

**ROYAL BOROUGH OF
KENSINGTON AND
CHELSEA**

DOCUMENT TYPE

**PLANNING
APPLICATIONS
LATE UPDATE**

TP/89/2137

TOWN & COUNTRY PLANNING ACT 1971

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND/OR BUILDINGS IN GREATER LONDON

FOR OFFICE USE ONLY

27-11-89

£ 608.00

Borough-Ref. _____
 Registered No. _____
 Date Received 27 NOV 1989
 On _____

Cheque/Postal Order/Cash

Receipt No. Issued 1010110

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
 Address 243 Knightsbridge
London SW7 1DH
 Tel. No. (01) 581 1322

Name Colwyn Foulkes & Partners
 Address 229 Kensington High Street
London W8 6SA
 Tel. No. (01) 938 2464

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

(b) Site area 1168 m² 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~~
~~B1 Accommodation~~

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.

(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	If "Yes" state gross floor area of proposed building(s).	2041 m ²
(ii) Alterations	<input type="checkbox"/> NO	If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.	21 flats
(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).	hectares/m ²
(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		

* Strike out whichever is inapplicable

12/12/89

3. PARTICULARS OF APPLICATION

State whether this application is for

State Yes or No

(i) Outline planning permission

NO

(ii) Full planning permission

YES

(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.

NO

(iv) Consideration under Section 72 only (Industry)

NO

If Yes strike out any of the following which are not to be determined at this stage.

- 1 siting
- 2 design
- 3 landscaping
- 4 external appearance
- 5 means of access

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

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

If Yes complete PART FOUR of this form

(c) Does the proposed development involve the felling of any trees

NO

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)

OR

(a) planning permission to carry out the development described in this application and the accompanying plans in accordance therewith.

(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 & Partners on behalf of COLWYN FOULKES & PARTNERS Date 13 November 87

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.

- 1. 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.
- 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
- 3. I have given the requisite notice to every person other than myself 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 & Partners on behalf of COLWYN FOULKES & PARTNERS Date 13 November 87

Additional information required in respect of Applications for INDUSTRIAL, OFFICE, WAREHOUSING, STORAGE or SHOPS

(Attention is drawn to 'General Notes for Applicants')

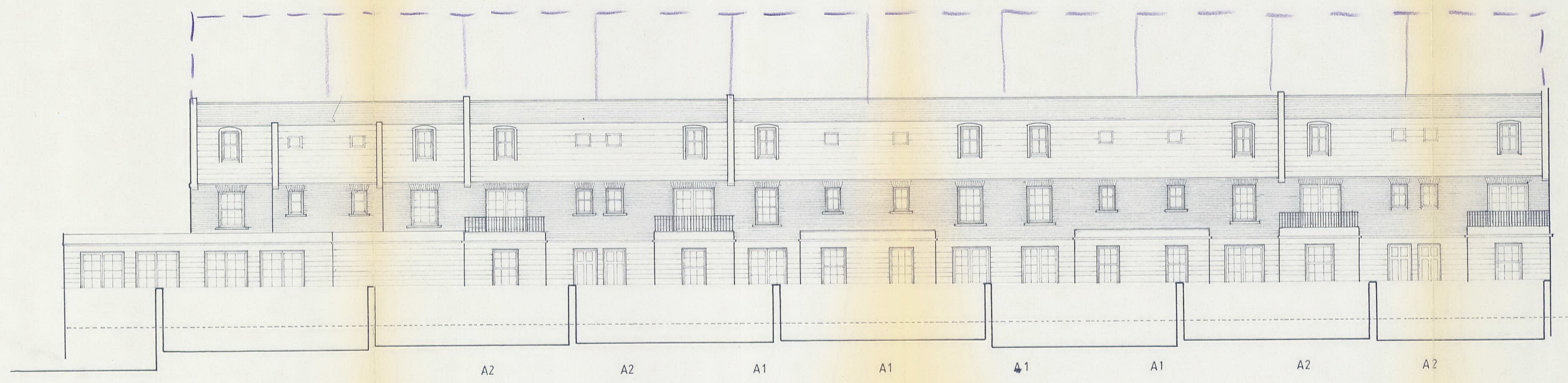
Application No.
(For Official Use Only)

(Those questions relevant to the proposed development to be answered)

<p>1. In the case of industrial development, give a description of the processes to be carried on and of the end products, and the type of plant or machinery to be installed.</p>	N/A																																		
<p>2. If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development. (See Note overleaf)</p>	N/A																																		
<p>3. Is the proposal related to an existing use in Greater London? If so, please explain the relationship.</p>	<p>State Yes or No</p> <p style="text-align: center;"><input type="checkbox"/> NO</p>																																		
<p>4. Is this a proposal to replace existing premises in this area elsewhere which have become obsolete, inadequate or otherwise unsatisfactory? If so, please give details including gross floor area of such premises and state your intentions in respect of those premises.</p>	<p>State Yes or No</p> <p style="text-align: center;"><input type="checkbox"/> NO</p>																																		
<p>5. (a) What is the total floor space of all buildings to which the application relates? (b) What is the amount of industrial floor space included in the above figure? (c) What is the amount of office floor space? (d) What is the amount of floor space for retail trading? (e) What is the amount of floor space for storage? (f) What is the amount of floor space for warehousing?</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;"></th> <th style="width:30%; text-align: center;">Existing (if any) <i>(See General Notes)</i></th> <th style="width:40%; text-align: center;">Proposed new floor space</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">2041 m²/sq.ft.</td> </tr> <tr> <td>(b)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">m²/sq.ft.</td> </tr> <tr> <td>(c)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">1038 m²/sq.ft.</td> </tr> <tr> <td>(d)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">m²/sq.ft.</td> </tr> <tr> <td>(e)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">m²/sq.ft.</td> </tr> <tr> <td>(f)</td> <td style="text-align: center;">N/A m²/sq.ft.</td> <td style="text-align: center;">m²/sq.ft.</td> </tr> </tbody> </table>		Existing (if any) <i>(See General Notes)</i>	Proposed new floor space	(a)	N/A m ² /sq.ft.	2041 m ² /sq.ft.	(b)	N/A m ² /sq.ft.	m ² /sq.ft.	(c)	N/A m ² /sq.ft.	1038 m ² /sq.ft.	(d)	N/A m ² /sq.ft.	m ² /sq.ft.	(e)	N/A m ² /sq.ft.	m ² /sq.ft.	(f)	N/A m ² /sq.ft.	m ² /sq.ft.													
	Existing (if any) <i>(See General Notes)</i>	Proposed new floor space																																	
(a)	N/A m ² /sq.ft.	2041 m ² /sq.ft.																																	
(b)	N/A m ² /sq.ft.	m ² /sq.ft.																																	
(c)	N/A m ² /sq.ft.	1038 m ² /sq.ft.																																	
(d)	N/A m ² /sq.ft.	m ² /sq.ft.																																	
(e)	N/A m ² /sq.ft.	m ² /sq.ft.																																	
(f)	N/A m ² /sq.ft.	m ² /sq.ft.																																	
<p>6. (i) How many (a) office (b) industrial and (c) other staff will be employed on the site as a result of the development proposed? (ii) If you have existing premises on the site, how many of the employees will be new staff? (iii) If you propose to transfer staff from other premises, please give details of the numbers involved and of the premises affected.</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2"></th> <th colspan="2" style="text-align: center;">(a) Office</th> <th colspan="2" style="text-align: center;">(b) Industrial</th> <th colspan="2" style="text-align: center;">(c) Other staff</th> </tr> <tr> <th style="text-align: center;">M</th> <th style="text-align: center;">F</th> <th style="text-align: center;">M</th> <th style="text-align: center;">F</th> <th style="text-align: center;">M</th> <th style="text-align: center;">F</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">(i)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">(ii)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">(iii)</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p style="text-align: center;">NOT ACCESSIBLE</p>		(a) Office		(b) Industrial		(c) Other staff		M	F	M	F	M	F	(i)							(ii)							(iii)						
	(a) Office		(b) Industrial		(c) Other staff																														
	M	F	M	F	M	F																													
(i)																																			
(ii)																																			
(iii)																																			
<p>7. In the case of industrial or office development is the application accompanied by an industrial development certificate or office development permit? If 'NO' state why a certificate is not required.</p>	<p>State Yes or No</p> <p style="text-align: center;"><input type="checkbox"/> NO Less than 10,000 sq ft</p>																																		
<p>8. What provisions have been made for the parking, loading and unloading of vehicles within the curtilage of the site? (Please show the location of such provision on the plans and distinguish between parking for operational needs and other purposes)</p>	<p>Parking 2 No spaces Turning Turning head to K & C Borough Standard within Site</p>																																		
<p>9. What is the estimated vehicular traffic flow to the site during a normal working day? (Please include all vehicles except those used by individual employees driving to work)</p>	<p>Minimal 2/3 Vehicles per day</p>																																		

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



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

RECEIVED BY
DIRECTORATE OF
PLANNING
14 SEP 1988
ON

slate
brick
rendering

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

Job
HORTENSIA. RD.

Title
MEWS ELEVATIONS

Drawn DM	Date 14 9 88
-------------	-----------------

Drawing No
HTN /01/103

Scale
1:100

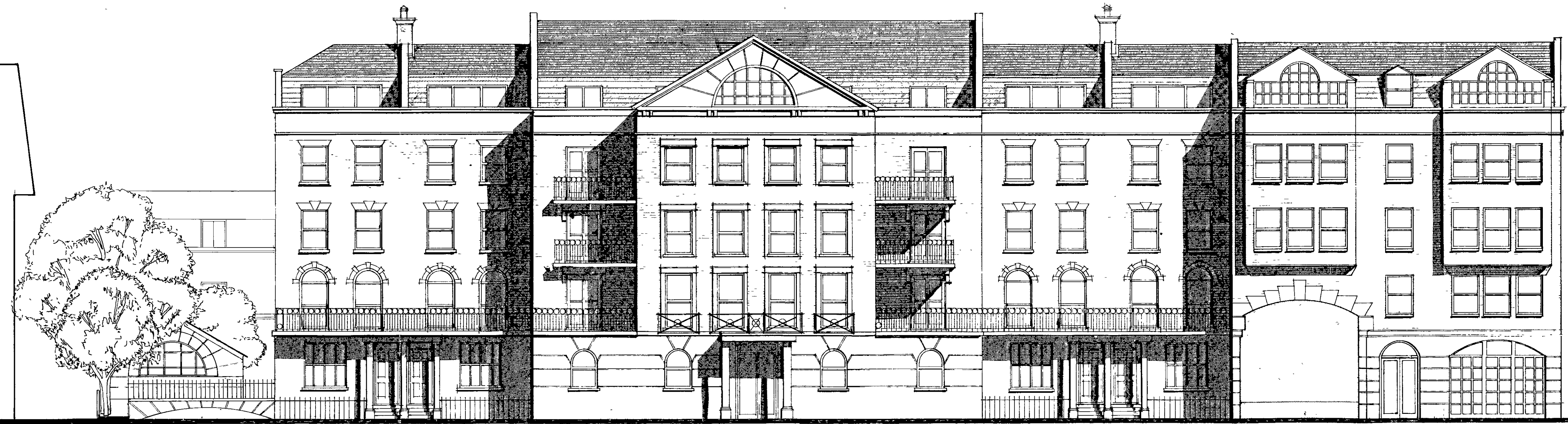
TP880633/B

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



HORTENSIA TERRACE - NORTH EAST ELEVATION



HORTENSIA TERRACE - SOUTH WEST ELEVATION

BUSINESS UNITS

FINISHES
 Roof to be reconstituted
 stone slates
 Walls to be London stock and
 rusticated stucco
 Doors and window frames to
 be painted wood

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532725 01 938 2464

1P080633/B

RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1988
 ON

Job
 HORTENSIA RD.

Title
 ELEVATIONS

Drawn
 Date
 8-88

Drawing No
 HTN/01/101

Scale
 1:100

10/28/87 (2)

FIBRE CEMENT
ASBESTOS FREE SLATES
RUSTICATED
STUCCO LORR
RECONSTITUTED STONE
CORNICES, CORNICES, GILLS
PAINTED IRON
RAILINGS
YELLOW MULTICOLOURED
STOCK FACING BRICK
SKEW BACK
BRICK ARCHES
RED FACING
BRICK



STUCCO SURROUNDS
9150
HARDWOOD
GLAZED DOORS
10050
PAINTED TIMBER
WINDOWS
10050
14
10050
15
9150
16



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

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0482 522725 01 638 2454

Job
HORTENSIA ROAD

Title
ELEVATIONS

Drawn Date
 JAN 89

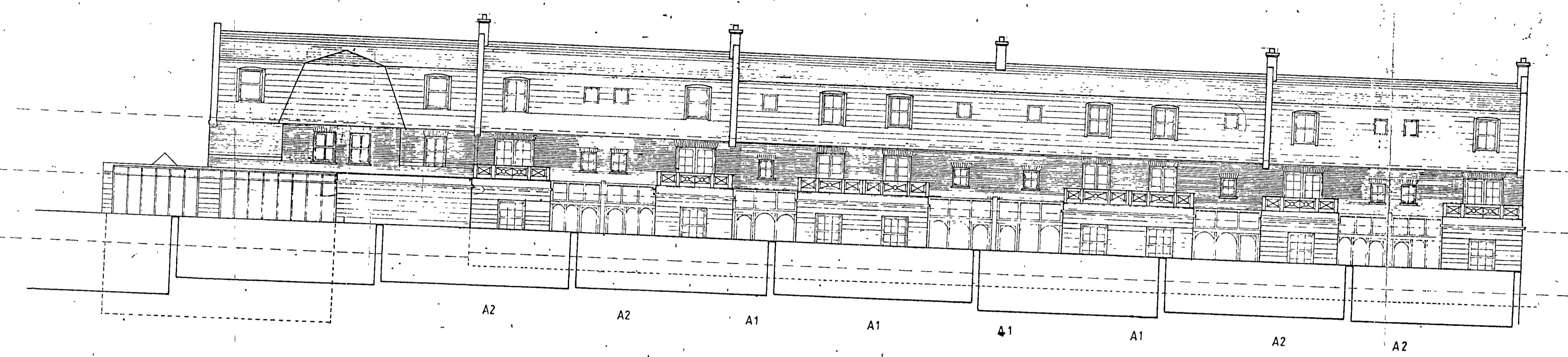
Drawing No
HTN/01/101 J

Scale
1:100

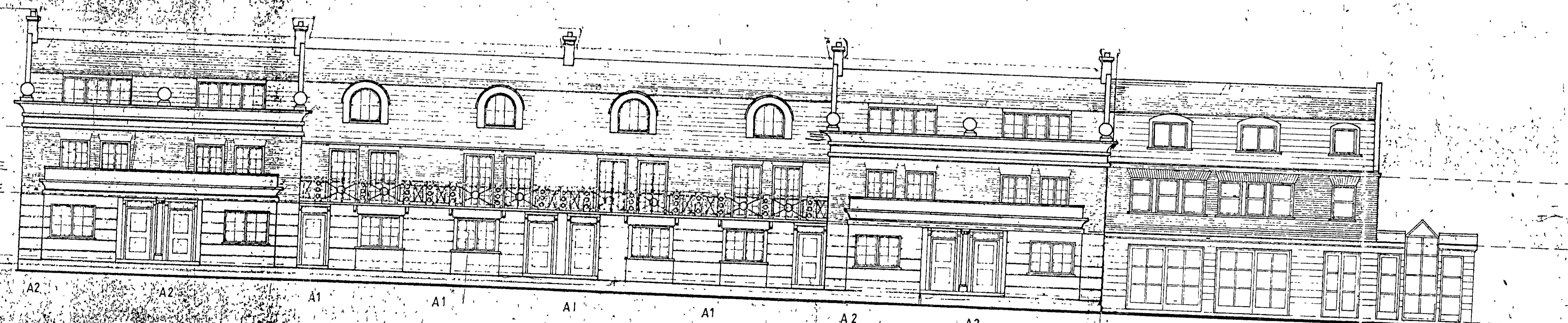
NCF's letter of 18 Jan 89.

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
A	NOV 84	DIFFERENT ELEVATIONS CHANGED COMPLETE REVISIONS FOR NEW ELEVATIONS AND WINDOWS APERTURES, DOORS AND RAILINGS ALTERED ON FRO-UP ELEVATION
B	DEC 84	NEW FRONT ELEVATIONS TO HOUSES, INSTALLED ARCHES FOR THE GARDEN FRONT & BACK WALLING & RAILINGS
C	FEB 85	DOORS AND RAILINGS TO BE CHANGED TO NEW DESIGN THE DRAWING SHOWN HEREON SHALL BE USED FOR ALL ALTERATIONS MADE TO THESE



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 552755 London 01 938 2404

Job
 HORTENSIA, RD.

Title
 MEWS ELEVATIONS

Drawn
 DM

Date
 14.9.88

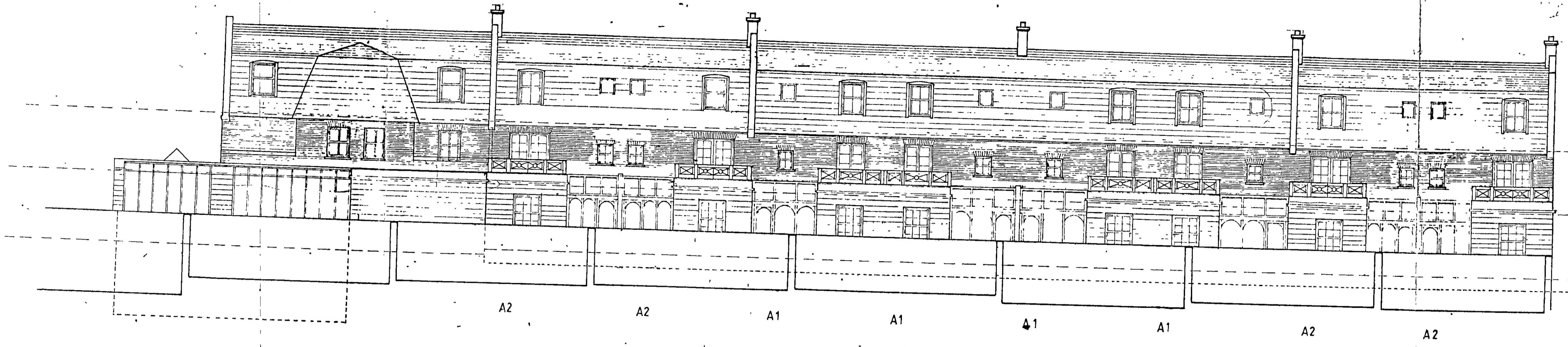
Drawing No
 HTN/01/103

Scale
 1:100

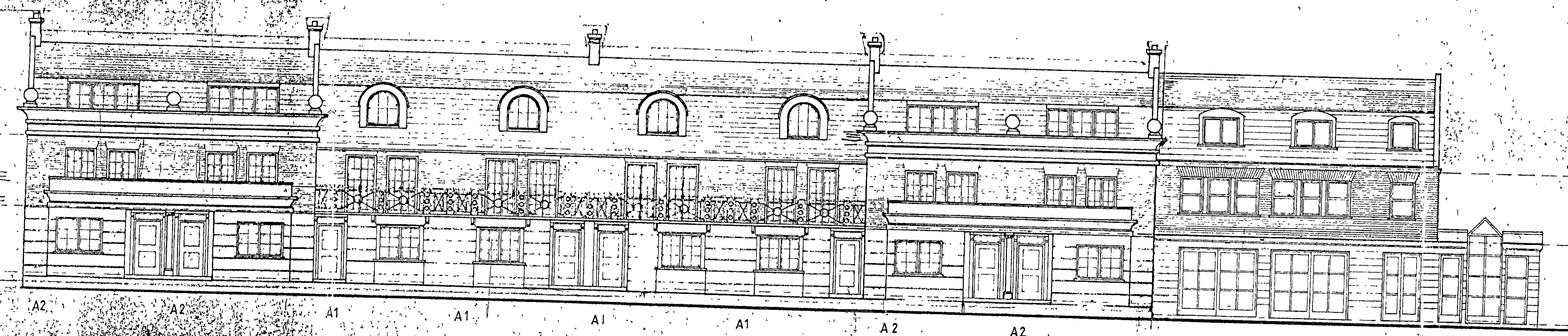
J.C.F.'s letter of 18 Jan 89

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
A	NOV 88	OFFICE CLEAN ROOMS CHANGED TO HOUSES. WOODWORK PUT ON BEAMS. ELEVATIONS AND WALLINGS AMENDED. DOORS AND RAILINGS ADDED ON FIRM ELEVATION.
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES. WOODWORK ARCHES PUT ON ROOF. BRICKS & BENCH MARKS ADDED.
C	FEB 90	DOORS ADJUSTED TO WALL SECTION. DO NOTING ADDED TO FIRM ELEVATION. OFFICE ELEVATION CHANGED. HOUSES ADDED. FRONT WALL ARCHITECTURE MADE TO VARIOUS.



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0492 532728 01 808 2664

Job
HORTENSIA. RD.

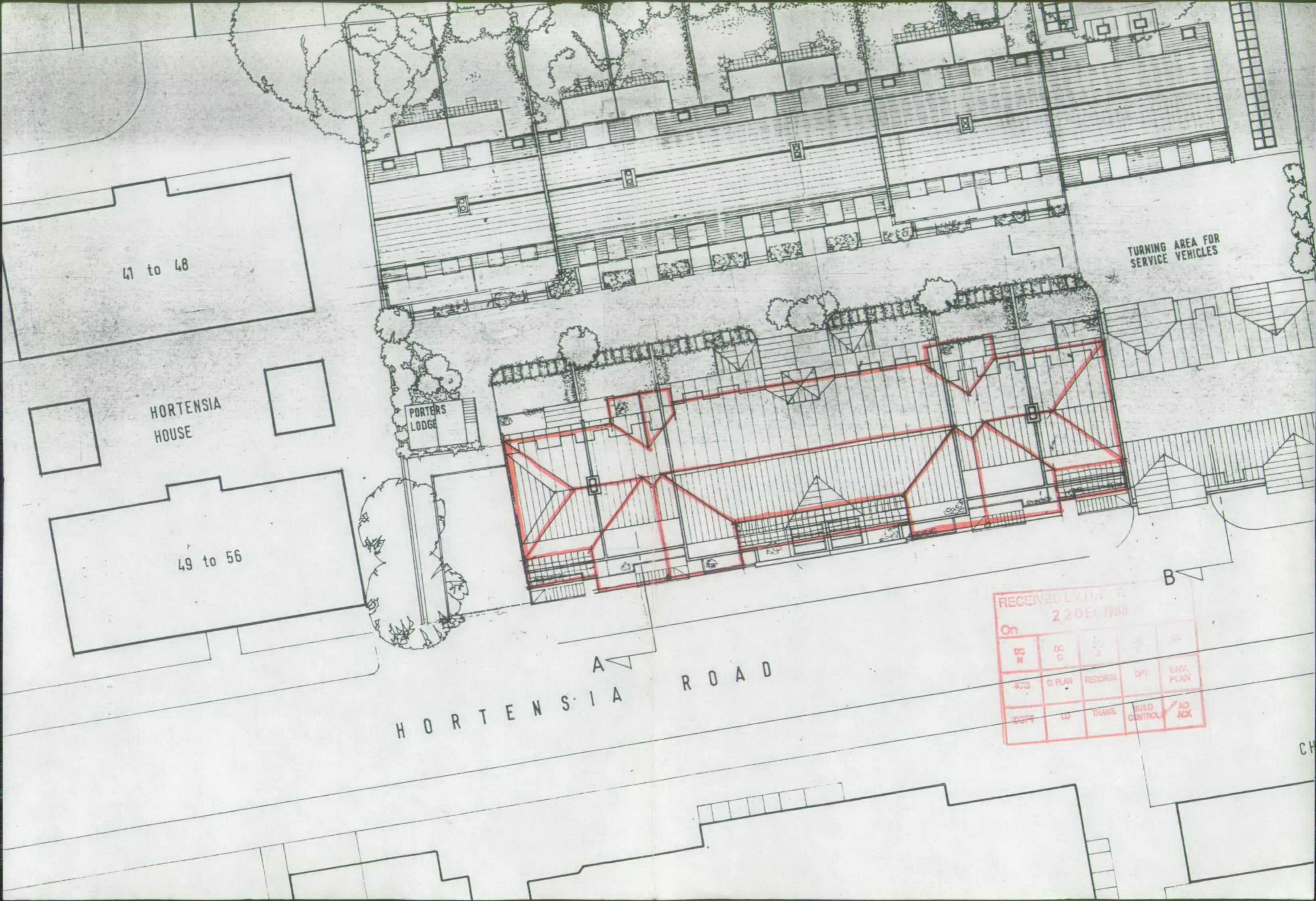
Title
MEWS ELEVATIONS.

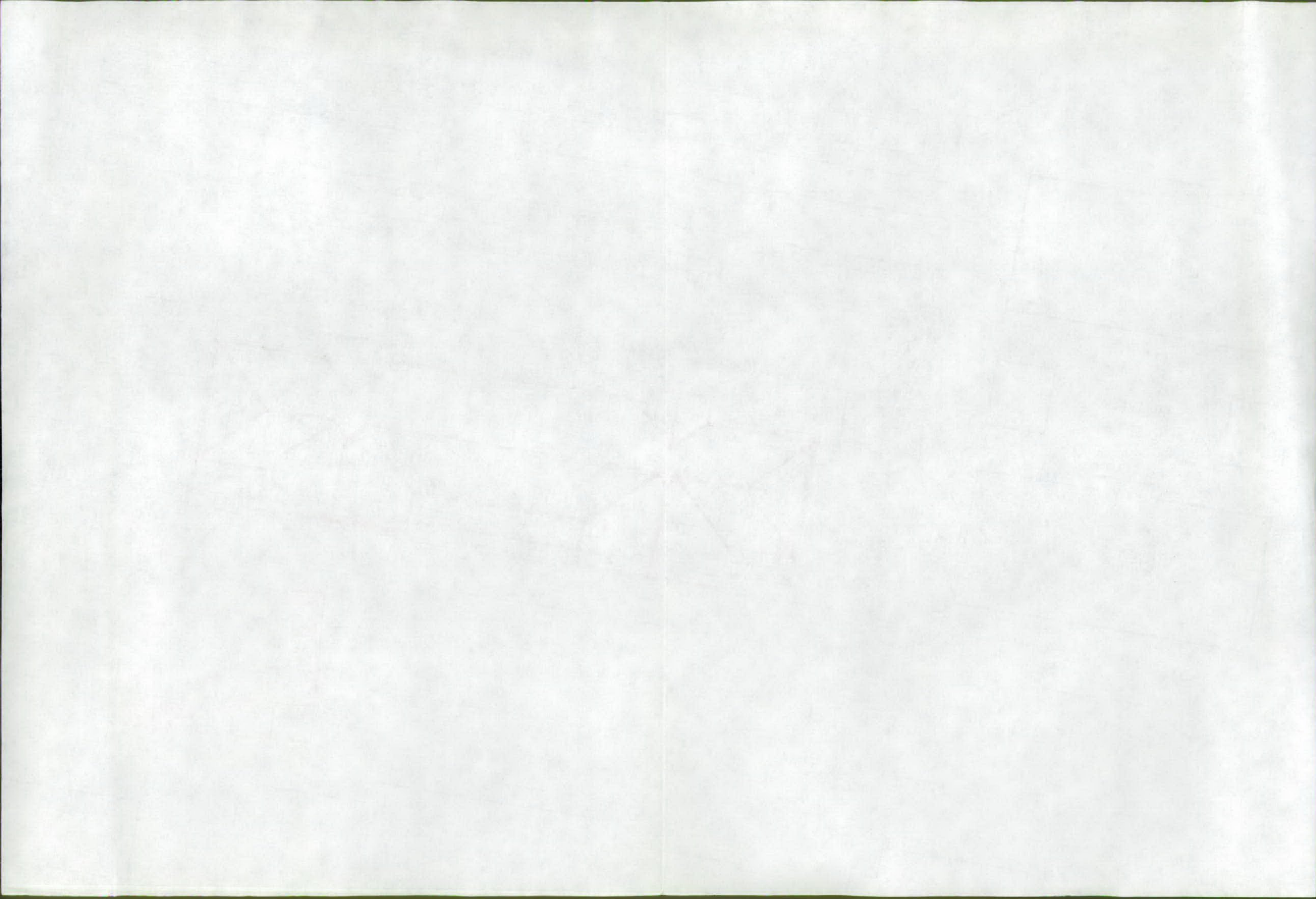
Drawn DM Date 14.9.88

Drawing No
HTN/01/103

Scale
1:100

C.F. & P. Letter of 18 Jan 89





TP/89/2137 ⑤

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.

FIBRE CEMENT
ASBESTOS FREE SLATES
RUSTICATED
STUCCO WORK
RECONSTITUTED STONE
CORNICES, CORNICES, GILLS
PAINTED IRON
RAILINGS
YELLOW MULTICOLOURED
STOCK FACING BRICK
SKEW BACK
BRICK ARCHES
RED FACING
BRICK



STUCCO SURROUNDS
9150
HARDWOOD
GLAZED DOORS
10050
PAINTED TIMBER
WINDOWS
10050
12 13 14 15 16



CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0492 532735 01 538 2464

Job
HORTENSIA ROAD

Title
ELEVATIONS

Drawn Date
JAN 89

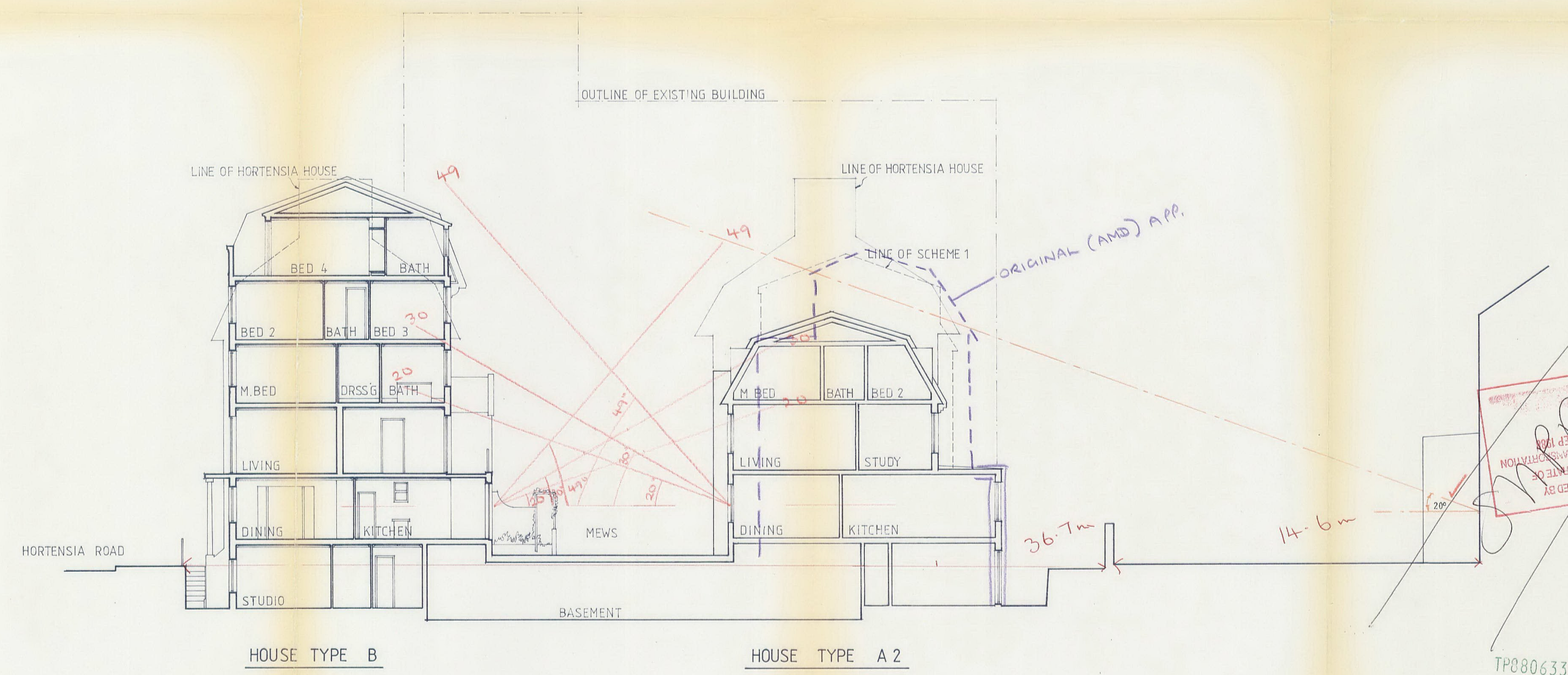
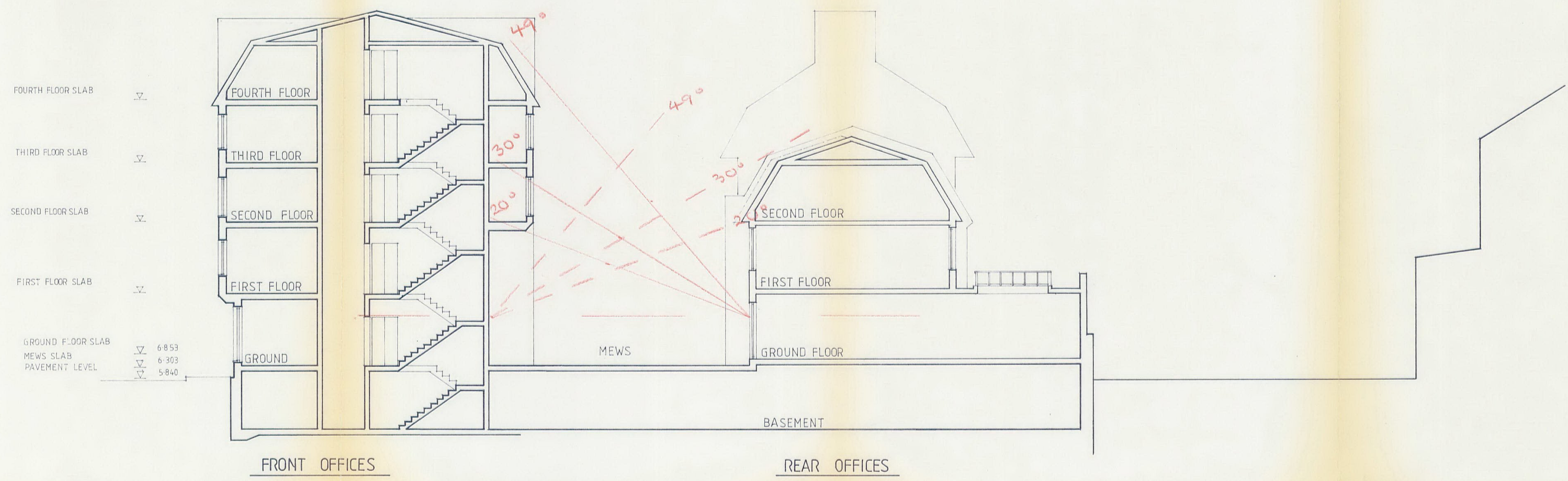
Drawing No
HTN/01/101 J

Scale
1:100

NCF's letter of 18 Jan 89.

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



RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1989

FOR INFO

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

Job
HORTENSIA RD.

Title
SITE SECTIONS

Drawn _____ Date _____

Drawing No
HTN /01/ 104

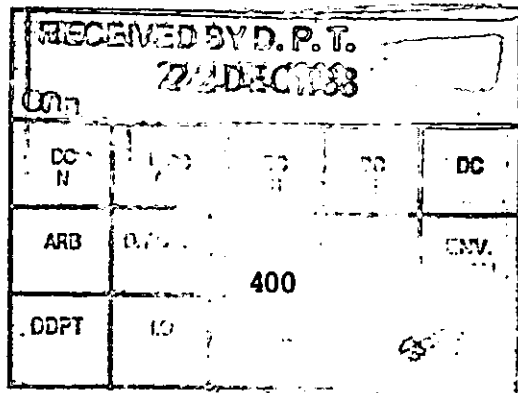
Scale
1:100

TP880633/B

HORTENSIA ROAD SCHEME 3

SCHEDULE OF OFFICE AREAS MEASURED FROM THE APPROVED PLANNING DRAWINGS :-

	Gross (m2)	Net Internal (m2) (excluding external walls, w.c., stair & lift shaft)
<u>Rear Office</u>		
Unit 1		
Ground Floor	140	
First Floor	94	
Second Floor	85	
Unit 2		
Basement	61	
Ground Floor	58	
Sub-total	438	
<u>Front Office</u>		
Ground Floor	66	
First Floor	84	
Second Floor	150	
Third Floor	150	
Fourth Floor	150	
Sub-total	600	480
TOTAL	1,038	880



M.W: For info



From: Councillor The Hon. Simon Orr-Ewing, MA, FRICS.
TOWN HALL KENSINGTON W8 7NX 01-937 5464

Miss Sarah Lampaert,
Flat 2,
42 Gunter Grove,
London SW10 0UJ

25th October 1989

Dear Miss Lampaert,

CHELSEA COLLEGE SITE - HORTENSIA ROAD, SW10

Many thanks for sending me copies of your recent correspondence with Miss Dent, Director of Planning and Transportation. I have also had correspondence from Mr. Stoop, and indeed have spoken to him.

I understand that our enforcement officers have visited the site and that the architects have agreed with the contractors to modifications which will be in accordance with the planning consent granted.

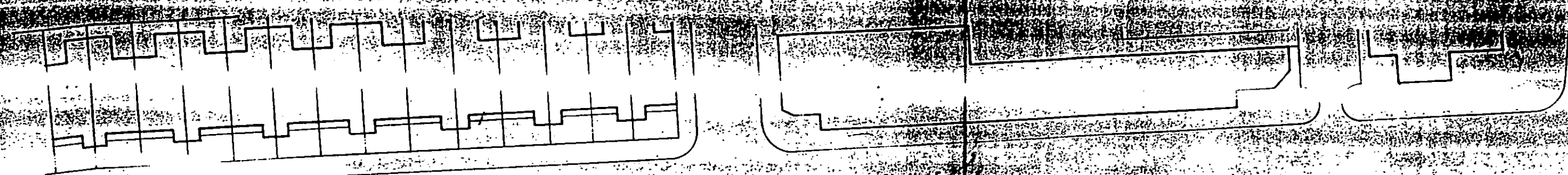
I have indicated to our enforcement team that they should continue to monitor the progress of the development closely.

Please let me know if you have any further comments.

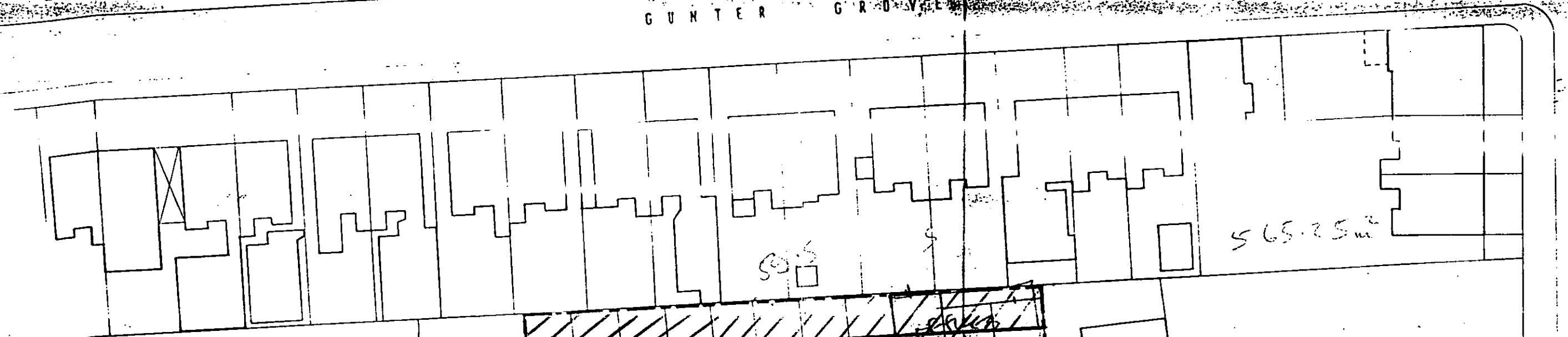
Yours sincerely,

Cllr. The Hon. Simon Orr-Ewing, MA, FRICS.

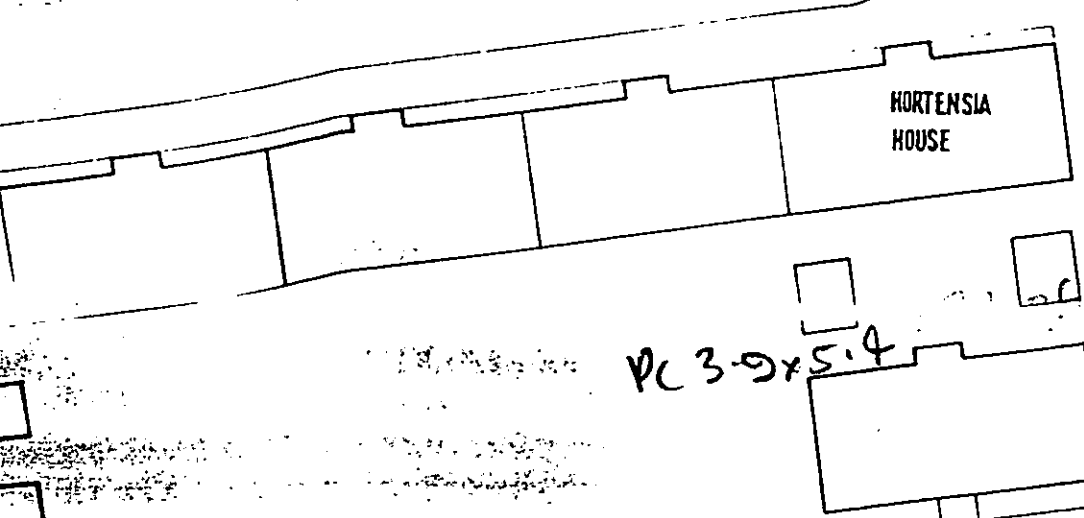
RECEIVED BY D.P.T.				
26 OCT 1989				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV PLAN
DDPT	IO	TRANS.	BUILD CONTROL	AC AG



GUNTER GROVE

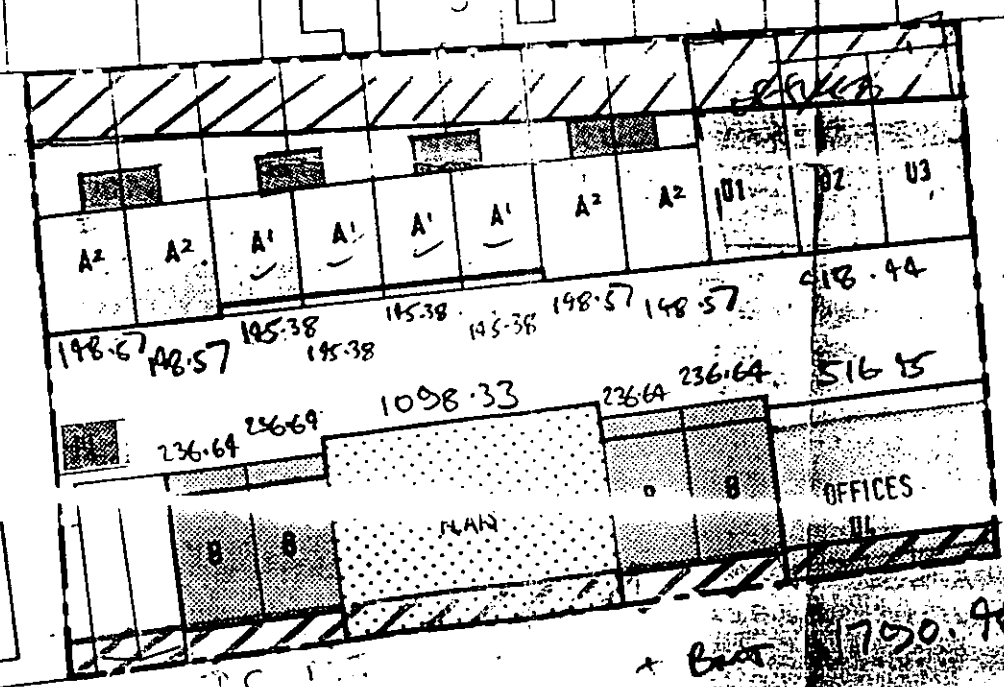


565.25 m²

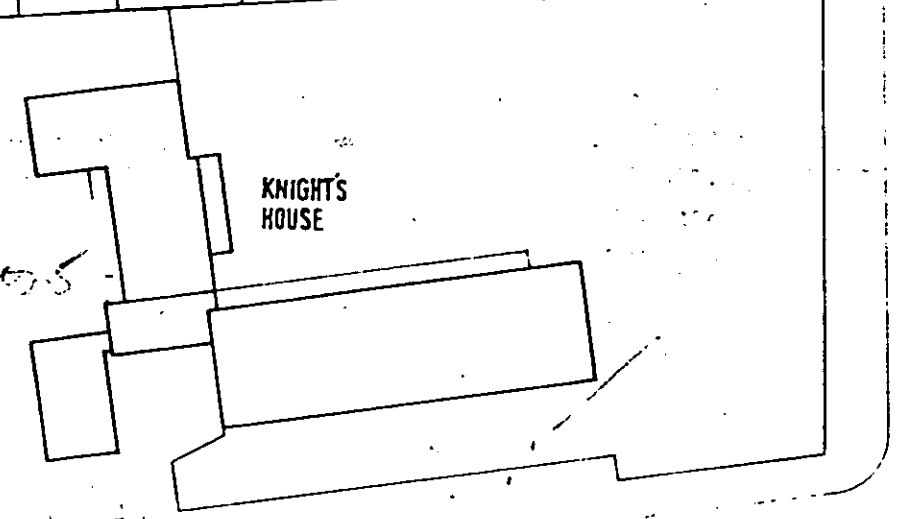


HORTENSIA HOUSE

PL 3-9x5.4



A ²	A ²	A ¹	A ¹	A ¹	A ¹	A ²	A ²	U1	U2	U3
198.67	198.57	195.38	195.38	195.38	195.38	198.57	198.57	418.44		
236.64	236.64	1098.33	236.64	236.64	516.15					

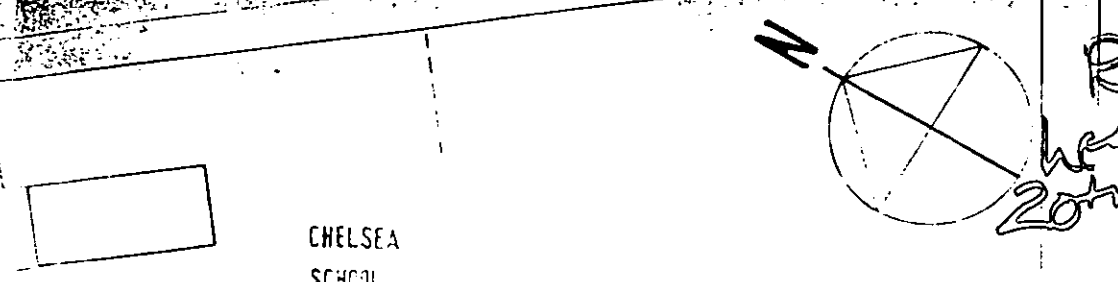


KNIGHT'S HOUSE

750.98 m² - 655.58 = 1134.9 m²

KINGS ROAD

HORTENSIA ROAD



Re:
letter
20th Oct 1989

CHELSEA SCHOOL

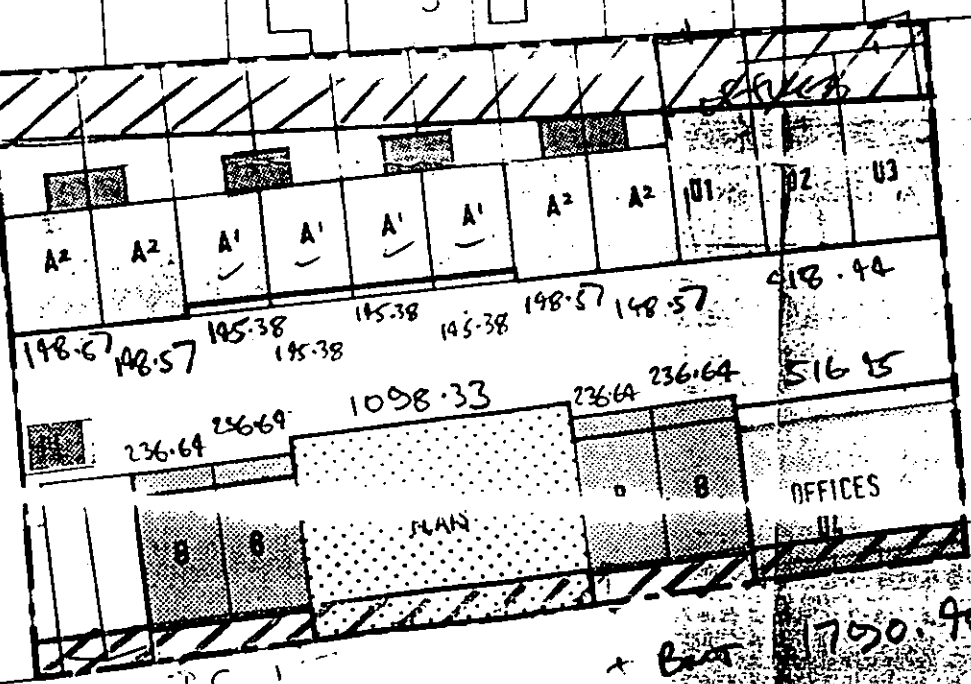
GUNTER GROVE

565.25 m²

HORTENSIA HOUSE

KNIGHT'S HOUSE

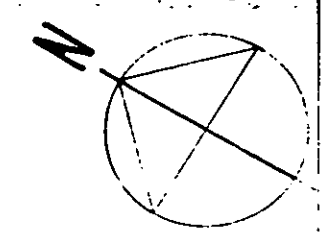
PC 3-9x5.4

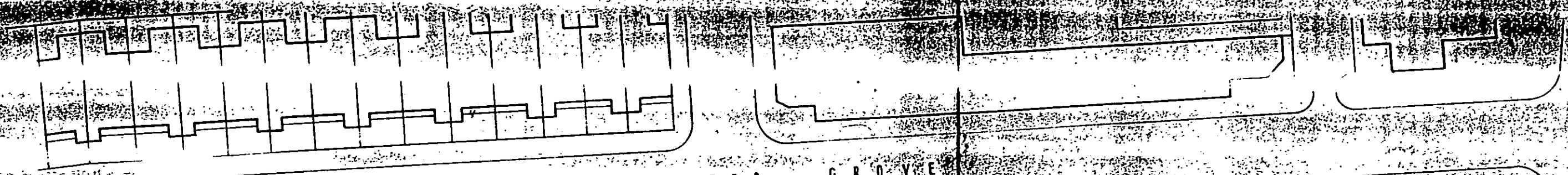


HORTENSIA ROAD

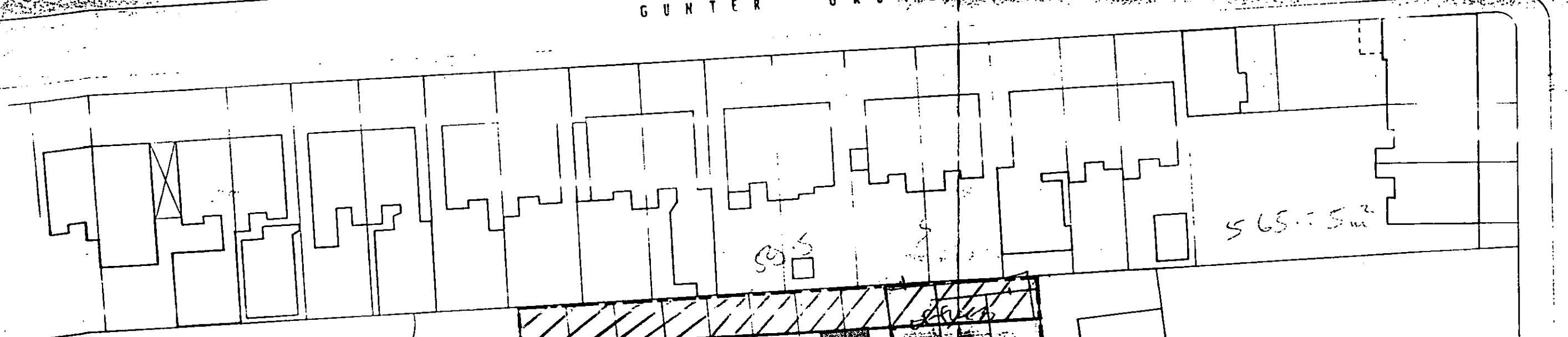
KINGS ROAD

CHELSEA SCHOOL



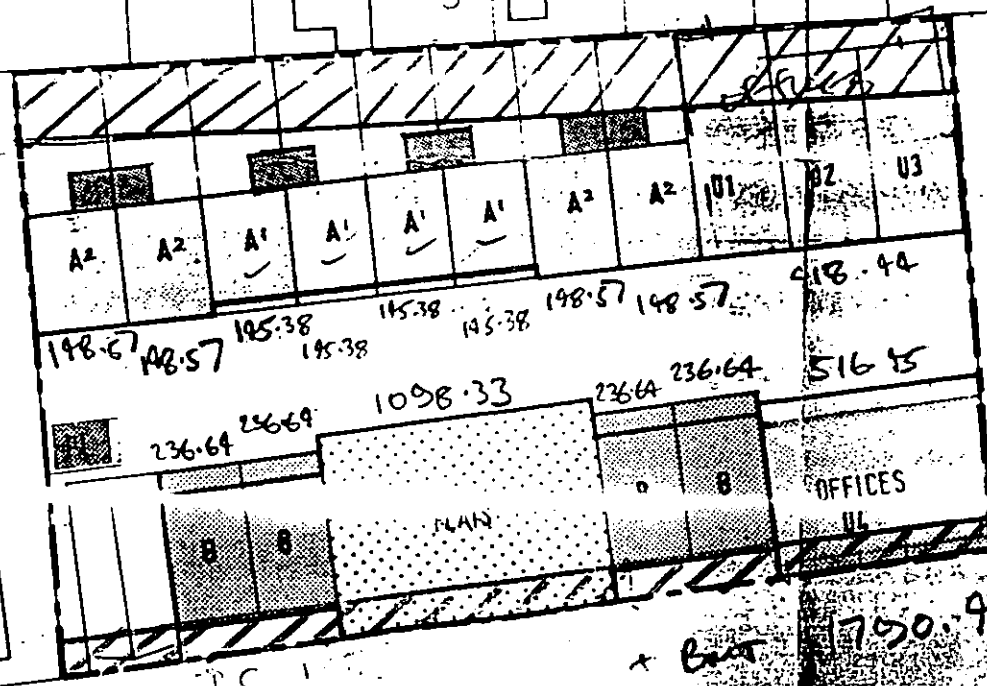


GUNTER GROVE



565.5m²

HORTENSIA HOUSE



KNIGHTS HOUSE

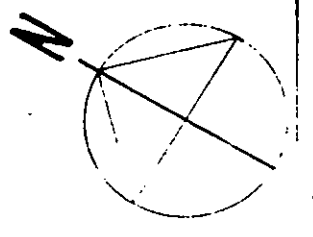
PC 3-5x5.4

HORTENSIA ROAD

+ Best 1750.98m² - ROAD 655.58 = 1134.5m²

KINGS ROAD

CHELSEA SCHOOL



SLW



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

Mr French
Deputy Director of Planning and Transport
Department 705
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8 7NX

RECEIVED BY D. P. T.				
On 17 MAR 1989 61				
CS R	CS C	CS S	CS S	DC
16 March 1989				
DPPT	LO			AD ACK

HIN/LA/NCF/pl

Dear Mr French

Hudson's Depository, Hortensia Road

Thank you for meeting me today to discuss the revised scheme.

As I explained we are anxious to sort out the outstanding details. The new drawing no. HIN/01/101 rev L (2 copies enclosed) shows clearly that the building has not increased in height. The various other aspects are covered in my previous letters.

We would welcome Mr Parry's comments on the detailed design aspects of the scheme with particular reference to the front block.

We have, as I explained, made a start on site with the basement and so would very much appreciate a letter from you confirming your view that a new application is not necessary and that the alterations are of a minor nature.

