DC N	DC	DC B	DC E	HEAD D.C
EXEC DIR	DIRECTOR PLANNING SERVICES	RECORDS	ARB	ENV. PLAN
APPEALS OFFICER	LO	FEES OFFICER	FORWARD PLAN	AO ACK

17/4/91. DRAWING, N° HTN/R/1/SK07.A.

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

E. W. Church Esq.,
26 Greyhound Road,
LONDON, W6 8NX.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

14th February 1991



My reference: DPS/MJF/PYD Your reference: EWC/RKC/ebc 8/2

Please ask for: Mr. French

Dear Mr. Church,

Town and Country Planning Act 1990
Re: Chelsea College, Hortensia Road

I write with reference to your letter of 8th February regarding the development at the above site. I would inform you that at the present time an interested party has been given leave to seek a Judicial Review on the decision of the Council which was to grant conditional planning permission. At this particular time, I do not consider that I can add anything further to that which has already been printed in the press. I am not aware of any date being set for this hearing.

Yours sincerely,

M. J. French,
Director of Planning Services.

E.W. CHURCH, A.A.(Grad) Dipl.,
26 Greyhound Road
London W6 8NX

Tel: 071-381 1632
Fax: 071-386 7376

8th February 1991

Our ref: EWC/RBKC/ebc 8/2

The Royal Borough of
Kensington & Chelsea
Development Planning
Town Hall
Hornton Street
Kensington W8

Dear Sirs,

Re: Forthold/Hortensia Road, SW10

RECEIVED BY PLANNING SERVICES				
On	23 11 FEB 1991			
DC 1	DC	DC 2	DC E	HEAD D.C.
PLANNING OFFICER		PLANNING'S	ARB	ENV. PLAN
PLANNING OFFICER	IO	FEE'S OFFICER	FORWARD PLAN	AD ACK

Some couple of months back, you were very kind to write to me concerning the above case, but I note from a recent journal that it is now being placed in the hands of the High Court. MF?

Would it be possible for somebody to give me a brief summary of the circumstances in relation to this development?

I look forward to hearing from you.

Yours faithfully,



E W Church



F

TOWN HALL KENSINGTON W8 7NX 01-937 5464

10th December 1990

Councillor Rima Horton,
12 Upper Addison Gardens,
LONDON, W14 8AP.

Dear

Re: Chelsea College Site, Hortensia Road

I write with reference to your letter of 3rd December relating to the report of the independent daylighting and sunlighting experts on the above application.

The letter from Wilks Head and Eve was received by the Department on 3rd August and was discussed with me by Miss Dent. Following these discussions, it was agreed that the decision should be issued and accordingly the decision letter was despatched on 6th August, there being no reasonable grounds upon which the application should be reported back to the Planning Committee.

I am enclosing a copy of Mr. Roe's letter for your further information.

Yours sincerely,

Councillor Professor Sir Anthony Coates,
Chairman - Planning and Conservation Committee.



THE TOWN HALL KENSINGTON W8 7NX 01-937 5464

Councillor Sir Anthony Coates
Chairman, Planning & Conservation Committee
Royal Borough of Kensington & Chelsea
The Town Hall
Horton Street
London W8 7NX

3rd December 1991

Dear Tony

Re: Chelsea College Site, Hortensia Road, London SW10

I remember that at the Planning and Conservation Committee meeting on the 9th July 1990 which took a decision on the application for this site, we were still awaiting an independent expert's view concerning the daylighting and sunlighting effects on neighbouring properties.

I remember you saying at that meeting that you would look at the findings of this report and that any decision would be influenced by the outcome of this report.

But I have never heard what the outcome actually was.

I would be grateful, therefore, if you could let me have a copy of the (I am sorry I have forgotten his name) independent expert's view on sunlighting and day-lighting effects on neighbouring properties along with a copy of your comments on this report.

Yours sincerely,

Councillor Rima Horton



Wilks Head and Eve

CHARTERED SURVEYORS

9 Harley Street London W1N 2AL Telephone 071 637 8471 Facsimile 071 631 0536

M.J. French Esq.,
Deputy Director of Planning & Transportation,
The Royal Borough of Kensington & Chelsea,
Department 705,
The Town Hall,
Horton Street,
London, W8 7NX

Our reference ER/vgc/4477
Your reference
Date 2nd August 1990

RECEIVED BY PLANNING SERVICES				
On		03 AUG 1990		
DC N	DC	DC	DC	DC
EXE DIR	PLANNING SERVICES	PLANNING SERVICES	PLANNING SERVICES	PLANNING SERVICES
FORWARD			AD	AD

MJF

Dear Mr. French,

Re: Hortensia Road

Further to my letter of the 9th of July, I have now completed my study of the sunlighting situation arising out of this development. Under your District Plan, criteria are set out for south facing residential buildings, as 'approximate guidelines'. It will be readily appreciated that these criteria are more easily met for south facing buildings, and lower standards must be accepted where properties face nearer west, as in this case, than south. The benefit of morning sun cannot be obtained with westerly facing properties.

Nevertheless, there is an improvement in sunlighting to No.s 30, 34 and 36 Gunter Grove, and where losses occur to 38 and 40 Gunter Grove the south facing criteria are still more than adequately met. No. 32 is a special case. There are losses here, but these arise largely as a result of its own construction, where rear extensions block sunlight from the south-west, and the possible angle of acceptance is limited by its rear extensions.

So far as 42a Gunter Grove is concerned, I have applied two different tests from Sunlight and Daylight. Although the 'facade test' does not fully meet the criteria set out, it must be borne in mind that the lower room in this facade has two windows. In my view the combined effect of these windows is sufficient to give acceptable levels of sunlighting. An important factor is the proximity of the existing garden wall, which cuts off possible sunlight in the winter months.

Overall I consider the situation to be acceptable in planning terms, and that the guideline criteria have been properly considered in the context of the planning application. In my view sunlighting grounds could not have been sustained as a ground for refusal, and any appeal against such grounds would have succeeded.

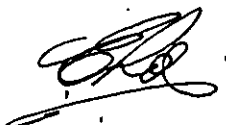
Cont/d....

Wilks Head & Eve

Cont/d....2

I agree with the Council's approach and report on this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'E. Roe', written in a cursive style.

E. ROE

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPi

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA

Telephone: 071-937 5464

Extension: 2081

Facsimile: 071-376 1130

- 6 AUG 1990



My reference:

Your reference:

Please ask for:

PV/TP/89/2137/A/26/97

Miss P.Vallely

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT, 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977**

Permission for development (Conditional) (TP6a)

The Borough Council hereby permit the development referred to in the under-mentioned Schedule, subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions. Your attention is also drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT

Development to provide residential accommodation and offices, with integral car parking at Chelsea College site, at **CHELSEA COLLEGE SITE, HORTENSIA ROAD, CHELSEA, S.W.10**, as shown on submitted drawings Nos. TP/89/2137, TP/89/2137/D, and TP/89/2137/E, Applicant's drawings Nos. HTN/01/101P, /105K, /113G, /114F, /115D, /120B, /122B, HTN4 L(1-)04B, HTN4/L(1-) 011A, HTN 01 119B & HTN 01 107B, in accordance with your application dated 13/11/89, completed 12/12/89, revised 25/06/90 and 29/06/90.

/ CONDITIONS ...

CONDITIONS

1. The proposed amendments as hereby approved relating to the southern most of the rear blocks shall be implemented within 3 months of the date of this permission.
2. The proposed office area of the whole development shall have a nett lettable area of not more than 530 sq.m.
3. The garage accommodation shall not be adapted for living, commercial or other purposes and shall be available at all times for car parking. (C.14)
4. The development to which this permission relates shall be begun before the expiration of five years from the date of this permission. (C.22)
5. No water tank, lift motor room or other roof structure shall be erected which rises above the level of the roof hereby approved. (C.34)
6. The premises subject of this permission shall not be used at any time for any purpose specified in Section 4 of the Greater London Council (General Powers) Act, 1983, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act, 1984, and shall not be used at any time for the purpose of holiday lettings (explanatory note : this condition prohibits the use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings). (C.48)
7. All elevational alterations shall be carried out exactly in the manner indicated on drawings hereby approved. (C.50)

REASONS FOR THE IMPOSITION OF CONDITIONS

1. To ensure that the improvements are carried out as quickly as possible.
2. In order to ensure compliance with the approved drawings.
3. To avoid obstruction of the surrounding streets and to safeguard the amenities of adjacent premises. (R.9)
4. To prevent an accumulation of permissions which have not been acted upon, and as required by Section 41 of the Town and Country Planning Act, 1971. (R.13)
5. In order that the Council may be satisfied as to the detail of the proposal. (R.4)

/6. To ensure...

6. To ensure the permanent retention of the accommodation for normal residential purposes. (R.21)
7. To safeguard the appearance of the premises and the character of the immediate area. (R.8)

INFORMATIVES

1. Refuse storage accommodation and access thereto must be provided to the Council's satisfaction. You are therefore advised to consult with the Director of Engineering and Works Services, Central Depot, Warwick Road, W14. (01-373-6099) who has a code of practice available. Advice can also be given on certain aspects of industrial and commercial waste, as well as household waste. The Council operates a trade refuse service on a rechargeable basis. (I.3)
2. Your attention is drawn to the Building Act, 1984, the Building Regulations, 1985, and, insofar as they are applicable, the London Building Acts, 1930-39. The Council's District Surveyors (01-373-7702), must be consulted in these respects.

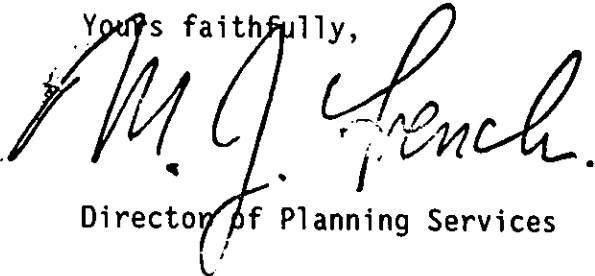
In the case of new residential accommodation (or works to existing residential premises) attention is drawn also to S.604 (Fitness for Human Habitation) of the Housing Act 1985. The Borough Environmental Health Officer (01-373-6099) can advise on requirements necessary to satisfy this legislation. (I.12)

3. This permission is given without prejudice to the Council's powers under Section 35 the London Building Acts (Amendment) Act 1939. (as regards means of escape in case of fire) in which respect the Council's officers should be consulted at an early date. Any proposals for external fire escapes or roof walkways or safety railings will need to be the subject of a further application for planning permission. The District Surveyor will advise on the Building Regulations, 1985, which are operative in Inner London from 1st January, 1986. (I.18)
4. The Borough Environmental Health Officer, at the Council offices, Pembroke Road, London W.8, should be consulted concerning the provisions of the Health and Safety at Work etc. Act 1974 which must be complied with where applicable. (I.7)

/5. Your attention...

5. Your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act, 1970 (as referred to in Section 3 of the Disabled Persons Act, 1981) which place an obligation on a developer and his representatives to provide easy access for the disabled. In the case of development for office, shop, or factory purposes, or for buildings or premises to which the public are admitted, you should refer to the Code of Practice for Access for the Disabled to Buildings BS 5810 : 1979. In the case of university, college, or school buildings, to Design Note 18 "Access for the Physically Disabled to Educational Buildings." (I.34)
6. Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act, 1974, which imposes requirements as to the way in which building works are implemented, including the hours during which the work may be carried out. This Act is administered by the Borough Environmental Health Officer, and you are advised to consult with his Department at an early stage. (I.44)

Yours faithfully,

A handwritten signature in cursive script, appearing to read 'M. J. French', written in dark ink.

Director of Planning Services



TOWN HALL KENSINGTON W8 7NX 01-937 5464

BCF
File-89/2137

N. Stoop, Esq.,
Gunter Grove Residents Association,
The Cottage,
42a Gunter Grove,
London,
S.W.10.

11th July, 1999.

Dear Sir,

Chelsea College Site

I refer to your letter of 6th July regarding the application submitted in respect of this site.

As I expect you now know, the Planning and Conservation Committee resolved that permission should be granted.

Yours faithfully,

Councillor Professor Sir Anthony Coates
Chairman - Planning & Conservation Committee



See Doc 091

The Cottage,
42a Gunter Grove,
London S.W.10.

6th July 1990.

Tel: (071) 376 3272.

Dear Councillor

Re: Chelsea College Site (new application to be decided at July 9th. Planning Meeting)

We have just been informed that we will not be allowed to make oral representations to the Committee on Monday night. Therefore we ask you to take the following key points into consideration:

(i) The Delay. This application has dragged on since November 1989, causing a lot of distress (and expense) to the residents who are universally opposed to it. We beseech the Committee, who are now considering the matter for the sixth time this year, to make a final decision and not to allow any further delay.

(ii) The Decision. The residents and local amenity groups urge the Committee to refuse the application, on the basis that it incorporates a significant increase over the 1988 permission, and contravenes the Council's policies, good planning standards and natural justice.

The proposed increased height and size of the front block and the extra six flats to be located at the rear of the site will cause an unreasonable additional loss of sunlight, privacy and amenity, in addition to the dramatic losses suffered as a result of the 1988 decision.

While new residential units are to be welcomed, there must obviously be a balance with the Council's other policies. These policies (especially relating to sunlighting and density) have already been infringed by the 1988 decision. It cannot be reasonable to exacerbate the problems by increasing them.

(iii) Objections. In case these are not placed before you at the Meeting, copies are enclosed of the most recent letter from the Chelsea Society (their fourth of this year) and one from the Earls Court Neighbourhood Associations, a body comprising a number of local amenity groups. In addition, a list is enclosed of some of those from Gunter Grove and Hortensia Road who have already objected, and a sketch map showing their relationship to the proposed development.

(iv) Enforcement. The Committee is exhorted to reactivate the Enforcement Proceedings, whose mysterious withdrawal immediately before the April 24th meeting has yet to be explained. This time around, it is to be hoped that the Council will take effective enforcement action to ensure the rapid removal of the unauthorised works. In view of the recent history of the Enforcement Action, the residents would like an assurance that there will be no removal of the Notices by the planning officer under delegated powers, and that such a decision should be taken by the Committee.

We hope that you will take these points into consideration when you discuss the matter on Monday.

Yours sincerely,

Nick Stoop

Nick Stoop,
Gunter Grove Residents Association.

EARL'S COURT NEIGHBOURHOOD ASSOCIATIONS

COORDINATOR

Mrs J Ware
19 Earl's Court Square
London, SW5 Tel 373 4631

PLEASE REPLY TO:

Mr. J. French,
Director of Planning Services,
RBK&C,
Town Hall,
Hornton St.,
London W8 7NX

29th June 1990

Dear Mr. French,

re: Chelsea College Site, Hortensia Road, SW10

ECNA wishes to register its objection to the revised scheme for the above site.

This application represents a significant increase in height over the previous permission and increase in bulk by the expansion of the front block. The privacy of neighbouring residents, sunlight and the general amenity of the area will be adversely affected.

We are, of course, in favour of increasing residential accommodation but this application also adds six further flats and further office space to a development which was already in excess of the Borough's density guidelines. Such over-development does not represent an improvement for the Borough; indeed it could be said to be a development likely to lead to a degradation of the area in future.

We are also disturbed by the amount of work which has taken place in advance of planning permission. The instances of 'building at risk' seem to be on the increase and should be discouraged.

We hope that the Planning Committee will reject the application.

Yours sincerely,

JENNIFER WARE

cc Cllr. Sir Anthony Coates

MEMBER ASSOCIATIONS

Boltons Association
Earl's Court Gardens & Morton News Association
Earl's Court Square Residents' Association
Earl's Court Village Residents' Association
Nevern Place Residents' Association
Courtfield Action
Braahae, Bolton Gardens & Collinghae Residents' Association

Edwards Square, Scarsdale & Abingdon Association
Kensington Mansions Association
Nevern Square Residents' Association
13/16 Nevern Square Residents' Association
Philbeach Residents' Association
Barkston Gardens Committee



THE CHELSEA SOCIETY

founded by Reginald Blunt in 1927 to protect and foster the amenities of Chelsea

President THE LORD GIBSON, M.A., HON.D. LITT.
Chairman DAVID LE LAY, R.I.B.A.

Hon. Secretary MARY FISHER, L.V.O.
15 TRYON HOUSE
MALLORD STREET
LONDON SW3 6AJ

Miss C.M. Dent B.Sc.M.Phil.F.R.I.C.S.,
F.R.T.P.I.
Director of Planning and Transportation
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX.

12th June, 1990

Dear Miss Dent

Re: Chelsea College Site, Hortensia Road, London SW10
Application no. TP/89/2137/A/03

We are informed that this application is to be considered by the Planning Applications Committee when they meet tonight, even though it does not appear in the official list which we recently received.

I would be grateful if you could ensure that the Committee are reminded of the views of this Society, previously expressed, in relation to this contentious application. These are:-

- a) No permission should be granted for office development on this site which exceeds the 675²m for which consent was granted in December 1988.
- b) No permission should be granted for increasing the height or bulk of the block fronting onto Hortensia Road over and above that for which planning permission was granted in December 1988.
- c) The Enforcement Action served in October 1989, which was unanimously approved by Councillors, should be immediately resurrected and rigorously pursued.

I should like to comment upon the Recommended Decision which Councillors are being asked to make, which is that they would be minded to recommend to the Planning and Conservation Committee that an amended application, as yet not submitted, should be granted permission. Such a decision by the Councillors would be wholly inappropriate and potentially highly dangerous.

I would be grateful if a copy of this letter could be put before Councillors at the meeting.

Yours sincerely


David Le Lay

OBJECTORS

Objectors Letters Petition

TOTALS	74	47	58
--------	----	----	----

Breakdown:

Gunter Grove	33	29	20
Hortensia Road	37	18	34
Edith Terrace	2	0	2
Fulham Road	2	0	2

Several others have written and signed the petition since this list was compiled. Many of the above have written on more than one occasion (in response to the numerous "amendments" which appear to be intended as a ruse to reduce the numbers of objectors writing on each occasion). A glance at this list in conjunction with the map supplied will show that the proposals are universally opposed by their prospective neighbours.

In addition, the Council has received letters of objections from a number of Amenity Groups, including the Chelsea Society, the Earls Court Neighbourhood Associations and others, as well as letters from the residents' lawyers and planning consultants.

Gunter Grove		Objectors	Letters	Petition
		33	29	20
Address	Name	Letter	Petition	
42A	Mrs Stoop	1	1	
42A	Nick Stoop	1	1	
42/1	Mrs Lampaert	1	1	
42B	James Allen	1		
40B	Mrs Higginson	1	1	
40B	Mrs Coe	1	1	
40A	Mrs Hall	1	1	
40	Mr Dight	1		
38	Mr Lawson	1		
38A	Mrs Kayley	1	1	
36A	Mrs Kelly	1	1	
36B	Mr Weeden	1		
36C	Mr Healy	1	1	
36C	Mrs Healy	1	1	
36D	Mrs Fairchild	1		
34	Mr El-Felahi	1		
32	Mr Knight	1		
30	Mrs Cross-Kelly	1	1	
30	Miss Maxwell	1	1	
30	Mr Phillips	1	1	
30	Mrs Dalton	1		
30	Mr Jones		1	
28	Mr Paterson	1	1	
28A	Mr Miller	1		
26	Mrs Mott	1	1	
24	Mr Williams		1	
24	Miss Copping		1	
22	Mr Gold	1		
22A	Mr Hornsey	1		
10	Mr Atkinson		1	
8A	Mrs Bourguignon	1	1	
6A	Karin Jonzen	1		
1	Mr Norriss	1		

OBJECTORS (cont'd)

Hortensia Road

Knights House

Objectors 17 Letters 8 Petition 16

Address	Name	Letter	Petition
1	Mrs Barratt		
5	Mrs Lawless	1	1
9	Mrs Stretton		1
9	Mr Stretton		1
10	C Sharp		1
11	Mr Barrett		1
11	Mrs Barrett	1	1
13	Mrs Burbridge	1	1
15	Mr Fowler	1	1
15	Mrs Fowler		1
16	Mr Kohler		1
16	Mrs Kohler	1	1
17	Mrs Shorrocks	1	1
19	Mr Baxter		1
19	Mrs Baxter		1
Studio 1	H. Ribbons		1
Studio 2	Mrs Wysocka	1	1

Hortensia House

Total 20 Letter 10 Petition 18

	Name	Letter	Petition
56	C O'Connor		1
56	C. Orgill		1
55	Mr Cross		1
55	Mrs Cross	1	1
54	Mary Wyatt		1
54	Teresa Wyatt	1	1
53	M. Dennis	1	1
53	E. Dennis		1
52	Mrs Skeffington		1
51	M. Dainty	1	1
49	M. Fernandez	1	1
49	A. Fernandez		1
48	E. Georgiou		1
48	Theresa Georgiou		1
46	P. Hyland		1
45	M. Labinger		1
45	P. Finch	1	1
44	M. Kelleher	1	1
31	Mrs P. Masters		1
30	C. Charles	1	

Fulham Rd

2 0 2

Letter Petition

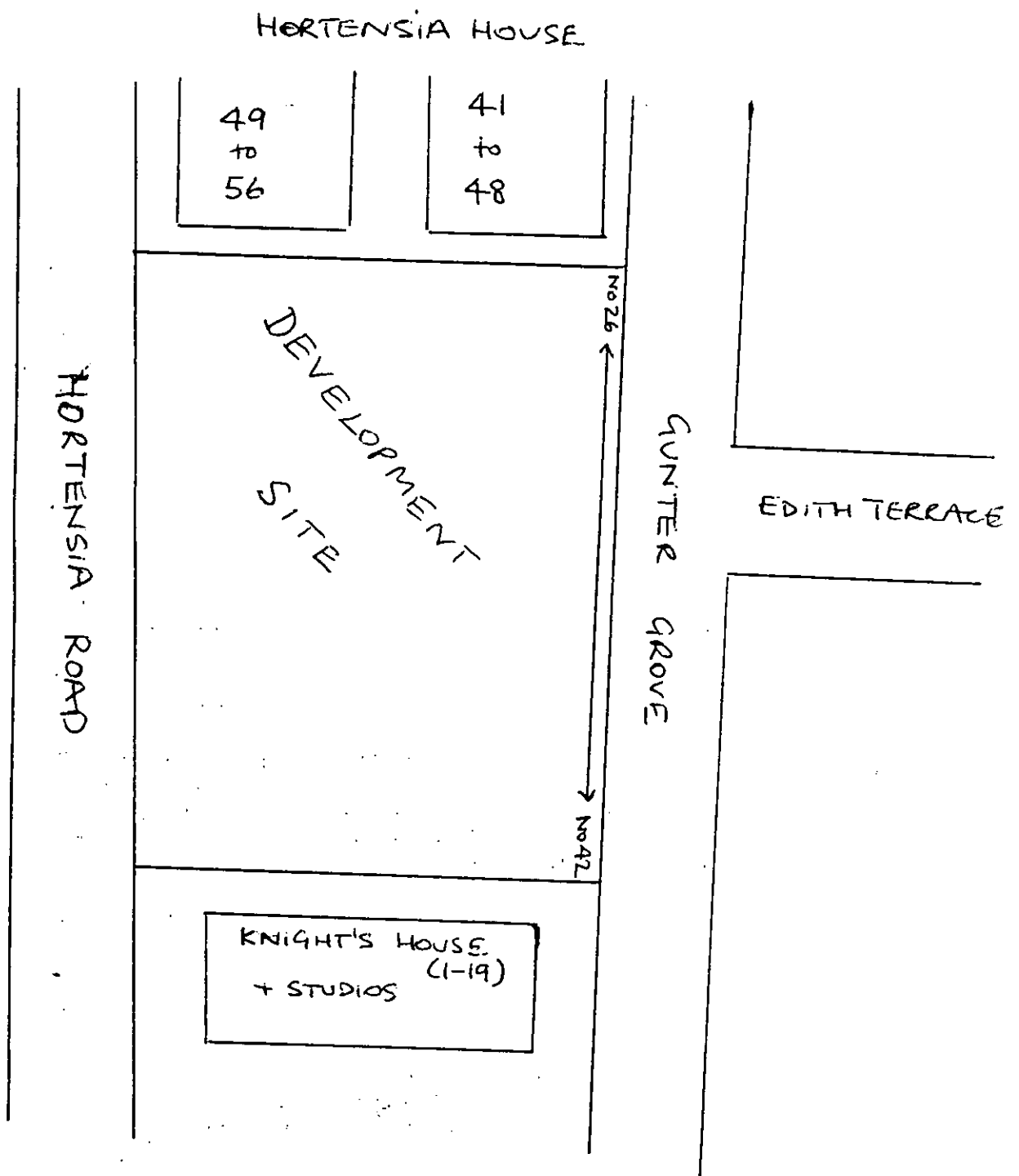
304	Miss Kingcome		1
304	Miss Scott		1

Edith Terrace

2 0 2

Letter Petition

3	Miss Saint		1
3	Miss Barron		1



MAP OF OBJECTORS

- The Council have received objections from ALL OF THE NEIGHBOURS OF THE PROPOSED DEVELOPMENT

MISS C.M.DENT, B.Sc., M.Phil., FRICS, FRTPI
Director of Planning and Transportation

705

M.J. FRENCH, ARICS, Dip. T.P.,
Deputy Director of Planning and Transportation

Mrs. Eileen Harris,
Planning Secretary,
Chelsea Society,
16 Limerston Street,
London,
SW10 0DH

3265

23 April 1990

TP/89/2137/MW/AH/PI

Mr. M. Walsh

Dear Madam,

Town & Country Planning Act 1971
Chelsea College Site, Hortensia Road, SW10

Thank you for your letter dated 4th April, 1990. There is an application before the Town Planning Sub-Committee on 24th April, 1990, for the provision of 21 self-contained flats which is an amendment to the planning permission granted, dated 22nd December, 1988.

There is also an application before the same Committee involving amendments in the office space and building bulk which will also be considered.

Your letter will be placed on file as a letter of objection.

Yours faithfully,

KR

K.J. Rennie
Principal Planning Enforcement Officer
For The Director of Planning & Transportation

MISS C.M.DENT, B.Sc., M.Phil., FRICS, FRPI
Director of Planning and Transportation

705

M.J. FRENCH, ARICS, Dip. T.P.,
Deputy Director of Planning and Transportation

Ms Eileen Harris
Planning Secretary
The Chelsea Society
16 Limerston Street
London SW10 0DH

3265

11 April 1990

TP/89/2137/LP

Mr M. Walsh

Dear Madam

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road, SW10

Thank you for your letter dated the 4th April 1990. There is an application before the Town Planning Sub-Committee on the 24th April 1990 for the provision of 21 self-contained flats which is an amendment to the planning permission granted, dated the 22nd December 1988.

There is also an application before the same Committee where the increase in office space and building bulk will be considered.

Your letter will be placed on file as a letter of objection.

Yours faithfully

hr

K.J. Rennie
Principal Planning Enforcement Officer
for the Director of Planning and Transportation

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*It has been a
long haul -
I asked for merchandise
RF " " "
MD " " "
Sent out on day of
Committee meeting !?
✍*

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

CZ

File

N. J. Stoop Esq.,
42a Gunter Grove,
LONDON S.W.10.

Telephone: (01) 937 5464
Extension: 2189
Facsimile: 01 - 938 1445

9th April 1990

My reference:

~~TP/89/2137~~
~~TP/90/0296~~

Your reference:

Please ask for:
Miss Zacharia

Dear Sir,

Thank you for your letter of 6th April 1990. I am writing to confirm that you and your consultants will be able to address the Applications Sub-Committee at 6.30 p.m. on 24th April 1990 at the Town Hall.

Yours faithfully,

Deputy Director of Planning and Transportation.



42^A Gunter Grove

London SW10.

To: C. Zacharia
RBK+C Planning Dept

6th April 1990

Re: Aelsea College Site (TP/89/2137
TP/90/0296 et al)

Dear Ms Zacharia,

I understand that the above-mentioned proposals will be ~~at~~ considered at the Planning Sub-Committee on 24th April 1990.

I would like to register that I wish to exercise my right to address the Committee, as will our Consultants, Mr Ernest Pardini and Mr Robert Lloyd-Dave.

I hope that this will be alright. I might add that I have been authorised by a number of residents of Gunter Grove and Horkensia road to arrange representations on their behalf.

I would be grateful if you could confirm these arrangements

Yours very much
kind regards, Nick Stoop
(N.J. STOOP)





MW Fisher

THE CHELSEA SOCIETY

founded by Reginald Blunt in 1927 to protect and foster the amenities of Chelsea

President THE LORD GIBSON, M.A., HON.D. LITT.
Chairman DAVID LE LAY, R.I.B.A.

Hon. Secretary MARY FISHER, L.V.O.
15 TRYON HOUSE
MALLORD STREET
LONDON SW3 6AJ

Miss C.M.Dent B.Sc, M.Phil., FRICS, FRTPI
Director of Planning and Transportation
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX

Planning Secretary
16 Limerston Street
LONDON SW10 0DH

4th April 1990

(Handwritten initials)

Dear Miss Dent,

Chelsea College Site, Hortensia Road
TP89/2137/A/03

We have been sent, rather belatedly, a detailed objection to this application submitted to you on behalf of the Gunter Grove Residents Association.

If this has not yet been resolved, may we say that we are disturbed at the suggestion that the developers have apparently exceeded both the areas of office space and the bulk of building for which Planning Approval was given.

It makes a nonsense of the Planning process and the consultation procedure which your Department maintains most conscientiously.

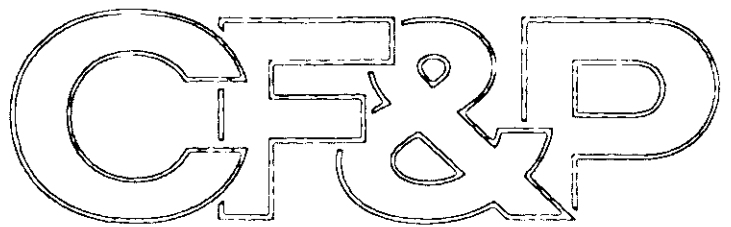
We trust that the Council will ensure compliance with the Enforcement Notice and not give retrospective approval to the deviations from the Approval.

Yours sincerely,

h
p.p. Eileen Harris
Planning Secretary

RECEIVED BY D. P. T. 49
05 APR 1990

BC N	DC C	DC S	DC E	ES
ARB	D. PLAN	RECORDS	EPT	ENV. PLAN
	12	TRANS.	L. AND CONTROL	AD ACT



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

Our Ref: HTN4/LA/HM/njsc

Director of Planning
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

For the attention of Mr French

28th September 1990

Dear Sirs

HORTENSIA ROAD, LONDON SW10 - REAR FLATS

Further to our telephone conversation on 27th September 1990 we wish to confirm our meeting with yourself to discuss the revised layout to the rear flats units 6 and 7 on Tuesday 2nd October 1990 at 4.00 pm

Yours faithfully

Colwyn Foulkes + Partners

COLWYN FOULKES & PARTNERS

c.c. L Hoyer-Millar - Forthold
R Wilkinson - Projjex

RECEIVED BY PLANNING SERVICES				
On 01 OCT 1990 42				
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Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE. B.Arch. RIBA. Dip CDFRSA
J. J. R. Godfrey, MA Cantab. RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch. Dip LA ALI
Associates:
M. Marnalis, BA (Hons) Dip Arch. RIBA

Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

Telephone: 071-283 2434

Fax: 071-588 1181
071-410 0891

Telex: 883652
DX 85 London
DX 1064 City

D O Hamilton
C J A Dixon
P J Purton
A C Surtees
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D S Mullock
D S Burnand
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J R Lingard

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I M S Swabey
D J Shaw
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P Fergusson
R A Powell
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N D F Bohm
T A Kay
A C Graves
R Birkby
J G R Harding
D A Ashworth
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J V C L Barrat
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M P G Taylor
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D F Potter
O R Jonathan
S L Sackman
E Lee-Smith
S W Parish
Isla M Smith
D R Crane
P M Martyr
N W d'A Mason

N P Edgell
Valerie E M Davies
Margaret A Colman
R H Mitchell
R J Calnan
Patricia A D Watson
P J Rees
J H Shelton
D P R Stannard
B J Greenwood
J Challoner
S R G Pratt
S F T Cox
C L Proctor
G C C Hall
Susan A Wright
A M Crookes
R G Brooks
H R Heward

P M G Burrows
P Haslam
Lindsay B Morgan
Barbara Stephenson
P Farrell
C J Cook
T J T Walker
W N T Ward
P L Williams
M Mattiuzzo
Lynn West
T F A Emmerson
R P Falkner

Consultants
Alan N Mundy
Ronald V Cowles

Your reference

APP/K5600/A/90/155570

Planning Inspectorate,
Department of the Environment,
Room 13/17,
Tollgate House,
Haulton Street,
Bristol BS2 7DJ

Dear Sir,

Hortensia Road, Chelsea

As you know, we act for the appellants in this matter. A public inquiry has been arranged and is presently listed to commence on 2nd October 1990.

We are pleased to be able to advise that the local planning authority, Kensington & Chelsea, have finally agreed to grant planning permission for the development in the form annexed to this letter.

Accordingly, we are pleased to be able to advise that we are now willing to withdraw our appeal in this matter and you may accordingly vacate the inquiry date.

Yours faithfully,

Norton Rose

cc. (Royal Borough of Kensington & Chelsea)
Luke Hoyer-Miller - LET
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes & Partners

SEFLHOR.L05

CDD/92/P187000
COPY

6th August 1990

COPY

COPY

Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

Telephone: 071-283 2434

Fax: 071-588 1181
071-410 0891

Telex: 883652
DX 85 London
DX 1064 City

D O Hamilton
C J A Dixon
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J N L Chalton
H M Crush
J P Lansdell
D Mullock
D S Burnand
M R Macfadyen
G C Sutton
J M Maskell
A C Ayres
J R Lingard

C P Robinson
I M S Swabey
D J Shaw
M J A Lee
F I Sumner
J W Ody
P Fergusson
R A Powell
M V Fowke
N D F Bohm
T A Kay
A C Graves
R Birkby
J G R Harding
D A Ashworth
P G Thorne
P L Graham
H R Jackson
D L Jones

D T R Lewis
D J Colliver
C J L Ryan
J Clark
T C M Howard
J V C L Barratt
E C D Norfolk
M P G Taylor
P A Giles
P A J Woods
D F Potter
O R Jonathan
S L Sackman
E Lee-Smith
S W Parish
Isla M Smith
D R Crane
P M Martyr
N W d'A Mason

N P Edgell
Valerie E M Davies
Margaret A Colman
R H Mitchell
R J Calnan
Patricia A D Watson
P J Rees
J H Shelton
D P R Stannard
B J Greenwood
J Challoner
S R G Pratt
S F T Cox
C L Proctor
G C C Hall
Susan A Wright
A M Crookes
R G Brooks
H R Heward

P M G Burrows
P Haslam
Lindsay B Morgan
Barbara Stephenson
P Farrell
C J Cook
T J T Walker
W N T Ward
P L Williams
M Mattiuzzo
Lynn West
T F A Emmerson
R P Falkner

Consultants
Alan N Mundy
Ronald V Cowles

Your reference
MD/89/2137

Our reference
CDD/92/P187000

Ms. M. Dent,
Executive Director,
Planning and Conservation,
Royal Borough of Kensington & Chelsea,
The Town Hall,
Hornton Street,
London W8 7NX

3rd August 1990
BY HAND

Dear Ms. Dent,

Chelsea College Site - Hortensia Road

I enclose herewith as promised letter to the Department of the Environment formally withdrawing the appeal on behalf of our clients, Trust Estates Limited, of the LET group. I also enclose a copy of the letter for your use.

For the sake of completeness, the letter refers to the form of planning consent which your authority has granted and accordingly a copy will need to be attached before it's despatched to the Department of the Environment.

Thank you for your assistance throughout this matter.

Yours sincerely,


Carl Dyer

cc. Luke Hoyer-Miller - LET
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes & Co.
SEFLHOR.L20

Wilks Head and Eve

CHARTERED SURVEYORS

9 Harley Street London W1N 2AL Telephone 071 637 8471 Facsimile 071 631 0536

M.J. French Esq.,
Deputy Director of Planning & Transportation,
The Royal Borough of Kensington & Chelsea,
Department 705,
The Town Hall,
Horton Street,
London, W8 7NX

Our reference ER/vgc/4477
Your reference
Date 2nd August 1990

RECEIVED BY PLANNING SERVICES				
On	03 AUG 1990			
DC H	DC	DC	DC R	HEAD L.S.
EXEC DR	SERVICES		PLAN	
		FORWARD PLAN	AO ACK	

MAF

Dear Mr. French,

Re: Hortensia Road

Further to my letter of the 9th of July, I have now completed my study of the sunlighting situation arising out of this development. Under your District Plan, criteria are set out for south facing residential buildings, as 'approximate guidelines'. It will be readily appreciated that these criteria are more easily met for south facing buildings, and lower standards must be accepted where properties face nearer west, as in this case, than south. The benefit of morning sun cannot be obtained with westerly facing properties.

Nevertheless, there is an improvement in sunlighting to No.s 30, 34 and 36 Gunter Grove, and where losses occur to 38 and 40 Gunter Grove the south facing criteria are still more than adequately met. No. 32 is a special case. There are losses here, but these arise largely as a result of its own construction, where rear extensions block sunlight from the south-west, and the possible angle of acceptance is limited by its rear extensions.

So far as 42a Gunter Grove is concerned, I have applied two different tests from Sunlight and Daylight. Although the 'facade test' does not fully meet the criteria set out, it must be borne in mind that the lower room in this facade has two windows. In my view the combined effect of these windows is sufficient to give acceptable levels of sunlighting. An important factor is the proximity of the existing garden wall, which cuts off possible sunlight in the winter months.

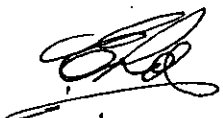
Overall I consider the situation to be acceptable in planning terms, and that the guideline criteria have been properly considered in the context of the planning application. In my view sunlighting grounds could not have been sustained as a ground for refusal, and any appeal against such grounds would have succeeded.

Cont/d....

Cont/d....2

I agree with the Council's approach and report on this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'E. Roe', written in a cursive style. The signature is positioned above the printed name 'E. ROE'.

E. ROE

Chelmsford College

7 Aug

- ① Decision letter attached - ready to be signed.
- ② Letter to DoJ E re. appeal attached in draft and agreed (Norton Rose letter letter 12th July refers)
- ③ Norton Rose letter 20th July - agreed that 3 months would stand, given delay in issuing decision, and not wanting to go back to Cttee - they agree to set conditions remain. Reason (2) is as agreed in the drawings and Condition (4) and Reason (4) are standard. Condition (5) is standard, but I think Reason (5) could be amended to R.8. (if you agree perhaps you could ask Tom to get it retyped) - a good reason for delay
- ④ Dave Mr. Roe has sent in his findings & the Chamber has seen them - the decision can be issued. Philippa has his N^o - ask her to chase him.

Mike
31/7/90

Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

Telephone: 071-283 2434

Fax: 071-588 1181
071-410 0891

Telex: 883652
DX 85 London
DX 1064 City

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M J A Lee
F I Sumner
J W Ody
P Fergusson
R A Powell
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J G R Harding
D A Ashworth
P G Thorne
P L Graham
H R Jackson
D L Jones

D T R Lewis
D J Coliver
C J L Ryan
J Clark
T C M Howard
J V C L Barratt
E C D Norfolk
M P G Taylor
P A Giles
P A J Woods
D F Potter
O R Jonathan
S L Sackman
E Lee-Smith
S W Parish
Isla M Smith
D R Crane
P M Martyr
N W d'A Mason

N P Edgell
Valerie E M Davies
Margaret A Colman
R H Mitchell
R J Calnan
Patricia A D Watson
P J Rees
J H Shelton
D P R Stannard
B J Greenwood
J Challoner
S R G Pratt
S F T Cox
C L Proctor
G C C Hall
Susan A Wright
A M Crookes
R G Brooks
H R Heward

P M G Burrows
P Haslam
Lindsay B Morgan
Barbara Stephenson
P Farrell
C J Cook
T J T Walker
W N T Ward
P L Williams
M Mattiuzzo
Lynn West
T F A Emmerson
R P Falkner

Consultants
Alan N Mundy
Ronald V Cowles

Your reference
TP892137

Our reference
CDD/92/P187000

M.J. French, Esq.,
Royal Borough of Kensington & Chelsea,
Planning & Conversation Department,
Town Hall,
Hornton Street,
London W8 7NX

RECEIVED BY PLANNING SERVICES			
On	30 JUL 1990		9
27th July 1990	ES	CE	NEED DC
		ES	NEED DC
		ES	NEED DC

Dear Mr. French,

Hortensia Road

I write further to our telephone conversation on Thursday 26th July 1990 and confirm that I have in readiness a letter to the Department of the Environment withdrawing the appeal, which I will deliver by hand to you as soon as you telephone to confirm that it can be exchanged for a typed completed, signed and sealed planning permission together with a set of duly approved and stamped plans authorising the amended development.

As discussed, I would not wish you to have to go back to committee over the question of three or four months for the amendments to the development to be completed, provided that the first condition on the planning permission is otherwise revised in accordance with my letter of 20th July 1990. As we discussed, the important parts of the amendments can be done very quickly, and any minor points outstanding after the three month period have expired could certainly be completed long before enforcement action could be undertaken.

Handwritten signature and date: 30/7/90

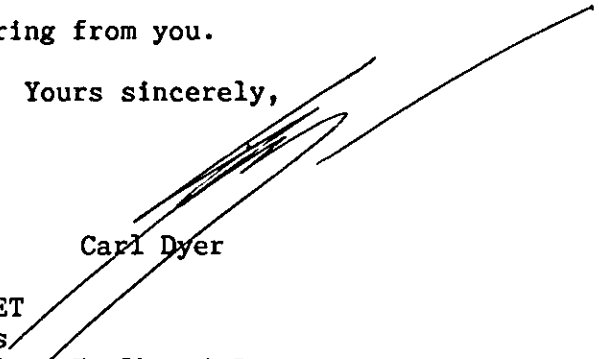
M.J. French, Esq.

- 2 -

27th July 1990

I look forward to hearing from you.

Yours sincerely,



Carl Dyer

cc. Luke Hoyer-Miller - LET
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes & Partners

SEFLHOR.L09

Norton Rose

Kempson House
PO Box 570
Camomile Street
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071-410 0891

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DX 1064 City

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C J A Dixon
P J Purton
A C Surtees
M B Sayers
J M Woodrow
W A J Leaver
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H M Crush
J P Lansdell
D Mullock
D S Burnand
M R Macfadyen
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J M Maskell
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J R Lingard

C P Robinson
I M S Swabey
D J Shaw
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F I Sumner
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P Fergusson
R A Powell
M V Fowke
N D F Bohm
T A Kay
A C Graves
R Birkby
J G R Harding
D A Ashworth
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P L Graham
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D T R Lewis
D J Colliver
C J L Ryan
J Clark
T C M Howard
J V C L Barratt
E C D Norfolk
M P G Taylor
P A Giles
P A J Woods
D F Potter
O R Jonathan
S L Sackman
E Lee-Smith
S W Parish
Isla M Smith
D R Crane
P M Martyr
N W d'A Mason

N P Edgell
Valerie E M Davies
Margaret A Colman
R H Mitchell
R J Calnan
Patricia A D Watson
P J Rees
J H Shelton
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T F A Emmerson
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Consultants
Alan N Mundy
Ronald V Cowles

Your reference

TP892137

Royal Borough of Kensington
and Chelsea,
Planning and Conservation Department,
Town Hall,
Hornton Street,
London W8 7NX

FAO M. J. French

Dear Mr French,

Hortensia Road

Thank you for your letter of 13th July 1990, and I apologise for the delay in responding, but hope you will appreciate that I have been awaiting comments from my client's architects.

Thank you for the draft planning consent, on which I have the following comments:

I was advised by Messrs. Colwyn Foulkes that the reference to drawing L(1-)011A should be L(1-)01. I understand that their letter to you dated 8th December 1989 refers. Other than that, there is no dispute as to drawing numbers.