Yours sincerely

Nicholas Colwyn Foulkes

SLW → MJF
rec'd 21/3

please discuss with I.P.
& then re me

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., R.I.B.A.
H. R. T. Williams, B.Sc., B Arch., R.I.B.A.
R. Colwyn Foulkes, Dip. Arch. R.I.B.A.
E. M. Foulkes, M.B.E., B Arch. R.I.B.A., Dip. C.D.F.R.S.A. Consultants:
Jane Coy, Dip. Arch., Dip. L.A., A.L.I.

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

HTN2/NCF/pl

18 January 1989

Dear Mr French

Hudsons Depository, Hortnesia Road

Following my letter of 21 December 1988 and our meeting I now enclose copies of our revised drawing nos. HTN/101/101J, 103C, 105D, 113C, 114C, which illustrate the revisions made to the working up of the detail design.

The rear houses have slightly revised elevations but in form are much the same.

The front terrace now consists of an office building and two blocks of flats. The large town houses have now been omitted. The overall depth of the flats is reduced allowing a wider Mews behind. The floor area is also reduced. We have designed the elevations to be in keeping with the school building opposite and Hortnesia House next door.

There is adequate parking for the flats in the basement, in fact we can provide parking levels in excess of the Borough standards.

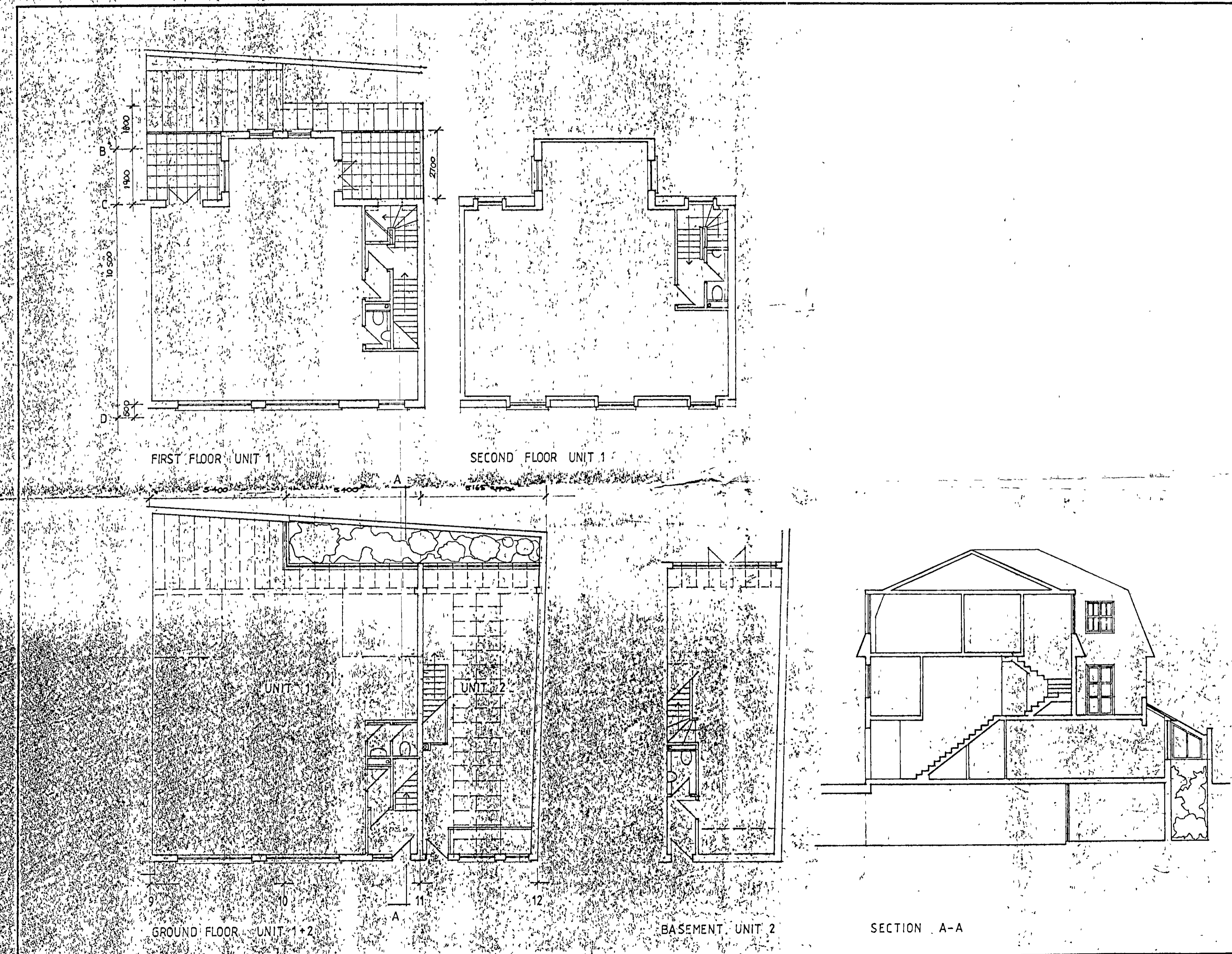
The amendments to the scheme do correspond with your departments earlier recommendations and do not increase the amount of development. On these grounds I hope that you will be able to deal with these detail alterations as amendments to an existing permission under delegated powers.

Do not hesitate to contact me if you need any further information.

Yours faithfully

A N COLWYN FOULKES

Encs.



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
A		
B	22.12.88	Internal planning amended P.A. added

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0482 632735 01 938 2464

Job
 HORTENSIA ROAD

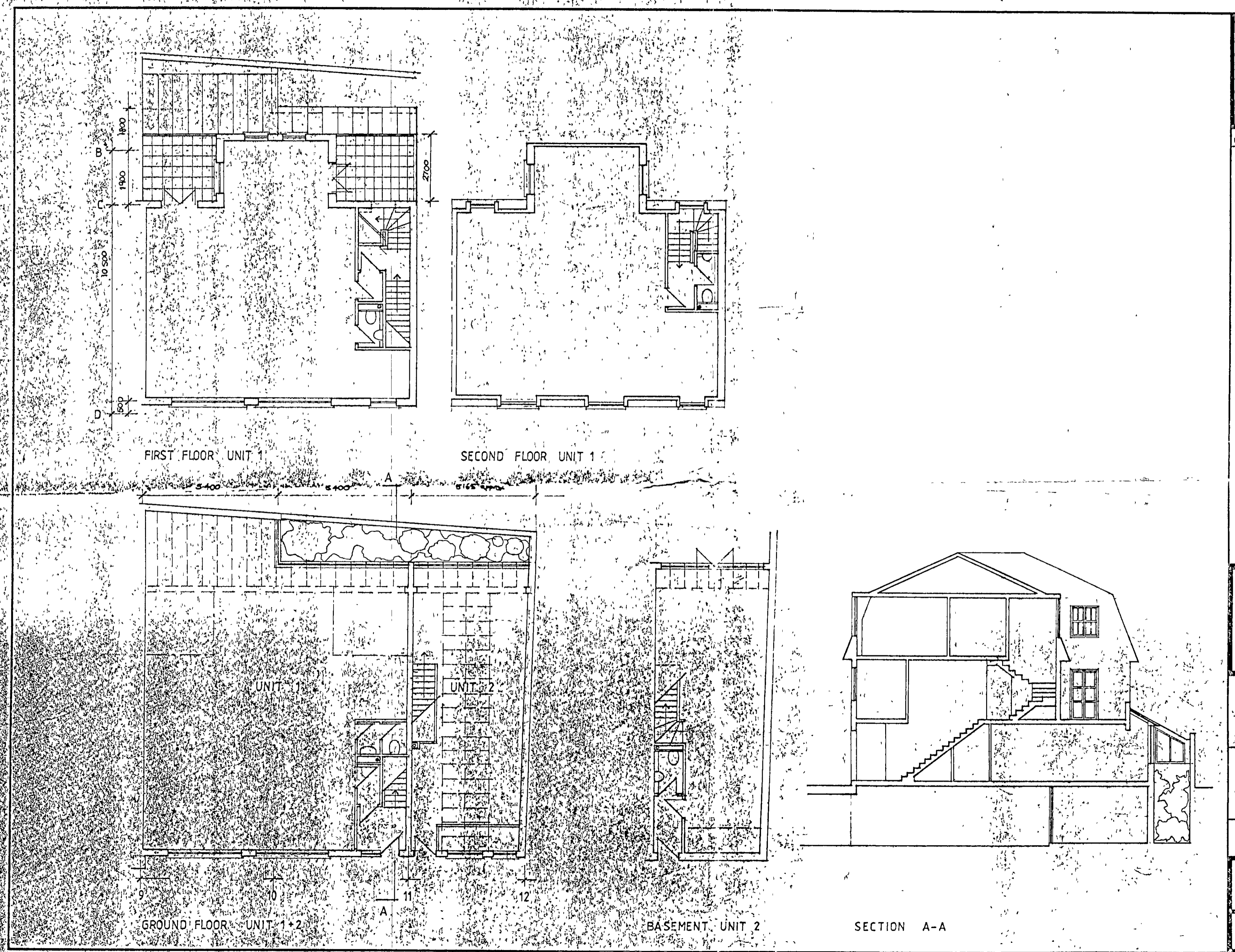
Title
 REAR OFFICE UNITS 1+2

Drawn Date
 DEC 88

Drawing No
 H.T.N/O1/113 re/BC

Scale
 1:100

NCF's letter of 18 Jan 89



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
A		
B	22.12.88	Internal planning amended P.G. added

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 London 01 938 2484

Job
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1+2

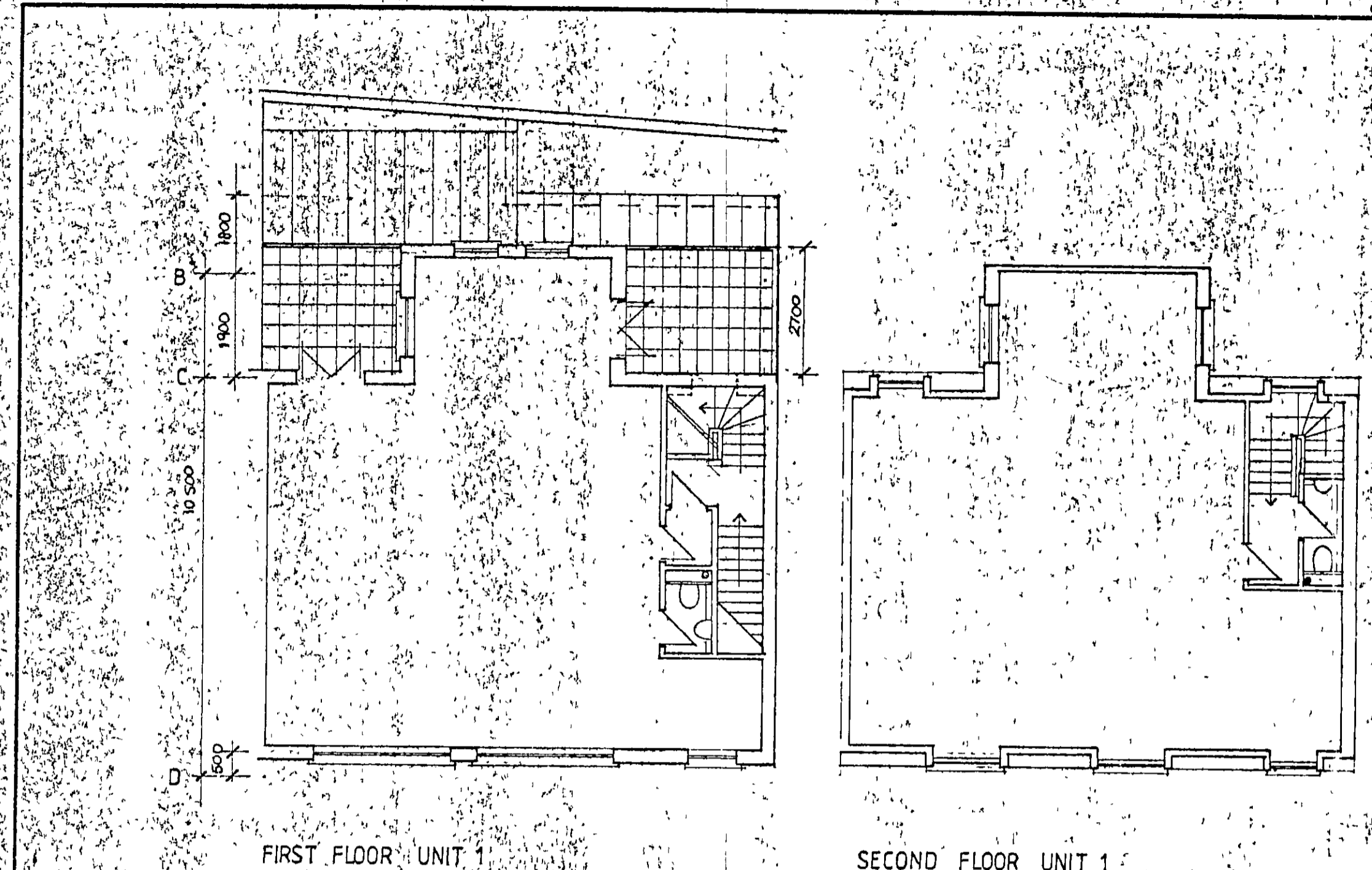
Drawn

Date
DEC 88

Drawing No
H.T.N/01/113 rev/B/C

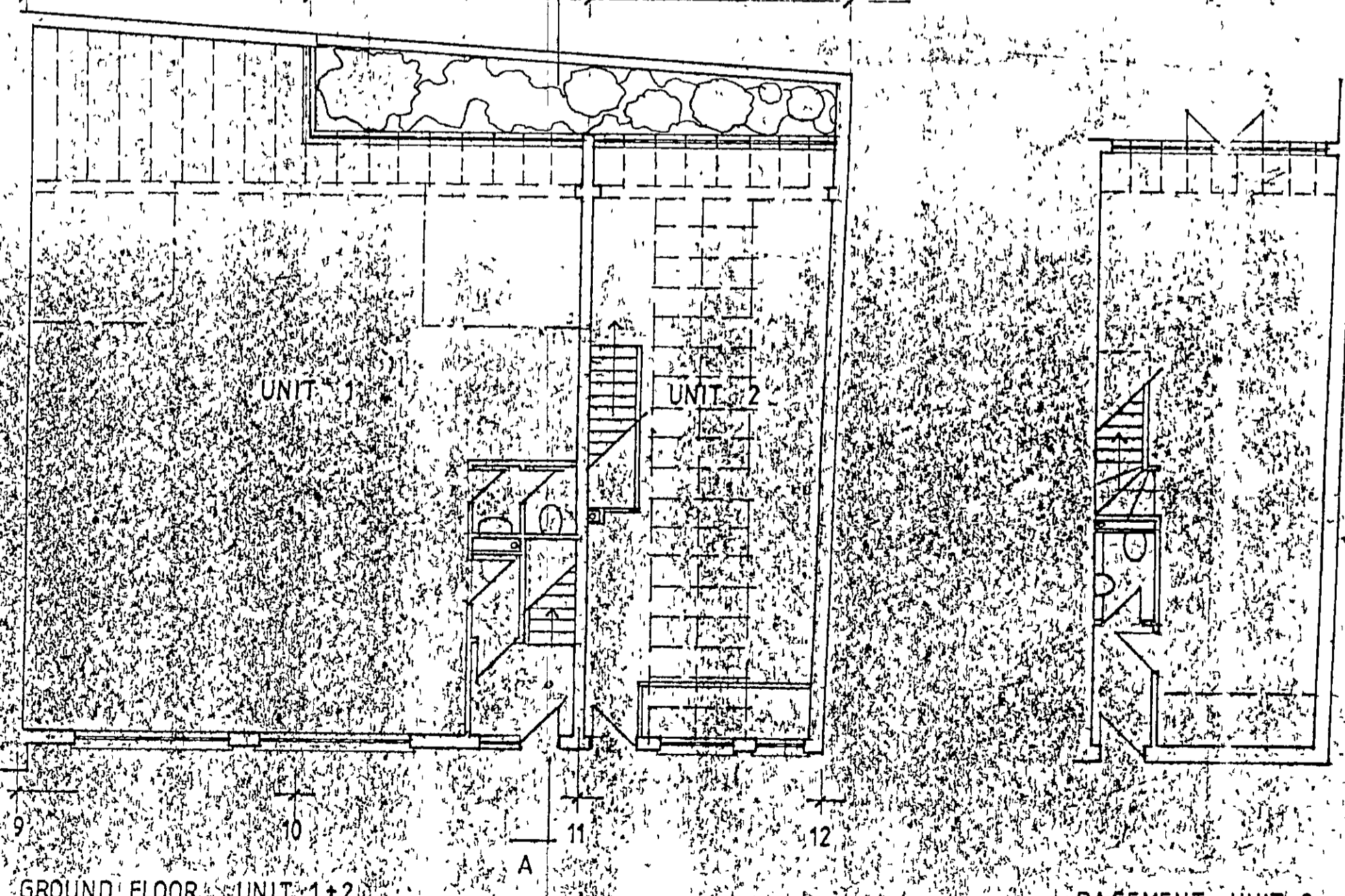
Scale
1:100

NCF's letter of 18 Jan 89



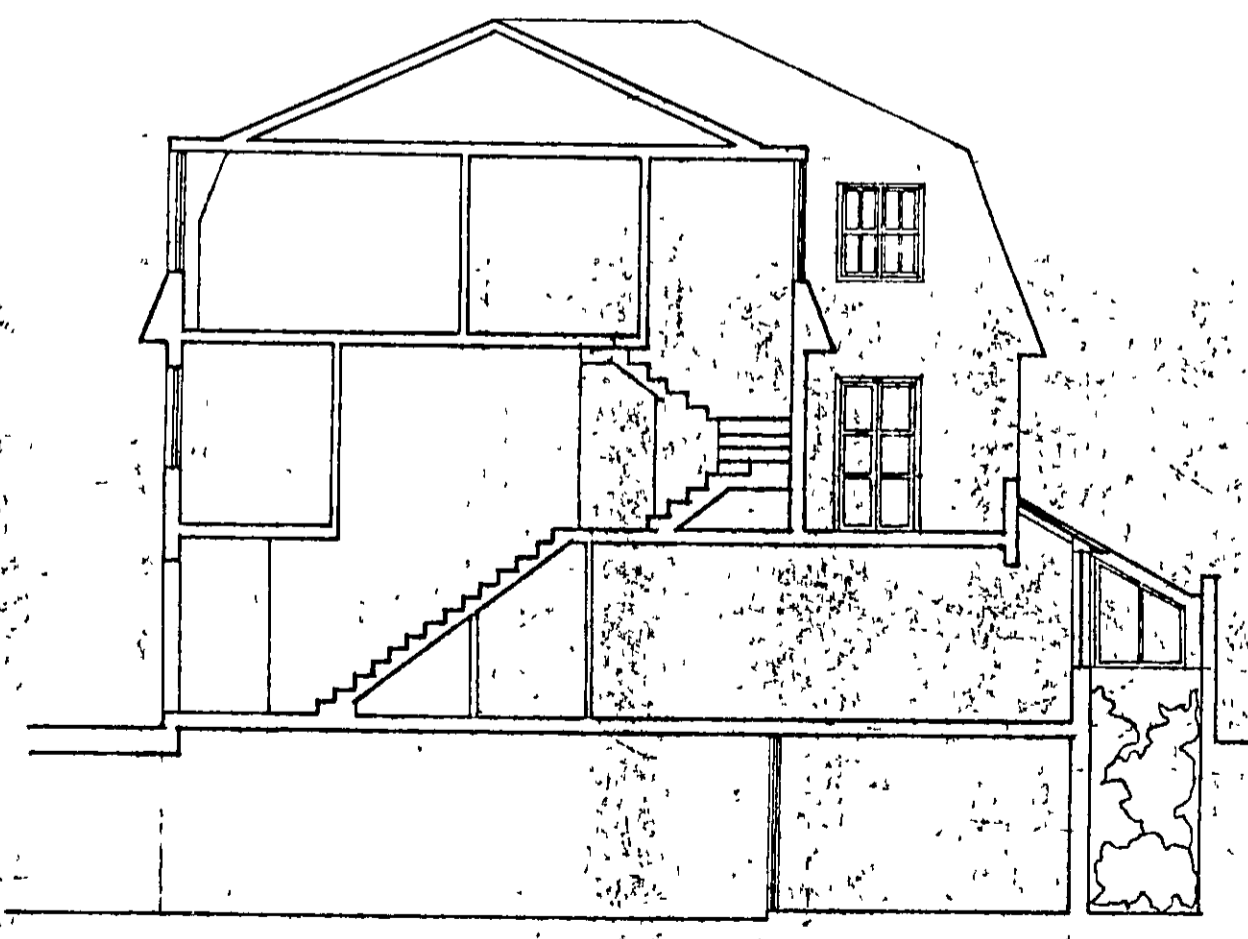
FIRST FLOOR UNIT 1

SECOND FLOOR UNIT 1



GROUND FLOOR UNIT 1+2

BASEMENT UNIT 2



SECTION A-A

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
A		
B	22.12.99	Internal planning amended P & added

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

Job
 HORTENSIA ROAD

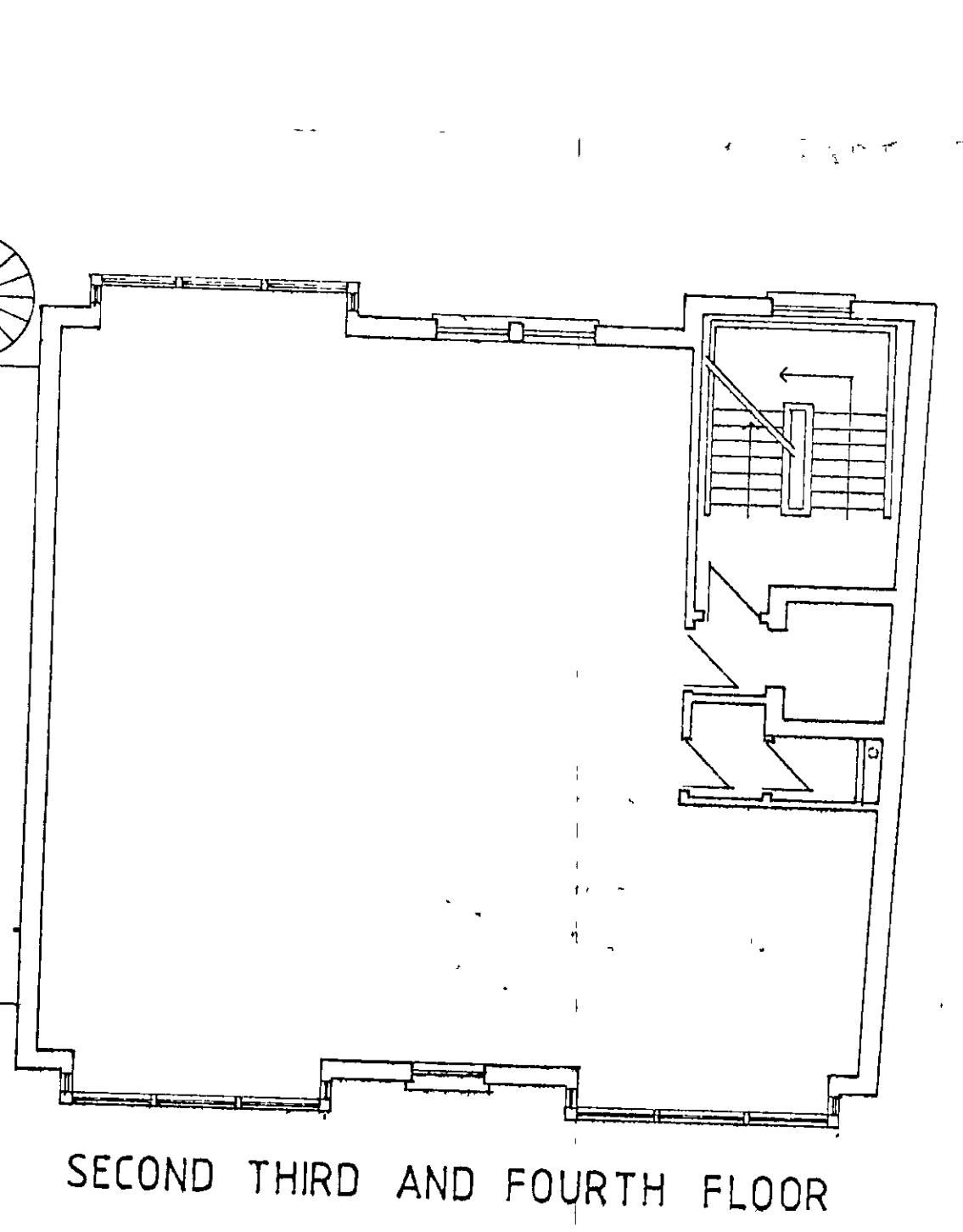
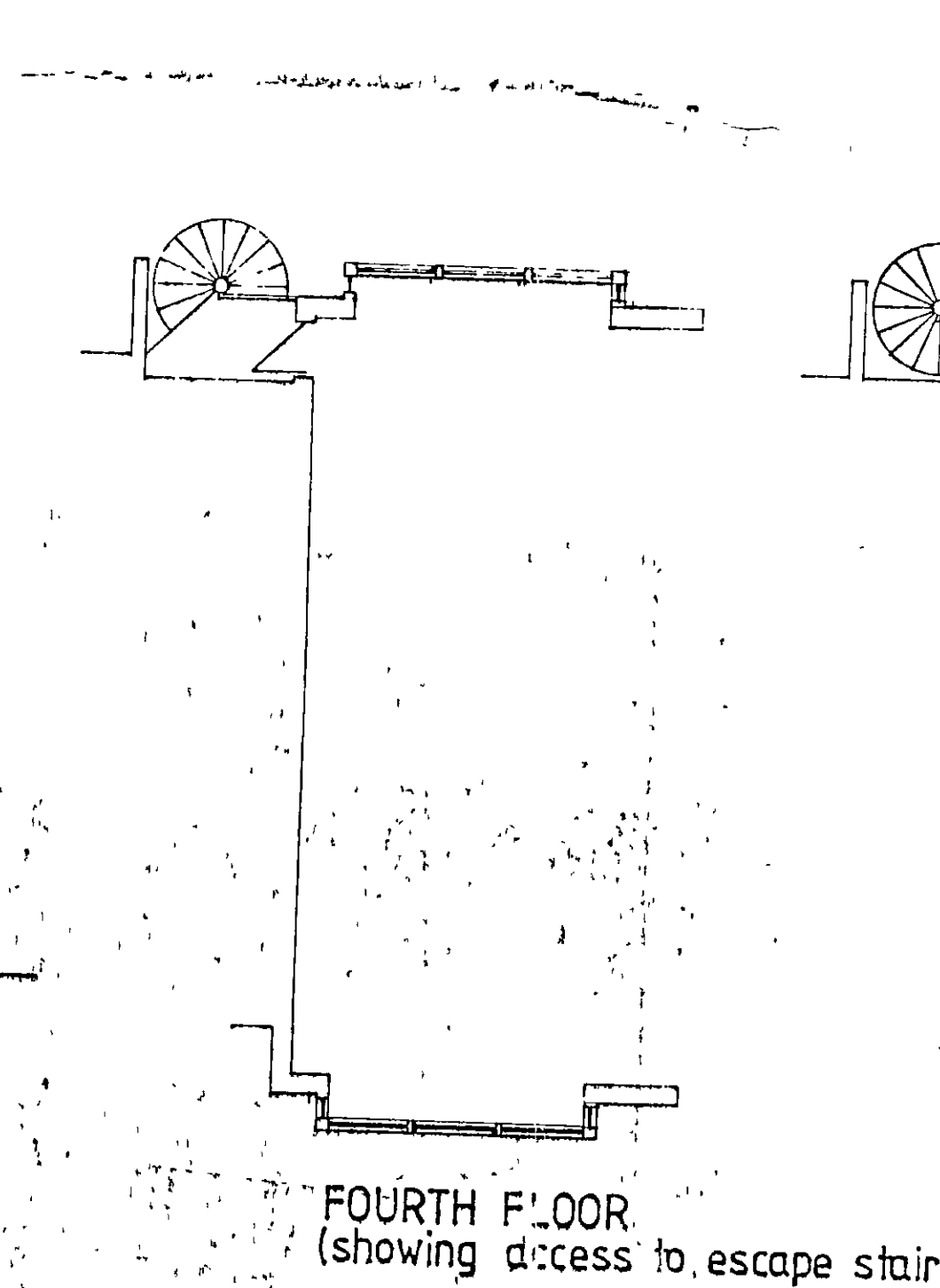
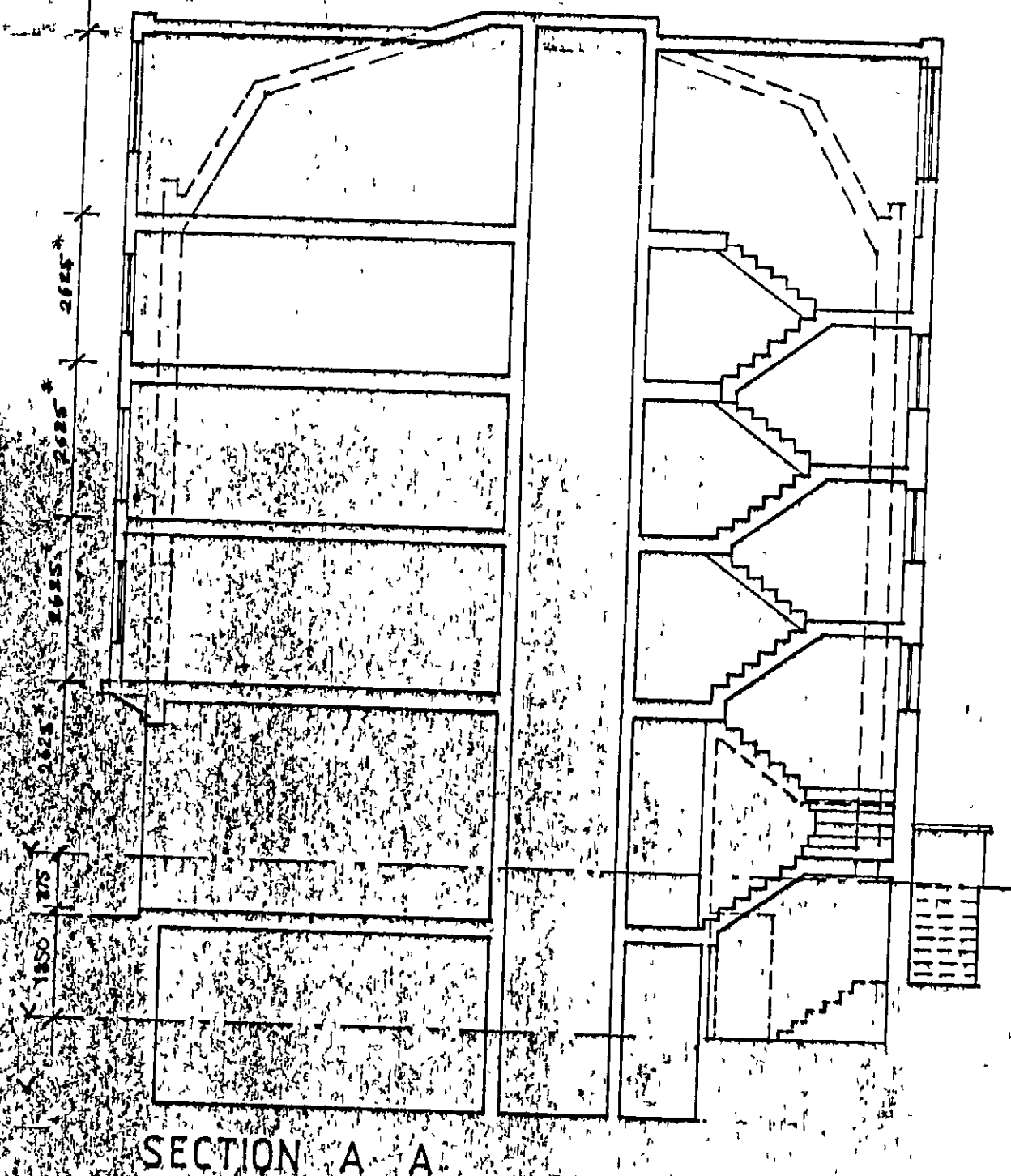
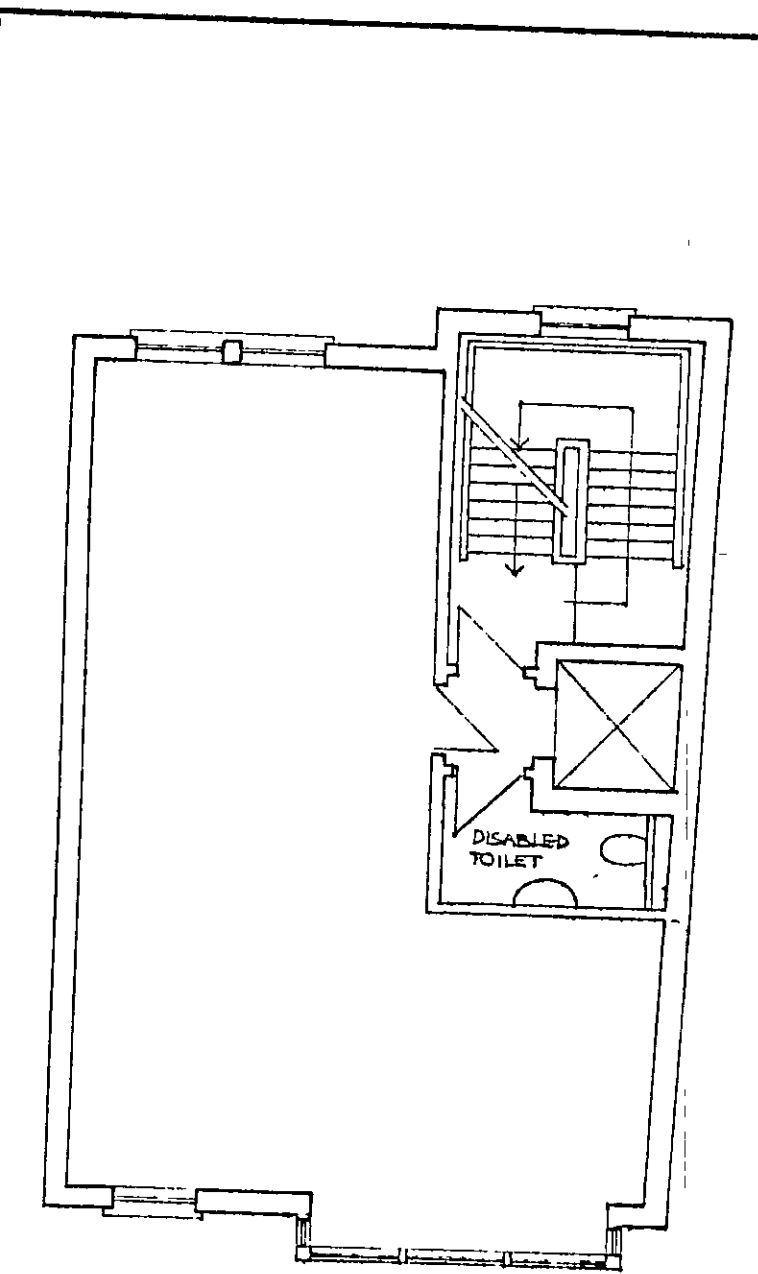
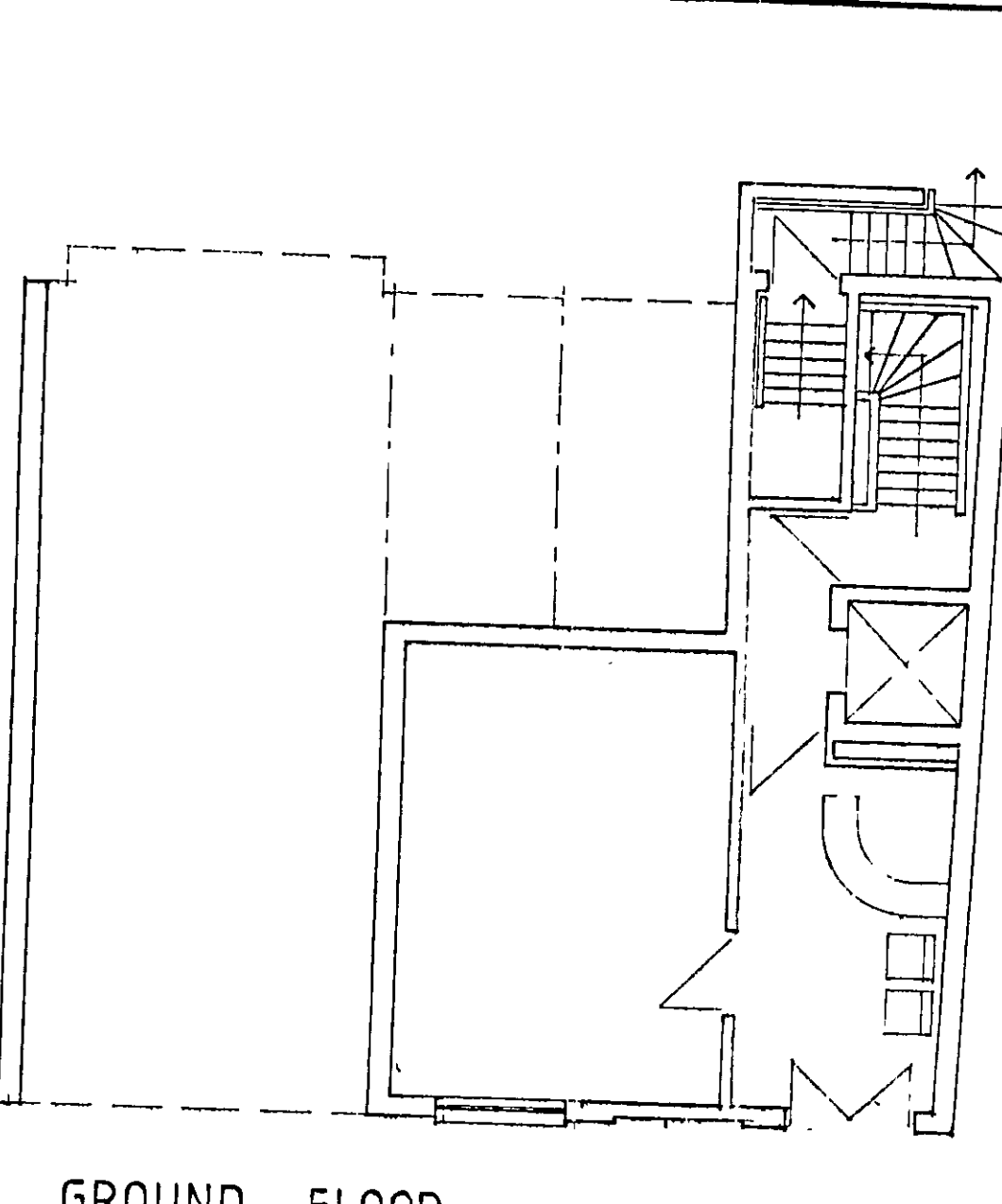
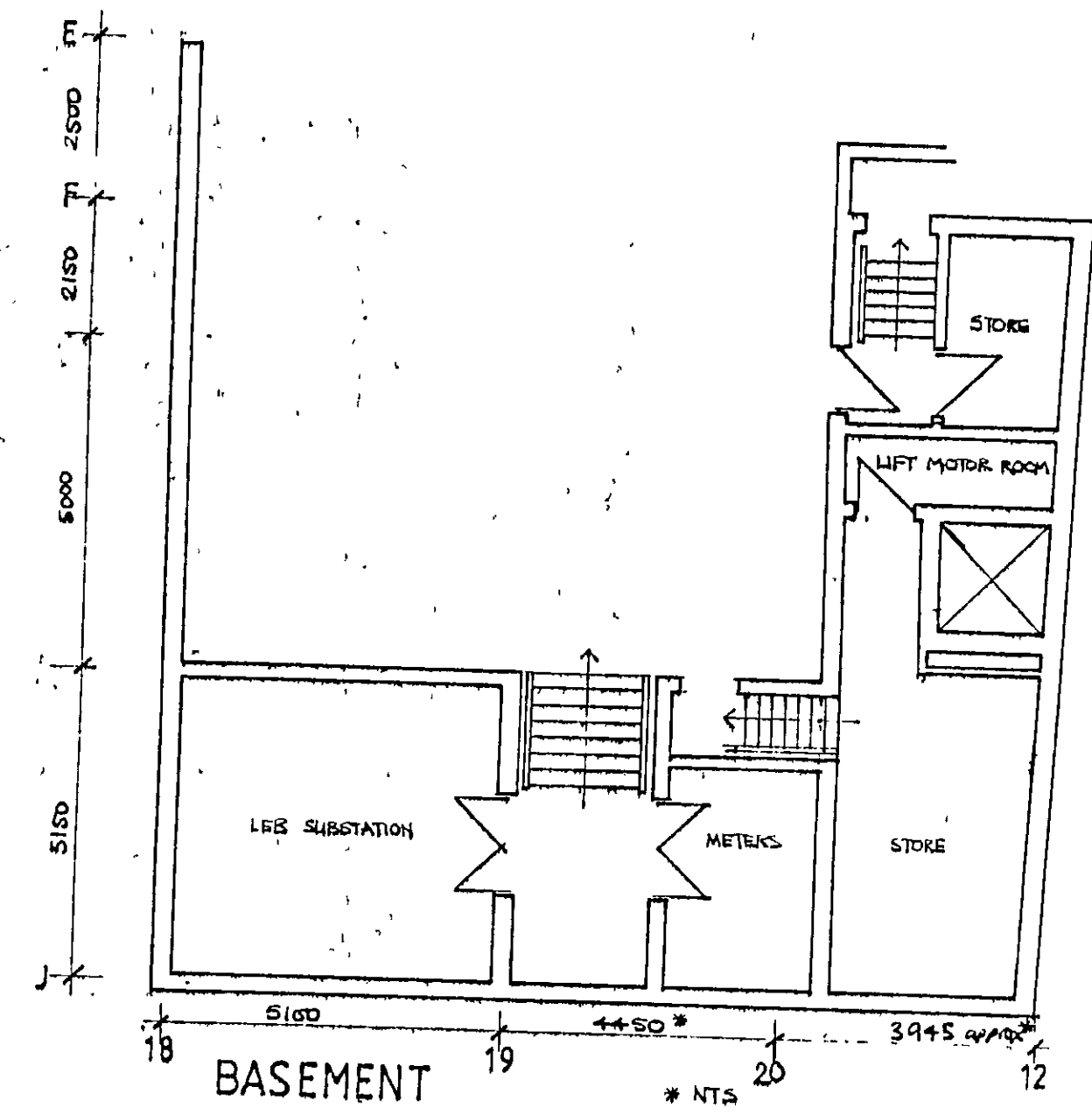
Title
 REAR OFFICE UNITS 1+2

Drawn | **Date**
 | DEC 88

Drawing No
 H.T.N/01/113 rev B/C

Scale
 1:100

NCF's Letter of 18 Jan 89



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
A	22/88	Made revisions to internal planning
B	12/88	Final plan on basement plan complete stairs from ground floor relocated to lift motor room
C	1/89	Final plan on ground floor complete disabled toilet on first floor has been relocated

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532755
London 01 538 2464

Job
HORTENSIA ROAD

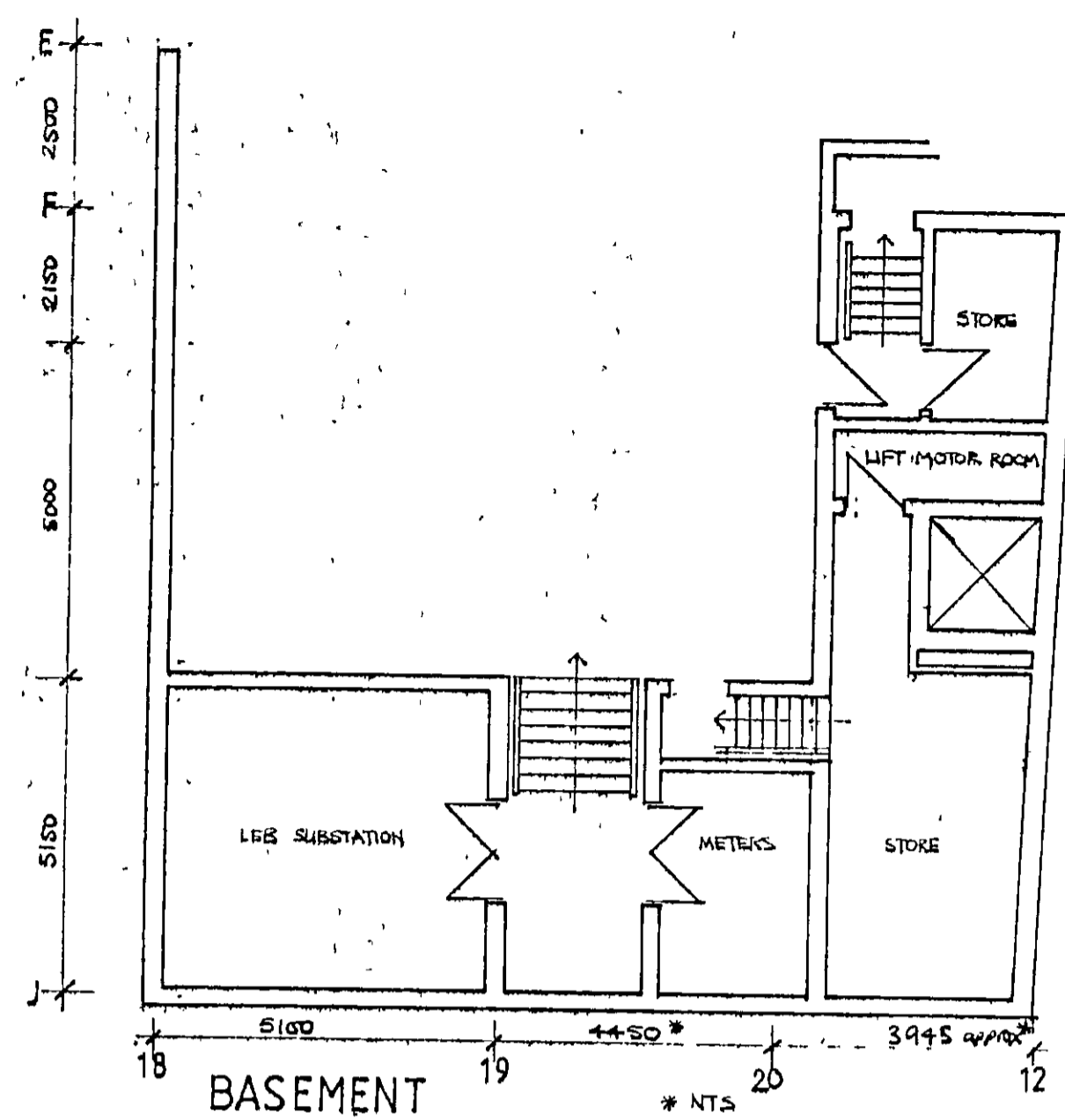
Title
FRONT OFFICES

Drawn
Date
dec 88

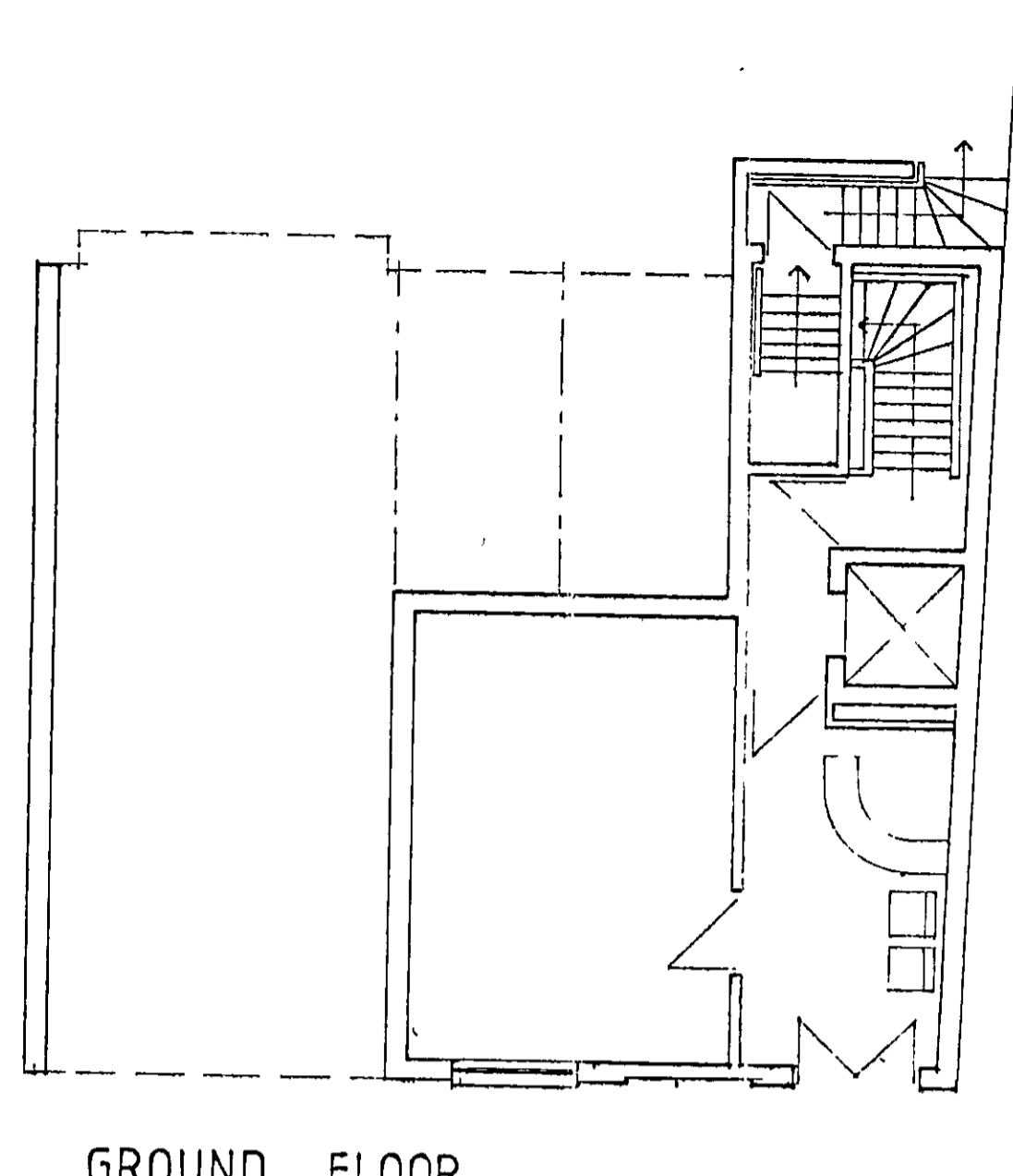
Drawing No
HTN/01/114 rev C

Scale
1:100

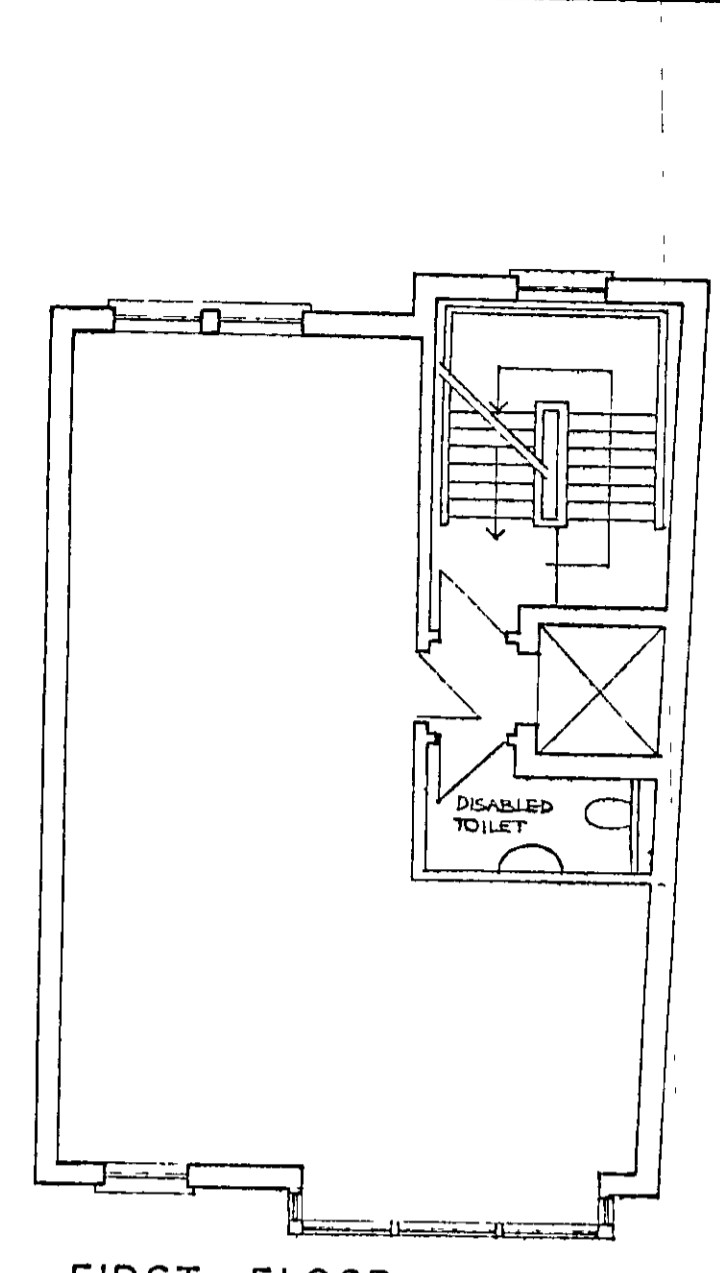
NCS Rev of 18 Jan 89



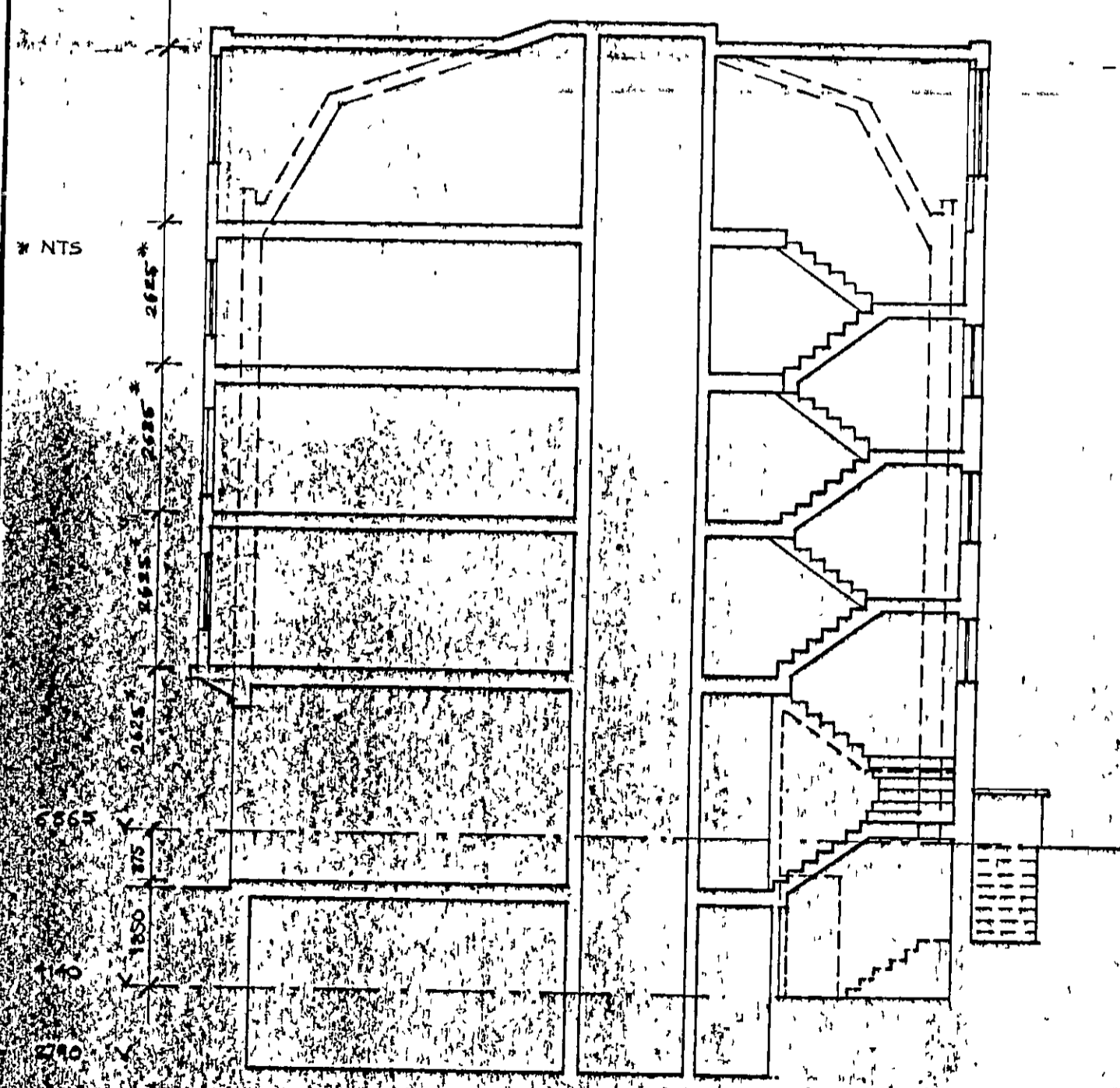
BASEMENT



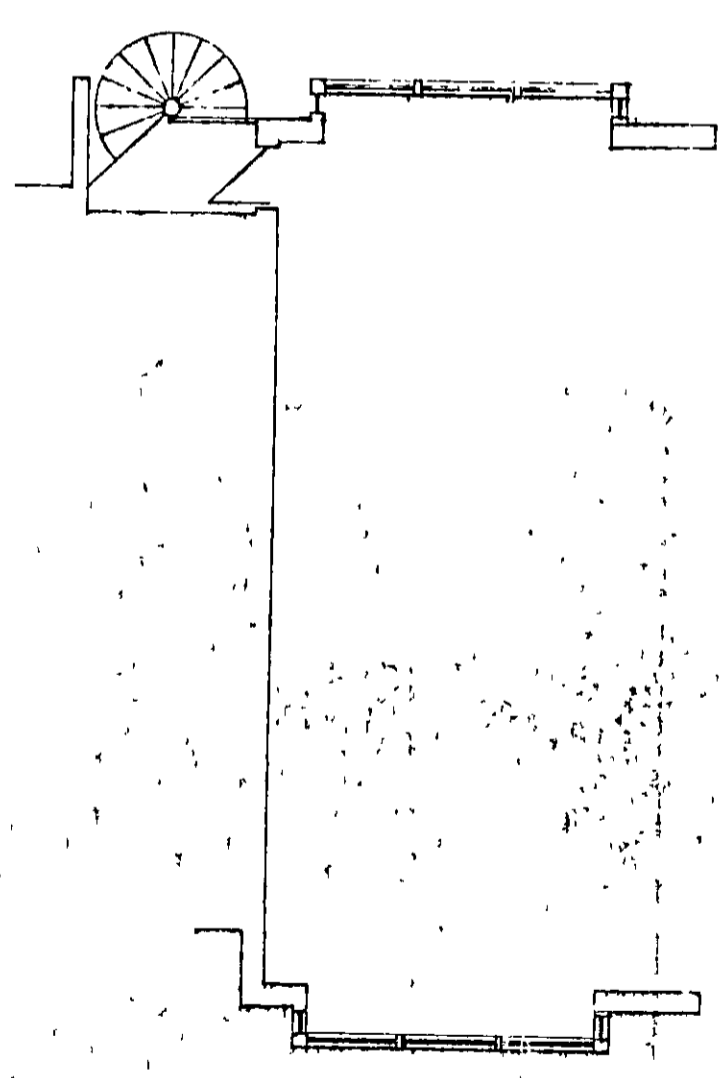
GROUND FLOOR



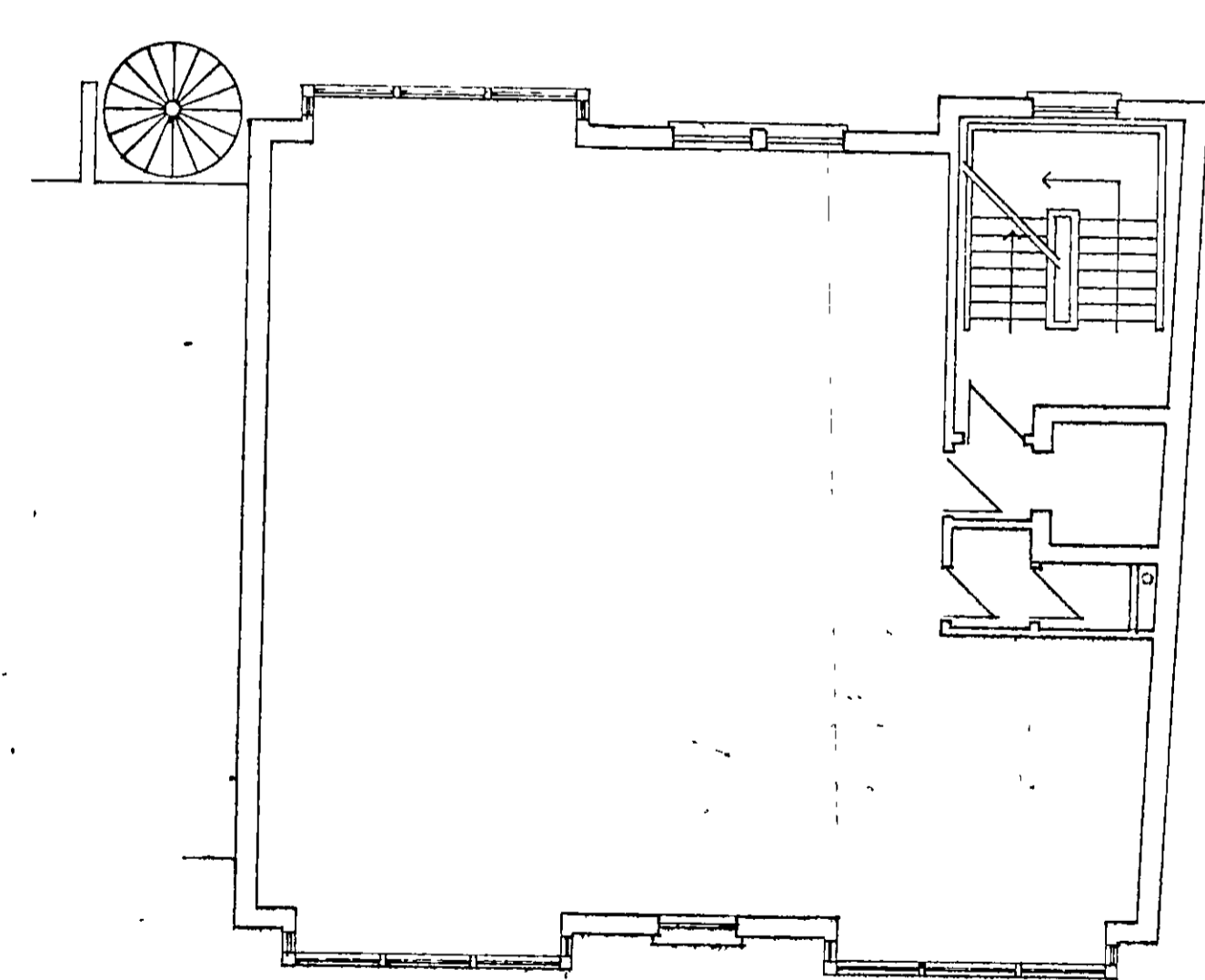
FIRST FLOOR



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
A	22.88	Minor revisions to internal planning
B	13.18	Final plan on basement plan correct. Stair from 1st to 2nd relocated to 1st floor. Disabled toilet relocated to 1st floor. First floor has way marked.