As to the conditions, here I adopt your numbering:

1. It should be possible to complete the proposed demolition and rebuilding of the superstructure within the three month timescale indicated: at present, the rebuilding is scheduled to commence within the next month and to be completed two months thereafter; however, it will not be possible to carry out all the internal

Royal Borough of Kensington & Chelsea 2 -

20th July 1990

refurbishments, fitting out and so forth within that time. Accordingly, we would prefer that this clause be revised to read "the proposed amendments as hereby approved requiring demolition and rebuilding of the superstructure of the southern most of the rear blocks shall be implemented within four months of the date of this commission". Four months is suggested simply to provide a margin for safety.

2. Acceptable.
3. Acceptable.
4. Already complied with!
5. Acceptable.
6. Acceptable.
7. Acceptable.

I am a little concerned about the reasons given in your draft permission for various conditions: in particular, I am not sure that reason 2 necessarily relates to condition 2, although it could sensibly relate to condition 7; reason 4 certainly does not relate to condition 4, although it may relate to condition 5; reason 5 does not appear to relate to any of the particular conditions imposed; and reason 7 might be better replaced by reason 2.

Having said all of that, you will gather from the foregoing that the draft permission is broadly acceptable, and I think the only serious issue which needs to be addressed is the question of the proposed rewording of condition 1. If there is any difficulty as to this, can we please discuss?

Can you also please confirm that you are now willing to deal with the matter as suggested in my letter of 12th July 1990 and that you are happy with the draft letter to the Department of the Environment that was enclosed with that letter.

I look forward to hearing from you.

Yours sincerely,



Carl Dyer

c.c. Luke Hoyer-Miller - London & Edinburgh Trust plc
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes and Partners

tlbl146.101

Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

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J N L Chalton
H M Crush
J P Lansdell
D Mullock
D S Burnand
M R Macfadyen
G C Sutton
J M Maskell
A C Ayres
J R Leonard

C P Robinson
I M S Swabey
D J Shaw
M J A Lee
F I Sumner
J W Ody
P Fergusson
R A Powell
M V Fowke
N D F Bohm
T A Kay
A C Graves
R Birkby
J G R Harding
D A Ashworth
P G Thorne
P L Graham
H R Jackson
D L Jones

D T R Lewis
D J Colliver
C J L Ryan
J Clark
T C M Howard
J V C L Barratt
E C D Norfolk
M P G Taylor
P A Giles
P A J Woods
D F Potter
O R Jonathan
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S W Parish
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D R Crane
P M Martyr
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Lynn West
T F A Emmerson
R P Falkner

Consultants
Alan N Mundy
Ronald V Cowles

Your reference

Our reference

CDD/92/P187000

Mr. French,
Royal Borough of Kensington & Chelsea,
Town Hall,
Hornton Street,
London W8

RECEIVED BY PLANNING SERVICES

On 13 JUL 1990 (CO)

12th July 1990

DC N	DC	DC S	DC E	HEAD DC
EXEC DIR	DIRECTOR PLANNING SERVICES	RECORDS	ARB	ENV PLAN
CONTROLS OFFICER	LO	FEES OFFICER	FORWARD PLAN	TO FOR

Dear Mr. French,

Hortensia Road

I refer to our telephone conversation on Tuesday 10th July 1990. I have since taken instructions from my client, who has confirmed that they will be willing to withdraw the outstanding appeal once planning permission is issued to us.

In this connection, I am referring to the physical issue of the planning permission document, complete with all necessary conditions etc., to a member of this firm, together with a set of the duly stamped and endorsed plans referred to in that permission. Before that time, as mentioned, I would like to see a draft of the proposed planning permission in order to check through the conditions which you will recall were reported to members of the committee only under standard reference numbers.

Upon receipt of an acceptable planning permission as detailed above, I would propose to hand to you for onward transmission to the Department of the Environment a letter in the terms of the attached draft.

Mr. French

- 2 -

12th July 1990

Please confirm that this is acceptable, and in the meantime I look forward to hearing from you with a draft planning consent.

Yours sincerely,


Carl Dyer

cc. Luke Hoyer-Miller - LET
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes & Co.

SEFLHOR.L04

is acceptable
Agreed that letter to D/E
16/7/90

DRAFT LETTER TO THE DEPARTMENT OF THE ENVIRONMENT

Dear Sir,

Hortensia Road, Chelsea

As you know, we act for the appellants in this matter. A public inquiry has been arranged and is presently listed to commence on 2nd October 1990.

We are pleased to be able to advise that the local planning authority, Kensington & Chelsea, have finally agreed to grant planning permission for the development in the form annexed to this letter.

Accordingly, we are pleased to be able to advise that we are now willing to withdraw our appeal in this matter and you may accordingly vacate the inquiry date.

Yours faithfully,

Norton Rose

cc. Royal Borough of Kensington & Chelsea
Luke Hoyer-Miller - LET
Paul Kentish - Savills
Richard Williams - Colwyn Foulkes & Partners

SEPLHOR.L05

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. R. L. Barrett,
11 Knights House,
Hortensia Road,
LONDON S.W.10.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

3rd October 1990

My reference:

Your reference:

Please ask for:

DPS/MJF/PYD

Mr. French

Dear Sir,

Town and Country Planning Act 1990
Chelsea College Site, Hortensia Road

Thank you for your letter regarding the development at the above site. I have now checked with the approved drawings and also received verbal confirmation from the architects that the structure nearest Knights House will be the ground floor residential unit. It is not proposed to add anything above the flat roof.

Yours faithfully,

M. J. French,
Director of Planning Services.



88/633'

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ON 7/9/98 OCT 1990				
DC N	DC	DC S	DC E	HEAD D.C.
EXEC DIR	DIRECTOR PLANNING SERVICES	RECORDS	ARB	ENV. PLAN
APPEALS OFFICER	LO	FEES OFFICER	FORWARD	AO ACR

Mr. R. L. Barnett
 11, Knights House,
 Hortensia Road,
 Chelsea, W10.
 Pd ACK 2/10

Chelsea College site.

I have enclosed a photostat copy of a letter & plan from Hilley Construction. The letter states that they are to provide 6 residential flats within the existing structure. On the plans they have not made it clear that the building next to our part of Knights House (marked with cross), is basement & ground floor

only. I would like you to
inspect your plans and
make sure that the only
building necessary would be
a roof over the 4th floor,
And they would not be
extending that structure to
the first & 2nd floors

I look forward for an
early reply.

Yours faithfully

R. L. Barnett

Lilley Construction

AM/DJI 018 174

26 September 1990

Lilley Construction Limited
Heston Park House
New Heston Road
Heston Hounslow
Middlesex TW5 0LJ
Telephone 01-569-6313
Fax 01-569-6314

Gunter Grove Residents
Hortensia House Residents

KALIGHTS HOUSE

Dear Residents

Following the recent planning meetings you will no doubt be aware of the revisions agreed to alter the rear of the old office building adjacent to Hortensia House and provide six residential units within the existing structure.

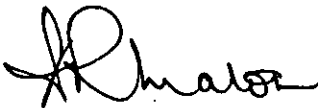
This will require removal of the rear extension abutting the boundary wall at the rear of your properties shown on the attached plan. In order to afford protection to your property we will erect a hoarding/fan to avoid demolition debris falling into the garden.

We trust that it will be in order to continue with these works and conclude the adjustment to the complex in the shortest time.

We apologise for any disturbance the proposed works may cause.

Should you wish to discuss any matter regarding these works please do not hesitate to contact the undersigned.

Yours faithfully
for and on behalf of
LILLEY CONSTRUCTION LIMITED

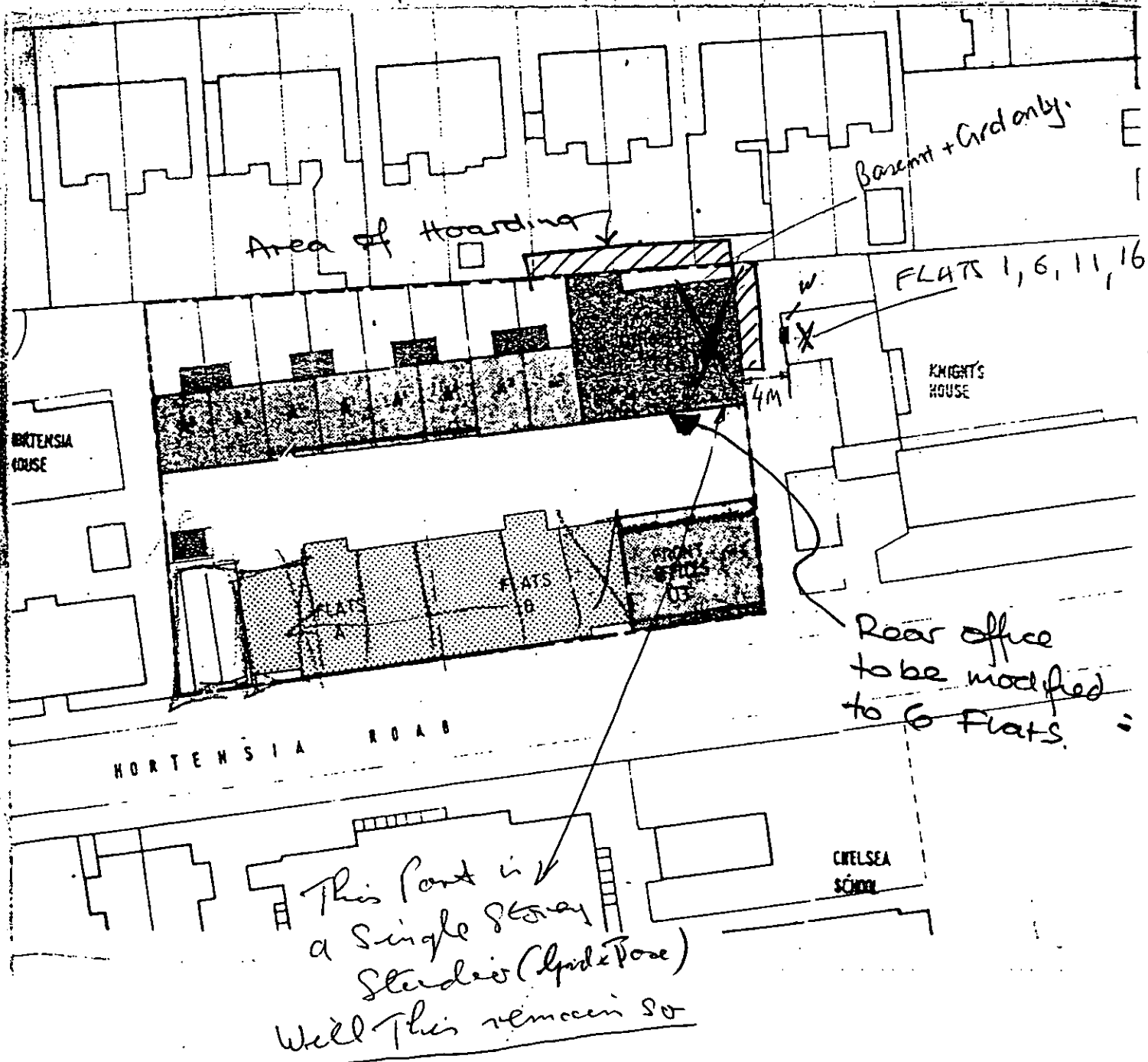


A Maton
Senior Project Manager

LILLEY CONSTRUCTION

HORTENSIA ROAD - CHELSEA.

GUNTEL GROVE



TEL 081 - 569 - 6313.

Mike
Franch

no Mike Franch

[Faint, illegible handwritten notes]

[Small handwritten mark]

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

E. W. Church Esq.,
26 Greyhound Road,
LONDON, W6 8NX.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

6th September 1990

My reference:
DPS/MJF/PYD

Your reference:
EWC/bjh/15.1/RBK&C

Please ask for:
Mr. French



Dear Sir,

Town and Country Planning Act 1990
Re: Chelsea College, Hortensia Road

Further to your letter of 3rd September, I would inform you that I am unable to send you a copy of the opinion obtained by the Council from Planning Counsel.

I can, however, advise you that the gist of the opinion was that Condition No. 8 was considered to be ultra vires as the Planning Act gave Local Planning Authorities the power to take enforcement action in the event of any material departure from an approved development.

Yours faithfully,

Director of Planning Services.

E.W. CHURCH, A.A.(Grad) Dipl.,
26 Greyhound Road
London W6 8NX

Tel: 071-381 1632
Fax: 071-386 7376

RECEIVED BY PLANNING SERVICES				
05 SEP 1990 7				
DC H	DC	DC S	DC E	HEAD D.C
FILE D.I	DIRECTOR PLANNING SERVICES	RECORDS	ARD	ENV. PLAN
				2

Our Ref: EWC/bjh/15.1/RBK&C

Your Ref:

3 September 1990

Royal Borough of Kensington & Chelsea
Planning Department
Town Hall
Hornton Street
W8 7NX

EC *RW hgr*

Dear Sir,

RE: SITE - CHELSEA COLLEGE, HORTENSIA ROAD SW10

Thank you very much for the Town Planning Report in relation to the above.

It would appear that the main issue in relation to this report was condition 8 of the original Town planning Approval, of which I understand Counsel's opinion was taken and could you tell me would it be possible to have this.

I look forward to hearing from you.

Yours faithfully



E W CHURCH

E.W. CHURCH, A.A.(Grad) Dipl.,
26 Greyhound Road
London W6 8NX

Tel: 071-381 1632
Fax: 071-386 7376

22.12.88

Our Ref: EWC/bjh/15.1/RBK&C

Your Ref:

25 August 1990

Royal Borough of Kensington & Chelsea
Planning Department
Town Hall
Hornton Street
LONDON
W8

88/633

Dear Sir/Madam,

RE: HORTENSIA ROAD SW10

As not only a resident of the Royal Borough, but also being an architect, I was most interested to read an article of which I have enclosed a copy.

Would it be possible for me to see the relevant paperwork on this, or alternatively receive the documentation or committee report concerning this application, as I am most interested to know the details.

I look forward to hearing from you.

Yours faithfully



E W CHURCH

enc

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On 28 AUG 1990 24				
CC M	DC	CC S	CC E	HEAD DC
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(be) Jackie please send a copy of the report 28/8/90 sent

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NUMBER 376 FRIDAY JULY 20, 1990 Tel: Editorial — 071-381 6886. Advertising — 071-381 6262. Fax 071-381 2623 PRICE 10p

Accused: developers who sneak past rules

THERE IS growing evidence that developers involved in building projects in Kensington & Chelsea are undermining the power of the Council by ignoring specific controls imposed upon them by the Planning Department.

At a meeting last week of the Borough's Town Planning Committee councillors forcefully expressed their concern over the lack of respect for Council decisions. One of the items on the agenda was a retrospective development had origi-

nally been granted in December, 1988, but in the course of construction it became clear that strict limitations on the density of the project had been ignored. The application under consideration at last week's meeting sought a Council blessing of the over-sized project.

Despite the concern of the members of the Committee and vigorous calls for the application to be thrown out, the plan was eventually approved and

By WILLIAM SCHOMBERG

a new limit of 530 sq metres was set.

Cllr Professor Anthony Coates, Town Planning chairman said he and his colleagues held very strong views on developers who departed from original arrangements.

His opinion was echoed by Vice-Chairman Cllr Anthony Fane.

"This was probably the most careful consideration I have ever seen given to an application by the Committee," he said. "Hortensia Road will not be getting any more than our limit. I'm absolutely adamant about this. We are not going to be moved."

But one local environment group was not impressed by the Council's tough talk. David Le Lay, who runs an architectural practice in Old Church Street and is chairman of the Chelsea scale.

Society, said he and his members had been urging the Council to take a stand on the issue for months and found the decision to let the developers off the hook very disappointing. "The Borough decided to take enforcement action and then withdrew it," he said. "Amazingly the original permission was for drawings which did not accord with the application forms and which had drawings that were marked as out of scale."

Mr Le Lay said devious devices had been employed to maximise the size of the project and said the Council's decision would set a precedent to other developers. He cited recent Borough enforcement action on a much smaller scale infringement in Bury Walk, SW3.

"The developers think they'll get away with it — they either get an amendment at a later date or count on the Council being loath to act."

Bromptonians flex muscles

By STAFF REPORTER

CONCERN OVER worsening conditions in Old Brompton Road has prompted a number of local traders at the road's eastern end to form a new pressure group.

The Old Brompton Road Association (OBRA) held its inaugural meeting last week to discuss their aim of protecting small businesses in the area.

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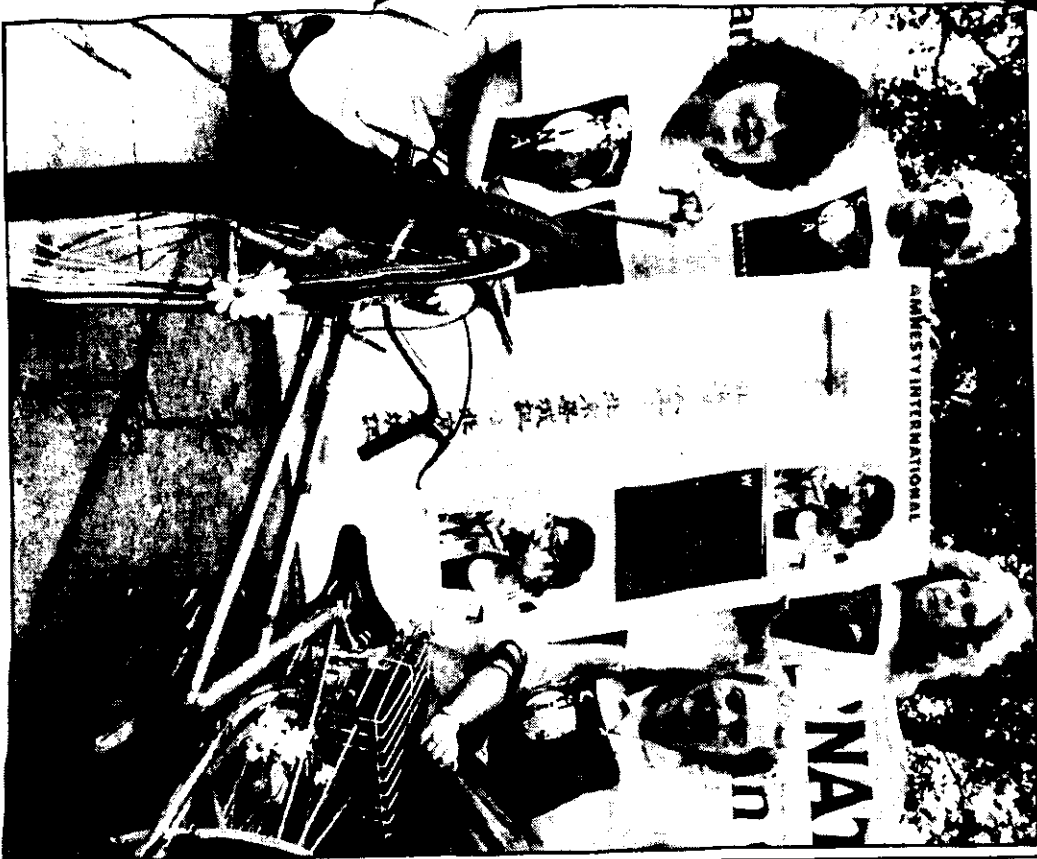
Licensed by the R. B. K. & C.

'Cease' order on a Holland Park hostel

THE MANAGEMENT of a local youth hostel have accused the Borough Council of small-mindedness and hypocrisy in response to Town Hall moves to shut their premises which have housed people since the 1960's.

The Independent Youth Hostel Association (IYHA) has written to the Council demanding a cessation of notice on the hostel.

...5000. ... spending ... is pictured ... Middlesex ... and the sec- ... Shibata.



Tiananmen reminder

MEMBERS OF the Kensington Amnesty group staged a day of awareness for China in Chelsea with the aim of reminding local people and shoppers of the continuing human rights abuses in the People's Republic.

Members of the group gathered at Dovehouse Green, King's Road, to read out the names of protestors and dissenters thought to be in detention and collect signatures for a petition to the Chinese Government to be sent to July. Bicycles and white flowers provided

symbolic reminders of the Tiananmen Square protest.

Diana Morant, the chair of the Kensington group, said: "Detentions, torture and executions are still taking place and we are asking the people of Kensington & Chelsea to help us in our campaign to focus international attention on these issues."

Pictured (from bottom left, clockwise): Diana Morant, Helen Holdsworth, Nicole Poppe, Mary Abbott.

Back to drawings board for phase two of W8 scheme

CONTROVERSIAL plans to demolish a listed building to make way for a major new residential development in the heart of the Borough will have to be drawn up again after Kensington & Chelsea Council decided to oppose the scheme last week.

The proposal for the second half of the former site of the St Mary Abbot's Hospital in Mary Abbot's Road was for 264 flats and 51 houses as well as leisure and health centres and would have involved the demolition of the north wing of the Stone Hall, a Grade II listed building.

The hall, built in 1848 by Thomas Allone, is a particularly early example of a former London workhouse and the plans for its partial destruction

drew an angry response from English Heritage and local residents.

Of more concern to local people — the Town Hall received some 264 letters of complaint, a number from Borough councillors — were the problems relating to a major new development on an already crowded area. Increases in traffic, parking problems and the design of which were to have been six storeys tall, were causes of concern.

Among the many residents associations objecting to the application was the Kensington Society. Founder member and secretary Mrs Christian had objected all along to the plans for development of the site.

"We feel this is an over-development and that the buildings are too high," she said. "We wanted to see a square garden there but obviously the health authority wanted to cram as much onto the land as possible."

Sir Cyril Taylor, chairman of the nearby Lexham Gardens Residents Association, said

his members had not objected to the on-going developments in the southern section of the site but there was a strong feeling of opposition to the proposals for the north which were 50 per cent taller.

"One hopes that the Council and Taylor Woodrow work out a sensible plan," he said. "It would be most regrettable if the development was delayed for years and only half-finished."

Crime busters

THE BOROUGH'S three police stations have released their new-look annual reports and the general message is one of success in tackling crime and working with the community.

Kensington's report trumpets seven per cent and two per cent drops in sexual and violent crime respectively, despite rises in car-related crime and a small drop in burglaries in

robbery is up and burglary, mainly in hotels, is also on the increase.

In Notting Hill street robbery has been reduced from 999 to 570 offences and burglary is also down. Drug arrests for

the year jumped from 774 to 912.

Police Chelsea reported a slight increase in car-related crime and a small drop in burglaries in residences.

Hotel's accolade

THE TARA Hotel, Kensington, has been awarded the catering industry's highest accolade — the 1990 Hotel of the Year Award presented annually by Caterer & Hotelkeeper magazine.

The London Tara was one of the first UK hotels to convert rooms for use by disabled guests, earning praise from many organisations including Holiday Care Services, a charity which provides

free information and advice on holidays for people with special needs.

According to Holiday Care Services spokeswoman, Sue Dunkley, the Tara is "the flagship of accessible accommodation and an

idea was to build on con-

with local people.

According to the chief superintendent, who has been in charge of the Earl's Court Road station since April, 1989, the Kensington community has been supportive and constructively critical of policing in the area.

"Our consultative process began early in the year," she said, "and we have listened very carefully to what has been said. What we have to do is balance the wishes of the public with our own requirements, using the resources available to

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M... T

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Boston Gilmore
4 Cambridge Grove,
London, W6 0LA

Telephone: 071-937 5464

Extension 2186

Facsimile: 071-376 1130

15 August 1990



My reference:

Your reference:

Please ask for K.Rennie

TP/H/KR

Dear Sir/Madam,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road, SW10

I write following the fact that a local resident has noted in your Property Monitor (issue No.6), an advertisement for the development of the Chelsea College Site, Hortensia Road stating 851 square meters of office floor space for sale.

You are asked to note that following re-negotiation of the development, planning permission has recently been given for a development restricted to a nett lettable office area of not more than 530 square meters.

Yours faithfully,

KR

K.J.Rennie
Principal Planning Enforcement Officer
for Director of Planning Services.

Copy of report to be put
to write to advertisement

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX



Executive Director Miss C M DENT BSc M Phil FRICS FRTP

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Chelsea Society,
M.Fisher L.V.O.,
15 Tryon House,
Mallord Street,
London, SW3 6AJ.

Telephone: 071-937 5464

Extension:

Facsimile: 071-376 1130

27 July 1990

K. Rennie

TP/H/KR

Your reference:

Please ask for:

Dear Sir/Madam,

E 190/676

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road, SW10

Thank you for your letter dated 17 July 1990, and information attached.

I am raising the issue with the advertisers to ensure that its clearly understood what office floor space has been approved.

Yours Faithfully,

K. J. Rennie

K.J.Rennie
Principal Planning Enforcement Officer
for Director of Planning Services.



copy copy
planning consent
(2) action. Thank you for the info
I am raising the same with
the advertising

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founded by Reginald Blunt in 1927 to protect and foster the amenities of Chelsea

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Hon. Secretary
MARY FISHER, L.V.O.
15 TRYON HOUSE
MALLORD STREET
LONDON SW3 6AJ

Chairman
DAVID LE LAY, R.I.B.A.

Director of Planning Services
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London W8 7NX.

17th July, 1990

Dear Sir

Re: Chelsea College Site, Hortensia Road, SW10

Thank you for your letter dated 16th July from which I note that permission was granted by the Council for this development "as built" but with a specific condition that the amount of lettable office space in the development shall be not more than 530m². I enclose a copy of an advertising broadsheet entitled "Property Monitor" published by Messrs. Boston Gilmore which I received today; you will note that an advertisement for this development appears on page 4 of this publication and that the total amount of office buildings being advertised for sale amounts to 9,151ft², that is 851m².
850.15

No doubt you will be looking into this substantial discrepancy as a matter of urgency.

Yours faithfully

Registered Charity 276264

David Le Lay

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

H. R. T. Williams Esq.,
Colwyn Foulkes & Partners,
229 Kensington High Street,
LONDON, W8 6SA.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

17th July 1990



My reference:
TP/89/2137

Your reference:
HTN/LA/RW/pl

Please ask for:
Mr. French

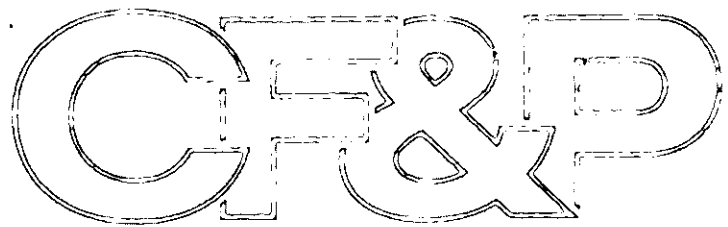
Dear Sir,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road

I write with reference to your letter of 9th July regarding the measurements taken from the front block as they relate to the approved scheme. I have noted the corrections which you have made with regard to those measurements in my report and have placed your letter and accompanying drawings on the file for future reference.

Yours faithfully,

Director of Planning Services.



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

By Hand

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

RECEIVED ENVIRONMENTAL SERVICES				
10 JUL 1990 31				
DN	DC	DD	DE	REC'D U.C.
EXEC DR	DIRECTOR PLANNING SERVICES	RECORDS	ALJ	d. PLANT
OFFICE	16			

9 July 1990

HTN/LA/RW/pl

Dear Mr French

CHELSEA COLLEGE SITE, HORTENSIA ROAD, LONDON SW10

We are in receipt of your report TP/89/2137 (Agenda item 97) and that of your legal department (dls/ajg/hr2) regarding our application on the above being heard at the committee meeting this evening.

We believe you will be briefing Sir Antony Coates before the meeting. there are a few points which we would be obliged you bring to his attention:

1. Report by Director of Legal Services.
Our clients solicitors, Norton Rose will be responding directly to them copied to yourself.
2. Report by the Director of Planning Services.
Item 3.7. We do not concur with the measurments stated and enclose a further copy of appendix drawings 1, 2 and 3 which indicate the following height variations:
 - 1) application ridge + 100 mm in relation to approved.
parapet - 150 mm
 - 2) application ridge + 50 mm in relation to approved.
((22,265 - (21,915 + 0,200) = 50 mm)
 - 3) application ridge + 300 mm in relation to elevation
(application ridge + 900 mm in relation to approved section)
application parapet +/- 0.00

/continued....

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847
Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034
17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE B.Arch. RIBA DipCDFRSA
J. J. R. Godfrey, MA Cantab RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch. Dip LA ALI
Associates:
M. Marmalis, BA (Hons) Dip Arch. RIBA

The variance to the residential is therefore 100mm max and, in discussion with yourself it was considered acceptable to take the + 300 mm reading for the offices as the officers considering the scheme would have had a full set of the drawings relating ridge/parapet to the residential block.

We trust the enclosed clarifies the situation and would be pleased if the committee can be made aware of the contents.

Yours sincerely



H R T Williams
COLWYN FOULKES & PARTNERS

c.c. L Hoyer Millar,
P Kentish,
C Dyer,

LET
Savills
Norton Rose

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING AND CONSERVATION COMMITTEE 09/07/90

CHELSEA COLLEGE, HORTENSIA ROAD, S.W.10

REPORT BY THE DIRECTOR OF PLANNING SERVICES

TP/89/2137

AGENDA ITEM 97

1.0 BACKGROUND

- 1.1 The attached report was considered by the Planning Applications Committee on 12th June, together with the officer's response to the objector's submissions, also attached.
- 1.2 The recommendation was not adopted.
- 1.3 Following consideration of this proposal by the Planning Applications Committee on the 12th June, members asked for further amendments to be sought to reduce the office accommodation and increase the residential, together with some further improvements to the occupier of No. 42A Gunter Grove.

2.0 AMENDED PROPOSAL

- 2.1 The application has now been amended as follows:-
 - (a) The office content in the rear block has been reduced to provide 49 sq.m. gross floor area (previously 458 sq.m.) which, taken with the front office building of 703 sq.m. gross, gives a total gross office floor area of 752 sq.m., and a total net lettable office area of 530 sq.m..
 - (b) The rear block on part basement, ground, first and second floors now comprises 6 self-contained residential flats (2 x 2 bed, 2 x 1 bed and 2 bedsitters).
 - (c) Only 1 window above ground floor level faces onto No. 42A Gunter Grove, and this is a high level window lighting a staircase.
 - (d) The spiral staircase from ground to basement has been moved from the rear of No. 40 to rear of No. 38 where it is further away from residential.
 - (e) There are no windows in the south flank wall facing Knights House.

- (f) The ground floor unit on the Southern end of the block has been chamfered to further reduce its effect upon No. 42A.
- (g) The basement car park is amended to provide the parking for the flats, and is still in excess of the Council's recommended standards.

2.2 In overall terms the plot ratio remains unchanged at 1.9:1, but there has been an increase in density caused by the creation of a further 12 habitable rooms. The proposed density is now 593 h.r.h., compared to the approved density of 560 h.r.h., and the average density for this area of 600 h.r.h.

2.3 All parties who were known to the Council to have written in or signed a petition have been re-notified of the amendments. To date, no further objections have been received. Any comments received will be reported to the members at the meeting.

2.4 Since the meeting on the 12th June, I would advise members that I have met with Mr. Powdrills's assistant, (Ref. Para 5.6 of my earlier report), and would confirm that he has calculated the plot ratio solely on the commercial floor area; with the amended scheme it should therefore be much reduced. The difference in density calculations is caused because he has double counted some rooms which he considers could be subdivided. Members are reminded that the District Plan sets out only a minimum size for a habitable room, there are no maximum sizes, nor any reference to double counting.

3.0 SUMMARY

3.1 The planning application now before the Members for determination seeks planning permission for the development of the site by the erection of buildings comprising 27 residential flats, 8 houses and office accommodation being a nett lettable area of 530 sq.m. (overall gross 752 sq.m.) with basement car parking for 28 cars for the flats, 16 for the houses, and 2 for the offices. The permission granted in December 1988 allowed for the redevelopment of the site by the erection of buildings comprising 9 flats, 12 houses and 675 sq.m. of office accommodation with car parking for 44 cars.


3.2 The proposed mass of development remains as previously approved, there has been a slight reduction in the gross floor area of the overall development created by the alterations to the rear block, but the development is still below the Council's recommended plot ratio standard of 2:1.

- 3.3 The proposed density is slightly higher than that previously approved, but it is still below the average density for this area, and even further below the Borough's average density. Members are reminded that density is only a recommended consideration, and the District Plan indicates only the sorts of density levels which the Council would wish to seek - it does of course allow for higher densities where appropriate and as considered acceptable.
- 3.4 There are no daylighting infringements, and the effects of the development on adjoining properties has been addressed. Again these are only recommended guidelines, they are not statutory requirements.
- 3.5 Considerable improvements to the occupier of No. 42A Gunter Grove have been achieved by this proposal over and above the form of development approved in December 1988; and whilst the development may intrude into the rear outlook, it does not infringe the recommended daylighting or sunlight standards.
- 3.6 The proposed development provides for a very substantial gain in residential accommodation - an additional 35 separate units, where none existed previously with proper off-street car parking provision. The office accommodation now proposed having a net lettable area of 530 sq.m. is not considered inappropriate bearing in mind the wholly commercial nature of the previous site user, and the varied character of Hortensia Road.
- 3.7 With regard to the increases in height of the building to Hortensia Road, this is stated to be 300mm above the approved height for the residential block, and is 1.4m higher for the office block over that approved.
- 3.8 The site is not in a Conservation Area nor does it abut one.

RECOMMENDATION

Members are recommended that in the absence of sound and clear cut reasons for refusal that the presumption is in favour of development. In this case, no such reasons are considered to exist, and conditional planning permission is recommended.

RECOMMENDED DECISION

 Grant planning permission for development to provide residential accommodation and offices, with integral car parking at Chelsea College site, Hortensia Road, Chelsea, S.W.10, as shown on submitted drawings Nos. TP/89/2137, TP/89/2137D and TP/89/2137E, Applicant's drawings Nos. HTN/01/IDIP, 105K, 107B, 113G, 114F, 115D, 119B, 120B, 122B, HTN4 L(1-) 04B and 011A.

CONDITIONS

1. The proposed amendments as hereby approved relating to the Southernmost of the rear blocks shall be implemented within 3 months of the date of this permission.
2. The proposed office area of the whole development shall have a nett lettable area of not more than 530 sq.m..
3. C.14
4. C.22
5. C.34
6. C.48
7. C.50

REASONS FOR THE IMPOSITION OF CONDITIONS

1. To ensure that the improvements are carried out as quickly as possible.
2. In order to ensure compliance with the approved drawings.
3. R.9
4. R.6
5. R.4
6. R.21
7. R.8

INFORMATIVES

1. I.3 2. I.12 3. I.18 4. I.7 5. I.34 6. I.44



M.J. FRENCH
DIRECTOR OF PLANNING SERVICES

REPORT PREPARED BY: MJF
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 02/07/90

LIST OF BACKGROUND PAPERS

The contents of the file No. TP/89/2137.

PC.9007/MJF.REP

OFFICER CONTACT

These documents may be inspected by prior appointment with Miss R. Goundry in the Town Hall Planning Information Office (Tel. 071 937 5464 Ext. 2079).

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING APPLICATIONS COMMITTEE

12/06/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
68

REPORT BY THE DIRECTOR OF PLANNING SERVICES

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA

Application dated 13/11/89

Revised 16/01/90

Completed 12/12/89

Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Freeholders

District Plan Proposals Map:

<u>Cons.Area</u>	<u>CAPS</u>	<u>Article 4</u> <u>Direction</u>	<u>Listed</u> <u>Building</u>	<u>HBMC</u> <u>Direction</u>	<u>A/O</u> <u>Consulted</u>	<u>Objectors</u> <u>(to date)</u>
NO	NO	NO	NO	NO	123	37 + Petition

RECOMMENDED DECISION :-

That in the event of amended drawings being submitted, showing alterations to the rear south block whereby 2 separate residential units of not less than 2 bedrooms each are provided, the remainder of the building shown as two separate office suites of 152 sq.m. and 100 sq.m., they would be minded to recommend to the Planning and Conservation Committee that conditional permission be granted for the development of the site for residential and office purposes.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, CHELSEA, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137, TP/89/2137/B,
TP/89/2137/C and TP/89/2137/D

Applicants drawing(s)No(s) : HTN/01/101P, /105H, /107,
/113F, /114F, /115B, /119A, 120A, /122A,
HTN/L (1-) 04 and /011A

1.0 SITE

- 1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove, which in the main comprise of residential properties. To the western side of Hortensia Road are Chelsea School and Sloane School.
- 1.2 The application site is currently under construction, following the planning approval on the 22nd December 1988, (88/0663) for the redevelopment of the site. This is detailed more fully in section 2.0 of this report.

2.0 BACKGROUND AND HISTORY

- 2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the Hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and office B1.

The scheme provided for the erection of 8 three storey mews type houses to the rear of the site, directly behind numbers 28-38 Gunter Grove, and a further block fronting Hortensia Road, providing for 9 flats and 4 houses. Also included within the scheme was provision for 675 sq.m. of offices. The scheme provided car parking at basement level, above the Council's recommended standards.

2.2 Office Area

When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as office space. Thus members are advised on the advice available that planning permission exists for 675 sq.m. of office accommodation.

- 2.3 The 1988 permission was granted subject to 10 conditions. The most relevant for the purposes of this application are conditions:

- 02 Approval of facing materials
- 05 Landscaping details to be agreed.
- 08 Relationship in height and plan to adjoining buildings.
- 10 Access ramp to the basement car park to be agreed.

- 2.4 The details requested by conditions 2, 5 and 10 have been submitted in the current application, and are considered to be acceptable.

3.0 PROPOSAL

- 3.1 Since the development was approved in December 1988, alterations have been carried out on site without the benefit of planning permission. The application before Committee includes the amendments as follows:
1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation, changes to the floor form, and a slight increase in the general height.
 2. Alterations to the rear office building, housed directly behind 40 Gunter Grove, and partly behind No. 38 and No. 42 Gunter Grove.
- 3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.
- 3.3 The overall bulk, scale and density, of the proposed development remains broadly as approved, and there is only a minimal change in the overall floor area.
- 3.4 However the applicants were advised that in the light of the changes it was considered necessary for a further planning application to be submitted, so that consideration could be given to the whole development, including the office accommodation above the 675 sq.m. total.

4.00 SUBSEQUENT ACTION

- 4.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not fully in accordance with the approved plans and therefore partly unauthorised. Further investigations were carried out on the rear block but it was concluded that this was being built in accordance with the approved plans.
- 4.2 The planning decision dated 22nd December 1988 was conditional and stated that the approved of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to enforcement notices being served.
- 4.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.

- 4.4 The second enforcement notice was served against the operational development and further states that the applicants had carried out work which was in breach of condition 08 of the 1988 decision.
- 4.5 Both enforcement notices were served on the 31st October 1989.
- 4.6 Following the submission of the details pursuant to conditions 2, 5 and 10, and legal advice on the validity of Condition 8 it was determined that the outstanding notices be withdrawn, subject to the Council reserving the right to serve further notices should circumstances require it. This agreement was obtained on the 12th April.
- 4.7 Condition 8 which relates to height and plan and the making of the entire permission void if breached has been considered. Counsel's opinion is that the condition in its wording is beyond the limitations allowed under the Act since the 1971 Town and Country Planning Act allows for any changes to an approved scheme (except maybe a minor amendment) to be the subject of a further planning application. However, members are aware of the earlier decision, and should consider this application on its merits. The proposed development must also be considered bearing in mind the large five storey building which previously existed on the site. If it is then considered that the new scheme does not cause significant harm to any interest of acknowledged importance then the Council should approve the proposed development.

5.0 CONSULTATION

- 5.1 Before the application was submitted letters were received by the Council - mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed were that the residents were not aware as to the extent of the scheme approved in December 1988 and, some stated that they were unaware of the previous applications. It would appear that residents were invited by the developers to a meeting before the original scheme was determined which took place on the 1st June 1988. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.
- 5.2 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to ever be 2 storey and not 3 storey, and that had they been made aware of the extent of the development they would have strongly objected.

- 5.3 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House. The applicants state that they carried out a widespread consultation exercise (between 140-150 leaflets were distributed in the area).
- 5.4 123 letters of notification have been sent to adjoining occupiers, these included all residents in Hortensia House, Knights House and the West side of Gunter Grove on the present application.
- 5.5 The Council has received a number of letters of objection as a result of this application;

The main grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

6.0 COMMENT ON LOCAL CONSULTATION

6.1 Sunlight and Daylight

Detailed submissions have been made by advisors acting for the owner/occupier of 42A Gunter Grove - it is alleged that the rear South West facing garden window of this unit will have its sunlight reduced to below the recommended standard of three hours.

Daylight and sunlight are both taken 2m above ground level and therefore at approximately the window head of the unit. It is accepted that there will be a loss of sunlight to below three hours to the window on the extreme North end of the property, but members are advised that a further two windows and a French door also open onto this same room, the furthest window being over 12ft further South. In the officers opinion the sunlight to the room itself will comply with the recommended three hours.

There will be substantial improvements in sunlight received to Nos. 30, 34 and 36 Gunter Grove caused by the removal of the old Hudson Building, and Nos 28 and 42a Gunter Grove will still receive above the recommended 3 hours.

6.2 Loss of Privacy

There will be no increase in overlooking to the rear of Gunter Grove properties, beyond that approved in 1988 which ranges from the closest which is at No. 42 Gunter Grove - a distance of 8m to the farthest at No. 28 Gunter Grove of 20m. The level of overlooking between the respective components is considered acceptable, but in an attempt to reduce the impact on No. 40, and No. 42 it is suggested that some form of privacy protection be used on the rear windows of the office building. Members are reminded that such a condition was not on the original permission and the applicants have advised that they would not be prepared to accept obscured glazing but they would provide vertical blinds etc. if required. The windows are set back a further 3.5m from the approved scheme, and the proposed office unit will be less intrusive onto the privacy of No. 42, than a residential use (24 hours a day, 7 days a week).

6.3 Outlook/Security Risk

As outlined above the proposed development is closest to the rear windows of No. 42 Gunter Grove, a distance now improved to 8m, however it is to be noted that the development extends less than 40% along the rear frontage of No. 42. For the majority of residents in Gunter Grove the outlook will be considerably improved. Security risks have been complied with as far as this is possible, and the use of the site for primarily permanent residential use should greatly reduce security risks to the rear of the Gunter Grove properties.

6.4 Inaccuracy of Drawings and Model

Officers have already dealt with this matter earlier in the report, and members were advised at an earlier Committee meeting by the applicants how this had occurred in respect of the model.

6.5 Housing Density

The proposed density of the present scheme comprising of 8 houses and 21 flats is slightly lower than that on the previous scheme, at 544 h.r.h. (approved scheme 560 h.r.h.) is still less than the average density in this area of 600 h.r.h., and the Borough average of 700 h.r.h. As this is a mixed development comprising residential and some offices it is to be noted that the overall plot ratio for the scheme is approximately 1.9:1, which is below the Council's recommended standard of 2:1. Members are of course reminded that this scheme provides for a net residential gain of 29 units, a 100% improvement as no residential previously existed on this site.

6.6 Office Policy

As reported earlier the site previously comprised a large five storey building used by the University of London for educational purposes, it is accepted that the site is not appropriate for a major office user (i.e. a single unit over 1000 sq.m. in size), but it is considered that the provision of three office buildings of 260 sq.m., 198 sq.m. and 620 sq.m. would be appropriate given the previous history of the site and the non-residential character of the west side of Hortensia Road.

Members are further reminded that the draft policy relating to B1 uses was not adopted by the Council until January 1989, some four months after members considered the previous application. It is not a rigid policy based solely on floor area, but has flexibility afforded by the siting, and its proximity to other commercial uses.

With regard to the previously approved floor area of 675 sq.m., members are advised that the approved drawings which form part of the Council's decision show that two small office units were intended to be provided on the southern end of each block totalling 1087sq.m. in all. This is not increased in the present scheme, and as result of alterations to the rear wall this is reduced to 1078 sq.m.

7.0 FURTHER CONSIDERATIONS

7.1 Front Block

The provision of 21 flats is considered acceptable and accords with the Council's Housing policies contained within the District Plan. The planning and design standards are also complied with, and the Design Officer, considers that the proposed elevation to Hortensia Road is a positive improvement over the approved scheme. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of B1 use.

7.2 Rear Block

The 8 mews houses previously approved remain as approved. The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. Revisions have been sought and the applicants have made a modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally 4.5 metres away. The revision is to be welcomed but still is not acceptable to some residents in Gunter Grove. The office area in this block is 458 square metres.

The rear block was divided into two units of office accommodation, however following members earlier consideration of this application, further discussions with the applicants have taken place. The applicants have now offered as a possible amendment the provision of the two separate office suites on basement and ground floors only with two residential units of two bedrooms each on the first and second floors, this providing two residential/office suites. The overall floor area of the rear block remains as previously, but the amount of space which will be used for solely office purposes is reduced to 152 sq.m. and 100 sq.m. respectively (previously 260 sq.m. and 198 sq.m.)

The amendments to the side and rear of this block are still to be provided, as will variations to the rear and side windows to further reduce overlooking. It is considered that these amendments will give substantial improvements to the occupier of No. 42A Gunter Grove, over the building approved in October, 1988.

7.3

Details of the proposed basement car parking have been submitted and show the provision of 22 spaces for the flats, three spaces for the offices (both units) and 16 integral spaces for the houses. This is in full accordance with the Council's standards, and in part in excess of them.

7.4 Amended notification letters were sent to all previous objectors to the development advising them that an alteration to the scheme to provide two further units of residential accommodation above the offices and integral to them had been submitted. In response three letters of objection were received, together with a petition organised by the occupier of No. 42A Gunter Grove and signed by 57 local residents including 21 in Gunter Grove, 32 in Hortensia Road, two in Edith Terrace, and two in Fulham Road. The petition includes the 34 people who have written separately to the Council objecting.

The prayer of the petition was that:-

1. the buildings were too high, too close to homes and gardens, and robbed them of sunlight, daylight, peace and privacy.
2. Such a dense development will lead to an increase in the terrible traffic and parking.
3. We object to the large proposed office development which will worsen the above problem and seriously diminish the residential amenities of the area.

All these matters have already been addressed in the body of the report under consultations.

7.5 At the meeting on the 24th April, the occupier of 42A Gunter Grove placed a report by his planning advisor on the table. This document relates to office floorspace, its provision in this location, and the amount which has already been agreed, and to a further application not now under consideration. The reports conclusion is that no decision should be made, the entire project recommended to be deferred as refused to produce a solution acceptable to all parties. However these recommendations are based on the assumption that no part of the development has planning permission - a view not supported by legal advice and opinion.

7.6 On the 22nd May, the previous resident of No. 42a Gunter Grove submitted a bundle of documents by hand relating to the development, and in dealing with the various contents of this document it is the officer's recommendation that it should be considered as a separate bundle and accordingly a separate report has been provided dealing with relevant matters only. After this consideration recommendations are then made.

RECOMMENDATION

Members are now asked to consider the scheme, and have regard to the offered amendment whereby two additional units to residential accommodation are proposed.

It is the officer's recommendation that the Applications Committee inform the applicants that they welcome the offer of two additional residential units on the 1st and 2nd floors at the rear of the site, and thereby reduce the sought for office increase from 1078 sq.m. to 872 sq.m., an increase of 197 sq.m. over that agreed in 1988 of 675 sq.m., and that in the event of such details being submitted, causing no serious overlooking problems to occupiers at the rear of the site, that they would be minded to recommend the Planning and Conservation Committee on the 9th July that conditional permission be granted.

M.J. FRENCH
DIRECTOR OF PLANNING SERVICES

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.

REPORT PREPARED BY: MJF
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 31/05/90

TP9006/MJF.REP

SUPPLEMENTARY TO MAIN
AGENDA DESPATCH BY VIRTUE
OF INFORMATION NOT PROCESSED
AT TIME OF AGENDA DESPATCH.
PLACED ON PUBLIC DEPOSIT
11TH JUNE 1990.

Agenda Item: 68

PLANNING APPLICATIONS COMMITTEE - 12TH JUNE 1990

REPORT BY THE DIRECTOR OF PLANNING SERVICES

CHELSEA COLLEGE SITE, HORTENSIA ROAD

OBSERVATIONS ON OBJECTOR'S SUBMISSION

1. The submission comprises objections to the proposed development accompanied by seven appendices relating to different parts of the development including observations on the earlier permission of 1988.
2. The development is considered unacceptable to residents as it constitutes an overdevelopment of the site in conflict with the Council's environmental policies and has adverse effects on adjoining properties in terms of daylight/sunlight, overlooking and privacy. It is considered that the interests of local residents have not been adequately considered or protected.
3. The residents do not object to the retention of the front block at its original height and the rear eight houses, subject to no other development of the site and the structure at the rear of Nos. 38-42 Gunter Grove being demolished.
4. Appendix 1 contains the petition against the development and the authority to Mr. Stoop to speak on their behalf. This is referred to in paragraph 7.4 of the Council's report.
5. Appendix 2 is a submission from Mr. E. Powdrill setting out in paragraph 1 the nature of the objection and the planning history. In paragraphs 2.1-2.9 comments are made on other planning applications, notably TP/88/1410, TP/88/1410A and TP/88/0632. No decision was made on TP/88/1410 - a report was prepared, but not submitted to Committee. TP/88/1410A was a duplicate application and appealed against for non-determination. TP/88/0632 was recommended for refusal, but again no decision was taken by the Committee. Members gave none of these applications any consideration, as they were withdrawn before the meetings. Application TP/88/0633 was amended by the deletion of one storey from the rear block and the gabling of the end blocks adjoining Hortensia House. In none of the reports, which were prepared, was

the provision of office accommodation recommended as a reason for refusal. The Council Officer's primary objection was to the height and massing of the rear block and its effect upon adjoining occupiers. In paragraph 2.7, reference is made to drawing numbers - the drawings submitted relating to the site section were marked incorrectly and the applicant was asked to submit amended drawings correcting this. Similarly the position of the site sections was not clearly shown on the plan and this was also corrected.

- 5.1 The enforcement notices referred to in paragraphs 2.10 and 2.11 are dealt with in the Officer's report.
- 5.2 In paragraph 3, reference is made to offices - this is considered covered in the accompanying report. It is accepted that the application of 1988 sought 694 sq.m. of offices and a valid planning permission exists for 675 sq.m. At no time have Members been recommended to refuse any of the applications on the grounds which relate specifically to the provision of office accommodation, including the TP/88/1410 application which comprised 767 sq.m.
- 5.3 It is not accepted that this is a large scale office development as paragraph 3.8 would set out. It comprises an application containing three separate units, none of which approach the 1,000 sq.m. criteria - a criteria not agreed and then only in draft form in January 1989. Paragraph 6.6 of the Council's report deals more fully.
- 5.4 Paragraphs 3.9-3.12 relate to density calculations which are not accepted by the Council. The Officers neither accept the gross site area as given nor the number of habitable rooms. Details of the Council's figures are included in the report in paragraph 6.5.
- 5.5 Paragraphs 3.13-3.15 relate plot ratio - again the Officers do not accept the figures given, nor the methodology used, which appears as a form of residual calculation. Plot ratio is clearly defined in the Council's approved plan and is clearly appropriate to a mixed form of development. Again, reference is made to paragraph 6.5 of the Council's report.
- 5.6 Attempts to discuss the calculations with Mr. Powdrill have proved difficult due to the problems of contacting him, despite numerous attempts.
- 5.7 Paragraphs 3.16-3.17 relate to height, a matter covered by Appendix 7, and should be related to the overall height not to individual parts of the front elevation. It is agreed that the front building is higher than that shown on the plan - but depending on where measurements are taken by not more than 300mm.

- 5.8 Paragraphs 3.18-3.21 relate to daylight and sunlight and are in conflict with an earlier report submitted by the previous advisers to the objector. Neither are accepted by the Council and whilst Appendix 6 from John Anstey is a useful sun-path diagram, it relates solely to No. 42A Gunter Grove. In the circumstances, an independent daylight and sunlight expert has been asked to advise the Council on these matters.
- 5.9 Paragraphs 3.22-3.25 relate to matters already in the Council's report.
- 5.10 Paragraphs 4.1-4.4 ask Members to consider the proposal now before them in the light of the objections raised and the earlier matters in the report and giving careful attention to all material considerations to take appropriate action. Council Officers of course would endorse Members having full regard to all material planning considerations and then making their decision.
6. Appendix 3 contains two letters from the Chelsea Society objecting to the development. Members are advised that the previous use of the site was for educational purposes (Class D1 of the 1987 Use Classes Order) and whilst you may wish to disregard the size and effect of the building now - it was very much a consideration when discussions over its replacement began in 1988 - it is not suggested that any independent office use previously existed on the site, only that the entire site was 100% non-residential.
7. Appendix 4 sets out the planning history on the site - such parts as are relevant have already been referred to in Appendix 2 and the Officer's report. Members have before them a complete planning application for determination setting out the details and making recommendations. Members are reminded that the site is not within a designated Conservation Area and there is Government advice that the presumption is always in favour of development unless there are sound and clear cut reasons for refusal.
8. Appendix 5 is a Counsel opinion from Mr. Moriaty and whilst not all of his opinion is accepted, the relevant part relating to a valid permission of 675 sq.m. is accepted and supports the Council's own legal advice.
9. Appendix 6 John Anstey's report will be subject to a proper daylight/sunlight report covering all Gunter Grove properties by an independent expert.
10. Appendix 7 from Warner Land Surveys relates to the siting and height. It is agreed by the applicants that the siting of Knights House is in error due to the dependence on the Ordnance Survey sheets. However, the applicant strongly denies that the boundary wall, the main buildings and Mr. Stoop's garden walls are incorrect. The question of heights has already been discussed.

- 10.1 Winkworth's report on Knights House's positioning is accepted by the applicants and they will be producing separate drawings showing this in more detail, together with the changes in the foot-print of the building and also the relative height of the front building.
11. Appendix 8 relates to photographs and highlights in No. 2 the position of the wall closest to 42A Gunter Grove which it is now proposed to amend.

M. J. French,
Director of Planning Services,

List of Background Documents

Taken from objector's submission and Council Officer's report,
TP/89/2137 dated 21st May 1990.

Officer Contact

Any person wishing to inspect the above documents should contact Ruth Goundry, Planning Information Office, telephone 937 5464 extn. 2079.

Report prepared by MJF
Date report prepared 31/5/90

TP9006MJF.REP

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Norton Rose,
Kempson House,
P.O. Box 570,
Camomile Street,
LONDON, EC3A 7AN.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

13th July 1990



My reference:
TP/89/2137

Your reference:
CDD/92/P187000

Please ask for:
Mr. French

Dear Sir,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road

Further to our earlier conversation regarding the outstanding planning appeal on the above property, I herewith attach the draft planning decision which will be issued on this development.

As I explained to you over the telephone, the Council would not wish to be involved in the outstanding appeal now that the Committee have determined to grant planning permission for the development, a part of which is the subject of the appeal.

I am of course happy to do an exchange of correspondence by hand and I think you indicated that this would be acceptable to your clients.

Should you have any comments to make on this decision, perhaps you would telephone me, but in the meantime this decision is now being prepared and should be available during the early part of next week.

Yours faithfully,

M. J. French,
Director of Planning Services.

RECOMMENDED DECISION

Grant planning permission for development to provide residential accommodation and offices, with integral car parking at Chelsea College site, Hortensia Road, Chelsea, S.W.10., as shown on submitted drawings, nos. TP/89/2137, TP/89/2137D and TP/89/2137E; applicant's drawing nos. HTN/01/IDIP, 105K, 107B, 113G, 114F, 115D, 119B, 120B, 122B, HTN4 L(1-) 04B and 011A.

Conditions

1. The proposed amendments as hereby approved relating to the southernmost of the rear blocks shall be implemented within three months of the date of this permission.
2. The proposed office area of the whole development shall have a nett lettable area of not more than 530 sq.m.
3. The garage accommodation shall not be adapted for living, commercial or other purposes and shall be available at all times for car parking.
4. The development to which this permission relates shall be begun before the expiration of five years from the date of this permission.
5. No water tank, lift motor room or other roof structure shall be erected which rises above the level of the roof hereby approved.
6. The premises, subject of this permisison, shall not be used at any time for any purpose specified in Section 4 of the Greater London Council (General Powers) Act 1983, shall not be used for any purpose specified in Section 5 of the Greater London Council (General Powers) Act 1984 and shall not be used at any time for the purpose of holiday lettings (explanatory note: this condition prohibits use of the premises for the purposes of temporary sleeping accommodation for periods of less than 90 days, and prohibits use for time sharing and holiday lettings).
7. All elevational alterations shall be carried out exactly in the manner indicated on drawings hereby approved.

Reasons for the Imposition of Conditions

1. To ensure that the improvements are carried out as quickly as possible.
2. In order to ensure compliance with the approved drawings.
3. To avoid obstruction of the surrounding streets and to safeguard the amenities of adjacent premises.
4. It is considered that external plumbing would seriously detract from the appearance of the building and injure visual amenities.

5. In order that the Council may be satisfied as to the detail of the proposal.
6. To ensure the permanent retention of the accommodation for normal residential purposes.
7. To safeguard the appearance of the premises and the character of the immediate area.

Informatives

1. Refuse storage accommodation and access thereto must be provided to the Council's satisfaction. You are therefore advised to consult with the Director of Highways and Traffic, Central Depot, Pembroke Road, W.8. (071-373-6099) who has a code of practice available. Advice can also be given on certain aspects of industrial and commercial waste, as well as household waste. The Council operates a trade refuse service on a rechargeable basis.
2. Your attention is drawn to the Building Act 1984, the Building Regulations 1985, and insofar as they are applicable, the London Building Acts 1930-39. The Council's District Surveyors (071 373 7702) must be consulted in these respects.

In the case of new residential accommodation (or works to existing residential premises), attention is drawn also to the Housing Act 1985 and to the Council's Underground Rooms Regulations. The Director of Environmental Health (071 373 6099) can advise on requirements necessary to satisfy this legislation.

3. This permission is given without prejudice to the Council's powers under Section 35 of the London Building Acts (Amendment) Act 1939; (as regards means of escape in case of fire) in which respect the Council's Officers should be consulted at an early date. Any proposals for external fire escapes or roof walkways or safety railings will need to be the subject of a further application for planning permission. The District Surveyor will advise on the Building Regulations 1985 which are operative in Inner London from 1st January 1986.
4. The Director of Environmental Health (071 373 6099) should be consulted concerning the provisions of the Health and Safety at Work etc. Act 1974 which must be complied with where applicable.
5. Your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act 1970 (as referred to in Section 3 of the Disabled Persons Act 1981) which place an obligation on a developer and his representatives to provide easy access for the disabled. In the case of development for office, shop or factory purposes, or for buildings or premises to which the public are admitted, you should refer to the Code of Practice for Access for the Disabled to Buildings, BS 5810 1979. In the case of university, college or school buildings, to Design Note 18 "Access for the Physically Disabled to Educational Buildings".

6. Your attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 which imposes requirements as to the way in which building works are implemented, including the hours during which the work may be carried out. This Act is administered by the Director of Environmental Health (071 373 6099) and you are advised to consult with his Department at an early stage.

Serious concern relating to instances where building development is undertaken which is not in accordance with the originally granted planning permission was forcibly expressed at the Planning and Conservation Committee meeting last night (9th July 1990). Members were considering an application for development of the Chelsea College site in Hortensia Road by the erection of 27 flats, 8 houses, offices and car parking.

Permission had been granted in December, 1988, for a similar scheme for the site. Works had started, but in the course of construction certain changes had been made to the approved development. The application, considered last night, sought to regularize the position by seeking permission for the development as constructed.

Members were seriously concerned about a number of aspects of the development, including the variations from the scheme as originally approved.

At Committee, Members expressed the view that they were minded to refuse permission, but finally resolved that permission should be granted. Councillor Professor Sir Anthony Coates, Chairman, said after the meeting:-

"Members hold very strong views about departures from original planning permissions that takes place prior to supplemental permissions being sought, discussed and agreed to by this Committee.

However, having considered the matter very carefully and having taken further advice from the officers, the Committee decided to grant permission in this particular instance."

MEMORANDUM

To:

Our Ref:

Your Ref:

Date:

Subject:

Page #2127/133 Portobello Rd - Grant P.P.Submitted Dy Nos TP/90/0190^A, & TP/90/0190^C.Applicants Dy Nos 435/23, 24^B, 31^B, 32^B, 33^A, 34^C,
and letters dated 11/4/90127/133 Portobello Rd - Grant Conservation Area consent.Submitted Dy Nos TP/90/0191^A & 90/0191^C.Applicants Dy Nos 435/23, 24^B, 31^B, 32^B, 33^A, 34^C and
letters dated 11/4/90 & 435/19, 02, 03, 04 & 05.

Reply:

College, Glatton Rd - Refuse P.P.

The proposed development is considered to constitute a loss of the present open character of the Conservation Area, by reason of the increased height and width of the buildings, which would be contrary to the policies of the Council which seek to preserve and enhance the character of a designated Conservation Area.

Chelmsen College, Hartness Rd - Grant P.P.

Wilks Head and Eve

CHARTERED SURVEYORS

9 Harley Street London W1N 2AL Telephone 071 637 8471 Facsimile 071 631 0536

M J French Esq
 Deputy Director of Planning & Transportation
 The Royal Borough of Kensington & Chelsea
 Department 705
 The Town Hall
 Horton Street
 London
 W8 7NX

Our reference ER/tm/4477
 Your reference
 Date 9 July 1990

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On 10 JUL 1990 78				
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EXEC DIR	CHIEF PLANNING SERVICES	RECORDS	ARB	ENV PLAN
APPEALS OFFICER	IO	FEES OFFICER	FORWARD PLAN	AD ARB

Dear Mr French

RE: Hortensia Road

I am afraid that I have to advise you that I have not yet completed my Sunlight Study in this matter, but I hope to be in a position to report fully to you shortly. In view of your Committee meeting you may wish to have some preliminary views.

Under the provisions of your District Plan, the requirements for sunlight are based on the DOE publication of 1971. Although, of course, you do not include that document in its entirety, the Borough have accepted its general philosophy and detail.

I am applying the various criteria set out in that document to the present problem and some preliminary conclusions can be drawn. As is obvious, there are changes in the levels of sunlight to the properties in Gunter Grove as a result in the development. The removal of the warehouse gives an improvement in places and minor reductions in others. However, I consider that the overall situation is one of an improvement in general amenity.

At present I can see no firm sunlighting grounds from which planning permission could have been refused.

Yours sincerely



E ROE

Wilks Head and Eve

CHARTERED SURVEYORS

9 Harley Street London W1N 2AL Telephone 071 637 8471 Facsimile 071 631 0536

M J French Esq
Deputy Director of Planning & Transportation
The Royal Borough of Kensington & Chelsea
Department 705
The Town Hall
Horton Street
London
W8 7NX

Our reference ER/tm/4477
Your reference
Date 9 July 1990

Dear Mr French

RE: Hortensia Road

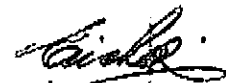
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At present I can see no firm sunlighting grounds from which planning permission could have been refused.

Yours sincerely



E ROE

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PLANNING AND CONSERVATION COMMITTEE - 9TH JULY 1990
REPORT BY DIRECTOR OF LEGAL SERVICES
CHELSEA COLLEGE, HORTENSIA ROAD, SW10

Introduction

This report deals with the history of the above matter, the status and effect of the December 1988 planning permission and advises members of the considerations that should be taken into account when deliberating on the present planning application.

1. **History**
- 1.1 Two planning applications were submitted in March 1988 for the demolition of the site and for the construction of twelve houses, nine flats and 694 square metres of office space (TP/88/0632 and TP/88/0633).
- 1.2 Two further applications were submitted in June 1988 for the construction of twelve houses, ten flats and 767 square metres of office space (TP/88/1410 - 1410A).
- 1.3 Reports on the applications TP/88/0633 and TP/88/1410 were submitted to the Town Planning (Applications) Sub-Committee on 30th August 1988 recommending refusal but these reports were withdrawn.
- 1.4 A new report was written and submitted to the Town Planning (Applications) Sub-Committee on 13th October 1988.
- 1.5 The new report dealt with the amendments to the proposed scheme. The report specified that the construction would be for twelve houses, nine flats and 600 square metres of offices. It was indicated that there had been minor changes to the five-storey block on the Hortensia Road frontage but that the block at the rear had been reduced by one storey.
- 1.6 The report mentions that while residential development is normally welcome, particular regard must be paid to the existing scale and character of the surrounding area which the new development must respect and to the effects of any proposal on residential amenity and the housing environment of neighbouring properties.
- 1.7 The report also refers to the high density of the proposed scheme and that the acceptability of such a high density is very dependant on the architectural

character and scale of the surrounding area thus the views and comments of the Conservation and Design Officer are important.

- 1.8 The comments of the Conservation and Design Officer were reported and were still critical of the proposal albeit that the criticism made in previous reports was modified as the result of the amendments.
- 1.9 The report dealt with daylighting and sunlighting issues. The previous proposals had been unacceptable. However, the reduction in the block at the rear resulted in officers proffering a view that the standards were now being complied with.
- 1.10 Accordingly, the report in October 1988 addressed those areas that were the subject of critical comment in earlier reports. In some areas the criticism of the scheme is maintained whereas in other areas the criticism is modified or removed as a result of the amended proposal. The report concludes with a recommendation for approval.
- 1.11 Much has been made of the fact that earlier reports recommended refusal whereas the report in October 1988 recommended acceptance in circumstances where the proposals had only been slightly altered. Furthermore, it has been maintained that the reasons that had been put forward for justifying refusal of earlier schemes still existed in relation to the amended scheme before Committee in October 1988.
- 1.12 The following points have to be made. Given that amended proposals were before Committee it is entirely reasonable that a different approach should be adopted. Although there may be arguments either way as to whether the amended proposal should have warranted a lessening of criticism and an alteration to recommendation, both views could be validly held. It is a question of balancing arguments for and against the proposal.
- 1.13 The crucial factor is that Committee had before it material to make decisions either approving or rejecting the application. Furthermore, it is, of course, always open to members not to follow officer recommendations. Accordingly, although criticism may be levelled at the standard of analysis contained in the October report the relevant considerations were before Committee to enable a proper decision to be made. With the above in mind, the question of the effect of the 1988 decision must be addressed.

2. The decision letter of December 1988

- 2.1 The decision of Committee on 13th October 1988 was for twelve houses, nine flats and 600 square metres of office space. The decision letter issued on 22nd December 1988 permitted the above with the exception of 675 square metres for offices. Counsel has advised on the effect of the permission. Although the plans are at variance with the decision letter, Counsel having taken into account all the circumstances of the case considers that the applicant is only entitled to build twelve houses, nine flats and 675 square metres of office space. It is recognised that there is an argument that the plans having indicated a greater area of office space enlarges that entitlement. However, the decision letter is clear and Committee are entitled to hold that no more office space was permitted.
- 2.2 In such circumstances the point then has to be addressed as to the identity of that part of the constructed building that represents unauthorised development.

This is a somewhat complex issue and can only be determined by reference to all the case documentation.

2.3 The reports do not shed much light on this aspect. However, if the plans are examined for this purpose there appears to be an explanation. The October 1988 report was written with one set of plans in mind whereas the plans before Committee at the meeting in October and those referred to in the decision letter were different in that the building fronting Hortensia Road comprised an additional two-storeys.

2.4 Furthermore, the Executive Director of the development advised that all sets of drawings were consistent regarding the building at the rear. In such circumstances, the evidence points to part of the development on the Hortensia Road frontage as being unauthorised.

3. Approach to the present application

3.1 The first point to deal with is the status of the 1988 permission. For the purposes of deliberating on this application, the 1988 permission should be taken as being valid. As such, the relevance of the permission in your deliberations goes to determining the strength or otherwise of the Council's position should the present application be refused. It should be made clear though that the 1988 permission does not prevent Committee deciding either to refuse or to grant the present application.

3.2 With regard to the present application, members have before them not only the officer's views but the benefit of the objector's comments and his back-up evidence and analysis. Clearly, there are differences of views albeit both views are validly held. However, all relevant areas of concern are referred to and in such circumstances, provided Committee carefully consider the material and the arguments put before it, there is no reason to doubt that a valid and proper decision cannot be made.

4. Conclusions

4.1 The planning permission in 1988 is valid for the erection of twelve houses, nine flats and 675 square metres of office space.

4.2 The unauthorised element of the present construction is contained in the Hortensia Road frontage.

4.3 The 1988 permission should be considered in relation to assessing the relative strength of the Council's position should the matter go to appeal.

4.4 Committee should carefully consider all the material and arguments placed before it in order that a proper decision can be reached.

A G PHILLIPS
Director of Legal Services



Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

Telephone: 071-283 2434

Fax: 071-588 1181

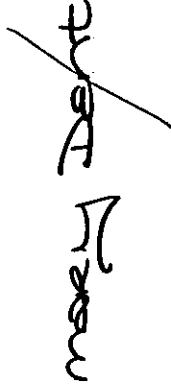
071-410 0891

Telex: 883652

DX 85 London

DX 1064 City

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LONDON

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A member of the Norton Rose M5 Group of independent legal practices.

Norton Rose

Kempson House
PO Box 570
Camomile Street
London EC3A 7AN

Telephone: 071-283 2434

Fax: 071-588 1181
071-410 0891

Telex: 883652
DX 85 London
DX 1064 City

D O Hamilton
C J A Dixon
P J Purton
A C Surtees
M B Sayers
J M Woodrow
W A J Leaver
D J Freeland
G F Chronnell
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P Fergusson
R A Powell
M V Fowke
N D F Bohm
T A Kay
A C Graves
R Birkby
J G R Harding
D A Ashworth
P G Thorne
P L Graham
H R Jackson
D L Jones

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D J Colliver
C J L Ryan
J Clark
T C M Howard
J V C L Barratt
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D F Potter
O R Jonathan
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Isla M Smith
D R Crane
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D P R Stannard
B J Greenwood
J Challoner
S R G Pratt
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A M Crookes
R G Brooks
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P M G Burrows
P Haslam
Lindsay B Morgan
Barbara Stephenson
P Farrell
C J Cook
T J T Walker
W N T Ward
P L Williams
M Mattiuzzo
Lynn West
T F A Emmerston
R P Falkner

Consultants
Alan N Mundy
Ronald V Cowles

Your reference

L.G. Phillips, Llb
Director of Legal Services,
Royal Borough of Kensington & Chelsea
Town Hall,
Hornton Street,
London W8 7NX

Dear Mr. Phillips,

Chelsea College Site, Hortensia, W10s

Mr. Wesley Fongenie has been kind enough to fax to us a copy of your report which is to go to the planning conservation committee today. Some of the contents are of considerable concern to our clients, and we would be grateful if you could please draw the following points to the attention of the committee:

- (1) while we welcome the recognition that the existing planning consent is a material consideration for the committee and, at need, a Department of the Environment inspector, to take into account when determining the latest applications, we cannot agree that that permission is limited to 675 square metres of office accommodation. We have already made detailed submissions on this point; these have been endorsed by counsel, who's opinion has been disclosed to your authority.
- (2) We cannot accept that the planning permission granted by your authority in October 1988 can be interpreted in the light of plans submitted on 4th March 1988, some seven months prior to the grant of that planning permission and which had long since been superseded by at least different editions of revised plans submitted to, accepted by and approved by your authority, the earliest of which were with your authority as early as 13th April 1988 and which clearly showed all areas of the development.

CDD/92/P187000

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OFFICER	OFFICER

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L.G. Phillips, Llb.

- 2 -

9th July 1990

- (3) Even if the earliest plans were relevant, the report is written on the basis that the areas omitted from those plans are the upper stories of the Hortensia Road frontage. This was not the case, as your Mr. French will be able to confirm, since what was omitted was one of two duplicate blocks to the rear of the site, and one other floor in the front block. The duplicate rear block was clearly shown in the layout plan in any event; the full number of floors in the front block were shown in elevations and sections. Both omissions were reinstated in the revised plans later submitted and approved by your authority.

Yours faithfully,

Norton Rose

cc. Mary Dent
Mr. French
Paul Kentish - Savills
Richard Williams - Colwyn Fowkes
Luke Boyer-Miller - LET

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E. A. POWDRILL & ASSOCIATES

TOWN PLANNING ADVOCATES & CONSULTANTS

PTOLEMY HOUSE · LOWER WHARF · READING ROAD · WALLINGFORD · OXON OX10 9AP

0491 34500 & 34525 · FAX NO. 0491 33760

OUR REF: EAP/MD/9018

YOUR REF: YP/89/2137

9 July 1990

Director of Planning Services
The Royal Borough of Kensington and Chelsea
The Town Hall
Kornton Street
London
W8 7NX

Dear Sir

PLANE AND COUNTRY PLANNING ACT 1971
CHelsea COLLEGE SITE, HORTENSIA ROAD, SW10

I refer to the above site and to the amended plans which were submitted following the Planning Applications Committee meeting on 12 June 1990.

You will appreciate, as set out in my original submission on behalf of Mr Stoop, that the major part of our Objection is the sheer physical impact of the development on residential properties on Hortensia Road and No 42 Gunter Grove in particular. The fact that the rear building is now to be used primarily for residential purposes instead of offices does not diminish the fundamental Objection, indeed, it could conceivably make the position worse in that overlooking would be possible over longer periods of time, and would not be restricted to business hours.

I repeat, that our Objection to the amount of office development being proposed is that in an area such as this the amount of office development would normally be limited to 200 sq metres. The 1988 permission was for 675 sq metres gross of office floorspace, although in 1988 passage through the committee, the figure under application was 621 sq metres. It is exceedingly difficult to understand how 715 sq metres gross can suddenly become acceptable.

All the points raised in my original report still stand. The front block on Hortensia Road is 16.1 metres (15.75 metres according to your officer's measurement) from ground floor to fourth floor ceiling level, which is at least 1.5 metres more than the permitted scheme. I recognise there is a fall in

POWDRILLS PLANNING SERVICES LTD

Director:

E. A. Powdrill · FMC · DipTP · FRIP · FAS · FSS

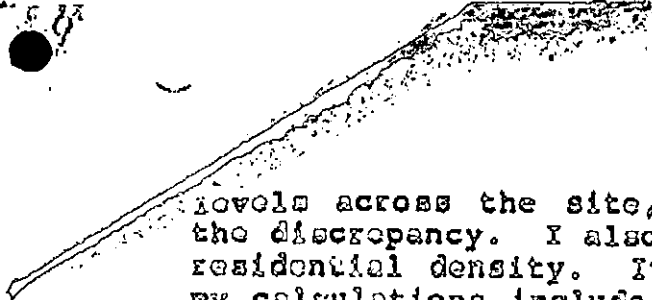
Mrs R. A. Powdrill · BA(Hon) · MA · DipTP

A. J. Powell



Associates:

R. Ferris · MRTP



levels across the site, but I am not satisfied this explains the discrepancy. I also see no reason to change my view on the residential density. It has been claimed by your officer that my calculations include an element of double counting, since I have counted lounge-diners as two rooms rather than as one. Although the council's definition of a habitable room does not deal with this matter, it has always been my understanding that as a matter of general practice, any room over 18.6 sq metres (200 sq ft) may be counted as two. My objection on grounds of excessive residential density therefore stand as before.

There has been much discussion on the arithmetic of the constituent parts of the proposal, but the fundamental point is that the building is too big for the site having regard to its proximity to long-established residential development. If permitted, it would be contrary to para. 3.1.1 of your Local Plan, which states that the principal aim of the Plan "to to maintain and enhance the status of the Borough as an attractive place to live and work". I also draw your attention to paras. 4.1.1, and in particular, para. 4.1.5 which states:-

"The Council, both in consultation areas and elsewhere, will aim for the conservation of the character of the Royal Borough and the enhancement of the environment. All new development must respect and relate directly to the established scale and character of the surrounding area."

I request, therefore, that you take all these matters into account by rejecting the proposal, and by taking appropriate action against the matters which are in breach of the 1968 permission.

Yours faithfully



E A Fewkill
Managing Director

ROYDS TREADWELL
SOLICITORS

A. M. ALEXANDER
B. W. GODFREY
A. A. MABERLY
T. M. P. CORLEY
R. J. LLOYD-DAVIES
J. H. BURT
C. R. WRIGHT

C. A. HODGES
R. M. WOODMAN
J. W. R. MILLAR CRAIG
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J. N. RAMPTON

CONSULTANTS
G. V. TREADWELL OBE
A. J. SIMPSON

G. K. CONSTANTINOU
A. W. LLOYD

2 CRANE COURT, FLEET STREET,
LONDON EC4A 2BL

TELEPHONE: 071-583 2222
TELEX: 28198
FAX: 071-583 2034
DX 102 CHANCERY LANE

OUR REF SAW/REIN/STO.40-4

YOUR REF L/TP/8/747/WF

9th July 1990

A.G. Phillips
Borough Solicitors
The Royal Borough of Kensington & Chelsea
The Town Hall
dornnton Street
LONDON W8 7NX

* BY FAX *
Fax No. 071 376 0501

Dear Sir

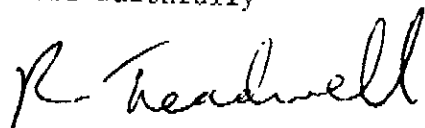
Re:- The College Site, Hortensia Road, London SW10

We refer to your report to be placed before the Planning and Conservation Committee this evening. We are concerned about Paragraphs 2.2, 2.3 and 4.2. in the report, which contends that the unauthorised part of the development is the Hortensia Road frontage. Neither we, nor our Client's Leading Counsel, accept this opinion. The December 1988 decision letter grants consent for 675 square metres and we do not believe that it is possible to conclude which part of the development was in fact authorised by that consent. It is equally arguable on the basis of the reports and plans that the Office development at the rear adjoining 38 to 42 Gunter Grove is unauthorised.

The Director of Planning Services should also have received a fax letter from our Client's Planning Consultant. We enclose a copy of this letter for your information.

Would you please confirm that both this letter and also the letter from E.A. Powdrill and Associates will be distributed to the Committee Members prior to the meeting this evening.

Yours faithfully



Royds Treadwell

encs

Is this available? Councillor Horton would like to see copy

ROYDS TREADWELL
SOLICITORS

A. M. ALEXANDER
B. W. GODFREY
A. A. MABERLY
T. M. P. CORLEY
R. J. LLOYD-DAVIES
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YOUR REF L/TP/8/747/WF

9th July 1990

A.G. Phillips
Borough Solicitors
The Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
LONDON W8 7NX

* BY FAX *
Fax No. 071 376 05

Dear Sir

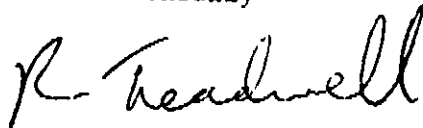
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Yours faithfully



Royds Treadwell

encl

LEGAL SERVICES

The Town Hall Hornton Street London W8 7NX

Director of Legal Services A G Phillips LLB

Professor Sir Anthony Coates Bt., M.D., M.R.C.P.
135 Gloucetser Road,
London SW7 4TH

Telephone: 071 937 5464
Extension: 2783

Facsimile: 071 376 0501

5 July 1990

My reference:

Your reference:

Please ask for:

L/TP/8/747/WF.

Mr Fongenie.

Dear Councillor Coates,

RE: THE COLLEGE SITE, HORTENSIA ROAD , LONDON SW10.

I refer to your recent query regarding the letter and enclosures of 29 June last from Royds Treadwell (Solicitors) in connection with the above, and enclose herewith a copy of my reply together with enclosures of 2 July last for your information.

I also enclose a copy of the Borough Solicitors report on this matter which is to be placed before the meeting of the Planning and Conservation Committee on 9 July next.

I trust the above is helpful, however please do not hesitate to contact me if you require any further information.

Yours Sincerely,

Director of Legal Services

C.C :Mike French Director of Planning Services.

Wilks Head and Eve

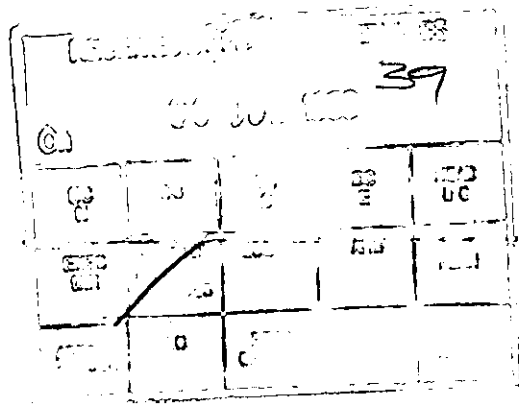
CHARTERED SURVEYORS

9.14

9 Harley Street London W1N 2AL Telephone 071 637 8471 Facsimile 071 631 0536

M J French Esq
Deputy Director of Planning & Transportation
The Royal Borough of Kensington & Chelsea
Department 705
The Town Hall
Horton Street
LONDON W8 7NX

Our reference ER/MRD/4477
Your reference
Date 4th July 1990



Dear Mr French

Re: Hortensia Road

I very much regret that I will be unable to report in this matter in time for your meeting on the 9th July. I hope this does not cause any embarrassment and I will let you have my report as soon as possible.

I'm afraid that I've been deeply involved in the preparation of evidence for a court case and this has put my diary out of step.

Yours sincerely

E. ROE

*left messages Rang. 2.50 out
" 4.00 out
" 5.30 out.
left messages another
Rang - 9/7/90 - 9.15.
FAX to be sent.*

- ① Diff. -
- ② 350 h.t.h.
- ③

358
Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

Mrs Wyatt
54 Hortensia House
Hortensia Road
London SW10

HTN/CL/RW/pl

4 July 1990

Dear Mrs Wyatt

Chelsea College Site, Hortensia Road, London SW10

We believe you have contacted the Local Authority regarding the restricted access along the boundary to Hortensia House and our clients site.

We would wish to reassure you that the temporary hoarding has been erected for the residents protection during the construction of the boundary wall.

The licence agreement for this work expires at the beginning of August and the contractor informs us that the works will be complete by the end of July.

Should you have any queries please give me a ring.

Yours sincerely

PL

H R T Williams
COLWYN FOULKES & PARTNERS

c.c. M French Esq, RBK&C
L Hoyer Millar, LET
A Gosland, Lilley Developments
J Jackson, Projjex

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY Tel: 0492 532735
Telex: 8950511G Ail: 16403 Fax: 0492 53 1034

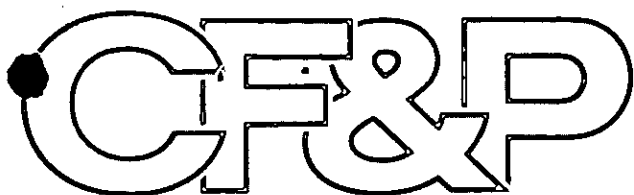
17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:

A. N. Colwyn Foulkes, BSc, BA, RIBA
H. R. T. Williams, BSc, BA, RIBA
E. M. Foulkes, MBE, BA, RIBA, DEED, RIBA
J. J. R. Godfrey, MA, RIBA

Consultants:

R. Colwyn Foulkes, RIBA
Jane Coy, RIBA
Associates
M. Mamalis, RIBA



With Compliments

- 229 Kensington High St. London W8 6SA
Tel: 01-938 2464 Fax: 01-938 2847
from May 1990: Tel: 071-938 2464 Fax: 071-938 2847
- 17 King Street, Knutsford, WA16 6DW
Tel: 0565 52126 Fax: 0565 54933
from October 1990: Tel: 0565 652126 Fax: 654933
- Merton Place, Colwyn Bay LL29 7BY
Tel: 0492 532735 Fax: 0492 531034

ROYDS TREADWELL

SOLICITORS

2 CRANE COURT, LONDON EC4A 2BL

TELEPHONE: 071-583 2222 (20 LINES)

TELEX: 28198

FAX: 071-583 2034

DX 102 LONDON

WITH COMPLIMENTS

OUR REF

YOUR REF

DATE

ENCLOSURE(S) SENT FOR YOUR
INFORMATION/ATTENTION/APPROVAL

CHEQUE HEREWITH/RECEIVED

RECEIPTED ACCOUNT/
NOTICE HEREWITH

AS REQUESTED

PLEASE RECEIPT AND RETURN
THE ATTACHED ACCOUNT/NOTICE

WE ACKNOWLEDGE RECEIPT OF YOUR
RECENT LETTER/ENCLOSURE

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*Miss Doast
Mr Phillips
Please advise me
on this.
Dr Coates*

Planning Application

Next madags

meeting -

Nick Stoop

*Wants to address
next madags meeting
with an adviser.*

376 3272.

Miss Doast

*It would not be
sensible for me to attend
this meeting.*

Anthony

ROYDS TREADWELL
SOLICITORS

M. ALEXANDER
W. GODFREY
A. A. MABERLY
T. M. P. CORLEY
R. J. LLOYD-DAVIES
J. H. BURT
C. R. WRIGHT

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CONSULTANTS
G. W. TREADWELL OBE
A. Y. SIMPSON

G. X. CONSTANTINIDI
A. W. LLOYD

2 CRANE COURT, FLEET STREET,
LONDON EC4A 2BL

TELEPHONE: 071-583 2222
TELEX: 28198
FAX: 071-583 2034
DX 102 CHANCERY LANE

OUR REF

RLD/CC/STO.40-4

YOUR REF

L/TP/8/747/WF

29th June 1990

A.G. Phillips, Esq.,
Borough Solicitor,
The Royal Borough of Kensington and Chelsea,
FAX NO. 376 0501

Dear Sir,

THE COLLEGE SITE, HORTENSIA ROAD, LONDON, SW10

We refer to our letter of the 22nd June and should be obliged if we might now hear from you in relation thereto by return.

Whilst writing we enclose a copy of our recent letter to Mr. French together with copy of the documents referred to therein in respect of which we also expect an early reply.

Yours faithfully,

SAW/REIN/STO.40-4

L/TP/8/747/WF

22nd June 1990

A.G. Phillips Esq
The Borough Solicitor
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
LONDON W8 7NX

Dear Sir

Re-: The College Site, Hortensia Road, London SW10

We refer to the meeting of the Town Planning Applications Committee on 12th June 1990. We should raise the following points with you-:

[1] It had been made clear at the previous Committee Meeting that submissions by the Parties were to be filed in good time before the 12th June. In the event, various plans were submitted by the Developers that our Client had not had an opportunity to scrutinise. We should be grateful if you could supply with copies of the following-:

- [a] Any written submissions made by the Developers in readiness for the meeting on 12th June.
- [b] The plans shaded in pink and yellow and referred to at the meeting on 12th June.
- [c] The independant daylight and sunlight evidence being commissioned by the Council [cf. para. 5.7 of the Officers Report].
- [d] Any other plans or drawings produced by the Developers relating to the footprint of the building as per item 10 of the Officer's Report.

continued page [2].../

Page [2].../

Royds Treadwell : Borough Solicitor : 22.06.90

[2] We have been informed by E.A. Powrill and Associates that they have been in touch with you to endeavour to agree various factual matters.

We await hearing from you.

Yours faithfully

Royds Treadwell

cc. N. Steep Esq.

ROYDS TREADWELL

SOLICITORS

2 CRANE COURT, FLEET STREET,
LONDON EC4A 2BL

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DX 102 CHANCERY LANE

A. M. KANDER
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G. X. CONSTANTINIDI
A. W. LLOYD

OUR REF

RLD/CC/STO.40-4

YOUR REF

TP/89/2137

29th June 1990

M.J. French, Esq,
Planning and Conservation,
The Royal Borough of Kensington and Chelsea,
FAX NO. 376 1130

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1971
CHELSEA COLLEGE SITE, HORTENSIA ROAD, SW10

We acknowledge receipt of your letter of the 25th June and note there has been yet further amendments to the applicant's proposals in this case. We are arranging for our client to obtain requisite details for consideration and will naturally let you have our further comments thereafter.