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 832755 London 01 638 2484

Job
 HORTENSIA ROAD

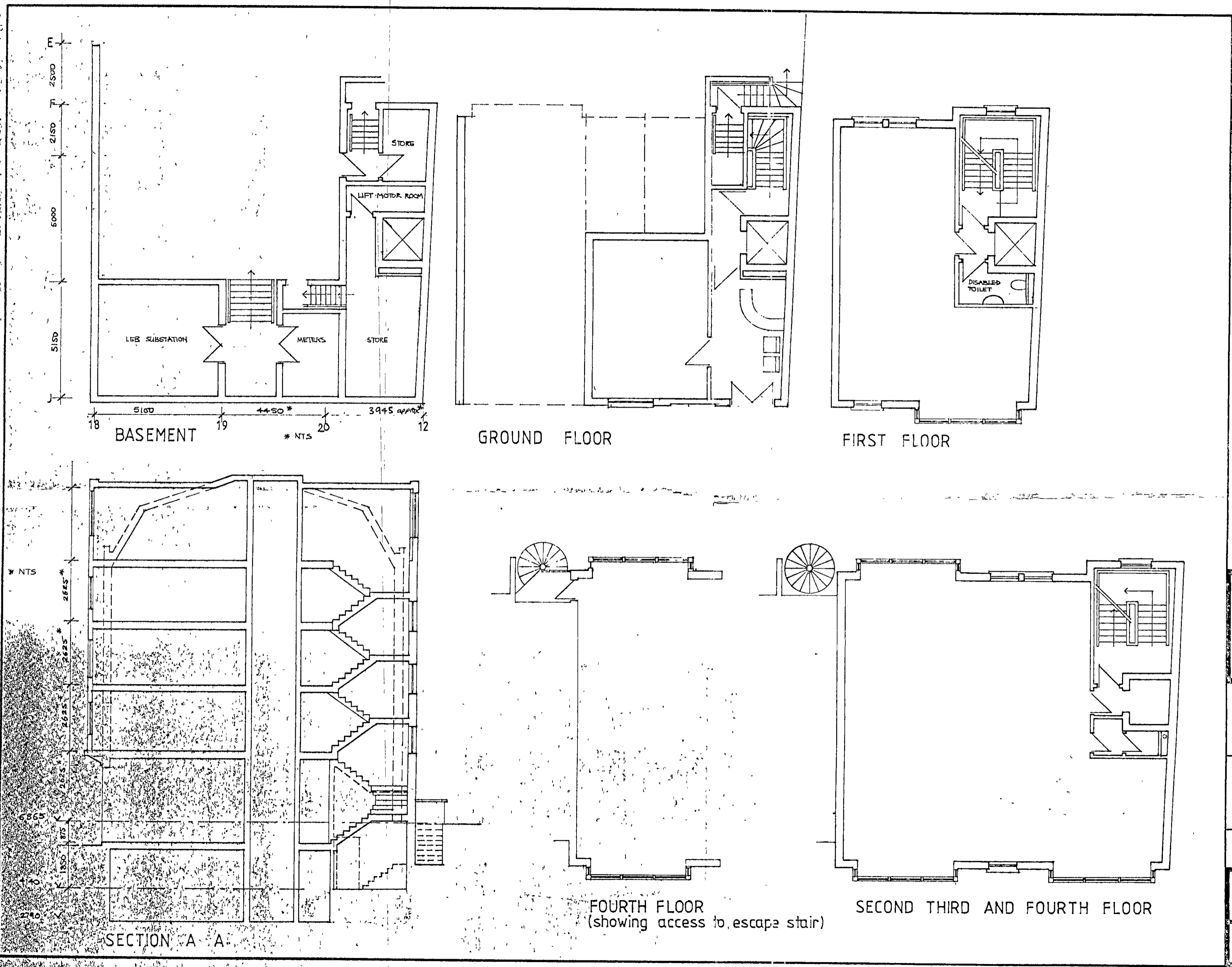
Title
 FRONT OFFICES

Drawn Date
 dec 88

Drawing No
 HTN/01/14 rev C

Scale
 1:100

HCF's letter of 18 Jan 89



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
A	21/88	Work in progress to internal planning
1	13/88	and return on basement plan correct the stair from 1st to 2nd relocated to 1st floor for + basement + 2nd floor relocated + 1st floor relocated + 1st floor relocated

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532738 London 01 938 2484

Job
 HORTENSIA ROAD

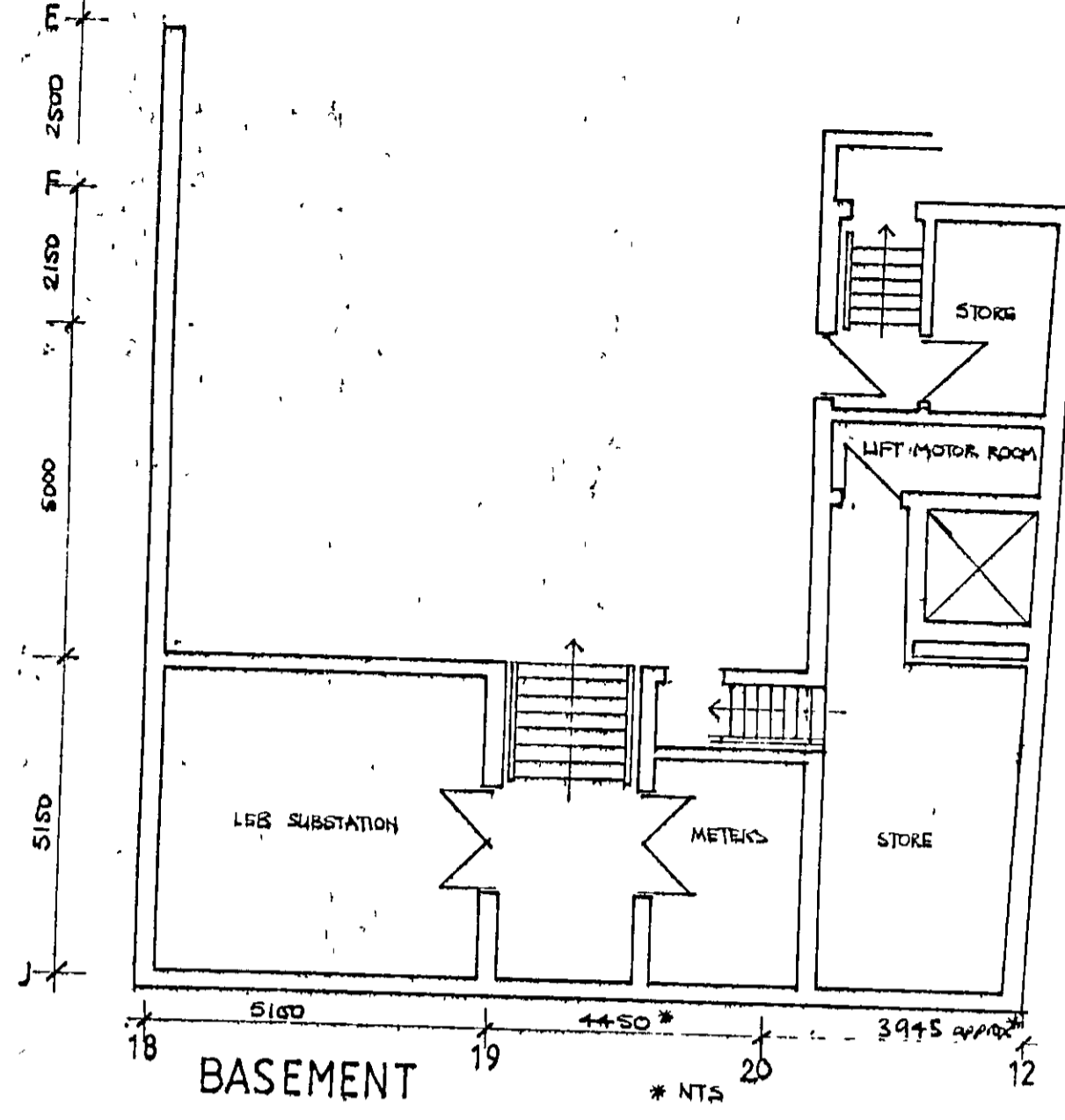
Title
 FRONT OFFICES

Drawn Date
 dec 88

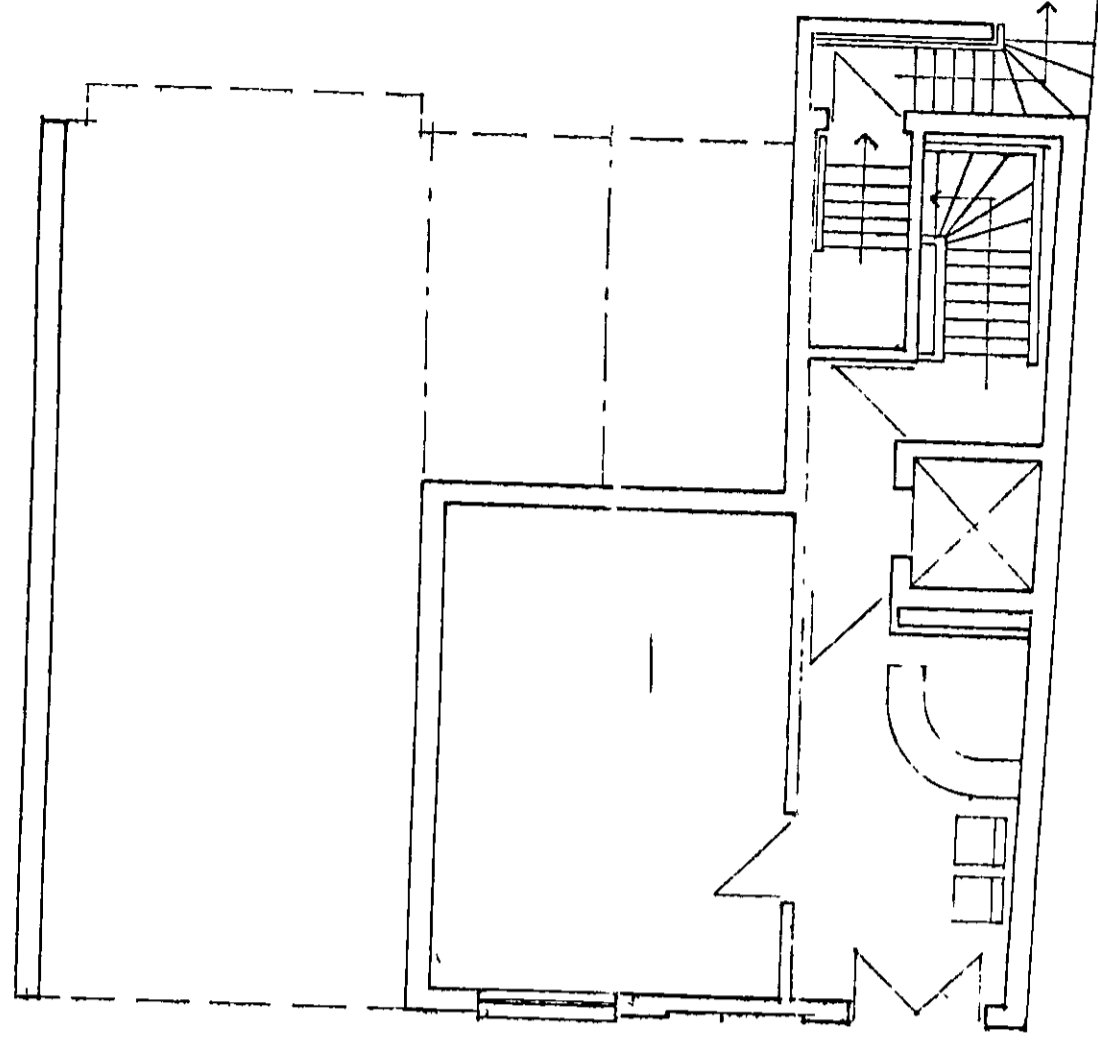
Drawing No
 HTN/01/114 rev c

Scale
 1:100

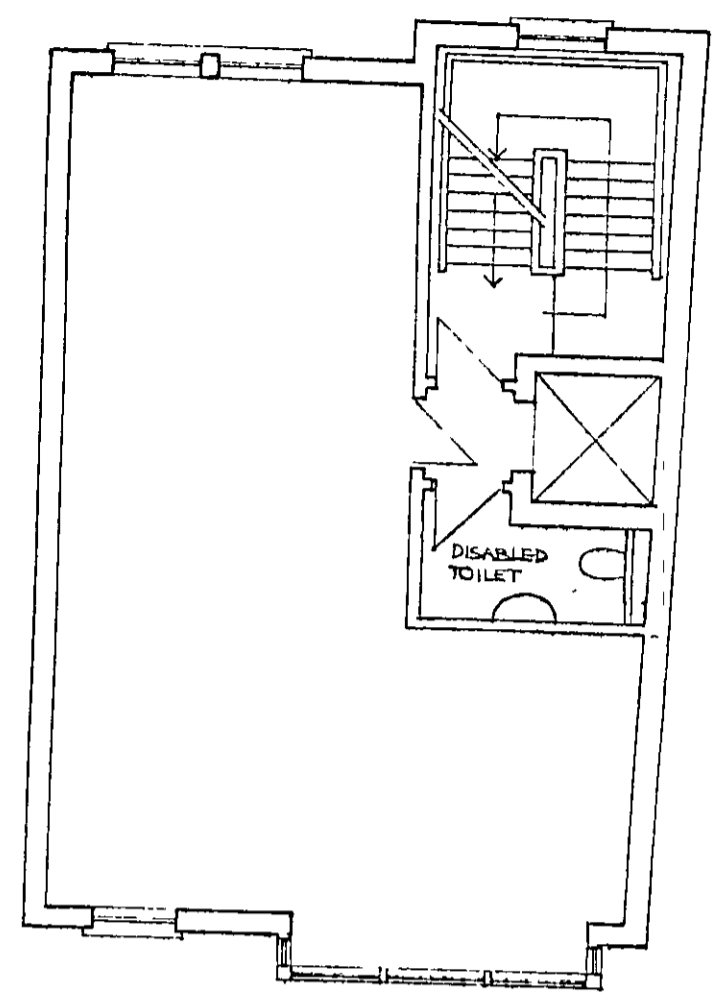
NCF's letter of 13 Jan 88



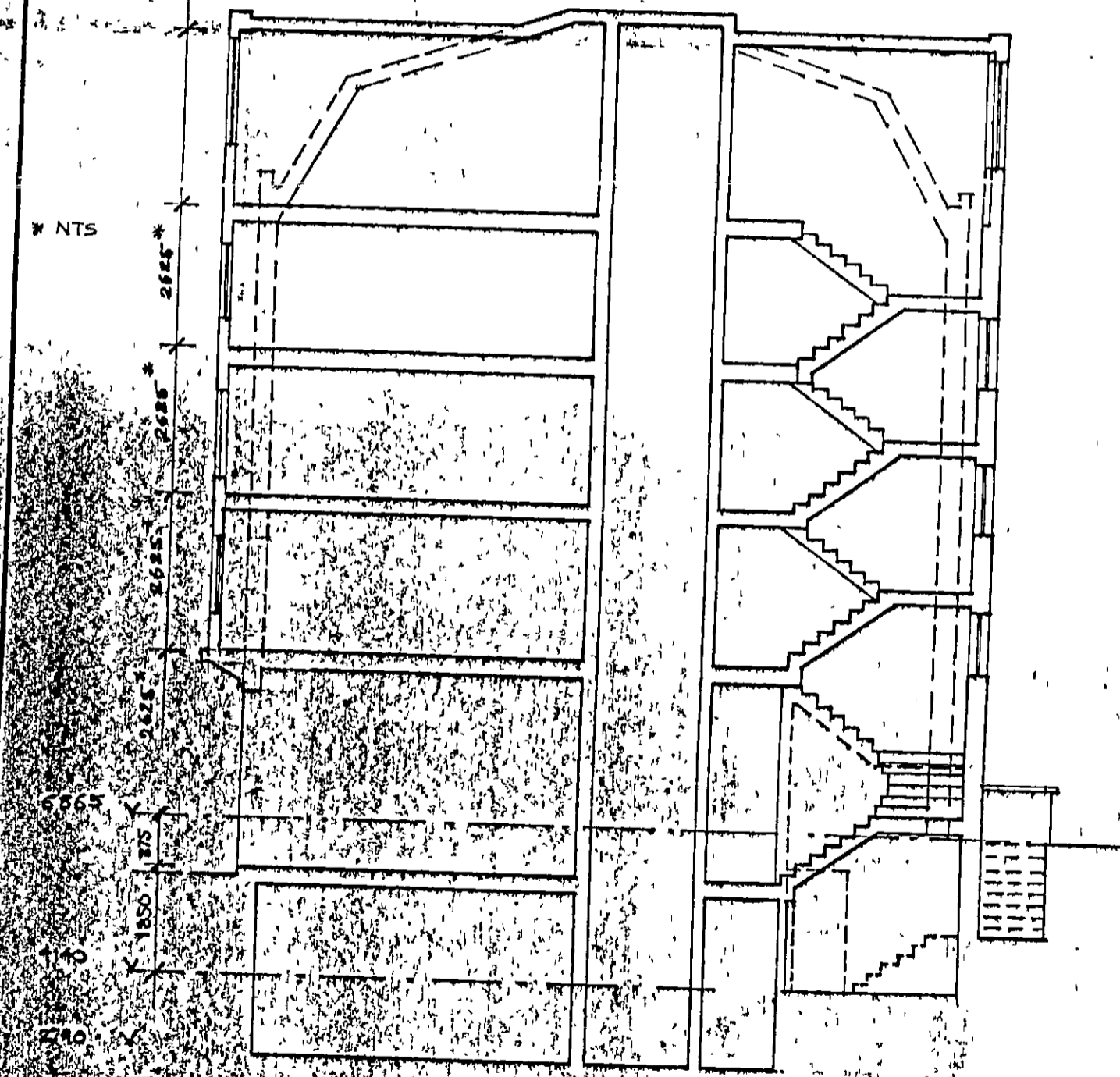
BASEMENT



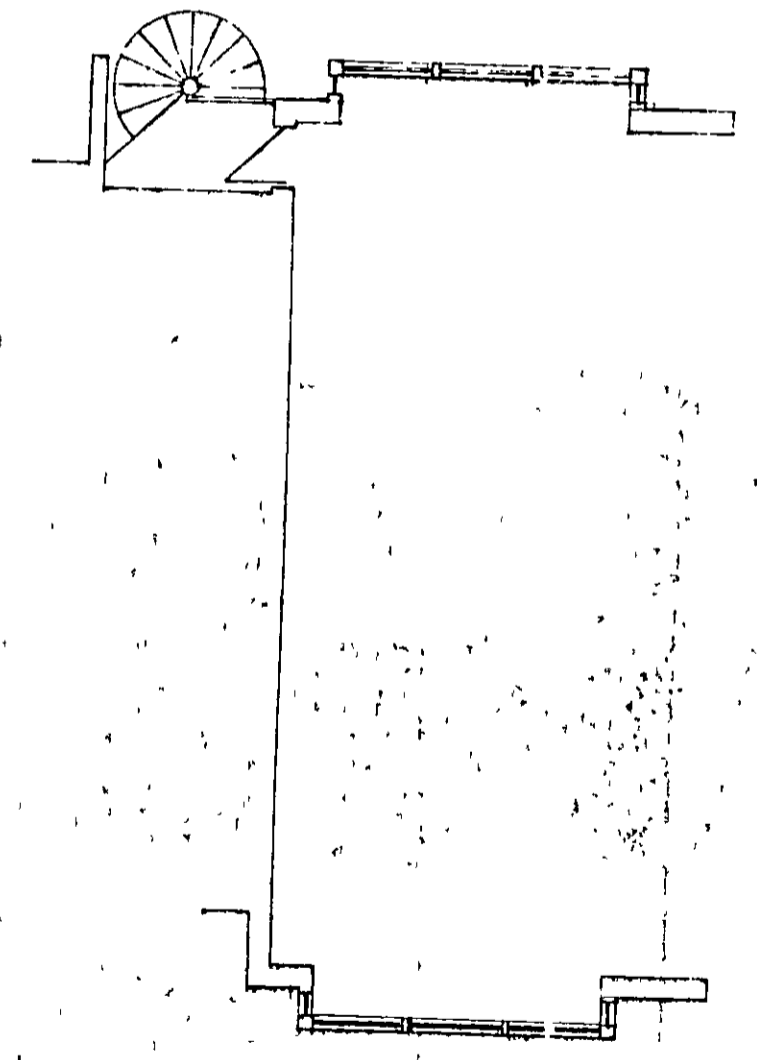
GROUND FLOOR



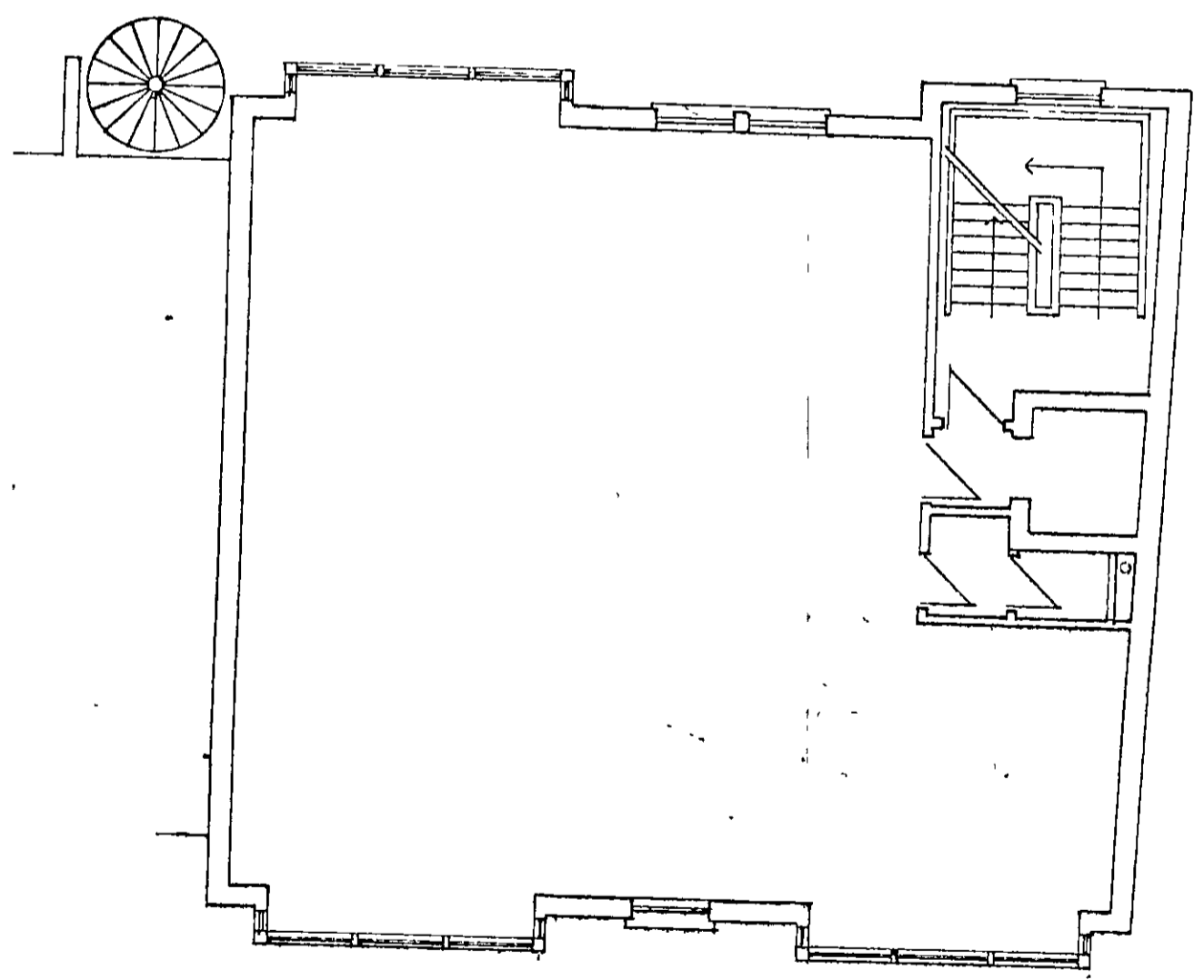
FIRST FLOOR



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	2/2/88	More access to internal planning
2	13/1/88	Final plan in basement plan to show stairs from lift motor room to disabled toilet. Disabled toilet relocated to 1st floor. Disabled toilet relocated to 1st floor. Disabled toilet relocated to 1st floor.

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 London 01 938 2454

Job
HORTENSIA ROAD

Title
FRONT OFFICES

Drawn Date
dec 88

Drawing No
HTN/01/114 rev C

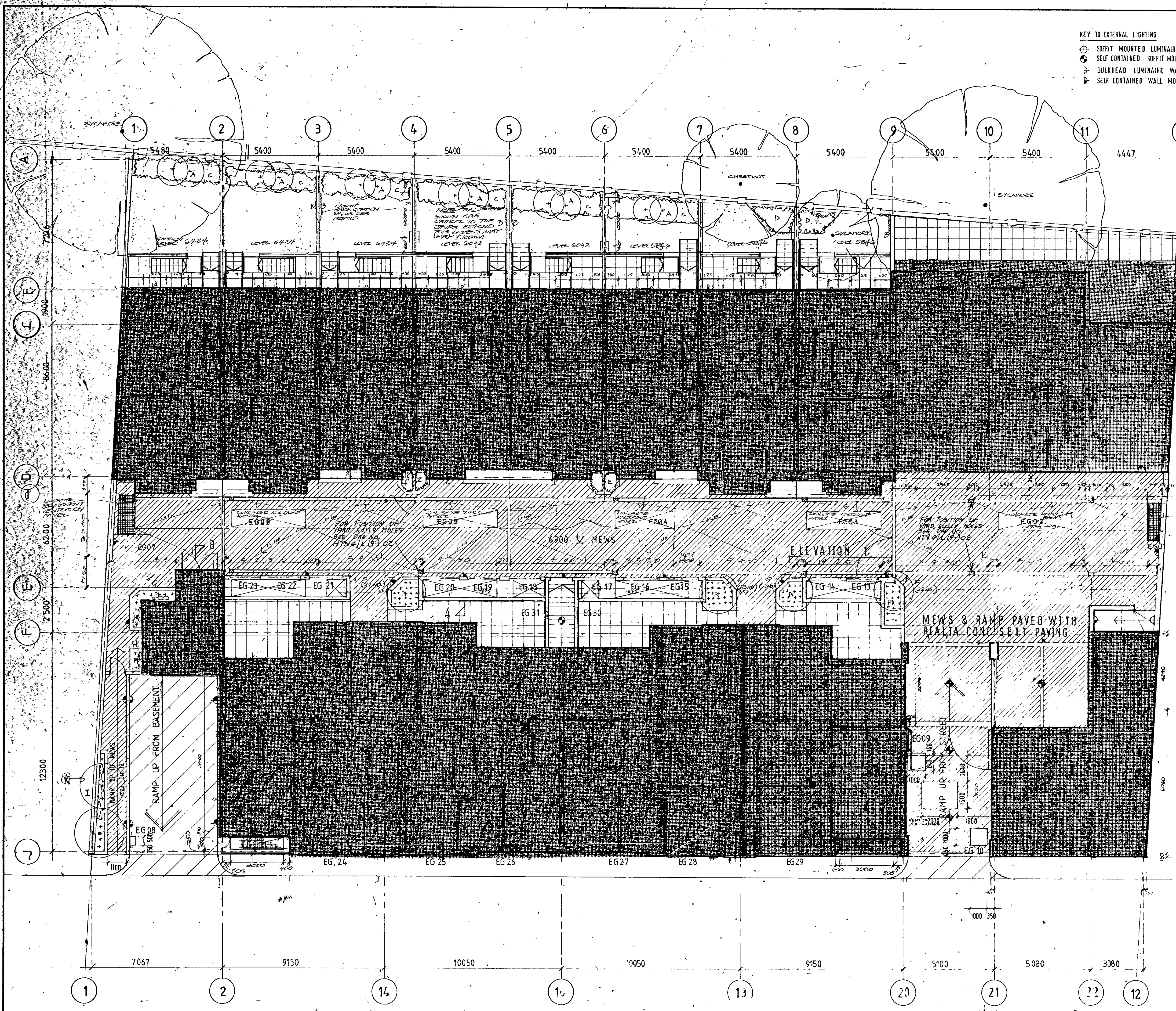
Scale
1:100

NCF's Review of 18 Jan 89

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
A	6/90	REDRAWN
B	6/90	LANDSCAPE AMENDED

- KEY TO EXTERNAL LIGHTING
- ⊕ SOFFIT MOUNTED LUMINAIRE
 - ⊙ SELF CONTAINED SOFFIT MOUNTED EMERGENCY LIGHT
 - ⊓ BULKHEAD LUMINAIRE WALL MOUNTED
 - ⊖ SELF CONTAINED WALL MOUNTED EMERGENCY LIGHT



- A TREES ULTIMATE HEIGHT 10m+ SMO. BETULA PENDULA PER PLANT
- B CLIMBERS TO WALL TRELLIS PLANTED IN PORTABLE PLANTER CLEMATIS VARS WITH BERGIA GARDIOLA AS GROUND COVER C. PLANTING TO REAR SCREEN WALLS
- C LIMBERS - HEDERA COLUCA DELTOIDA PARTHENSICUS TRICOLOR HYDRANGEA PETIOLARIS (TO SIDE WALL) C. RAUHAUTUM VARS. SPANISH YARV C. LACINIA VARS. FORTYH IN SUSTENSIA; LITONASTER LACTUS BERBERIS VARS
- D WALL SCREENS TO CORNER
- E SCREENS TO 2m HEIGHT - LANTANA VARI FLORENA PYRACANTHA ROGERIANA
- F SCREENS TO 2m HEIGHT - BERBERIS VARS. LINDUM VARS. LITONASTER VARS PLANTING TO BASED GRASS AT ENTRANCES
- G SCREENS TO 2m HT - C. RAUHAUTUM VARS. LINDUM VARS. LITONASTER VARS
- H 1 NO. GLENDITIA TRICOLOR HYDRANGEA FEATHERED
- I 1 NO. HEDERA HELIX GOLDHEART (NO AS SHOWN)
- J 2 NO. LITONASTER HORIZONTALIS AND 10 NO. HEDERA HELIX HIBERNICA
- K 1 NO. LITONASTER HORIZONTALIS AND 5 NO. HEDERA HELIX HIBERNICA
- L 3 NO. LITONASTER HORIZONTALIS AND 10 HEDERA HELIX GOLDHEART
- M 1 NO. SARDUS ACUPARIA WATERWATER SEEDLING SELECTED STANDARD

TP/89/2137E
Red 29/6/90

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0482 53735 01 938 2444

Job
HORTENSIA ROAD

Title
LANDSCAPING

Drawn Date
 6/90

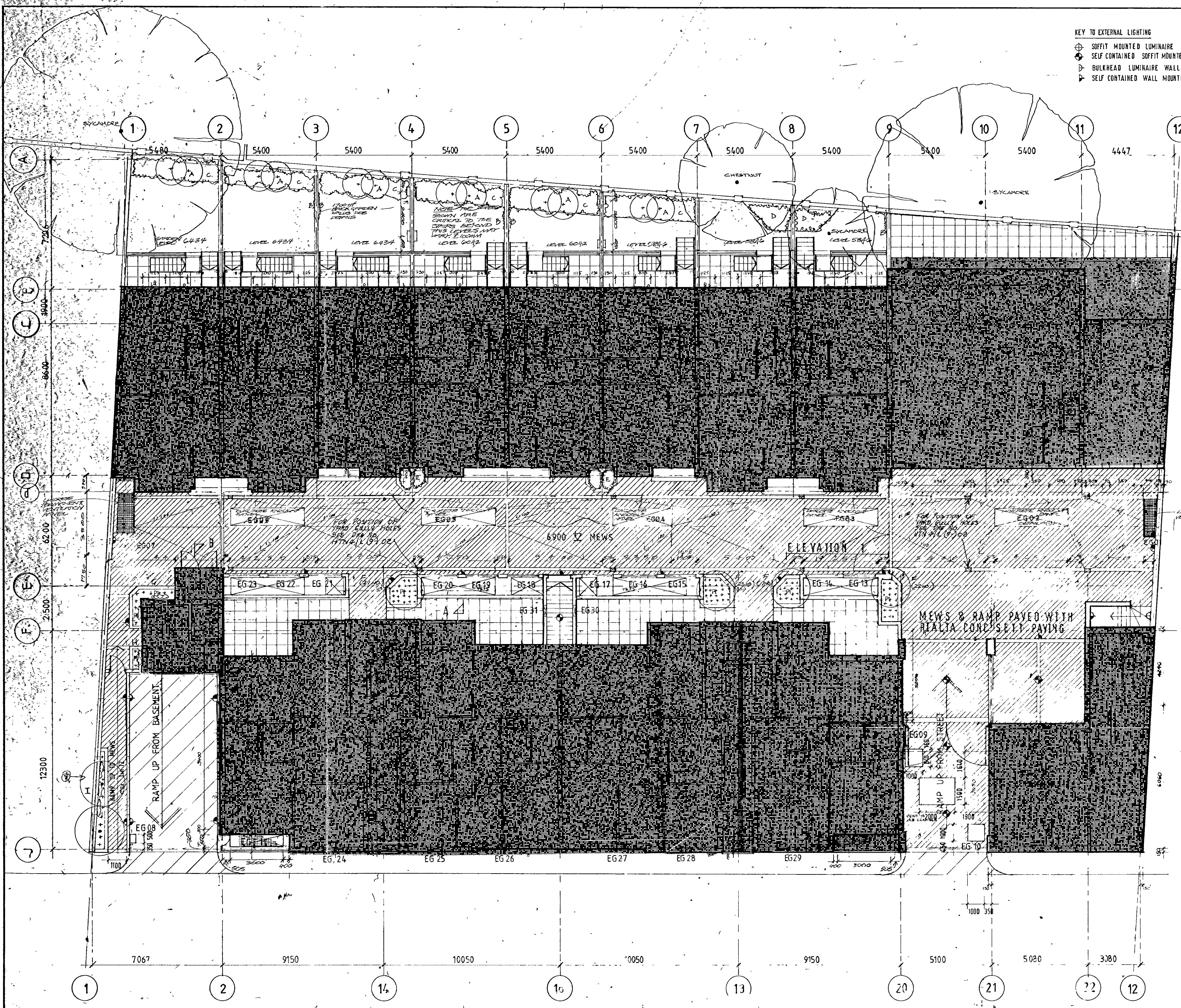
Drawing No
HTN4 L(1-04) B

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

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
A	6/90	REDRAWN
B	6/90	LANDSCAPE AMENDED



- A TREES: ULTIMATE HEIGHT 10m + 2m BETWA PONDIA PER PLOT
- B CLIMBERS TO WALL TRELLIS: PLANTED IN PORTULACA PLANTING CLIMATS VARS WITH DESIGN CONDITIONS AS GROUND COVER C PLANTING TO REAR SCREEN WALLS
- C CLIMBERS - HEDERA COLUCA DELTOIDA, PASTINACOROUS HEDERANA HYDRANSEA HEDERA HELIX (2m SIDE WALL) WALL CLIMBERS TO 2m HEIGHT 2 VARS / VIBURNUM BURKWOODII VIBURNUM VARS, HEDERA HELIX VARS, HEDERA HELIX VARS, LACTUS BERBERIS VARS
- D WALL SCREENS TO SCREEN
- E LOCATIONS
- F 2m HEIGHT VASINUM NUDI-FLOKUM PYRACANTHA ROGERIANA HEDERA HELIX VARS, EUDORIS VARS / COTONEASTER VARS PLANTING TO RAISED BEDS AT BUSTINES
- G 2m HEIGHT VASINUM NUDI-FLOKUM PYRACANTHA ROGERIANA HEDERA HELIX VARS, EUDORIS VARS / COTONEASTER VARS PLANTING TO RAISED BEDS AT BUSTINES
- H 2m HEIGHT VASINUM NUDI-FLOKUM PYRACANTHA ROGERIANA HEDERA HELIX VARS, EUDORIS VARS / COTONEASTER VARS PLANTING TO RAISED BEDS AT BUSTINES
- I 2m HEIGHT VASINUM NUDI-FLOKUM PYRACANTHA ROGERIANA HEDERA HELIX VARS, EUDORIS VARS / COTONEASTER VARS PLANTING TO RAISED BEDS AT BUSTINES

LANDSCAPE FORMWORK (EXCLUDED FROM)

MIEWS & RAMP PAVED WITH REALTA CONCRETE PAVING

RAMP UP FROM BASEMENT

RAMP UP FROM STREET

RAMP UP FROM STREET

RAMP UP FROM STREET

RAMP UP FROM STREET

RAMP UP FROM STREET

RAMP UP FROM STREET

CF&P
Colwyn Foulkes and Partners
Landscape Architects
Planning and Landscape Consultants
Colwyn Bay London
0482 532735 01 938 2464

Job
HORTENSIA ROAD

Title
LANDSCAPING

Drawn
Date
6/90

Drawing No
HTNA L(1-1)04 B

Scale
1:100

*TP/89/2137 E
Rev'd 29/6/90*

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

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
A	6/90	REDRAWN
B	6/90	LANDSCAPE AMENDED

- A TREES ULTIMATE HEIGHT 10M + 2ND SETUNA FRONDULA PER FOOT
- B CLIMBERS TO WALL TRELLIS. PLANTED IN PENTHOUSE PLANTER. CLIMBERS VARS. WITH BERGENIA CORDIFOLIA AS CORDON LITE
- C PLANTING TO REAR SCREEN WALLS
- D CLIMBERS - HEDERA COLCHICA, PASTORALIS, PARTHENSIS, HEDERA HELIX
- E PLANTING TO SIDE WALLS
- F PLANTING TO REAR SCREEN WALLS
- G PLANTING TO REAR SCREEN WALLS
- H PLANTING TO REAR SCREEN WALLS
- I PLANTING TO REAR SCREEN WALLS
- J PLANTING TO REAR SCREEN WALLS
- K PLANTING TO REAR SCREEN WALLS
- L PLANTING TO REAR SCREEN WALLS
- M PLANTING TO REAR SCREEN WALLS
- N PLANTING TO REAR SCREEN WALLS
- O PLANTING TO REAR SCREEN WALLS
- P PLANTING TO REAR SCREEN WALLS
- Q PLANTING TO REAR SCREEN WALLS
- R PLANTING TO REAR SCREEN WALLS
- S PLANTING TO REAR SCREEN WALLS
- T PLANTING TO REAR SCREEN WALLS
- U PLANTING TO REAR SCREEN WALLS
- V PLANTING TO REAR SCREEN WALLS
- W PLANTING TO REAR SCREEN WALLS
- X PLANTING TO REAR SCREEN WALLS
- Y PLANTING TO REAR SCREEN WALLS
- Z PLANTING TO REAR SCREEN WALLS

TP/89/2137 E
 Red 29/6/90

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01 938 2444

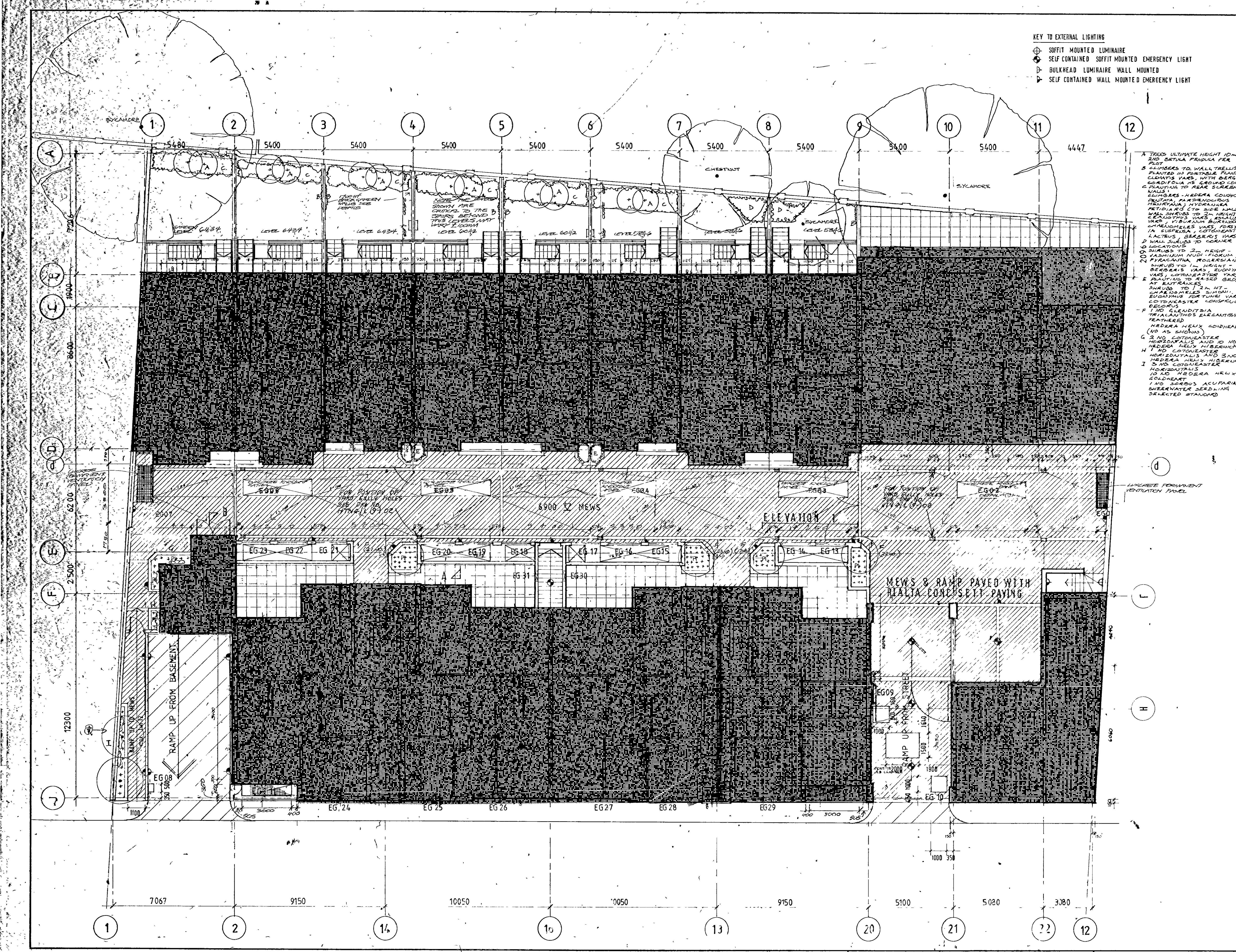
Job
 HORTENSIA ROAD

Title
 LANDSCAPING

Drawn Date
 6/90

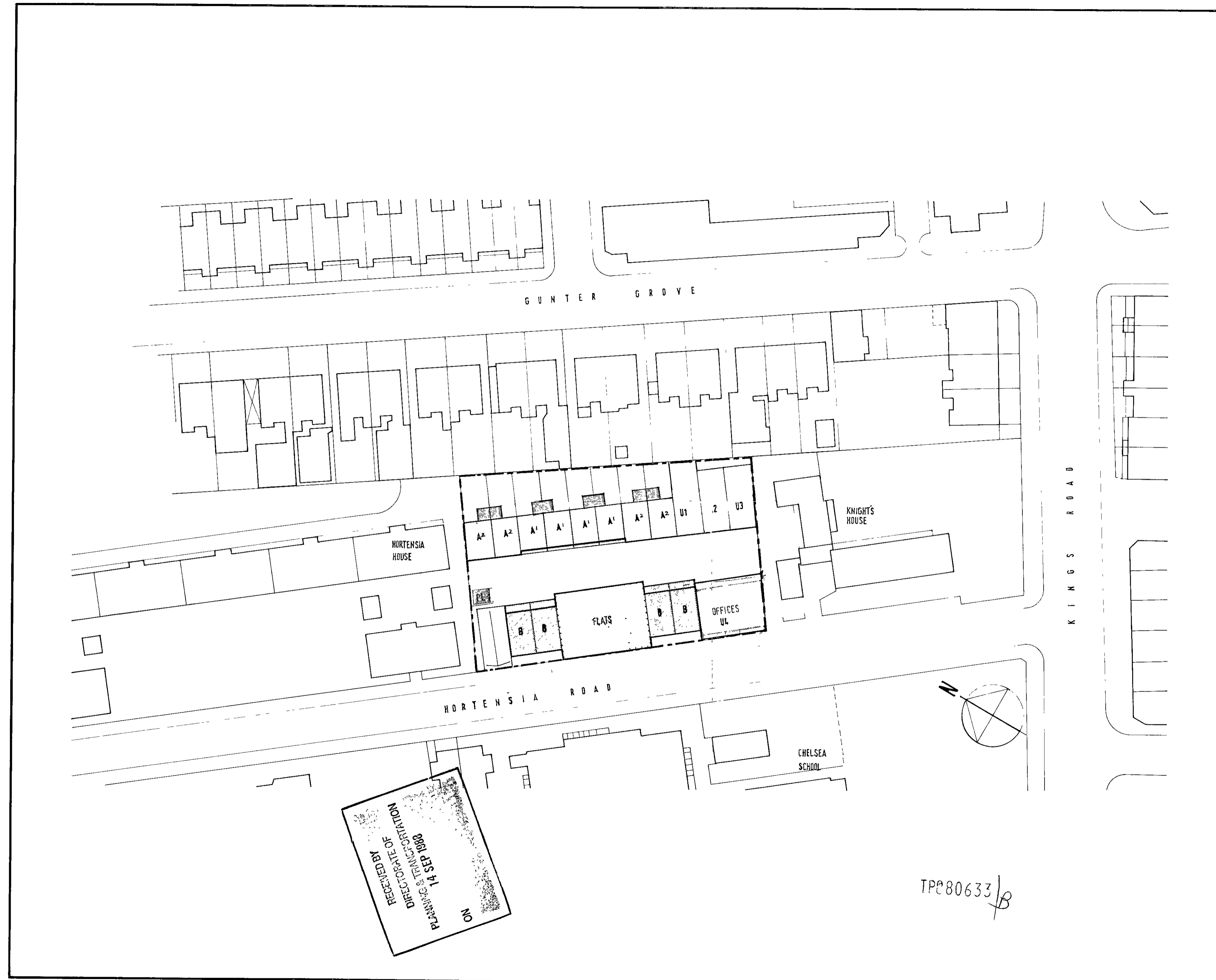
Drawing No
 HTNA L(1)04 B

Scale
 1:100



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



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532735 London 01 938 2484

Job
 HORTENSIA RD.

Title
 LOCATION PLAN

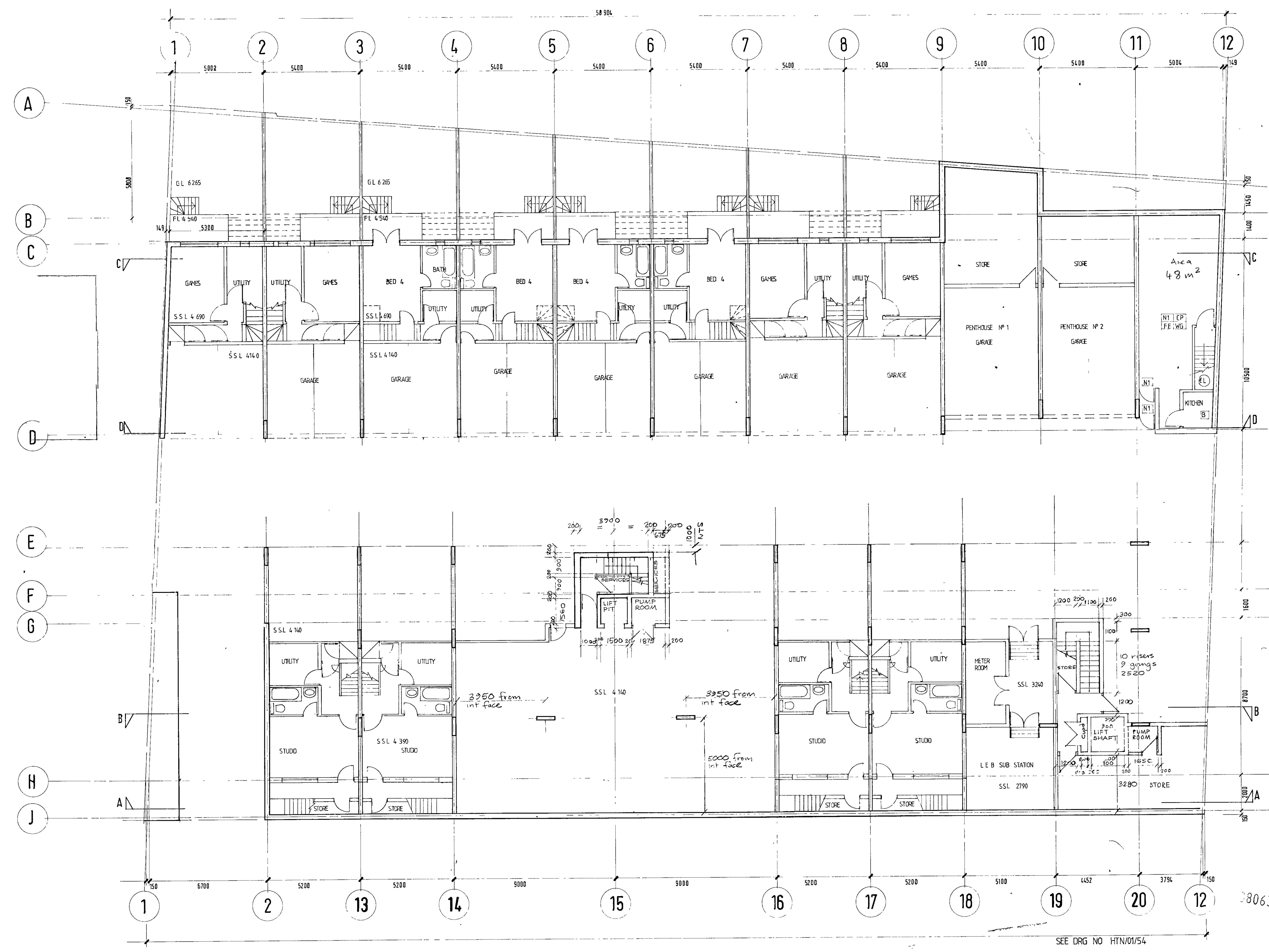
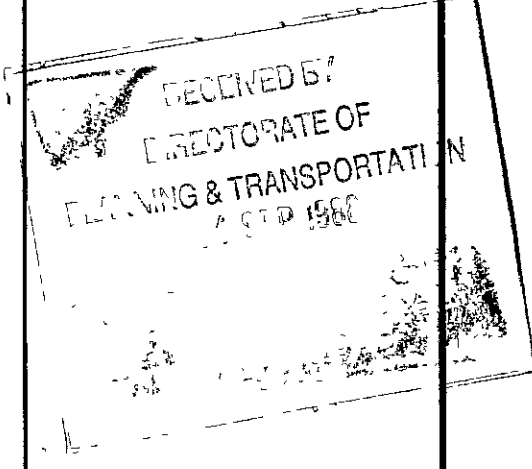
Drawn **Date**
 8 '88

Drawing No
 HTN/01/106

Scale
 1:500

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
A	JUN 88	Plot numbers amended
B	JUN 88	Grid lines & garages amended
C	JUL 88	Low ground floor included
D	JUL 88	PLANS AMENDED & TERRACE ADDED
E	JUL 88	LIFT SHAFT AND PENTHOUSE GARAGE ADDED
F	JUL 88	LE B SUBSTATION, METER ROOM, LIFT PIT & PUMP ROOM ADDED
G	JUL 88	DOORS BETWEEN PENTHOUSE GARAGES & STORES ADDED
H	JUL 88	STAIRS & LIFT AREAS AMENDED
I	JUL 88	FLATS & FRONT OFFICES AMENDED
J	JUL 88	RAMP AMENDED



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

Job
HORTENSIA RD.