In the meantime, it is apparent from the recent reports laid before the Committee and the observations of the objectors, that considerable dispute of fact appears to lie in respect of matters which should be capable of verification and agreement. As a result you will be aware that Mr. Stoop and one of our client's experts visited your offices recently and met with you in an attempt to agree certain issues and measurements so that there could be no further confusion or misunderstanding for the benefit of all including the Planning Committee. In particular you will be aware that our clients supplied you with details of their method of calculating the office floor space and measurements and offered to measure with you by way of scale rule at the time the various plans. In fact you declined to confirm or deny the various measurements and accordingly a signed copy of the sheets were left with you with the request that you indicate in the spaces provided the Council's calculations so that it could be seen if there was an issue, and, if so, where the same lies.

We sincerely trust either ourselves or our clients will hear from you in this respect forthwith and indeed it is fair to mention that our client subsequently visited Ruth Goundry who, on the 26th June, informally checked and agreed our client's measurements by reference to the plan but indicated that this was a matter upon which only you could give an official confirmation.

We feel bound to comment that our clients have consistently honoured their commitment sometime ago to lodge their detailed representations with your Authority in ample time for the same to be considered and reported on prior to the meeting and are at a loss to understand why this courtesy is not also extended to them in the context of any

counter-allegations of fact or submissions of the developers which consistently seem to be lodged late. We await hearing from you.

Yours faithfully,

OFFICE FLOORSPACE.

1. Front Office Block measured from Plan HTN/01/114 rev F (new scheme). Below are the measurements (in square metres) of the various floors:

Floor:	Measurement by E.A. Powdrill and Associates:	Measurement by R.B.K.&.C:
Basement	139.00 sq. metres	.....
Ground	85.65 sq. metres	.....
First	107.88 sq. metres	.....
Second	175.49 sq. metres	.....
Third	175.49 sq. metres	.....
Fourth	175.49 sq. metres	.....

E.A. Powdrill and Associates measurements confirmed by Philip Turner, Associate.

Signed *Philip Turner 20/6/90*

R.B.K.&.C measurements confirmed by
[Title].....

Signed

2. Rear Office Block measured from Plans HTN/01/119 rev A (Basement Plan) and HTN/01/113 rev F (Rear Office Units 1 and 2). Below are the measurements (in square metres) of the various floors:

Floor:	Measurement by E.A. Powdrill and Associates:	Measurement by R.B.K.&.C:
Basement	160.00 sq. metres	.....
Ground	163.49 sq. metres	.....
First	107.52 sq. metres	.....
Second	113.03 sq. metres	.....

E.A. Powdrill and Associates measurements confirmed by Philip Turner, Associate.

Signed *Philip Turner 20/6/90*

R.B.K.&.C measurements confirmed by
[Title].....

Signed

MEASUREMENTS.

1. Plan HTN/01/104 rev A (Site Sections) of approved scheme.

Section AA shows that the height of the ground floor slab is above the level of the pavement. Below are the measurements of the height of the top of the slab above pavement level:

Measurement by E.A. Powdrill and Associates Measured by Philip Turner (Associate) 1 metre

Signed Philip Turner

Measurement by R.B.K.&.C Measured by

Signed

2. Plan HTN/01/114 (Front Offices) of approved scheme.

Section AA shows that the height of the 4th Floor ceiling is higher than the ground floor slab. Below are the measurements of the height of the top of the 4th Floor ceiling above the top of the ground floor slab:

Measurement by E.A. Powdrill and Associates Measured by Philip Turner (Associate) 14.2 metres

Signed Philip Turner

Measurement by R.B.K.&.C Measured by

Signed

3. Plan HTN/01/114 rev F (Front Offices) of new scheme.

Section AA shows that the height of the 4th Floor ceiling is higher than the ground floor slab. Below are the measurements of the height of the top of the 4th Floor ceiling above the top of the ground floor slab:

Measurement by E.A. Powdrill and Associates Measured by Philip Turner (Associate) 6.1 metres

Signed Philip Turner

Measurement by R.B.K.&.C Measured by

Signed

ROYDS TREADWELL

SOLICITORS
2 CRANE COURT, LONDON EC4A 2BL
TELEPHONE: 071-583 2222 (20 LINES)
TELEX: 28198
FAX: 071-583 2034
DX 102 LONDON

WITH COMPLIMENTS

OUR REF

YOUR REF

DATE

ENCLOSURE(S) SENT FOR YOUR
INFORMATION/ATTENTION/APPROVAL

CHEQUE HEREWITH/RECEIVED

RECEIPTED ACCOUNT/
NOTICE HEREWITH

AS REQUESTED

PLEASE RECEIPT AND RETURN
THE ATTACHED ACCOUNT/NOTICE

WE ACKNOWLEDGE RECEIPT OF YOUR
RECENT LETTER/ENCLOSURE

ROYDS TREADWELL

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LONDON EC4A 2BL

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G. X. CONSTANTINIDI
A. W. LLOYD

OUR REF

RLD/CC/STO.40-4

YOUR REF

L/TP/8/747/WF

29th June 1990

A.G. Phillips, Esq.,
Borough Solicitor,
The Royal Borough of Kensington and Chelsea,
FAX NO. 376 0501

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Yours faithfully,

22nd June 1990

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The Borough Solicitor
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
LONDON W8 7NX

Dear Sir

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continued page [2].../

Page [2].../
Royds Treadwell : Borough Solicitor : 22.06.90

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Royds Treadwell

cc. M. Stagg Esq.

RLD/CC/STO.40-4

YOUR REF

TP/89/2137

29th June 1990

M.J. French, Esq,
Planning and Conservation,
The Royal Borough of Kensington and Chelsea,
FAX NO. 376 1130

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CHELSEA COLLEGE SITE, HORTENSIA ROAD, SW10

We acknowledge receipt of your letter of the 25th June and note there has been yet further amendments to the applicant's proposals in this case. We are arranging for our client to obtain requisite details for consideration and will naturally let you have our further comments thereafter.

In the meantime, it is apparent from the recent reports laid before the Committee and the observations of the objectors, that considerable dispute of fact appears to lie in respect of matters which should be capable of verification and agreement. As a result you will be aware that Mr. Stoop and one of our client's experts visited your offices recently and met with you in an attempt to agree certain issues and measurements so that there could be no further confusion or misunderstanding for the benefit of all including the Planning Committee. In particular you will be aware that our clients supplied you with details of their method of calculating the office floor space and measurements and offered to measure with you by way of scale rule at the time the various plans. In fact you declined to confirm or deny the various measurements and accordingly a signed copy of the sheets were left with you with the request that you indicate in the spaces provided the Council's calculations so that it could be seen if there was an issue, and, if so, where the same lies.

We sincerely trust either ourselves or our clients will hear from you in this respect forthwith and indeed it is fair to mention that our client subsequently visited Ruth Goundry who, on the 26th June, informally checked and agreed our client's measurements by reference to the plan but indicated that this was a matter upon which only you could give an official confirmation.

We feel bound to comment that our clients have consistently honoured their commitment sometime ago to lodge their detailed representations with your Authority in ample time for the same to be considered and reported on prior to the meeting and are at a loss to understand why this courtesy is not also extended to them in the context of any

counter-allegations of fact or submissions of the developers which consistently seem to be lodged late. We await hearing from you.

Yours faithfully,

OFFICE FLOORSPACE.

1. Front Office Block measured from Plan HTN/01/114 rev F (new scheme). Below are the measurements (in square metres) of the various floors:

Floor:	Measurement by E.A. Powdrill and Associates:	Measurement by R.B.K.&.C:
Basement	139.00 sq. metres	.....
Ground	85.65 sq. metres	.....
First	107.88 sq. metres	.....
Second	175.49 sq. metres	.....
Third	175.49 sq. metres	.....
Fourth	175.49 sq. metres	.....

E.A. Powdrill and Associates measurements confirmed by Philip Turner, Associate.

Signed *Philip Turner 20/6/90*

R.B.K.&.C measurements confirmed by
[Title].....

Signed

2. Rear Office Block measured from Plans HTN/01/119 rev A (Basement Plan) and HTN/01/113 rev F (Rear Office Units 1 and 2). Below are the measurements (in square metres) of the various floors:

Floor:	Measurement by E.A. Powdrill and Associates:	Measurement by R.B.K.&.C:
Basement	160.00 sq. metres	.....
Ground	163.49 sq. metres	.....
First	107.52 sq. metres	.....
Second	113.03 sq. metres	.....

E.A. Powdrill and Associates measurements confirmed by Philip Turner, Associate.

Signed *Philip Turner 20/6/90*

R.B.K.&.C measurements confirmed by
[Title].....

Signed

MEASUREMENTS.

1. Plan HTN/01/104 rev A (Site Sections) of approved scheme.

Section AA shows that the height of the ground floor slab is above the level of the pavement. Below are the measurements of the height of the top of the slab above pavement level:

Measurement by E.A. Powdrill and Associates 1 metre
Measured by Philip Turner (Associate)

Signed *Philip Turner*

Measurement by R.B.K.&.C
Measured by

Signed

2. Plan HTN/01/114 (Front Offices) of approved scheme.

Section AA shows that the height of the 4th Floor ceiling is higher than the ground floor slab. Below are the measurements of the height of the top of the 4th Floor ceiling above the top of the ground floor slab:

Measurement by E.A. Powdrill and Associates 14.2 metres
Measured by Philip Turner (Associate)

Signed *Philip Turner*

Measurement by R.B.K.&.C
Measured by

Signed

3. Plan HTN/01/114 rev F (Front Offices) of new scheme.

Section AA shows that the height of the 4th Floor ceiling is higher than the ground floor slab. Below are the measurements of the height of the top of the 4th Floor ceiling above the top of the ground floor slab:

Measurement by E.A. Powdrill and Associates 6 metres
Measured by Philip Turner (Associate)

Signed *Philip Turner*

Measurement by R.B.K.&.C
Measured by

Signed

ROYDS TREADWELL
SOLICITORS

A. M. ALEXANDER
B. W. GODFREY
A. A. MABERLY
T. M. P. CORLEY
R. J. LLOYD-DAVIES
J. H. BURT
C. R. WRIGHT

C. A. HODGES
R. M. WOODMAN
J. W. R. MILLAR CRAIG
J. M. H. BUCKLAND
S. WILKINSON
J. N. RAMPTON

CONSULTANTS
G. W. TREADWELL OBE
A. Y. SIMPSON

G. X. CONSTANTINIDI
A. W. LLOYD

2 CRANE COURT, FLEET STREET,
LONDON EC4A 2BL

TELEPHONE: 071-583 2222
TELEX: 28198
FAX: 071-583 2034
DX 102 CHANCERY LANE

OUR REF SAW/REIN/STO.40-4

YOUR REF L/TP/8/747/WF

22nd June 1990

A.G. Phillips Esq
The Borough Solicitor
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
LONDON W8 7NX



Dear Sir

Re-: The College Site, Hortensia Road, London SW10

We refer to the meeting of the Town Planning Applications Committee on 12th June 1990. We should raise the following points with you-:

[1] It had been made clear at the previous Committee Meeting that submissions by the Parties were to be filed in good time before the 12th June. In the event, various plans were submitted by the Developers that our Client had not had an opportunity to scrutinise. We should be grateful if you could supply with copies of the following-:

- ✓ [a] Any written submissions made by the Developers in readiness for the meeting on 12th June.
- ✓ [b] The plans shaded in pink and yellow and referred to at the meeting on 12th June.
- no [c] The independant daylight and sunlight evidence being commissioned by the Council [cf. para. 5.7 of the Officers Report].
- ✓ [d] Any other plans or drawings produced by the Developers relating to the footprint of the building as per item 10 of the Officer's Report.

continued page [2].../

ROYDS TREADWELL
SOLICITORS

M. ALEXANDER
D. W. GODFREY
A. A. MABERLY
T. M. P. CORLEY
R. J. LLOYD-DAVIES
J. H. BURT
C. R. WRIGHT

C. A. HODGES
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A. Y. SIMPSON

G. X. CONSTANTINIDI
A. W. LLOYD

OUR REF RLD/CC/STO.40-4 YOUR REF TP/89/2137 29th June 1990

M. J. French, Esq.,
Planning and Conservation,
The Royal Borough of Kensington and Chelsea,
FAX NO. 376 1130

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1971
CHELSEA COLLEGE SITE, HORTENSIA ROAD, SW10

We acknowledge receipt of your letter of the 25th June and note there has been yet further amendments to the applicant's proposals in this case. We are arranging for our client to obtain requisite details for consideration and will naturally let you have our further comments thereafter.

In the meantime, it is apparent from the recent reports laid before the Committee and the observations of the objectors, that considerable dispute of fact appears to lie in respect of matters which should be capable of verification and agreement. As a result you will be aware that Mr. Stoop and one of our client's experts visited your offices recently and met with you in an attempt to agree certain issues and measurements so that there could be no further confusion or misunderstanding for the benefit of all including the Planning Committee. In particular you will be aware that our clients supplied you with details of their method of calculating the office floor space and measurements and offered to measure with you by way of scale rule at the time the various plans. In fact you declined to confirm or deny the various measurements and accordingly a signed copy of the sheets were left with you with the request that you indicate in the spaces provided the Council's calculations so that it could be seen if there was an issue, and, if so, where the same lies.

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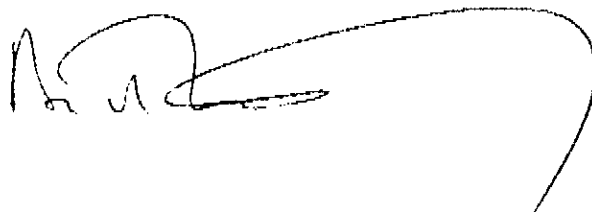


ROYDS TREADWELL

CONTINUATION SHEET NO. 2.

counter-allegations of fact or submissions of the developers which consistently seem to be lodged late. We await hearing from you.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Royds Treadwell', with a long, sweeping flourish extending to the right.

MICROFILMED
PLEASE RETAIN

Enforcement noted
NW
file

PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

Executive Director Miss C M DENT BSc M Phil FRICS FRTPI

Director of Planning Services M J FRENCH FRICS Dip TP MRTPI Cert TS

Councillor Rima Horton,
12 Upper Addison Gardens,
London,
W14 8AP.

Telephone: 071-937 5464

Extension: 2075

Facsimile: 071-376 1130

12th June, 1990.



My reference:

Your reference:

Please ask for:

DPC/CMD/JLB

Miss M. Dent

Dear Councillor Horton,

Chelsea College Site, Hortensia Road - Enforcement Action

I refer to your letter of 6th June and your enquiry as to the reason for withdrawing the enforcement notices in respect of this site.

Enforcement notices were served when it came to the department's attention that the development being undertaken at the site departed in certain respects from that for which planning permission had been granted in 1988. The applicants subsequently submitted applications to regularise the position and, as you know, there have been continuing negotiations in respect of these applications. Works on the site also ceased.

The applicants are anxious to have an early date for a planning appeal in respect of their amended proposals as they anticipate being granted permission by the Secretary of State or an appointed Inspector. As the scheme for which they are now seeking approval is not dissimilar from that for which permission was granted, the Council's case in support of the enforcement notices would not, in my view, be a strong one. A Public Inquiry date had been set for a hearing in respect of the enforcement notices. This date arose from the Council's notices. The applicants have subsequently appealed against the Council's failure to determine a subsequent application and this appeal would probably have been dealt with at the appeal into the enforcement notices. However, by withdrawing the enforcement notices the Council removed the basis for the appeal hearing outstanding, and, as a result, postponed the date of an Inquiry. As the applicants are anxious to obtain an early decision, I believe that this places us in a better position to negotiate any modifications or amendments.

I would be grateful if you would treat the information in this letter in confidence as officers do not normally advise Members on the likely success of any appeal otherwise than within Part II of any Committee Agenda.

Yours sincerely,

Mary Dent
Executive Director, Planning and Conservation



TOWN HALL · KENSINGTON W.8

RECEIVED B464 P. T.
 On 11 JUN 1990 21

DC N	DC C	DC S	DC E
ABS	DEPLAN	RECORDS	
DEPT			

6TH JUNE 1990

Ms M Dent
 Executive Director of Planning & Conservation
 Royal Borough of Kensington & Chelsea
 The Town Hall
 Hornton Street
 London W8 7NX

(CMA)

Dear Ms Dent,

Re: Chelsea College Site, Hortensia Rd., Enforcement Action

I am still confused as to exactly why the enforcement action against the development in breach of planning permission on this site was withdrawn shortly before the last Town planning Applications Sub-Committee on the 24th April 1990. This is particularly worrying since the last meeting of the Town Planning Committee on the 2nd April had been assured that no change of policy concerning this site would be taken under S047 and that the Applications Sub-Committee would be able to authorise a Stop Notice if need be.

Therefore, I would welcome an explanation as to exactly why and when the enforcement notice was withdrawn.

Yours sincerely,

Councillor Rima Horton

- c.c. Cllr E Tomlin
- Cllr T Boulton
- Cllr D Weatherhead
- Cllr A Fane

Mr N Stoop, 42a Gunter Grove, London SW10

Yours sincerely,

Councillor Rima Horton
 12 Upper Addison Gardens
 London W14 8AP

MEMORANDUM

To:

From:

Our Ref:

Your Ref:

Date:

Subject: Directs of Play Services, after agreement with the B.E.T.O., before any work is commenced as into

Reams as on the report

52 Jutham Rd - In Para 5.5. of the report delete from "Therefore the 4/1/90 and not internal."

PAPER A3

Chelsea College, Hortensia Rd

Ref to Pa C Office 9/7/90 - Part A

PAPER A4

36 Johns Rd - amend Para 3.7. by deleting October 1990 and inserting March 1990

Ref:

Date:

A.O.B.

36 Upcome Rd - 4 additional letters of objection were reported. Agreed that decision to grant P.P. be endorsed.

44797

2078

Norton Rose

Kempson House, Comomile Street, London EC3A 7AN
 Telephone: 071-283 2434 Telex: 883652 Fax: 071-588 1181/071-410 0891
 A list of Partners of Norton Rose is open to inspection at the above address

Fax Transmission Form

Addressee

Name	MR. FRENCH	Reference
Organisation	ROYAL BOROUGH OF KENSINGTON & CHELSEA	
Town	LONDON	
Country		
FAX phone number (if known)	071 938 1445	Make/group of Fax m/c
Switchboard number	071 937 5464	

From

Name	CARL DYER
Reference including matter no.)	CDD/92/P187000

Message details

Date	12th June 1990	Total no. of pages 4 (including this page)
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We are transmitting using machines compatible with Groups 2 and 3. If you do not receive all the pages as shown above please telephone or telex immediately using the numbers shown at the top of this sheet.

PLEASE NOTE OUR NEW DIALLING CODE IS 071

Dear Mr. French,

Hortensia Road

As promised, there follows a copy of the opinion of Brian Ash QC.

Yours sincerely,

Carl Dyer

SEFLLET.F02

IN THE MATTER OF HORTENSIA ROAD
IN THE BOROUGH OF KENSINGTON & CHELSEA

ADVICE

1. I have been asked to advise as a matter of urgency in this case. I shall therefore not set out the facts and issues which appear in my Instructions.

2. Mr Gerald Moriarty QC in his Opinion dated 21st May 1990 concludes that the scope of the planning permission in this case is to be construed by reference solely to the terms of the decision notice.

That conclusion is founded essentially upon the proposition that there is no ambiguity to be resolved because the amount of office floorspace permitted is clearly stated in the notice.

3. I respectfully disagree with that conclusion.

In the case of an application for detailed planning permission for operational development the plans are, of necessity, an integral part of the application and the approval. If the permission is implemented the only way in which it can be determined whether the development is authorised by the permission is by reference to the plans.

It is therefore my opinion that, in the event of ambiguity as between the plans and the description of the development in the case of a detailed consent for operational development, the plans take precedence.

4. However that is not the end of the matter.

In R v. Secretary of State ex p. Reinisch (1971) 22 P&CR 1022

it was held that a planning permission is effective if it so accurately describes the development to be carried out that anyone taking it and its accompanying plans and applications to the land will be able to see, without doubt, precisely what it is which has been authorised.

5. I consider that reliance can only be placed upon the plans in order to resolve what can properly be described as an ambiguity in the terms of the permission as a whole.

In the present case there is a risk that, if the matter were to be the subject of litigation, the Courts would be unable to reconcile the substantial difference between the office floorspace specified in the decision notice and that shown on the approved plans.

The result could be that the permission would be found to be void for uncertainty.

6. However, the fact that such a risk exists does not mean that the permission should be treated as invalid for the purposes of the latest application.

The permission is valid unless and until it is found to be invalid by the Courts.

I have merely expressed the opinion that there is a risk of such a finding.

7. In relation to the present application, it is material, and will remain so regardless of the validity of the 1988 permission, that the Council considered it appropriate to approve a building or

buildings of the design layout, external appearance and bulk and massing of those shown on the plans and that it was plainly prepared to grant permission for at least 675 square metres of office development.



4-5 Gray's Inn Square
Gray's Inn
London WC1R 5AY

7th June 1990

2078 ✓

E A POWDRILL & ASSOCIATES
TOWN PLANNING ADVOCATES & CONSULTANTS

OUR FAX NUMBER: 0491 33760

DATE: 11.6.90

OUR FILE NO: 9019

FOR THE ATTENTION OF: Mr. French (Planning Dept)

COMPANY: Wensington and Chelsea Borough

SUBJECT: Chelsea College S.12, Hortensia Road

TOTAL NUMBER OF PAGES (including this header page): 1

SHOULD YOU NOT RECEIVE ALL THE PAGES AS NUMBERED ABOVE,
PLEASE TELEPHONE US IMMEDIATELY ON 0491 34500.

Ref. Agenda Item 69, para. 5.6

I know of no single occasion of any attempt to
contact me about the Objection. Had there been one,
I would have been pleased to oblige.

My secretary keeps me posted of all telephone calls
made in my absence, and not one comes from your
office.

Please inform your Committee of your interest statement.

E. A. Powdrill



[Handwritten signature]

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING APPLICATIONS COMMITTEE

12/06/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
68

REPORT BY THE DIRECTOR OF PLANNING SERVICES

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA

Application dated 13/11/89

Revised 16/01/90

Completed 12/12/89

Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Not known

District Plan Proposals Map:

<u>Cons.Area</u>	<u>CAPS</u>	<u>Article 4</u> <u>Direction</u>	<u>Listed</u> <u>Building</u>	<u>HBMC</u> <u>Direction</u>	<u>A/O</u> <u>Consulted</u>	<u>Objectors</u> <u>(to date)</u>
NO	NO	NO	NO	NO	123	37 + Petition

RECOMMENDED DECISION :-

That in the event of amended drawings being submitted, showing alterations to the rear south block whereby 2 separate residential units of not less than 2 bedrooms each are provided, the remainder of the building shown as two separate office suites of 152 sq.m. and 100 sq.m., they would be minded to recommend to the Planning and Conservation Committee that conditional permission be granted for the development of the site for residential and office purposes.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, CHELSEA, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137, TP/89/2137/B,
TP/89/2137/C and TP/89/2137/D

Applicants drawing(s) No(s) : HTN/01/101P, /105H, /107,
/113F, /114F, /115B, /119A, 120A, /122A,
HTN/L (1-) 04 and /011A

1.0 SITE

- 1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove, which in the main comprise of residential properties. To the western side of Hortensia Road are Chelsea School and Sloane School.
- 1.2 The application site is currently under construction, following the planning approval on the 22nd December 1988, (88/0663) for the redevelopment of the site. This is detailed more fully in section 2.0 of this report.

2.0 BACKGROUND AND HISTORY

- 2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the Hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and office B1.

The scheme provided for the erection of 8 three storey mews type houses to the rear of the site, directly behind numbers 28-38 Gunter Grove, and a further block fronting Hortensia Road, providing for 9 flats and 4 houses. Also included within the scheme was provision for 675 sq.m. of offices. The scheme provided car parking at basement level, above the Council's recommended standards.

2.2 Office Area

When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as office space. Thus members are advised on the advice available that planning permission only exists for 675 sq.m.

- 2.3 The 1988 permission was granted subject to 10 conditions. The most relevant for the purposes of this application are conditions:

02 Approval of facing materials

05 Landscaping details to be agreed.

08 Relationship in height and plan to adjoining buildings.

10 Access ramp to the basement car park to be agreed.

- 2.4 The details requested by conditions 2, 5 and 10 have been submitted in the current application, and are considered to be acceptable.

3.0 PROPOSAL

- 3.1 Since the development was approved in December 1988, alterations have been carried out on site without the benefit of planning permission. The application before Committee includes the amendments as follows:
1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation, changes to the floor form, and a slight increase in the general height.
 2. Alterations to the rear office building, housed directly behind 40 Gunter Grove, and partly behind No. 38 and No. 42 Gunter Grove.
- 3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.
- 3.3 The overall bulk, scale and density, of the proposed development remains broadly as approved, and there is only a minimal change in the overall floor area.
- 3.4 However the applicants were advised that in the light of the changes it was considered necessary for a further planning application to be submitted, so that consideration could be given to the whole development, including the rear office building, over and above the 675 sq.m. total.

4.00 SUBSEQUENT ACTION

- 4.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not fully in accordance with the approved plans and therefore unauthorised. Further investigations were carried out on the rear block but it was concluded that this was being built in accordance with the approved plans.
- 4.2 The planning decision dated 22nd December 1988 was conditional and stated that the approved of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to enforcement notices being served.
- 4.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.

- 4.4 The second enforcement notice was served against the operational development and further states that the applicants had carried out work which was in breach of condition 08 of the 1988 decision.
- 4.5 Both enforcement notices were served on the 31st October 1989.
- 4.6 Following the submission of the details pursuant to conditions 2, 5 and 10, and legal advice on the validity of Condition 8 it was determined that the outstanding notices be withdrawn, subject to the Council reserving the right to serve further notices should circumstances require it. This agreement was obtained on the 12th April.
- 4.7 Condition 8 which relates to height and plan and the making of the entire permission void if breached has been considered. Counsel's opinion is that the condition in its wording is beyond the limitations allowed under the Act since the 1971 Town and Country Planning Act allows for any changes to an approved scheme (except maybe a minor amendment) to be the subject of a further planning application. However, members are aware of the earlier decision, and should consider this application on its merits. The proposed development must also be considered bearing in mind the large five storey building which previously existed on the site. If it is then considered that the new scheme does not cause significant harm to any interest of acknowledged importance then the Council should approve the proposed development.
- 5.0 CONSULTATION
- 5.1 Before the application was submitted letters were received by the Council - mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed were that the residents were not aware as to the extent of the scheme approved in December 1988 and, some stated that they were unaware of the previous applications. It would appear that residents were invited by the developers to a meeting before the original scheme was determined which took place on the 1st June 1988. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.
- 5.2 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to ever be 2 storey and not 3 storey, and that had they been made aware of the extent of the development they would have strongly objected.

5.3 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House. The applicants state that they carried out a widespread consultation exercise (between 140-150 leaflets were distributed in the area).

5.4 123 letters of notification have been sent to adjoining occupiers, these included all residents in Hortensia House, Knights House and the West side of Gunter Grove on the present application.

5.5 The Council has received a number of letters of objection as a result of this application;

The main grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

6.0 COMMENT ON LOCAL CONSULTATION

6.1 Sunlight and Daylight

Detailed submissions have been made by advisors acting for the owner/occupier of 42A Gunter Grove - it is alleged that the rear South West facing garden window of this unit will have its sunlight reduced to below the recommended standard of three hours.

Daylight and sunlight are both taken 2m above ground level and therefore at approximately the window head of the unit. It is accepted that there will be a loss of sunlight to below three hours to the window on the extreme North end of the property, but members are advised that a further two windows and a French door also open onto this same room, the furthest window being over 12ft further South. In the officers opinion the sunlight to the room itself will comply with the recommended three hours.

There will be substantial improvements in sunlight received to Nos. 30, 34 and 36 Gunter Grove caused by the removal of the old Hudson Building, and Nos 28 and 42a Gunter Grove will still receive above the recommended 3 hours.

6.2 Loss of Privacy

There will be no increase in overlooking to the rear of Gunter Grove properties, beyond that approved in 1988 which ranges from the closest which is at No. 42 Gunter Grove - a distance of 8m to the farthest at No. 28 Gunter Grove of 20m. The level of overlooking between the respective components is considered acceptable, but in an attempt to reduce the impact on No. 40, and No. 42 it is suggested that some form of privacy protection be used on the rear windows of the office building. Members are reminded that such a condition was not on the original permission and the applicants have advised that they would not be prepared to accept obscured glazing but they would provide vertical blinds etc. if required. The windows are set back a further 3.5m from the approved scheme, and the proposed office unit will be less intrusive onto the privacy of No. 42, than a residential use (24 hours a day, 7 days a week).

6.3 Outlook/Security Risk

As outlined above the proposed development is closest to the rear windows of No. 42 Gunter Grove, a distance now improved to 8m, however it is to be noted that the development extends less than 40% along the rear frontage of No. 42. For the majority of residents in Gunter Grove the outlook will be considerably improved. Security risks have been complied with as far as this is possible, and the use of the site for primarily permanent residential use should greatly increase security risks to the rear of the Gunter Grove properties.

6.4 Inaccuracy of Drawings and Model

Officers have already dealt with this matter earlier in the report, and members were advised at an earlier Committee meeting by the applicants how this had occurred in respect of the model.

6.5 Housing Density

The proposed density of the present scheme comprising of 8 houses and 21 flats is slightly lower than that on the previous scheme, at 544 h.r.h. (approved scheme 560 h.r.h.) is still less than the average density in this area of 600 h.r.h., and the Borough average of 700 h.r.h. As this is a mixed development comprising residential and some offices it is to be noted that the overall plot ratio for the scheme is approximately 1.9:1, which is below the Council's recommended standard of 2:1. Members are of course reminded that this scheme provides for a net residential gain of 29 units, a 100% improvement as no residential previously existed on this site.

6.6 Office Policy

As reported earlier the site previously comprised a large five storey building used by the University of London for educational purposes, it is accepted that the site is not appropriate for a major office user (i.e. a single unit over 1000 sq.m. in size), but it is considered that the provision of three office buildings of 260 sq.m., 198 sq.m. and 620 sq.m. would be appropriate given the previous history of the site and the non-residential character of the west side of Hortensia Road.

Members are further reminded that the draft policy relating to B1 uses was not adopted by the Council until January 1989, some four months after members considered the previous application. It is not a rigid policy based solely on floor area, but has flexibility afforded by the siting, and its proximity to other commercial uses.

With regard to the previously approved floor area of 675 sq.m., members are advised that the approved drawings which form part of the Council's decision show that two small office units were intended to be provided on the southern end of each block totalling 1087sq.m. in all. This is not increased in the present scheme, and as result of alterations to the rear wall this is reduced to 1078 sq.m.

7.0 FURTHER CONSIDERATIONS

7.1 Front Block

The provision of 21 flats is considered acceptable and accords with the Council's Housing policies contained within the District Plan. The planning and design standards are also complied with, and the Design Officer, considers that the proposed elevation to Hortensia Road is a positive improvement over the approved scheme. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of B1 use.

7.2 Rear Block

The 8 mews houses previously approved remain as approved. The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. Revisions have been sought and the applicants have made a modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally 4.5 metres away. The revision is to be welcomed but still is not acceptable to some residents in Gunter Grove. The office area in this block is 458 square metres.

The rear block was divided into two units of office accommodation, however following members earlier consideration of this application, further discussions with the applicants have taken place. The applicants have now offered as a possible amendment the provision of the two separate office suites on basement and ground floors only with two residential units of two bedrooms each on the first and second floors, this providing two residential/office suites. The overall floor area of the rear block remains as previously, but the amount of space which will be used for solely office purposes is reduced to 152 sq.m. and 100 sq.m. respectively (previously 260 sq.m. and 198 sq.m.)

The amendments to the side and rear of this block are still to be provided, as will variations to the rear and side windows to further reduce overlooking. It is considered that these amendments will give substantial improvements to the occupier of No. 42A Gunter Grove, over the building approved in October, 1988.

- 7.3 Details of the proposed basement car parking have been submitted and show the provision of 22 spaces for the flats, three spaces for the offices (both units) and 16 integral spaces for the houses. This is in full accordance with the Council's standards, and in part in excess of them.

- 7.4 Amended notification letters were sent to all previous objectors to the development advising them that an alteration to the scheme to provide two further units of residential accommodation above the offices and integral to them had been submitted. In response three letters of objection were received, together with a petition organised by the occupier of No. 42A Gunter Grove and signed by 57 local residents including 21 in Gunter Grove, 32 in Hortensia Road, two in Edith Terrace, and two in Fulham Road. The petition includes the 34 people who have written separately to the Council objecting.

The prayer of the petition was that:-

1. the buildings were too high, too close to homes and gardens, and robbed them of sunlight, daylight, peace and privacy.
2. Such a dense development will lead to an increase in the terrible traffic and parking.
3. We object to the large proposed office development which will worsen the above problem and seriously diminish the residential amenities of the area.

All these matters have already been addressed in the body of the report under consultations.

- 7.5 At the meeting on the 24th April, the occupier of 42A Gunter Grove placed a report by his planning advisor on the table. This document relates to office floorspace, its provision in this location, and the amount which has already been agreed, and to a further application not now under consideration. The reports conclusion is that no decision should be made, the entire project recommended to be deferred as refused to produce a solution acceptable to all parties. However these recommendations are based on the assumption that no part of the development has planning permission - a view not supported by legal advice and opinion.

- 7.6 On the 22nd May, the previous resident of No. 42a Gunter Grove submitted a bundle of documents by hand relating to the development, and in dealing with the various contents of this document it is the officer's recommendation that it should be considered as a separate bundle and accordingly a separate report has been provided dealing with relevant matters only. After this consideration recommendations are then made.

RECOMMENDATION

Members are now asked to consider the scheme, and have regard to the offered amendment whereby two additional units to residential accommodation are proposed.

It is the officer's recommendation that the Applications Committee inform the applicants that they welcome the offer of two additional residential units on the 1st and 2nd floors at the rear of the site, and thereby reduce the sought for office increase from 1078 sq.m. to 872 sq.m., an increase of 197 sq.m. over that agreed in 1988 of 675 sq.m., and that in the event of such details being submitted, causing no serious overlooking problems to occupiers at the rear of the site, that they would be minded to recommend the Planning and Conservation Committee on the 9th July that conditional permission be granted.

M.J. FRENCH
DIRECTOR OF PLANNING SERVICES

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.

REPORT PREPARED BY: MJF
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 31/05/90

TP9006/MJF.REP

SUPPLEMENTARY TO MAIN
AGENDA DESPATCH BY VIRTUE
OF INFORMATION NOT PROCESSED
AT TIME OF AGENDA DESPATCH.
PLACED ON PUBLIC DEPOSIT
11TH JUNE 1990.

Agenda Item: 68

PLANNING APPLICATIONS COMMITTEE - 12TH JUNE 1990

REPORT BY THE DIRECTOR OF PLANNING SERVICES

CHELSEA COLLEGE SITE, HORTENSIA ROAD

OBSERVATIONS ON OBJECTOR'S SUBMISSION

1. The submission comprises objections to the proposed development accompanied by seven appendices relating to different parts of the development including observations on the earlier permission of 1988.
2. The development is considered unacceptable to residents as it constitutes an overdevelopment of the site in conflict with the Council's environmental policies and has adverse effects on adjoining properties in terms of daylight/sunlight, overlooking and privacy. It is considered that the interests of local residents have not been adequately considered or protected.
3. The residents do not object to the retention of the front block at its original height and the rear eight houses, subject to no other development of the site and the structure at the rear of Nos. 38-42 Gunter Grove being demolished.
4. Appendix 1 contains the petition against the development and the authority to Mr. Stoop to speak on their behalf. This is referred to in paragraph 7.4 of the Council's report.
5. Appendix 2 is a submission from Mr. E. Powdrill setting out in paragraph 1 the nature of the objection and the planning history. In paragraphs 2.1-2.9 comments are made on other planning applications, notably TP/88/1410, TP/88/1410A and TP/88/0632. No decision was made on TP/88/1410 - a report was prepared, but not submitted to Committee. TP/88/1410A was a duplicate application and appealed against for non-determination. TP/88/0632 was recommended for refusal, but again no decision was taken by the Committee. Members gave none of these applications any consideration, as they were withdrawn before the meetings. Application TP/88/0633 was amended by the deletion of one storey from the rear block and the gabling of the end blocks adjoining Hortensia House. In none of the reports, which were prepared, was

the provision of office accommodation recommended as a reason for refusal. The Council Officer's primary objection was to the height and massing of the rear block and its effect upon adjoining occupiers. In paragraph 2.7, reference is made to drawing numbers - the drawings submitted relating to the site section were marked incorrectly and the applicant was asked to submit amended drawings correcting this. Similarly the position of the site sections was not clearly shown on the plan and this was also corrected.

- 5.1 The enforcement notices referred to in paragraphs 2.10 and 2.11 are dealt with in the Officer's report.
- 5.2 In paragraph 3, reference is made to offices - this is considered covered in the accompanying report. It is accepted that the application of 1988 sought 694 sq.m. of offices and a valid planning permission exists for 675 sq.m. At no time have Members been recommended to refuse any of the applications on the grounds which relate specifically to the provision of office accommodation, including the TP/88/1410 application which comprised 767 sq.m.
- 5.3 It is not accepted that this is a large scale office development as paragraph 3.8 would set out. It comprises an application containing three separate units, none of which approach the 1,000 sq.m. criteria - a criteria not agreed and then only in draft form in January 1989. Paragraph 6.6 of the Council's report deals more fully.
- 5.4 Paragraphs 3.9-3.12 relate to density calculations which are not accepted by the Council. The Officers neither accept the gross site area as given nor the number of habitable rooms. Details of the Council's figures are included in the report in paragraph 6.5.
- 5.5 Paragraphs 3.13-3.15 relate plot ratio - again the Officers do not accept the figures given, nor the methodology used, which appears as a form of residual calculation. Plot ratio is clearly defined in the Council's approved plan and is clearly appropriate to a mixed form of development. Again, reference is made to paragraph 6.5 of the Council's report.
- 5.6 Attempts to discuss the calculations with Mr. Powdrill have proved difficult due to the problems of contacting him, despite numerous attempts.
- 5.7 Paragraphs 3.16-3.17 relate to height, a matter covered by Appendix 7, and should be related to the overall height not to individual parts of the front elevation. It is agreed that the front building is higher than that shown on the plan - but depending on where measurements are taken by not more than 300mm.

- 5.8 Paragraphs 3.18-3.21 relate to daylight and sunlight and are in conflict with an earlier report submitted by the previous advisers to the objector. Neither are accepted by the Council and whilst Appendix 6 from John Anstey is a useful sun-path diagram, it relates solely to No. 42A Gunter Grove. In the circumstances, an independent daylight and sunlight expert has been asked to advise the Council on these matters.
- 5.9 Paragraphs 3.22-3.25 relate to matters already in the Council's report.
- 5.10 Paragraphs 4.1-4.4 ask Members to consider the proposal now before them in the light of the objections raised and the earlier matters in the report and giving careful attention to all material considerations to take appropriate action. Council Officers of course would endorse Members having full regard to all material planning considerations and then making their decision.
6. Appendix 3 contains two letters from the Chelsea Society objecting to the development. Members are advised that the previous use of the site was for educational purposes (Class D1 of the 1987 Use Classes Order) and whilst you may wish to disregard the size and effect of the building now - it was very much a consideration when discussions over its replacement began in 1988 - it is not suggested that any independent office use previously existed on the site, only that the entire site was 100% non-residential.
7. Appendix 4 sets out the planning history on the site - such parts as are relevant have already been referred to in Appendix 2 and the Officer's report. Members have before them a complete planning application for determination setting out the details and making recommendations. Members are reminded that the site is not within a designated Conservation Area and there is Government advice that the presumption is always in favour of development unless there are sound and clear cut reasons for refusal.
8. Appendix 5 is a Counsel opinion from Mr. Moriaty and whilst not all of his opinion is accepted, the relevant part relating to a valid permission of 675 sq.m. is accepted and supports the Council's own legal advice.
9. Appendix 6 John Anstey's report will be subject to a proper daylight/sunlight report covering all Gunter Grove properties by an independent expert.
10. Appendix 7 from Warner Land Surveys relates to the siting and height. It is agreed by the applicants that the siting of Knights House is in error due to the dependance on the Ordnance Survey sheets. However, the applicant strongly denies that the boundary wall, the main buildings and Mr. Stoop's garden walls are incorrect. The question of heights has already been discussed.

- 10.1 Winkworth's report on Knights House's positioning is accepted by the applicants and they will be producing separate drawings showing this in more detail, together with the changes in the foot-print of the building and also the relative height of the front building.
11. Appendix 8 relates to photographs and highlights in No. 2 the position of the wall closest to 42A Gunter Grove which it is now proposed to amend.

M. J. French,
Director of Planning Services,

List of Background Documents

Taken from objector's submission and Council Officer's report,
TP/89/2137 dated 21st May 1990.

Officer Contact

Any person wishing to inspect the above documents should contact Ruth Goundry, Planning Information Office, telephone 937 5464 extn. 2079.

Report prepared by MJF
Date report prepared 31/5/90

TP9006MJF.REP

MEMORANDUM

From:

Our Ref:

Your Ref:

Date: 11/5/90

Subject: SOUTH

- 4106 - 2^A Hasker A - No report
- 4117 } - 177 Brompton Rd - Withdrawn
- 4118 }
- 4121 } - 54^A Watton A - Submitted by TP/90/0325^A & B
- 4122 } - Appants 999/2B & S.
- and submitted by TP/90/0326^A & B.
- α 999/2^B & S.
- 4123 } - 7 Millome Grove - Refs Train Cttee 30/5/90
- 4124 }
- 4126 - Charles II Place, Hip Rd - Appants D¹⁰ - delete 730^A ~~730^A~~
- add 730^B ~~730^B~~
- 4129 - 167 Finchbury Rd - Refs Play Cttee 30/5/90 (Part B)

- 4130 - 38 Lennox Gardens - " " " " (Part B)
- 4135 - 117 Old Church A - Addit. address:-

(6) The proposed high level windows on the flank elevation (south) shall be fitted with obscured glazing and so maintained.

(7) Details of the proposed east elevation facade shall be submitted to and approved in writing by the D of PS before any work on this part of the development is commenced.

Reason (6) & (7) To avoid overlooking and to ensure that the Council are satisfied with the details of the proposal.

- 4137 - Chelton College - Refs Play Cttee 30/5/90
- 4138 - " " " " " " 30/5/90

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

F

Royds Barfield,
Solicitors,
2 Crane Court,
LONDON, EC4A 2BL.

Telephone: (01) 937 5464
Extension: 2944
Facsimile: 01 - 938 1445

30th March 1990

My reference:
DPT/MJF/PYD

Your reference:
SAW/REIN/STO.40-4

Please ask for:
Mr. French

Dear Sirs,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road

Further to your fax of 27th March, I would confirm that the planning application on the above site will not be considered by the Town Planning Committee on 2nd April 1990. The earliest date at which any consideration of this application could be given would be 24th April, but I will of course notify you of the date.

I am herewith enclosing page 4 of the enforcement notice, as requested. With regard to the report to the Committee on 13th March, I would advise you that whilst 17 objections were reported in the actual report, that figure was updated at the meeting and in fact totalled 37. I herewith attach a list of the objectors.

With regard to your final point, I would confirm that the current application which relates to the front building only has been advertised in the normal way and all previous occupiers notified have been re-notified.

Yours faithfully,

Deputy Director of Planning and Transportation.

ISSUED 31st October 1989

Signed:

..... *AG Phillips*

Borough Solicitor

(The Officer appointed for the purpose)

Town Hall
Hornton Street
London W8 7NX

SCHEDULE 1

Land Or Premises To Which This Notice Relates

The Chelsea College Site, (the former Hudson's Depository (also known as Carlyle Place), Hortensia Road, London, SW10, shown edged red on the attached plan

SCHEDULE 2

Alleged Breach Of Planning Control

- a) Breach of Condition 2 in that samples of facing material were not submitted for the Council's consideration or approved before work on site commenced.
- b) Breach of Condition 5 in that a scheme of landscaping was not submitted to or approved by the Council before work on site commenced.
- c) Breach of Condition 10 in that details of access ramp to the basement car park were not submitted to or approved by the Council before any work on site commenced.