Title
SETTING OUT BASEMENT

Drawn _____ Date _____

Drawing No
HTN/L(1-01)H

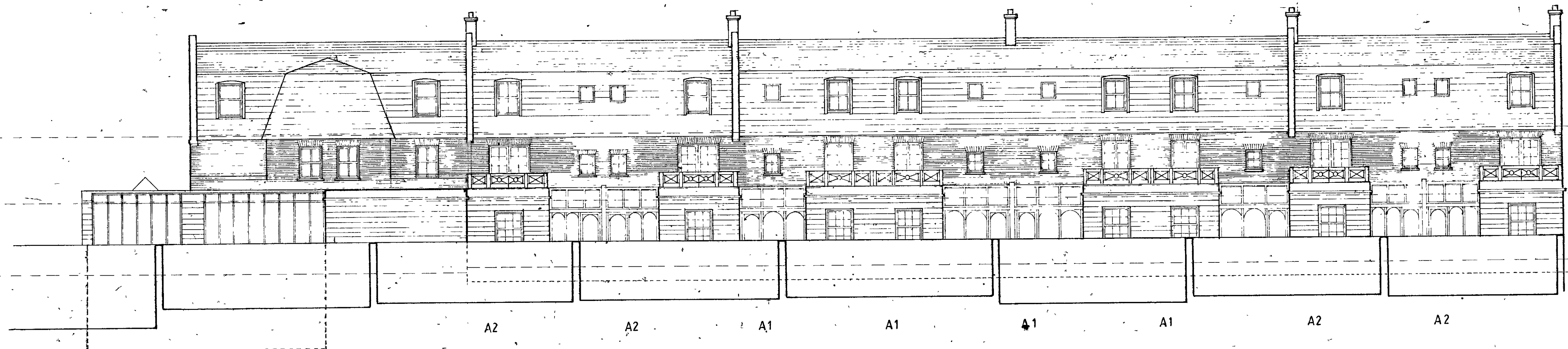
Scale
1:100

SEE DRG NO HTN/01/54

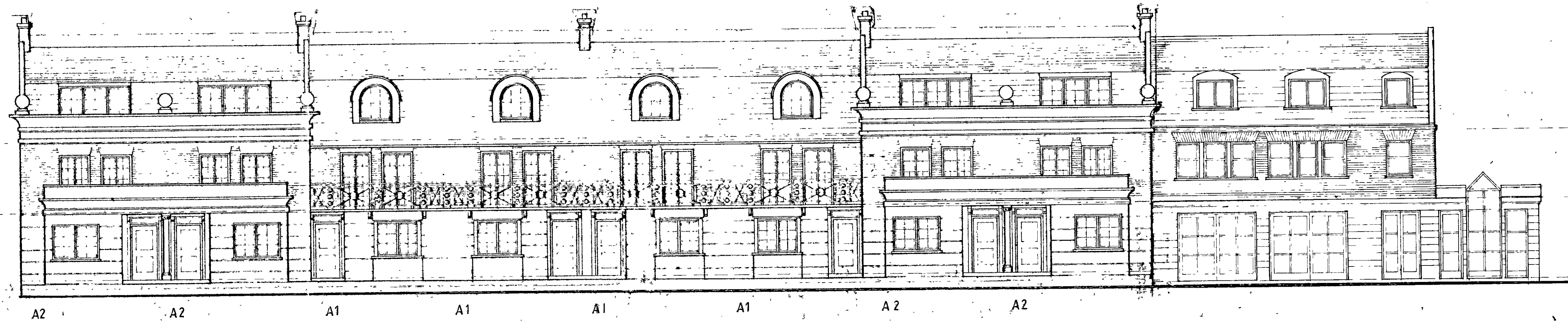
380633

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
A	NOV 88	OFFICE ELEVATIONS CHANGED TO BE IDENTICAL TO THE DEAR CLYDE AND LANE ELEVATIONS ARCHITECTS, DOORS AND RAILING DETAIL ON FRONT ELEVATION
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHES FOR THE PORCHES AND GREAT PORTICO ALTERED
C	FEB 90	DOORS ADJUSTED TO SUIT SECTION CHANGES TO DOOR TO NEW OFFICE OFFICE, WHICH IS SHOWN IN SECTION, CORRECT LEVEL FINISHES TO BE SHOWN



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0428 532738 01 928 2404

Job
 HORTENSIA. RD.

Title
 MEWS ELEVATIONS

Drawn Date
 DM 14.9.88

Drawing No
 HTN/01/103

Scale
 1:100

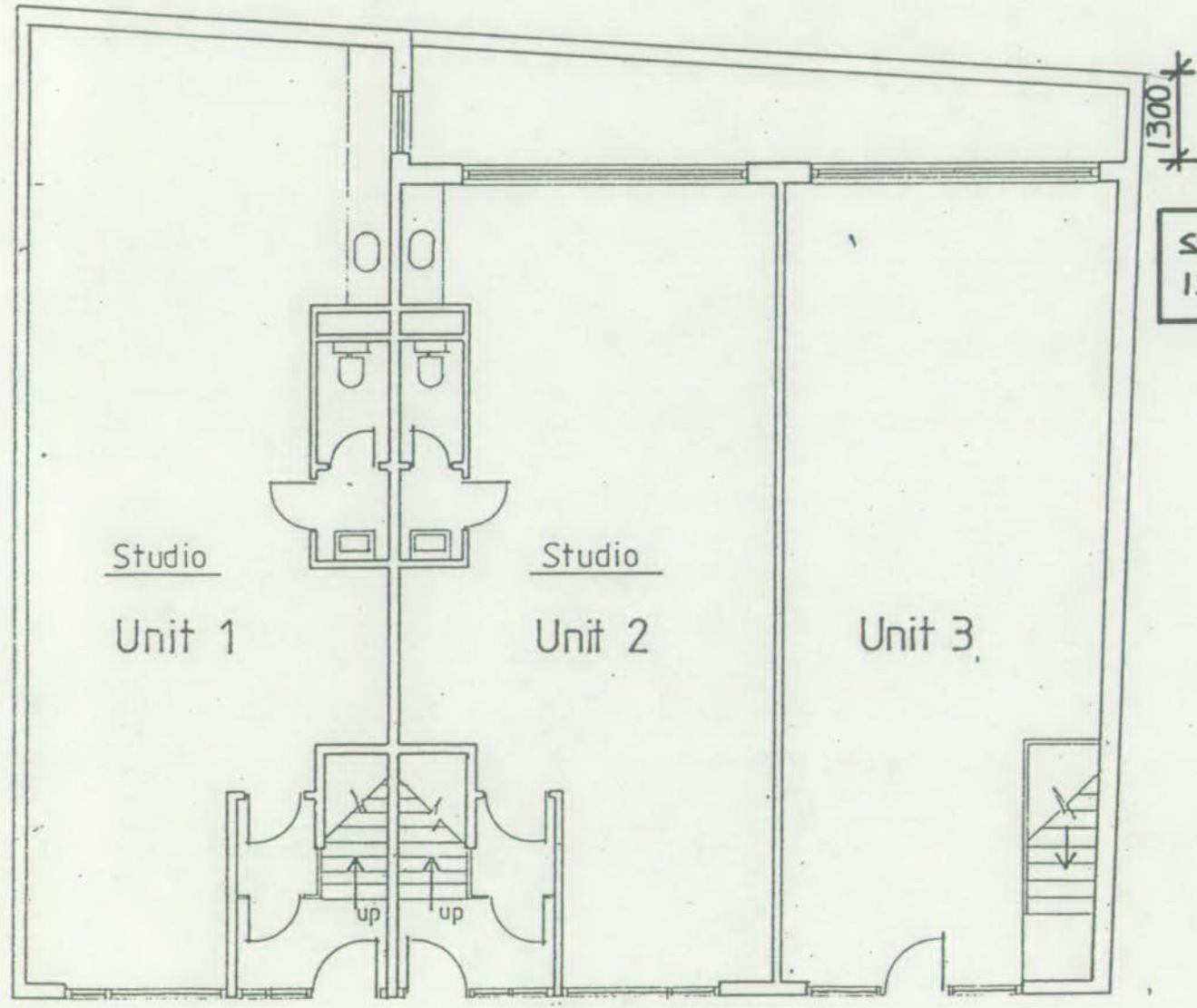
A



TURNING AREA FOR SERVICE VEHICLES

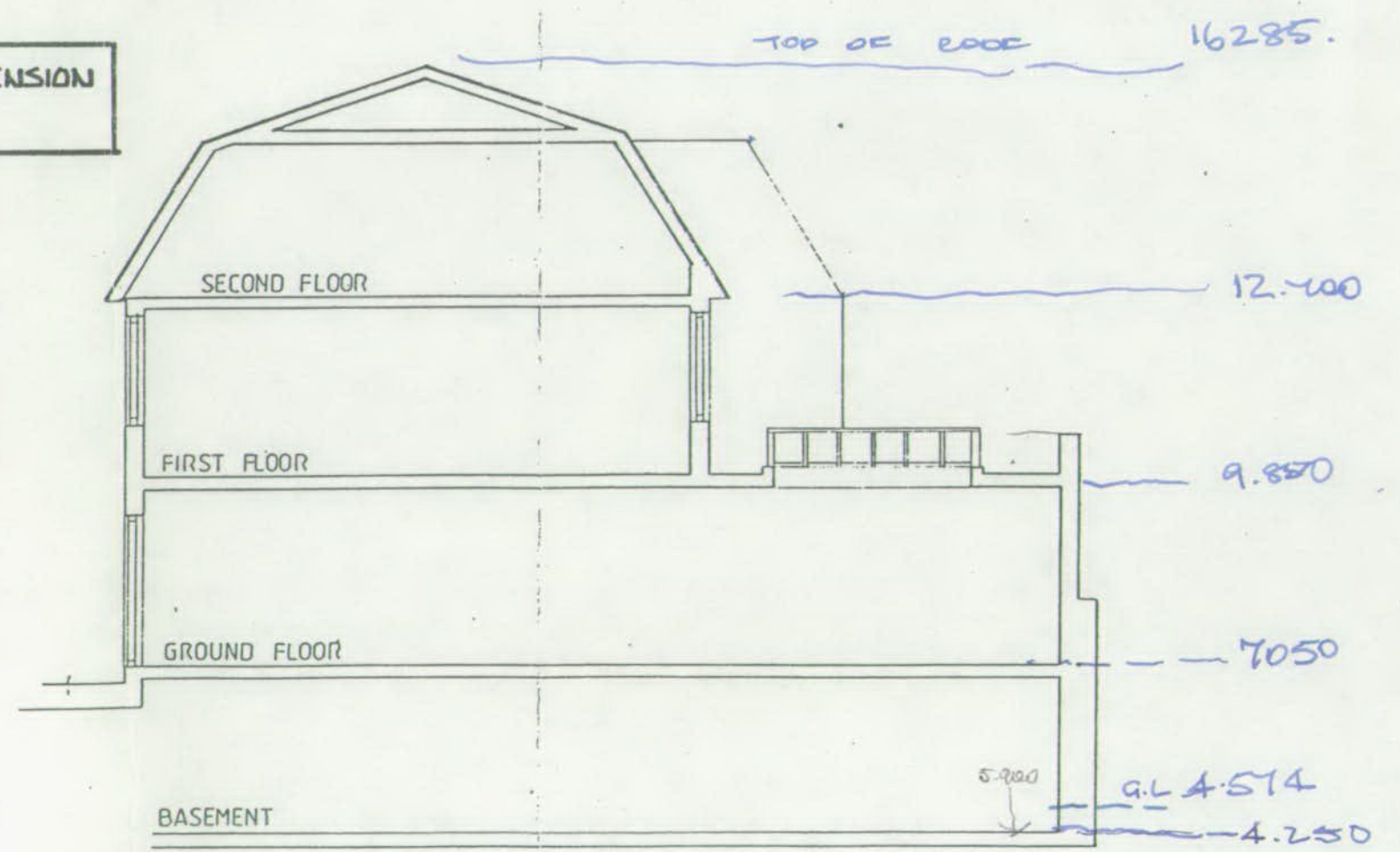
PORTERS LOOGE

B

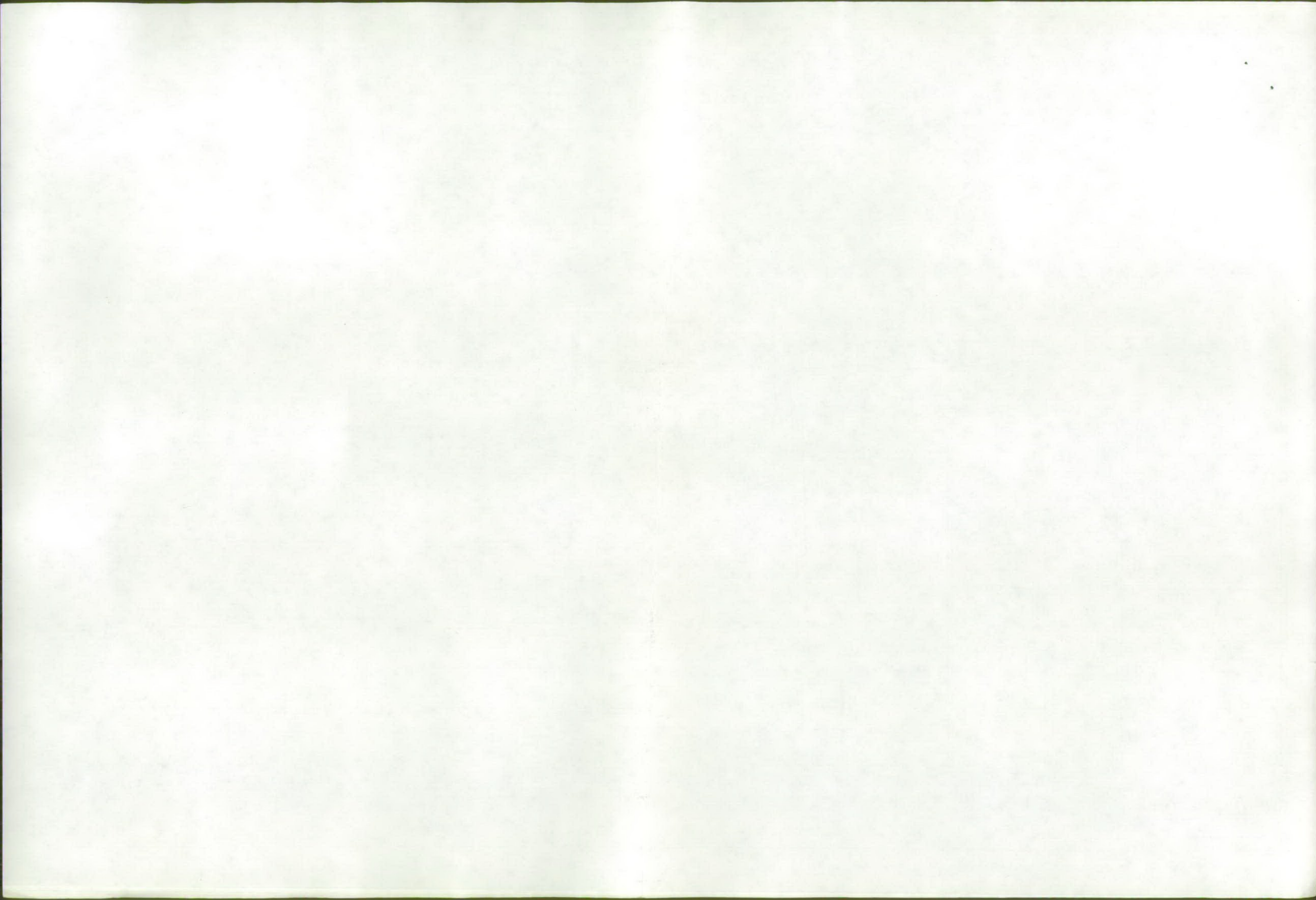


1300
 SITE DIMENSION
 1350

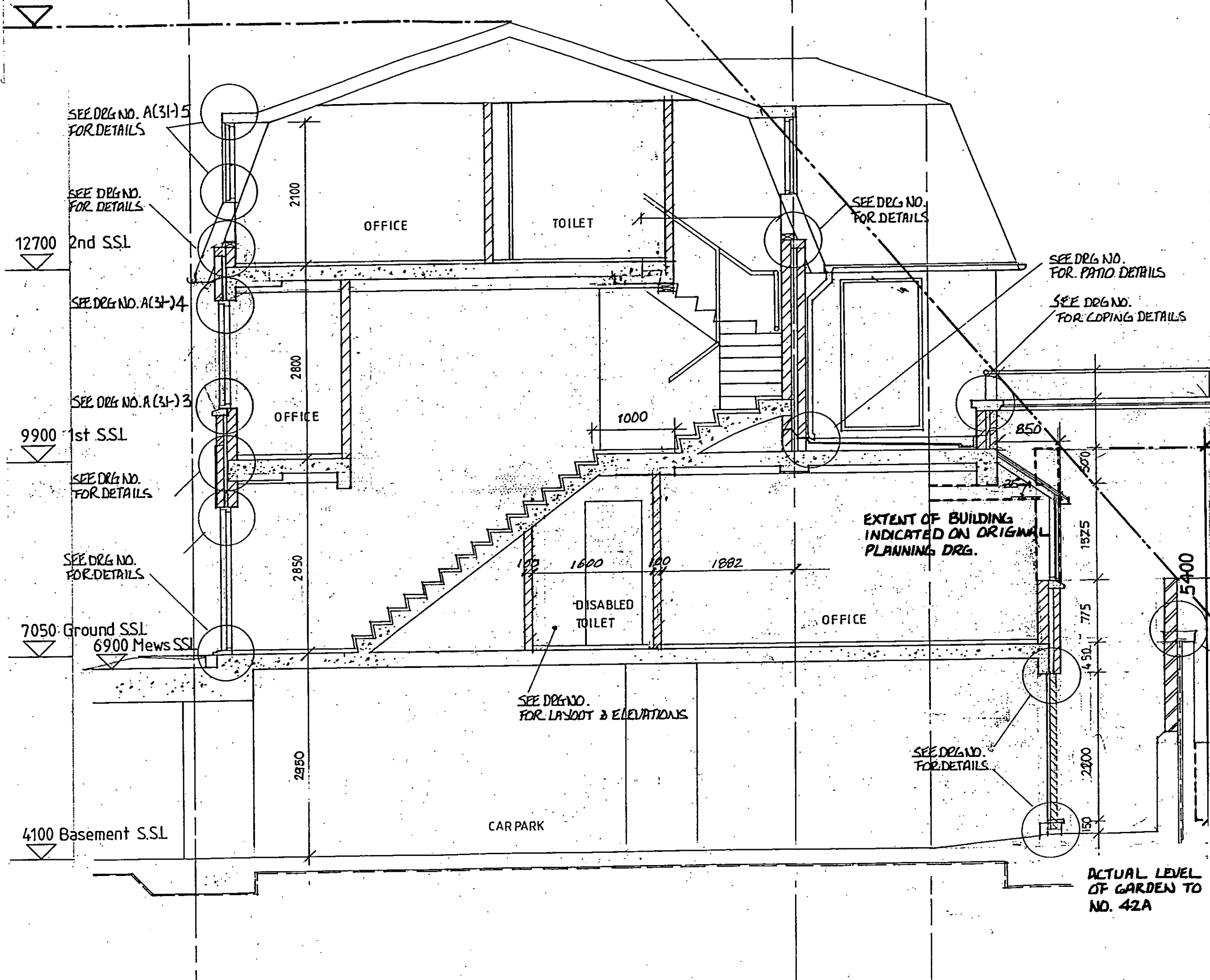
GROUND FLOOR



SECTION



16.250 RIDGE LEVEL



SEE DRG. NO. A(31)-5
FOR DETAILS

SEE DRG. NO.
FOR DETAILS

12700 2nd SSL

SEE DRG. NO. A(31)-4

SEE DRG. NO. A(31)-3

9900 1st SSL

SEE DRG. NO.
FOR DETAILS

SEE DRG. NO.
FOR DETAILS

7050 Ground SSL
6900 Mews SSL

4100 Basement SSL

OFFICE

TOILET

SEE DRG. NO.
FOR DETAILS

SEE DRG. NO.
FOR PATIO DETAILS

SEE DRG. NO.
FOR LOPING DETAILS

OFFICE

1000

850

EXTENT OF BUILDING
INDICATED ON ORIGINAL
PLANNING DRG.

1600

1882

DISABLED
TOILET

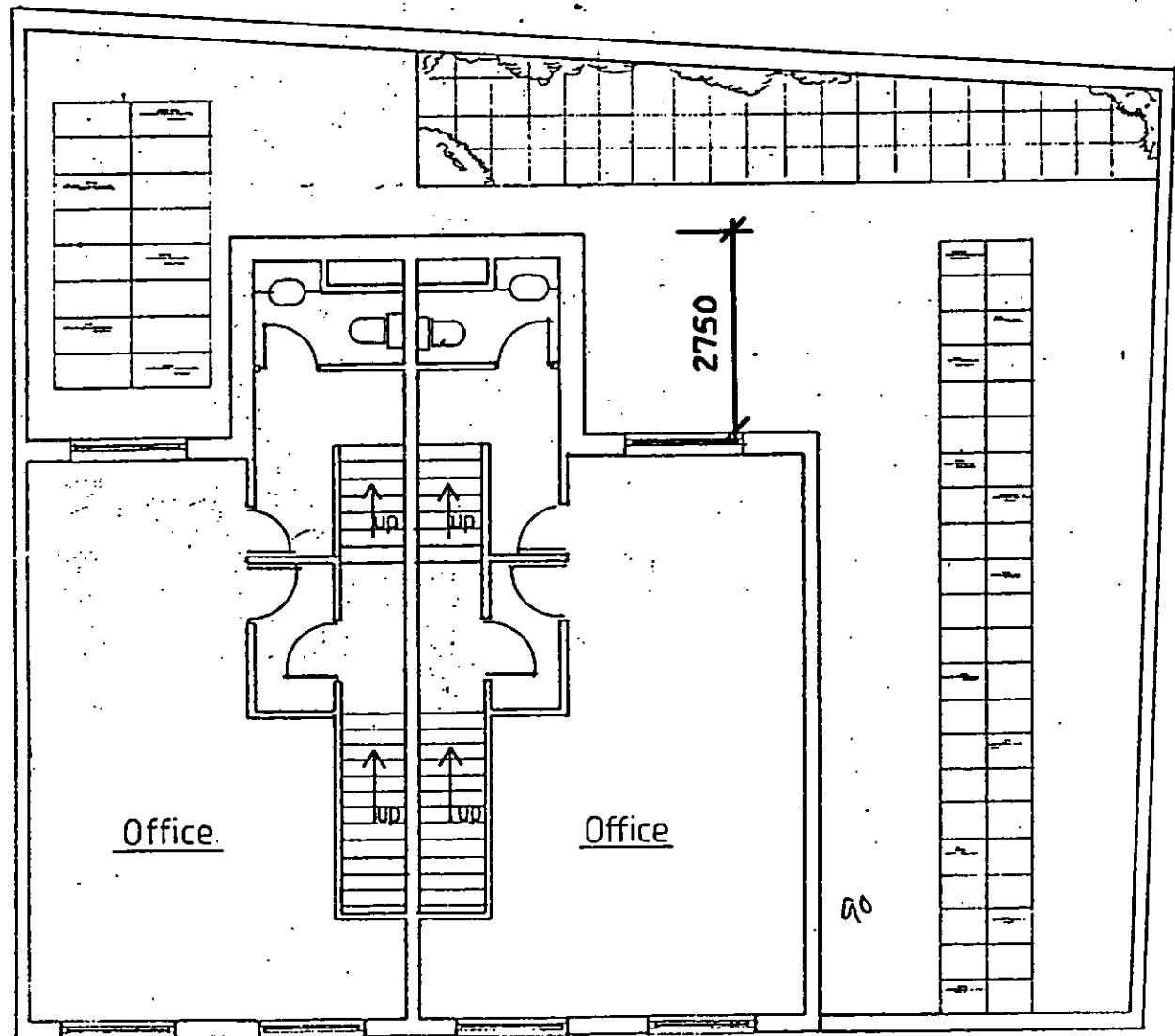
OFFICE

SEE DRG. NO.
FOR LAYOUT & ELEVATIONS

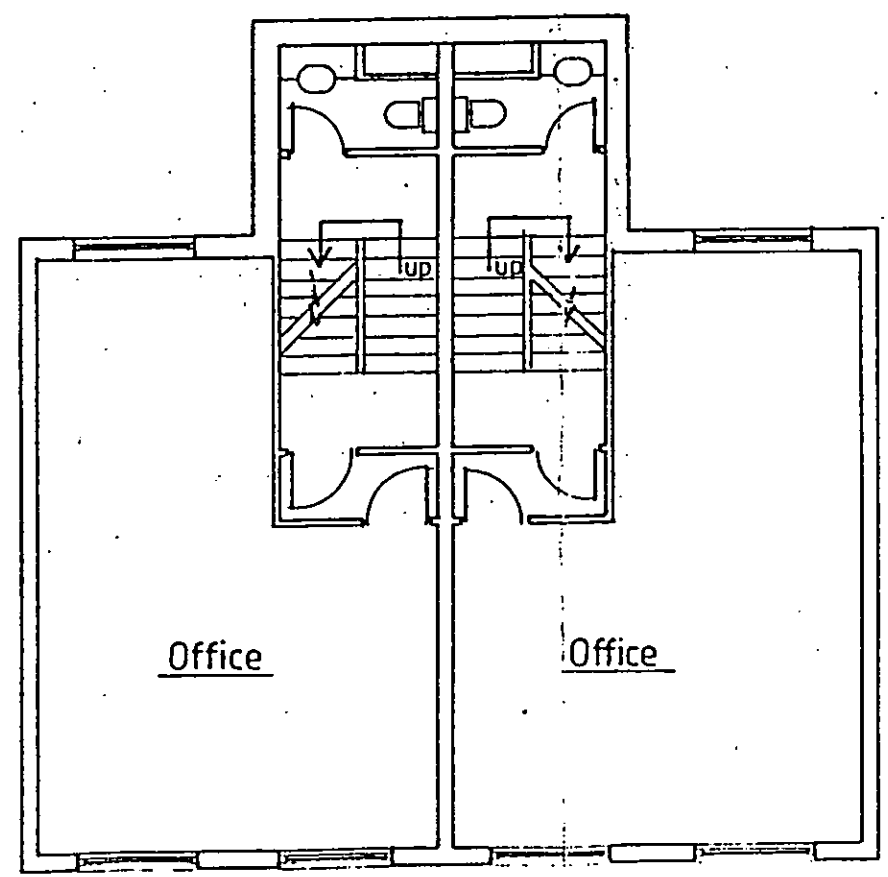
SEE DRG. NO.
FOR DETAILS

CAR PARK

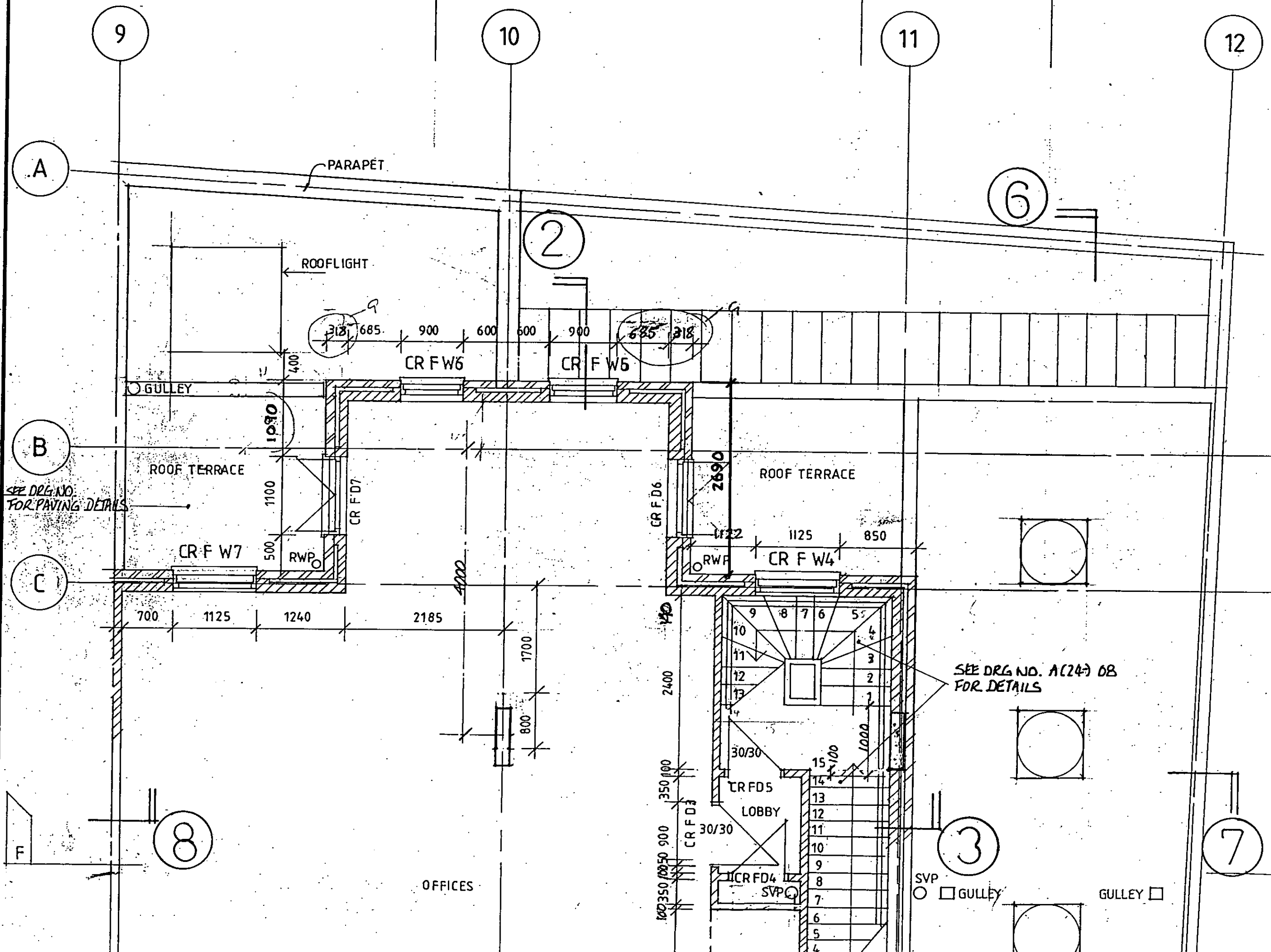
ACTUAL LEVEL
OF GARDEN TO
NO. 42A

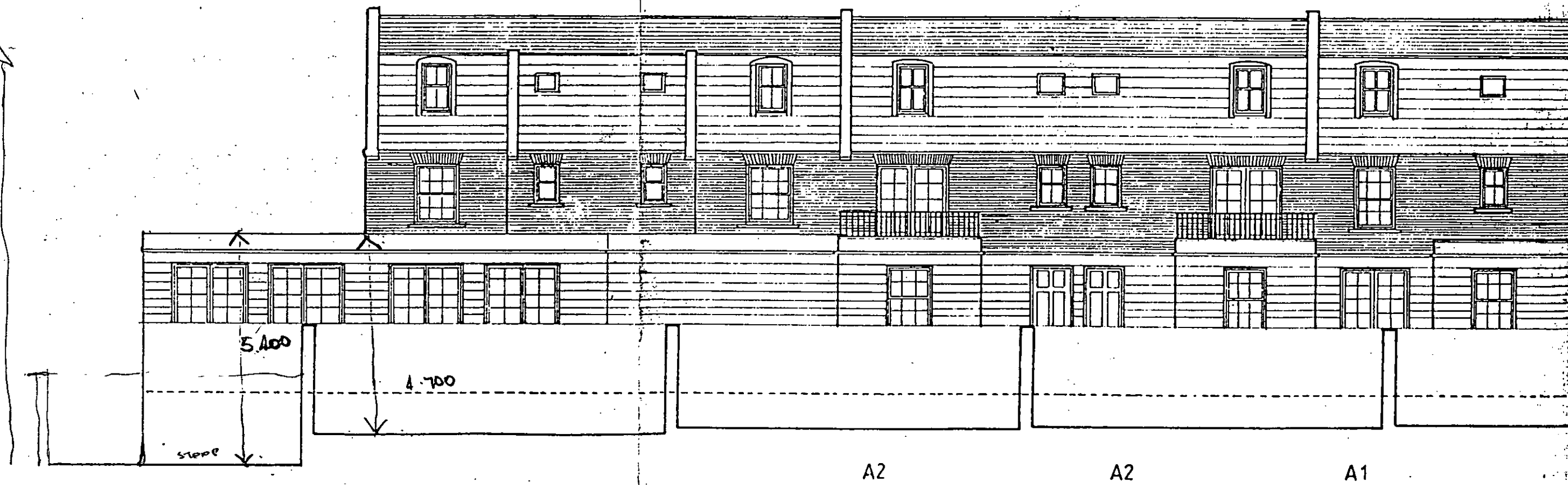


FIRST FLOOR

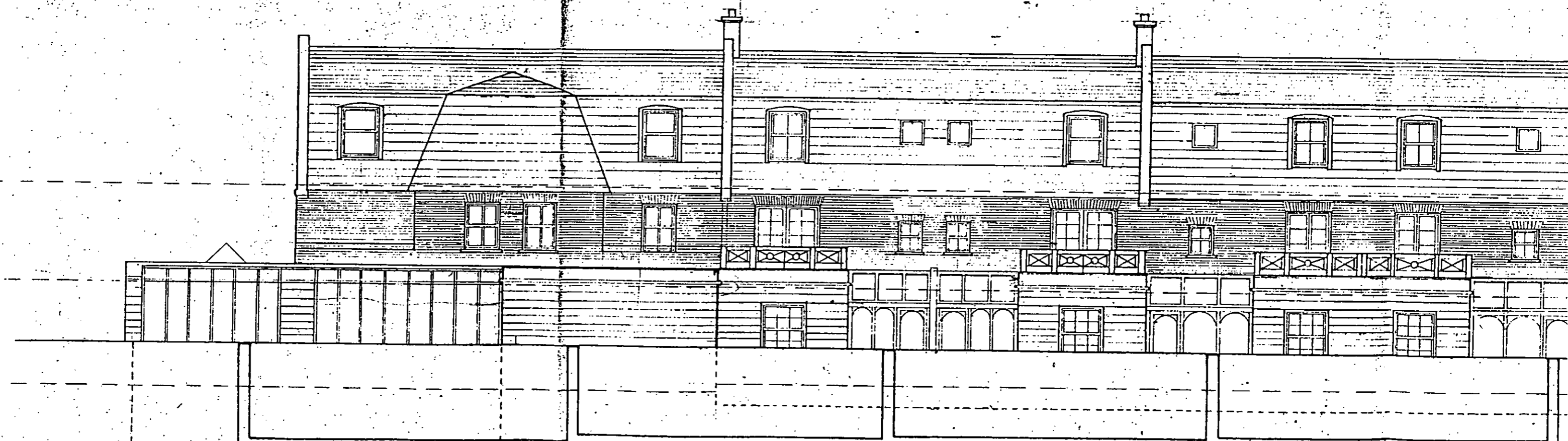


SECOND FLOOR





MEWS TERRACE NORTH-EAST ELEVATIONS



A2

A2

A1

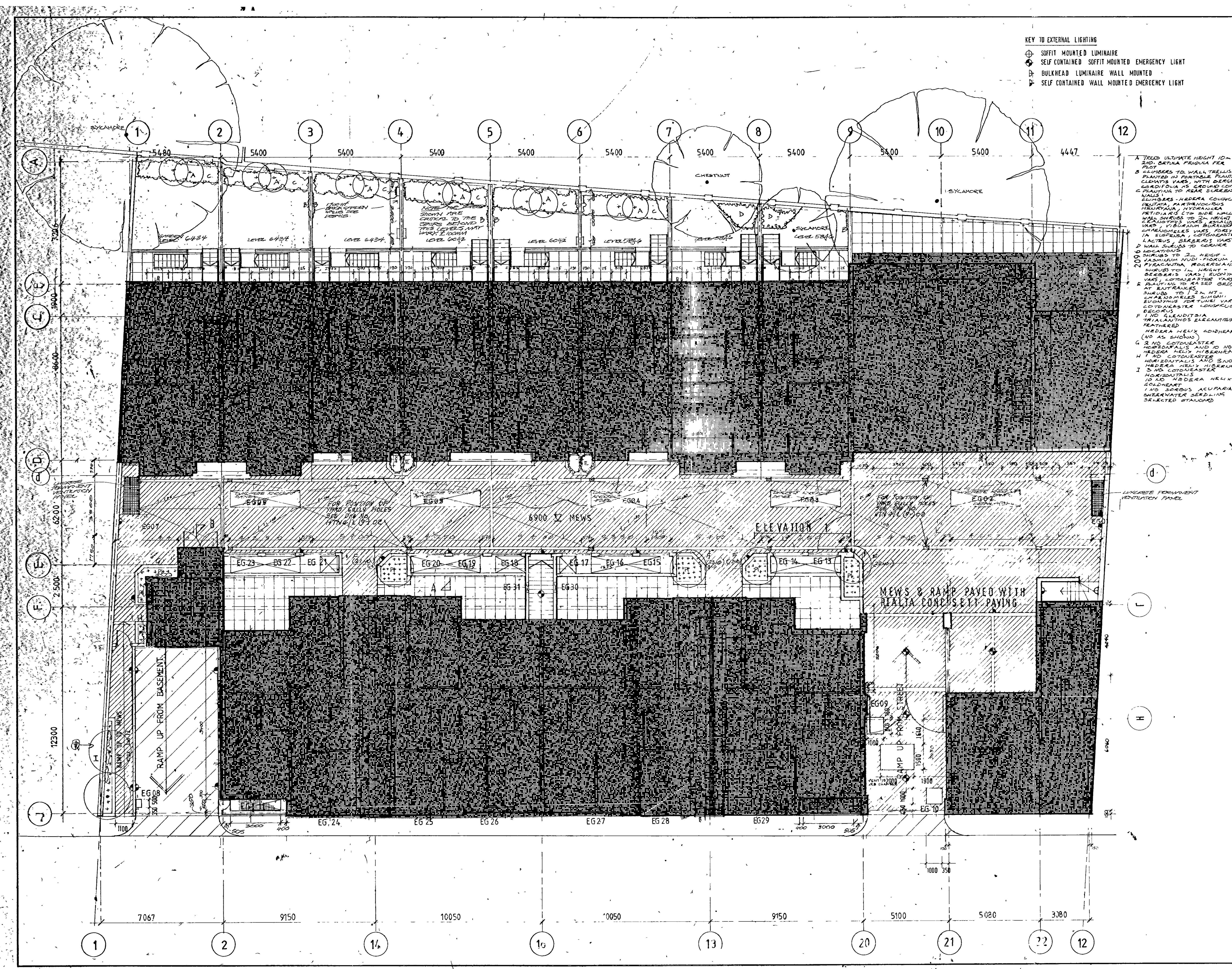
A1

MEWS TERRACE NORTH-EAST ELEVATIONS.

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

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
A	6/90	REDRAWN
B	6/90	LANDSCAPE AMENDED



A TREES ULTIMATE HEIGHT 10M
 2. SYCAMORE PLANTING PER
 3. SHRUBS TO WALL TRELLIS
 4. PLANTED IN PORTABLE PLANTING
 5. CLIMBERS WITH BERGHOFF
 6. CLIMBERS TO REAR SCREEN
 7. CLIMBERS - NEDERA COQUINA
 8. CLIMBERS - PASTORIS
 9. CLIMBERS - HYDRANGEA
 10. CLIMBERS - HYDRANGEA
 11. CLIMBERS - HYDRANGEA
 12. CLIMBERS - HYDRANGEA
 13. CLIMBERS - HYDRANGEA
 14. CLIMBERS - HYDRANGEA
 15. CLIMBERS - HYDRANGEA
 16. CLIMBERS - HYDRANGEA
 17. CLIMBERS - HYDRANGEA
 18. CLIMBERS - HYDRANGEA
 19. CLIMBERS - HYDRANGEA
 20. CLIMBERS - HYDRANGEA
 21. CLIMBERS - HYDRANGEA
 22. CLIMBERS - HYDRANGEA
 23. CLIMBERS - HYDRANGEA
 24. CLIMBERS - HYDRANGEA
 25. CLIMBERS - HYDRANGEA
 26. CLIMBERS - HYDRANGEA
 27. CLIMBERS - HYDRANGEA
 28. CLIMBERS - HYDRANGEA
 29. CLIMBERS - HYDRANGEA
 30. CLIMBERS - HYDRANGEA
 31. CLIMBERS - HYDRANGEA
 32. CLIMBERS - HYDRANGEA
 33. CLIMBERS - HYDRANGEA
 34. CLIMBERS - HYDRANGEA
 35. CLIMBERS - HYDRANGEA
 36. CLIMBERS - HYDRANGEA
 37. CLIMBERS - HYDRANGEA
 38. CLIMBERS - HYDRANGEA
 39. CLIMBERS - HYDRANGEA
 40. CLIMBERS - HYDRANGEA
 41. CLIMBERS - HYDRANGEA
 42. CLIMBERS - HYDRANGEA
 43. CLIMBERS - HYDRANGEA
 44. CLIMBERS - HYDRANGEA
 45. CLIMBERS - HYDRANGEA
 46. CLIMBERS - HYDRANGEA
 47. CLIMBERS - HYDRANGEA
 48. CLIMBERS - HYDRANGEA
 49. CLIMBERS - HYDRANGEA
 50. CLIMBERS - HYDRANGEA
 51. CLIMBERS - HYDRANGEA
 52. CLIMBERS - HYDRANGEA
 53. CLIMBERS - HYDRANGEA
 54. CLIMBERS - HYDRANGEA
 55. CLIMBERS - HYDRANGEA
 56. CLIMBERS - HYDRANGEA
 57. CLIMBERS - HYDRANGEA
 58. CLIMBERS - HYDRANGEA
 59. CLIMBERS - HYDRANGEA
 60. CLIMBERS - HYDRANGEA
 61. CLIMBERS - HYDRANGEA
 62. CLIMBERS - HYDRANGEA
 63. CLIMBERS - HYDRANGEA
 64. CLIMBERS - HYDRANGEA
 65. CLIMBERS - HYDRANGEA
 66. CLIMBERS - HYDRANGEA
 67. CLIMBERS - HYDRANGEA
 68. CLIMBERS - HYDRANGEA
 69. CLIMBERS - HYDRANGEA
 70. CLIMBERS - HYDRANGEA
 71. CLIMBERS - HYDRANGEA
 72. CLIMBERS - HYDRANGEA
 73. CLIMBERS - HYDRANGEA
 74. CLIMBERS - HYDRANGEA
 75. CLIMBERS - HYDRANGEA
 76. CLIMBERS - HYDRANGEA
 77. CLIMBERS - HYDRANGEA
 78. CLIMBERS - HYDRANGEA
 79. CLIMBERS - HYDRANGEA
 80. CLIMBERS - HYDRANGEA
 81. CLIMBERS - HYDRANGEA
 82. CLIMBERS - HYDRANGEA
 83. CLIMBERS - HYDRANGEA
 84. CLIMBERS - HYDRANGEA
 85. CLIMBERS - HYDRANGEA
 86. CLIMBERS - HYDRANGEA
 87. CLIMBERS - HYDRANGEA
 88. CLIMBERS - HYDRANGEA
 89. CLIMBERS - HYDRANGEA
 90. CLIMBERS - HYDRANGEA
 91. CLIMBERS - HYDRANGEA
 92. CLIMBERS - HYDRANGEA
 93. CLIMBERS - HYDRANGEA
 94. CLIMBERS - HYDRANGEA
 95. CLIMBERS - HYDRANGEA
 96. CLIMBERS - HYDRANGEA
 97. CLIMBERS - HYDRANGEA
 98. CLIMBERS - HYDRANGEA
 99. CLIMBERS - HYDRANGEA
 100. CLIMBERS - HYDRANGEA

TP/89/2137E
 Revd 29/4/90

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning & Landscape Consultants
 Colwyn Bay London
 0492 532735 01938 2444

Job
 HORTENSIA ROAD

Title
 LANDSCAPING

Drawn Date
 6/90

Drawing No
 HTNA L(1)-04 B

Scale
 1:100

TP/89/2137/28

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
A	SEP 88	SECTIONS A-B SHOWN
B	NOV 88	REVISION TO FRONT TERRACE
C	NOV 88	FRONT TERRACE AS SHOWN REVISIONS OF PLATS
D		FRONT CLERK + REAR + REAR OFFICE RE DRAWN
E	2/1/89	REAR OFFICE RE DRAWN
F	NOV 89	PORTERS LODGE AMENDED, SPIRAL ESCAPE STAIR OMITTED, PLATS ROOF AMENDED.
G	NOV 89	REVISED REAR OFFICE PLAN TO MATCH FRONT TERRACE
H	JAN 90	GROUND FLOOR OFFICE UNIT 2 EXPANDED IN AREA
J	JUNE 90	SETTING OUT OF HORTENSIA GROVE & KNIGHTS HOUSE CORRECTED
K	JUNE 90	LANDSCAPE AMENDED

SECTION LINES REFER TO
 DRAWING NO HTN/01/96

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532738 London 01 838 2464

Job
 HORTENSIA RD.

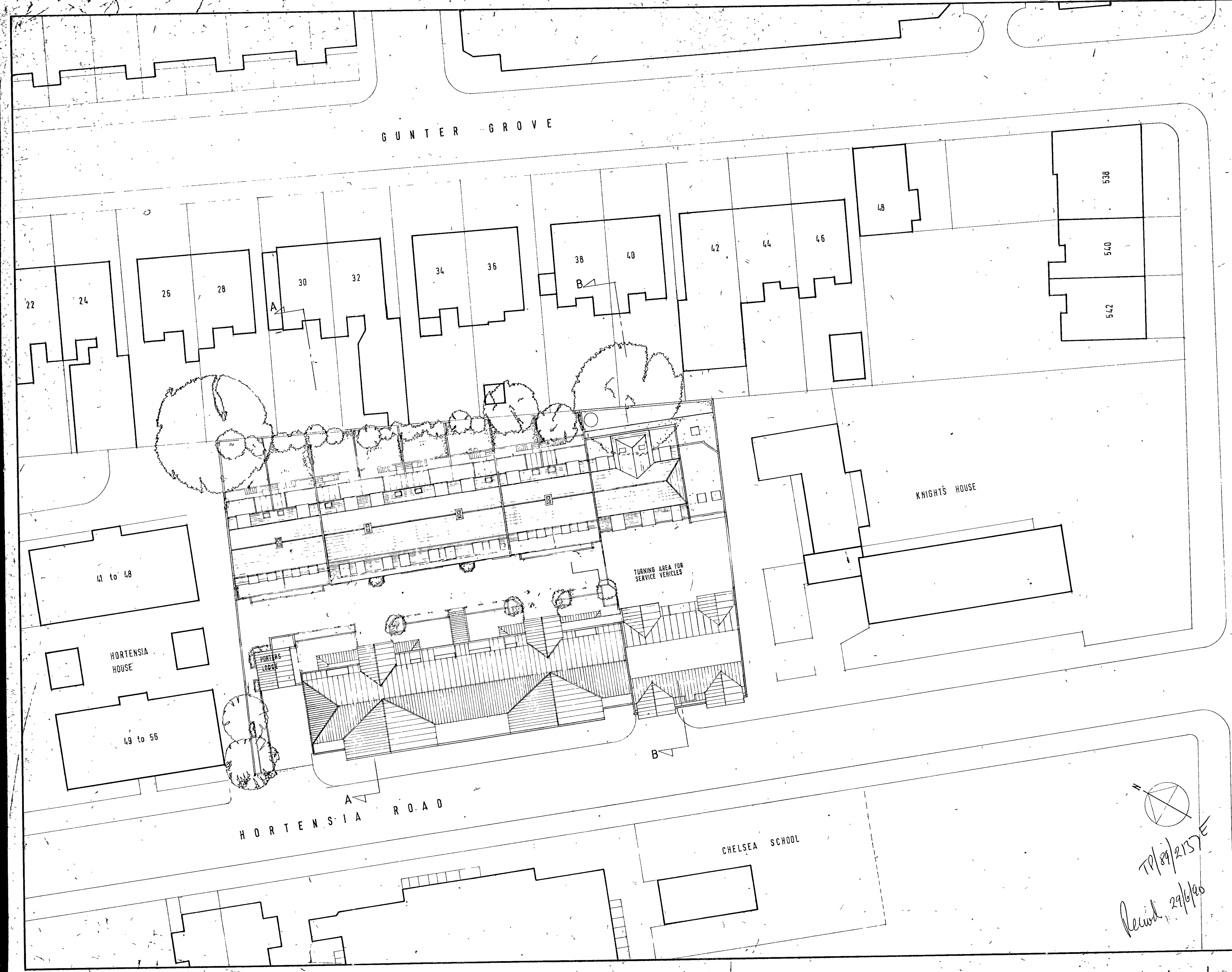
Title
 SITE PLAN

Drawn
 Date
 MAY 88

Drawing No.
 HTN/01/105 K

Scale
 1:200

TP/89/2137/E
 Revised 29/6/90



This drawing must not be scaled.
 Figure 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
A	SEP 88	SECTIONS A-B SWORN
B	NOV 88	TERENCE
C	NOV 88	FRONT REVISIONS AS PER
D		SECTIONS OF FLATS
E	2/1/89	FRONT CLERK + FRONT +
F	NOV 89	REAR OFFICES RE DRAWN
		REAR OFFICES RE-DRAWN
		PORTERS LODGE
		AMENDED
		SPIRAL ESCAPE STAIR
		OMitted
		FLATS ROOF AMENDED
C	NOV 89	REVISED REAR OFFICE PLAN
		TO GUNTER GROVE FACADE
H	JAN 90	GROUND FLOOR OFFICE UNIT 2
		REDUCED IN AREA
J	JUNE 90	SUBMITTAL OF NEIGHBOURHOOD
		PLANS AND SITE CONTEXT
K	JUN 90	LANDSCAPE AMENDED

SECTION LINES REFER TO
 DRAWING NO HTN/01/96

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 532735 London 01 938 2466

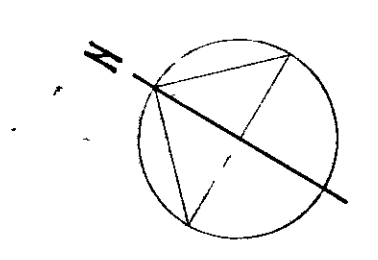
Job
 HORTENSIA RD.

Title
 SITE PLAN

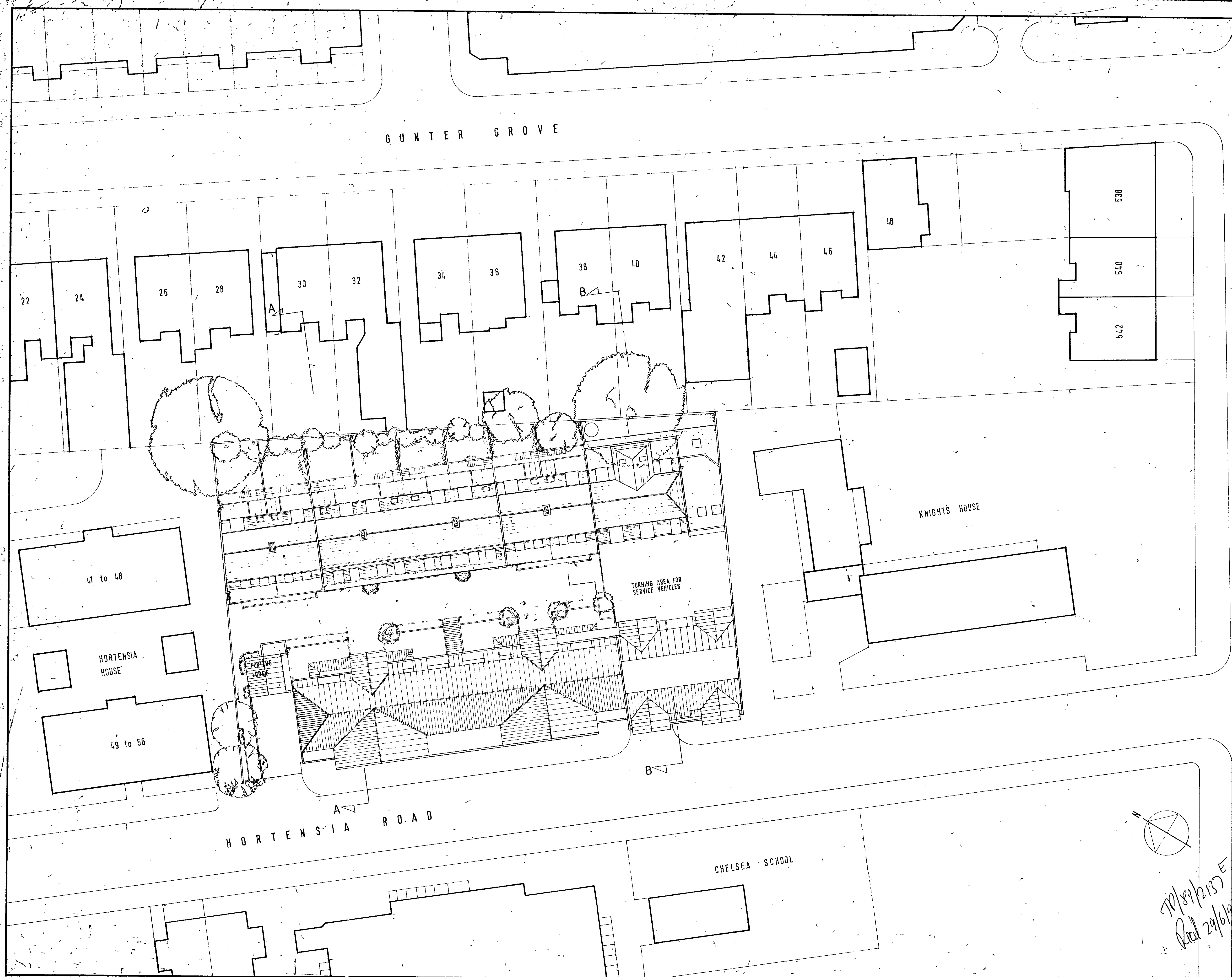
Drawn
 Date
 MAY 88

Drawing No.
 HTN / 01 / 105

Scale
 1:200



77/89/2137 E
 Red 29/6/90



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
A	SEP 88	SECTIONS A-B CORRECTED
B	NOV 88	LANDSCAPE PLAN
C	NOV 88	FRONT REVISION AS TWO BLOCKS OF FLATS
D	NOV 88	FRONT BLOCK + FRONT + REAR OFFICES RE DRAWN
E	2/11/89	REAR OFFICES RE DRAWN
F	NOV 89	PORTERS LODGE amended, spiral escape stair omitted, flats roof amended.
G	NOV 89	REVISED REAR OFFICE PLAN TO GUNTER GROVE FACADE
H	JAN 90	GROUND FLOOR OFFICE UNIT 2 REVISION IN AREA
J	JUNE 90	SETTING OUT OF KNIGHTS HOUSE & KNIGHTS HOUSE CORRECTED
K	JUNE 90	LANDSCAPE AMENDED

SECTION LINES REFER TO DRAWING NO HTN/01/95

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay: 0482 532735 | London: 01 938 2484

Job: HORTENSIA RD.