SCHEDULE 3

Steps Required To Be Taken

Chelsea College Site, Hortensia Road, S.W.10.

Objectors: (37)

The Occupier, 42A Gunter Grove
The Occupiers (2), 45 Hortensia House, Hortensia Road
Lawson, Turner, Knight on behalf of the Occupier, 38 Gunter Grove
The Occupier, 32 Gunter Grove
The Occupier, 42B Gunter Grove
The Occupier, Gunter Hall, Gunter Grove
The Occupier, 8A Gunter Grove
The Occupier, 1 Knights House, Hortensia Road
The Occupier, 38a Gunter Grove
The Occupier, 36A Gunter Grove
The Occupiers (2), 54 Hortensia House, Hortensia Road
The Occupier, 2 Knights Studios, Hortensia Road
The Occupier, 30 Hortensia House, Hortensia Road
The Occupier, 52 Hortensia House, Hortensia Road
The Occupier, 51 Hortensia House, Hortensia Road
The Occupier, 55 Hortensia House, Hortensia Road
The Occupier, 49 Hortensia House, Hortensia Road
The Occupier, 34 Gunter Grove
The Occupiers (3), 40B Gunter Grove
The Occupier, 42 Gunter Grove
The Occupier, 40A Gunter Grove
The Occupier, 13 Knights House, Hortensia Road
The Occupier, 31 Hortensia House, Hortensia Road
The Chairman, 22 Gunter Grove (Mgt) Ltd.
The Occupier, 16 Knights House, Hortensia Road
The Occupier, 11 Knights House, Hortensia Road
The Occupier, 28 Edith Grove
The Occupier, 28 Gunter Grove
The Occupier, 22A Gunter Grove
The Occupier, 6A Gunter Grove
The Occupier, 36B Gunter Grove
The Occupier, 17 Knights House, Hortensia Road
The Occupier, 40 Gunter Grove

2078

Royds Barfield

Solicitors

G. X. Constantinidi
A. M. S. Alexander
A. A. Maberty
R. J. Lloyd-Davies
C.R. Wright

R. M. Woodman
J. M. H. Buckland
Anne L. Thistlethwaite
S. Wilkinson

Our Ref: SAW/REIN/STO.40-4 Your Ref:

2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

DX 102 London

And at
18 Crown Lane, Morden SM4 5BS 01-542 1067

27th March 1990

BY FAX : 01 938 1445

M.T. French Esq
Royal Borough of Kensington & Chelsea
Planning & Transportation Department
The Town Hall
Hornton Street
LONDON W8 7NX

Dear Sir

Re:- Chelsea College Site, Hortensia Road

We refer to our telephone conversation yesterday. We shall be grateful if you could assist us on the following points:-

[1] We understand that the Town Planning Main Committee shall not be considering the current Application in respect of the above site on 3rd April 1990 and that it has been deferred at least until early June 1990. We shall be grateful if you could inform us of the new date for consideration of this Application, as soon as it is known.

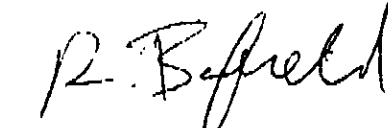
[2] On 27th February you faxed to us a copy of the Enforcement Notice issued on 31st October 1989. Unfortunately, page 4 of the Notice was missing. We shall be grateful if you could supply us with a copy of that page.

[3] The Report by the of Director Planning and Transportation for the Committee meeting on 13th March 1990 referred to 17 objections having been received up to that date. We shall be grateful if you could supply us with a list of these Objectors.

[4] Can you please confirm whether the current Application in respect of the above site has been advertised in the normal way in the Local Press.

We look forward to hearing from you on the above as soon as possible.

Yours faithfully


Royds Barfield

MEMORANDUM

RECEIVED BY D. P. T.

16 MAR 1990

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On

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To: Planning
Development Control From: IS EHO

Our Ref: Cath Pennington Your Ref:

Subject: Application TP900293

Chelsea College Site Hortensia
Provision of 21 Self contained flats.

Refer to the above application and would like to comment as follows:-

This department receives a large number of noise complaints which arise from the inadequate provision of sound insulation in converted flats.

Applicant should ensure where possible that quiet rooms eg bedrooms are not sited under or over noisy rooms of other flats ie lounges, kitchen bathrooms. Therefore stack like rooms on top of each other.

Whilst the Building Regulations sound insulation requirements do not apply to conversions - we regularly serve notice on the owners of

converted flats to upgrade the sound insulation. The provision of a floating floor at the conversion stage is relatively easy but causes a great deal of upheaval once flats are furnished and occupied. Could a clause be attached to the consent to encompass the above?

Cath Pennington
Senior EHO.

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22 MAR 1950

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MEMORANDUM

To: Development Control From: ISEHO

Our Ref: Ceth Pennington Your Ref:

Date: 14/3/...

Subject: Application TP900243

Chell's College Site Heitersin Rd
provision of 21 self contained flats.

Refer to the above application and would like to comment as follows:-

This department receives a large number of noise complaints which arise from the inadequate provision of sound insulation in converted flats.

Applicant should ensure where possible that quiet rooms eg bedrooms are not sited under or over noisy rooms of other flats ie lounges, kitchen, bathrooms. Therefore stack like rooms on top of each other.

Whilst the Building Regulations sound insulation requirements do not apply to conversions the Regulations serve notice on the owners of

converted flats to upgrade the sound insulation. The provision of a floating floor at the conversion stage is relatively easy but causes a great deal of upheaval once flats are furnished and occupied. Could a clause be attached to the consent to encompass the above?

Ceth Pennington
Sever EHO.

Royds Barfield

Solicitors

G. X. Constantinidi
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2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

DX 102 London

Our Ref SAW/REIN/STO.40-4 Your Ref

And at
18 Crown Lane, Morden SM4 5BS 01-542 1067

7th March 1990

M.J. French Esq
Deputy Director of Planning and
Transportation
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
LONDON W8 7NX

(MF)

Dear Sir

Re-: Chelsea College Site, Hortensia Road

We refer to our previous correspondence and understand that the Report to be placed before the Town Planning Committee on 13th March is being revised to take account of the points raised in the Affidavits sworn in support of our Application to the High Court on 19th February 1990. In the time intervening since that Application, our Client has engaged the services of Planning Consultants, E.A. Powdrill and Associates. That firm has now prepared a Report on behalf of Mr Stoop, a copy of which is enclosed.

You have for some considerable time been aware of strong local objections that have been laid against this scheme of development, which objections were taken up in the Committee's refusal of 2 of the development proposals [632 and 1410A] and the taking of enforcement proceedings. Such strong opposition to the scheme is continuing as it is being built, especially in view of the fact that it is now clear that the 633 permission was given on the basis of misleading information and that the present structure is in breach of the permission.

The enclosed Report sets out the full facts of the case and suggests a reasonable course of action for the Committee to take. We should point out that while the Report is prepared on behalf of Mr Stoop, there can be no doubt that the matters raised have equal implications for the other residents of Gunter Grove.

We therefore formally request that this letter, and its attached Report, be brought to the attention of all the appropriate Members of the Council in time for it to receive full consideration at the meeting on 13th March 1990. Would you kindly confirm that it will receive such consideration.

Yours faithfully

Royds Barfield

enc

John Trott and Son

Chartered Valuation Surveyors · Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
Fax No. (0634) 290783

and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

RECEIVED BY D. P. T.				
- 8 MAR 1990 26				
CC N	CC C	CC S	CC E	CC
ACC	D. PLAN	RECORDS	CHT	ENV. PLAN
CDPT	IC	TRANS.	LAND CONTROL	NO ACC

Our Ref: NJP/JW/2523

FAX & POST

6th March, 1990

M. J. French Esq.,
Deputy Director of Planning and Transportation,
Royal Borough of Kensington and Chelsea,
The Town Hall,
Hornton Street,
London W8 7NX

Dear Mr French,

HORTENSIA ROAD

I confirm the appointment arranged by my secretary for Wednesday, 7th March, 4.30 p.m. at your offices.

I would hope at that meeting to be able to discuss in detail with you the nature of your amended report and recommendations to the Main Planning Committee on the 13th March.

I should mention that my clients are currently in an unenviable position in that they do not as yet have planning permission for the flats that are currently being developed on the site.

I would also like to discuss the separate application for the flat development which has been lodged with your Authority and to also seek your confirmation as to whether the various amendments that have been lodged will be considered at the forthcoming Planning Committee meeting.

On the 26th February, when we discussed the recent deferment of the November planning application by the Main Planning Committee, it was indicated to me that in amending the report you were relying less on the previous permission. I have previously forwarded through to your offices a copy of the legal opinion obtained on behalf of my clients. I hope it will allow you to clarify what element of the Report to Committee will seek to rely on legal opinion and

.../

Partners:

L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frail, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N.J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

Associates:

P.N. d'Arcy, B.Sc., A.R.I.C.S.
K.A. Fuller, A.R.I.C.S., M.C.I.O.B.
A.L. Vidler, B.Sc. (Hons), A.R.I.C.S.
Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

Administrator:

R.H. Willan, A.C.I.S.

Consultant:

D. Mallett, F.R.I.C.S.

M. J. French Esq.,
Deputy Director of Planning and Transportation,
Royal Borough of Kensington and Chelsea.

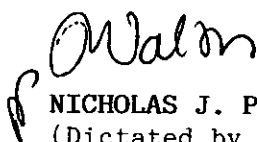
6th March, 1990

- 2 -

whether your Borough Solicitor will be making a submission. Can you also please advise whether the third parties have submitted to the Authority a copy of the opinion which is referred to in Mr Stoop's Solicitor's letter of the 16th February.

I trust the above points will assist in our meeting.

Yours sincerely,



NICHOLAS J. PRYOR
(Dictated by Mr Pryor
and signed in his absence)

cc Luke Hoyer-Millar, Trust Estates
Richard Williams, Colwyn Foulkes & Partners
Maria Llewellyn, Watson Farley Williams

Royds Barfield

Solicitors

G. X. Constantinidi
A. M. S. Alexander
A. A. Maberly
R. J. Lloyd-Davies
C.R. Wright

R. M. Woodman
J. M. H. Buckland
Anne L. Thistlethwaite
S. Wilkinson

Our Ref SAW/REIN/STO.40-4 Your Ref

2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

London

And at
18 Crown Lane, Morden SM4 5BB 01-542 1087

MF

5th March 1990

M.T. French
Royal Borough of Kensington & Chelsea
Planning and Transportation Department
The Town Hall
Hornton Street
LONDON W8 7NX

Dear Sir

Re: Chelsea College Site, Hortensia Road

RECEIVED BY D. P. T.				
- 5 March 1990				
On				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPS	LO	TRANS.	BUILD CONTROL	AO ACK

We are grateful to you for supplying us with various FAX copies of documents from the Planning File. It is apparent that we do not have a complete set of relevant drawings. We should therefore be grateful if you could make available for us as soon as possible:-

- [a] ✓ All drawings submitted and on the basis of which permission was granted in accordance with decision letters dated 24th October and 22nd December 1988.
- [b] ✓ All drawings submitted in support of the current application, which is due to be put before the Town Planning Committee on 13th March.

We will naturally be prepared to meet your charges for producing copies of these drawings. If you could inform us once they have been prepared, we shall then arrange for a Messenger to collect them.

Yours faithfully

R. Barfield
Royds Barfield (a)

(b) Copy sent to (13/3/90)
At the sent to them

advised to collect them & set them up in drawers as our print room unable to deal with until next week
Mike
13/3/90

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

F

Councillor Rima Horton,
12 Upper Addison Gardens,
LONDON, W14 8AP.

Telephone: (01) 937 5464
Extension: 2944
Facsimile: 01 - 938 1445

22nd February 1990

My reference:
DPT/MJF/PYD

Your reference:

Please ask for:
Mr. French

Dear Councillor Horton,

Re: Chelsea College Site, Hortensia Road

Further to your request after Main Committee on Monday evening, I am herewith enclosing a copy of the original report prepared for and approved at the meeting of the Applications Sub-Committee on 13th October 1988.

For your further information, I would advise that a new report is currently being prepared on the present application and this will be submitted to the Main Committee for their determination on 13th March 1990.

Yours sincerely,

Deputy Director of Planning and Transportation.

Dictated by Mr Pryor
and signed in his absence.

● John Trott and Son

Chartered Valuation Surveyors · Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
Fax No. (0634) 290783

and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

Our Ref: NJP/JW/2523

16th February, 1990

M. J. French Esq.,
Assistant Director of Planning,
Royal Borough of Kensington & Chelsea,
Town Hall,
Hornton Street,
London W8 7NX

Dear Mr French,

CHELSEA COLLEGE SITE, HORTENSIA ROAD
AMENDMENT TO CONDITION

We have discussed this in some detail as confirmed by our formal letter of the 16th February. My clients are most concerned that this should not be a matter of dispute nor a matter of debate by the Committee. The responsible Development Surveyor, because of the difficulties that have arisen on this site, is under extreme pressure from his Board and I have promised that I will obtain from you written confirmation of the agreed condition. I would therefore be extremely grateful if you could provide this by return.

Yours sincerely,

N. J. Pryor
NICHOLAS J. PRYOR

cc Luke Hoyer-Millar, Trust Estates

RECEIVED BY D.P.T.			
On		19 FEB 1990	
CC		CC	CC
N			
AP			
DE			

Partners:
L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frall, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N.J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

Associates:
P.N. d'Arcy, B.Sc., A.R.I.C.S.
K.A. Fuller, A.R.I.C.S., M.C.I.O.B.
A.L. Vidler, B.Sc. (Hons), A.R.I.C.S.
Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

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and Hinton House, Station Road, New Milton, Hants (0425) 617207

Our Ref: NJP/JW/2523

16th February, 1990

Director of Planning and Transportation,
Royal Borough of Kensington & Chelsea,
Town Hall,
Hornton Street,
London W8 7NX

For the attention of M. J. French Esq., Assistant Director

Dear Sir,

CHELSEA COLLEGE SITE, HORTENSIA ROAD
PLANNING APPLICATION BY MESSRS COLWYN FOULKES & PARTNERS
ON BEHALF OF TRUST ESTATES

Following your Officers' Report to the Planning Sub-Committee of the 12th February, we write to clarify a number of points. The application before the Authority is in fact only for 21 flats and offices. The 8 town houses to the rear of the site do not form part of that application.

The writer, Mr Pryor, and Mr French of your Department, had also discussed the implications of draft Condition 7 which had been suggested on the Report. It is clarified that such a condition had never been discussed with the applicants, nor had it been agreed. On drawing your attention to the condition, you acknowledged that it would be unreasonable of the Local Planning Authority to impose such a condition when there was no similar restricting condition on the original planning permission.

It is emphasised that the new office scheme is a substantial improvement over that permitted, in that it better respects the amenities of neighbouring properties. It has been agreed that a condition imposing the erection of vertical blinds to windows on the rear elevation rather than obscure glass, is acceptable to the applicants.

/...

Partners:

L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frall, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
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Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

Administrator:

R.H. Willan, A.C.I.S.

Consultant:

D. Mallett, F.R.I.C.S.

Director of Planning and Transportation
Royal Borough of Kensington & Chelsea

- 2 -

16th February, 1990

We note that the Planning Sub-Committee considered the application to be an improvement over the already permitted scheme, and further, that in any event the flatted block provided improvements over the 4 town houses and 9 flats originally permitted. We would also endorse comments made by Planning Sub-Committee Members that the alterations made to the rear office block are more than "token" modifications and were in fact described as substantial.

We would ask that the contents of this letter be made clear to the full Committee and confirm that it is our intention to provide an additional legal opinion, to support that opinion to be given by the Borough Solicitor with respect to Condition 8 of the planning permission dated 22nd December, 1988.

Yours faithfully,

John Trott + Son

JOHN TROTT & SON

cc Luke Hoyer-Millar, Trust Estates
Richard Williams, Colwyn Foulkes & Partners
Michael Greville, Watson Farley Williams

Royds Barfield

Solicitors

G. X. Constantinidi
A. M. S. Alexander
A. A. Maberly
R. J. Lloyd-Davies
C.R. Wright

R. M. Woodman
J. M. H. Buckland
Anne L. Thistlethwaite
S. Wilkinson

2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

DX 102 London

Our Ref **SAW/REIN/STO.40-4**

RECEIVED BY D. P. T.				
On 19 FEB 1990				
DC N	DC C	DC S	DC E	And at DPT
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS.	BUILD CONTROL	AD ACT

Crown Lane, Morden SM4 5BS 01-542 1067

16th February 1990

The Chief Executive
Royal Borough of Kensington and
Chelsea
Town Hall
Horton Street
LONDON W8 7NX

Attention : Mr French

U R G E N T

Dear Sirs

Re-: **Development at Hortensia Road, Chelsea, London SW10**

We refer to our letter of 21st December 1989 and note that we have had no response from you on the points raised therein. As you are aware, a representative of this firm attended the Town Planning Sub-Committee Meeting on 12th February and made various representations on behalf of Mr Stoop and the other Residents of Gunter Grove. We have now seen the Minutes of that Meeting and also the Report by the Town Clerk and Chief Executive to be placed before the Town Planning Committee at the full meeting on 19th February.

At the Meeting on 12th February, it was apparent that a total of 37 objections have now been received in respect of this application. This clearly reveals the depth of feeling amongst the Residents of adjoining properties. Furthermore, the fact that only 2 objections are recorded in respect of the original application, does, in our view, point to a breakdown in the normal consultation process that should have taken place on that previous application. Mr Stoop is one of the Residents who will

be most affected by the application and, although he was given the opportunity at the recent Meeting to voice his objections, it was apparent that your authority were reluctant to consider any representation touching or concerning matters covered by the original permission on the grounds that it was binding upon your authority unless the contrary was proved. We have now on his behalf sought the advice of Leading Counsel as to his position in this matter generally.

When we wrote to you on 21st December, in point [1] we made reference to the effect of Condition 8 of the permission dated 22nd December 1988. The advice we have received from Leading Counsel is to the effect that the breach of this condition means that the permission is void and the present development is unauthorised. We have not heard from you as to whether you accept or reject this contention. Indeed there seems to be some considerable doubt as to the extent of office content which received approval under the original permission [we would refer you to the original planning application subsequent merits and formal consent in this respect] However, we now understand, in consequence of the Chairmans remarks at the Meeting on 12th February that you are seeking your own legal opinion on the status of the original consent which is clearly material in establishing the context in which some of our Client's objections are to be considered. We should be grateful if you could confirm precisely what steps you are taking in this respect and the advice which is to be placed before the Committee.

There are 2 other points that we would also wish to stress in relation to the present application. The first concerns the question of daylighting and sunlighting, insofar as it affects our Client's premises at number 42. This point was touched upon in paragraph 5 of our letter of 21st December, where we stated that our Client was advised that the development does not meet your own standards for light, privacy etc. You have now had the opportunity of considering the submissions of our Client's Surveyor, Grimley J.R. Eve and it is abundantly clear that their light measurements show a considerable reduction in sunlight and daylight, in consequence of the development even on the revised scheme and further that your Officer's measurements are in fact incorrect. They also do not accept that the development will lead to an improvement in relation to our Client's property on the position prevailing when the Hudson Storage Building had been on the site. The siting of the former buildings was in fact such as

not to affect the calculation that we have placed before you. It therefore remains our Client's view and that of his expert advisers that if the application in its present form is passed, this will cause a very severe reduction in the level of daylighting and sunlighting to our Client's property and we reiterate that this will be in direct contravention to your own requirements and standards in such matters.

The second matter relates to the question of the extent to which the 'ground' floor [and upper floor] windows overlook the Gunter Grove properties. Once again you have the comments of our Client's Surveyor, Grimley J.R. Eve, on this point. They have made various suggested amendments to the scheme, encompassing both alteration to the unit adjoining our Client's premises and proposals for limiting the extent to which the windows in practice will facilitate overlooking. On this latter point, we understand that the Planning Officer has recommended the use of obscured glass although this alone does not go nearly far enough in solving the problem. However, we understand that while limited concessions have been made by the Developers in their revised scheme, by stepping back part of the building [and agreeing to the use of fixed blinds] the principal points of objection made by our Client still remain since the variations are purely 'token'. The application in its present form is still in breach of the normal standards in relation to overlooking, loss of outlook etc and will have a dramatic effect upon our Client's property.

We would also draw your attention to the comments of Grimley J.R. Eve to the effect that even the latest plans submitted by the Developers are inaccurate and this can mislead in consideration of the latest proposals.

In view of the objections that our Client voiced at the recent Meeting, and the further points that we have made above, it is apparent to us that the opportunity should be given for further discussion and a consultation between the Developers, the adjoining Residents and yourselves, in the hope that further revisions to the application can be agreed. In any event, it is clear to us that there are material discrepancies between the evidence that has been submitted to you on behalf of our Client, and the information derived from the Planning Officers and also the Developers. These discrepancies raise significant issues, which require further and detailed consideration before a decision is taken by the full Committee. As it is

abundantly clear that time for further consideration and consultation is needed, we would suggest that the most appropriate course is for you to agree to a delay in this matter coming before the full Committee.

As matters presently stand, it will be wholly inappropriate, in our view, for a final decision to be taken by the full Committee at the Meeting on 19th February. Indeed, we have been advised by Leading Counsel that should our Client consider it necessary, then he would have every prospect of success on an application for a Judicial Review of the current procedure. Should such an application be made, then we would no doubt receive instructions to also seek injunctive relief to prevent an immediate decision being made by you at the Meeting on 19th February. Obviously, our Client does not wish to adopt such a position, unless it be out of necessity, and we would therefore request that you give urgent and favourable consideration to our request for a short delay in this matter being placed before the full Committee.

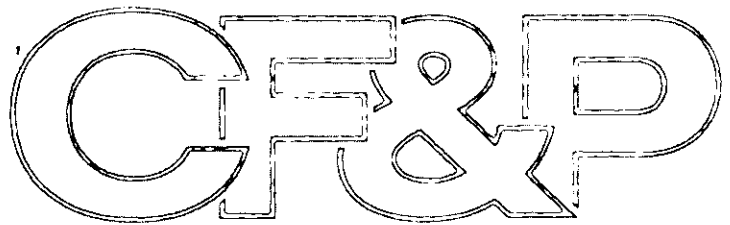
In view of the fine elements involved we must request your comments upon the above today.

Yours faithfully

A handwritten signature in cursive script, appearing to read 'R. Barfield', written in dark ink.

Royds Barfield

cc. Borough Solicitor



Colwyn Foulkes and Partners

Chartered Architects Planning and Landscape Consultants

ATTN: B Coey Esq
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

RECEIVED BY D. P. T.				
On 19 FEB 1990				
DC N	DC C	DC S	DC E	DC G
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS.	EMLO CONTROL	AO ACK
16th February 1990				

Our Ref: HTN/LA/RW/fh
Your Ref: TP/89/2137/S

Dear Mr Coey

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD

Further to your recent request for elevations to rear office and overall basement layout, we enclose four number copies of the following drawings to complete your records:

Drawing no HTN 01 115 B
HTN 01 119

Yours sincerely

Anniversary.

H R T Williams
COLWYN FOULKES AND PARTNERS

cc N Pryor, John Trott & Sons

encs

*BC
copy of plans to
IO please*

The drawing to be superseded following telephone conversation with Mr Marmalis & CZ requesting more details re: car parking

Received 19/2/90

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, M.B.E. B.Arch. RIBA Dip C.D.F.R.S.A.
J. J. R. Godfrey, M.A. Cantab. RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coey, Dip Arch. Dip L.A.A.L.I.
Associates:
M. Marmalis, B.A. (Hons) Dip Arch. RIBA

2078

John Trott and Son

Chartered Valuation Surveyors - Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
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and at Bernard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

Obscure gaz in a
~~*set back SM*~~
happy with vertical blinds

FACSIMILE COVER SHEET

To: M. S. [unclear], Asst. Director of Planning

From: N. J. Pryor

Date: 16.2.90

Total Number of Pages
Including Cover Sheet: 3

Message (if any):

If you do not receive all the pages, please call us as soon as possible on the following number: (0634) 290790

Partners:
L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frail, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N.J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

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Consultants:

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and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 817207

Our Ref: NJP/JW/2523

16th February, 1990

Director of Planning and Transportation,
Royal Borough of Kensington & Chelsea,
Town Hall,
Hornton Street,
London W8 7NX

For the attention of M. J. French Esq., Assistant Director

Dear Sir,

CHELSEA COLLEGE SITE, HORTENSIA ROAD
PLANNING APPLICATION BY MESSRS COLWYN FOULKES & PARTNERS
ON BEHALF OF TRUST ESTATES

Following your Officers' Report to the Planning Sub-Committee of the 12th February, we write to clarify a number of points. The application before the Authority is in fact only for 21 flats and offices. The 8 town houses to the rear of the site do not form part of that application.

The writer, Mr Pryor, and Mr French of your Department, had also discussed the implications of draft Condition 7 which had been suggested on the Report. It is clarified that such a condition had never been discussed with the applicants, nor had it been agreed. On drawing your attention to the condition, you acknowledged that it would be unreasonable of the Local Planning Authority to impose such a condition when there was no similar restricting condition on the original planning permission.

It is emphasised that the new office scheme is a substantial improvement over that permitted, in that it better respects the amenities of neighbouring properties. It has been agreed that a condition imposing the erection of vertical blinds to windows on the rear elevation rather than obscure glass, is acceptable to the applicants.

/...

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Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

Administrator:
R.H. Willan, A.C.I.S.

Consultant:
D. Mallett, F.R.I.C.S.

Director of Planning and Transportation
Royal Borough of Kensington & Chelsea

- 2 -

16th February, 1990

We note that the Planning Sub-Committee considered the application to be an improvement over the already permitted scheme, and further, that in any event the flatted block provided improvements over the 4 town houses and 9 flats originally permitted. We would also endorse comments made by Planning Sub-Committee Members that the alterations made to the rear office block are more than "token" modifications and were in fact described as substantial.

We would ask that the contents of this letter be made clear to the full Committee and confirm that it is our intention to provide an additional legal opinion, to support that opinion to be given by the Borough Solicitor with respect to Condition 8 of the planning permission dated 22nd December, 1988.

Yours faithfully,

John Trott + Son

JOHN TROTT & SON

cc Luke Hoyer-Millar, Trust Estates
Richard Williams, Colwyn Foulkes & Partners
Michael Greville, Watson Farley Williams

MEMORANDUM

To:

From:

Our Ref:

Your Ref:

Date:

Subject:

Town Planning Cttee 19/2/90 (Cont'd)

37- 71/75 Cadogan Place - Refuse listed building consent.

(1) It is considered that the proposed alterations are detrimental to the character, appearance, form and integrity of these Grade II listed buildings.

(2) It is considered that proposed development would cause the creation of an unacceptable degree of risk to the preservation of the original fabric of the buildings.

~~23~~

Reply:

Date:

36- Chelsea College site, Hatfield Road - Defers Main Cttee [13/3/90].

PNER B1

~~Flat 6, 28 Draycott Place - Refers Pa R Cttee [20/2/90].~~

B2

~~17 Child's Meet - Refers Pa R Cttee [20/2/90].~~

M. J. French

Supplementary to main agenda despatch
by virtue of information not available
at time of agenda despatch.
Placed on deposit on 15.2.90.

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN PLANNING (APPLICATIONS) SUB-COMMITTEE 12/02/90
TOWN PLANNING MAIN COMMITTEE 19/02/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
4043/36

REPORT BY THE DIRECTOR OF PLANNING AND TRANSPORTATION

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA.

Application dated 13/11/89
Revised 16/01/90
Completed 12/12/89
Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Not known

District Plan Proposals Map:

<u>Cons. Area</u>	<u>CAPS</u>	<u>Article 4 Direction</u>	<u>Listed Building</u>	<u>HBM Direction</u>	<u>A/O Consulted</u>	<u>Objectors (to date)</u>
NO	NO	NO	NO	NO	123	8

RECOMMENDED DECISION :-

1. That Subject to the applicants entering into a Section 52 Agreement, whereby they undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of the signing of this agreement.
2. Grant Conditional Planning Permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), including the approval of the details relating to the access ramp, landscaping and facing materials.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137 and TP/89/2137B, TP892137C, D.

Applicants drawing(s) No(s) : HTN/01/101P, 105H, 107, 113E, 114D, 115B, 120A, HTN4/L(1-) 011A, HTN4/L & materials referred to in schedule of materials dated 6/11/89.

CONDITIONS

1. C.22 2. C.11 3. C.14 4. C.34 5. C.48 6. C.52
7. The windows at the rear office block directly behind No. 40 and 42 Gunter Grove at ground, 1st and 2nd floor level, shall be fitted with obscure glass and so maintained.
8. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles by the occupiers of the building, and details shall be submitted to and approved by the Director of Planning and Transportation in writing of the steps which are to be taken to ensure that the residential parking is not available for use by other parties, other than that to satisfy the Council's parking standards.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.13 2. R.6 3. R.7 4. R.5 5. R.21 6. R.27
7. To protect the privacy of adjoining residential properties.
8. To ensure the provision and retention of the car parking for residential occupiers, and to safeguard the use of these spaces.

INFORMATIVES

1. I.44 2. I.3 3. I.12 4. I.18 5. I.7 6. I.33 7. I.34
8. I.35

1.0 SITE

1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove respectively, which in the main comprise residential properties. On the western side of Hortensia Road are Chelsea School and Sloane School.

1.2 Development of the application site is currently being carried out, following the planning approval on the 22nd December 1988, (88/0663) for the redevelopment of the site.

2.0 BACKGROUND AND HISTORY

2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the Hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and offices (B1).

The scheme provided for (a) the erection of 8 three storey mews type houses to the rear of the site, behind the rear of 28-38 Gunter Grove, with a 3 storey and basement office building (total gross area 490 square metres) at the southern end of the block directly behind 40-42 Gunter Grove and for (b)

A further separate block fronting Hortensia Road, providing 9 flats and 4 houses with a further office block (total gross area 620 square metres) at the southern end of the block, close to Knights House. The scheme included car parking at basement level.

2.2 Additional Office Area

When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as new office space; this did not include any figure for office space in the original building used by the University of London. The total area of office should in fact have been 1,110 square metres of office; this being the floorspace shown on the approved drawings.

2.3 The permission was granted subject to 10 conditions. The most relevant for the purposes of the consideration of this application are conditions:

02 Approval of facing materials

'The facing materials to be used on the building shall not be otherwise than those approved by the Council before any work on site is commenced, and samples of such facing materials, including details of any pointing shall be submitted for the Council's consideration.'

05 Landscaping

'No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping

08

"The new buildings hereby approved shall relate to adjoining premises, Hortensia House and Knights House, in height and plan exactly as shown on the drawings now approved and if for reasons of different levels, or any cause it is subsequently found not possible to comply with this requirement, the permission hereby granted becomes null and void.

10 Access ramp

'Details of the access ramp to the basement car park shall be submitted to and approved by the Director of Planning and Transportation, in writing before any work is commenced.'

2.4 The details requested by conditions 2 & 5 have been submitted and also relate to the current application, and are considered to be acceptable.

3.0 PROPOSAL

3.1 Since the application was approved on 22nd December 1988, the scheme has been slightly changed, the alterations are being carried out on site without the benefit of planning permission. The application before committee includes the proposed changes to the scheme, which involve;

1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation, and alteration to the footprint of the building.
2. Alterations to the rear office block, directly behind 40 & 42 Gunter Grove, resulting from discussions between the architects and Council officers.

3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.

3.3 The overall bulk and scale of the proposed development remains as approved, and there is no change in the overall floor area.

4.0 CONSULTATION

4.1 123 letters of notification have been sent to adjoining occupiers, these include all residents in Hortensia House, Knights House and the West side of Gunter Grove.

4.2 Before this application was submitted letters were received by the Council - mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed were that the residents were not aware as to the extent of the scheme approved in December 1988 and, were not aware of the previous application. It appears that some residents were invited by the developers to a meeting before the original scheme was determined. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.

4.3 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to be 2 storey and not 3 storey, and that had they have been made aware of the extent of the development they would have strongly objected.

4.4 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House. The applicants state that they carried out a widespread consultation exercise.

4.5 The Council has received further letters of objection as a result of this application;

Further grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

5.0 ENFORCEMENT

- 5.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not fully in accordance with the approved plans and therefore unauthorised. Further investigations were carried out on the rear block but it was concluded that this was being built in accordance with the approved plans.
- 5.2 The planning decision dated 22nd December 1988 was conditioned and stated that the approval of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to two enforcement notices being served.
- 5.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.
- 5.4 The second enforcement notice was served against the operational development and further states that the applicants had carried out work which was in breach of condition 08 of the 1988 decision.
- 5.5 Both the enforcement notices were served on the 31st October 1989. The applicants have subsequently appealed the enforcement notices which are now subject of a public inquiry on the 26th June 1990.

6.0 **CONDITION 08 OF PLANNING DECISION 22/12/88 (APPENDIX A)**

6.1 The implication of condition 08 has been considered. This condition is considered in its wording to be beyond the limitations allowed under the Act since the 1971 Town & Country Planning Act allows for any changes to an approved scheme (except maybe a minor amendment) to be the subject of a further planning application. However, weight must be attached to the approved scheme for the redevelopment of the site, and the new proposal must be considered in the light of the 1988 permission. If it is considered that the new scheme does not cause harm to any interest of acknowledged importance then the Council should approve the current application.

7.0 **FURTHER CONSIDERATIONS**

7.1 **Front Block**

The provision of 21 flats is considered acceptable and accords with the Councils Housing policies contained within the District Plan. The planning and design standards are also complied with, and the Design Officer, considers that the proposed elevation to Hortensia Road is a positive improvement over the approved scheme. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of B1 use.

7.2 **Rear Office Block**

The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. These concerns are supported. Revisions have been actively sought and the applicants have made a modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally 4.5 metres away. The revision is to be welcomed but still is not acceptable to residents in Gunter Grove. The office area in this block is 490 square metres. The office space lost by the setting back of the rear office block, has been relocated to the basement area.

8.0 **RECOMMENDATION**

8.1 Planning permission be granted subject to a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing Nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of the signing of this agreement for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), together with the approval of details relating to the access ramp, landscaping and materials.

TP/89/2137: 8

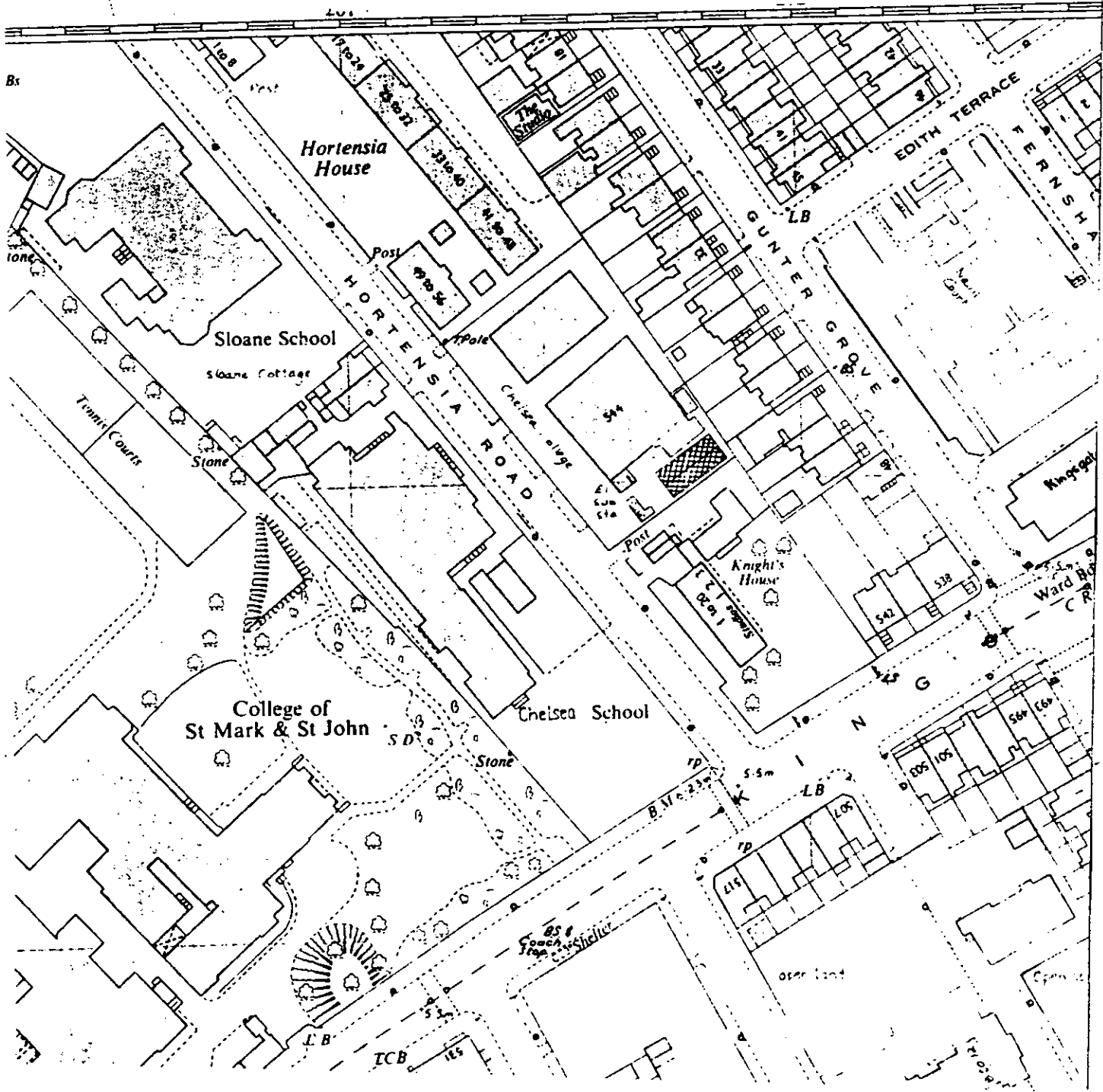
C.M. DENT
DIRECTOR OF PLANNING AND TRANSPORTATION

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.
- 2) The contents of file number TP/88/0633.

REPORT PREPARED BY: BC
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 26/01/90

TP9002.BC.REP



Hortensia House

Sloane School

Sloane Cottage

College of St Mark & St John

Chelsea School

Knight's House

EDITH TERRACE

GUNTER GROVE

HORTENSIA ROAD

CHELSEA ROAD

Tennis Courts

Stone

Stone

Coach Shop

ICB

Bx

Stone

LB

Stone

Post

Pole

SA

518

512

516

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510

508

506

504

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MEMORANDUM

To:

From:

Our Ref:

Your Ref:

Date:

Subject:

I.P. Sub - Cttee - 12/1/90 (contd)

SOUTH

~~4037 - 296 King Road - Withdrawn.~~

~~4038 - Port Street News - Refs to Main Cttee~~

~~4041 - 109 Sots Road - Note "41" from decision~~

~~4042 - Armed C.4. by adding 'design, external appearance and car parking'~~

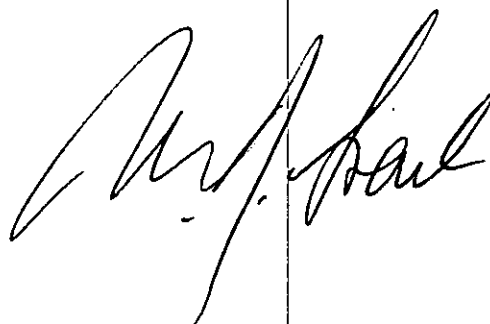
4043 - Chelsea College site - Refs to Main Cttee

Reply:

Date:

~~4045 - 1/14 Mantley Mansions - Withdrawn~~

~~4047 - 71/75 Ladogan Place - Refs to Main Cttee~~



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN PLANNING(APPLICATIONS)SUB-COMMITTEE 12/02/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
4043

REPORT BY THE DIRECTOR OF PLANNING AND TRANSPORTATION

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA.

Application dated 13/11/89
Revised 16/01/90
Completed 12/12/89
Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Not known

District Plan Proposals Map:

<u>Cons.Area</u>	<u>CAPS</u>	<u>Article 4</u> <u>Direction</u>	<u>Listed</u> <u>Building</u>	<u>HBMC</u> <u>Direction</u>	<u>A/O</u> <u>Consulted</u>	<u>Objectors</u> <u>(to date)</u>
NO	NO	NO	NO	NO	123	17

RECOMMENDED DECISION :-

1. That Subject to the applicants entering into a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of this agreement.
2. Grant Planning Permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), including the approval of approval of details relating to the access ramp, landscaping and facing materials.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137 and TP/89/2137B

Applicants drawing(s)No(s) : HTN/01/101P, 105H, 107, 113E, 114D, 115B, 120A, HTN4/L(1-) 011A, HTN4/L & materials referred to in schedule of materials dated 6/11/89.

CONDITIONS

1. C.22
2. C.11
3. C.14
4. C.34
5. C.48
6. C.52
7. The windows at the rear office block directly behind No. 40 and 42 Gunter Grove at ground, 1st and 2nd floor level, shall be fitted with obscure glass and so maintained.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.13
2. R.6
3. R.7
4. R.5
5. R.21
6. R.27
7. To protect the privacy of adjoining residential properties.

INFORMATIVES

1. I.44
2. I.3
3. I.12
4. I.18
5. I.7
6. I.33
7. I.34
8. I.35

1.0 SITE

- 1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove, which in the main comprise of residential properties. To the western side of Hortensia Road are Chelsea School and Sloane School.
- 1.2 The application site is currently under construction, following the planning approval on the 22nd December 1988, (88/0663) for the redevelopment of the site. This is detailed more fully in section 2.0 of this report.

2.0 BACKGROUND AND HISTORY

- 2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and office B1.

The scheme provided for the erection of 8 three storey mews type houses to the rear of the site, directly behind numbers 28-38 Gunter Grove, with a 3 storey and basement office building (total gross area 490 square metres) at the southern end of the block directly behind 40-42 Gunter Grove.

The approved block fronting Hortensia Road, allowed for the provision of 9 flats and 4 houses with another office block (total gross area 620 square metres) at the southern end of the block, close to Knights House. The scheme also provided for the provision of car parking at basement level.

2.2 Additional Office Area

> | When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as rear office space; this did not include any figure for office space in the original building used by the University of London. The total area of office should in fact have been 1,110 square metres of office.

- 2.3 The permission was granted subject to 10 conditions. The most relevant for the purposes of this application are conditions:

02 Approval of facing materials

'The facing materials to be used on the building shall not be otherwise than those approved by the Council before any work on site is commenced, and samples of such facing materials, including details of any pointing shall be submitted for the Council's consideration.'

05 Landscaping

'No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping

10 Access ramp

'Details of the access ramp to the basement car park shall be submitted to and approved by the Director of Planning and Transportation, in writing before any work is commenced.'

2.4 The details requested by the above conditions have been submitted and also relate to the current application, and are considered to be acceptable.

3.0 PROPOSAL

3.1 Since the application that was approved on 22nd December 1988, the scheme has changed, the alterations are being carried out on site without the benefit of planning permission. The application before committee includes the proposed changes to the scheme, these include;

1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation.

2. Alterations to the rear office block, housed directly behind 40 & 42 Gunter Grove.

3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.

4.0 CONSULTATION

4.1 123 letters of notification have been sent to adjoining occupiers, these include all residents in Hortensia House, Knights House and the even side of Gunter Grove.

- 4.2 Before this application was submitted letters were received by the Council mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed were that the residents were not aware as to the extent of the scheme approved in December 1988 and, were not aware of the application, in particular some residents in Gunter Grove. Some residents were invited by the developers to a meeting before the original scheme was determined. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.
- 4.3 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to ever be 2 storey and not 3 storey, and that had they have been made aware of the extent of the development they would have strongly objected.
- 4.4 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House.
- 4.5 The Council has received further letters of objection as a result of this application;

Further grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

5.0 ENFORCEMENT

- 5.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not in accordance with the approved plans and therefore unauthorised. Further investigations were carried out on the rear block and it was concluded that this was being built in accordance with the approved plans.
- 5.2 The planning decision dated 22nd December 1988 was conditioned and stated that the approval of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to two enforcement notices being served (appendix B of this report).
- 5.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.
- 5.4 The second enforcement notice was served against the operational development and further states that the applicants are in breach of condition 08 of the 1988 decision (appendix A).
- 5.5 Both of the enforcement notices were served on the 31st October 1989. The applicants have subsequently appealed the enforcement notices which are now subject of a public inquiry on the 26th June 1990.