Title: SITE PLAN

Drawn: Date: MAY 88

Drawing No: HTN/01/105 K

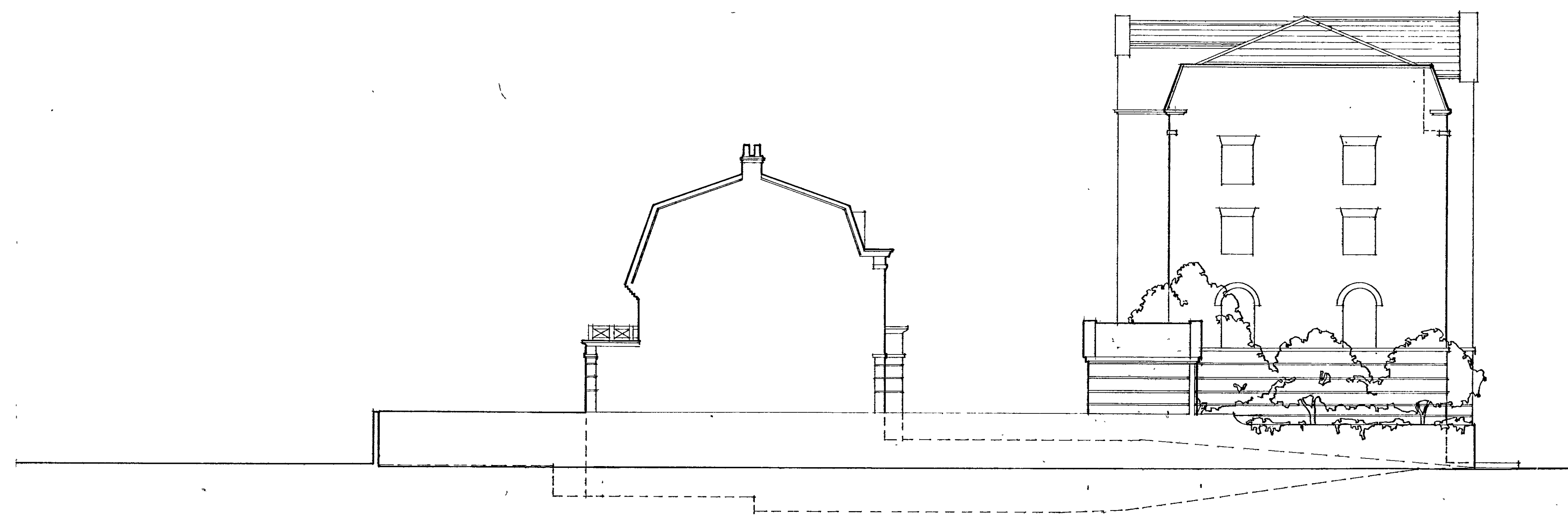
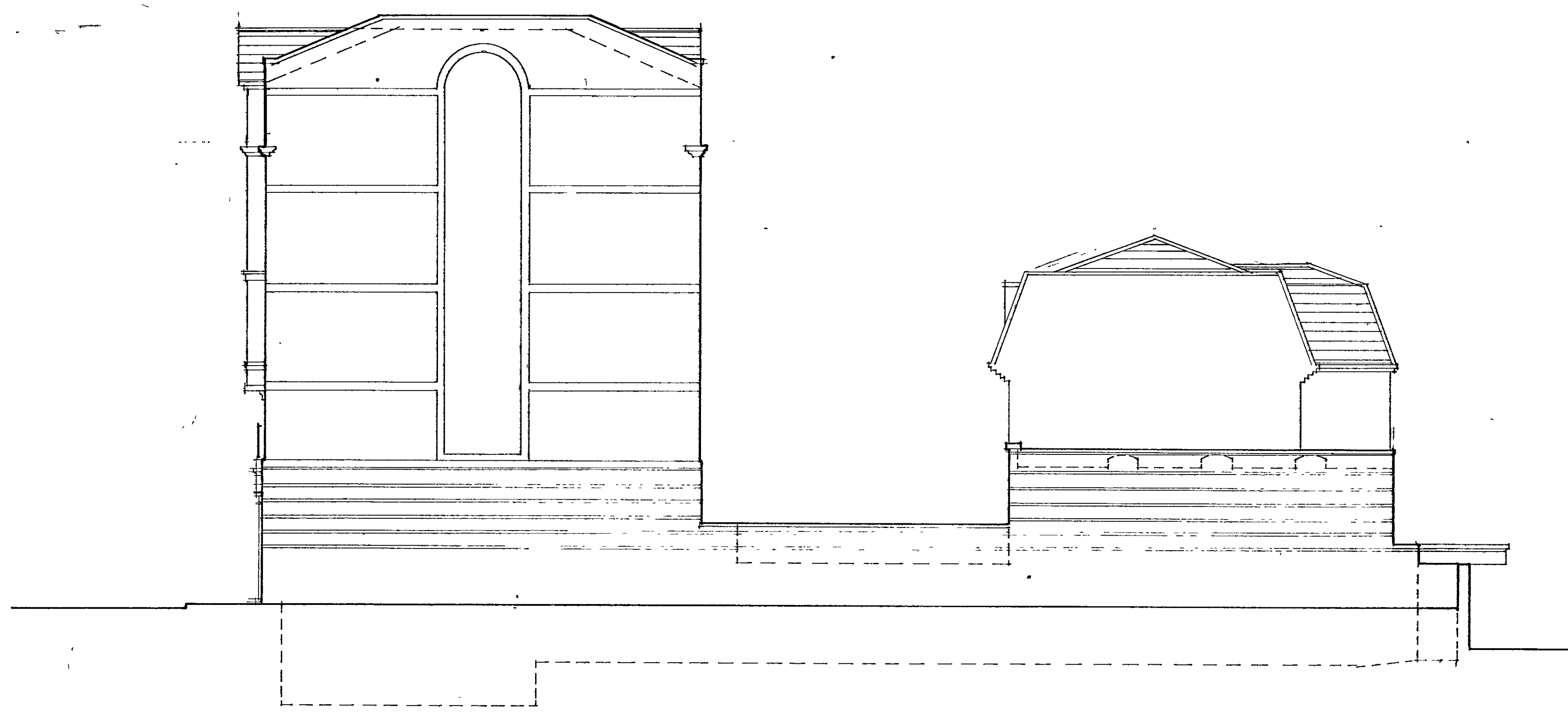
Scale: 1:200



TP/89/2137 E
 Rev'd 2/11/89

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



CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay D.P.T. London
 RE 2582 537591 190 91 838 2464

DC	DC	DC	DC	DC
DC	DC	DC	DC	DC
HORTENSIA CRD				
10	10	10	10	10

ELEVATIONS

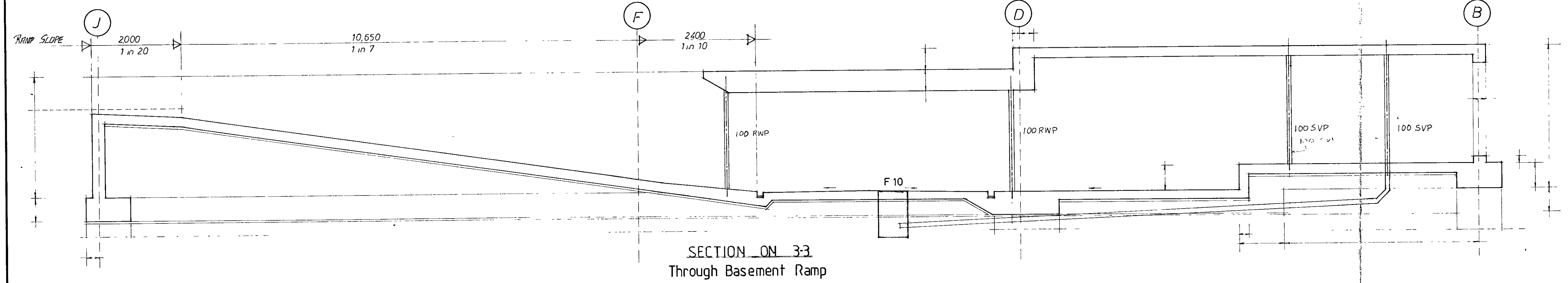
Drawn Date 11. 89

Drawing No HTN 01 107

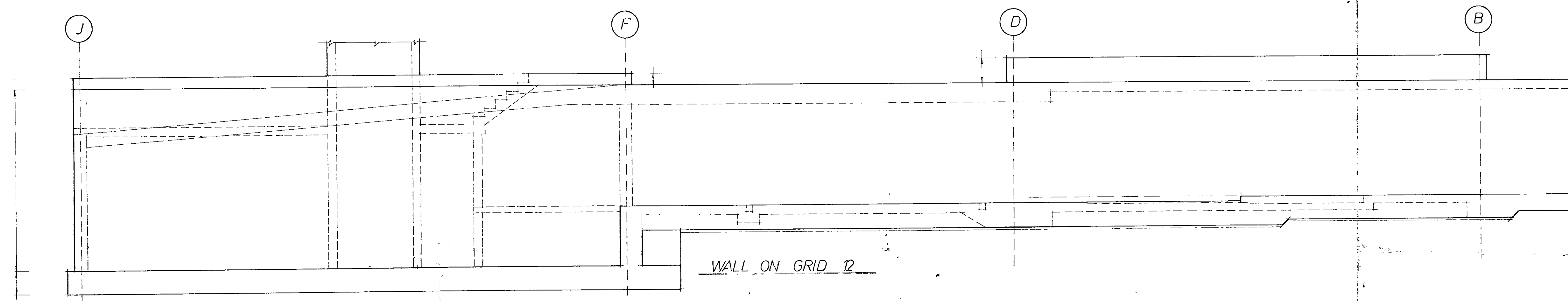
Scale 1.100

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.

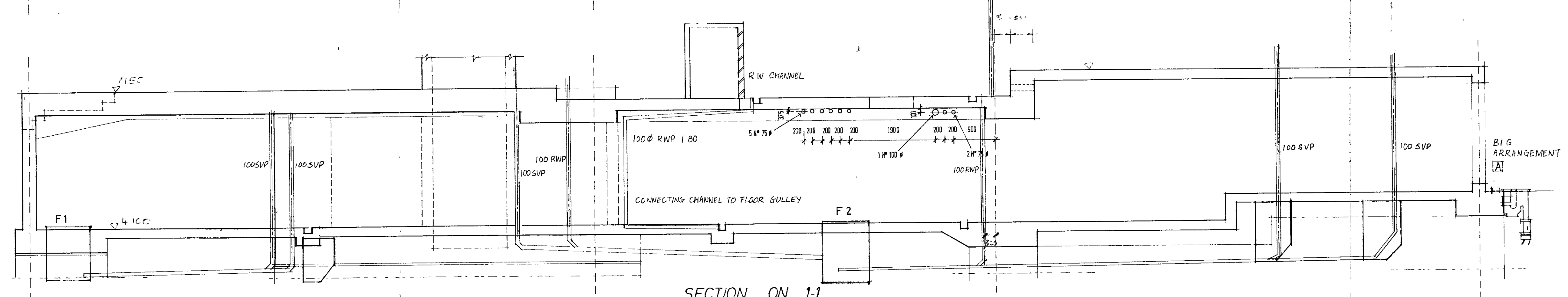
no	date	revisions
A	2/11/89	DIMENSIONS AND SLOPE OF RAMP ADDED



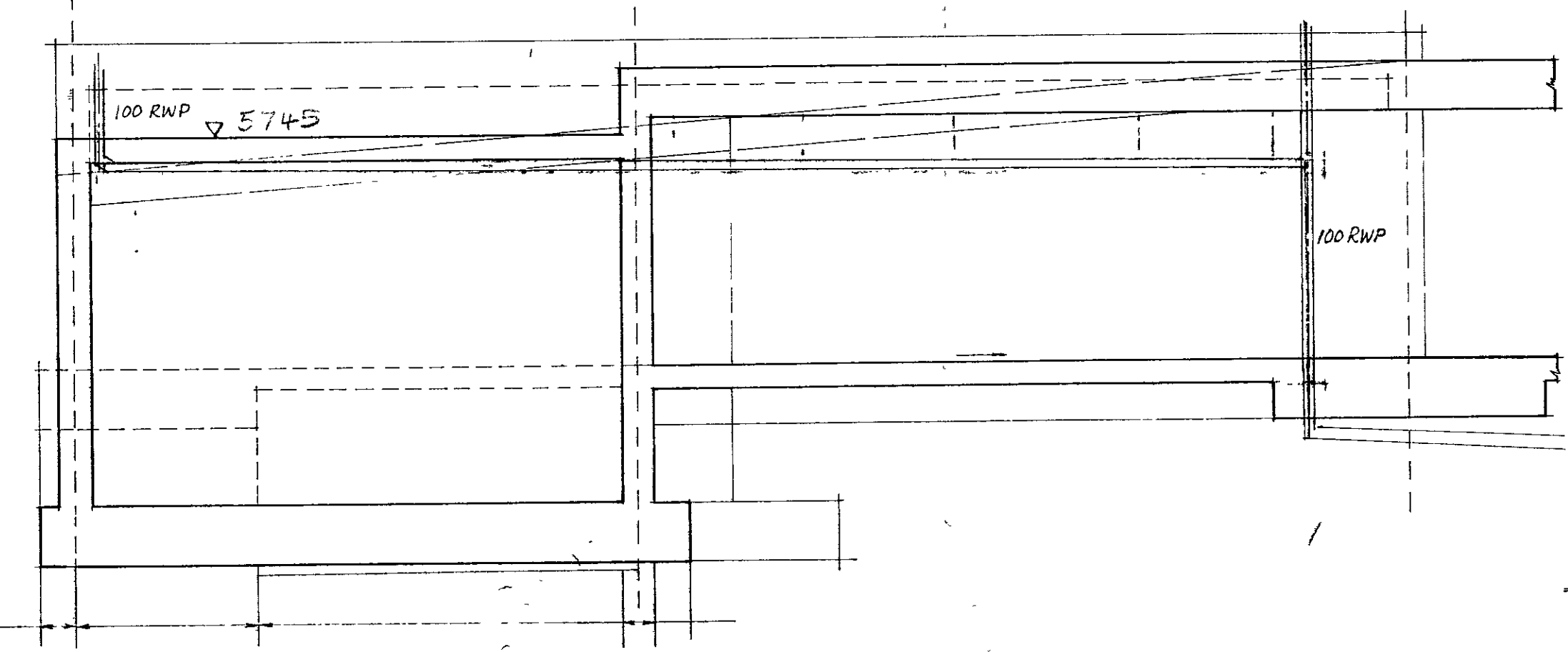
SECTION ON 3-3
Through Basement Ramp



WALL ON GRID 12



SECTION ON 1-1



SECTION 2-2

THIS DRG TO BE READ IN CONJUNCTION WITH DRG NO'S HTN4/A (52) 01
 A(52) 02, A(52) 03
 FOR SETTING OUT REFER TO 'SETTING OUT', BASEMENT DRAINAGE
 HTN4/L (5) 06

Approval of ramp.

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

DC N	DC C	DC S	DC E
A/B	D PLAN	E/F PLAN	F/G PLAN

C&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 532735 London 01 938 2464

Job
 HORTENSIA ROAD

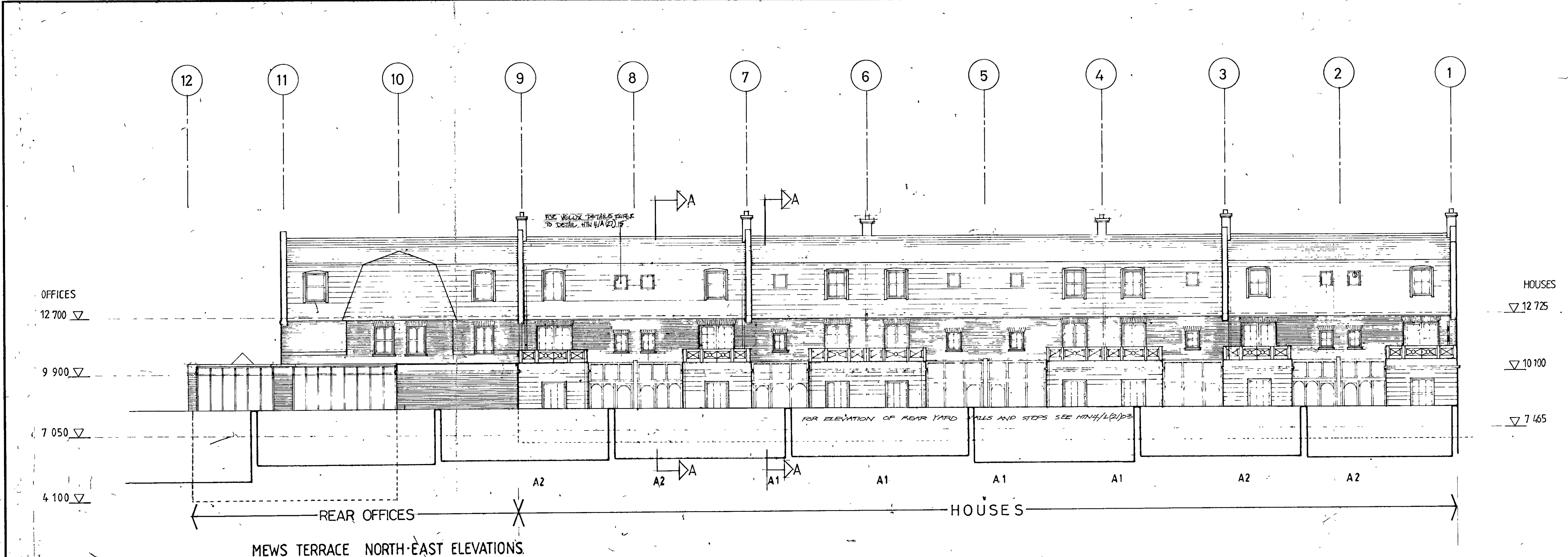
Title
 RETAINING WALLS AND SECTIONS

Drawn Date
 APR 89

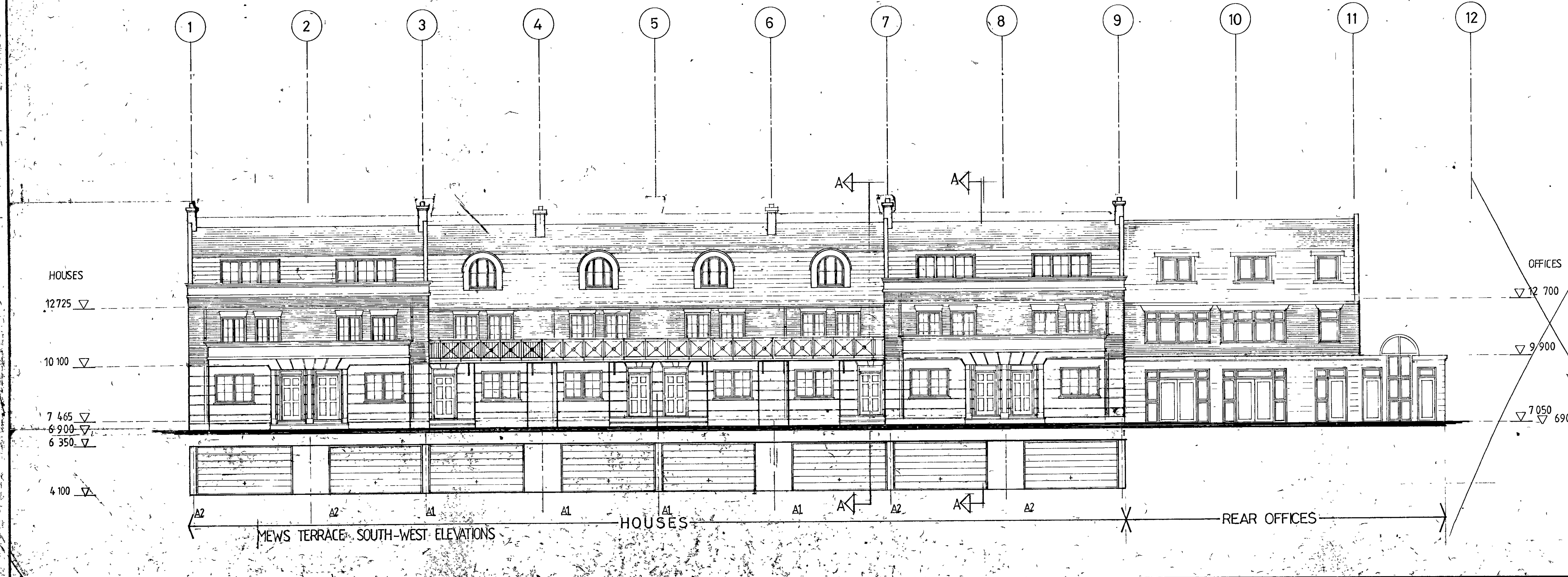
Drawing No
 HTN4 / L (1-) 011 A

Scale
 1:50

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
A	NOV 88	OFFICE ELEVATIONS CHANGED TO INCLUDE REAR OFFICE ELEVATION AND SW HOUSES ALTERED DOORS AND RAILING ALTERED TO FRONT ELEVATION
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHES BUT SW CORNER ARCHES NOT YET INSERTED
C	FEB 89	ROOFS ADJUSTED TO SUIT SECTION CHANGING ELEVATION TO FRONT ELEVATION OVER THE REAR HOUSES COVERED UP BY FLOWING WATER AS THERE WAS NO WALLS
D	MAR 89	NO CHANGES
E	AUG 89	GRID REFERENCES ADDED SW ELEV CORNICE AMENDED COPINGS DECREASE REDUCED SW ELEV DORMERS ALTERED SW BALUSTRADES ALTERED ADDITIONAL RAILINGS TO A2
F	AUG 89	ELEV TO SW AMENDED BETWEEN GL 9-12
G	SEPT 89	CHANGING ELEVATIONS TO REAR FRONT ELEVATIONS
H	22/10/89	THE A2 CHIMNEY POT POSITIONS AMENDED.



RECEIVED BY D. P. T.				
22 JAN 1990				
DO	PL	RE	CC	DB
FB	PLAN	RECORDS	SP	ENV. PLAN
DP	D	TRANS.	BUILD CONTROL	AS BUILT

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 532738 London 01 938 2464

Job
HORTENSIA. RD.

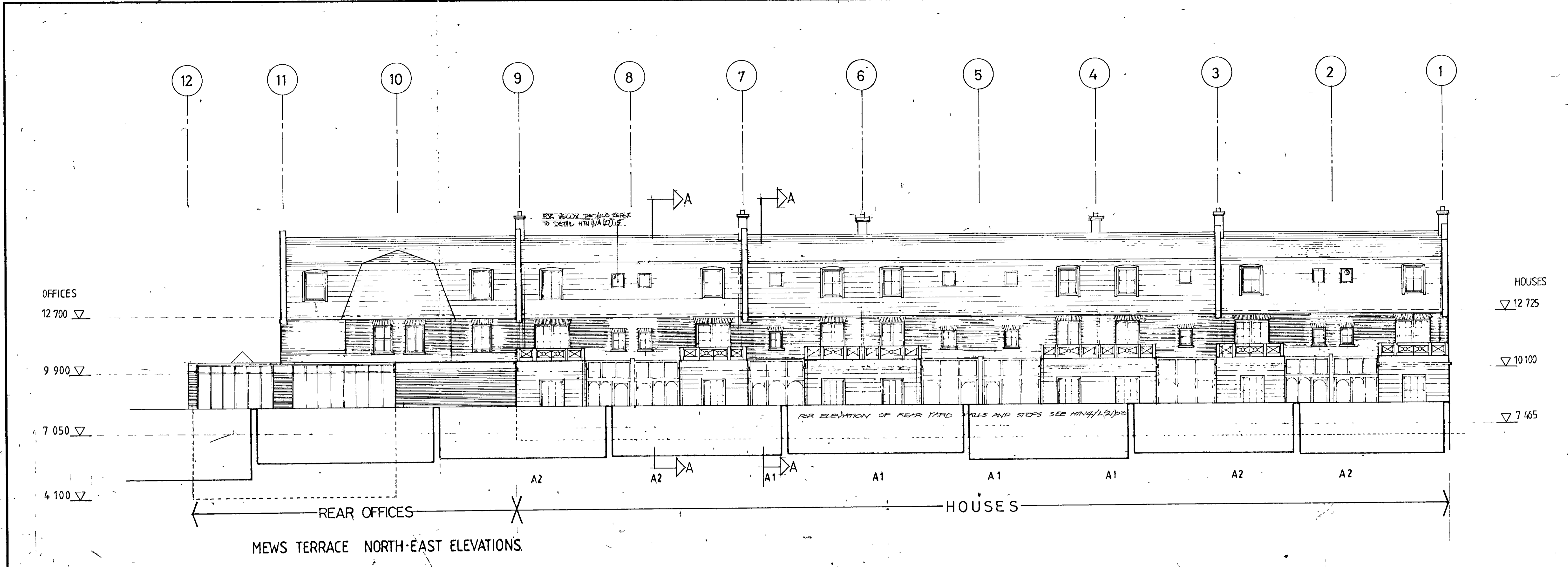
Title
MEWS ELEVATIONS

Drawn **DM** Date **14 9 88**

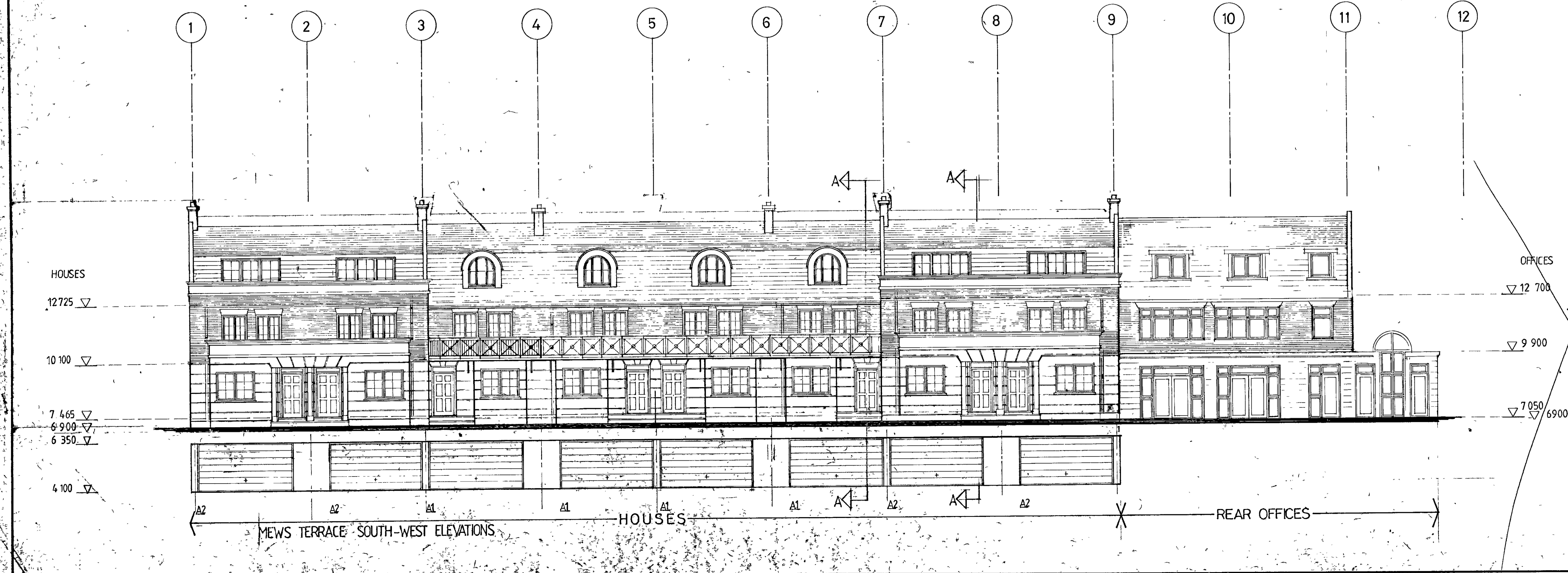
Drawing No.
HTN/01/103 #

Scale
1:100

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
A	NOV 77	SMALL CHANGES CHANGED SOME LEVELS FOR CHANGING ELEVATIONS AND LEVELS. AMENDMENTS TO DOORS AND RAILINGS ALTERED TO FIT NEW ELEVATION.
B	DEC 77	NEW FRONT ELEVATIONS TO HOUSES INSCRIBED ARCHES BUT NOT CORNICE OUTLINE. NEW DOOR RAILS AND RAILINGS.
C	FEB 78	DOORS AND RAILINGS TO SUIT NEW FRONT ELEVATIONS. NEW DOOR RAILS AND RAILINGS. NEW DOOR RAILS AND RAILINGS. NEW DOOR RAILS AND RAILINGS.
D	MAR 78	NEW DOOR RAILS AND RAILINGS. NEW DOOR RAILS AND RAILINGS. NEW DOOR RAILS AND RAILINGS.
E	AUG 89	GRID REFERENCES ADDED. SW ELEV CORNICE AMENDED. COPING DECS REDUCED. SW ELEV DORMERS AMENDED. SW BALUSTRADE ALTERED. ADDITIONAL RAILINGS TO A2.
F	AUG 89	FLY TO SW AMENDED BETWEEN G.L. 9-12.
G	OCT 89	NEW ARCH AMENDMENTS TO HOUSE FRONT ELEVATION.
H	22/1/89	THE A2 CHIMNEY POT POSITION AMENDED.



RECEIVED BY D. P. T.					
On 22 JAN 1990					
DC N	DC C	DC S	DC E	DC B	
ARB	PLAN	RECORD	DPT	ENV PLAN	
DPT	LD	TWR	CONTR	AD	AD

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 532738 London 01 938 2444

Job
HORTENSIA. RD.

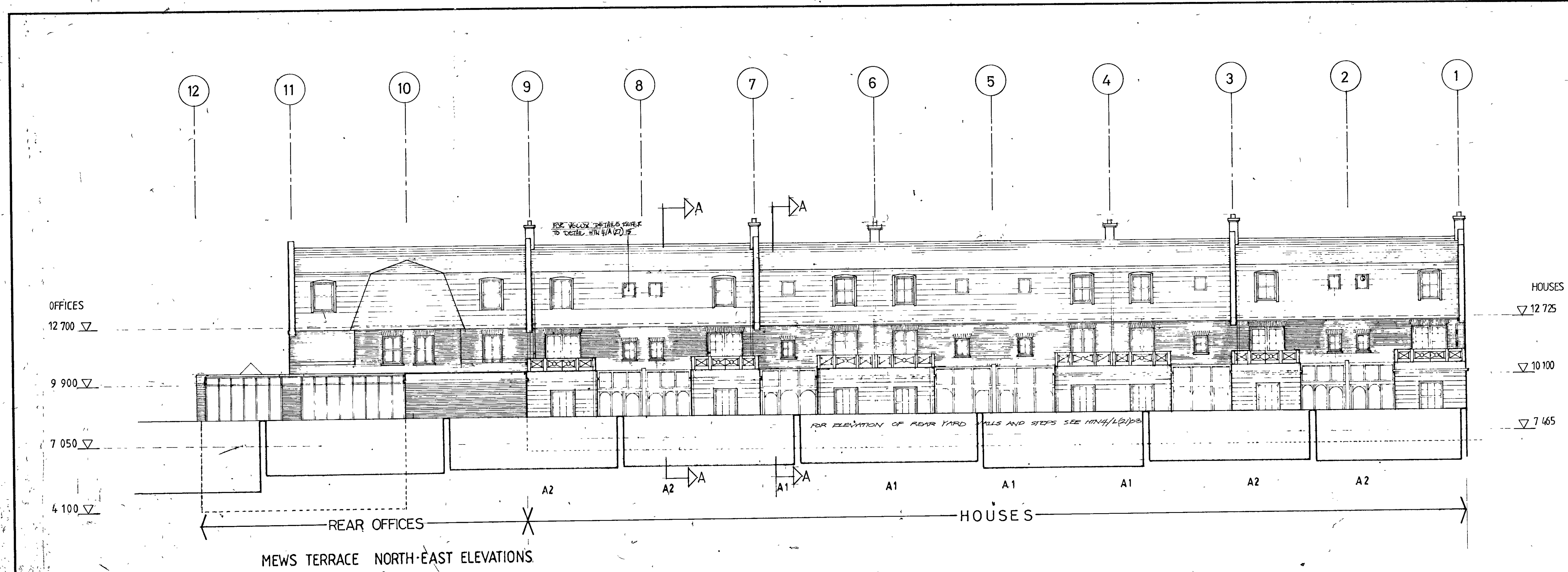
Title
MEWS ELEVATIONS

Drawn **DM** Date **14.9.88**

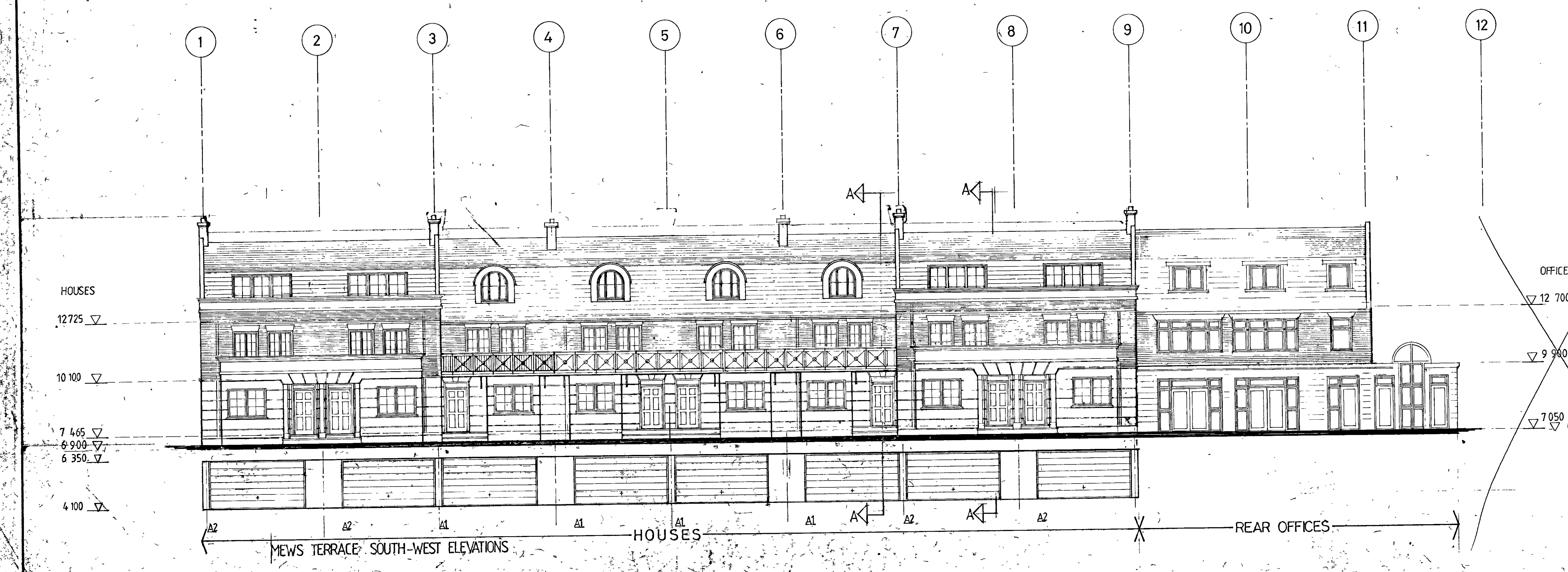
Drawing No.
HTN/01/103 #

Scale
1:100

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.



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATIONS

no	date	revisions
A	NOV 88	OFFICE ELEVATION CHANGED CORNER STUDIES PUT ON REAR ELEVATION AND REAR WALLS AMENDED, DOORS AND BALCONIES ALTERED TO FIT ELEVATION
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHES BUT CORNICES NOT FROM REAR WALLS ALTERED
C	FEB 89	DOORS ADJUSTED TO FIT THE NEW CHIMNEYS ADDED TO REAR WALLS OFFICE ELEVATION CORNER STUDIES SHOWN COVERED UNDER PLASTER MARK TO 1076 AS LEVEL 6900
D	MAR 89	LEVEL 6900
E	AUG 89	GRID REFERENCES ADDED SW ELEV CORNICE AMENDED COPINGS DOORS REDUCED SW ELEV DORMERS AMENDED SW BALUSTRADE ALTERED, ADDITIONAL RAILINGS TO A2
F	AUG 89	ELEV TO S.W. AMENDED BETWEEN '91 9-12
G	22/1/89	CORNER AMENDMENTS TO HOUSE FRONT ELEVATION
H	22/1/89	THIS IS CORNER POT POSITION AMENDED.

RECEIVED BY D. P. T.
 22 JAN 1990

Colwyn Foulkes and Partners
 Planning and Landscape Consultants
 Colwyn Bay Llandudno
 0482 52738 London 01 938 2464

Job
HORTENSIA. RD.

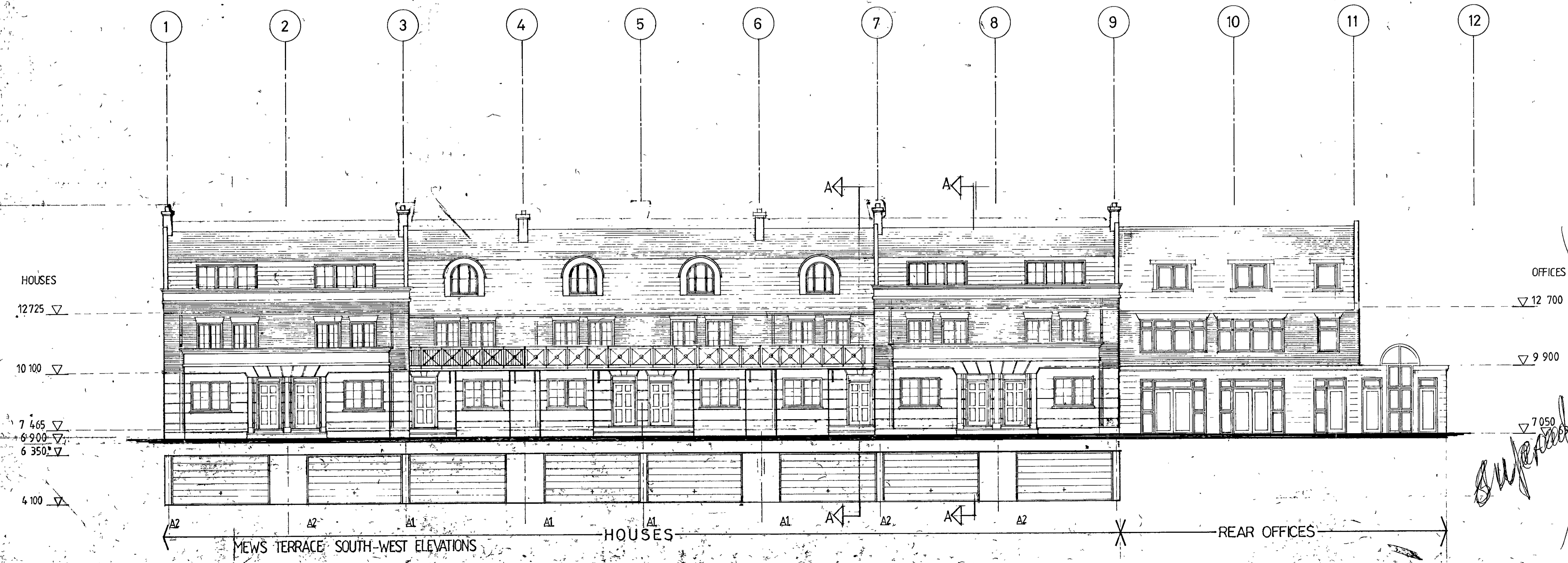
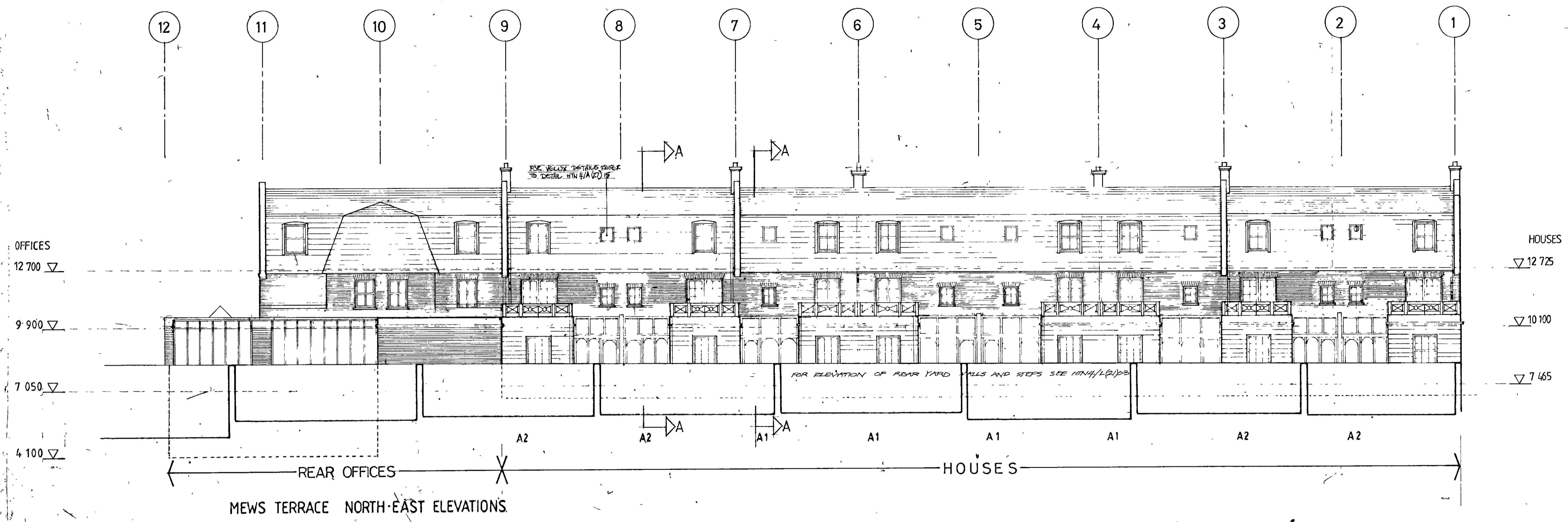
Title
MEWS ELEVATIONS

Drawn **DM** Date **14 9 88**

Drawing No.
HTN/01/103 #

Scale
1:100

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
A	NOV 88	OFFICE LAYOUTS CHANGED GOLF ICE THICKER PUT ON REAR ELEVATION AND L. SIDE ARCHITECT. DOORS AND RAILINGS ALTERED ON FRONT ELEVATION
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHITECT. DOORS AND RAILINGS ALTERED ON FRONT ELEVATION
C	FEB 89	DOORS ALTERED TO ARCHITECT. OFFICE DOORS TO REAR OFFICE DOORS TO REAR OFFICE DOORS TO REAR OFFICE DOORS TO REAR OFFICE
D	MAY 89	LEVEL SLOPE
E	AUG 89	GRID REFERENCES ADDED SW ELEV CORNICE AMENDED COPING DECKS REDUCED SW ELEV DORMERS AMENDED SW BALUSTRADE ALTERED ADDITIONAL RAILINGS TO AR
F	AUG 89	ELEV TO S.L. AMENDED REPLACEMENT GL 9-12
G	OCT 89	GENERAL AMENDMENTS TO HOUSE FRONT ELEVATION
H	22/10/89	THE RE CHIMNEY POT POSITION AMENDED

RECEIVED BY D. P. T.
22 JAN 1990

DC N DC C DC S DC E DC O

CRIP
Colwyn Folkes and Partners
Planners and Landscape Consultants
Colwyn Bay 0492 52738 London 01 938 2454

Job
HORTENSIA. RD.

Title
MEWS ELEVATIONS

Drawn **DM** Date **14.9.88**

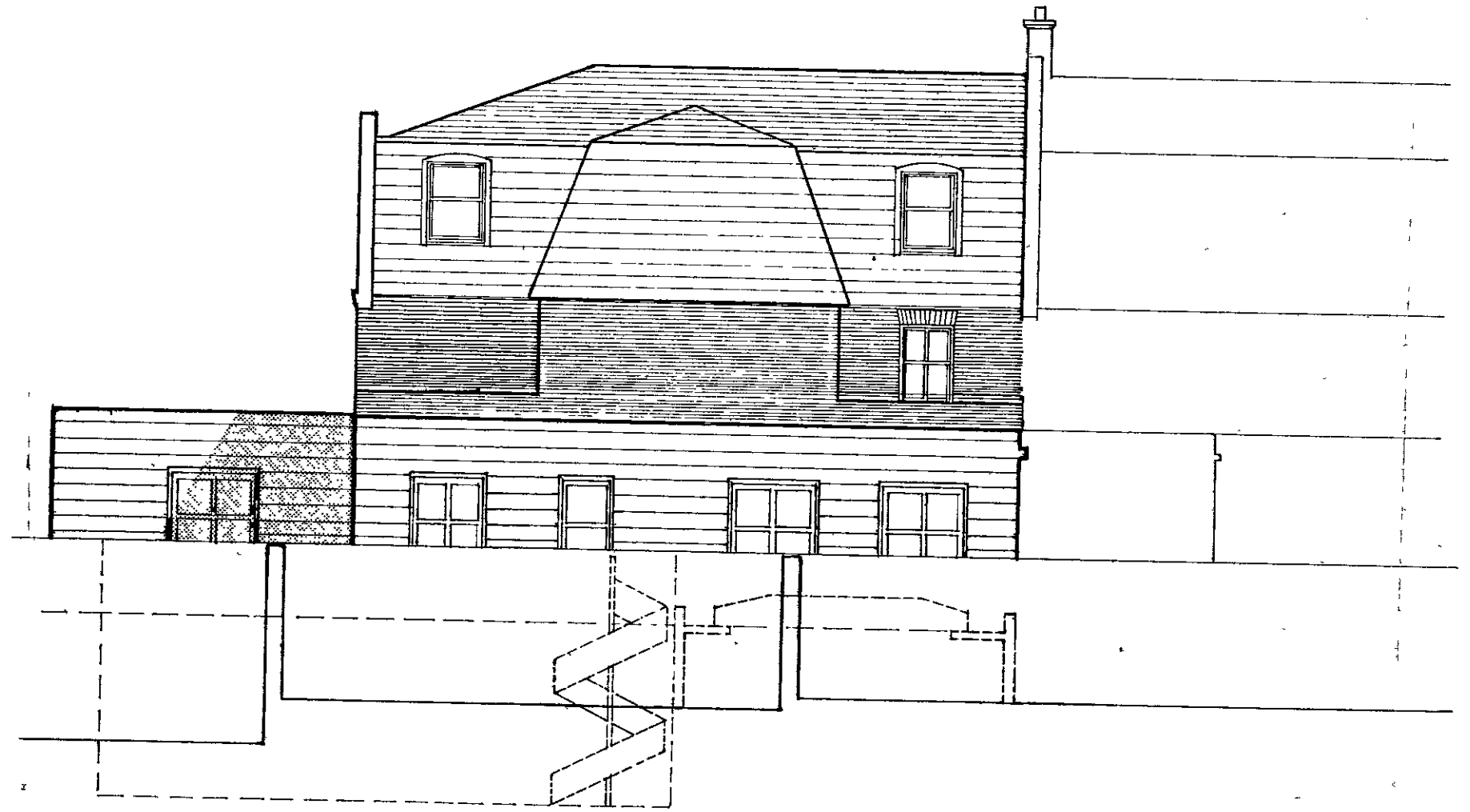
Drawing No.
HTN/01/103/H

Scale
1:100

superficial



FRONT ELEVATION



REAR ELEVATION

*Amended
AP 89/2137*

This drawing must not be scaled.
Figured dimensions, levels, etc, only
are to be used. *TP/89/2137*
Any inaccuracies, etc must be
notified to the Architect. (29)
This drawing is copyright
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings

no	date	revisions
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REMOVED

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

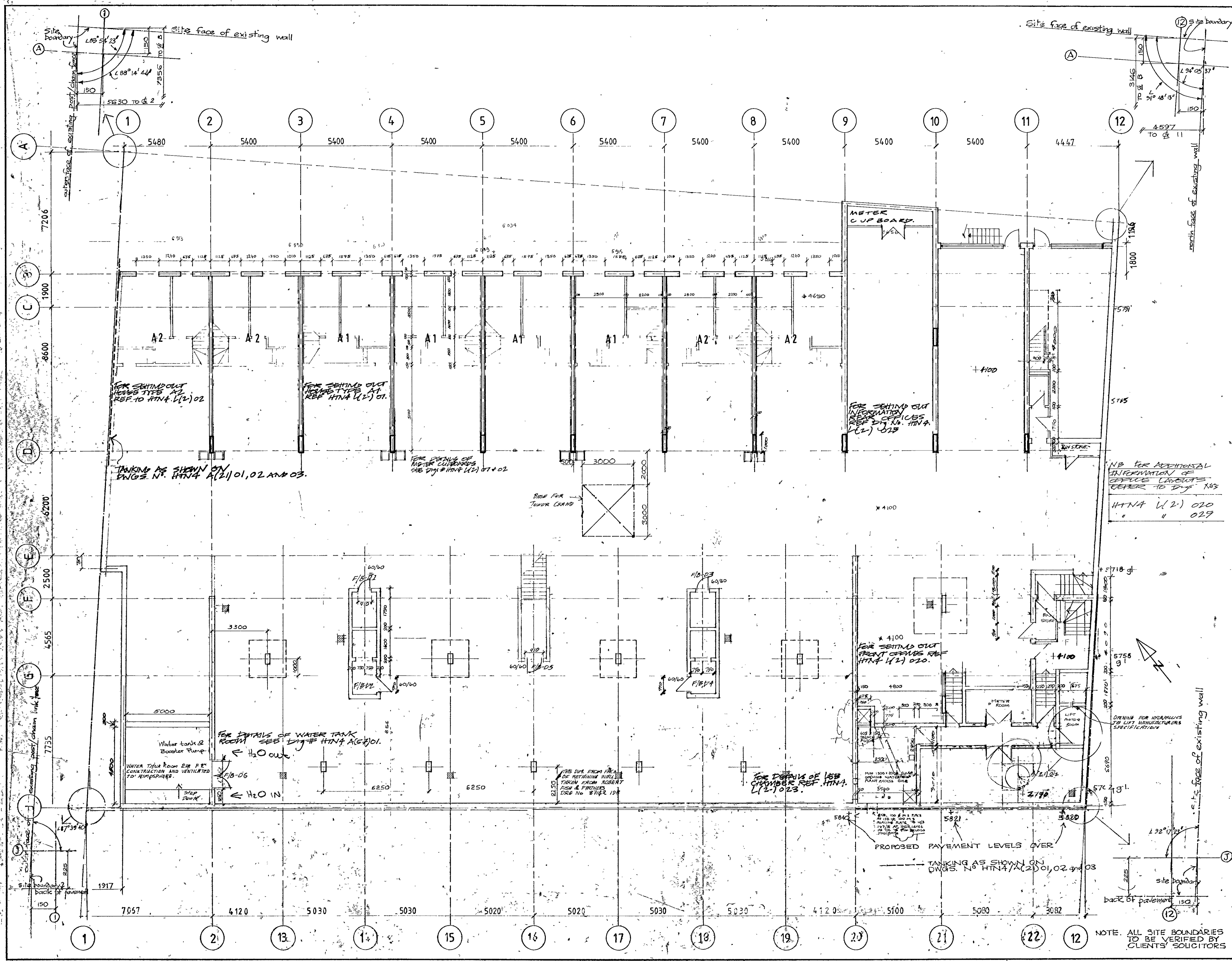
Job
HORTENSIA ROAD

Title
REAR OFFICE
units 1+2

Drawn
Date
DEC 89

Drawing No
19 FEB 1990
HTN/01/115

Scale	D PLAN	SECTION	DPT	ENVY PLAN
1:100				



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
A	16/1/87	Show to Post Office site re-positioned dimensions on address
B	2/2/87	point of view to added gear
C	14/2/87	and setting out A, B, 12, 22 22-12, amended following new site survey. Retaining wall added at 12 and 22. SETTING OUT OF CORNERS ADDED
D	7/3/87	INTERNAL ARRANGEMENT TO FRONT OFFICES REVISED. DIMENSIONS ALTERED. GRIDLINE DIMENSIONS UNCHANGED
E	4/4/87	TOWER CRANE BASE POSITION ADDED
F	19/4/87	Temp Room Added
G	12/5/87	serviced Tanking added
H	5/6/87	
I	17/6/87	Lift dims revised, staircase added in grid 10/19 wall omitted in grid 10/16 staircase to Post Office revised retaining walls amended
J	20/8/87	BASEMENT STAIR AMENDED. METER CUPBOARDS ADDED.
K	22/8/87	
L	12/9/87	COLUMNS AND GRID LINES ADDED TO THIS DRAW. TRENCH IN SUBSTATION DIMS DOORS TO WATER TANK ROOM NOTES ADDED.
M	6/8/89	DIMENSION BETWEEN G.L. 14-15 & 17-18 CORRECTED
N	12/8/89	DOOR REF TO FLOORS ADDED
O	20/10/89	DNH M/A 12/01E ADDED, GRID LINES TO FLOORS ALTERED
P	20/10/89	COLUMNS AND GRID LINES ALTERED. SOCIAL STAIR ADDED DIMS TO TANK ROOMS ADDED.
Q	18/11/89	HOUSE TYPES ADDED. DRO ROPS ADDED. METER CUPBOARDS ADDED. GRIDLINE J AMENDED IN ALL DIMENSIONS. DIS. HOUSE TANKING SEED. BASEMENT SOCIAL STAIR AMENDED.
R	19/11/89	DIMENSION TO TANK ROOM ADDED.
S	21/11/89	EARTH PIT LOCATIONS INDICATED.
T	1/10/89	DIMS. BASED ON G.L. 7 TO ADDED WITH 43 BUILT COLUMN FOOTINGS ETC.

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Design Consultants

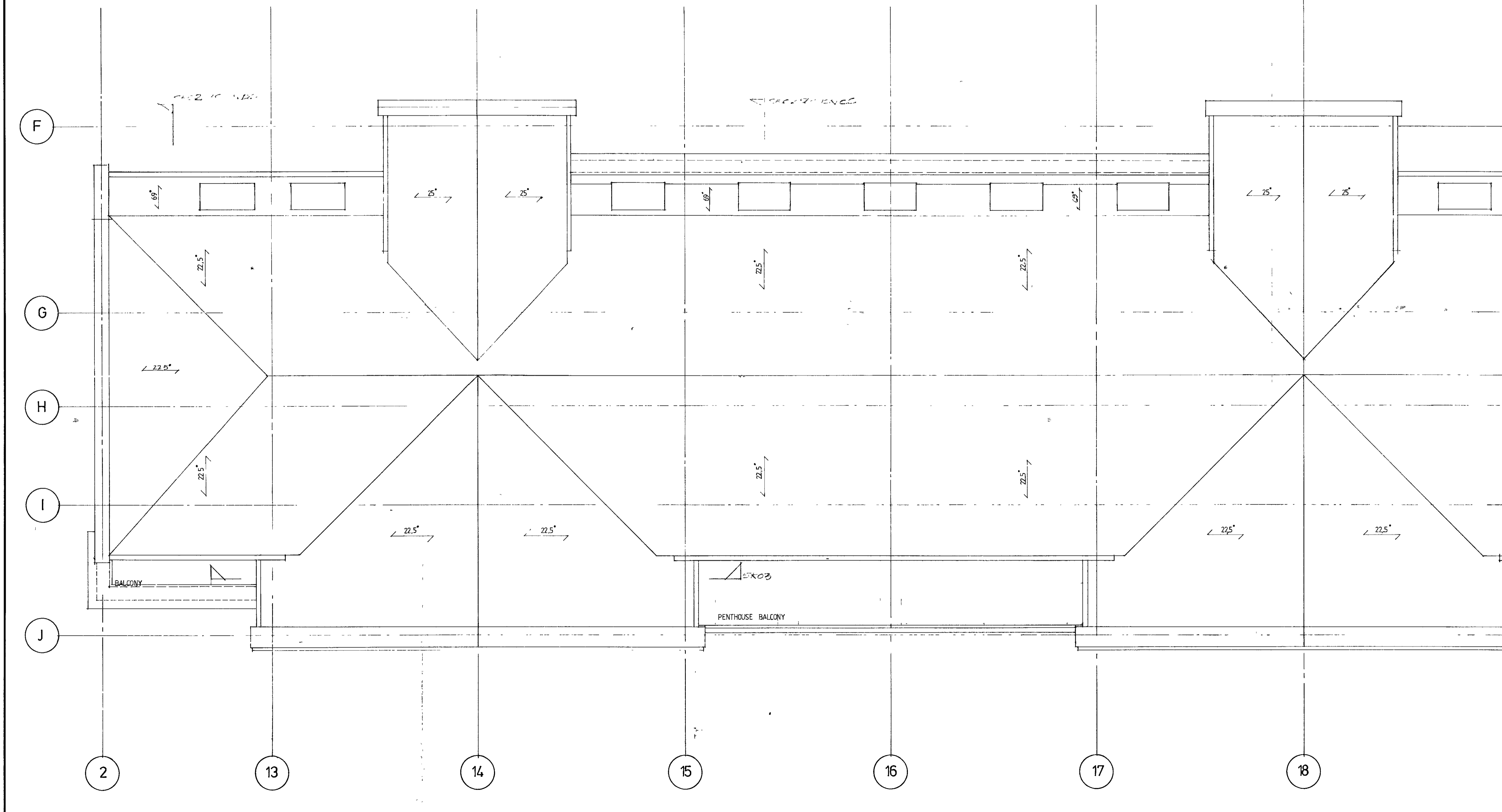
RECEIVED BY D. P. T. London
0432 APPROV 1989 01 23 2000

Job: HORTENSIA ROAD
Title: BASEMENT PLAN SETTING OUT
Drawn: [] Date: Jan 82
Drawing No: HTN4/L(1-01) ✓
Scale: 1-100

NOTE: ALL SITE BOUNDARIES TO BE VERIFIED BY CLIENT'S SOLICITORS

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	SEP 87	AMEND GABLE END TO BE AHP AND AMEND CORNERS & GRID LINE ID



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay G492 532735 London 01 938 2464

Job
 HORTENSIA ROAD

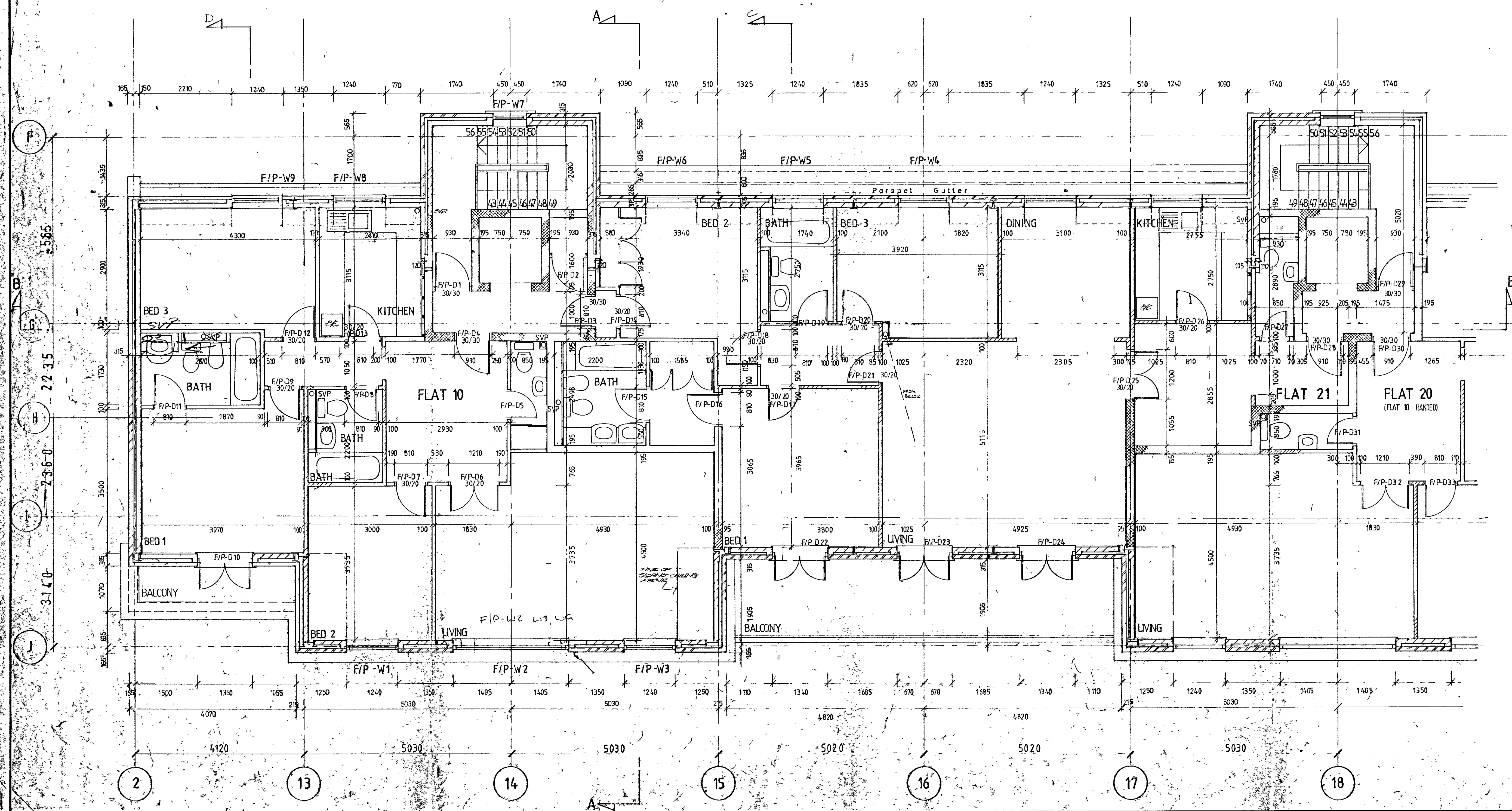
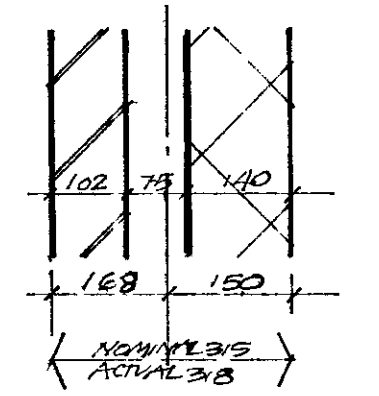
RECEIVED BY D.P.T.
 Title 27 NOV 1987
 FLATS ROOF PLAN
 Drawn by [initials] Date [date]
 Checked by [initials] Date [date]

Drawing No
 HTN 4/L(2-17) A

Scale
 1:50

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.

NOTE:
CONCERNING GRID-LINE ② AND GRID-LINE ⑬ AND SETTING OUT OF WALLS THEREOF. DIMENSION 100MM OFF GRID-LINE TO INSIDE FACE OF EXTERIOR.



no	date	revisions
A	1/5/89	CORNER WINDOWS REINFORCED.
B	2/8/89	ALTERATIONS TO FLAT NO 11 DIMENSIONS HIDDEN DRAWINGS WIPED UP.
C	12/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT. BATH IN KITCHEN EXTRACTS HIDDEN S.V.P. INDICATED.
D	12/5/89	DOOR NUMBERS HIDDEN.
E	17/7/89	CRACK LINES (D) ADDED.
F	31/7/89	GRID LINES 14, F ADDED.
G		
H	7/9/89	AMEND WALL OVERLAP POSITION OF FRONT BALCONY WALL AMENDED, REAR WALL EXTRACTS AMENDED.
I	28/9/89	FURNISHES TO EACH ROOM CAN BE READ FROM EXG HTN 14 D(12) IS.
J	1/10/89	AMEND KITCHEN CAVITY 219 TO BED'S FLAT 10. ADD STEEL COLUMNS. AMEND DIMENSIONS TO ALLOW FOR ORIGINAL 3/8 CAVITY WALL.
K	1/10/89	AMEND LOCATION OF WINDOWS F/P-W3 & W4.

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0492 52735 01 938 2464

Job
HORTENSIA ROAD

RECEIVED BY D.P.T.
27 NOV 1989

Client	DD	CD	DD
Arch	DD	CD	DD
Drawn	DD	CD	DD
Date	FEB 89		

Drawing No
HTN L (2-015)

Scale
1:50

BUILDING REGULATIONS NOTES

This drawing to be read in conjunction with all other relevant Architects and Structural Engineers drawings.

EXTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork, min av. compressive strength 7N/m² sq.

A STRUCTURE

A 1/2 LOADS & GROUND MOVEMENT

Refer to Structural Engineer's drawings and calculations.

FIRST FLOOR TO STRUCTURAL THRESH: All timber to be double vacuum treated with organic solvent preservative. All timber cut on site to be treated with 2 coats brush applied preservative.

RAPIDS: In all upper slopes to main roof, 20 degree pitch double vacuum treated rafters 400 c/c designed to BS 5268. Details and calculations to be submitted to District Surveyor prior to commencement of the work.

RAPIDS: In all lower roof slopes to main roof, 25 degree pitch double vacuum treated 38 grade SCL. Rafters 400 c/c.

STRUCTURAL BRACING: All rafters to be braced in accordance with BS 5268 Pt 3 1985. Rafters to be secured to steel plates with M8 truss clips not dipped galvanised to BS 2598 S41 plates secured to steel purlins.

NOTES & NOTES: for services to be strictly in accordance with the specification.

UPPER FLOORS: 18 mm rigid decking quality chipboard on S41 battens on 200 thick in situ RC slabs to BS design. 15mm wire mesh on ply decking to kitchens and bathrooms.

BASINETS & GROUND FLOORS: Reinforced concrete in situ construction to BS's details. Basement slab laid finished

in garage area. In other areas trowel finish to receive screed or asphalt as indicated in drawings.

FOUNDATIONS: Refer to S's drawings.

EXTERIOR WALLS: ground floors 20mm render on 100mm medium density concrete blockwork, min av. compressive strength 7N/m² sq.

75mm cavity with 25mm cavity insulation see Note 1.

Inner leaf: 140mm medium density concrete blockwork min av. compressive strength 7N/m² sq.

First Second & third floors: as above but outer leaf 100mm clay stock brick facing to BS 3921, min compressive strength 27 N/m² sq, inner leaf to concrete & third floors and near extensions 100 mm medium density concrete to blockwork min average compressive strength 3.5 N/m² sq.

OPENINGS IN EXTERNAL WALLS: Where applicable to have precast lintels to BS 5977 1982 P2 3 galvanized to BS 2388 1982 grade S1 or in situ reinforced concrete down and beams with S1 staples bolted on. Refer to schedule for type.

LINTELS: to have min 150 mm bearing either end and to be encased with plaster to U/8 see Note '1'.

INTERNAL OPENINGS: to have precast Precast Concrete lintels to BS 5977 Part 3, 100 x 100 x 50mm to suit partition.

INTERNAL WALLS: All external walls within 1m of relevant boundary to be constructed in materials of limited combustibility - facing brick or render.

SEPARATING WALLS: to houses 200 mm high solid density walls blockwork to BS 6071. Min av. compressive strength 7N/m² sq.

See also Note '1'

INTERNAL LOUVERING WALLS: medium density concrete blockwork of thickness as indicated on drawings. Min av. compressive strength 7 N/m² sq or

10N/m² sq as indicated on drawings.

CAVITY WALL TIE: For external cavity walls U/8 to BS 1243 vertical twist type.

max. horizontal spacing: 900mm
max. vertical spacing: 450mm

Additional ties: to be provided at intervals of 450mm in accordance with the specification.

PARAPETS WALLS: to be parapet height from level of junction of walls with structural roof to be 900mm.

ROOFING:

MEANS OF ESCAPE

Refer to drawings of fire doors and means of escape.

Means of escape to comply with - BS 5588 Section 11:1984 & BS 589:1 Part 1: 1971

R2/3/4 FIRE SPEC

LOADING AND UNLOADING OF STRUCTURES: All structural frames, beam columns and loadbearing walls have 1 hour FR generally and 4 hour FR to basemnt slabs.

INTERNAL SPOUNGE: Internal surfaces to all circulation spaces and protected shafts to be class "0" and class "1" to other areas 1 hour FR.

CONCRETE STAIRS TO FLATS AND OFFICES: to be constructed of precast concrete flights and RS helix/handrailing to satisfy requirements for limited combustibility. Stairway to be protected by blockwork enclosure to thickness indicated on drawings with 13mm plaster both sides to give minimum 1 hour FR.

PROTECTED INNER HALLS TO FLATS: All flats to have a protected inner hall enclosure to BS 589:1 Part 1: 1971

SWIMMING POOLS: to be construction of materials of limited combustibility as described in note A/2 to give 1 hour FR to protected inner walls (and lattice to offices) except sea and balconies to be 2 hours rated. All fire doors to be fitted with concealed door closers.

GROUND FLOORS TO HOUSES: ground floor to houses and flats to be 200mm thick insitu RC with minimum 100mm cover to reinforcement to give 4 hour FR.

PROTECTED SHEDS TO PLAYS: vertical flats and rises to be constructed in 100mm medium density blockwork or plasterboard to give 1 hour FR. Doors and access points to be to BS 3039 FR locked shut.

CONCRETE SLOPS & FINISHINGS: All external cavity walls to be closed at top of walls with cavity close/stopgap at top of all openings with galvanised steel lintel. Cavities to be closed at junction of external and party wall.

FIRST FLOORS: All horizontal vertical penetrations of compartment walls & floors to be sealed as follows -

All SVPs: to be fitted with galvanised steel-slow with stainless inner leaf at floor level. All other service penetrations to be sealed with firststop sealant or similar material.

INTERNAL SPOUNGE: Internal surfaces to all circulation spaces and protected shafts to be class "0" and class "1" to other areas 1 hour FR.

CONCRETE STAIRS TO FLATS AND OFFICES: to be constructed of precast concrete flights and RS helix/handrailing to satisfy requirements for limited combustibility. Stairway to be protected by blockwork enclosure to thickness indicated on drawings with 13mm plaster both sides to give minimum 1 hour FR.

PROTECTED INNER HALLS TO FLATS: All flats to have a protected inner hall enclosure to BS 589:1 Part 1: 1971

FLOORS TO PLAYS AND OFFICES: All doors to stairwell to be 30/30 rated, all front doors to flats and all doors to protected inner halls (and lattice to offices) except sea and balconies to be 2 hours rated. All fire doors to be fitted with concealed door closers.

CONCRETE FLOORS TO HOUSES: suspended concrete floors as note A/2 All to structural engineers detail.

WALLS: Cavity wall construction as described in note A/2 above.

DORS: Ledgers cavity wall does to be provided minimum 150mm above finished ground level to be fully lagged with glass fibre mat to be bonded to inner leaf of external wall with bonded bed joint reinforcement 3 medium 900mm vertical c/c.

OPENINGS IN EXTERNAL WALLS: to have lagged vertical depth projecting minimum 50mm beyond ends of lintels cavity trays to have uniform gap either end. All breast cells to have glass trays to u/c on mortar bed.

D CAVITY WALL INSULATION:

To be rigid thermal material as described in note 12.

SECOND FLOOR

MAJOR EXTERNAL WALLS: to be butt joint sound retaining separating walls and secured with 20mm diameter galv steel helix reinforcement at not more than 300mm vertical c/c. Tower lead of external walls to be 140/100mm solid medium density concrete block with plaster over. Minimum 100mm cover to reinforcement steel, service 20mm protection to vertical mains. All floor to be 100mm cover to reinforcement steel, service 20mm protection to vertical mains. All floor to be 100mm cover to reinforcement steel, service 20mm protection to vertical mains.

SOUND RESISTING FLOORS BETWEEN PLAYS: Floors to be Type 1 concrete base with soft covering consisting resilient carpet minimum 4.5mm thick including base, then no decking on 50x50mm S41

lattice (for services only) on solid 200mm concrete slab of max 2400/6/3 giving a weight in excess of 300 kg/m² concrete floors to be carried through separating walls.

WATERPROOFING: All basins and basins to be 12.5mm plasterboard and 12.5mm skin either side of 75 x 50mm S41 studs with 25mm mineral wool insulation above the pipe.

Pipe penetrations: Where pipes penetrate S/A floors they are to be stopped full height with mineral fibre. Ducts are to be encased with board material weighing at least 15kg/m² sq.

VENTILATION:

F1 LEANS OF VENTILATION

HANDICAPPED TOILETS: KITCHENS & BATHROOMS: Natural ventilation to be provided by means of operable windows with opening light to have an area of at least 1/20th floor area of room. Refer to window schedule. Part of opening vent to be at least 1.75m above FF.

FRENCH WINDOWS: Suitable windows with french windows only to be fitted with Filter Pads Ventilators giving a minimum opening area of 100mm² sq.

COMMON AREAS TO FLATS: Flats stairs to be ventilated at each level by operable windows having an area of at least 1/20th of space floor area other than internal common areas to flats only to be ventilated by means of ventilation louvred grilles and pre fresh air ducts led to outside air as indicated on drawings to give a vent area of not less than 1/20th of the floor area of the space.

MECHANICAL VENTILATION: Internal bathrooms to houses and flats and internal u/c's to offices to have individual extract fan units with delay shutters. Extracts to be vented to outside air by means of plenum box flat duct system connecting to a stainless steel duct 225 x 60mm flats and houses end to roof extract in offices. Extract fans to be capable of 3 air changes per hour. Integral kitchen to flats to have vent cap or equal and approved extract for units vented to outside air.

BASINETS: Natural ventilation to 5% of floor area of geyser and car park.

ROOF CONSERVATION

ROOF VENTILATION: Roof construction to be fibre reinforced concrete slabs on 38 x 25mm battens on sawing felt on 12 x 12mm counter battens on rafters. Construction conditions & u/c roof therefore Part F2 will not apply.

CYLINDERS: Vapour barrier to be provided to casing of all top storage by means of 12.5mm double plasterboard.

G ROOFING

G2/3 BATHROOMS

PLAYS: Pipel c/w and h/c as above but with Integral F & E tank from a pressurised water supply refer to note 17 for details.

ALL SANITARY APPLIANCES: to discharge through trap as described in note 11.

G1 SANITARY CONNECTIONS

Refer to general arrangement drawing for disposition of wc's.

B DRAINAGE AND WASTE DISPOSAL

B 1/2 SANITARY FITTINGS AND DRAINAGE

Refer to drawings.

TRAPS: Sanbatina and bidets to be fitted with 125mm diameter 75mm deep seal polypropylene tubular traps.

Deposited traps to washbasins to be 125mm diameter 75mm deep seal solid plated brass bottle traps.

KITCHEN/WATER: room sinks and washbasins to be fitted with 40mm diameter, 75mm deep seal polypropylene tubular traps.

W/S: to be fitted with 100mm diameter 50m deep seal trap.

SEWAGE DISCHARGE PIPES: All branch discharge pipes to discharge into a 110mm diameter pvc discharge stack of 75mm diameter pvc slab stack as indicated on the drawings. No waste branch to enter stack within 200mm below connections - 50mm diameter parallel junction to be employed. Branch pipes to discharge a minimum 50mm above the invert of the tail of the stack. Branch pipes to be sized as indicated on the drawings.

MULTIPLE CONNECTIONS: To w/c, kitchen and bathroom appliances to be fully ventilated 'float' system as indicated on drawings. Branch pipes to be sized as indicated on the drawings.

SEWAGE PIPES: To w/c, kitchen and bathroom appliances to be fully ventilated 'float' system as indicated on drawings.

DISCHARGE STACKS: 110mm diameter pvc discharge stacks to run without offsets and discharge into drain via C.I. pipe with large radius bend stacks to be vented at top by means of connection to flexible duct terminated with proprietary ridge vents at roof level, or led to 75mm diameter black pvc vent pipe and terminal rod minimum 300mm above any opening within 2m. Access plates to be provided at base of s/vp, at branch connections and at top of stack stacks.

WATER MAINS AND DRAINAGE

For details of rainwater disposal refer to drawings.

WATER MAINS: Outlets and pipe to be constructed in C.I. to BS476 or equivalent spec as indicated on the drawings.

WASTE DISPOSAL:

DAILY WASTE STORAGE:

PLAYS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

WASTE DISPOSAL APPLIANCES

WASTE DISPOSAL:

COOKERS: To be situated in kitchen exceeding 1100 and having opening window as indicated on drawings.

CENTRAL HEATING BOILERS: boilers to be fitted with balanced flue outlets as described below. Boiler vented by means of proprietary chim-vent tile to give in excess of 250mm sq area (section 12.5 boiler) airbricks through external wall as indicated on drawings.

WATER DISPOSAL:

UNBALANCED FLUE APPLIANCES: HOUSES: Central heating gas fired wall mounted boilers to be fitted with fan assisted balanced flue to BS 540 Part 1 and in excess of 50mm above manufacturer's recommendations. Ground floor terminals to be protected with a terminal guard.

FLATS: Central heating gas fired under floor boilers fitted with balanced flue terminals minimum 300mm from any opening.

OPEN FLUE APPLIANCES: Open flues to boilers to comprise steel notal radiated twin wall flues to BS715: 1975. Internally stainless steel externally. Flues to be sized to suit appliance and fitted with a proprietary coil of led to a ridge terminal as indicated on drawings. Flue outlets to be situated minimum 500mm from openings.

FLUES PASSING THROUGH OTHER BUILDINGS: to be enclosed in 1 hour FR construction.

PROTECTION FOR PROTECTION AGAINST SOUND

PLASTERING WALLS: to flats to stand on non-combustible hearth (65mm screed) extending minimum 150mm beyond source of splashback all round.

K STAIRWAYS, RAMP AND CANALS

STAIRWAYS AND RAMP:

Refer to drawings.

STAIRCASES: Common stair to be non-combustible precast concrete max pitch 28 degrees max rise 190mm min going 240mm min width 900mm

HORIZONTALS: to be provided where rise exceeds 400mm. Height 840 - 1000mm

HEADROOM: to stairs min 2m above pitch line.

TAPERED TROUSERS: to be min 50mm wide

G2/3 GROUNDINGS

Refer to drawings.

MIN HEIGHT: 900mm generally min height balconies 1100mm

MIN CLEARANCE: to prevent passage of 100mm diameter sphere (to houses and flats only)

CONSERVATION OF FUEL AND POWER

R2/3 RESISTANCE TO THE PASSAGE OF HEAT

WINDINGS: to houses and flats single glass or vertical sliding sash or horizontally opening windows. Area of window and rooflights not to exceed 12 percent of the perimeter wall area.

SCRIPED 'U' VALUES: for building envelope are as follows:

Walls: 0.6 w/m.sq
Roofs: 0.35 w/m.sq
Deposited floors: 0.15 w/m.sq - refer to detailed calculations

HEATING SYSTEM CONTROLS

ROOM TEMPERATURE CONTROLS: to be by means of room thermostat situated in halls, and thermostat radiator control valves in living rooms (remote sensor type in casings).

INTERMEDIATE HEATING CONTROLS: by means of time clock controller adjacent to boiler. All boilers to be fitted with a control thermostat.

WATER STORAGE CONTROLS: HOUSES: by means of either clamp on thermostat boiler time clock to control indirect hot water cylinder with vented primary and secondary circuits and remote F & E tanks in roof space.

OR

Integral thermostat controls to thermal storage unit linked to boiler time clock. Storage unit linked to boiler time clock. Interposed F & E tank venting primary vented secondary circuit. (See system diagram).

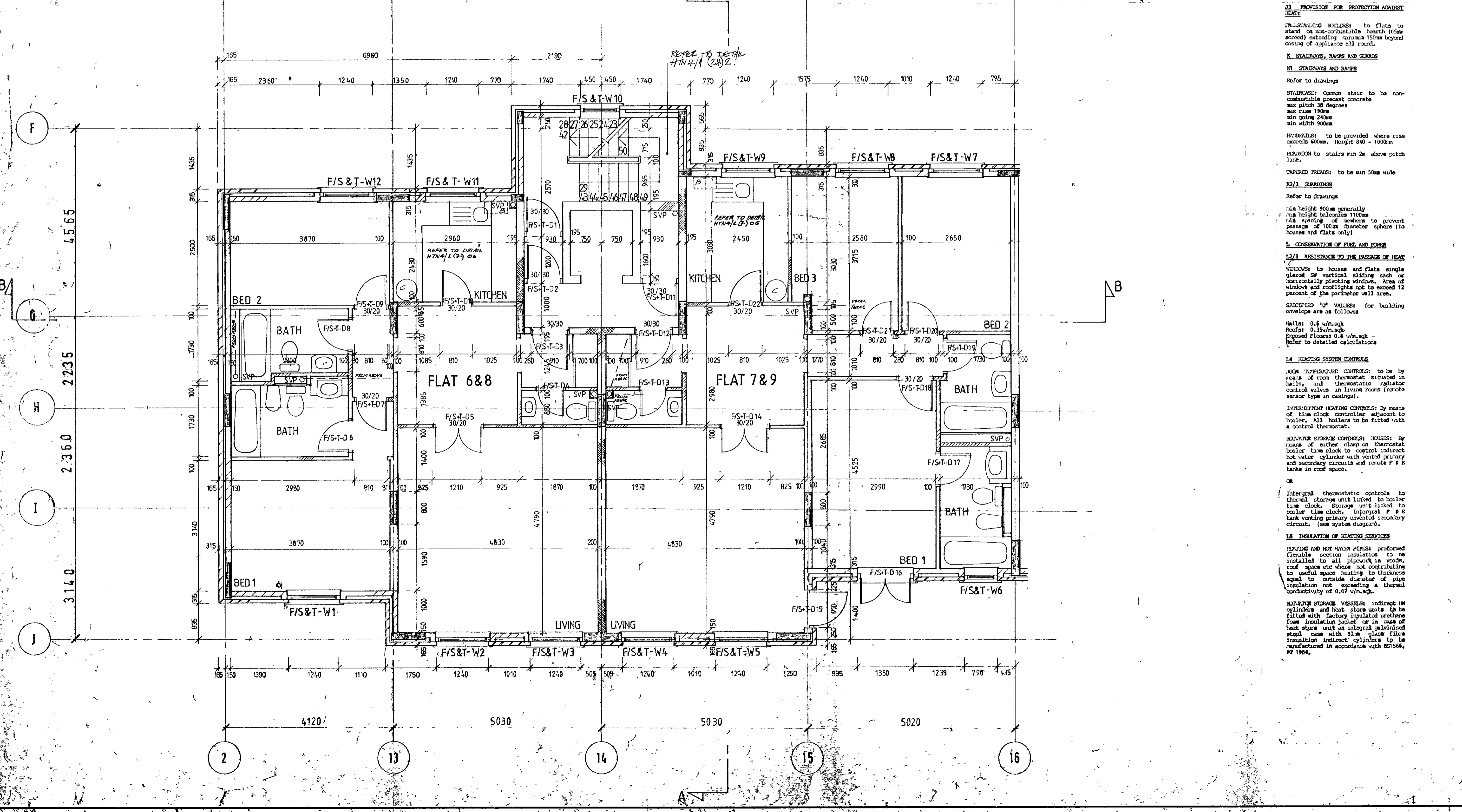
INSULATION OF HEATING SERVICES

HEATING AND HOT WATER PIPES: preformed flexible section insulation to be installed to all pipework in voids, roof space etc where not contributing to useful space heating to thickness equal to outside diameter of pipe insulation not exceeding a thermal conductivity of 0.07 w/m.sq.

WATER STORAGE VESSELS: indirect IM cylinders and hot store units to be fitted with factory installed urethane foam insulation jacket or in case of heat loss tank with integral galvaluminised steel case with 80mm glass fibre insulation indirect cylinders to be manufactured in accordance with BS758: Pt 1984.

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
A	3/87	DRAWING INKED DIMENSIONS/DRAINAGE SHOWN
B	14/87	INTENTIONS TO PLAN 105 ARE REVISED BY CLIENT BATH AND W/TCN LAYOUTS ADDED BUILDING REG NOTES RECORDED
C	15/87	DOOR NUMBERS ADDED
D	10/87	COLUMNS ON GRID LINE 'H' WHENEVER
E	19/87	GRID LINE 'D' ADDED
F	21/87	ADDED COLUMNS - H & J
G	10/87	ADDED COLUMN ADDITIONS AMENDED ON GRIDLINES G, J
H	13/87	FINISHED TO EACH ROOM CAN BE READ FROM PLAN WITH 1/2" SCALE
I	10/87	ADDED ROOMS LAYOUT
J	17/87	REF. TO DETAIL HTN L (2) 06
K	21/87	COLUMNS BETWEEN G L 13-14 & 14-15 OMITTED COLUMNS TO STAIRS ADDED



Job No.	HTNFENSL/889 ROAD			
On	DC	OC	OC	OC
	DC	OC	OC	OC
	DC	OC	OC	OC
Title	FLATS	DRST	CHAD	AD
Second & Third Floors				

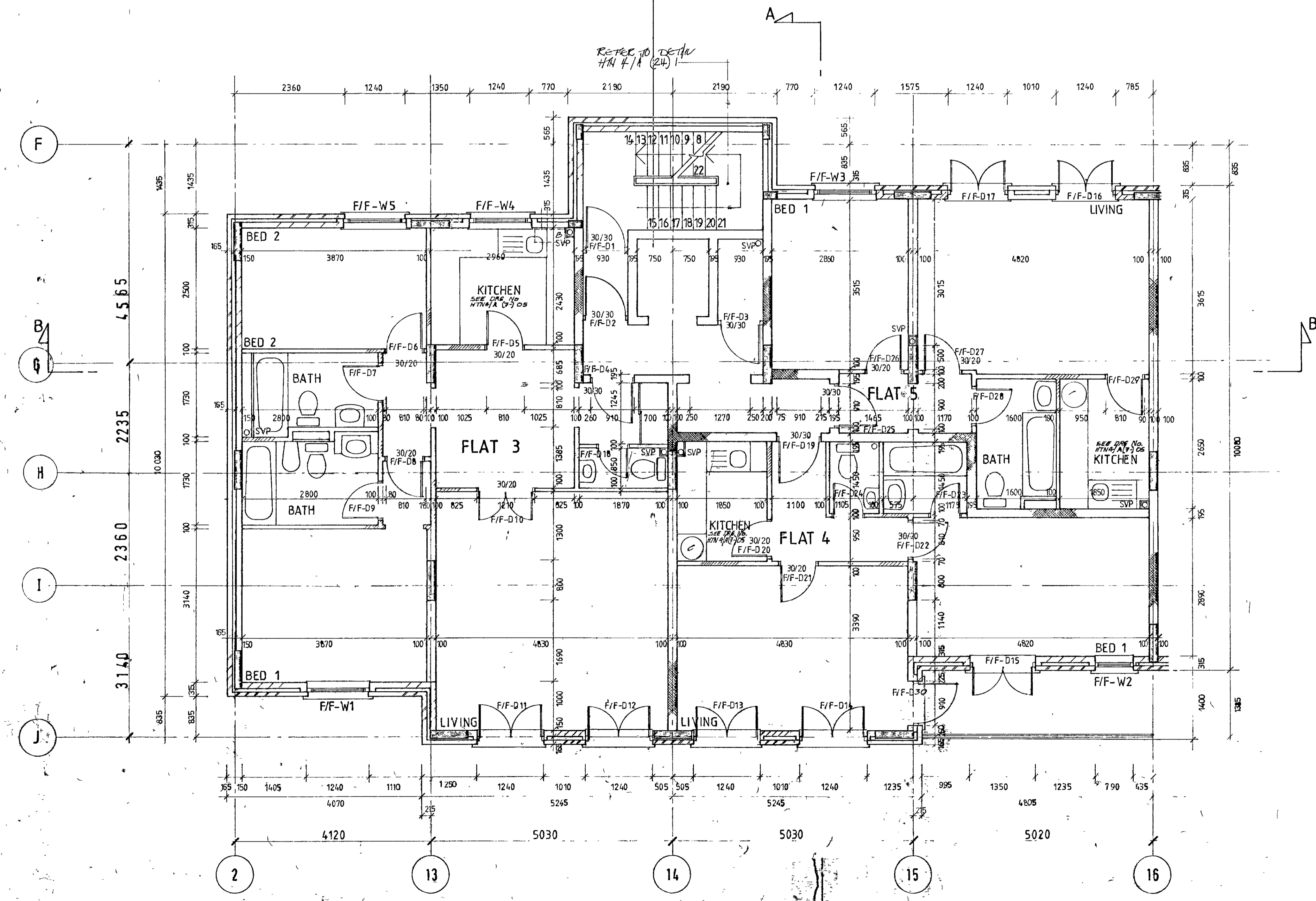
Drawn Date FEB 89

Drawing No HTN L (2)-Y13 K

Scale 1:50

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
A	2/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BATH AND KITCHEN LAYOUTS WIPED.
B	6/5/89	DOOR NUMBERS ADDED.
C	11/5/89	COLUMNS ON GRID LINE 'H' AMENDED.
D	17/7/89	GRID LINE 'D' ADDED.
E	31/7/89	GRID LINES 'H' & 'I' ADDED.
F	2/7/89	COLUMNS AMENDED ON GRID LINES 'G', 'J'.
G	15/9/89	FINISHES TO EACH ROOM CAN BE READ FROM THE HTN 4 (42) 12.
H	1/9/89	AMEND KITCHEN LAYOUT.
I		AMEND KITCHEN LAYOUT.
J	9/11/89	DIMENSIONS AMENDED TO SUIT FOR NOMINAL 2.5 UNIT WALL. COLUMNS BETWEEN G L 13 & 14 AND 15-16 AMENDED. COLUMNS WT STAIRS ADDED.



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532725 London 01 838 2464

Job
 HORTENSIA ROAD
 27 NOV 1989

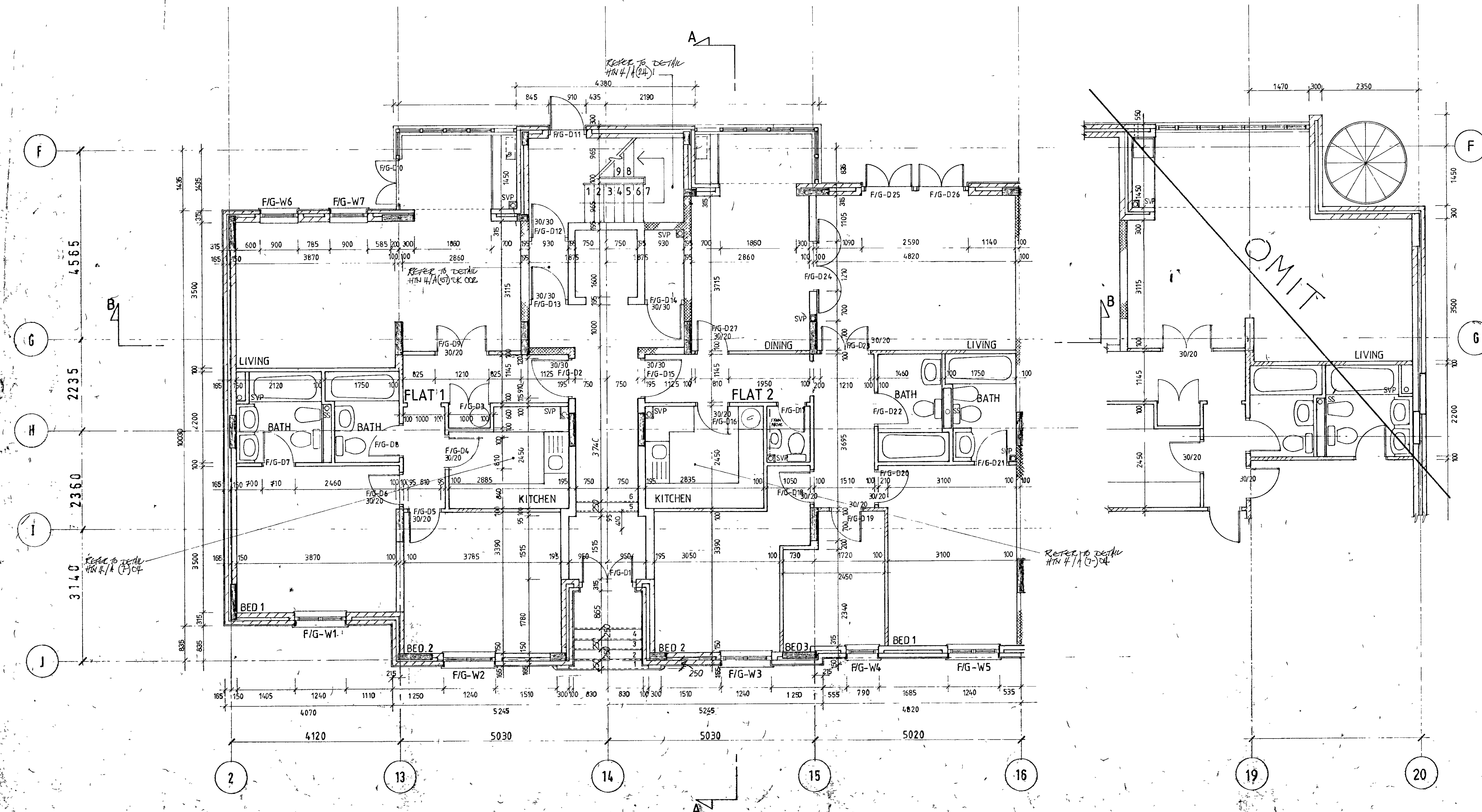
DC	DC	DC	DC	DC
DC	DC	DC	DC	DC
DC	DC	DC	DC	DC
DC	DC	DC	DC	DC

FLATS
 FIRST FLOOR PLAN

Drawn: FEB 89 Date: FEB 89
 Drawing No: HTN L(2)-012 J
 Scale: 1/50

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
A	3/89	DRAWING INKED. DIMENSIONS ADDED / CORRECTED
B	2/4/89	ALTERATIONS TO PLAN AS RE- QUESTED BY CLIENT. BATH AND HITLERN LAYOUTS ADDED.
C	4/5/89	ROOM NUMBERS ADDED.
D	10/6/89	COLUMNS ON GRID LINE 'H' AMENDED
E	17/1/89	GRID LINE 'G' ADDED.
F	3/1/89	GRID LINES 'F' & 'H' ADDED.
G	15/1/89	FINISHED TO EACH ROOM CAN BE READ FROM DEC. HTN 4 2 (42) II
D	1/10/89	AMENDED KITCHEN LAYOUT
H	1/10/89	FINISHED TO EACH ROOM DIMENSIONS ADJUSTED FOR NOMINAL 305 PART WALL THICKNESS TO ENTRANCE STAIRS CARRIED FROM 2ND TO 3RD FLOOR.



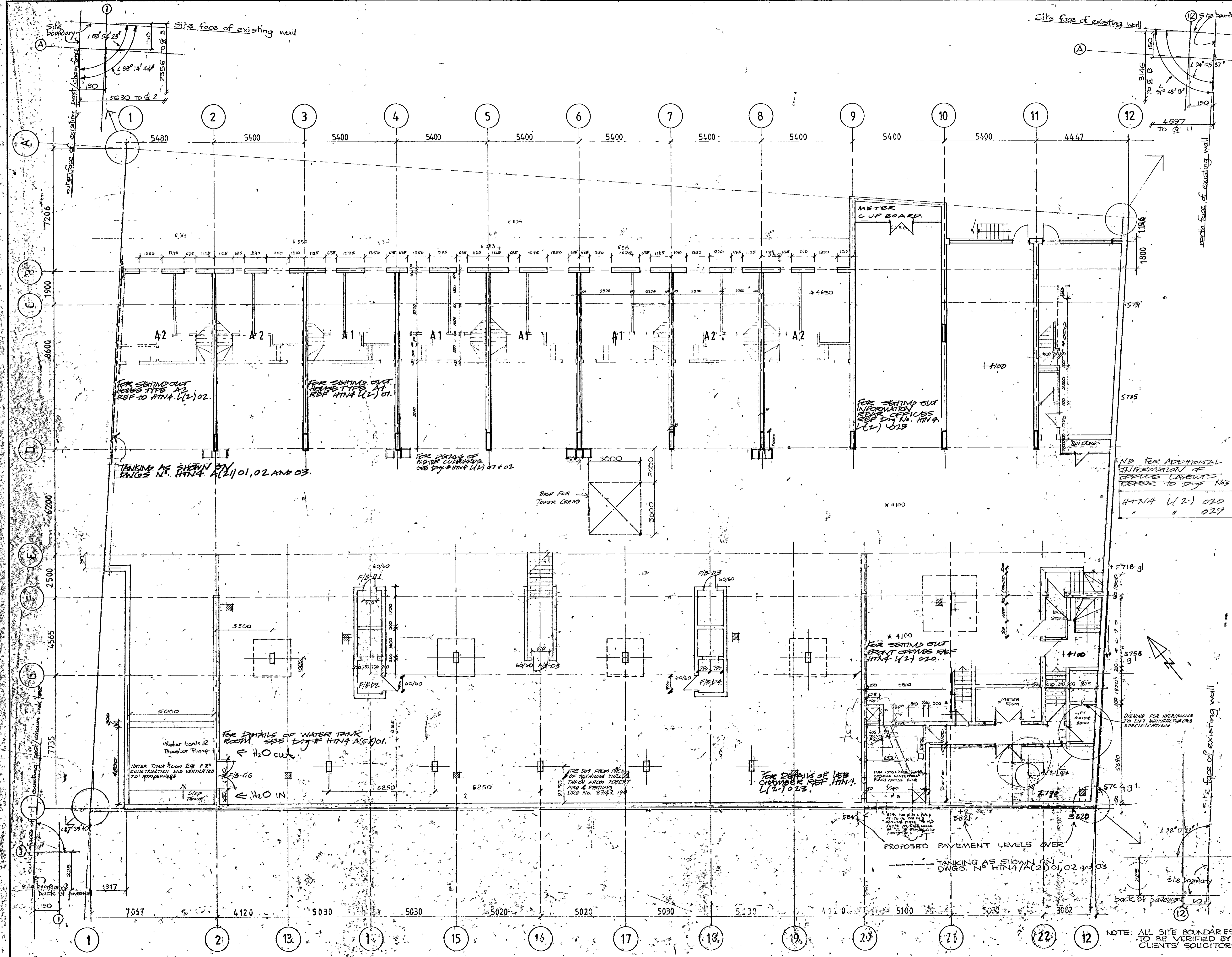
CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01 938 2464

Job
HORTENSIA ROAD

RECEIVED BY D.P.T.
 Title 27 NOV 1989
 OF PLATS
 GROUND FLOOR PLAN
 Drawn D.P.T.
 FEB 89

Drawing No
HTN L (2)-011

Scale
 1:50



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.

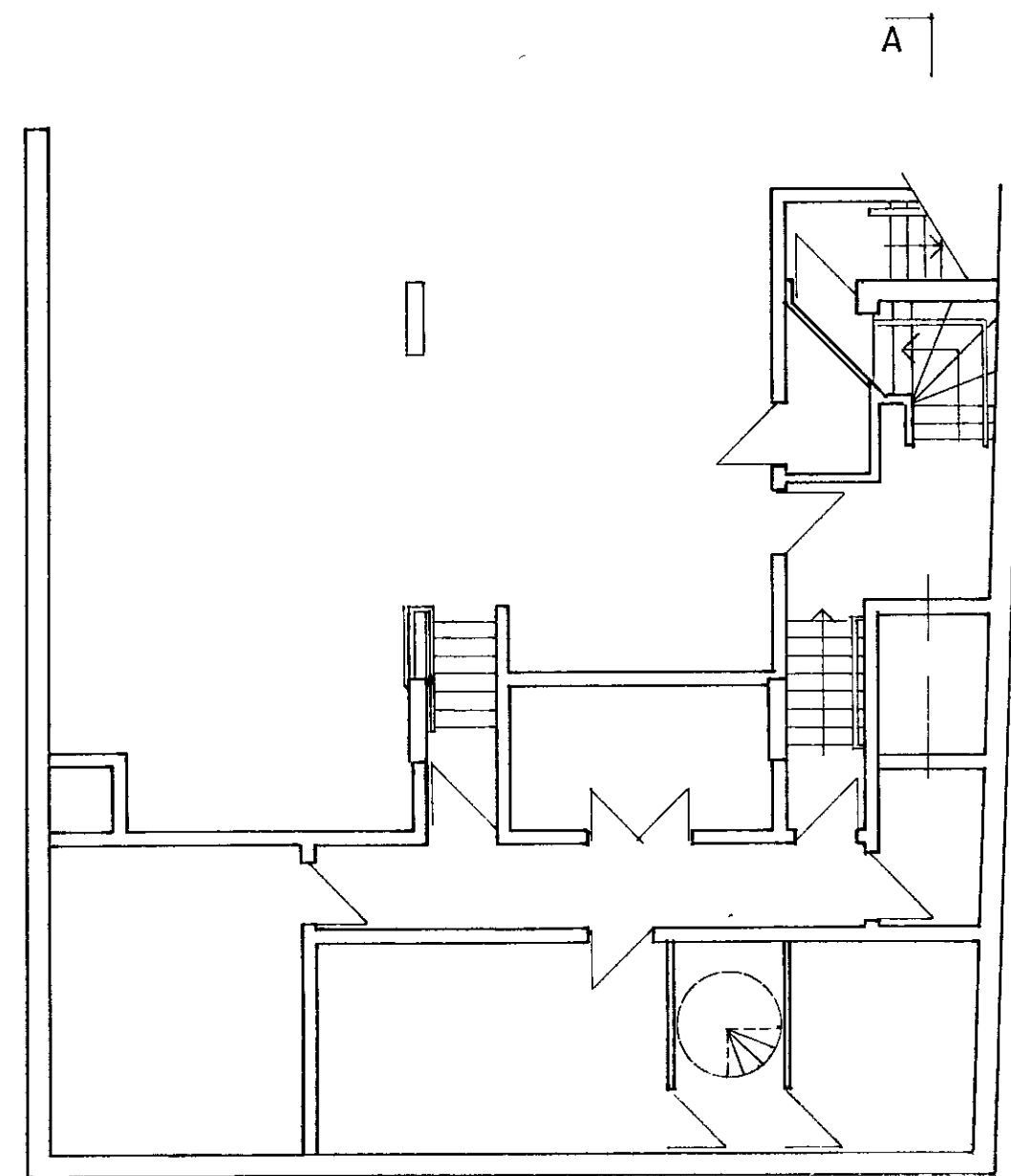
no	date	revisions
A	16-12-78	Show to Post Office site re-positioned dimensions and address
B	20-1-79	Proposed site plan (see drawing)
C	1-2-79	Proposed setting out A B 12/2/78 22-12-78, amended following new site survey. Retaining wall adj. to GL 1 m position.
D	7-3-79	SETTING OUT OF CORNERS ADDED
E	4/4/79	INTERNAL ARRANGEMENT TO FRONT OFFICES REVISED DIMENSIONS ALTERED. GRIDLINE DIMENSIONS UNCHANGED. TOWER CRANE BASE POSITION ADDED
F	19/4/79	Tump Room Amended
G	24/4/79	Services Tanking added
H	5/5/79	Lift dims revised.
I	17/5/79	Staircase added in grid 10/11 Well omitted in grid 10/11 staircase to Post Office revised. Retaining walls amended
J	20-3-79	BASMENT STAIR AMENDED. METER CUPBOARDS ADDED
K	22-5-81	COLUMNS AND GRID LINES ADDED TO PLINTS AREA TRENCH IN SUBSTATION DIMS ADDED TO WATER TANK ROOM. BAYS ADDED.
L	2-6-89	DIMENSION BETWEEN G.L. 14-15 & 17-18 CORRECTED
M	1-2-89	DOOR REF TO PLINTS ADDED DRY RY 11/10/11
N	20/6/89	ADDED GRID LINES TO PLINTS ALTERED COLUMN ON EXISTING D. ADDED SPURIAL STAIR. ADDED DIMS TO FRONT OFFICES ADDED
O	18/7/89	HOUSE TYPES ADDED. DIMS ADDED. WEIR OVERFLOWS ADDED. GRID LINES AMENDED IN UNDEPENDENT ENGINEERS' DWS. HOUSE TANKING ADDED. BASMENT STAIR. STAIRS AMENDED
P	19/8/89	DIMENSION TO TANK ROOM ADDED
Q	2/10/89	CHECK PIT LOCATIONS INDICATED.
R	1-10-89	DIMS. CORRECTED ON G.L. 12. ADDED WITH 45 2000 COLUMN POSITIONS ETC.