6.0 CONDITION 08 OF PLANNING DECISION 22/12/88 (APPENDIX A)

- 6.1 The implication of condition 08 has been considered. The condition is thought to be superfluous since the 1971 Town Planning Act allows for any change to an approved scheme (except maybe a minor amendment) would require further permission. However, some weight must be attached to the approved scheme for the redevelopment of the site. The new proposal must be considered in the light of the 1988 permission. If it is considered that the new scheme does not cause harm to any interest of acknowledged importance then the Council should approve the current application.

7.0 FURTHER CONSIDERATIONS

7.1 Front Block

The provision of 25 flats is accepted and accords with the Councils Housing policies contained within the District Plan. The planning and design standards are also complied with. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of office.

7.2 Rear Office Block

The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. These concerns are supported. Revisions have been actively sought and the applicants have made a token modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in Gunter Grove. The total office area is 490 square metres. The office space lost by the setting back of the rear office block, has been relocated to the basement area.

8.0 RECOMMENDATION

8.1 Planning permission be granted subject to a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing Nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of this permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), with the approval of details relating to the access ramp, landscaping and materials.

C.M. DENT
DIRECTOR OF PLANNING AND TRANSPORTATION

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.
- 2) The contents of file number TP/88/0633.

REPORT PREPARED BY: CZ
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 26/01/90

TP9002.CZ.REP

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

TOWN PLANNING(APPLICATIONS)SUB-COMMITTEE 12/02/90

APPLICATION NO.
TP/89/2137/A/03

AGENDA ITEM
4043

REPORT BY THE DIRECTOR OF PLANNING AND TRANSPORTATION

APPLICANTS NAME/ADDRESS

Colwyn Foulkes & Partners,
229 Kensington High Street,
London W8 6SA.

Application dated 13/11/89

Revised 16/01/90

Completed 12/12/89

Polling Ward PA

ON BEHALF OF : Forthold Limited,
INTEREST : Not known

District Plan Proposals Map:

<u>Cons.Area</u>	<u>CAPS</u>	<u>Article 4</u> <u>Direction</u>	<u>Listed</u> <u>Building</u>	<u>HBMC</u> <u>Direction</u>	<u>A/O</u> <u>Consulted</u>	<u>Objectors</u> <u>(to date)</u>
NO	NO	NO	NO	NO	123	17

RECOMMENDED DECISION :-

1. That Subject to the applicants entering into a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of this agreement.

2. Grant Planning Permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), including the approval of approval of details relating to the access ramp, landscaping and facing materials.

At: CHELSEA COLLEGE SITE, HORTENSIA ROAD, S.W.10

As shown on submitted drawing(s) No(s): TP/89/2137 and TP/89/2137B

Applicants drawing(s)No(s) : HTN/01/101P, 105H, 107, 113E, 114D, 115B, 120A, HTN4/L(1-) 011A, HTN4/L & materials referred to in schedule of materials dated 6/11/89.

CONDITIONS

1. C.22
2. C.11
3. C.14
4. C.34
5. C.48
6. C.52
7. The windows at the rear office block directly behind No. 40 and 42 Gunter Grove at ground, 1st and 2nd floor level, shall be fitted with obscure glass and so maintained.

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.13
2. R.6
3. R.7
4. R.5
5. R.21
6. R.27
7. To protect the privacy of adjoining residential properties.

INFORMATIVES

1. I.44
2. I.3
3. I.12
4. I.18
5. I.7
6. I.33
7. I.34
8. I.35

1.0 SITE

- 1.1 The site is located on the eastern side of Hortensia Road, 55 metres North of its junction with Kings Road. To the North, South and East of the site are Hortensia House, Knights House and numbers 28-42 Gunter Grove, which in the main comprise of residential properties. To the western side of Hortensia Road are Chelsea School and Sloane School.
- 1.2 The application site is currently under construction, following the planning approval on the 22nd December 1988, (88/0663) for the redevelopment of the site. This is detailed more fully in section 2.0 of this report.

2.0 BACKGROUND AND HISTORY

- 2.1 On the 22nd December 1988 planning permission was granted for the redevelopment of the site, (which once housed the Hudsons depository, the main building comprising 5 storeys) to provide 12 houses, 9 flats, and office B1.

The scheme provided for the erection of 8 three storey mews type houses to the rear of the site, directly behind numbers 28-38 Gunter Grove, with a 3 storey and basement office building (total gross area 490 square metres) at the southern end of the block directly behind 40-42 Gunter Grove.

The approved block fronting Hortensia Road, allowed for the provision of 9 flats and 4 houses with another office block (total gross area 620 square metres) at the southern end of the block, close to Knights House. The scheme also provided for the provision of car parking at basement level.

2.2 Additional Office Area

When the scheme was considered in 1988 and subsequently approved, the decision letter referred to 675 square metres of office, and this reflected that stated on the application as rear office space; this did not include any figure for office space in the original building used by the University of London. The total area of office should in fact have been 1,110 square metres of office.

- 2.3 The permission was granted subject to 10 conditions. The most relevant for the purposes of this application are conditions:

02 Approval of facing materials

'The facing materials to be used on the building shall not be otherwise than those approved by the Council before any work on site is commenced, and samples of such facing materials, including details of any pointing shall be submitted for the Council's consideration.'

05 Landscaping

'No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping

10 Access ramp

'Details of the access ramp to the basement car park shall be submitted to and approved by the Director of Planning and Transportation, in writing before any work is commenced.'

2.4 The details requested by the above conditions have been submitted and also relate to the current application, and are considered to be acceptable.

3.0 PROPOSAL

3.1 Since the application that was approved on 22nd December 1988, the scheme has changed, the alterations are being carried out on site without the benefit of planning permission. The application before committee includes the proposed changes to the scheme, these include;

1. Alterations to the front 5 storey block to provide 21 flats, instead of the 4 houses and 9 flats originally proposed. This inturn has resulted in the alteration to the detail of the front elevation.
2. Alterations to the rear office block, housed directly behind 40 & 42 Gunter Grove.

3.2 The rear 8 mews houses, approved by the earlier decision remain unchanged.

4.0 CONSULTATION

4.1 123 letters of notification have been sent to adjoining occupiers, these include all residents in Hortensia House, Knights House and the even side of Gunter Grove.

- 4.2 Before this application was submitted letters were received by the Council mainly from residents in Gunter Grove, objecting to the new development taking place. One of the main concerns expressed were that the residents were not aware as to the extent of the scheme approved in December 1988 and, were not aware of the application, in particular some residents in Gunter Grove. Some residents were invited by the developers to a meeting before the original scheme was determined. The Council were not represented. At the meeting residents were shown a model of the proposed scheme. The purpose of the model was to provide some indication as to the bulk, scale and layout of the new development.
- 4.3 Following a meeting held on the 14th November 1989 where the applicants, local residents and a representative of the Council were present, residents stated that the model now being shown at the meeting was not the same as the one produced in 1988. Residents further stated that the rear block appeared only to ever be 2 storey and not 3 storey, and that had they have been made aware of the extent of the development they would have strongly objected.
- 4.4 Many residents in Gunter Grove claim that they were never notified of the application, determined in 1988. The Council files show that an extensive notification exercise was carried out, and that all residents in Hortensia House, Knights House and the properties in Gunter Grove, directly behind the application site were notified. No explanation can be offered as to why the residents may not have received their notification letters. It is noted that only two replies were received from the residents in Gunter Grove, although response was received by the Council from Hortensia House and Knights House.
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Further grounds of objection include:-

1. The scheme does not comply with sunlight and daylight standards.
2. Loss of privacy.
3. The closeness of the office blocks at the rear provides a security risk to the properties at 38, 40 and 42 Gunter Grove.
4. That residents have been misled by the drawings and the model.
5. That the office content exceeds the 675 square metres approved.

5.0 ENFORCEMENT

- 5.1 In October 1989 when the extent of the development became apparent, residents wrote to the Council. The Council enforcement officer visited the site. It was concluded that the front block, was not in accordance with the approved plans and therefore unauthorised. Further investigations were carried out on the rear block and it was concluded that this was being built in accordance with the approved plans.
- 5.2 The planning decision dated 22nd December 1988 was conditioned and stated that the approval of materials, landscaping and access ramp should be submitted and approved by the Council before any work commences on site. The applicants were therefore in breach of planning which led to two enforcement notices being served (appendix B of this report).
- 5.3 The first enforcement notice was served against the breach of conditions 02, 05 and 10 of planning decision 22/12/88, referred to in section 2.0 of this report.
- 5.4 The second enforcement notice was served against the operational development and further states that the applicants are in breach of condition 08 of the 1988 decision (appendix A).
- 5.5 Both of the enforcement notices were served on the 31st October 1989. The applicants have subsequently appealed the enforcement notices which are now subject of a public inquiry on the 26th June 1990.

6.0 CONDITION 08 OF PLANNING DECISION 22/12/88 (APPENDIX A)

- 6.1 The implication of condition 08 has been considered. The condition is thought to be superfluous since the 1971 Town Planning Act allows for any change to an approved scheme (except maybe a minor amendment) would require further permission. However, some weight must be attached to the approved scheme for the redevelopment of the site. The new proposal must be considered in the light of the 1988 permission. If it is considered that the new scheme does not cause harm to any interest of acknowledged importance then the Council should approve the current application.

what is condition 8?

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7.0 FURTHER CONSIDERATIONS

7.1 Front Block

The provision of 25 flats is accepted and accords with the Councils Housing policies contained within the District Plan. The planning and design standards are also complied with. Adequate car parking is provided at basement level.

The office part has been redesigned externally and provides 620 square metres of office.

7.2 Rear Office Block

The rear office block has been the subject of concern with residents in 40 and 42 Gunter Grove, by way of its height and close proximity to the existing residential houses. These concerns are supported. Revisions have been actively sought and the applicants have made a token modification at the rear by setting the block 8 metres away from the rear of 42 Gunter Grove, originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in Gunter Grove. The total office area is 490 square metres. The office space lost by the setting back of the rear office block, has been relocated to the basement area.

8.0 RECOMMENDATION

8.1 Planning permission be granted subject to a Section 52 Agreement, whereby the applicants undertake to carry out the revised scheme in relation to the rear office block, as shown in drawing Nos. HTN/01/113E, HTN/01/115B, within 3 months of the date of this permission for the redevelopment of the site to provide 21 flats, 8 houses and 1,110 square metres of office (B1), with the approval of details relating to the access ramp, landscaping and materials.

C.M. DENT
DIRECTOR OF PLANNING AND TRANSPORTATION

LIST OF BACKGROUND PAPERS

- 1) The contents of the file number TP/89/2137 referred to at the head of this report.
- 2) The contents of file number TP/88/0633.

REPORT PREPARED BY: CZ
REPORT APPROVED BY: MJF
DATE REPORT APPROVED: 26/01/90

TP9002.CZ.REP

Christine

Hortensia Road.

There are no drawings

Showing car parking for the new front block flats or the layout of the flats (so that we can advise Committee of the mix and density if applicable). Can you ensure that Main Committee have them on Monday please. Colwyn Foulkes claims to have the drawings but I have not seen them.

Also, a lot of typing mistakes in your Sub/Committee report which have been corrected - is it now right?

P Dec 12.2.

To BC for info - or whatever
he wants to do with it.

Comments on Chelsea College site: Give it to Christiana
to sort out!
☺

The original scheme.

1. Misrepresentation of facts by applicant on office content proposed
2. serious discrepancies in the drawings in relation to the office building at rear,
3. Alleged misrepresentation of scheme to residents.
4. Material departures from approved drawing scheme.
 - a. Building line
 - b. front elevation
 - c. content - office floor space.
- flats instead of houses.
 - d. bulk of development at rear.
5. Condition 8. pp. null & void.

Conclusion: Whole development is unauthorised.
There is no planning permission for
the development now under construction

Proposals

The new scheme, now under consideration can be considered 'de novo'.

Question of what bulk was thought to have been approved, on the new elevation i.e. that concerning the office section which is causing residents objection — is irrelevant.

In the light of the facts, ^{now available} the bulk at this point can be considered afresh.

I do not see the need for a Section 52 agreement, and feel that the requirement to finish the development within 3 months is flawed.

What happens if they don't complete; or if they don't sign the Section 52 agreement.

It is superfluous, in my view.

There are current enforcement notices alleging the development is unauthorised.

Either the applicant can ^①comply with the enf. notices

or (2) seek planning permission for a new development.

Option ① must be so onerous to the developers that option ② has to be a realistic path to pursue, particularly as pp. would have to be obtained for the different mix of residential accommodation as the Council would not be able to confirm that the development accords with the pl approval, thus frustrating the sale of the units.

KP

$$\begin{array}{r} 101 \\ 103 \\ \hline 204 \end{array}$$

$$\begin{array}{r} 100 \\ 204 \\ \hline 304 \\ \hline 304 \\ \hline 0 \end{array}$$

Front Residential Block : Hartensia Rd.

Breakdown of flats & Car Parking

Ground Floor : 2 x 2 bed.
2 x 3 bed.

1st floor : 2 x 2 bed.
4 x 1 bed.

2nd floor : 2 x 2 bed.
2 x 3 bed.

3rd floor : 2 x 2 bed.
2 x 3 bed.

Penthouse : 3 x 3 bed.

∴ 8 x 2 bed.

9 x 3 bed.

4 x 1 bed. = 21 flats.

+ 8 houses at the rear.

Car Parking:

8 houses at the rear, each with their own garage.

Residential flats.

27 Car parking spaces. ~~WDA~~
from the plans it appears that only 20 of these are to be used in connection with the flats, ie a deficiency of 1, + 7 CP's for the office.

Or



TRUST ESTATES LIMITED

243 Knightsbridge, London SW7 1DH. Tel: 01-581 1322. Telex: 295973. Fax: 01-584 2297.

HLF/03/09
9 February 1990

For the attention of:

M J French Esq
Director of Planning and Transportation
Royal Borough of Kensington & Chelsea
Town Hall
Horton Street
London
W8 7NX

Dear Councillor,

CHELSEA COLLEGE SITE, HORTENSIA ROAD

We have submitted a revised planning application with respect to the above site to seek formal permission for a number of amendments to the original scheme permitted on 22 December 1988. The scheme had proceeded on the basis that the Company believed that approval would be given as merely amendments, as confirmed in writing, by the authority and in the knowledge that the development now pursued incorporated a number of major improvements on the original scheme, for which planning permission had been granted.

Having now seen your Officers Report to Committee we would wish to endorse the following points.

1. The submitted scheme is an improvement on the 1988 permission reducing the size of the rear office block above basement level by approximately 380 sq ft and stepping back the ground floor to the main building line (paragraph 6.01). It is also confirmed that the offices as built are in accordance with the existing permission (paragraph 5.01).
2. The front block, now changed to include only flats as per the council's approved policy on housing (District Plan), provides a greater level of units within the same mass of building. It is our understanding that your Design and Conservation Area officer finds the overall design to be an improvement (paragraph 7.1).

It is noted that there have been a number of objections now raised by local residents. It is pointed out that there were several detailed consultations, carried out by my company at the time of the original application, as we were convinced that the scheme was a major improvement to the site. My company's original consultation was carried out on the basis of an earlier and larger scheme, the rear block of which, was one storey higher, than was eventually permitted.

cont/...

Page 2/...
9 February 1990

Reference has been made by residents to a model and that it was grossly inaccurate. We would, however, advise members, that the model was completed to considerable accuracy based on survey drawings and showed the scale of adjoining buildings. It sought to demonstrate the height and sitting of building on the site in relation to surrounding buildings. In any event, the model did not form part of the application and actually presented a higher and more dense scheme than finally permitted. At no time was any of the public misled.

We are amazed that there were residents who are now advising that they were not consulted at the time of the earlier application. Your own officers have confirmed that all adjoining residents were notified and we were so convinced of the merits and improvements brought about by the proposals that we arranged detailed consultations with surrounding residents. A summary of the consultation is attached in Appendix B.

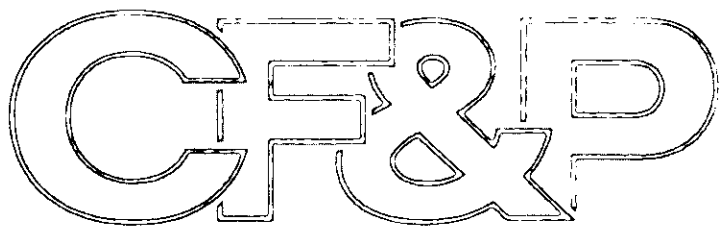
Finally, we would draw to the attention of the authority that we have a planning permission which was properly granted on the consideration of all material facts. One major consideration was the impact of the existing development and which is best illustrated by the attached photograph (Appendix A). Such impact now appears to be forgotten. We had always acknowledged that one or two residents would lose some sunlight but that most residents would have appreciable gains.

The scheme now before the authority brings further gains and we would respectfully request that it should be permitted. We have tried to keep this letter as brief as possible, but note that certain residents have raised detailed criticisms and we would be happy to answer those in more detail as necessary on 12 February.

Yours faithfully,



L E HOYER MILLAR
for and on behalf of Trust Estates Ltd



Colwyn Foulkes and Partners

Chartered Architects Planning and Landscape Consultants

Mr B Coey
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

HTN/LA/RW/pl

8 February 1990

Dear Mr Coey

Chelsea College Site, Hortensia Road, London SW10

Further to our recent application for detail amendments to the offices at the above and revision from 4 town houses and 9 flats to 21 flats we enclose four no. copies of the following revised drawings. These now clearly indicate the location of the respective sections as requested by Ms Zacharia and we trust they can be substituted for the committee meeting on Monday 12th February 1990.

Yours sincerely

H R T Williams

H R T Williams
Colwyn Foulkes & Partners

Enc. HTN/01/113 F
HTN/01/114 E

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:

A. N. Colwyn Foulkes, BSc, BArch, RIBA
H. R. T. Williams, BSc, BArch, RIBA
E. M. Foulkes, MBE, BArch, RIBA, Dip CDFRSA
J. J. R. Godfrey, MA, Cantab, RIBA

Consultants:

R. Colwyn Foulkes, Dip Arch, RIBA
Jane Coy, Dip Arch, Dip LA, ALI
Associates:
M. Mamalis, BA (Hons) Dip Arch, RIBA

C. Zacharia

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

Cllr. The Hon. Simon Orr-Ewing, MA,
FRICS.,
Flat 5,
29 St. James's Gardens,
London,
W11 4RF.

Telephone: (01) 937 5464
Extension:
Facsimile: 01 - 938 1445

30th January, 1990.

My reference:

Your reference:

Please ask for:

DPT/CMD/JLB

Dear Councillor Orr-Ewing,

Chelsea College Site, Hortensia Road

I refer to our conversation at last week's Council meeting and apologise for the delay in writing to you. I attach for your information a copy of a report which has been prepared on the application, which sets out details of the changes that have been made to the scheme.

If you have any further questions perhaps you would contact my assistant, Miss Zacharia.

Yours sincerely,

Mary Dent
Director of Planning & Transportation

File

Attention: Ms Christine Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

CF&P
RECEIVED BY D.P.T. 22

Colwyn Foulkes and Partners
Chartered Architects, Planning and Landscape Consultants

DC N	DC C	DC S	DC E	DC
AKS	D. PLAN	RECORDS	OPT	ENV. PLAN
COPT	LU	...	...	AD ACK

26 January 1990

HIN/LA/RW/pl

(bc)
02

Dear Madam

Hortensia Road, London SW10

The residents of Gunter Grove have requested copies of Hortensia Road drawings.

We enclose for your information a copy letter to Mrs Lampeart which is an example of the letter sent to all the residents.

Yours faithfully

Richard Williams

H R T Williams
COLWYN FOULKES & PARTNERS

Enc

c.c. N Pryor, John Trott & Sons

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Ait: 16403 Fax: 0492 53 1034

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Associates:
M. Marmalis, BA (Hons) Dip. Arch. RIBA

Mrs S Lampaert
Flat 2
42 Gunter Grove
London
SW10 0UJ

HTN/RW/fh

25th January 1990

Dear Mrs Lampaert

Further to your recent telephone call to this office, we are pleased to enclose a copy of our recent planning application and related drawings submitted on 24th November 1989.

You will note that on behalf of the client we have reduced the rear office building back from the garden wall to your property. In addition, with reference to our letter of 17th January 1990 to the planning department, we have reduced the ground floor to unit 2 back in line with the main office (unit 1).

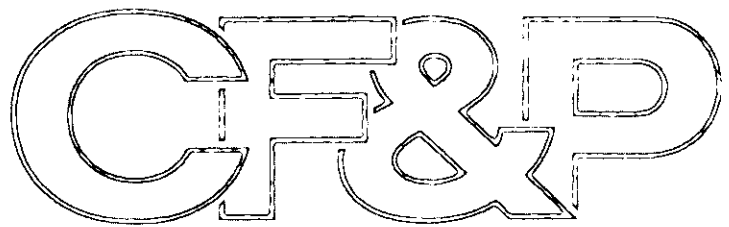
We have not yet had the opportunity to speak with the local authority regarding any letters of objection from residents but should you wish us to run through any specific points, please telephone me to arrange a mutually convenient time when I could come round.

Yours sincerely

H R T Williams
COLWYN FOULKES AND PARTNERS

cc Mrs Hall
Mrs Higginson
Mr James
Mr Lawson, Lawson Turner & Nathan

enc



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

ATTN: Ms C Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

P. Ark/GZ

24/1/90

HTN/LA/RW/fh

23rd January 1990

Dear Ms Zacharia

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD

Further to your recent query regarding the relationship of the revised rear wall of the office (unit 2) to no 42A Gunter Grove, we would confirm this to be 8 metres.

Whilst writing we would note that you were going to make available to us copies of the residents' correspondence related to the present application. Could you please phone the writer and we will arrange to have it collected.

Thank you for your co-operation.

Yours sincerely

H R T Williams

H R T Williams
COLWYN FOULKES AND PARTNERS

RECEIVED BY D. P. T. 65				
24 JAN 1990				
DC N	DC C	DC S	DC E	CC
ARB	D. PLAN	RECORDS	ENV	ENV. PLAN
DEPT	LO	PLANS	3RD CONTROL	AD ACK

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

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J. J. R. Godfrey, M.A. Certab. R.I.B.A.

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Jane Coy, Dip. Arch., Dip. L.A.A.L.I.
Associates:
M. Marmalis, B.A. (Hons) Dip. Arch., R.I.B.A.

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

COUNCIL NOTIFICATION OF DEVELOPMENT

THE OCCUPIER
FILE COPY

Telephone: (01) 937 5464
Extension: 2079/2080

Facsimile: 01 - 938 1445

Date: 22/01/90

My reference: TP/89/2137/S

Your reference:

Please ask for: Town Planning
Information Office

**THIS LETTER INVITES YOU TO COMMENT ON A PLANNING APPLICATION/
LISTED BUILDING APPLICATION WHICH MAY AFFECT YOUR PROPERTY**

Dear Sir/Madam,

The Council has received a planning application for development at a property which is close to yours. The address of that property is set out below, together with brief details of the development for which permission is sought. The Council's Town Planning Committee, in considering the proposal, will welcome comments, for or against the scheme, from those who live in or own property nearby, and I should thus be pleased to know, in writing, if you as the occupier/owner of neighbouring property have any comments.

Address of application property

CHELSEA COLLEGE SITE, HORTENSIA ROAD,
S.W.10

Proposal for which permission is sought

1. Amendments to previous planning permission (Ref. 88/0633). Amendments involve formation of 21 flats in front building (instead of 9 flats & 4 houses previously approved). Also alterations to office buildings at front & rear.
2. Approval of details - access ramp and landscaping.

REVISED DRAWINGS RECEIVED.

N.B. THIS APPLICATION WILL BE CONSIDERED AT THE TOWN PLANNING
(APPLICATIONS) SUB-COMMITTEE ON 12.2.90.

Further details are printed overleaf.

Yours Sincerely,

MISS C.M. DENT

Director of Planning and Transportation

TOWN AND COUNTRY PLANNING ACTS, 1971/74

The Council is required by the Secretary of State for the Environment to consider all planning applications expeditiously. Any letter of support or objection should be received as soon as possible within 14 days of the date of this letter, although later objections, if received in time, will be reported to the Council Committee meeting which decides the application. An early response gives the Council's officers the opportunity to encourage applicants to amend their plans in the light of objections received, and the application may therefore be amended before it is decided. If you cannot formulate your detailed objections within 14 days you should acknowledge this letter so that your interest can be noted.

The reasons for any objection should be clearly stated.

Objections relating to party walls and inconveniences which may be caused by building operations should however be taken up, either by yourself or your professional representative, with the applicant.

All correspondence received will be available to members of the determining Committee when the application is considered.

It must be clearly understood that any comments you may choose to make will be made available to the applicant, his agent and any other interested party, pursuant to the requirements of the Local Government (Access to Information) Act, 1985.

Should there be any tenants in the buildings or other persons likely to be affected by this application, would you please be good enough to bring this letter to their attention.

If you are not the owner of the property to which this notice is addressed will you kindly forward this letter to the owner.

WHERE TO EXAMINE THE PLANS

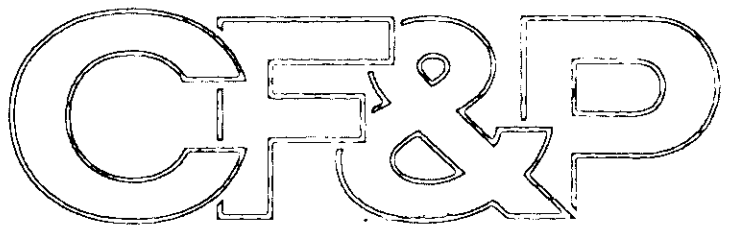
The plans and/or application details referring to this proposal may be inspected at the Planning Information Office on the 3rd floor at the Town Hall, Hornton Street, W8 7NX, between the hours of 9.15 a.m. and 4.45 p.m., Mondays to Fridays. Alternatively, copies of all planning applications relating to:

- (a) the Chelsea area can be examined at the Information Office, Chelsea Old Town Hall, King's Road, SW3. Tel. 01-352 1856.
- (b) the postal areas W10, W11, or W2 can be examined at the Borough Council's Advisory Service Office, The Information and Aid Centre, 140 Ladbroke Grove, W10 (under Westway, opposite Ladbroke Grove tube station. Tel. 01-969 2433).

Please telephone the Chelsea and Westway offices to check opening times.

Please quote the T.P. reference number on all written replies.

Please note: In the interest of economy, letters in agreement or without objection to the proposals will not be acknowledged.



Colwyn Foulkes and Partners

Chartered Architects, Planning and Landscape Consultants

ATTN: Ms C Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

RECEIVED BY D. P. T. 78
22 JAN 1990

DC N	DC C	LD	DC
ARB	D. PLG.	RE. PLG.	RE. PLG.
0071	10	19th January 1990	

Your Ref: PV/TP/88/0633/A/38/4421
Our Ref: HTN/LA/RW/fh

*BC
Copy revision
to ID please*

Dear Madam

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD

Further to our letter of 21st December 1988, regarding minor amendments to the rear elevations to the mews houses, we would be obliged if you would write to confirm that these are acceptable.

We would refer you to your letters of 23rd March 1989, confirming that these revisions are accepted as non material changes to the approved scheme.

We enclose a further four number copies of drawing nos HTN 01/103H for your consideration and approval. (Please ignore office content - these are to be revised shortly in accordance with the present application).

*Pc Act/cz
[Signature]*

Your earliest response would be appreciated.

Yours faithfully

Williams

H R T Williams
COLWYN FOULKES AND PARTNERS

cc L Hoyer-Millar, London & Edinburgh Trust
A Gosland, Lilley Developments
J Jackson, Projjex Management
N Pryor, John Trott & Son

enc

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

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Associates:
M. Marmalis, B.A. (Hons) Dip. Arch., R.I.B.A.



ATTN: Ms C Zacharia
 Planning Department
 Royal Borough of Kensington & Chelsea
 Town Hall
 Hornton Street
 London W8

CF&

Colwyn Foulkes and Partners
 Chartered Architects Planning and Landscape Architects

Your Ref: TP/89/2137/S
 Our Ref: HTN/LA/RW/fh

RECEIVED BY D. P. T.				
On 17th January 1990 71				
CC N	CC C	CC S	DC E	DC
ARB	D.PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS.	BUILD	AO ACK

Dear Madam

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD

Further to our recent meeting regarding the above application, we enclose revised drawing numbers HTN 01/105H, 01/113E, 01/115B, indicating the reduction of the ground floor area to unit 2. The rear wall adjacent number 42A Gunter Grove now lines through with the main office building and mews houses at ground floor level as agreed.

We also discussed the gross office floorspace which, with reference to our letter of 23rd December 1988, we noted that the notice of planning approval (22 December 1988) showed an incorrect area. On remeasurement, you confirmed that the revised scheme as submitted on 24th November 1989 now accords with the approved scheme viz

Rear Office 490 m²
 Front Office 620 m²
TOTAL: 1110 m²

We would confirm that the existing basement area to the front office is required for plant and statutory authority metering and has not therefore been included in the calculations.

We trust the above drawings can now be submitted in lieu of HTN 01/105E, 01/113C, 01/115A, as they have been delivered before Friday afternoon 19th January 1990 as agreed.

Should you have any further queries, or require further information, please contact us.

Yours faithfully

HR T Williams

H R T Williams
 COLWYN FOULKES AND PARTNERS

*CZ
 Copy of revision
 to HO please*

cc L Hoyer-Millar, London & Edinburgh Trust
 A Gosland, Lilley Developments
 J Jackson, Projjex Management
 N Pryor, John Trott & Sons

encs

229 Kensington High Street, London W8 6SA
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 R. Colwyn Foulkes, Dip Arch., R.I.B.A.
 Jane Coy, Dip Arch., Dip L.A.A.L.I.
 Associates:
 M. Marmatis, BA (Hons) Dip Arch. R.I.B.A.



20

21

John Trott and Son

Chartered Valuation Surveyors · Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
Fax No. (0634) 290783

and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

Our Ref: NJP/JW/2523

12th January, 1990

Director of Planning,
Royal Borough of Kensington & Chelsea,
Town Hall,
Horton Street,
London W8

bc Peack/CZ

RECEIVED BY D. P. T.				
On 15 JAN 1990 46				
CC N	DC C	DC S	DC E	DC
ASB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS.	BUILD CONTROL	AD ACT

Dear Sir,

HORTENSIA ROAD - ENFORCEMENT AND PLANNING MATTERS

As you are aware, we have called a meeting for the 15th January, to discuss the various planning issues relating to the subject site and outstanding enforcement appeals. We seek by this letter to confirm those items that we would hope to discuss at that meeting and would also ask that thereafter you would respond in writing to the various matters.

1. ✓ Confirmation that the planning application for revised office proposals and new flat development at the site will be considered at the sub-committee on the 13th February, and thereafter reported to the full committee on the 20th February.
2. ✓ Confirmation that your department will be recommending for approval.
3. ✓ Pursuant to our meeting of the 20th November, and minutes forwarded to your office thereafter, that your legal department will be providing advice to committee members that planning permission should not be refused and the likely consequences if the authority does not withdraw the enforcement notices.
4. ✓ We would be grateful to receive details of all formal representations received by third parties to the submitted application. *as at end of this week*
5. We would be grateful to receive confirmation that the amendments to the rear office design submitted on the 3rd November, 1989 will be approved by officers as amendments, or alternatively submitted to the 13th February committee date.

/...

Partners:
L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frall, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N.J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

Associates:
P.N. d'Arcy, B.Sc., A.R.I.C.S.
K.A. Fuller, A.R.I.C.S., M.C.I.O.B.
A.L. Vidler, B.Sc. (Hons), A.R.I.C.S.
Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

Administrator:
R.H. Willan, A.C.I.S.

Consultant:
D. Mallett, F.R.I.C.S.

Director of Planning
Royal Borough of Kensington & Chelsea

- 2 -

12th January, 1990

6. Any other outstanding planning matters and approval of drawings submitted in accordance with Conditions attached to the December 1988 consent.

We trust that you find this letter will be a helpful aid to our meeting.

Yours faithfully,



JOHN TROTT & SON

cc L. Hoyer-Miller : Trust Estates
A. Gosland : Lilley Developments
R. Williams : Colwyn Foulkes & Partners

John Trott and Son

Chartered Valuation Surveyors · Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
Fax No. (0634) 290783

and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

Our Ref: NJP/JW/2523

12th January, 1990

Director of Planning,
Royal Borough of Kensington & Chelsea,
Town Hall,
Horton Street,
London W8

For the attention of Mr French

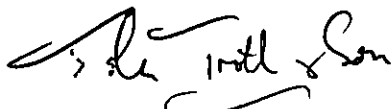
Dear Sir,

HORTENSIA ROAD, LONDON SW10 - PLANNING APPLICATIONS BY TRUST ESTATES

We write further to Messrs Colwyn Foulkes letter of the 3rd November, 1989, submitting further revised drawings and supporting information to comply in respect of conditions 02, 05 and 10 of the planning consent granted on 22nd December, 1988 (reference TP/88/0633). Submitted with that letter was information on materials, brick samples and landscape drawings, together with ramp details, for which approval was sought.

We would respectfully remind you that at today's date we have not received formal confirmation of your approval to such details. We would be pleased to receive formal written notification of approval by return.

Yours faithfully,



JOHN TROTT & SON

cc L. Hoyer-Miller : Trust Estates
A. Gosland : Lilley Developments
R. Williams : Colwyn Foulkes & Partners

RECEIVED BY D. P. T.				
On 15 JAN 1990 48				
DC N	DC C	DC S	DC E	DC
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DEPT	LD	TERMS	PLANNING CONTROL	23 ACK

Partners:

L. J. Trott, F.R.I.C.S., F.R.V.A.
G. D. Frall, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N. J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

Administrator:

R. H. Willan, A.C.I.S.

Associates:

P. N. d'Arcy, B.Sc., A.R.I.C.S.
K. A. Fuller, A.R.I.C.S., M.C.I.O.B.
A. L. Vidler, B.Sc. (Hons), A.R.I.C.S.
Mrs. S. J. Vincent, Dip. T.P., M.R.T.P.I.

Consultant:

D. Mallett, F.R.I.C.S.

John Trott and Son

Chartered Valuation Surveyors · Town Planning Consultants

Sheridale Business Centre,
Knight Road, Rochester, Kent ME2 2EL
Telephone: Rochester (0634) 290790
Fax No. (0634) 290783

and at Barnard House, The Drive, Great Warley, Brentwood, Essex (0277) 224664
and Hinton House, Station Road, New Milton, Hants (0425) 617207

Our Ref: NJP/JW/2527

12th January, 1990

Director of Planning,
Royal Borough of Kensington & Chelsea,
Town Hall,
Horton Street,
London W8

Dear Sir,

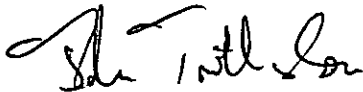
CHELSEA COLLEGE SITE, HORTENSIA ROAD, LONDON SW10

We wrote on the 3rd November, 1989, submitting further drawings numbered HTN4/L(2-)056D and HTN4/L(2-)055F, showing amendments and revisions to the rear offices at the subject site.

Those revisions were submitted pursuant to the original planning permission dated 22nd December, 1988, Local Authority reference TP/88/0633. In this respect we refer to your undated letter, received by this office on the 6th November, 1989, referring to the same and requesting that detailed amendments be submitted. That letter indicated that the works shown on an earlier submitted drawing, improved by this latest submission, would be acceptable to the Authority, it having been agreed at various meetings that such amendments were an improvement.

We would be grateful for your early confirmation that the submitted revised plans have been approved.

Yours faithfully,



JOHN TROTT & SON

cc L. Hoyer-Miller : Trust Estates
A. Gosland : Lilley Developments
R. Williams : Colwyn Foulkes & Partners

Partners:
L.J. Trott, F.R.I.C.S., F.R.V.A.
G.D. Frail, B.Sc. (Est. Man.), F.R.I.C.S., F.R.V.A.
N.J. Pryor, B.Sc. (Est. Man.), A.R.I.C.S.

Administrator:
R.H. Willan, A.C.I.S.

Associates:
P.N. d'Arcy, B.Sc., A.R.I.C.S.
K.A. Fuller, A.R.I.C.S., M.C.I.O.B.
A.L. Vidler, B.Sc. (Hons), A.R.I.C.S.
Mrs. S.J. Vincent, Dip. T.P., M.R.T.P.I.

Consultant:
D. Mallett, F.R.I.C.S.

RECEIVED BY D. P. T.				
On 15 JAN 1990 47				
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DDPT	LO	TRANS.	BUILD CONTROL	AG ACK

(PC)

PC acts / C2

GRIMLEY & R E E
11 HILL STREET
LONDON W1W 7FE

DRAFT

RECEIVED BY D. P. T.				
On 27 DEC 1989				
CC N	DC C	DC	DC E	DC
	PLAN	RECORDS	OPT	ENV. PLAN
DDPT		LAW S.	FIELD CONTROL	AD ACK

TEL: 01-895-1515

FAX NO. 01 409 3533

FAX TRANSMISSION

TO: *Christie Zacharia*

NUMBER OF SHEETS: *5*
(including cover sheet)

NO: *938 1445*

JOB NO: *2891885*

FROM: *Nick de Labrievre*

DATE: *27/12/89*

MESSAGE

IF YOU DO NOT RECEIVE ALL PAGES OR ANY PORTION OF THE TRANSMISSION IS ILLEGIBLE, PLEASE NOTIFY US VIA 01-895-1515

GRIMLEY / R E E
11 HILL STREET
LONDON W1H 7FB

TEL: 01-895-1515

FAX NO. 01 409 3533

FAX TRANSMISSION

TO: *Christie Zachara*

NUMBER OF SHEETS: *5*
(including cover sheet)

NO: *938 1443*

JOB NO: *2891885*

FROM: *Nick de Lotbiniere*

DATE: *27/12/89*

MESSAGE

IF YOU DO NOT RECEIVE ALL PAGES OR ANY PORTION OF THE
TRANSMISSION IS ILLEGIBLE, PLEASE NOTIFY US VIA 01-895-1515

DRAFT

H R T Williams Esq.
Colwyn Foulkes and Partners
229 Kensington High Street
London
W8 6SA

NDL/HMJ/2891885

21 December 1989

Dear Mr Williams,

HORTENSIA ROAD, LONDON SW10

Although I have not, as yet, received a copy of the latest planning application and drawings, I feel it is appropriate at this stage to set out my clients position regarding the revised scheme.

My clients property is, as you know, 42 Gunter Grove, which is edged in red on the attached Ordnance Survey sheet. The property is extremely close to the edge of the development site, and, I am sure you would agree, very careful consideration must therefore be given to the relationship of any new development which is proposed close to this boundary.

Regrettably the approved scheme appears to have ignored the normal planning standards for the juxtaposition of commercial and residential uses: fortunately, of course, the opportunity has risen to rectify this and proper planning standards must now be applied.

Before outlining what adjustments to the scheme are considered necessary, I would make the following observations.

1) Application Drawings

Certain of the original drawings were, as you acknowledged on the meeting of 14th November, inconsistent with each other; in addition the site survey drawing relative to 42 Gunter Grove seems to be incorrect.

Would you please confirm the revised drawings are now consistent and that the dimensions of the site relative to 42 Gunter Grove have been checked. I should add that I have asked our drawing office to check these independently and I will fax you the results of our survey in due course.

ii) Office Floorspace

The approved scheme specified an office area of 674 sq m. In the report on the scheme which was put to the planning committee, a figure of 600 sq m was indicated.

I now understand that you have applied for a 1000 sq m. This apparent intensification of the commercial use is unacceptable to my client.

iii) Condition 8

The previous consent specified in Condition 8 that if the scheme was not implemented in accordance with the drawings, then the planning permission would become 'null and void'. As you acknowledged at our meeting on 14th November the scheme has not been implemented in accordance with the said drawings; it must follow therefore that the consent is null and void.

Bearing the above in mind I now turn to the alterations which are considered necessary to the scheme in order, to prevent an unacceptable loss of amenity to my clients property. The amendments which are proposed take into account that the normal standards for overlooking, daylight, sunlight and loss of outlook. For ease of reference I am enclosing a photocopy of your drawing HTN/01/106B, upon which I have shown the amendments; These amendments comprise:

- i) Removal of unit U2
- ii) Realignment of the rear elevation of unit U1
- iii) Use of obscured glass in the windows of the rear elevation of unit U1.

As you will note the realignment of the rear elevation of U1 lines up approximately with the main elevation of the residential properties adjoining. It is clear that the rear elevations of these adjoining residential properties have been arranged so as to provide an appropriate distance from the residential properties facing Gunter Grove. Similar standards should be applied in the case of the offices. Indeed, some local authorities argue there should be more stringent standards applied and thus a greater distance would be required.

In terms of floorspace, and this is only a very approximate calculation, I estimate that the adjustments proposed would reduce the floorspace to 939 sq metres, which is still substantially in excess of the 674 sq m for which consent was previously granted.

I look forward to hearing from you that these amendments are acceptable and would confirm that if this is the case then I would be prepared to recommend that my Clients should not object to the planning application.

Yours sincerely

N de Lotbiniere

P.S. Since dictating this letter I have received the revised drawings and a copy of the planning application.

GUNTER GROVE

KIGHTS HOUSE

CHELSEA SCHOOL

FRONT OFFICES

FLATS B

FLATS A

HORTENSIA HOUSE

HORTENSIA ROAD

12:38 89 01 409 3533 05



MESSAGE FORM

To ch

WHILE YOU WERE OUT

M. Sarah Laurent

of _____

Tel. No. 352-8599

CALLED TO SEE YOU	<input type="checkbox"/>	PLEASE RING	<input checked="" type="checkbox"/>
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE VISIT	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	WILL RING YOU	<input type="checkbox"/>
URGENT	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>

re cheses college

MESSAGE

.....
.....
.....
.....

Signed _____

Date _____

Time _____

MESSAGE FORM

To Christine

WHILE YOU WERE OUT

M. Sarah Lampart

of _____

Tel. No. 352 - 8599

CALLED TO SEE YOU	<input type="checkbox"/>	PLEASE RING	<input checked="" type="checkbox"/>
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE VISIT	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	WILL RING YOU	<input type="checkbox"/>
URGENT	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>

re Hortensia Reed

MESSAGE

Problem with notifications-only
Mrs. Hall has received a letter

Date 4/1

Signed B. Muro

Time _____



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

DC/S

COUNCIL NOTIFICATION OF DEVELOPMENT

THE OCCUPIER
FILE COPY

Telephone: (01) 937 5464
Extension: 2079/2080

Facsimile: 01 - 938 1445

Date: 22/12/89

My reference: TP/89/2137/S

Your reference:

Please ask for: Town Planning
Information Office

**THIS LETTER INVITES YOU TO COMMENT ON A PLANNING APPLICATION/
LISTED BUILDING APPLICATION WHICH MAY AFFECT YOUR PROPERTY**

Dear Sir/Madam,

The Council has received a planning application for development at a property which is close to yours. The address of that property is set out below, together with brief details of the development for which permission is sought. The Council's Town Planning Committee, in considering the proposal, will welcome comments, for or against the scheme, from those who live in or own property nearby, and I should thus be pleased to know, in writing, if you as the occupier/owner of neighbouring property have any comments.

Address of application property

CHELSEA COLLEGE SITE, HORTENSIA ROAD,
S.W.10

Proposal for which permission is sought

1. Amendments to previous planning permission (Ref. 88/0633). Amendments involve formation of 21 flats in front building (instead of 9 flats & 4 houses previously approved). Also alterations to office buildings at front & rear.
2. Approval of details - access ramp and landscaping.

[**PLEASE NOTE** Due to staffing shortages it will be necessary to close the Planning Information Office on the following occasions: 15 December: closed 12 noon - 2.30pm; 20 & 21 December: closed 1 - 2pm 22 December: closing at 1pm and reopening 27 December at 9.15am. 27, 28, 29, December: closed 1pm - 2pm. The office will be closed on 1 January & will reopen on 2 January at 9.15am.]

Further details are printed overleaf.

Yours Sincerely,

MISS C.M. DENT

Director of Planning and Transportation

TOWN AND COUNTRY PLANNING ACTS, 1971/74

The Council is required by the Secretary of State for the Environment to consider all planning applications expeditiously. Any letter of support or objection should be received as soon as possible within 14 days of the date of this letter, although later objections, if received in time, will be reported to the Council Committee meeting which decides the application. An early response gives the Council's officers the opportunity to encourage applicants to amend their plans in the light of objections received, and the application may therefore be amended before it is decided. If you cannot formulate your detailed objections within 14 days you should acknowledge this letter so that your interest can be noted.

The reasons for any objection should be clearly stated.

Objections relating to party walls and inconveniences which may be caused by building operations should however be taken up, either by yourself or your professional representative, with the applicant.

All correspondence received will be available to members of the determining Committee when the application is considered.

It must be clearly understood that any comments you may choose to make will be made available to the applicant, his agent and any other interested party, pursuant to the requirements of the Local Government (Access to Information) Act, 1985.

Should there be any tenants in the buildings or other persons likely to be affected by this application, would you please be good enough to bring this letter to their attention.

If you are not the owner of the property to which this notice is addressed will you kindly forward this letter to the owner.

WHERE TO EXAMINE THE PLANS

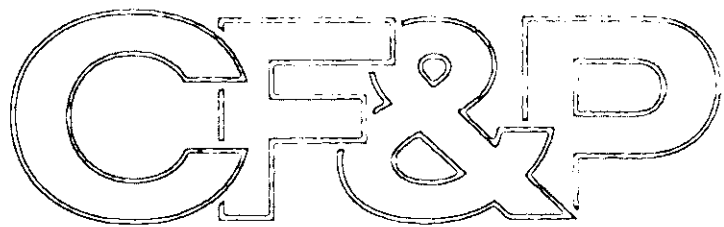
The plans and/or application details referring to this proposal may be inspected at the Planning Information Office on the 3rd floor at the Town Hall, Hornton Street, W8 7NX, between the hours of 9.15 a.m. and 4.45 p.m., Mondays to Fridays. Alternatively, copies of all planning applications relating to:

- (a) the Chelsea area can be examined at the Information Office, Chelsea Old Town Hall, King's Road, SW3. Tel. 01-352 1856.
- (b) the postal areas W10, W11, or W2 can be examined at the Borough Council's Advisory Service Office, The Information and Aid Centre, 140 Ladbroke Grove, W10 (under Westway, opposite Ladbroke Grove tube station. Tel. 01-969 2433).

Please telephone the Chelsea and Westway offices to check opening times.

Please quote the T.P. reference number on all written replies.

Please note: In the interest of economy, letters in agreement or without objection to the proposals will not be acknowledged.



Colwyn Foulkes and Partners

Chartered Architects Planning and Landscape Consultants

ATTN: Ms C Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8

RECEIVED BY D. P. T.				
On 22 DEC 1989 <i>bcf</i>				
DC N	DC C	DC S	DC E	DC
ASB	D. PLAN	RECORDS	DPT	ENV. PLAN
21st December 1989				
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HTN/LA/RW/fh

Dear Madam

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD

Further to our recent application dated 24th November 1989, regarding the flats fronting Hortensia Road, front and rear offices, we enclose 4 no copies of our drawing number HTN/01/115A.

We apologise for this late revision but the original drawing did not indicate the hipped mansard.

Could you please substitute this drawing in lieu of HTN/01/115.

Thank you for your co-operation.

Yours faithfully

H.R.T. Williams

H.R.T. Williams
COLWYN FOULKES AND PARTNERS

cc N. Pryor, John Trott & Sons

enc

*CZ
copy revision
to please*

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G At: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE., B.Arch. RIBA Dip CDFRSA
J. J. R. Godfrey, MA. Cantab. RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch. Dip LA ALI
Associates:
M. Marmalis, B.A. (Hons) Dip Arch. RIBA

Royds Barfield

With Compliments

Solicitors

2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

Box 102 London

The Planning Department
Royal Borough of Kensington &
Chelsea

Town Hall

Horton Street

LONDON W8 7NX

21:12:89

Our Ref

SAW/REIN/STO. 40-4

Your Ref.

Enclosure(s) sent for your information/attention/approval

DDPT

LO

TRANS.

BUILD CONTROL

AD ACK

Cheque herewith/received

Received account/notice herewith

As requested

Please receipt and return the attached account/notice

We acknowledge receipt of your recent letter/enclosures

C2

RECEIVED BY D.P. To
EC4A 2BL
21/12/89

On
CC
N
EMV.
PLUM

Royds Barfield

Solicitors

G. X. Constantinidi
A. M. S. Alexander
A. A. Maberly
R. J. Lloyd-Davies
C.R. Wright

R. M. Woodman
J. M. H. Buckland
Anne L. Thistlethwaite
S. Wilkinson

2 Crane Court, London EC4A 2BL

Telephone: 01-583 2222 (20 Lines)

Telex: 28198

Fax: 01-583 2034

DX 102 London

Our Ref **SAW/REIN/STO.40-4** Your Ref

And at
18 Crown Lane, Morden SM4 5BS 01-542 1067

21st December 1989

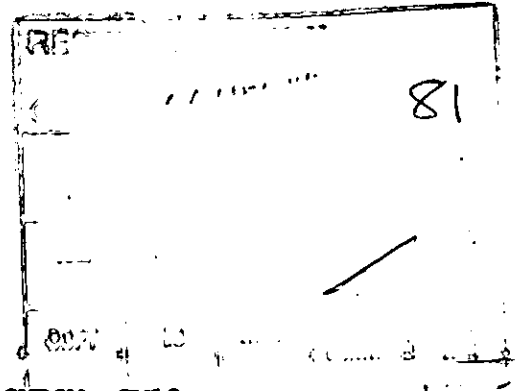
BY FAX: 01-938 1445

BY POST

The Chief Executive
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
LONDON W8 7NX

Dear Sirs

Re-: DEVELOPMENT AT HORTENSIA ROAD, CHELSEA, LONDON, SW10



We refer to our previous correspondence, culminating in our letter to you of 15th November 1989. There are a number of additional points that we believe should be placed on record at this juncture and these are set out below-:

- 1> We refer in our previous letter to the fact that any breach of condition 8 of the Planning Permission dated 22nd December 1988 renders the entire permission null and void. Clearly the developers have varied from their own proposals by their own admission. The Residents will expect your Authority to invoke this condition. It was accepted by you at the meeting on 14th November that a new Planning Application covering the entirety of the development would now have to be submitted. We understand that in fact the new Application relates only to part of the development and would you therefore please confirm that you will be insisting on a fresh Application being submitted dealing with the development in its entirety. In doing so your Authority should consider afresh the consequences of this development upon the area, given that there appear to have been significant irregularities in the context of the original application.
- 2> You have previously been notified by our Client and the other Residents of Gunter Grove that substantial confusion has been caused in the minds of all concerned as a result of the misleading plans and the model submitted in support of the original Application. We are instructed that such plans were not properly drawn to scale and that the site model effectively represented the buildings adjoining the development site at more than double their actual size, in

comparison with the buildings forming part of the development. Clearly, this gave those few Residents who actually had foreknowledge of the development, a totally wrong conception of the nature and effect of the proposal. Even now such of the plans that our Clients have seen in respect of the new application do not appear to correct a number of the obvious errors.

- 3> We are aware that a consultation process was undertaken by the Developers. However, both our Client and other Residents have made it clear to you that notwithstanding the evidence that was submitted in support of the Planning Application, that in fact only a small number of Gunter Grove Residents were actually "consulted". Furthermore, as we have stated above, those who were notified were, we are informed, supplied with inaccurate information and in some cases their views were misrepresented.
- 4> In the light of 2 and 3 above, we therefore consider it of crucial importance that the Residents of adjoining properties are consulted in connection with any new Planning Application concerning the development site. At the meeting on 14th November, you assured the Residents that they would be consulted over the question of the whole development and would be supplied with all necessary information in that regard. In addition, the Residents were notified that a further meeting would take place to explain the final proposals and also that the Residents would be permitted to address the Planning Committee Meeting before a final decision on fresh application was taken. Would you kindly confirm that arrangements are being made to implement this consultation process and advise us of the date on which it is envisaged a further meeting with the Residents should take place.
- 5> As a result of our Client's intense concern, as you are aware, he has felt it necessary to instruct his own Surveyor and Planning Consultant. Our Client is advised that it is clear that the development as originally approved does not meet your own standards for light, privacy, density, volume of office use etc. in a number of material respects. Clearly in the context of the new application the Residents expect that your authority pays full regard to its own standards. If these are felt to be inappropriate we would therefore invite your comment on why the normal standards applicable to developments of this nature are not being applied in this case. The unfortunate history to date in relation to this proposed development is a matter for deep concern by the Residents bearing in mind its significant

and adverse impact on the nature and amenity of the adjoining properties which is likely to ensue if the same proceeds in a form which follows the earlier proposals.

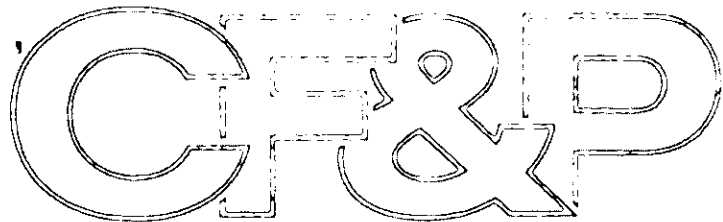
We look forward to hearing from you on the above points as soon as possible.

Yours faithfully

Royds Barfield

cc. Planning Department

Rec
14/12.
CB



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

For the attention of:

Ms C Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornon Street
London W8

RECEIVED BY D. P. T.				
On 13 DEC 1989 56				
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ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
DDPT	LO	TRANS.	STUD CONTROL	AD / 100

HTN/LA/MM/kij

12th December 1989

*cc
copy of plans
to 10/10/89*

Dear Madam,

Chelsea College Site, Hortensia Road, London SW10

Further to our letter of 8th December 1989 we enclose 4 copies of drawing No.s HTN/01/113 D and 115 in support of our application dated 13th November 1989.

We would be grateful if you would append the enclosed drawings to the above application.

Yours faithfully,

Colwyn Foulkes & Partners

COLWYN FOULKES & PARTNERS

CC: N Pryor, John Trott & Son

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G At: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:

A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE B.Arch. RIBA Dip CDFRSA
J. J. R. Godfrey, MA Cantab. RIBA

Consultants:

R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch Dip LA ALI
Associates:
M. Marmalis, BA (Hons) Dip Arch RIBA

TOWN & COUNTRY PLANNING ACT 1971

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND/OR BUILDINGS IN GREATER LONDON

FOR OFFICE USE ONLY

Fee £.....

Cheque/Postal Order/Cash

Receipt No. Issued.....

Borough Ref.
 Registered No.
 Date Received **7 NOV 1989**
 On

PLEASE READ THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE To be completed by or on behalf of all applicants as far as applicable.
FEE (where applicable) £ **608.00**

1. APPLICANT (in block capitals) AGENT (if any to whom correspondence should be sent)

Name **Forthold Ltd** Name **Colwyn Foulkes & Partners**
 Address **243 Knightsbridge** Address **229 Kensington High Street**
London SW7 1DH **London W8 6SA**

Tel. No. **(01) 581 1322** Tel. No. **(01) 938 2464** Ref.

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application relates **Chelsea College Site**
Hortensia Road
London SW10
 TP892437

(b) Site area **1168** m.sq. hectares

(c) Give details of proposal indicating the purpose for which land/buildings are to be used and including any change(s) of use.
21 Flat Units
2 Office Units
BI Accommodation

(d) State whether applicant owns or controls any adjoining land and if so, give its location. **YES** refer to area outlined in blue on attached plans

(e) State whether the proposal involves:—

(i) New building(s) or extension(s) to existing building(s)	<input checked="" type="checkbox"/> YES	State Yes or No	▶ If "Yes" state gross floor area of proposed building(s).	2041 m ²
			↓	
			If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.	21 flats
(ii) Alterations	<input type="checkbox"/> NO			
(iii) Change of use	<input type="checkbox"/> NO		▶ If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).	
(iv) Construction of a new access to a highway	vehicular... <input type="checkbox"/> NO pedestrian <input type="checkbox"/> NO			
(v) Alteration of an existing access to a highway	vehicular... <input type="checkbox"/> NO pedestrian <input type="checkbox"/> NO			hectares/m²

* Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

- State whether this application is for
- (i) Outline planning permission NO YES
- (ii) Full planning permission YES NO
- (iii) Renewal of a temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted. YES NO
- (iv) Consideration under Section 72 only (Industry) YES NO

If Yes strike out any of the following which are not to be determined at this stage.

1 siting	4 external appearance
2 design	5 means of access
3 landscaping	

If Yes state the date and number of previous permission and identify the particular condition

Date: _____ Number: _____

The condition: _____

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

- State: _____
- (i) Present use of building(s)/land Residential
- (ii) If vacant the last previous use and period of use with relevant dates. _____

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS ETC; forming part of this application

HIN/01/105G, 106B, 101P, 107, HINL(2-)011J, 012J, 013K, 015K, 017A HINL(1-)01

6. ADDITIONAL INFORMATION

- State Yes or No
- (a) Is the application for non-residential development NO YES If Yes complete **PART THREE** of this form (See **PART THREE** for exemptions)
- (b) Does the application include the winning and working of minerals NO YES If Yes complete **PART FOUR** of this form
- (c) Does the proposed development involve the felling of any trees NO YES If Yes state numbers and indicate precise position on plan
- (d) (i) How will surface water be disposed of? Connection to Local Authority Sewer
- (ii) How will foul sewage be dealt with? Connection to Local Authority Sewer
- (e) Materials – Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
- (i) Walls Stucco (painted render) reconstituted stone, London Stock
- (ii) Roof Reconstituted slate and lead.
- (iii) Means of enclosure _____

I/We hereby apply for (strike out whichever is inapplicable)

(a) planning permission to carry out the development described in this application and the accompanying plans in accordance therewith.

OR

(b) planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of land already instituted as described on this application and accompanying plans.

Signed Colwyn Foulkes & Ptnrs on behalf of COLWYN FOULKES & Ptnrs Date 13 November 89

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 days before the date of the application, complete Certificate A. If otherwise see **PART TWO** of this form

CERTIFICATE A

Certificate under Section 27 of the Town and Country Planning Act 1971.

I hereby certify that:—

- (a) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.
- No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
 - None of the land to which the application relates constitutes or forms part of an agricultural holding; or
 - I have given the requisite notice to every person other than myself himself who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:—

Name and Address of Tenant: _____ N/A

*strike out whichever is inapplicable

Date of Service of Notice _____

Signed Colwyn Foulkes & Ptnrs on behalf of COLWYN FOULKES & Ptnrs Date 13 November 89

TP892137

HORTENSIA ROAD, LONDON SW10

RECEIVED BY D. P. T.				
On - 6 NOV 1989				
DC N	DC C	DC F	DC S	DC



SCHEDULE OF MATERIALS

Facing Brickwork: (to upper storeys)

Flats, Houses & Rear Offices: Otford London Stock
Front Offices: Kithurst Red Stock

Feature Brickwork

Flat arches with skewback specials: Kithurst Red Stock
Vehicle arches : special gauged arch: Kithurst Red Story
Keystone feature to 2nd floor arches.
Party wall parapets : brick on edge with tile creasing.

Mortar

Colour : Natural
Pointing : Struck Weathered / FWSM?

Stucco (to ground storey)

Common blockwork with rusticated stucco work painted
with smooth masonry paint
colour: magnolia

Keystone feature over windows

Other features

Reconstituted stone entrance porticoes to flats.
Reconstituted stone steps.
Rendered Quoins to flats front elevations.
Reconstituted stone cornice, string course and parapet copings.
Cast Cills : painted, to match stucco.
Pediments : reconstituted stone copings and dentil course.
Rendered pediment.
Rendered top floor to offices
Chimneys in facing brick with dog tooth dentil feature (houses only)

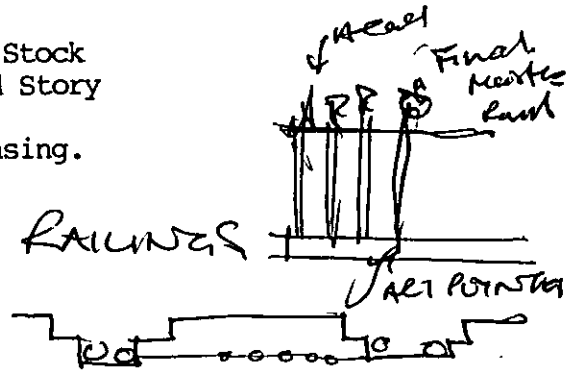
All Clear Glazing

Windows

Timber double hung vertical sliding sash and casement.
Painted, colour white.

Doors

Flats and Offices: Hardwood glazed with bevelled glass
Houses: Hardwood 6 pannelled doors painted white.



Door Furniture: Polished brass

Address Plaques: ceramic

Roof

Blue-black Fibre Cement textured slate.

Balustrades to balconies

Galv. ms. painted black gloss.

External Works

Railing: Regency pattern galv. ms painted black gloss

Paving: Marshalls Rialta concrete setts in buff and dark grey panels.

Garden Walls: Otford London Stock with brick on edge and tile creasings.

RECEIVED BY D. P. T.				
On - 6 NOV 1989				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS	COND CONTROL	FO ALK

CFP/MM/pl

3.11.89

Hatzema Rd

575m² ~~2~~ ~~dec~~
on repair - 600m²

Dates of meeting.

Nov 20th - Meeting with N. Bulker + Mr Pror.
November 30th, application submitted, incomplete.

December 12th. Application finally completed.

December 22nd Notifications sent out.

December 1st R. Williams, go through drawings
& applications.



Landscaping ✓ Richard

Details

Front elevation

office areas.

Allowed

Front Office :

$$\begin{aligned} \text{Ground fl} &= 640.8 \\ \text{1st fl} &= 88.5 \\ \text{2nd, 3rd, 4th} &= \frac{158.82}{3} \times 3 = 476.46 \\ &= \underline{629.76 \text{ m}^2} \end{aligned}$$

Rear Office :

$$\begin{aligned} \text{Ground} &= 198.24 \\ \text{1st} &= 97.7 \\ \text{2nd} &= 96.49 \end{aligned}$$

$$\begin{aligned} &= \underline{392.43} \\ \text{Total area allowed} &= \underline{1,022.19 \text{ m}^2} \end{aligned}$$

Proposed:
Rear:

Basement	51.8
Ground	177.2
1st	93.85
2nd	98.7

Total = 421.55.

Front:

Basement	99.3
1	71.2
2, 3, 4	94.9
	157.4 x 3

= (737.6)

Total = 1,159.15.

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

DEVELOPMENT CONTROL

TECHNICAL INFORMATION

TP892137



ADDRESS Chelsea College Site, Mortemera Road, London SW10 R.B.

COMP INDEX DATA	Cons Area	HB	CPO	TPO	SPEC Ind. Area	CSF	Unsuit. Dip Use	Area Local Interest	Area of Special Character	Met. Open Land	ART IV
	25	II	—	✓							

SOS

DENSITY

PLOT RATIO

SITE AREA

SITE AREA
ZONED RATIO

2:1

HABITABLE ROOMS
PROPOSED
PROPOSED DENSITY

FLOOR AREA
PROPOSED
PROPOSED PLOT RATIO

DAYLIGHTING

CAR PARKING

Complies/Infringes

Spaces required:

Spaces provided:

EIGHT SCHEDULE ADDITIONS

- 1. Gross floor space of original building
- 2. 1/10 tolerance
- 3. Proposed additional floor space

SPECIAL CONSIDERATIONS

Schedule 8 tolerance

Compliance with Parker Morris/Housing Art requirements

Density/Plot Ratio Conditions

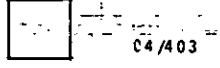
NUMBER/NAME OF PROPERTY: CHELSEA COLLEGE OF SCIENCE & TECHNOLOGY ANNEXE formerly HUDSONS DEPOSITORY. ADDRESS: HORTENSIA RD. CARD No 1. TP. ARCHIVE NO. 6163. 11062. JPK 10

APPLICATION NUMBER	DATE OF APPLICATION/RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
	8-3-66A	use of limited period Hudsons Depository building for educational purposes as per dwg. TP 1192	Con 4-5-66 limited to 5-4-76	✓
	-	Approval to detail dwg. No. 210 (sheet 3) for parking spaces re 4.5.66.	Ad. 2-7-76	✓
	29-7-66A	revised 1.9.66 Erect & retain for limited period single storey pre-fab. bldg. for educational use. Submitted drawing No. 7497, your No. A9	Con 6-10-66 limited to 5-4-76	✓

CROSS REFERENCE

Cont'd over

OFFICES



APPLICATION NUMBER	DATE OF APPLICATION/RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
	14-12-66A	Erect a roof of depository & retain for limited period - single storey greenhouse	Con 16-2-67 limited to 5-4-76	✓
	18-4-67A	Erect & retain for limited period a ground - single storey greenhouse.	Con 13-7-67 limited to 5-4-76	✓
	23-2-68A	Erect 5000 gal. cold water storage tank on land as per dwg. TP 11062/6 your dwg. No. A9: 120B	Con 11-4-68 limited to 5-4-76	✓
	23-11-67A	finally amended 26.2.68. Erect electricity sub-station on land as per dwg. TP 11,062/6 your dwg. No. A9: 120B.	Con 19-4-68 limited to 5-4-76	✓

CROSS REFERENCE

Cont'd on Card No 2

NUMBER/NAME OF PROPERTY

CHELSEA COLLEGE OF SCIENCE & TECHNOLOGY ANNEXE

ADDRESS

HORTENSIA RD. ^{formerly HUDSONS DEPOSITORY}

ARD No 2

TP. ARCHIVE

NO 6163

SWIF

11062

APPLICATION NUMBER	DATE OF APPLICATION/RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
	8 3 68A	Erect a depository roof - single storey ventilation plant room as per drawing TP 11062/7 your drawing No. A9-190.	Con 3.5.68 limited to 5 4 76	✓
	2 1 70A	Erect single storey house house, if possible material stone of gas cylinder store as per drawing TP 11,062/8 your drawing Nos. HR 112A, 125A.	Con 2 3 70 limited to 5 4 76	✓
	19 3 70A	Erect Manley pre-fab. garage on west west corner as per drawing TP 11,062/9 your drawing HR 112B and perspective drawing.	Con 28 5 70	✓

CROSS REFERENCE

Could meet

OFFICES



CA/403

APPLICATION NUMBER	DATE OF APPLICATION/RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
	6 3 73A	Erect 12' x 12' x 7' 3/4" greenhouse in south west corner of site as per drawing TP 11062/10 your drawing No. HR 128 and manufacturers brochure	Con 8 6 73 limited to 5 4 76	✓
	4 12 74A	Erect temporary building on site as per drawing TP 11062/11 your drawing No. MR 136.	Con 24 3 75 limited to 5 4 76	✓
	6 1 76A	Could use for further limited period of Hudsons Repository for educational purposes by Chelsea College.	Con 27 7 76 limited to 23 6 87	✓
76/968	2 9 76A	Proposed alterations & additions to shoe block. Planning permission not req'd. letter drawn	2 17 9 76	✓

CROSS REFERENCE

Could on Card No 3.

NUMBER/NAME OF PROPERTY

CHELSEA COLLEGE OF SCIENCE & TECHNOLOGY ANNEXE

ADDRESS

HORTENSIA RD.

CARD No 3

TP, ARCHIVE

NO. 6163

formerly HUDSONS DEPOSITORY

SW10

11.6.62

APPLICATION NUMBER	DATE OF APPLICATION/ RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
76/1155	13 10 76A	Retain for further limited period single storey building for educational use by Chelsea College.	Can 14 12 76 limited to 23 6 87	✓
76/1379	2 12 76A	Remove boundary gates in wall and brick up with new brickwork as per drawing T/76/1379 your drawing. No. HR 149.	Can 21 2 77	✓
82/1286	8.9.82 (Completed 13.9.82)	Continued use for educational purposes, at the Former Hudsons Depository, Hortensia Road, Chelsea, SW10	Grant 10.11.82	✓

CROSS REFERENCE

OFFICES

507 927 39 22750
C4/403

APPLICATION NUMBER	DATE OF APPLICATION /RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
88/1410			W/D	
		Appeal lodged 12/9/89		
89/967	26.5.89	Section of adult education institute + youth centre. Application withdrawn	WON 24/4/89	
88/633		SEE CHELSEA SECTION		
		TXCPA 1971 SECTION 87 Breach of conditions 2, 5 & 10 of the P.P. granted 22.12.1988.	ENF 31.10.89	

CROSS REFERENCE

NUMBER/NAME OF PROPERTY
CHELSEA COLLEGE OF SCIENCE & TECHNOLOGY ANNEXE formerly **HUDSONS DEPOSITORY**

ADDRESS
HORTENSIA ROAD, SW10

CARD No. 4

TP. ARCHIVE NO.
6163

H 11062

APPLICATION NUMBER	DATE OF APPLICATION/ RECEIPT	BRIEF DESCRIPTION OF PROPOSAL	DECISION AND DATE	CONTROL OF ADVERTS & HISTORY NO.
		T&CPA 1971. SECTION 87 Bedg. opns - erection of 12 houses, 9 flats & 675 sq. metres of office floor space, other-wise than in accordance with PP dated 22.12.1988, and the approved plans.	ENF 31.10.89	
89/2137				

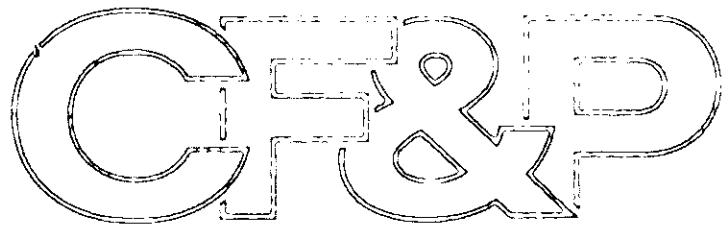
CROSS REFERENCE

OFFICES



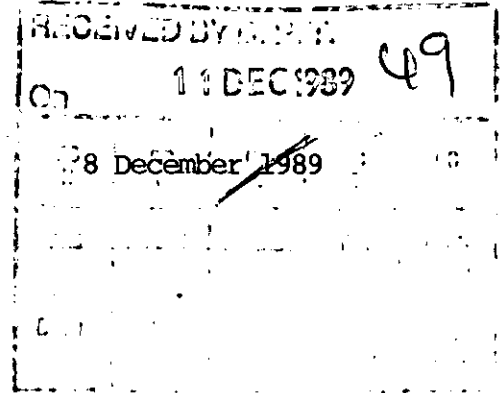
C4/A03

AK
GS



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

Attention: Ms Christine Zacharia
Planning Department
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8



HTN/LA/RW/pl

TP892137

Dear Madam

Chelsea College Site, Hortensia Road, London SW10

Further to our recent application dated 30.11.89 we now enclose revised drawings of the 1:100 layouts as requested:

Four Copies of drawings Nos. : HTN/01/113c
HTN/01/114d
HTN/01/120a
HTN/01/122a

*Copy of revision
to FO please*

These supercede drawing numbers: HTN/01/113c
HTN/01/114d
HTN/01/120a
HTN/01/122a

which we would be obliged if you would now withdraw.

Thank you for your co-operation.

Yours faithfully

Williams

H R T Williams
Colwyn Foulkes & Partners

c.c. Nick Pryor, John Trott & Son
L Hoyer Miller, LET
A Gosland, Lilley Developments

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE. B.Arch. RIBA Dip CDFRSA
J. J. R. Godfrey, MA. Cantab. RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch. Dip LA ALI
Associates:
M. Marmalis, BA (Hons) Dip Arch. RIBA



Department of Planning and Transportation,
Department 705
Town Hall
Hornton Street
London W8 7NX

Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

RECEIVED BY D. P. T. 27 NOV 1989				
On				
DC N	DC C	DC S	DC E	DC
24 November 1989 AR3			DPT	ENV. PLAN
DDPT	LU	TRANS.	BUILD CONTROL	AD ACK

For the attention of: Ms C M Dent

HTN/LA/RW/pl

TP892137

Dear Madam

Chelsea College Site, Hortensia Road, London SW10

Further to our letter of the 3rd November, 1989 enclosing application forms Part 1 and 3 for planning permission, and in accordance with discussions held between your Department and our Planning Consultants, Messrs John Trott & Son, we write to advise that a formal application has been submitted for the revised proposals for 21 flats and two BI office on the subject site fronting Hortensia Road.

Accordingly, by this letter, we would formally request that the application submitted with our covering letter of the 3rd November, 1989 (and incorrectly dated 2nd October 1989) be withdrawn, together with the relevant drawings HTN/01/101P and 105E. We would ask that in order to avoid confusion that all four copies of such documentation be returned to this office.

We confirm that a separate application has been submitted as at today.

Yours faithfully

Colwyn Foulkes & Partners.

COLWYN FOULKES & PARTNERS

Encs.

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

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E. M. Foulkes, M.B.E., B.Arch., RIBA, Dip.C.D.F.R.S.A.
J. R. R. Godfrey, M.A., Cantab., RIBA
M. Marmalis, B.A. (Hons) Dip. Arch., RIBA

Consultants:

R. Colwyn Foulkes, Dip. Arch., RIBA
Jane Coy, Dip. Arch., Dip. L.A. A.L.I.

Associated practice:
Keane Murphy Duff - Dublin

TP8921:7

Ms C Zacharia
Planning Department
The Royal Borough of Kensington
& Chelsea
Town Hall
Hornton Street
London W8

Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

RECEIVED BY D. P. T.
27 NOV 1989

On

24 N	November C	21 S	1989 E	DC	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN	
DDPT	LO	TRANS.	BUILD CONTROL	AO ACK	

TP8921:7

HTN/LA/RWpm

Dear Madam

HORTENSIA ROAD, LONDON SW10

Further to the telephone discussion between Mr Pryor of Messrs. John Trott and Son and your Department, we are advised that the correct and most helpful way to consider the alteratins for the front block at the above site, is to submit a detailed application relating only to that block of flats and the two office buildings. Accordingly, we write to submit such an application in accordance with the advice given to us and as discussed with your department. The following documents form part of the application submitted on behalf of Trust Estates:

1. 4 copies of the appropriate form, TPl, duly signed.
2. Appropriate certificate completed under Section 27 of the Town and Country Planning Act.
3. 4 copies of the following drawings.

HTN/01/107
HTN/01/106B
HTN/01/105G
HTN/01/101P
HTNL(1-)01V
HTNL(2-)01LJ
HTNL(2-)012J
HTNL(2-)013K
HTNL(2-)015K
HTNL(2-)017A

We would note that drawing number HTNL(1-)0-1 - (L(2-)017A are production drawings. These will be redrawn in traditional planning form for ease of reference.

/continued....

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 53 2735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
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E. M. Foulkes, M.B.E., B.Arch., R.I.B.A., Dip.C.D.F.R.S.A.
J. R. R. Godfrey, M.A., Chartered, R.I.B.A.
M. Marnells, B.A. (Hons) Dip. Arch., R.I.B.A.

Consultants:
R. Colwyn Foulkes, Dip. Arch., R.I.B.A.
Jane Coy, Dip. Arch., Dip. L.A. A.L.I.

Associated practice:
Keane Murphy Duff - Dublin

4. Appropriate cheque for the statutory planning fee in the total sum of 608.00 (ie 8 x £76.00)

We note that the enclosed application supercedes our application submitted on 3rd November, 1989 (dated 2nd October 1989). We would be grateful if you would withdraw this previous application immediately and substitute the present one.

We will arrange to have the documents collected from your offices as soon as possible.

As you are aware, there has been much discussion between this firm and your Department over these new proposals, and we draw attention to correspondence dated 8 November 1989 and 31st October 1989.

Finally we would be grateful for an early acknowledgement of this application and would request that it be considered at the earliest possible Committee Meeting. For the avoidance of doubt, we would ask that this covering letter form part of the application.

Yours faithfully

Colwyn Foulkes & Partners.

COLWYN FOULKES & PARTNERS

Encs.

RECEIVED BY D. P. T.				
27 NOV 1989				
On				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	U	A.S.	BUILD CONTROL	AO ACK

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



MISS C. M. DENT, BSc, M Phil, FRICS, FRTPI
Director of Planning and Transportation

M. J. FRENCH, ARICS, Dip. T. P.,
Deputy Director of Planning and Transportation

Department 705,
The Town Hall,
Hornton Street,
London,
W8 7NX

Colwyn Walker & Partners,
224 Kensington High Street,
London W8 6SA

Telephone: (01) 937 5464
Extension: 2010
Facsimile: 01 - 938 1445

14 11 89

My reference: TP/ /APP/PEND

Your reference:

Please ask for: *TP/APP/PEND (RMT)*

Dear Sir (Madam),

Town and Country Planning Act, 1971 – Town and Country Planning General Development Order 1988 and (Applications) Regulations, 1988 Town and Country Planning (Fees for Application and Deemed Applications) Regulations 1981 and (Amendment) Regulations 1987 et seq

I refer to your town planning application dated *2.10.89* for *change of college site, Holtonia Road, SW10.*

I would advise you that before I can accept your application as a complete application – it will be necessary for you to provide the following information:-

- Photograph(s) of the existing front and rear elevation(s) in relation to adjacent properties.
- Complete and return 4 copies of the enclosed TP.1.PT.
- Complete and return 4 copies of the enclosed TP.1 (H.B.) PT.
- Copies of the existing plans, sections and elevations.

Copies of proposed floorplans of front building.

£ 608 Total Fee Required £ 608 (8 x 76). Note: Category
 Received £
 Outstanding £ 608

You are requested to note that the eight weeks statutory period will not begin until both the correct technical information and the fee have been received.

Yours faithfully,

Mary Dent
Director of Planning and Transportation

Please confirm that there are no alterations to the rear elevation or side walls or sections of the front building. If otherwise please submit revised drawings.

PLEASE RETURN TEAR OFF SLIP BELOW WITH INFORMATION REQUIRED

REF: TP/ /APP/PEND _____ ATT/PM _____

Address Chelsea College Site, Holtonia Road, SW10.

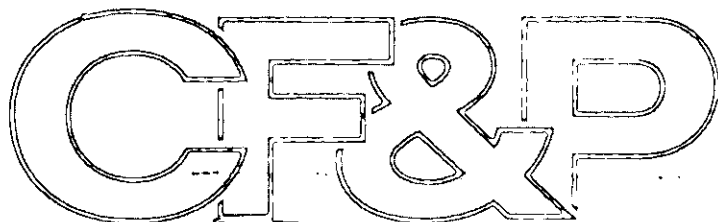
To be completed by applicant:- Please find enclosed the following:-

Signed _____

Date _____

D4/313

Ms. C.M. Dent
Director of Planning and Transportation
Department 705
Town Hall
Hornton Street
London W8 7NX



Colwyn Foulkes and Partners
Chartered Architects, Planning and Landscape Consultants

RECEIVED
On 01 NOV 1989

DC N	DC C	DC S	DC E	DC
AFD	PLAN	RECORDS	CPT	ENV. PLAN
LDN	TO	THINGS	BURD	AD

3rd November, 1989

HIN/LA/MMgm

TP892137

Dear Madam

CHELSEA COLLEGE SITE, HORTENSIA ROAD, LONDON SW10

Further to your letter dated 20th October, 1989 we enclose the following in respect of conditions 02, 05 and 10 of the Planning Consent granted on 22nd December, 1988 (ref: TP/88/0633).

1. Confirmation by this letter of delivery of samples of proposed facing bricks to your offices:
 - Otford London Stock
 - Kithurst Red Stock
2. Schedule of materials.
3. 4 copies of landscape drawing no: HIN/L(1-)04.
4. 4 copies of ramp details drawing no: HIN4/L(1-)011 together with copies of the following correspondence relating to design of the basement ramp:
 - Colwyn Foulkes & Partner's letter dated 12th February, 1989 to the Directorate of Planning and Transportation.
 - Royal Borough of Kensington and Chelsea's letter dated 23rd March, 1988.
 - Royal Borough of Kensington and Chelsea's letter dated 11th July, 1988.

In addition we formally submit 4 copies of our Application Forms Parts 1 and 3 for planning permission to amend the front building by omission of the 9 flats and 4 houses previously proposed and addition of 21 flats all as previously discussed together with drawing no's: HIN/01/101P, and 105E.

229 Kensington High Street, London W8 6SA
Tel: 01 938 2464 Fax: 01 938 2847

Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 532735
Telex: 8950511G Att: 16403 Fax: 0492 53 1034

17 King Street, Knutsford, Cheshire WA16 6DW
Tel: 0565 52126 Fax: 0565 54933

Partners:
A. N. Colwyn Foulkes, B.Sc. B.Arch. RIBA
H. R. T. Williams, B.Sc. B.Arch. RIBA
E. M. Foulkes, MBE, B.Arch. RIBA Dip CDFRSA
J. J. R. Godfrey, MA Cantab RIBA

Consultants:
R. Colwyn Foulkes, Dip Arch. RIBA
Jane Coy, Dip Arch. Dip LA ALI
Associates:
M. Marmalis, BA (Hons) Dip Arch. RIBA

We also enclose a copy of our drawing HTN4/L(2-) 056D and HTN4/L(2-)055F indicating the agreed revised parapet/raked glazing detail to satisfy the approved parapet level for the rear offices.

Yours faithfully

M. Mamalis

M. Mamalis
COLWYN FOULKES & PARTNERS

c.c. G. Thomas Forthold Ltd

encs.

Chelsea Valley, Hartman Rd

SUBJECT-SITE

FILE REFERENCE:

R.B.K. & C. Planning Service.

16-3-89

NOTES OF MEETING

DATE:

NAMES OF PERSONS
ATTENDING:

I had a meeting with the Architect to discuss the amendments.

OFFICERS:

MATTERS
DISCUSSED:

I agreed that there was no material increase in height, the main bulk had been reduced and although the 2 new gables exceeded marginally what was approved.

The density is reduced

The roadway at the back is increased in width.

The design is better (in my opinion).

He will submit the new front & rear elevations for your comment. Can we then discuss this. Please.



LITERATURE:
POLICY, PAPERS,
ETC.

SIGNATURES:

Jim, can we discuss fees.



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

Mr French
Royal Borough of Kensington & Chelsea
Planning Department
Town Hall
Horton Street
London
W8 7NX

28/12/80

*See 13/1
Mike
12.15
or 20
Amount
full charge.*

RECEIVED BY D. P. T.				
ON 22 DEC 1988				
CC N	CC S	CC J	DC E	DC
ARB 21 December	D. PLAN 1988	TRANS.	D/T	ENV. PLAN
DD/T	LO	TRANS.	E.U.D. CONTROL	NO MASK

HTN/ncf/pl

Dear Mr French

Hudsons Depository, Hortensia Road, SW10

Thank you for seeing me at such short notice before Christmas to discuss the project. As mentioned on the telephone last week we are now getting into the working drawings of the scheme and have started the detail design of the rear houses. The alterations we propose are principally elevation treatment and do not effect the size or massing. These minor alterations can hopefully be dealt with by delegated powers. We enclose a drawing showing the revised elevations proposed.

On a more significant matter our client is now considering adjusting the content of the terrace to Hortensia Road.

The approved scheme has 4 large houses, a block of flats and an office building. The client has asked us to investigate replacing the 4 town houses with another block of flats. The revised scheme we propose is attached. You will note that the depth of the new flats is less than originally proposed and so makes the "news" wider to the rear. The overall mass of the building is reduced. The effect on the neighbours has not changed.

We hope that you are able to view these alterations as fairly minor in terms of the impact on the neighbourhood and the neighbours.

We can still achieve the parking standards required and would suggest that the traffic generation is the same for both schemes.

I understand that the proposed alterations will need to be shown to the Planning Committee in view of the permission granted.

Your departments view was that flats were preferable in this location when we discussed the project with them at an earlier stage.

Thank you for your help in this matter. I would appreciate an early indication of your thoughts as this would assist us in the progress of working drawings.

/continued....

**229 Kensington High St. London W8 6SA Tel: 01 938 2464
Telex: 8950511 ONEONE G Att: 16402 Fax: 01 938 2847**

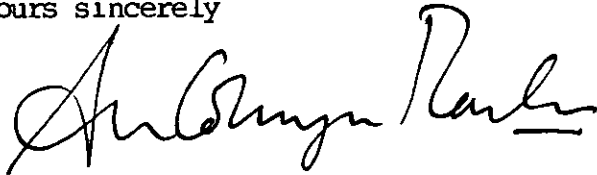
Merton Place, Colwyn Bay LL29 7BY. Tel: 0492 53 2735
Telex: 8950511 ONEONE G Att: 16403

Partners:
A. N. Colwyn Foulkes, B.Sc., B Arch., RIBA
H. R. T. Williams, B.Sc., B Arch., RIBA
R. Colwyn Foulkes, Dip. Arch. RIBA
E. M. Foulkes, MBE, B Arch RIBA, Dip C.D. FRSA
Consultants:
Jane Coy, Dip Arch., Dip L.A., A.L.I

One other aspect that has caused some confusion is the difference between the approved drawings for the office content and the approval document. There seems to be a significant difference that may be due to the fact that the original planning forms did refer to a very different office scheme. We enclose a schedule of areas measured from the approved plans. In gross area terms the approved scheme measures 1038m sq. and the approval document shows 600m sq.

Hopefully we can sort this out at the same time.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'A N Colwyn Foulkes', with a horizontal line under the last name.

A N Colwyn Foulkes

Encs:



J Ff DAVIES CEng MICE MIHT MILAM
 Director of Engineering and Works Services

RECEIVED BY D. P. T.				
On 6 NOV 1988				
Central Depot 37, Pembroke Road London W8 6PW				
SC N	CC C	DC S	DC E	
ATB	U.PLAN	PLANT	WPT	ENV
Telephone (01) 373 6099				
FAX (01) 370 3752				

Attn. Mr A Lesley
 Colwyn Foulkes & Partners
 Chartered Architects Planning
 and Landscape Consultants
 229 Kensington High Street
 London W8 6SA

This matter is being dealt with by Mrs C Fielding
 on extension 124

Please address all correspondence impersonally to the Director of Engineering and Works Services

Our ref.

FIN/CF/9E11

Your ref.

Date 11 July 1988

Dear Sir/Madam,

RE: Chelsea College Site, Hortensia Road

CFPL RECEIVED			
20 JUL 1988			
RW			
DW	✓		

bottom part of letter returned 20/7/88

Further to your application for the construction of .1 vehicle crossover(s) at the above address, I would like to advise you that my Highways Department has completed its site inspection and has confirmed that your proposal meets the necessary criteria for it to be presented to the Works Committee for consideration.

The Director of Planning and Transportation has confirmed that your application does not require/has been granted planning permission. The approximate cost of construction will be £6.600 (including VAT). If you wish to proceed with your application please so indicate by completing and returning the bottom part of this letter.

You must return it to me by not later than 1/8/88 if you wish the Works Committee to consider your application at their meeting on 12/9/88.

Please do not send any money now. I will contact you again regarding payment after the Committee has considered your application.

Yours faithfully,

J Ff Davies

J Ff DAVIES
 Director of Engineering
 and Works Services

/encl

/Cont.