C&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0548 537078 London 01 538 2461

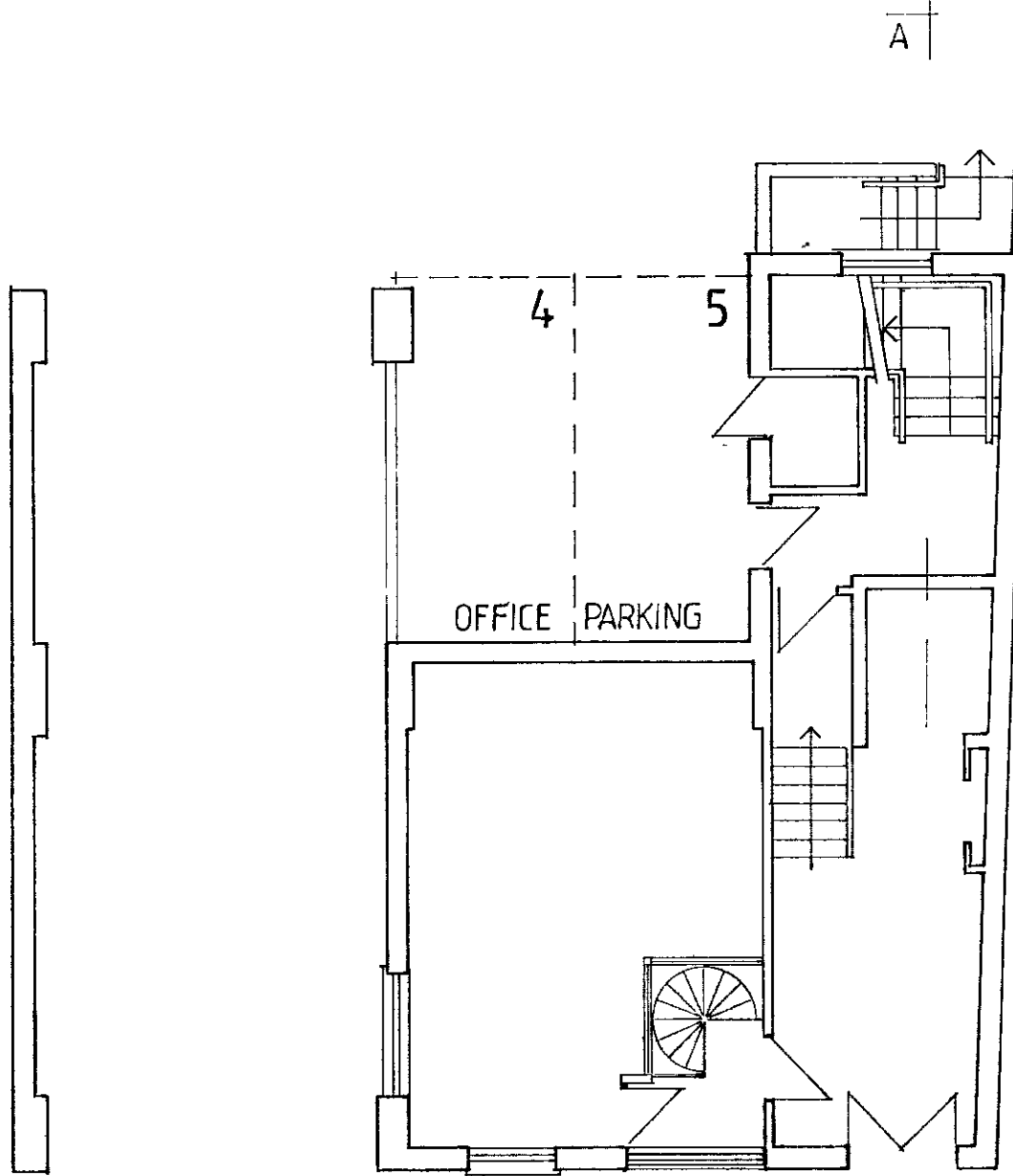
Job
HORTENSIA ROAD
RECEIVED BY D.P.T.
Title: 27 NOV 1989
BASMENT PLAN
TO SETTING OUT
ENV PLAN
ASB
Drawn: DPH
Date: 10 JAN 82

Drawing No
HTN 4/L(1)-01 V
Scale
1-100

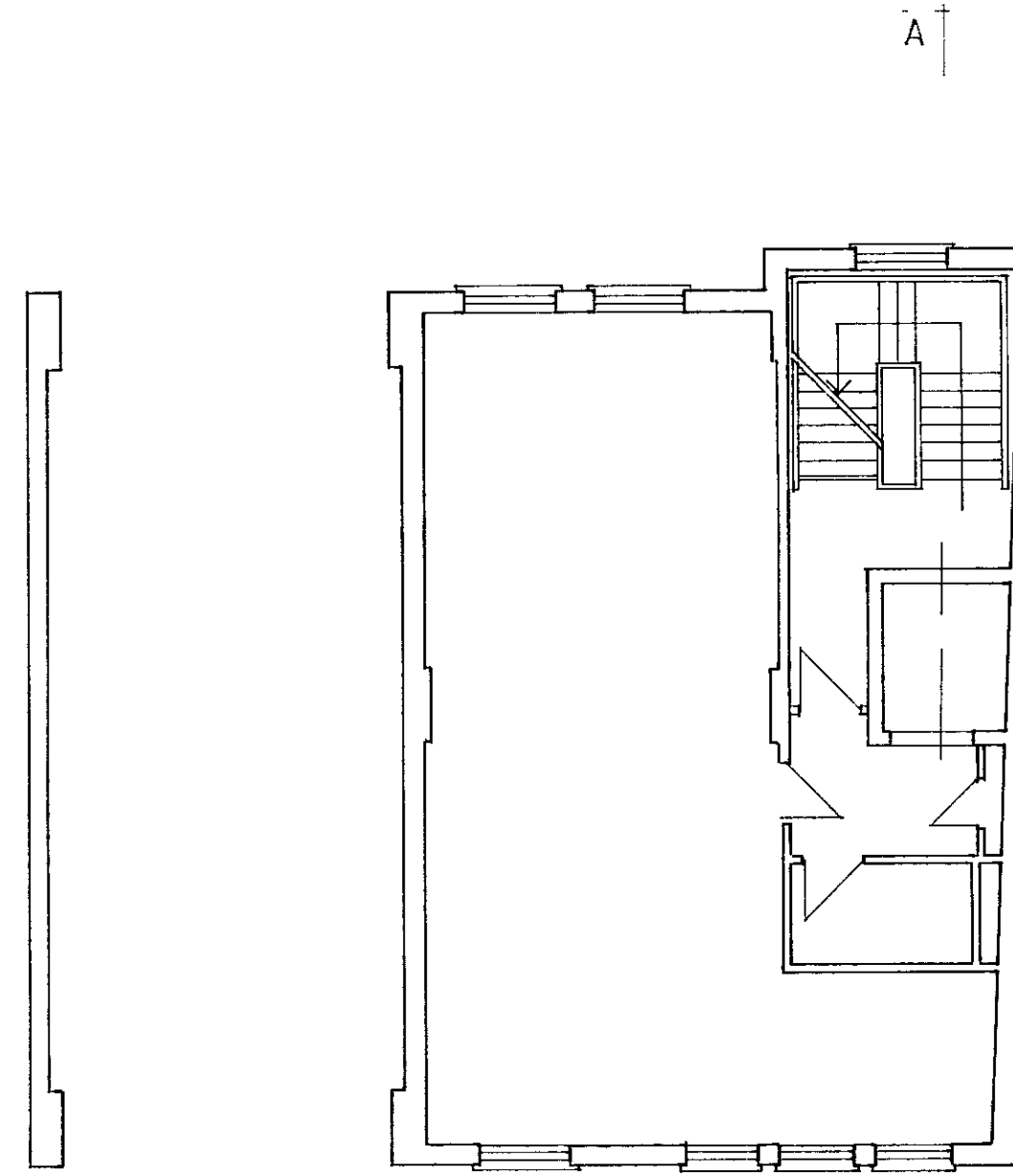
NOTE: ALL SITE BOUNDARIES TO BE VERIFIED BY CLIENTS' SOLICITORS



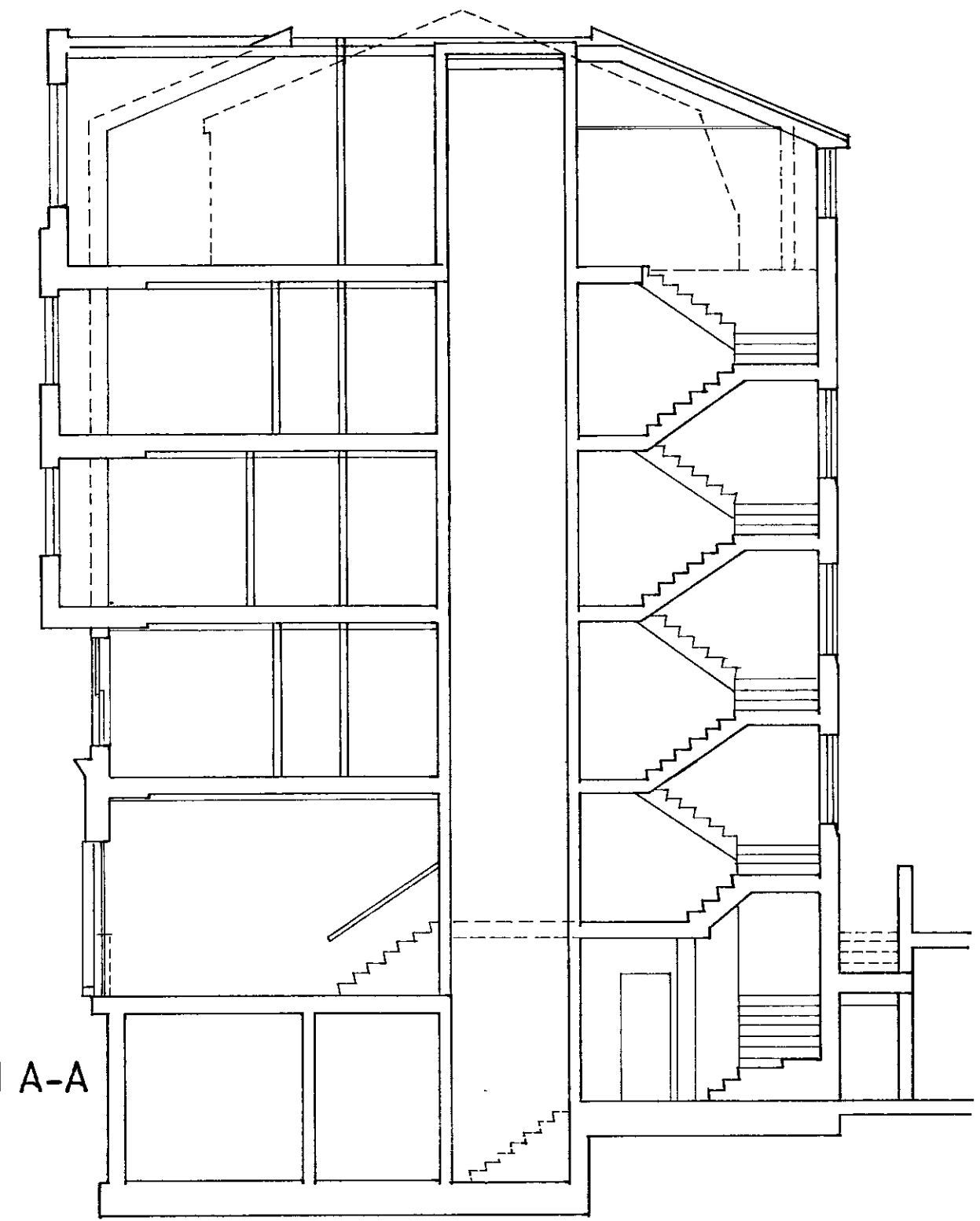
BASEMENT



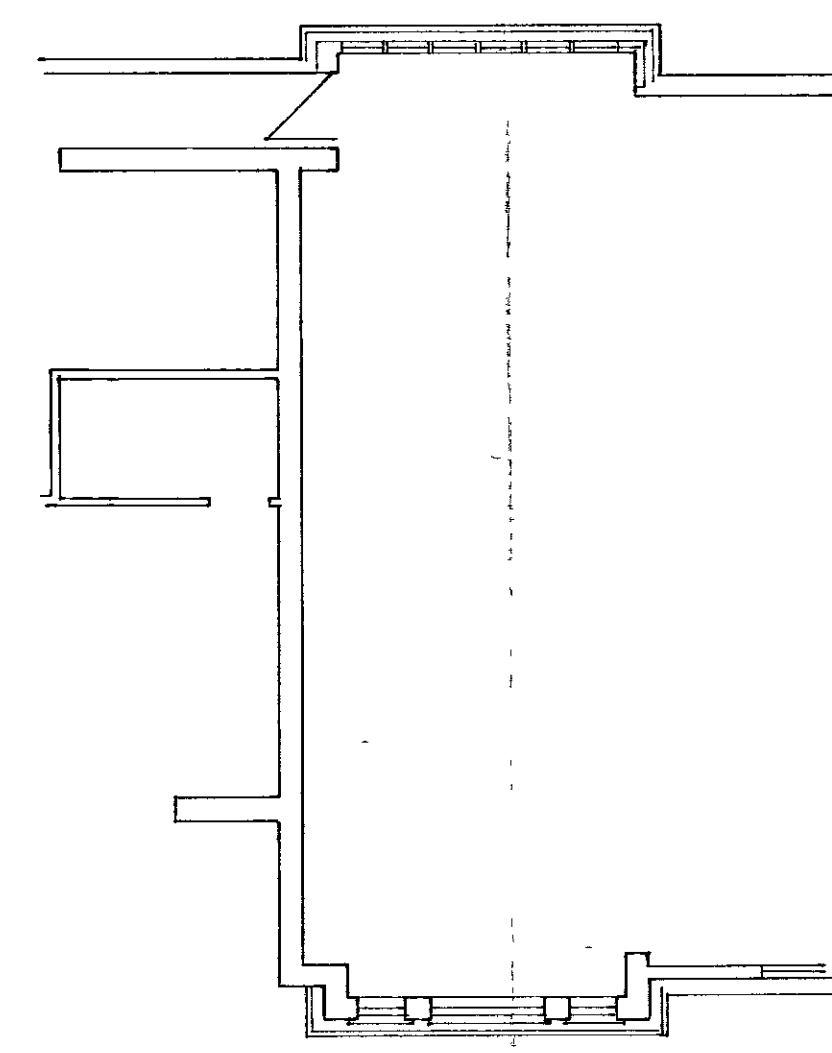
GROUND FLOOR



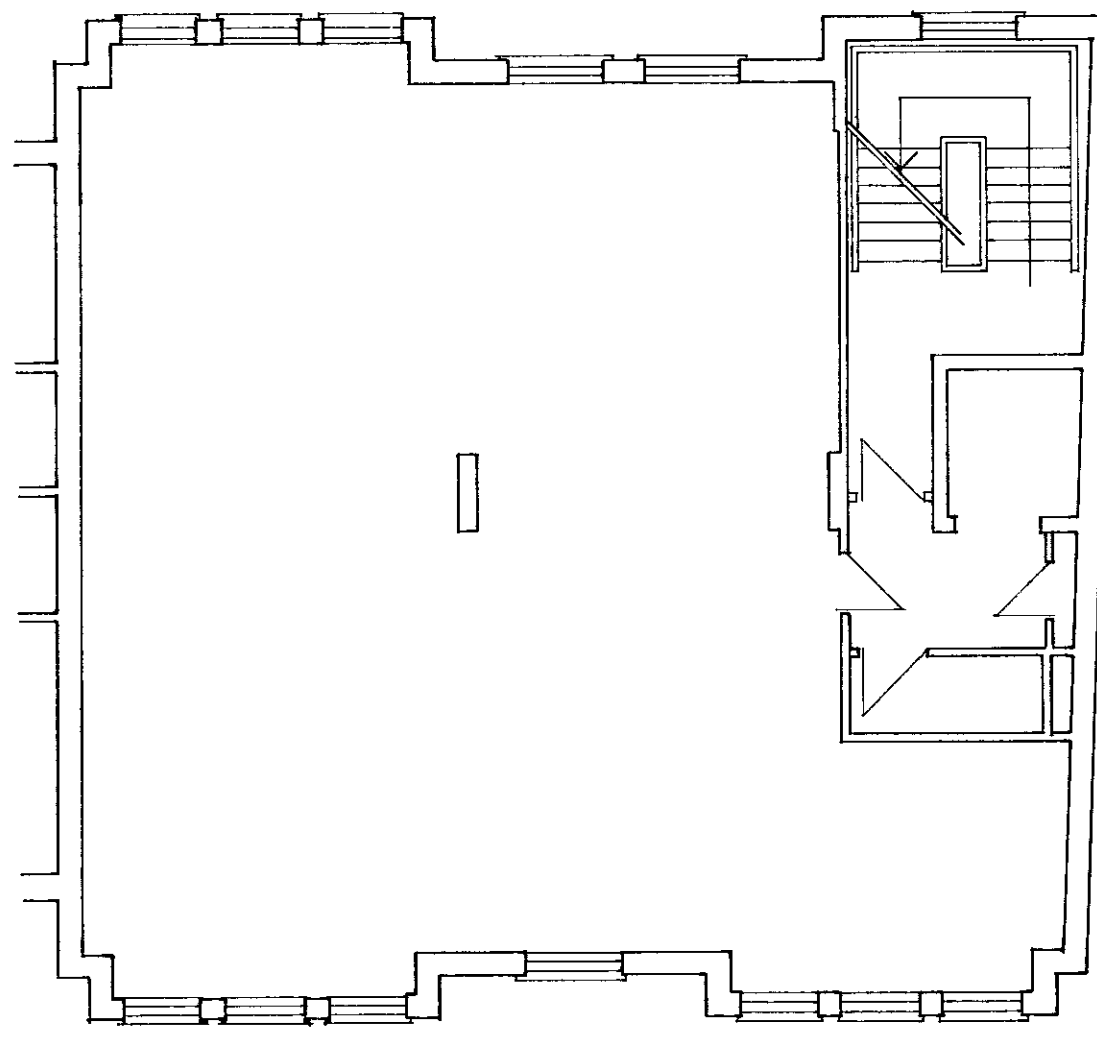
FIRST FLOOR



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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.
E	JAN 90	SECTION LINES INDICATED
F	FEB 90	PARKING BAYS INDICATED

TP/89/2137/D

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

Job
HORTENSIA ROAD

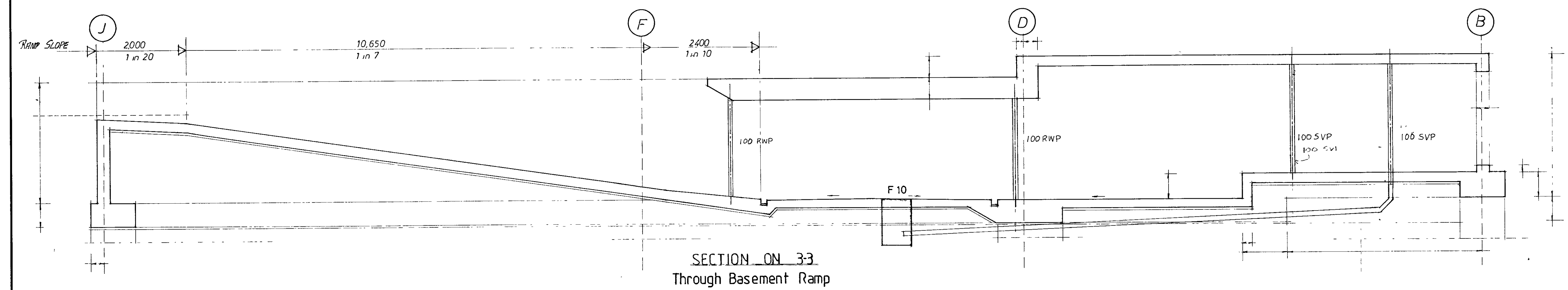
Title
FRONT OFFICES

Drawn | **Date**
DEC 89

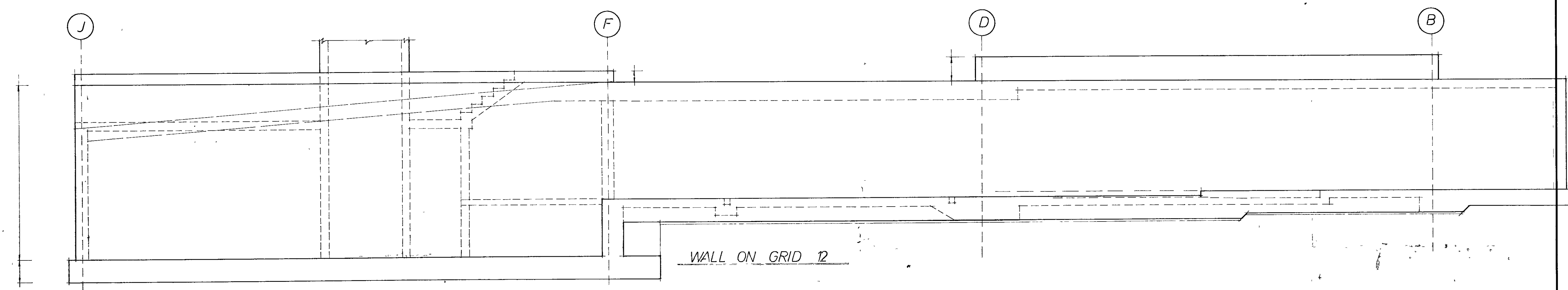
Drawing No
HTN/01/114 rev F

Scale
1:100

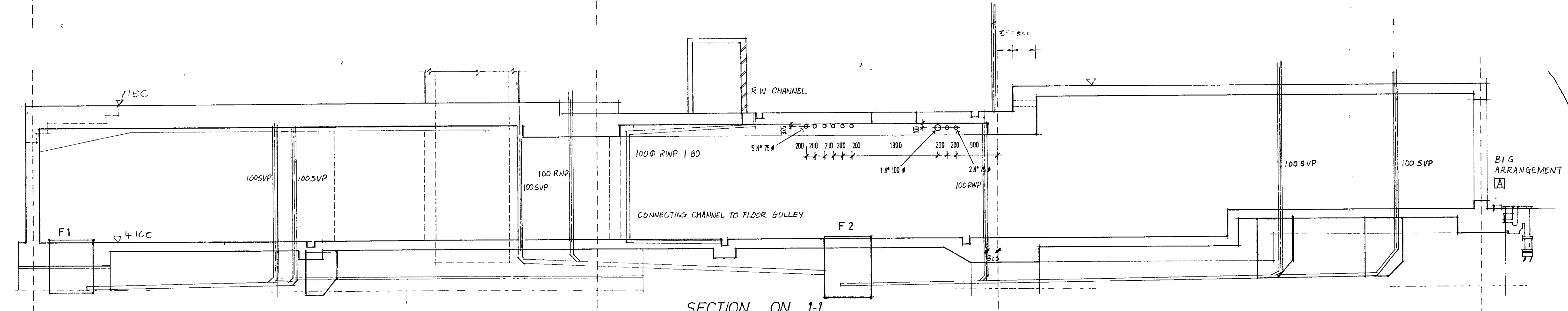
This drawing must not be scaled.
 Figured dimensions, levels, etc, only are to be used.
 Any inaccuracies, etc, must be notified to the Architect.
 This drawing is copyright
 Detail drawings and larger scale drawings take precedence over smaller scaled drawings.



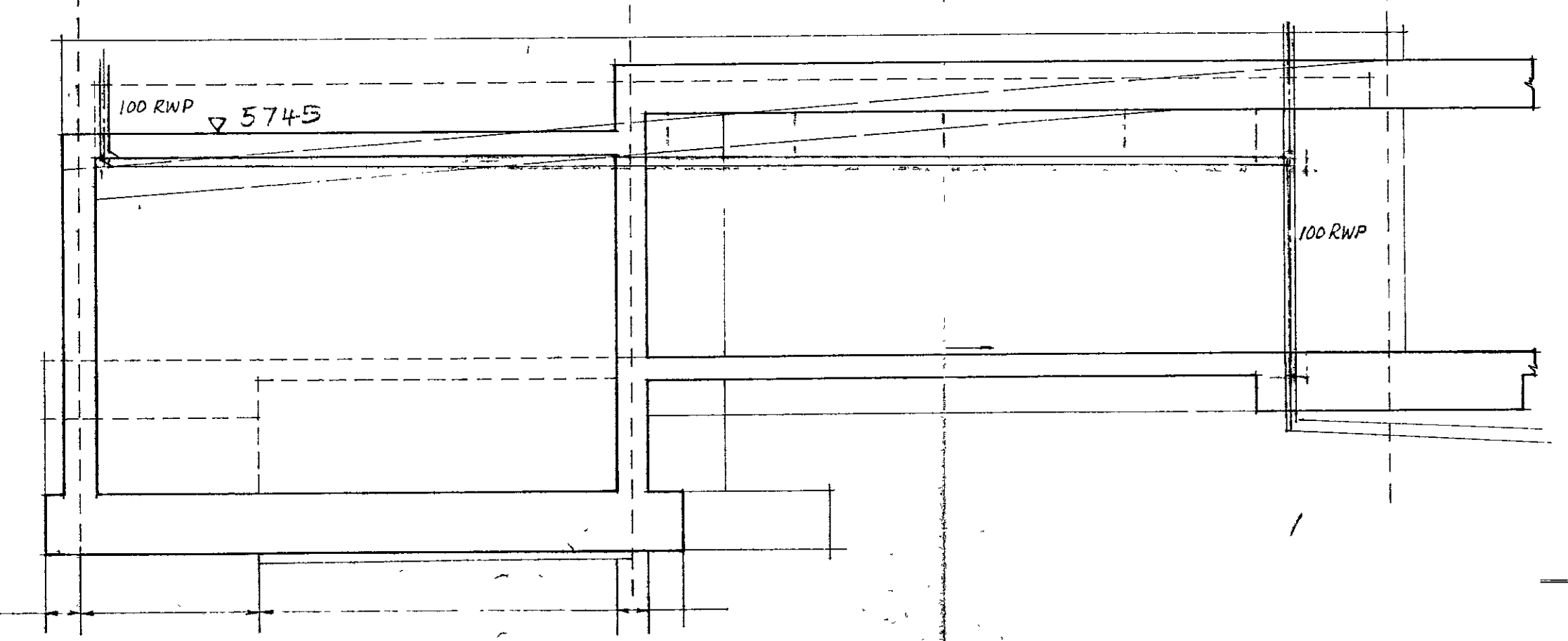
SECTION ON 3-3
 Through Basement Ramp



WALL ON GRID 12



SECTION ON 1-1



SECTION 2-2

THIS DRG TO BE READ IN CONJUNCTION WITH DRG NO'S HTN4/A(52) 01
 A(52) 02, A(52) 03
 FOR SETTING OUT REFER TO "SETTING OUT", BASEMENT DRAINAGE
 HTN4/L(5) 06

no	date	revisions
A	2/11/89	DIMENSIONS AND SLOPE OF RAMP ADDED

APPROVAL
 OF
 RAMP

RECEIVED BY D.P.T.
 ON 5 NOV 1989

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532135 London 01 938 2464

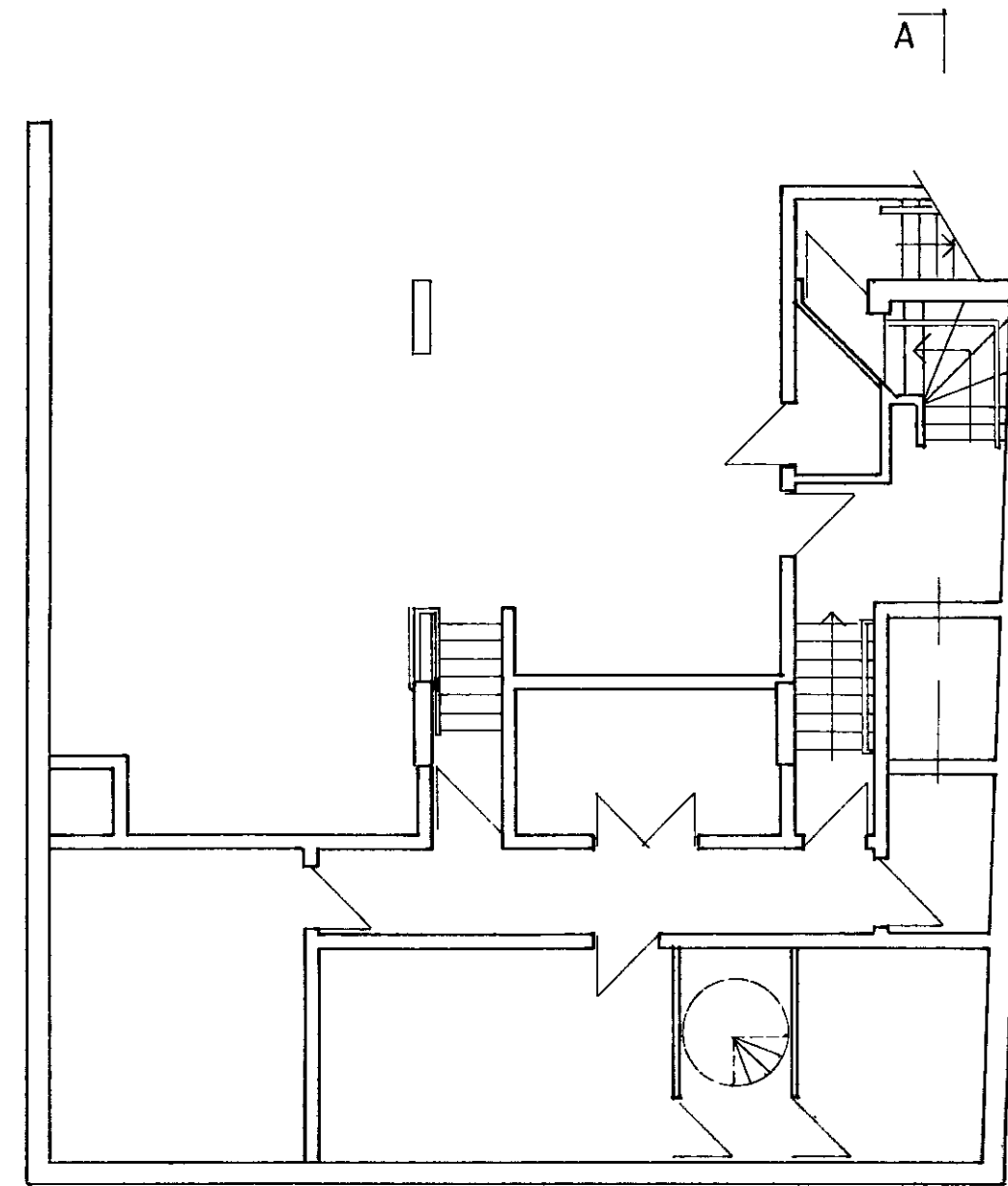
Job
 HORTENSIA ROAD

Title
 RETAINING WALLS AND SECTIONS

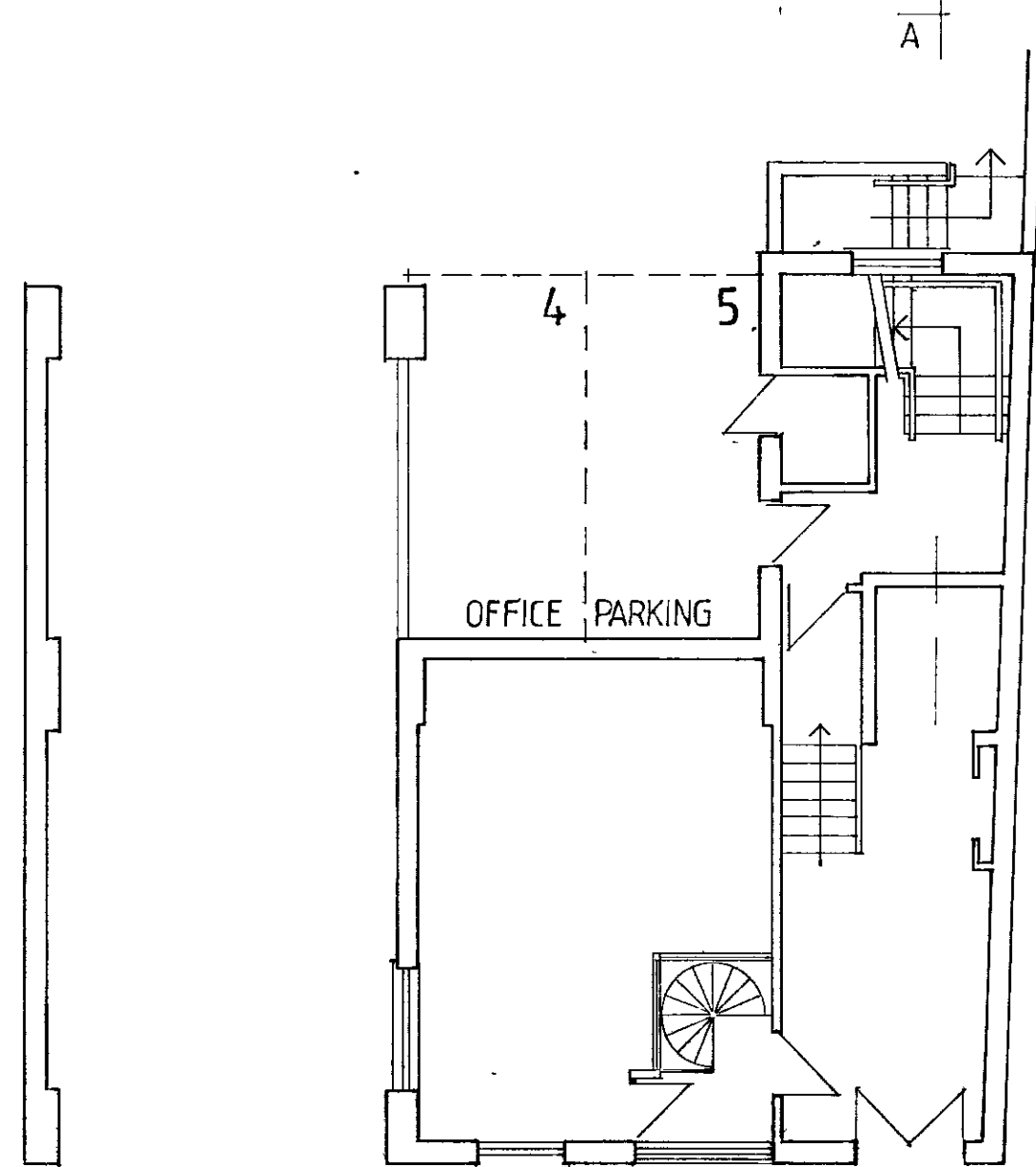
Drawn Date
 APR 89

Drawing No
 HTN4/L(1) 011 A

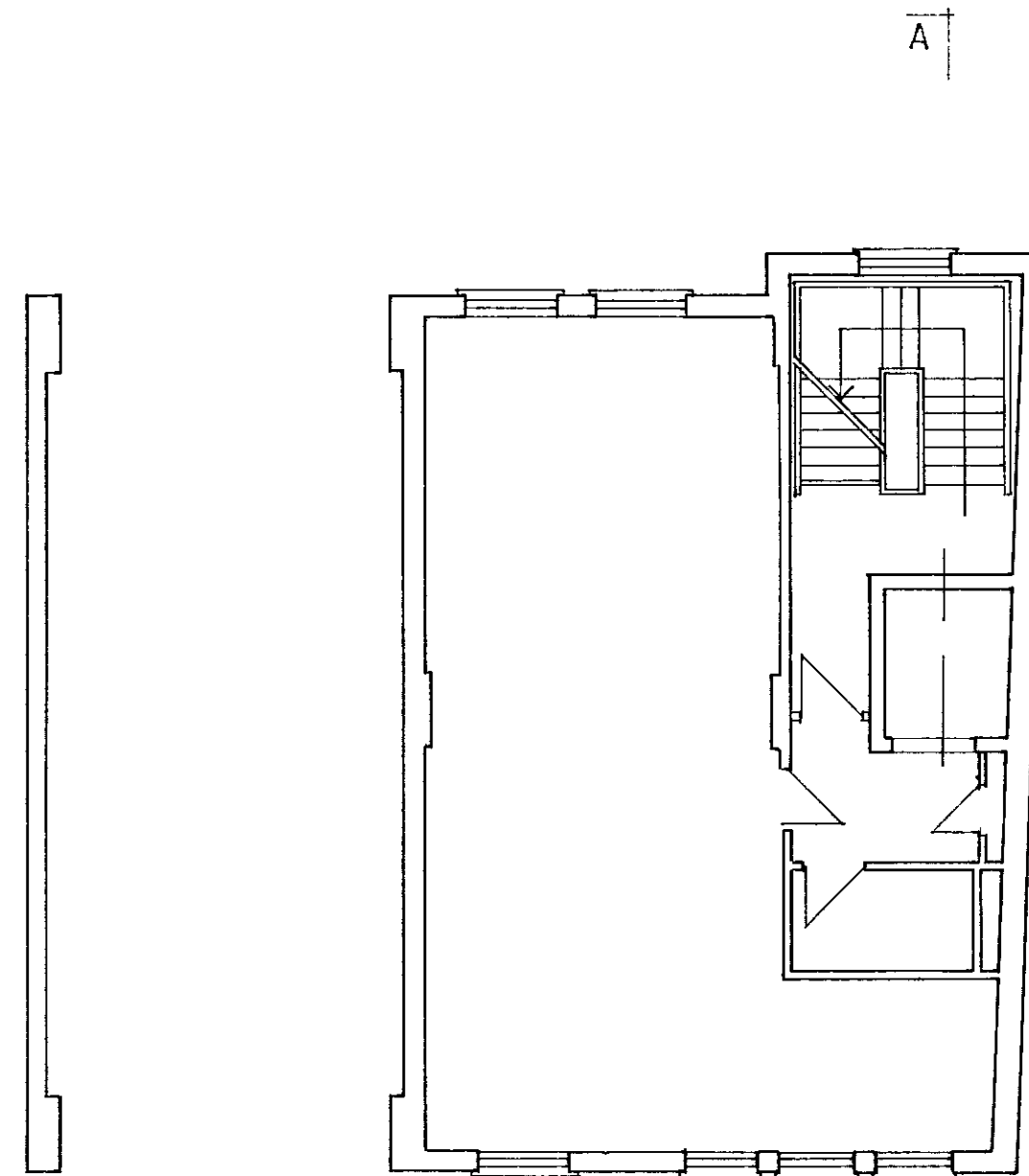
Scale
 1:50



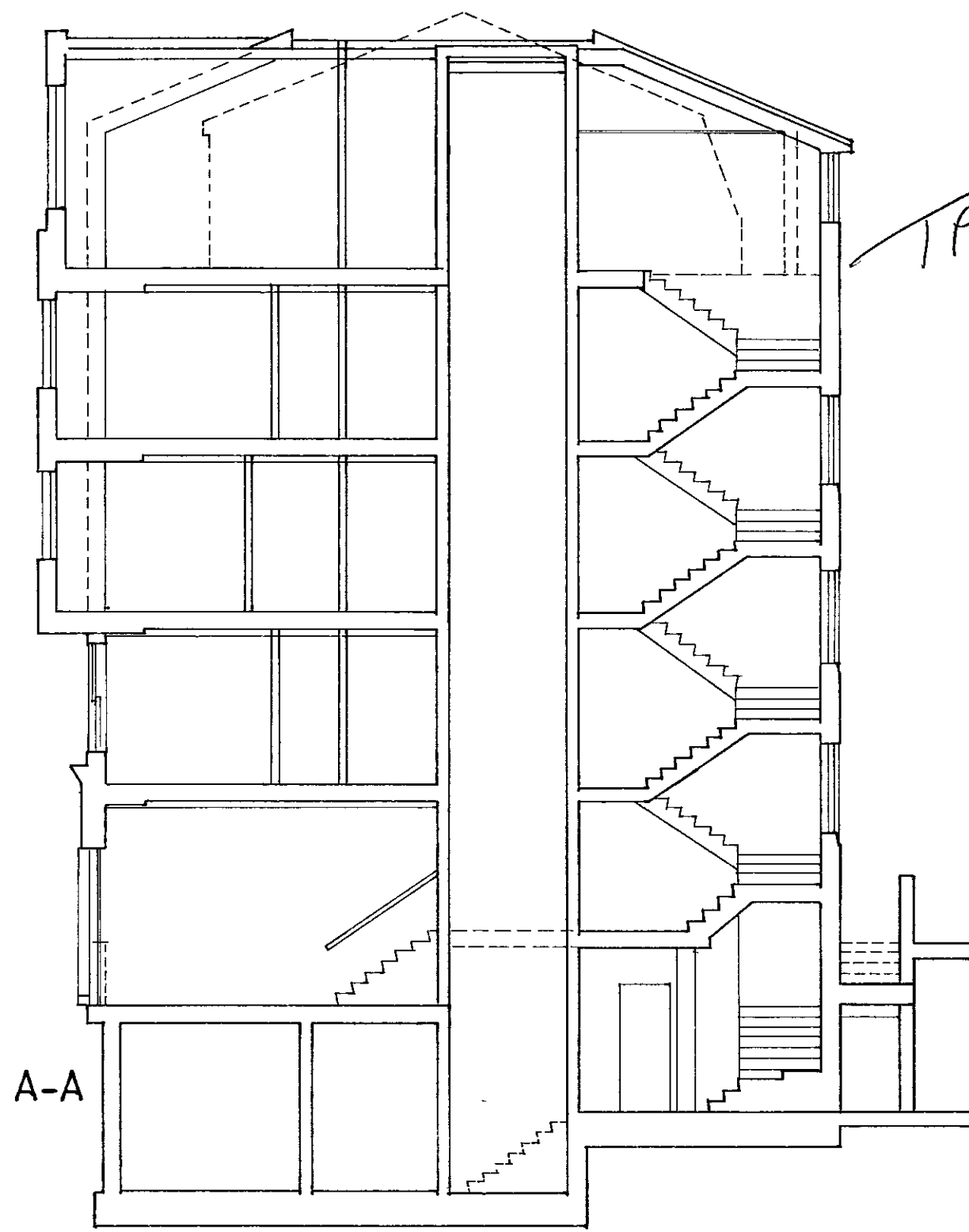
BASEMENT



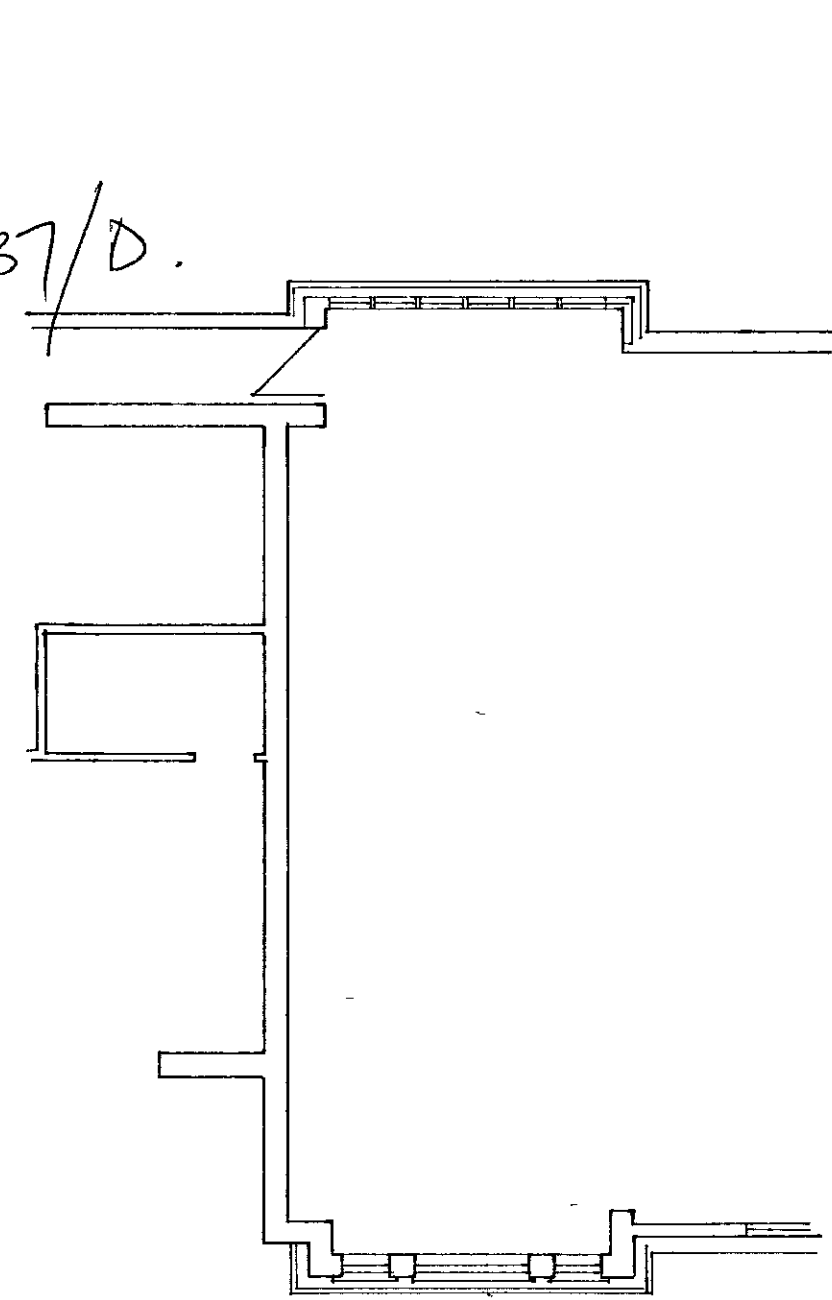
GROUND FLOOR



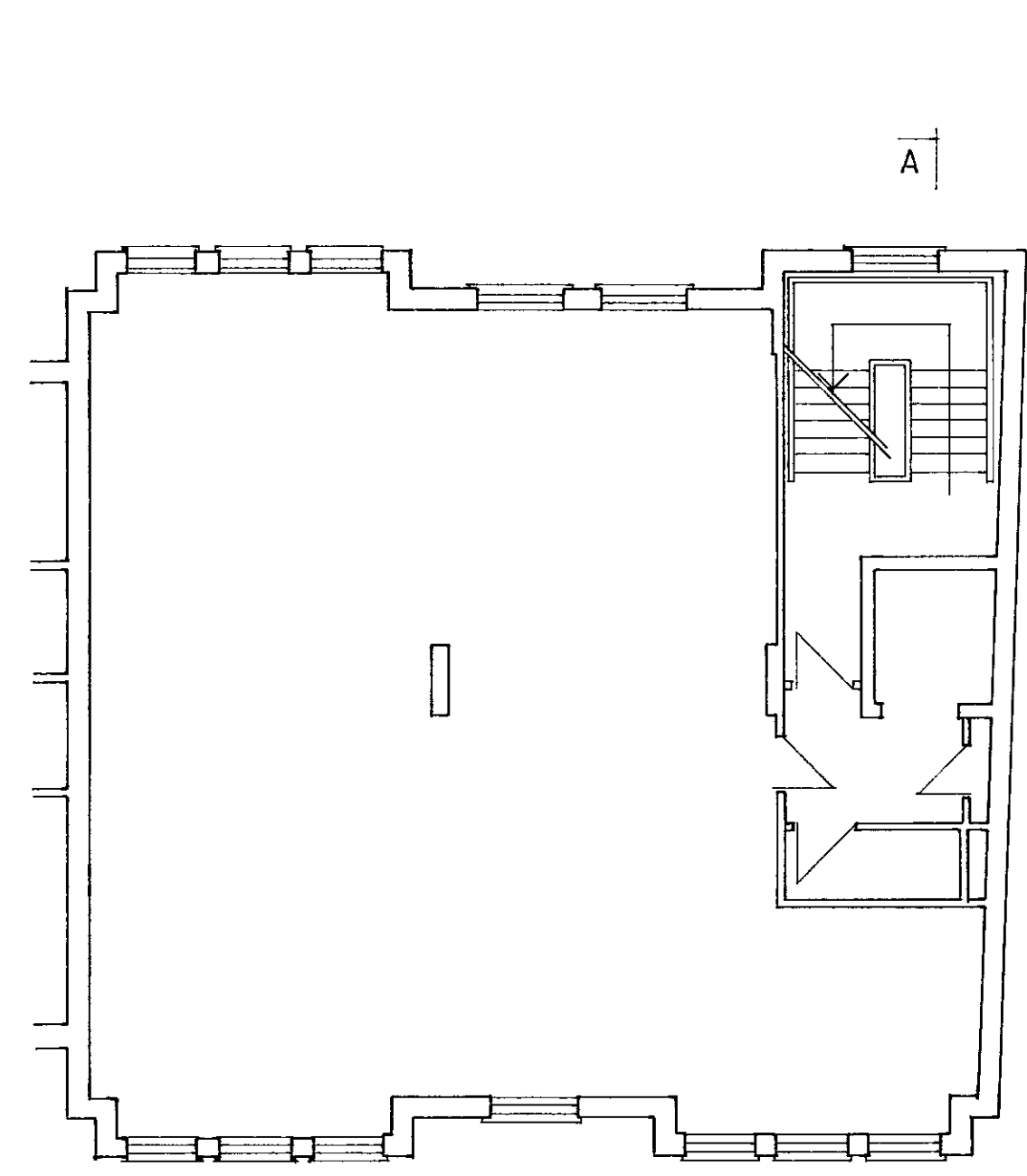
FIRST FLOOR



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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.
E	JAN 90	SECTION LINES INDICATED
F	FEB 90	PARKING BAYS INDICATED

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0482 832735 London 01 838 2464

Job
HORTENSIA ROAD

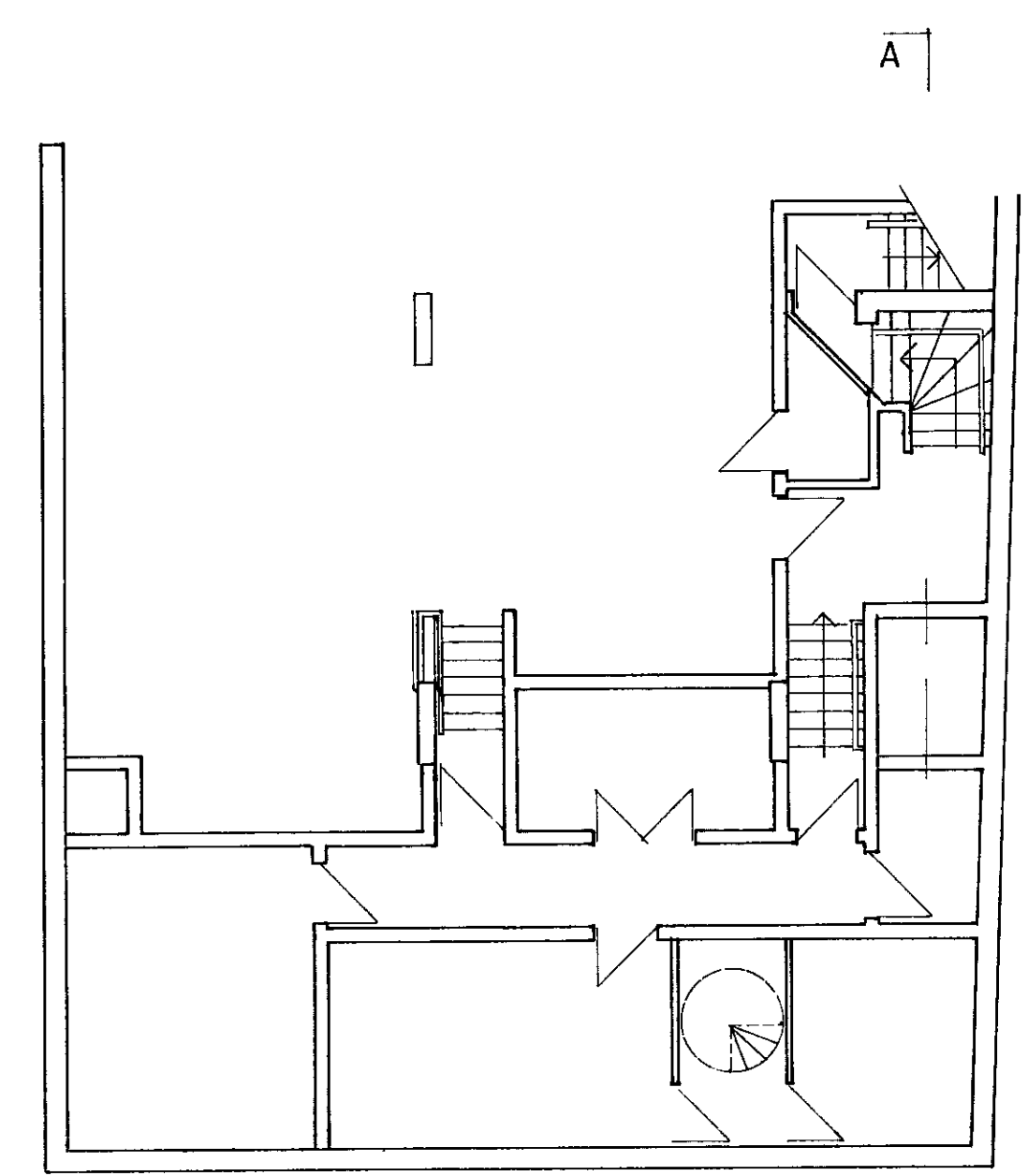
Title
FRONT OFFICES

Drawn **Date**
DEC 89

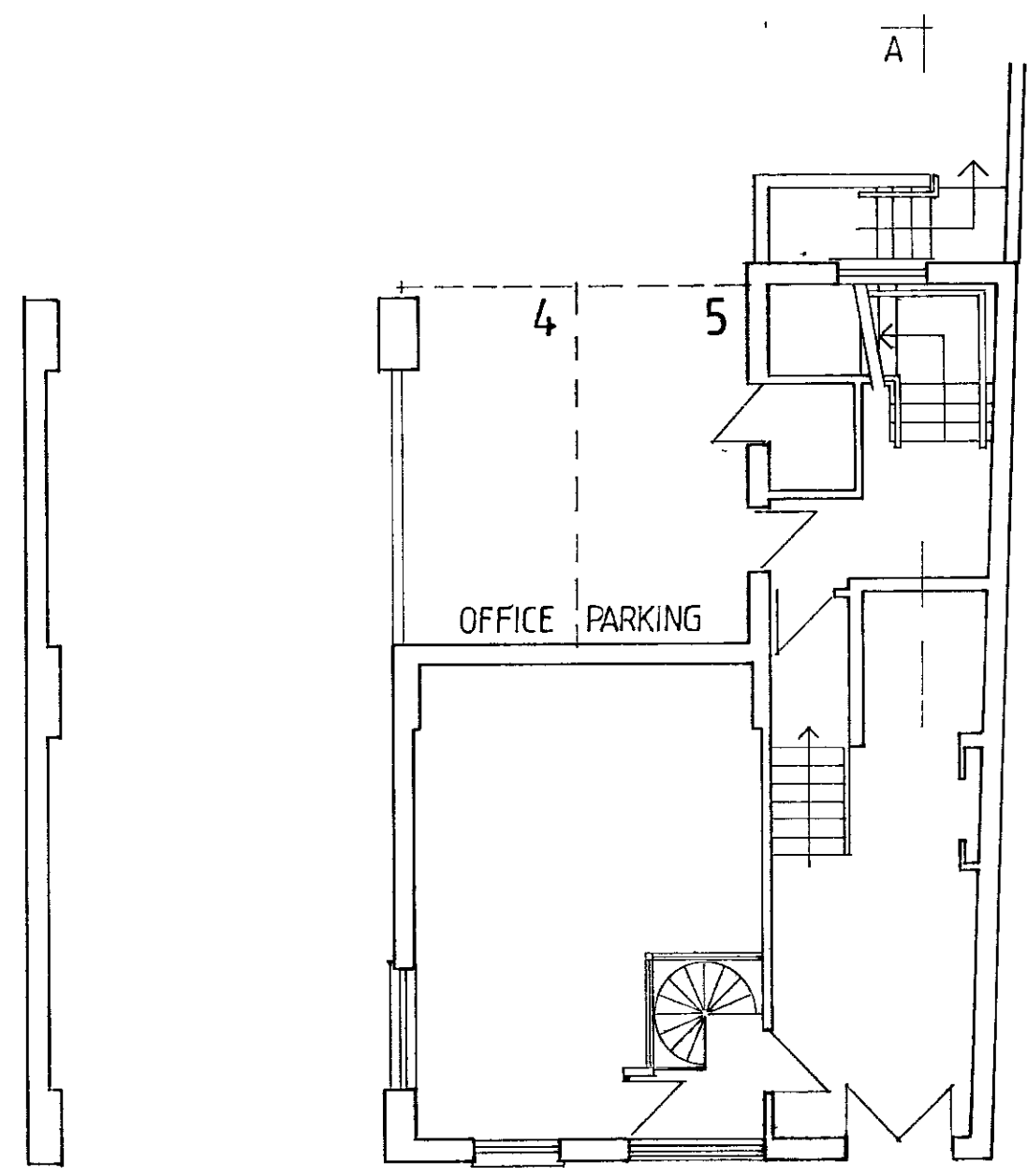
Drawing No
HTN/01/114 rev F

Scale
1:100

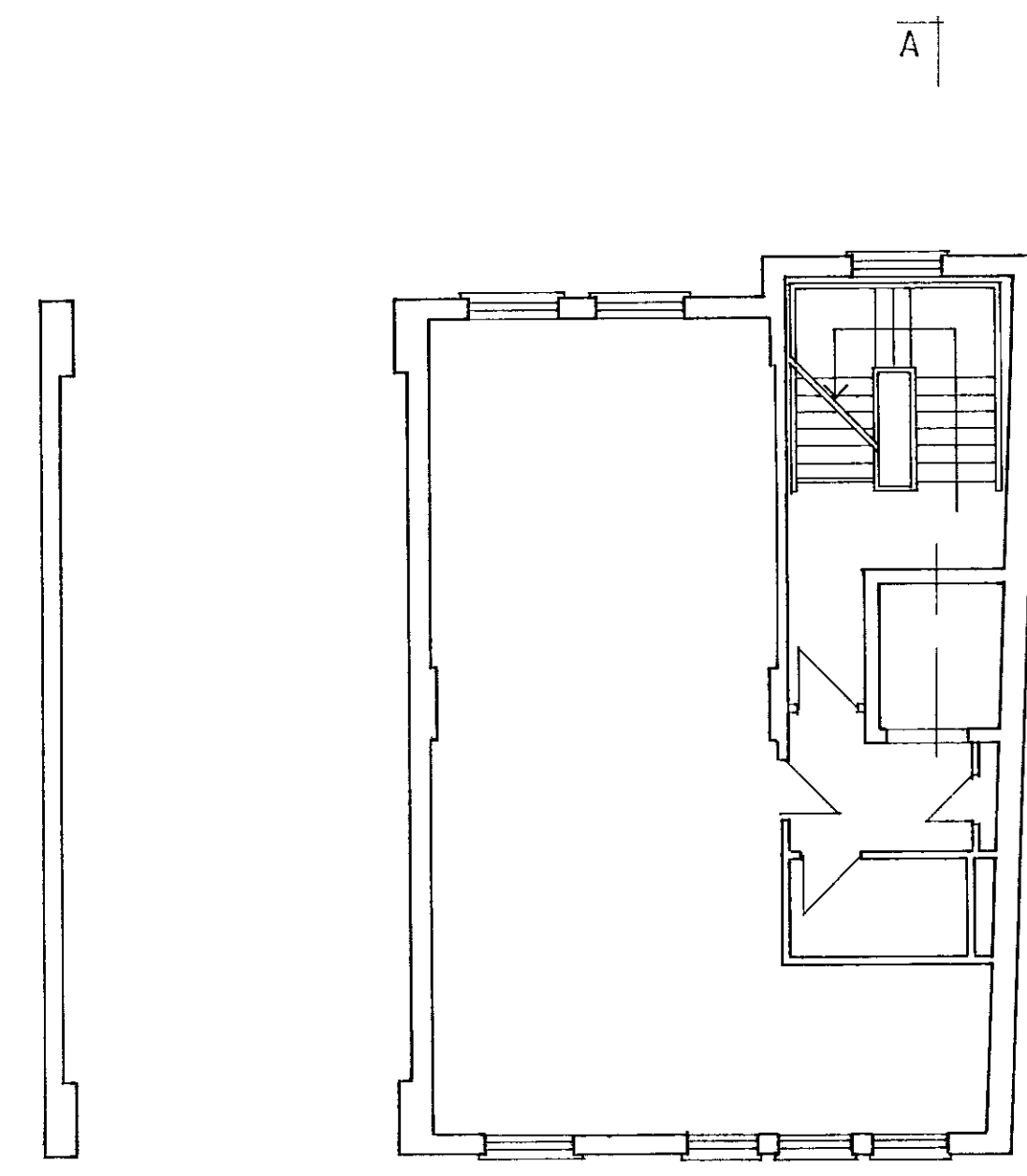
TP89/2137 40



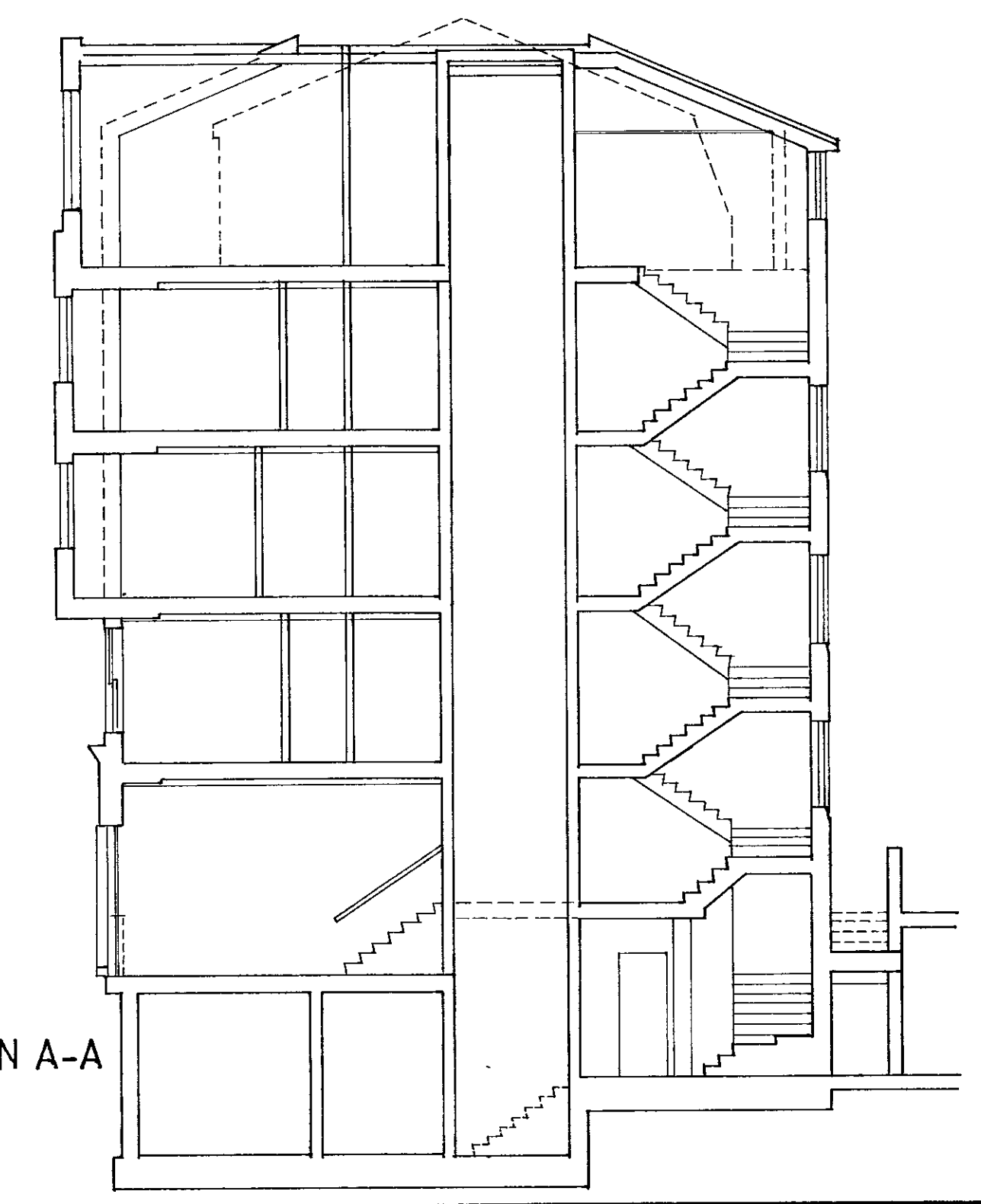
BASEMENT



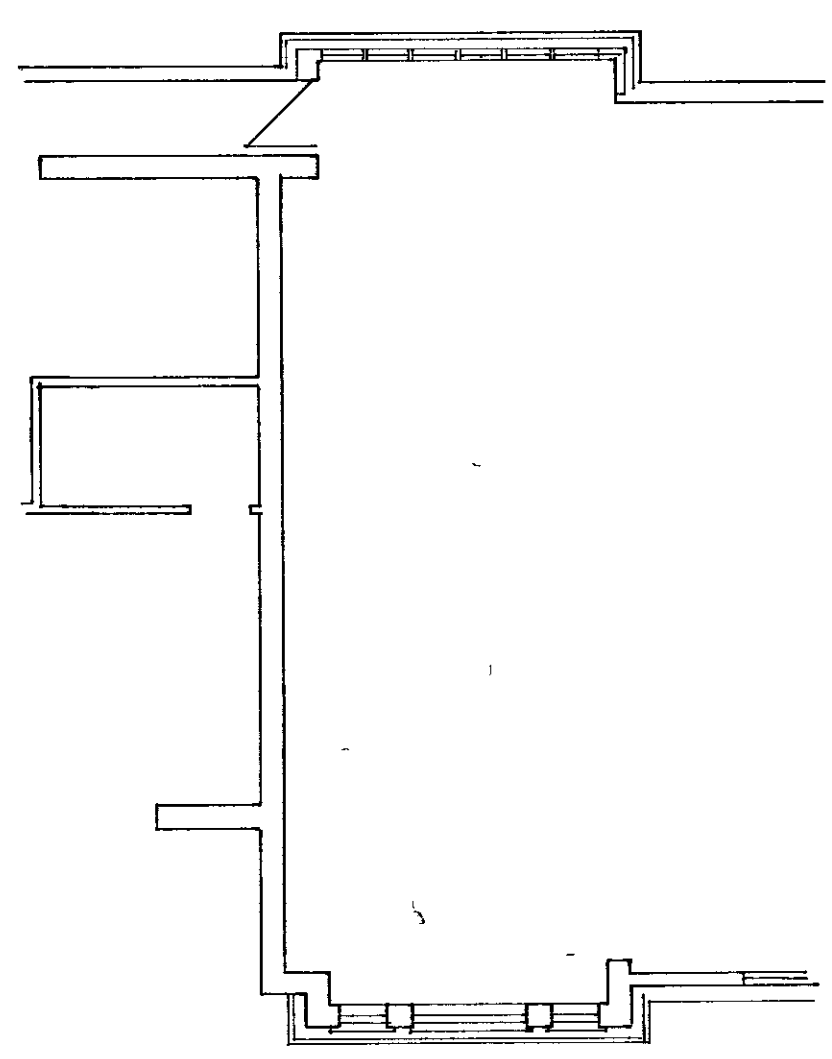
GROUND FLOOR



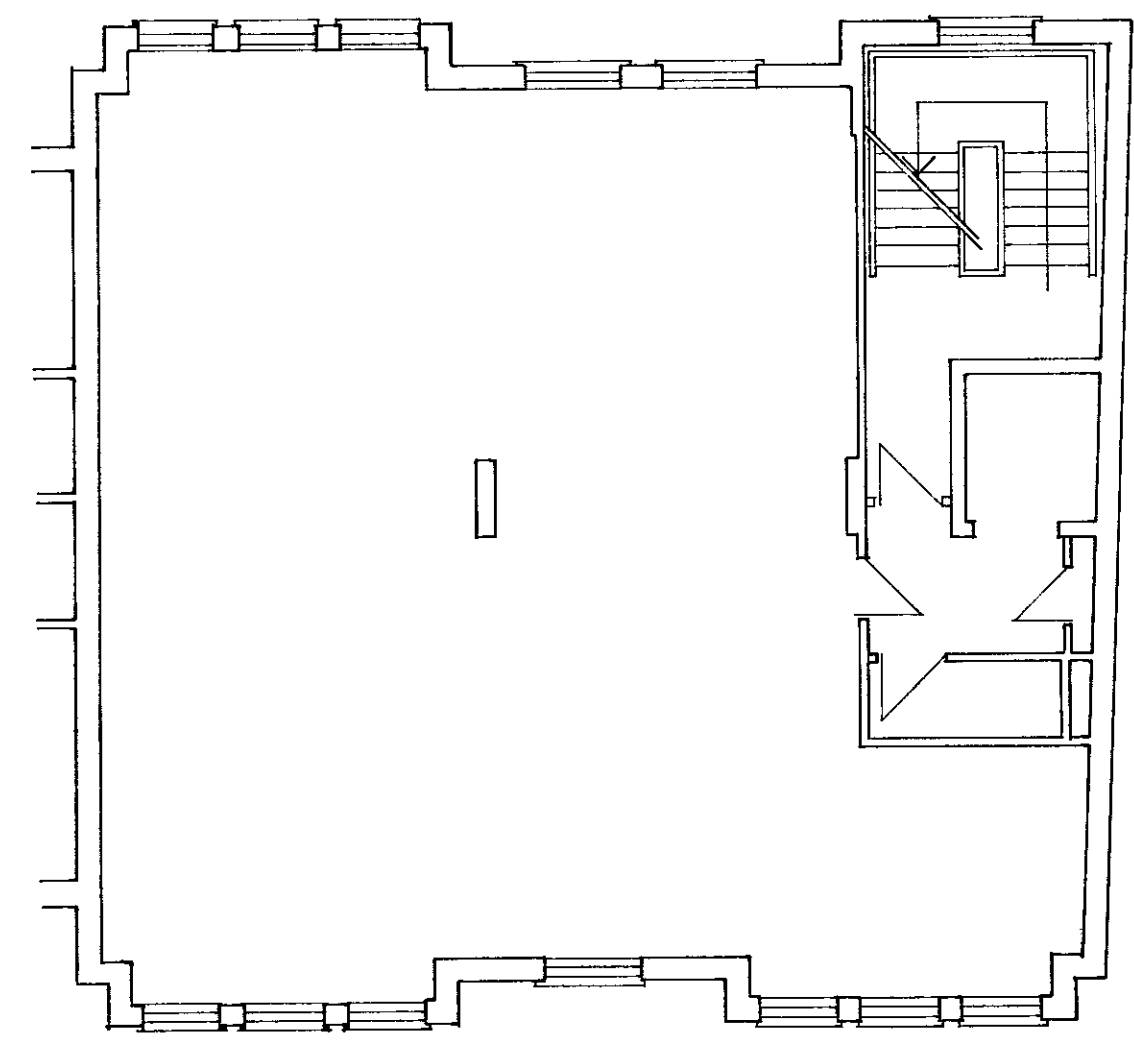
FIRST FLOOR



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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
E	JAN 90	SECTION LINES INDICATED
F	FEB 90	PARKING BAYS INDICATED