CROSSOVR, FIN./23.2.87/pg7/ph

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA



E.A. SANDERS, ARICS,
Director of Planning and Transportation

M.J. FRENCH, ARICS, Dip. T.P.,
Deputy Director of Planning and Transportation

Mr Leslie,
Colwyn Foulkes & Partners,
229 Kensington High Street,
LONDON W8 6SA

RECEIVED BY D.P.T.			
On 6 NOV 1988		Department of Planning and Transportation	
CC N	CC C	CC S	CC London E W8 7NX
C.F.P. PLAN		RECORDS	OPT PLAN
RECEIVED		Telephone: (01) 937 5464	AD 238
28 MAR 1988		Extension: 27738	Facsimile: 01-938 1445
AL ✓		23rd March 1988	

My reference: TM/102/H/lhc Your reference: HTN/LA


Please ask for: M.W. Smith

Dear Mr Leslie,

NEW DEVELOPMENT IN HORTENSIA ROAD, SW10

I refer to your copy of the Minutes, dated 12th February 1988, of a meeting held in my offices on 12th February 1988, and to the telephone conversation between my assistant and yourself. My Minutes are substantially in agreement with your own. I record that the access to the basement area was proposed to be 4.8 m in width and that the parking area was to serve 12 residential units. There was discussion as to a suitable width for the access to the service yard and (your minute number 5) later in a telephone conversation on the same day, you tentatively proposed a width of 4.5 m. There has of course been a follow up meeting and subsequent correspondence regarding this southern access to the service yard.

Yours faithfully,


Director of Planning & Transportation

Mr Smith
Directorate of Town Planning & Transport
Royal Borough Kensington & Chelsea
Town Hall
Hornton Street
LONDON W5

RECEIVED BY D. P. T.
26 NOV 1988

DC N	DC C	CC S	I
APR	U.F.C.	APR	APR

12th February 1988

Ref: HTN/LA/al/el

12th February 1988

Dear Mr Smith

RE: HORTENSIA ROAD LONDON SW10

Further to our meeting of Friday 12th February 1988, I would like to confirm the following:

1. The radius of the kerbs forming the crossovers can be 3 metres
2. The ramp down to the basement comprising the first 4 metres back from the kerb at 1 in 20; the last 2.4 metres at 1 in 10 and the length in between at 1 in 7 is acceptable.
3. The sight-lines can be calculated from a point 3 metres back from the kerb line for both the ramp and the services yard access.
4. The proximity of the ramp to the minor access point for Hortensia Road is not a problem.
5. The proximity of the service yard access to Knight House may involve some extra works to avoid an over-large crossover.
6. The sight lines as measured from 3 metres back from the kerb provided a satisfactory distance of view.
7. The service yard provides sufficient areas for service vehicles to turn and the width of the access was considered generous.

We trust the above concurs with your view of the meeting.

Yours faithfully

COLBYN FOULKES AND PARTNERS

The Rise of FULHAM

Fulham has long been a residential suburb of London and over the last twenty years it has established itself as one of the more desirable and expensive residential locations. However, commercially, Fulham was traditionally a light industrial centre with a preponderance of workshops, and if you go back far enough, artisan activities. The few office buildings that existed in Fulham were occupied in the main by the smaller local firms of solicitors, accountants etc. with the larger firms requiring a more serious corporate image preferring the more traditional office areas of the West End and the City.

This trend began to change in 1986 when Trafalgar House Developments Ltd and McInerney Estates Ltd each submitted planning applications for the development of two sites for office purposes close to Fulham Broadway. These two schemes of approximately 15,000 sq.ft. and 20,000 sq.ft. respectively were aimed at the office owner-occupier market, which at that time was still in its infancy. Both proved extremely successful and Boston Gilmore succeeded to a large extent in selling both developments off plan for what were then record prices for the area.

Office occupiers were beginning to recognise that Fulham was extremely well located. Indeed with Hammersmith and Kensington to the North, Chelsea and Knightsbridge to the East, Battersea and Putney to the South and Chiswick to the West, Fulham can be seen to be completely surrounded by well established office locations.

The reason why Fulham did not itself develop into an office location earlier was due to the amount of light industrial floor space in the area and the reluctance of the Labour Council in the borough of Hammersmith and Fulham to allow this industrial space to be converted for office use.

However, in 1987 a significant change was made by Parliament to Planning Law by the introduction of The Town and Country Planning (Use Classes Order) Act 1987. Amongst other things this statute merged light industrial use and office use into a single use class incorporating commercial studio use, which is now known as class B1. Effectively this meant that planning permission was no longer required to refurbish existing light industrial buildings for use as

offices. Thus the floodgates were opened and good quality office/studio developments started springing up around the Fulham area.

Rents and prices rose steadily, starting originally at £125 per sq.ft. for refurbishments like Brandon House, rising through the £200 per sq.ft. mark at 11-43 Harwood Road, with developments currently on the market for prices approaching £300 per sq.ft. in the case of Burne Jones House on New Kings Road and rents just under £30 per sq.ft. in the case of Brigade House on Parsons Green which is currently being developed by Mervale Moore.

These are just a few examples of existing developments although many more are in the pipeline. The Fulham Broadway area in particular will be the subject of major redevelopment over the next few years. The Island Site at Jordan Place will provide 40,000 sq.ft. of new offices, whilst a planning application has been submitted for the redevelopment of the Chelsea Football Ground at Stamford Bridge, which provides for approximately 60,000 sq.ft. of new offices and studios in addition to a hotel, residential flats and a sports hall.

The Old Chelsea College in Pulton Place almost opposite Fulham Police Station is also likely to be redeveloped in the foreseeable future. Various planning applications have been submitted and it is likely that the development will either take the form of a refurbishment of the existing buildings to provide approximately 65,000sq.ft. of office/studio space or as much as a 130,000 sq.ft. of new offices and studios in the event of the existing buildings being demolished.

continued on page 8

11 Cotswold Mews Battersea High Street London SW11

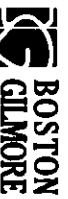
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- impressive entrance
- air conditioned
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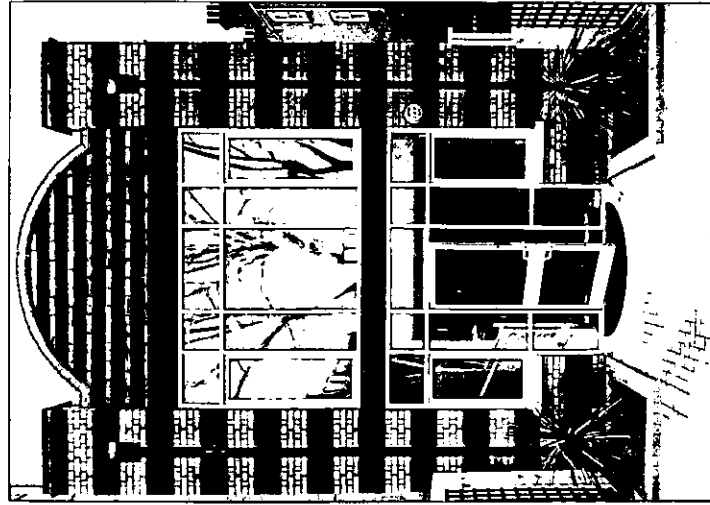
BOSTON GILMORE 4 Cambridge Grove, Hammersmith, W6 0LA.
Tel 081-846 8081. Fax 081-741 4492.

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25 Hanover Square London W1R 0DD
Fax: 071-493 3612

A Selection of Properties in the City Fringes and Islington



*You've
Either
Got It
or
You
Haven't*

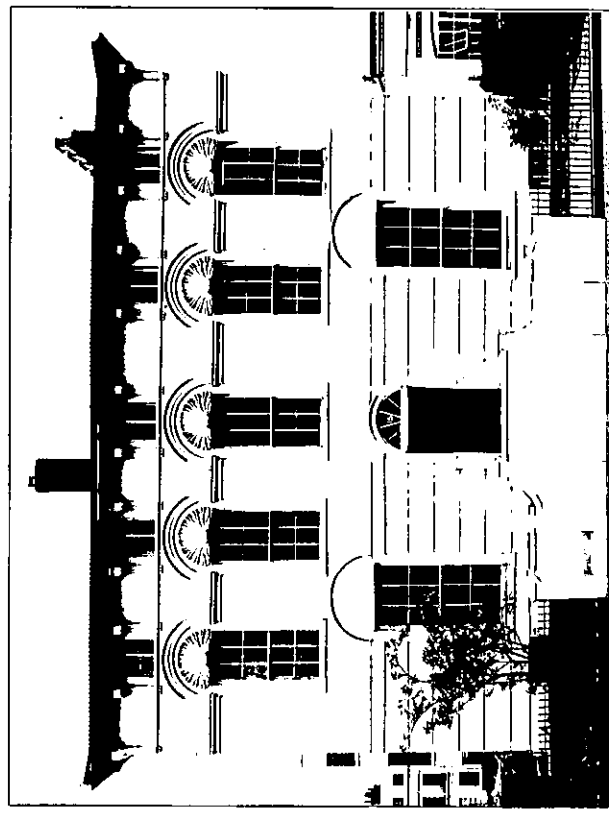
Style, that is. Here, in Canonbury Villas, N1, you will find what is probably the most stylish small office/studio in London. This brand new detached building offers the following:

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Yearly licences will be granted based on the incredibly cheap rent of £14 per sq.ft. The freehold could be available to a company wishing to occupy the whole building.



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Telephone 071-490 3366 Fax 071-251 2514

The Wraps are Coming Off in EC2

At Bath Place, EC2, Downland Estates' new courtyard of individual office buildings is rapidly nearing completion.

No.1 (shown in both photographs) has been brought forward and will be fitted out as a show unit. The other buildings are due to be completed before the end of the summer

No.	Size (sq.ft.)	Freehold or Leasehold
1	3,600	£1.30m £100,000 p.a.
2	10,000	£3.80m £290,000 p.a.
3	7,105	£2.70m £205,000 p.a.
4	7,225	£2.50m £190,000 p.a.
5	5,750	£2.10m £158,000 p.a.
6	3,410	£1.25m £95,000 p.a.
7	3,335	£1.22m £93,000 p.a.



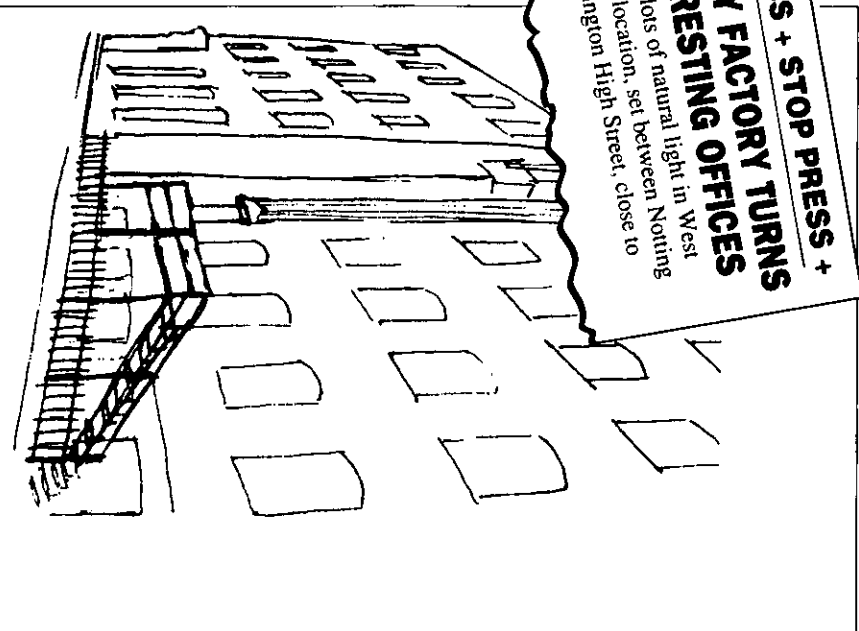
7 Greenhills Rents,
Smithfield, London EC1M 6BN
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in
delightful
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Village,
Kensington
W8



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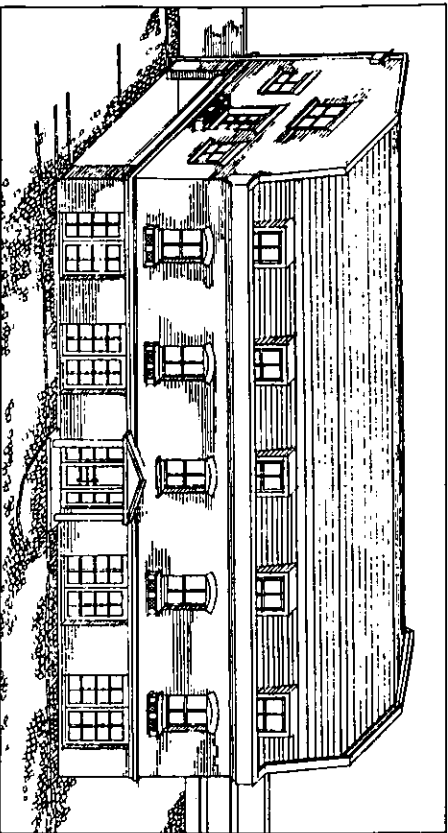
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Hammersmith, W6 0LA.
Tel 081-846 8081. Fax 081-741 4492.

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& PARTNERS W1
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in Notting Hill Gate,
London W11



The first phase of this delightful mews office development, 19 & 24 Lambton Place W11, will be completed by Autumn 1990. Each building is available freehold, with approximate areas as follows:

19 Lambton Place	24 Lambton Place
Gross Net	Gross Net
2,650 sq.ft. 2,060 sq.ft.	1,050 sq.ft. 740 sq.ft.
(inc. 2 car garage)	

Coming soon: A further 14,000 sq.ft. to let will be available in 1991, with easy subdivision and suitable for a wide range of size requirements. This exciting development will provide London's best mews office environment in a highly fashionable area close to the West End.

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3,000 sq.ft. TO LET Flexible lease terms by arrangement

NOTTING HILL

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Sought after mews office building with good natural light. Close to all local amenities and refurbished to a very high standard, ideal for office or studio users. Integral garage for two cars.

1,910 sq.ft. TO LET Flexible lease terms by arrangement

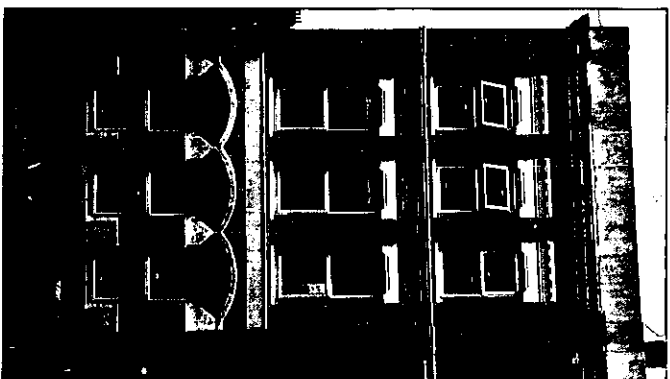
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84 North End Road

West Kensington W14



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GILMORE**

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Tel 081-846 8081. Fax 081-741 4492.

Rating Forum

Who decides what a rateable value should be?

A valuation officer at the Inland Revenue (not someone at the Local Authority Rating Department). He or she is a valuer with the same qualifications that we have at Boston Gilmore.

How do they work out a rateable value?

The rateable value is intended to represent the open market rental value of a property given the following assumptions:

- The property will be let on a lease for a term of just one year, but it will automatically be renewed.
- The tenant will be responsible for all repairs and insurance.
- The valuation will be based on the property in its existing condition with its existing use. Whether or not the tenant has spent his own money to improve the property is irrelevant.
- For the purpose of the current assessments the valuation date is 1st April 1988.

To what extent are the assessments negotiable?

Most tax demands are based purely on facts. Consequently, when we receive a tax demand we, or our accountants, check to see whether the liability is correct or not. Rates demands are very different in that it is impossible to say an assessment is absolutely correct or not. They are based on a combination of facts and one person's own opinion.

Valuation is necessarily both a science and an art. The science relates to the systematic collation and analysis of facts.

The art relates to the extrapolation and interpretation of those facts.

Facts, by definition, are not matters for negotiation, although even agreeing a net floor area may involve some negotiation. However, the main area for negotiation is where it is necessary to form an opinion based on the available evidence. Since rateable values are determined in this way, there is often considerable scope for negotiation.

So a negotiation can take place like a rent review?

To some extent the negotiation is similar to a rent review. The main difference is that with rating assessments it is the tenant who has to initiate the negotiations.

Another major difference is that a valuation officer has no personal financial interest in the outcome. This is not necessarily an advantage, merely an observation.

It should also be appreciated that valuation officers do not set rateable values expecting to enter into negotiations. Unlike landlords in a rent review they do not deliberately quote a figure which allows some margin for negotiation.

How do you initiate the negotiations?

By lodging an appeal with the Valuation Officer. This does not mean that you will necessarily end up in a hearing. It is simply that if you do not do this, the valuation officer will not enter into negotiations with you.

As a result, it is necessary to lodge an appeal first and negotiate second. This is of course quite the reverse of a rent

review, where it is usually only after negotiations have been exhausted that either party may choose to apply for arbitration.

Can the assessment be increased?

These negotiations are not a one way street. If, for instance, an appeal is lodged so that the valuation officer is obliged to come and inspect the property, it may well be that his assessment was based on old records and that he has not seen the property recently.

If the basement has since been converted from merely a storage area to a showroom, he may reasonably wish to suggest that the assessment should be higher. Consequently, it is very important to have a competent surveyor to check the assessment before lodging an appeal. Sometimes it pays to let sleeping dogs lie.

How do the phasing provisions work?

Firstly, it does not apply to properties with rateable values below £500. Properties are then divided between those that have rateable values of less than £10,000 (or £15,000 in Greater London) known as "small properties" and those exceeding these limits.

The maximum increases or decreases from the previous annual charge are as follows:

Increases

Small properties:
15% x R.P.I. adjustment = +23.7%
Large properties:
20% x R.P.I. adjustment = +29.1%

Decreases

Small properties:
15.5% x R.P.I. adjustment = -3.7%
Large properties:
10.5% x R.P.I. adjustment = -9.1%

Eventually the current annual charge will reach the full amount of the demand. Until then, both increases and decreases will take place gradually.

There is a sting to these otherwise thoughtful provisions in that the phasing of increases only applies to rate payers who were in possession by 31st March 1990. Consequently, if you move into a property now, you have to pay the full amount demanded (and that therefore also applies to anyone you sell to now).

Sadly there is not a corresponding provision with decreases. If you acquire a new property now which has decreased more than the phasing limits, you are still stuck with these maximum reductions, although at least you can have the satisfaction of knowing each year it will be a little lower.

Can I withhold payment until the appeal is decided?

No. If you do not pay a tax demand you will ultimately be sent to prison. If the appeal is successful you will be eligible for interest on the excess amount that you have already paid.

How do I appeal?

If you contact your nearest Boston Gilmore office we shall be pleased to explain matters in more detail. For areas west of Knightsbridge please contact Laurie Gilmore FRICS, on 081-846 8081. For Knightsbridge and areas to the east please contact Charles Boston FSA, MCIM on 071-490 3366.

continued from page 5

Not to be forgotten are the riverside sites at the southern end of the Fulham area. These run along the length of Townmead Road, where a new Sainsburys Superstore has already been built and Bovis are in the process of constructing residential flats. Further sites between Carnwath Road and The River are also likely to be the scene of major redevelopment in the coming years.

It has already been noted that Fulham is surrounded by existing good quality office locations, but what of the infrastructure necessary to support Fulham's current development pipeline?

Public transport is already well catered for by three underground stations (Fulham Broadway, Parsons Green and Putney Bridge). Fulham Road and Kings Road both provide main roads running east-west, while Fulham Palace Road provides a main arterial route running north-south. This means that by car both the West End, the City and the national motorway network are easily reached.

The high class residential areas of Fulham have been responsible for the numerous good quality restaurants and wine bars now trading in the area as well as for the excellent shopping facilities afforded by both New Kings Road and Fulham Road. Those office occupiers who have a more sporting inclination can join the Hurlingham Club with its excellent tennis and swimming facilities.

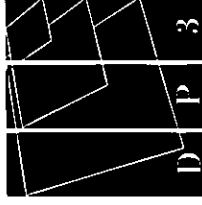
The reader will probably have established by now that Fulham provides a most pleasant environment within which to work, but what of the financial implications of moving a firm to this part of London? Office rents in the Fulham area

have not yet exceeded £30 per sq.ft. which is still approximately half the cost of the equivalent space in Knightsbridge or the West End.

More important are the implications of the new Uniform Business Rate. The 1990 revaluation bases the new rateable values for commercial hereditaments on the annual rent on full repairing and insuring terms of the property on the 1st April 1988. In central locations this was the height of the office boom and the rateable values being returned are therefore extremely high.

In Fulham, however, office rents were still rising and had not yet reached their peak. Consequently, the price differential between the two locations is much greater than it may first appear. For example an office building in Fulham may cost around £25 per sq.ft. in rent and £5 per sq.ft. in rates. The same quality of building in Knightsbridge may cost around £50 per sq.ft. in rent and £20 per sq.ft. in rates. The price saving in Fulham is therefore not just £25 per sq.ft. but £40 per sq.ft.

Fulham looks set for an extremely prosperous future. The previous edition of the Property Monitor had a leading article about the defection of companies from the West End of London. This trend is still continuing and it is likely to continue for the foreseeable future. High occupation costs, increased traffic congestion and longer journey times from home to place of work are all contributing towards this trend of decentralisation. Fulham is likely to be one of the main target areas for those companies defecting from Central London and we foresee substantial growth taking place over the coming years.



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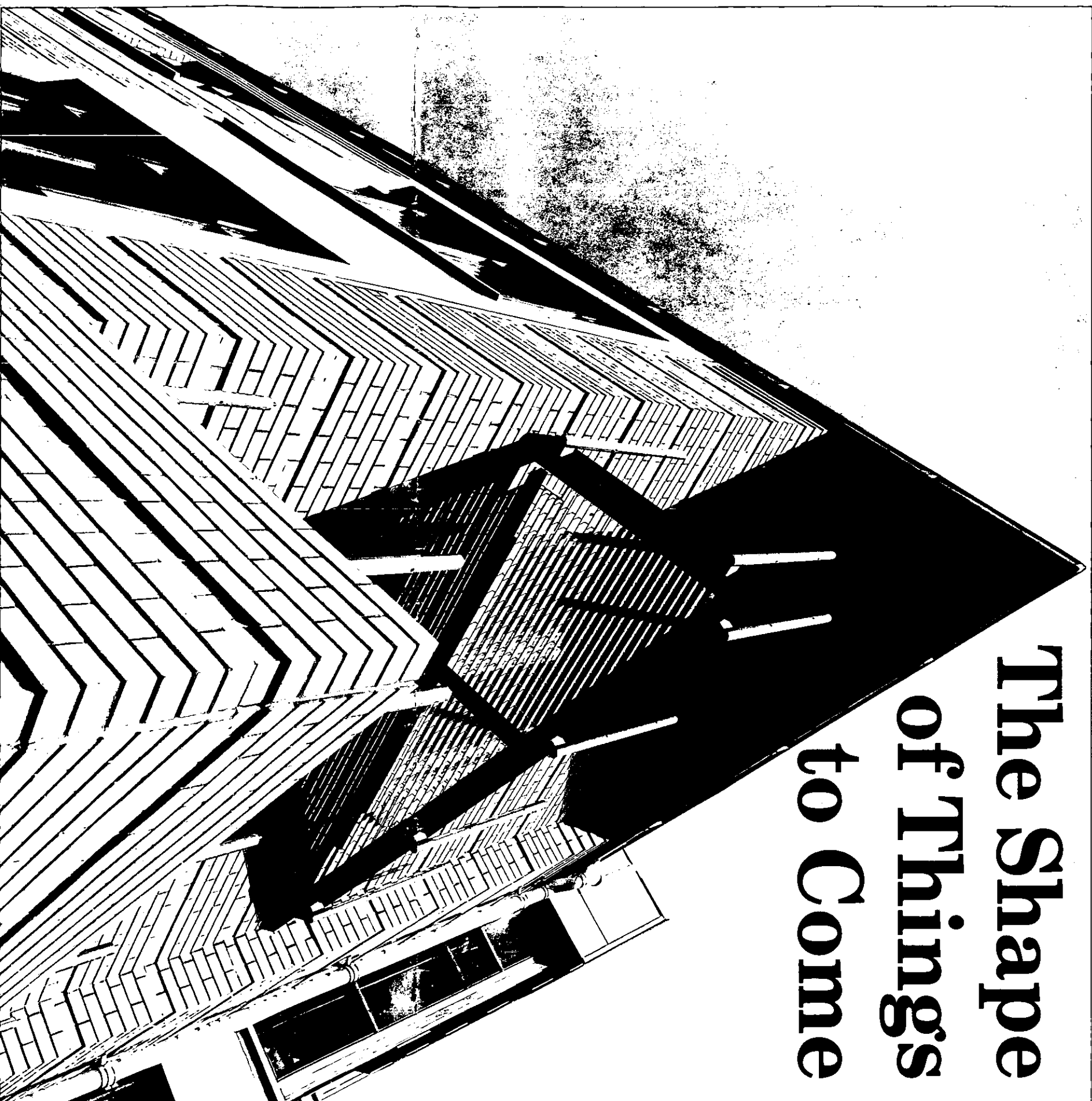
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The Shape of Things to Come



Twenty years ago businessmen were happy to occupy functionally designed buildings and rarely considered the possibility that the building they were occupying could influence sales volumes, recruitment policy and represent an important item of their business plan. However, plenty now take a keen interest in the design of their business accommodation with the happy result that there are more and more buildings which are pleasant to look at and enable better working conditions for their occupants.

At Boston Gilmore we applaud this trend and, as professionals, we continue to be delighted by the imaginative approach of our more adventurous developer clients, and their architects.

From the businessman's point of view there is now a range of options with developments coming on stream throughout London. Of course there are

still poorly designed developments and so we start this article with a view of the fundamental considerations to help the businessman determine criteria for the selection of new business premises.

These criteria fall into two categories, firstly the aesthetic, and secondly the functional. Dealing firstly with aesthetic considerations, it is helpful to identify whether or not the appearance of the building is in fact important to the occupier. This should not be assumed. One only has to look at the headquarters of some of our country's largest corporations. Saving money by occupying older style offices is a perfectly reasonable option. However, for a growing number of businessmen it is important because it makes a statement about their company and it may be important to occupy well designed properties if clients/customers visit regularly. It is also important in selected industries in ensuring that staff

are impressed and indeed it can be helpful in creating the right image to competitors.

There are differences of opinion as to what is an attractive building and it is not for Boston Gilmore to impose its views. There is a range of styles reflecting everything from Georgian architecture to modernist and post-modernist styles. The preference for particular styles is the occupier's prerogative, but we would like to suggest that buyers/tenants should have regard to the following:

Fashion

A business may occupy premises for a great many years. The style of the building should therefore have longevity, but on the other hand we have seen buildings of a more adventurous contempo-

rary design becoming outdated after only two or three years.

Durability

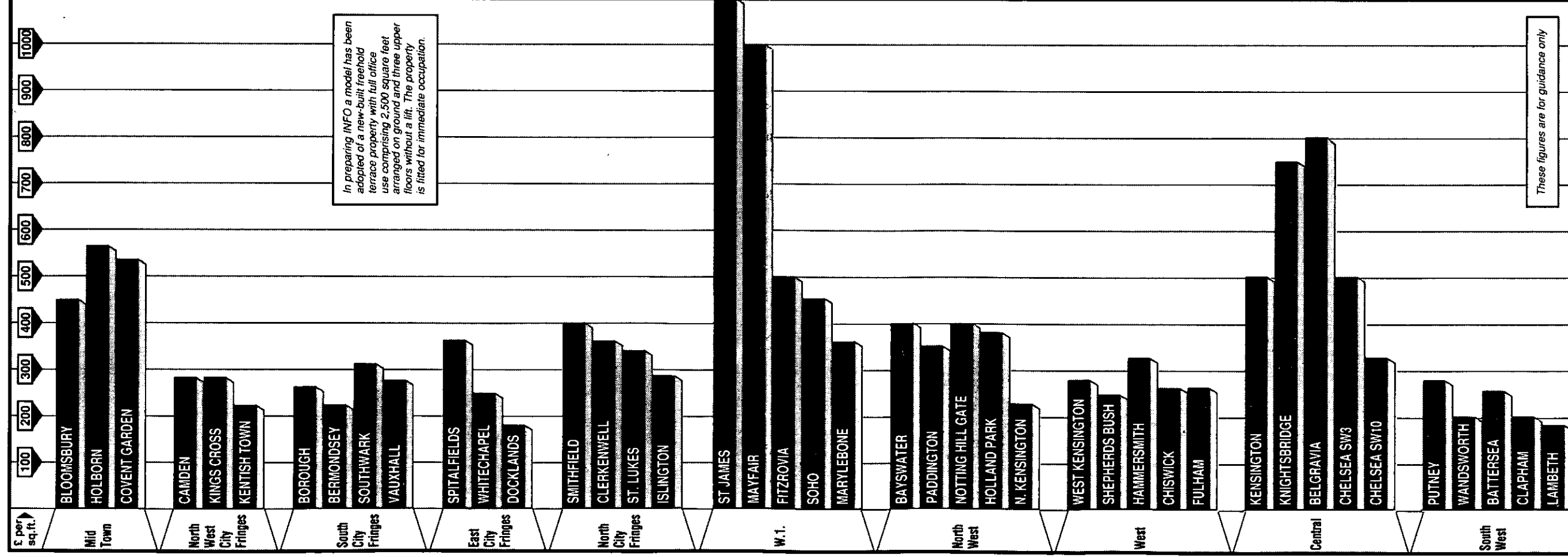
The life expectancy of building materials ranges over a long period for the same type of product. Roof coverings can have a life of between 10 and 60 years for example. Buyers and tenants, who have to bear the responsibility of maintaining the structure of their premises, should take advice from a surveyor before deciding on a property.

Shape/Flexibility

Occupiers should consider the need for open plan or cellular office space and ensure that the building enables whichever use is preferred. In this respect it may be appropriate to occupy accommodation which can be flexibly used. Key considerations here are the

continued on page 3

INDEX FOR NEW FREEHOLD OFFICES



MARKET COMMENT

1990 - A Year of Great Opportunity for Office Occupiers

The beginning of 1990 heralded a significant turning point in the office market. After fifteen years of tenants, having to contend with a landlord's market, the laws of supply and demand have at last shifted in favour of the tenants, and it is now their turn to call the shots.

The supply of offices, in all size ranges, has increased significantly over most of London. The City and Docklands have led the way with a staggering office availability in excess of 7 million and 2 million sq. ft. respectively now, and more in the pipeline, especially in Docklands. West and South London have also shown massive increases, with an availability in excess of 3 million and 1 million sq. ft respectively. Occupiers in some areas may, for once, be spoilt for choice.

The basic reason for this increased supply of offices is fairly simple. Special factors of planning relaxation applied in Docklands, but for the rest of London it was the 1987 Use Classes Order, amalgamating old light industrial and office uses into a B1 planning class that has been the major reason for these sharp increases in supply. Whether a company is looking for an office with basic amenities or higher quality space, (perhaps air-conditioned), there has never been a time of greater choice.

Today's Market Place - Now More than ever a Two Tier Market

The result of greater choice in the office market is that many occupiers have become more selective in their chosen location. With London's roads becoming increasingly congested, access to the underground network is seen by many businessmen as a critical factor. General infrastructure, most especially the ability for staff to have access to good shopping facilities and restaurants/wine bars is another important factor.

As a result of this, a two tier market, always present to some extent, has become more noticeable with the recent increases in supply. Many companies, with a greater choice of buildings, will now only consider locations close to an underground station and good shopping. Others will compromise on this issue, especially if a firm's directors live close to a particular development and local bus/British Rail services for staff are good.

A two tier market means a two tier price structure. Developers with office buildings in more secondary locations

without good infrastructure are either quoting relatively low prices/rents to start with, or are likely to be receptive to bids significantly below their asking terms. Developers with buildings in better office locations may also be highly receptive to bids below their asking terms, dependent upon competing supply in any particular area. However, this does not erode the price/rent differential that exists between prime and secondary office locations, which has become more significant with greater office supply.

Looking Ahead

Does the two tier market mean that taking a building in a secondary location is necessarily a bad investment for the future? Leaving aside Docklands, where special factors exist that will almost certainly lead to oversupply, one can normally expect the supply and demand for offices to fall back into balance over a five year period. Potential oversupply of offices, whilst offering occupiers excellent choice in the short to medium term, will fall back as building projects are postponed, which is already happening throughout London.

Therefore, purchasing or taking a lease on offices in a secondary location should not be seen by companies as a risk, but an opportunity. It will certainly give firms relocating from Central London the opportunity to cut overheads dramatically, and those companies that have picked up a bargain can offer competitive terms to future purchasers when they come to sell their premises.

During the period of 1986 to 1988 developers held sway over the market, and could push up prices and rents. Sharp increases in supply have put this process into reverse, and 1990/91 is a period of tremendous opportunity for tenants/owner occupiers to secure premises they want on highly attractive terms.

If your company is considering a move you should act now, there may never be a better time. If you feel that asking terms are high on a building that attracts you, don't be ashamed to make a bid. You may be surprised at the positive response!

continued from page 1
location of doors, w/c's and windows, as well as the number of floors relative to the amount of space occupied.

Natural Light

With the recent rush to develop business accommodation for the growing service sector in London, sites that would not previously be considered have been brought forward for development. Very often these sites necessitate that only one or perhaps two elevations can have windows. The result is a loss of natural light which may be important to the occupier. From our experience natural light is a prime criterion for the majority of occupiers and so it is an important consideration even if only to ensure the liquidity of the investment

Interiors

Interiors can be changed relatively easily, but the following items are often neglected and can have a significant effect on the quality of the use of the premises: size of entrance halls; w/c's/kitchens; storage; cable management; heating/cooling.

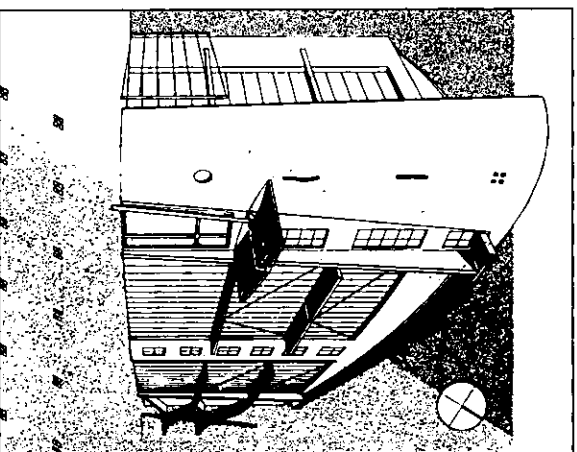
We have recently noted several interesting examples of good design. Firstly, in the centre of Fulham there is a 1970's building that was formerly occupied by Nikon and is now occupied on the ground floor by Follett for the sale of Jaguar motorcars. This is a somewhat bland brick building, with the result that the rental value of the accommodation is low. Designers Light and Coley took advantage of this situation, having identified that in functional terms the building complied with their requirements. In particular, it has an attractive entrance hall and a great deal of natural light as well as air conditioning.

They commissioned Tilley Lumsden Shane to design the interior with the result that they have transformed the accommodation into an exciting well-functioning workplace that endorses Light and Coley's status.

This was achieved by the use of curved walls and attractive features such

as a large circular column in a gallery that replaces the traditional reception area. Selective use of top quality materials such as hardwood desks, chrome plated door fittings and a very carefully thought out lighting system, ensure that the interior creates a stylish impression. Nice touches such as a triangular meeting table in American cherry, distinguish the interior from more average accommodation.

There are still two floors of around 5,000 sq.ft. available at £19.50 per sq.ft. This is a very good bargain for anyone wishing to customise their own interior space.



A Building Called Wanda

A recent fashion is the design of buildings to have surprising resemblances. In Notting Hill Gate, architect Carl Falck has designed a building that looks like a fish. At Hammersmith Ake Larson is building a large office block, which will resemble a ship, and at West Kensington, Flaxyard in their own inimitable style, are planning a giant pyramid.

In the right location this fun element to property development is much welcomed where it can alleviate the bore-

dom of drab buildings and can indeed be good architecture. Flaxyard's earlier development, The Marco Polo Building in Battersea Bridge Road (now occupied by The Observer) is a good example of an extravagant building design which is widely appreciated.

Developers are naturally cautious bearing in mind that their market place is often two years ahead and they need to appeal to as wide a cross-section as possible, to ensure sales/lettings take place quickly and at the best price. A bolder approach has been taken by developers Alice Court Ltd at Putney, where architects Powell Tuck Connor and Orefelt were commissioned to design a courtyard complex of 54,000 sq.ft. in some 30 business units. Following on

from their success at Plato Place in Parsons Green and Cowcross Street in Smithfield, they have retained the same unusual, but excellent theme.

Their building is mainly rendered under a barrel-vaulted roof clad with stainless steel and with hardwood framed windows. Extensive bay windows ensure a high degree of natural light and the maximisation of the view over Wandsworth Park to the River Thames.

We have no doubt that the design of buildings will continue to be an important consideration not only to the businessmen who occupy them but to the public at large. The result should mean enhanced street-scapes and better quality working conditions for London's working populace.



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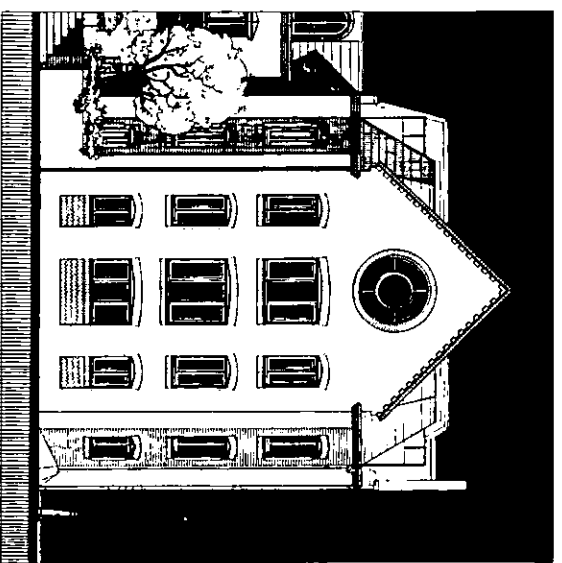


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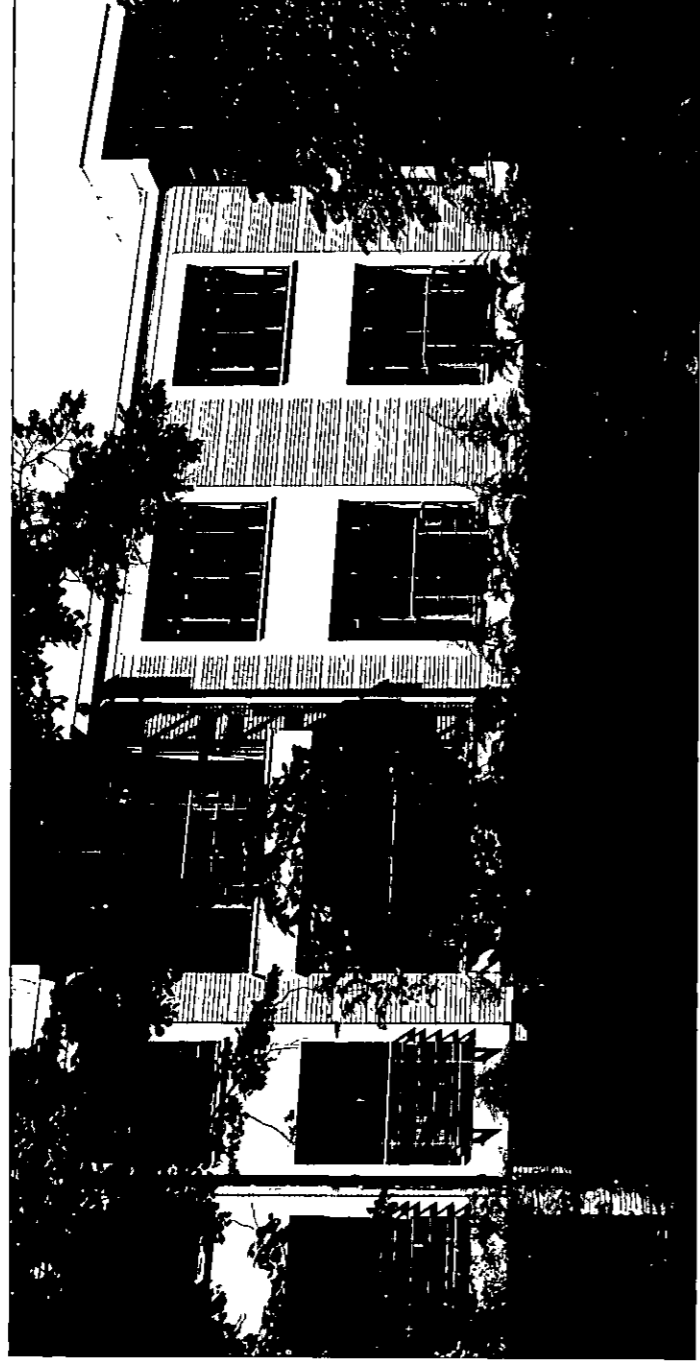
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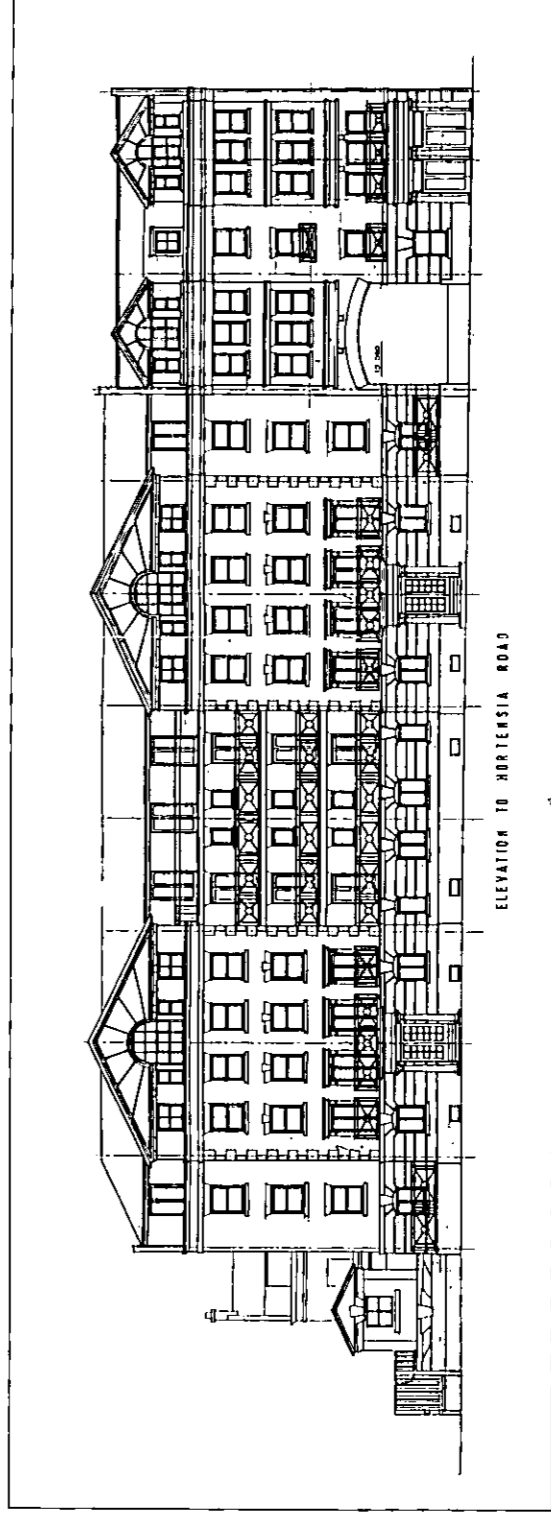
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View of Site from Knight's House. The buildings have not reached their full proposed height in this excessively dense development.





View (Section) of Rear Offices along garden walls.
The Offices are right on top of homes and gardens.



Rear Offices from Gunter Grove Gardens. The cliff-like development so close to garden walls destroys garden amenities for residents, taking away sunlight, peace and privacy.