TP89/2137/D

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 632735 London 01 938 2464

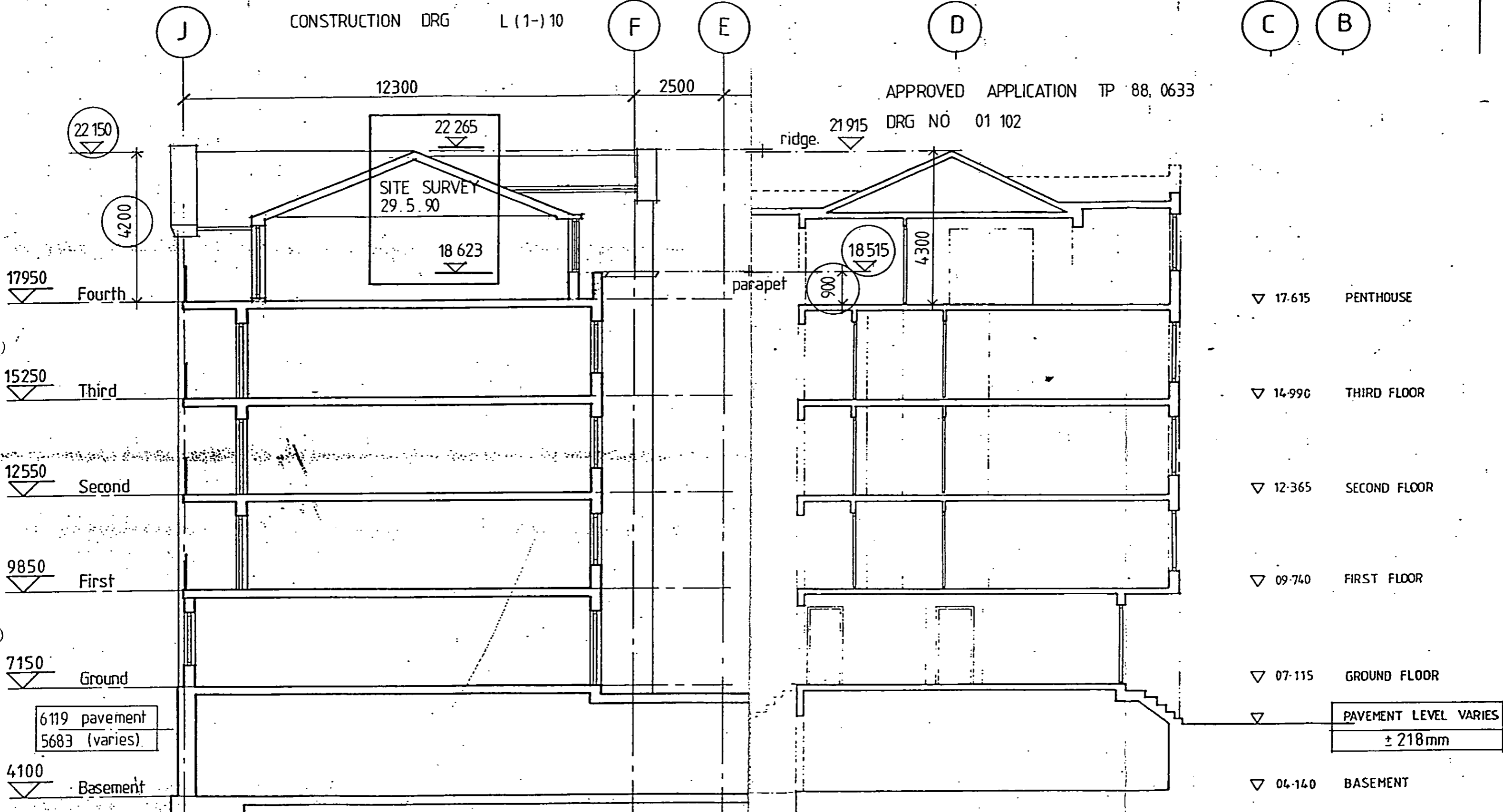
Job
HORTENSIA ROAD

Title
FRONT OFFICES

Drawn Date
DEC 89

Drawing No
HTN/01/114 rev F

Scale
1:100



FLATS

SECTION A

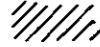

SECTION A-A IS TAKEN FURTHER SOUTH ACROSS THE SITE THAN SECTION A, DUE TO THE FALL ACROSS THE SITE THE TRUE DIMENSIONS TO A-A SHOULD BE +200mm

SECTION A-A

RECEIVED BY D. P. T. 02.80 LIFT PIT

On 11 JUN 1990

DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
DDPT	LO	TRANS.	BUILD CONTROL	AD ACK

APPROVED PLANNING DRGS
 V's PROPOSED / AS BUILT
 BOUNDARIES CONSISTANT:-
 actual buildings
 i) closer to 
 ii) further from 
 boundary than approved drgs.

ref enclosed overlays

← 1.200 SITE PLAN
 ENLARGED TO 1.100
 APPROVED APPLICATION
 TP 88 0633 DRG NO 01.105A
 (TAKEN FROM O.S SHEET)

KNIGHTS HOUSE

← MICHAEL GALLIE
 SURVEY

LINE OF EXISTING
 BOUNDARY UNALTERED

42 GUNTER GROVE

1.100 PLAN
 APPROVED APPLICATION
 TP 88 0633 DRG NO 01 113

1.100 PLAN
 APPLICATION
 TP 89 2137 DRG NO 01 113F
 and
 CONSTRUCTION DRG L (9) 01M

REAR OFFICE

FRONT OFFICE

RECEIVED BY D. P. T.

On 11 JUN 1990

DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	CPT	ENV. PLAN
DDPT	LO	TRANS.	D/D CONTROL	AO ACK

HORTENSIA ROAD REDEVELOPMENT SCHEME

LONDON SW10

APPLICATION No. TP89/2137/A/03

OBJECTION BY MR NICHOLAS STOOP

	<u>CONTENTS</u>	<u>PAGE</u>
1.	Planning Facts	1
	(a) History	1
	(b) Subsequent Events	1
	(c) Recent Applications	3
	(i) Applications TP88/632 and 633	3
	(ii) Applications TP/88/1410 and 1410A	6
	(iii) Application TP88/2137/A/03	6
	Size	6
	Use	8
	Method of Analysis	8
	High Court Injunction	9
2.	Physical Considerations	9
3.	Matters Arising	10
	(a) Summary of Case	10
	(b) Required Action	11
4.	Conclusion	12

HORTENSIA ROAD REDEVELOPMENT SCHEME

LONDON SW10

OBJECTION BY NICHOLAS STOOP

1. PLANNING FACTS

(a) History

1.1 The redevelopment site is located on the north east side of Hortensia Road adjacent to Hortensia House. Before the present scheme began its construction there was a 5-storey and a single-storey building on the site. Originally, the 5-storey building was known as Hudsons Depository, and was used as a furniture store by John Lewis and Company.

1.2 On 4 December 1966, a temporary planning permission was granted for ten years to the Chelsea College for educational purposes (now, it would be D1(c) of the 1987 Use Classes Order). In March 1973, a temporary permission for three years was granted to the college for a single-storey prefabricated building to be used for education purposes; this expiry date would coincide with the expiry date of the temporary permission for the 5-storey building. In July 1976, a further temporary permission was granted for ten years for both buildings, with an educational use, expiring on 23 June 1987.

1.3 Sometime in 1982, a permanent permission was granted for the educational use of both buildings (82/1286:2), for the stated reason that the Chelsea College had a consolidation programme concerning the adjacent site of the former college of St. Mark and St. John, and that a permanent permission would give aid to that programme. This reason was stated to be in accordance with the District Plan, where, at Chapter 8 para.4.49, it recognised the needs of the Chelsea College (University of London), and that the permission was held to be consistent with that aim.

*medical
church
library
exhibitions hall*

1.4 The buildings (now demolished) were not listed, and they were not in a Conservation Area.

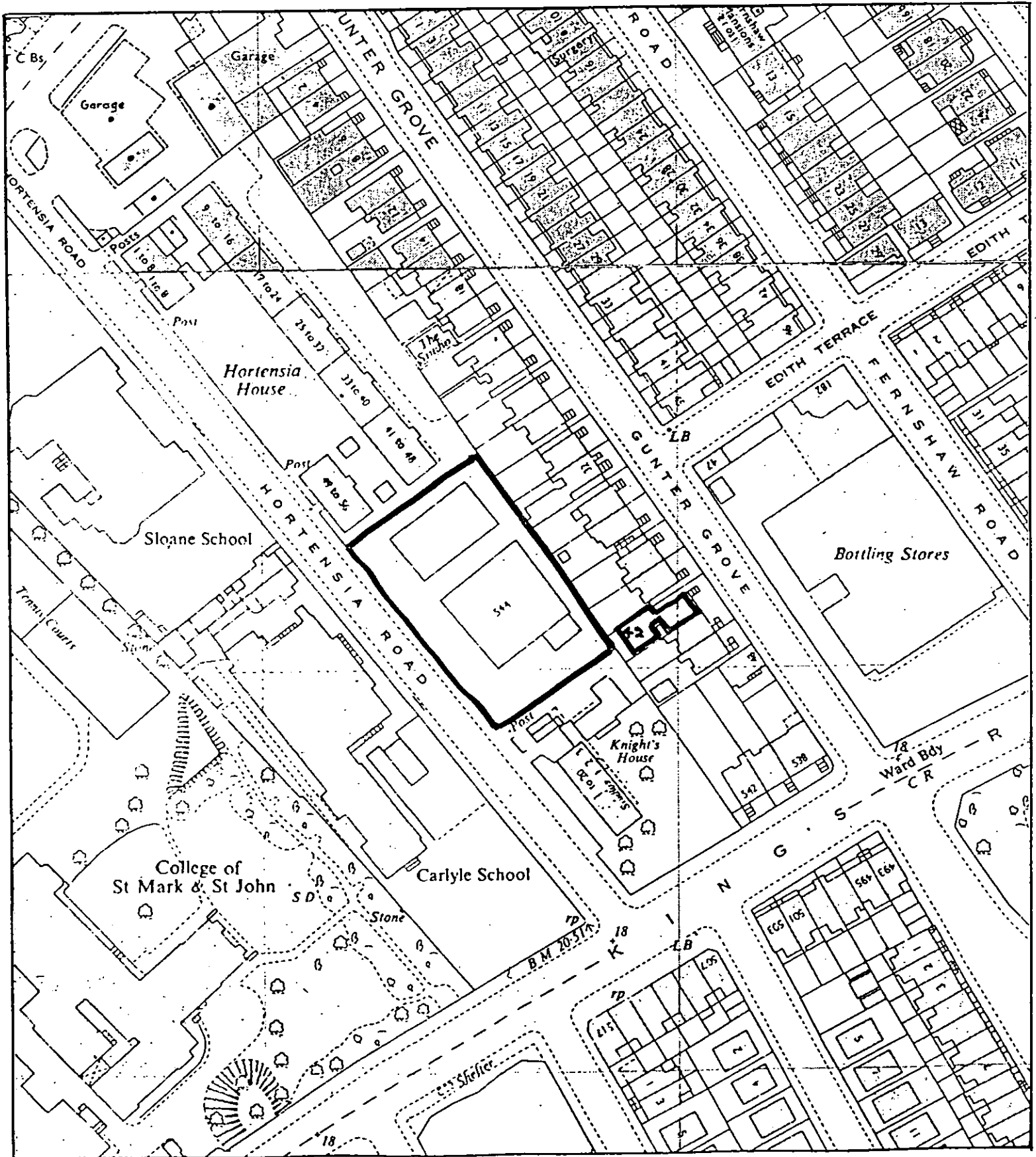
(b) Subsequent Events

1.5 The architects for the redevelopment scheme held a meeting with an officer of the local planning authority on 9 February 1988 to examine the possibilities of redeveloping the site. A drawing(s) was produced showing redevelopment proposals. It was established that the proposed density should be 70-100 habitable rooms per acre, with a plot ratio of 2:1, with a preference towards residential with a mix of types. Sunlight, daylight, privacy and overlooking, with respect to be given to adjoining properties, were entered as potential constraints on redevelopment.

1.6 There was a further meeting three days later (12 February 1988) to discuss access/highway implications, the results of which meeting were set out in a letter of 12

February 1988 to the Director of Town Planning etc., and confirmed by him on 23 March 1988.

1.7 At a meeting with a planning officer on 25 February 1988, it was specifically noted that the bulk, overlooking, and light at the rear in respect of Gunter Grove, were points of concern.



(c) Recent Applications(i) Applications TP88/632 and 633

1.8 On March 1988, two full planning applications (TP88/0632 and 0633), were made by a firm of architects (no developer was mentioned) for the:-

"Demolition of existing building and erection of 12 houses, 9 flats and 694 sq metres office floorspace (Use Class B1)."

1.9 The total gross floorspace of "new buildings" (there could be no extension to existing buildings since they were to be demolished) was to be 4028 sq metres, which was also the figure given for a proposed change of use. There were to be no reserved matters. The application confirmed that the use of the buildings to be demolished were "educational". The owners of the site were said to be "Agent, Kempson House, Cammomile Street EC3, Norton Rose Botterill and Roche" who are solicitors. The application quoted here was submitted in duplicate, the other one being TP88/0632. (3750m²)

1.10 The planning officer's observations of 22 April 1988 included a calculation of the number of habitable rooms as 129 which represented 516 per hectare on a site of 2250 sq metres. There seemed to be no objection to this, but there was a cautionary note on the architectural appearance. It was noted that the area was not a preferred office location (vide the Greater London Development Plan 1976), but that a B1 use was acceptable, especially if the building was capable of being sub-divided into small units, but a "lowering of the office content" should be undertaken to the front of the site.

1.11 On 5 May 1988, the traffic engineer gave his observations; parking was adequate, but access to it was sub-standard; visitors' spaces were said to be "over generous"; and there was no traffic objection to the offices, and this observation must have been based on a proposed office floorspace of 694 sq metres, with a daily traffic generation of 8 cars per day.

1.12 There is a note on the file of an undated meeting with four planning officers, of whom one referred to the loss of amenity to Gunter Grove, and he said it was his main concern; also that compliance with certain standards could not be met. There was reference to the lodgement of an appeal (TP88/0632/A/20) against the non-determination on TP88/632. There is a further undated note signed by "JW" which raised a number of objections to the proposals. Also yet another undated note of a meeting at which the planning officer raised many objections. On 17 May 1988, there again is a note of concern by the planning officer whose "main concern is the Gunter Grove elevations, and that a low-rise development would be acceptable".

1.13 On 1 September 1988, a meeting was held, seemingly to discuss the reasons for refusing the 632 proposals. The

objections were design, scale and character, density in respect of Gunter Grove, internal arrangements, lack of garden space, and the problem of 'cliff-like development' on Gunter Grove. As a result of this meeting, a letter to the LPA stated that revised drawings would be submitted for substitution, with an amended rear block of a more traditional news development. This was called a "revised application", and followed the earlier reduction of one floor over part of the residential proposals.

1.14 Application TP88/0632/A/20 was then reported on for a sub-committee meeting on 13 October 1988, the report being dated 23 September 1988. This was one of the two applications submitted, and this one (632) was dated 4 March 1988. It was also the application appealed against, and the recommendation was for a comprehensive refusal (concerning 12 houses, 9 flats and 694 sq metres of office floorspace, as shown on drawings HTN/01/54D, 57D, 58F, 59B, 60E, 61C, 64C, 65A, 66B, 67B, 69B, 69D, and 71D). The recommended reasons for refusal which would have obtained had the application not been the subject of an appeal were:-

- Bulky, intrusive and "cliff-like, out of scale and character.
- Prejudicial to amenities of neighbouring occupiers by reason of loss of light, privacy, and a fall in environmental standards.
- Contrary to policies 4.1.5, 4.6.6, 4.9.2, 4.19.1, 4.10.2, 4.10.3 and 5.6.4.

The residential accommodation and demolition of existing buildings was considered to be acceptable, but particular regard was required to be had to the scale and character of the surrounding area, and to the effects on residential amenity and housing environment of neighbouring properties. The revised proposals were stated to be sub-standard in terms of District Plan standards, "but are not considered unacceptable". The scheme was comprehensively criticised by the Conservation and Design officer, especially in respect of the rear block which adversely affected the Gunter Grove properties. The report went on:-

"The existing unsatisfactory relationship of the five-storey building to properties in Gunter Grove is not considered to provide a justification for excessive bulk along the rear site boundary, given the opportunity to introduce a substantial block to the front of the site".

The report continued:-

"The proposal, in particular the rear block in terms of properties in Gunter Grove is considered to contravene council standards of daylight and sunlight ... In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens."

1.15 The application (632) was objected to by the West London Architectural Society (backland development, rear terrace too high at 5-storeys, elevations banal, and an unacceptable density).

1.16 This is the application (632) that was appealed against for non-determination, leaving TP88.0633 to be the subject of negotiated amendments. The appeal was lodged on 8 September 1988, (APP/K5600/M88/103080) against a non-determination, and it was hoped by the developers' agents that it would be heard at the same time as an earlier appeal (APP/K/5600/A/88/93986) which was to be heard on 8 November 1988.

1.17 The sub-committee was therefore recommended to oppose the appeal because the details of the proposed redevelopment were unacceptable.

1.18 A mysterious peculiarity then manifested itself. A report dated 23 September 1988 (the same date as the case above in para.1.14) dealing with the sister application TP88/0633/A/37), supported by drawings HTN/01/101,102,103,104, 105,106,107,108,110,111,112,113 and 114, which proposed a scheme consisting of 12 houses, 9 flats and 600 sq metres of office floorspace (Use Class B1) (see 1.20 below), was reported on in the same terms as for the refused 632. It was reported that the original proposals had been amended in respect of the 5-storey block fronting Hortensia Road, and to reduce the rear block to 3-storey by the detetion of the third floor. The report made it quite clear beyond peradventure that the amount of office floorspace under consideration was no more than 600 sq metres, and was to be located at the southern end of each residential block. The report set out all the same objections to the proposal as were given for application 632, but without further explanation it recommended that permission be granted. The minutes of that meeting (held on 13 October 1988) reveal that if 633 were permitted, the appeal on 632 would be withdrawn. A notice of decision was apparently issued on 24 October 1988 which, inter alia, included a reference to 600 sq metres of office floorspace.

1.19 A further complication arose on 22 December 1988, by the issue of a fresh notice of permission for 633 (see 1.18 above). It purported to supersede the previous notice issued on 24 October 1988, and it referred to an amendment which substituted 675 sq metres of office floorspace for 600 sq metres. The permitted development was 12 houses, 9 flats, and 675 sq metres of office floorspace as shown on drawings HTN/01/101,102,103,104A,105A,106,107,108,110,111,112,113,114. The actual application permitted was TP88/0633/A/38/4421 dated 4 March 1988, completed on 24 March 1988, and revised on 14 September 1988 and 22 September 1988, and the accompanying plans showed an office floorspace of 1010 sq metres. The permission was subject to ten conditions: No.5 prohibited the start of any building operations until a landscaping scheme had been approved; and No.8 required the permitted scheme to be built precisely in accordance with the revised application drawings which showed the greater office floorspace. This is the permission which is currently being implemented.

(ii) Applications TP88/1410 and 1410A*(Duplicate
w/D)*

1.20 There was by this time a third application, apparently submitted in duplicate - TP88/1410 and TP88/1410/A/26 - that was made on 23 June 1988, which proposed 12 houses, 9 flats, and 767 sq metres of office floorspace (B1). The drawings were HTN/01/54D, 57E, 58I, 59C, 60E, 61G, 64E, 67G, 71F, 96D, 99B and 115. On 21 September 1988, the architects referred to a number of discrepancies in the original application. The report to committee which was dated 26 October 1988, with the sub-committee meeting on 22 November 1988, was in respect of 1410A. It was reported upon in precisely the same terms as 632, and was refused for the same reasons.

*- Not determined
w/D*(iii) Application TP89/2137/A/03 (Objection Application)

1.21 At a sub-committee meeting on 30 October 1989, it was reported that there were "some discrepancies" between permission granted (TP88/633) and the actual building in course of construction. This resulted in the serving of an enforcement notice on 31 October 1989 which alleged a breach of planning control by carrying out building operations consisting of 12 houses, 9 flats and 675 sq metres of office floorspace which were not being built in accordance with the December 1988 permission. This notice was appealed against, and an Inquiry is to be held on 26 June 1990. It did, however, result in the submission of an application (2137) in the name of Forthhold Limited dated 13 November 1989, but apparently submitted by letter of 24 November 1989. The originally submitted drawings were HTN/01/101P, 105G, 106B, 107, 01V, 011J, 012J, 013K, 015K and 017A, the six last-noted drawings being "production drawings", and it was stated that these would be redrawn in "traditional planning form". On 8 December 1989, these six last-noted drawings were superseded by HTN/01/113C, 114D, 120a and 122a. On 17 January 1990, further revised drawings were submitted, namely, HTN/01/105H, 113E and 115B, replacing 105E, 113C and 115A.

1.22 The 2137 application was in full, and was stated to be only in respect of the front block, comprising a block of flats and two office buildings. The new proposals were for 21 flat units and two office units (B1 accommodatin). The office floorspace applied for was 1038 sq metres. This application raises several matters of principle.

1.23 Size: Section 2 of the planning officer's report (dated 26 January 1990) to the sub-committee meeting of 12 February 1990, recommended that permission be granted to drawings HTN/01/113E and 115B only, subject to a Section 52 Agreement, for "21 flats, 8 houses and 1110 sq metres of office (B1)", referring to the latest revised drawings as set out above, except that 001A was to be permitted and not 011J as submitted, and there is no explanation as to how 1038 becomes 1110 sq metres.

amended by letter 17/1/90

1.24 Section 2 of the report introduces a matter of the size of the proposed office floorspace not hitherto disclosed to the sub-committee. Para.2.1 of the report sets out the nature of

the 633 permission, but it omits the amount of office floorspace permitted, which was, by an amended notice of 22 December 1988, 675 sq metres. The paragraph goes on to state, however, that permission was actually given to 490 sq metres in a 3-storey plus basement block at the southern end "directly behind 40-42 Gunter Grove", and to a further 620 sq metres in another office block at the southern end close to Knights House. There is no evidence of this matter in the committee reports. The purpose of this method of description was to convey the information that the 633 permission related to 1110 sq metres and not to the stated 675 sq metres.

1.25 These are misleading matters. Whilst the several drawings (the repeated submissions are somewhat confusing) may have shown two office blocks, the planning officer's analysis, all statutory consultations, and the reports to committee, were based on the scheme which was stated to providing only 675 sq metres, and even that figure grew from an initial 600 sq metres. To state baldly in January 1990 that 1110 sq metres was actually permitted, is to either mislead or to create confusion.

1.26 Normally, a permission is to be taken at its face value; but where there is doubt as between the permission and the application, it has been held that the permission and the application may be looked at together to resolve any matter of doubt (*Cartright v. Sedgely UDC* [1961] R.V.R.55; *Hamilton v. West Sussex CC* [1988], 9 P.C.R 279; and *Crisp from the Fens v. Rutland CC* [1950] 1 P.C.R.48). In this case, any person reading the permission notice of 22 December 1988 would be entitled to accept that, although an error had been made on a previous notice which gave the office floorspace as 600 sq metres, the amendment of 675 sq metres must have carried extra assurance to the reader that the new figure was a correct record of what was actually permitted. Certainly, the grant (i.e., the substance) of the 663 permission related to specific drawings, and Condition 8 required precise compliance with those drawings, but a reader of the permission, such as a local objector, could not in any sense be expected to know, as alleged now by the council, that it really should have been 1110 sq metres.

T.P. III
 asked for
 694sq.m

1.27 This misleading matter is further compounded by para.2.2 of the planning officer's report, where he admitted that the 675 sq metres reflected what was asked for in the 633 application. As it is a case officer's duty to examine an application and its drawings to ensure their validity before proceeding to analysis, it should have been instantly revealed that there was a large discrepancy between the drawings and the application. If the difference escaped notice at that point, the discrepancy should certainly have been seen during the planning analysis, particularly as drawing HTN/01/104A (stamped as approved by the sub-committee on 13 October 1988) clearly showed a front office comprising a basement with five floors over (fronting Hortensia Road), and a rear office consisting of a basement and three floors over (backing on to the properties of Gunter Grove). One inference can only be that the planning officer took the 675 sq metres to be the total of both buildings, but the facts are to the contrary.

1.28 Use: Even so, the explanation for the material discrepancy becomes more mysterious by the planning officer's assertion in paras.2.2 of the report to committee. It sought to show to the committee that the difference between 675 and 1038 (or 1110) sq metres arose from not counting the office space in the original college building. There is no explanation to reveal how this extraordinary leap in thought came about. In the event, the point is incorrect, for the following reason.

1.29 It is recognised by all parties that the previous permitted use of the site was for educational purpose, being Use Class D1(c). Thus, any office floorspace in the buildings would be incidental to the purposes of education, and such floorspace could not exist as a separate office use. In planning terms, there was no office floorspace which could attract the Use Class of B1(a). It is therefore incorrect to state that, because there was some space in the previous buildings occupied as administrative educational offices, "the total area of office (in the permitted 633 application) should in fact have been 1110 sq metres of office". Moreover, in policy terms, paras.5.1 and 5.2 of a "Guide to the Definition of Class B1 Development, January 1989", a figure beyond 465 sq metres was considered to lie outside a B1 use.

1.30 Method of Analysis: Para.3.1 to the report of 26 January 1990 sets out the application proposals, and it noted that the buildings under construction did not conform to the 633 planning permission; the route chosen by the architects to remedy the discrepancies was to make a fresh full application, when the proper route should have been via Section 32(1)(a) of the Town and Country Planning Act 1971, where the date of any retrospective permission granted would be that of when the works began (section 32(3)). This procedure would then have eliminated the need to take enforcement proceedings.

1.31 Reference is made at paras.4.2 to 4.4 inclusive of the committee report to objections made by the local residents, the burden of which was that they had not been notified of the details of the December 1988 permission, that a model produced for 2137 was not the same as the 633 model, and that the rear office block was now three floors above ground when it was always considered to be two. At para.7.2, the concern of the residents of 40 and 42 Gunter Grove was noted by reference to height and proximity, and the report "supports that concern". The subsequent revisions in 2137 to the original 633 proposals were only a "token modification" at the rear by setting the block 3.5 metres away from the original position (8 metres as distinct from 4.5 metres). Notwithstanding all these valid planning objections, permission was recommended, but, interestingly, it was for 21 flats, 8 houses and 1110 sq metres of office floorspace, whereas the application did not refer to the 8 houses.

1.32 For reasons unknown, this committee report was duplicated and given the same date as the other, namely, 26 January 1990, and there are some subtle differences between the two reports. Some are not material, but there are some to which attention is drawn. In para.3.1 of the new report, the

not appropriate

New report now

word "slightly" is inserted before the changes occurring since the December 1988 permission. In fact, those changes are sufficiently material to have attracted enforcement proceedings and a fresh application. In para.5.1, the word "fully" is inserted before referring to the accordance of the changes with the December 1988 permission, which implies that the differences were slight, which they were not. Para.6.1 is repeated, but with some different wording, but its burden is that because the differences between 633 and 2137 are slight, weight should be given to 633, and that 2137 does not, or will not, cause demonstrable harm to interests of acknowledged importance. In para 7.1, the number of flats appears to have been corrected to read 21 instead of 25 in the same paragraph of the first report. In para 7.2, the word "token" has been deleted where previously it was a material qualification of the modifications proposed. The intention of the duplicated report seems to be that of removing all possible doubts about the recommendation for permission.

1.33 High Court Injunction: Legal advice on these matters generally was asked of Counsel. As a result, an injunction was sought but was adjourned on terms that the 2137 application should not be decided before 13 March 1990.

2. PHYSICAL CONSIDERATIONS

2.1 This analysis is concerned only with the effect of the 2137 proposals on 42 Gunter Grove, although what has happened also has implications for other adjoining and nearby residents. Furthermore, reference hereon is made to certain measurements scaled off approved and deposited drawings, and whilst notice is taken of the warning about such matters that appears in the top right-hand corner of the drawings, certain conclusions can be deduced by a comparison of those drawings, where any inaccuracies of scaling are equally applicable to all drawings so that they tend to cancel out any false conclusions.

2.2 The boundary of the 633 application site extends 3 metres along the south west boundary of 42 Gunter Grove as shown on approved drawing HTN/01/105A. Between the conterminus boundary, which has a dividing wall of 2.4 metres high, and the rear elevation of the building under construction is a void to be used as a means of escape during a fire; the wall of the building then rises to form the rear elevation. At 42 Gunter Grove, there are three windows directly affected by this wall, across a garden of only 2.8 metres in depth, one window being at ground floor level, and a french window, and one at first floor level; two of which are habitable rooms. The distance between no.42 and its garden wall is 2.8 metres; the distance between no.42 and the rear part of the ground floor of the office building was 4.9 metres on the 633 permission, but has now been moved back (2137) so that the distance between No.42 and the ground and upper floors of the office building is 8.5 metres. The garden wall, at a height of 2.4 metres, obscures the basement, but exposes the ground and upper floors of the office building.

2.3 To compound these matters, whereas the 633 permission on drawing 105A showed the application site boundary to extend

reduce
 only 3 metres along the rear boundary of No.42, the 2137 drawing 106B shows the extent to be 4 metres, thus bringing the overshadowing to the windows of No.42 that much closer and so becoming more oppressive. In the context of sunlighting, it had been agreed between the parties that the 633 permission would deprive No.42 of 1 hour 55 minutes of sunlight, but the new position of the five-storey block will increase materially that degree of deprivation.

2.4 It is thus obvious that what was said in the revised committee report of 26 January 1990 to be "slight" changes, are indeed substantial and material changes, which thereby increase the strength of the objections - which in their original form had the support of the planning officer in his first report of 26 January 1990 at paras. 7.2, and which confirms the nature of the refusal of the 632 application.

3. MATTERS ARISING

(a) Summary of Case

3.1 The case can be itemised as follows:-

- The previous use of the site was D1(c) (educational use). ✓
- Two applications were submitted (632 and 633), incorporating first 694 sq metres on which the appeal was based, 600 sq metres, and then amended in the 633 application to 675 sq metres of B1 (office use). ✓
- Application 632 was refused, appealed against, but the appeal was subsequently withdrawn. ✓
- Application 633 was permitted, quoting 675 sq metres of office space (after an amendment to the notice) in December 1988. ✓
- Application 1410A, quoting 767 sq metres of office space was similarly ~~refused~~. *withdrawn*
- The building began by demolition in March 1989, and building proper began in September 1989. ✓
- The buildings were not being constructed in accordance with the 633 permission, and objections were laid.
- On 31 October 1989, an enforcement notice was served alleging a breach of the 633 permission, with an Inquiry on 26 June 1990. ✓
- Application 2137 was submitted to remedy the breach.
- This application had fundamental changes from 633 by reason of size of the B1 floorspace (675 to 1038/1110 sq metres), and a difference of "footprint", and objections were laid against it, including the seeking of a High Court injunction.

Mem

- 2137 is to come before a ~~sub~~-committee on 13 March 1990 with a revised report by the planning officer. This is a report which has made certain subtle changes to the text of the original report of the same date to reduce the emphasis on the objections and constraints.

(b) Required Action

3.2 Because of the fundamental planning objections to the redevelopment scheme, where the eventual permission granted for it (633) was founded on misleading information given to the committee; which, by analysis of the submitted drawings, was in breach of the council's own guidelines on B1 development; and which has begun a type of construction in breach of that permission, causing enforcement proceedings to be instigated; there can only be two courses open to the committee when it meets on 13 March 1990.

NOT TRUE

3.3 First, it must refuse application 2137; there can be no doubt about that if good planning practice, credulity and natural justice are to prevail, and be seen to prevail. The reasons for refusal of 2137 will be based on a conflict with the council's B1 policy, over-development, and prejudicial to the amenities of adjoining properties. The result of such a refusal will either leave the present structure without a permission, or will cause the developers to revert to the dubious 633 permission. In any event, the developers would certainly lodge a Section 36 appeal against the refusal.

N/A

worse than N-42

3.4 Second, if the developers persist in continuing with the present structure which is in breach of the 633 permission, then enforcement proceedings must be reactivated or continued as the case may be. The developers almost certainly would appeal against the notice and there would be a local inquiry which would be heard by a DOE Inspector, and which would be heard in conjunction with the Section 36 appeal. That Inspector would have several courses open to him:-

- Uphold the enforcement notice and so require the scheme to revert to the 633 permission, and setting an appropriate period for the breach to be remedied.
- Quash the enforcement notice, which would effectively regularise by his permission the breach of planning control.
- Allow the appeal on the 2137 application.
- Dismiss the 2137 appeal.
- Within either of these possibilities, the Inspector could indicate what in his opinion should be done to produce a situation satisfactory to all parties.

+ Costs

Also, within the carrying out of any of these procedures, the council could consider whether it should serve a Stop Notice, which would bring further construction to a halt (that is to say, all that work done in breach of planning control) pending the decisions which would follow on from the local inquiry. *Cuts*

3.4 Whichever course of action accrues from a refusal of the 2137 application, it would bring the proposals into the public arena where all parties could state their case. There can be no doubt that this is the fairest solution to the present dilemma, because any decision taken in these circumstances would be impartial, and would arise from the skilled weighing of all planning facts stripped of subjectivity.

4. CONCLUSION

4.1 It is thus clear that there are a great many questions to be answered in the determination of all these applications, and the only way to have them answered is to put the case into the public domain where all matters can be fully debated and satisfactorily resolved. *not true*

3 March 1990

42a Gunter Grove
London SW.10.

tel: 376 3272

8th February 1990

Councillor Sir Anthony Coates

Re: Hortensia Road Site, New Application to be considered on Monday

Dear Sir,

On Tuesday I delivered some photographs and comments relating to the above-mentioned application.

As you may be aware, many residents are extremely unhappy about this project. Some 40-50 have already written to complain. Most feel it is an overdevelopment and will do unreasonable damage to the area.

We would be grateful if you could read this report in time for Monday's meeting. The main point is that the previous permission is officially dead, leaving the Council free to decide the matter according to proper planning considerations.

I would appreciate the opportunity to discuss this with you further.

Yours sincerely

Nick Stoop

N. Stoop, Gunter Grove Residents Association



ABC

RAF



From 6th May 1990
Phone code change
from 01 to 071

TOWN HALL KENSINGTON W8 7NX 01-937 5464

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

19th June, 1990.

Dear Sir,

Chelsea College Site

I refer to your letter of the 11th June and attached submissions dated 24th May. I have noted the contents of these submissions and will ensure that they are drawn to the attention of the Planning and Conservation Committee when the matter is further considered.

Yours faithfully,

Councillor Professor Sir Anthony Coates
Chairman - Planning & Conservation Committee

Nick Stoop

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

11th June 1990.

Tel: (071) 376 3272.

not attached

Councillor Professor Sir Anthony Coates,
Chairman, R.B.K.&.C. Planning and Conservation Committee

Dear Sir,

Please find enclosed a copy of the residents' Submission with regard to the redevelopment proposals for the Chelsea College Site, Hortensia Road.

Yours sincerely,

Nicholas Stoop

Nicholas Stoop.



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.

RECEIVED BY D. P. T.					15-TRYON HOUSE MALLORD STREET LONDON SW3 6AJ
On 13/14 JUNE 1990					
DC H			DC E	DC	
ARD			ENV.	ENV. PLAN	
DDPT	LO	TRANS	BUILD CONTROL	AD ACK	→ MJF
12th June, 1990					

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.

15/6

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

DEVELOPMENT BOUNDED BY HORTENSIA ROAD
and GUNTER GROVE, CHELSEA

1. I have been asked to study the two applications which are due to come before the Sub-Committee on 24 April 1990, namely, TP/90/0296A and TP/89/2137/A103, the details of which are set out on the attached schedule, and I make the following comments.

(a) **Office Floorspace**

2. I refer to the District Plan of June 1982, which, at para.13.2.2 sets the office strategy as being one of restraint, and only such growth will be allowed as is compatible with the residential character of the borough. The onus is placed on the developer to show that his proposed offices give some of the benefits of (a) improvements to the public transport system of railway terminal and interchanges, (b) provision of special benefits in the form of buildings, open space, sports and recreation facilities, pedestrian access and other public facilities, (c) redevelopment of area of poor layout or design, (d) conservation of listed buildings, (e) provision of residential accommodation, (f) provision of small sites of offices, (g) provision for other employment - generating uses, and (h) provision of local convenience shops. Application 2137 would appear to satisfy (c), (e) and (f), but that only applies to the provision of special benefits; the application has to satisfy other criteria before any consideration is made of special benefits. The provision alone of special benefits cannot override policy and planning merits. In this case the criteria is as follows.

3. By definition, the office proposals of 2137 fall into the category of "large-scale", being in excess of 200 sq metres (para.13.5.2). Large scale office development is only likely to be permitted within the immediate vicinity of the London Transport Stations at Gloucester Road, Kensington High Street, South Kensington, East Court and Notting Hill Gate (para.13.3.2). The application site fails that criteria.

4. In other areas permission is likely to be refused for major office developments. Only small-scale office developments can be an exception to the rule, and only then outside the central area where such development can provide much-needed vitality, additional employment and local services (para.13.3.3). The application site fails that test.

5. Reference is made at para.8.6 to a Draft Policy relating to B1 uses (adopted January 1989), and presumably it is this document which redefines a major office building as being one in excess of 1000 sq metres. The report to the March 1990 Committee was prepared to accept 1110 sq metres as being appropriate "given the previous history of the site". That previous history concerns recommendations of refusal on 0632 of

694 sq metres, a permission on 0633 for no more than 675 sq metres, and a refusal on 1410 for 767 sq metres. It is difficult to see how 1110 sq metres, which is ten per cent greater than the Draft Policy limit, can suddenly become "appropriate". The application thus fails that test.

6. The present position is that the December 1988 permission (0633) specifically limits the office content of the proposals to 675 sq metres. How this application came to be permitted in defiance of the borough council's own policies is a mystery, particularly as the special benefits (c), (e) and (f), referred to above are insufficient in themselves to over-rule adopted and otherwise firmly-held office policies.

7. The planning officers are now claiming at para.8.6 of the March Committee report that although the notice of permission specifically referred to 675 sq metres, the accompanying drawings showed a larger area in the region of a total of 1100 sq metres. They held that although 675 sq metres can only be used for office purposes, the larger envelope was permitted even though its use is excluded from the permission. This reasoning is incorrect. This is unfortunate, because the reports being placed before the Sub-Committee on 24 April 1990 clearly give the impression that 1110 sq metres (1100 to be precise - para.8.6) of office floorspace has been permitted. This is not so. My reasons are as follows, and have been supported by Counsel in Conference.

8. The question of 675 sq metres did not arise in the committee report of 23 September 1988 which determined the October 1988 permission; the figure there was 600 sq metres. It was subsequently amended to 675 sq metres in the December 1988 notice on later representations made by the applicants who must have been aware that the figure was of the order they had proposed to be the case in the application. The committee could have been in no doubt, therefore, that in September 1988 that it was permitting 600 sq metres; the increase to 675 sq metres was made by officers and was not made by a Committee decision. The figure of 600 (sometimes 694) was the subject of measurement by the planning officers (see Mr French's letter of 14 March 1990), but the fact that the measurements were incorrect cannot discount the basis on which the Committee unmittingly granted permission. It is misleading to represent to the committee now that they were really permitting almost twice the amount (1100 sq metres because the plans showed a greater area. Moreover, at para.8.6 of the March Committee report, it refers to an alleged 1100 sq metres, stating that it is not increased in the present proposal, yet they are for 1110 sq metres (490+620).

9. Section 33(2) of the 1971 Act states that if no purpose for a building is specified, the permission shall be construed as including permission to use the building for the purpose for which it was designed. Prima Facie this would appear to support

the theory that because the envelope showed the larger area, the permission of December 1988 should be construed as being for 1110 sq metres. But that is not so. The purpose of the office building in the application was specified - 600 sq metres, subsequently amended to 675 sq metres without, so far as I am aware, committee approval. The act of designating the proposed office floorspace by specific quantum thereby excluded any consideration of any additional unspecified floorspace on the drawings. The planning officers' theory can only hold good if no quantum had been specified, but the insistence on there being only 600/675 sq metres set the limits for such consideration. In my opinion, therefore, the larger envelope has no permission by reference to the circumstance of the case, and the drawings should not be put superior to the notice of decision. Furthermore, the minutes of the committee meeting of 13 March 1990 reveal Counsel's Opinion on the 675 sq metres, but there was no reference to the envelope being permitted; yet Mr French's letter of 14 March contains that incorrect statement.

10. What the committee is now being asked to consider is the granting of permission to a large-scale office development (by reference to the approved District Plan), contrary to its own adopted policies of restraint, of 1110 sq metres, and in a location which cannot benefit from any planning advantage the scheme might be said to offer; indeed parts of the scheme still involve a material breach of planning standards of overlooking, loss of privacy, and amenity (as was stated in the recommendation for refusal for the earlier scheme in application 0632 on 13 October 1988).

11. It is for these reasons that the Sub Committee should not reach any decision to permit at its 24 April meeting, nor should it recommend favourably to the Applications Committee on 30 May.

(b) Residential Proposals

12. The other application due to come before the April Committee (0296A) concerns only a part of the site. It is my opinion that this application should not be decided in isolation. There is so much doubt, error and confusion over the whole project as to cause the entire scheme to be re-evaluated. In addition to the matters of office floorspace referred to above, there are still matters of residential density, plot ratio, daylight and sunlighting, amenity, and the impact on the neighbourhood, to be properly and convincingly resolved; yet at para.7.1 of the 13 March Committee report, the Agenda reports that the "planning and design standards are also complied with", yet in spite of some comments on these matters, the responses are utterly unconvincing. Mr French's letter of 14 March blurs these points by seeking to use a planning benefit of 29 residential units to permit "two small office units ... together with a larger office unit", without

mentioning that the 1110 sq metres (now 880) was out of all proportion to council policy and good planning standards.

(c) Conclusions to be Drawn

13. It cannot be denied by anyone that this project has been beset from the outset by confusion, errors of judgement, errors of fact, misinterpretations, and breaches of planning control. A history of refusals of the earlier schemes (0632 and 1410), the reasons for which are equally applicable to the present two applications (0296 and 2137), and the serving of enforcement notices, makes it incredible that the present schemes are held to surmount all those obstacles and somehow, without any convincing explanation, and in defiance of the borough council's adopted planning policies, and of good planning standards, become acceptable and appropriate. Certainly there is no case on which decision of any kind should be made at the Committee on 24 April 1990, nor, indeed, at the main committee of 30 May 1990.

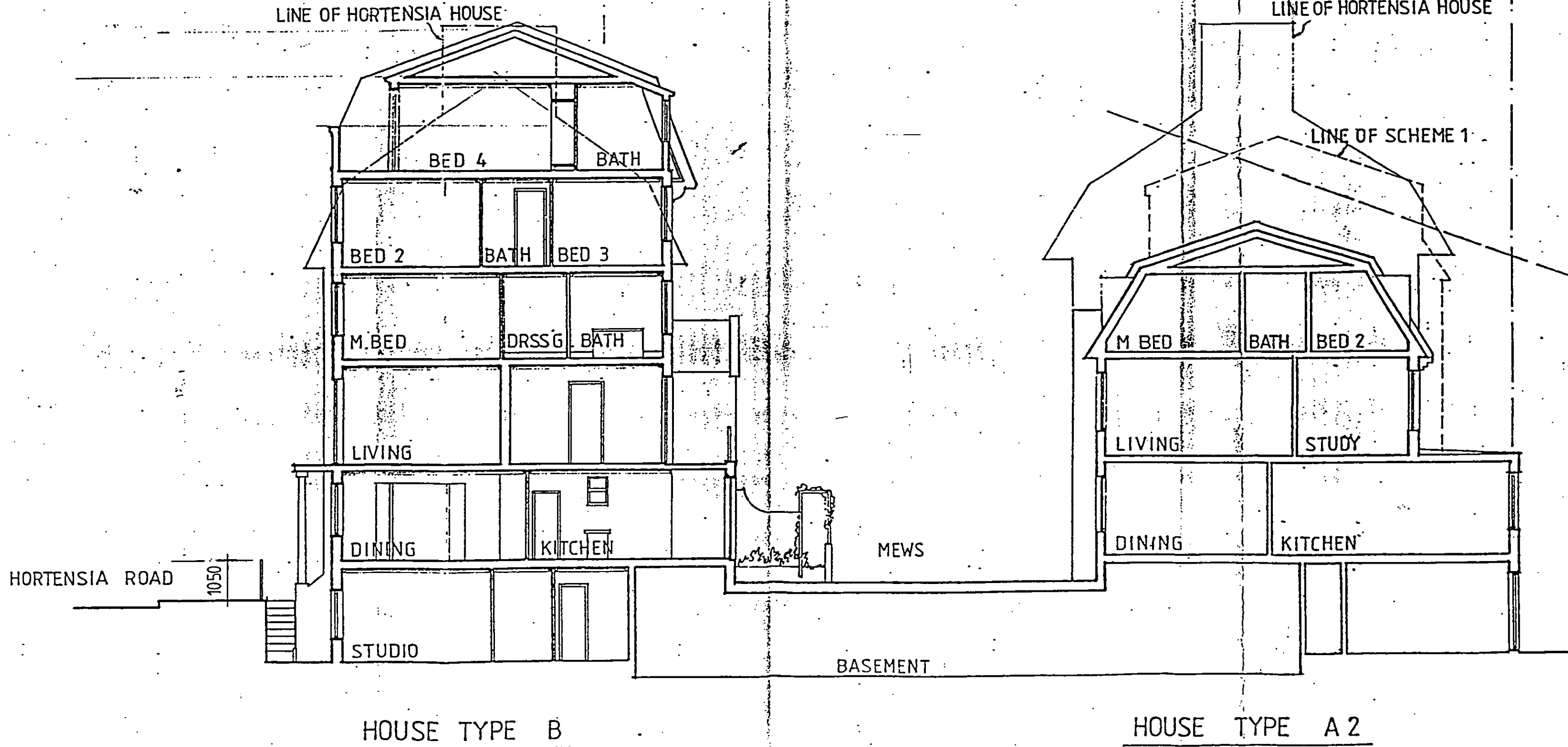
14. The project should now be re-examined, not by the same planning officers, but by some impartial body, to produce a solution acceptable to all parties. It is my opinion that the likely outcome of such a review would seek to regularise in a proper manner the development on Hortensia Road and behind 28-38 Gunter Grove, but to omit the rear block entirely. It has no valid permission, and no compensation in my opinion would become payable.

EAP/VF/9018
23 April 1990

Application No	Date Submitted	Proposal and Drawing Numbers	Comment
TP/90/0296A	5.2.90	21 Self-contained flats as an amendment to permission 0633 of 22.12.88. Dwgs HTN101/101P, 105H, 106B, 107/119A/120A/122A.	Permission 0633 was for 12 houses, 9 flats and 675 sq m of office floorspace; disposed as to 8 3-storey houses to rear behind 28-38 Gunter Grove, 9 flats and 4 houses fronting Hortensia Road, a 3-storey and basement office building behind 40-42 Gunter-Grove, and further office block at Southern end adjoining Knights House.
TP/89/2137/A/03	13.11.89	Development will comprise 8 2-bedroom, 9 3 bedroom, and 4 1 bedroom flats, together with further revisions to the front facade. 21 Flats, 8 houses and 1110 sq m of office floorspace. Deferred from Committee of 13.3.90. Dwgs HTN/01/101B/105H/107/113F/114F/115B/119A/120A/122A/, 04/011A.	Recommended for conditional permission, with no referral to Committee of 30 May 1990.
		Rear block behind 40-42 Gunter Gr is to be two separate offices on basement and ground floors, with two residential units of 2-beds each, on 1st & 2nd floors, with 880 sq m instead of 1110 sq m of offices "as previously sought". Further amendments to rear block are yet to be provided.	This is an application to regularise the confusion over the amount of office floorspace involved, and to incorporate the amended application of 0296A (above); but further amendments are yet to be provided.
		Rear block not reduced in size, but offices content now only 260 sq m, with 620 sq m on front block, totalling 880 sq m.	Agenda report makes no recommendation of decision, but asks the Committee to consider the amended scheme and to refer its comments to the Plan App Committee on 30 May 1990. The Report states at para 3.3 that the "overall bulk and scale of the proposed development remains as approved". However, a notice of decision had been prepared for the Committee of 13 March 1990 to grant conditional permission. The rear block behind 40-42 Gunter Gr is especially conditioned (1) in respect of a Section 52 Agreement to develop the rear block as shown on HTN/01/113E and 115B (noting that the submitted drawing was 113F and not 113E).

APPROVED APPLICATION TP 88 0633
DRG NO 01 104A

OUTLINE OF EXISTING BUILDING



HOUSE TYPE B

HOUSE TYPE A2

SECTION A A

HEIGHT COMPARISON

APPROVED VS APPLICATION

APPLICATION TP 89 2137
DRG NO 01 101 P

APPROVED APPLICATION TP 88 0633
DRG NO 01 101



ELEVATION TO HORTENSIA ROAD



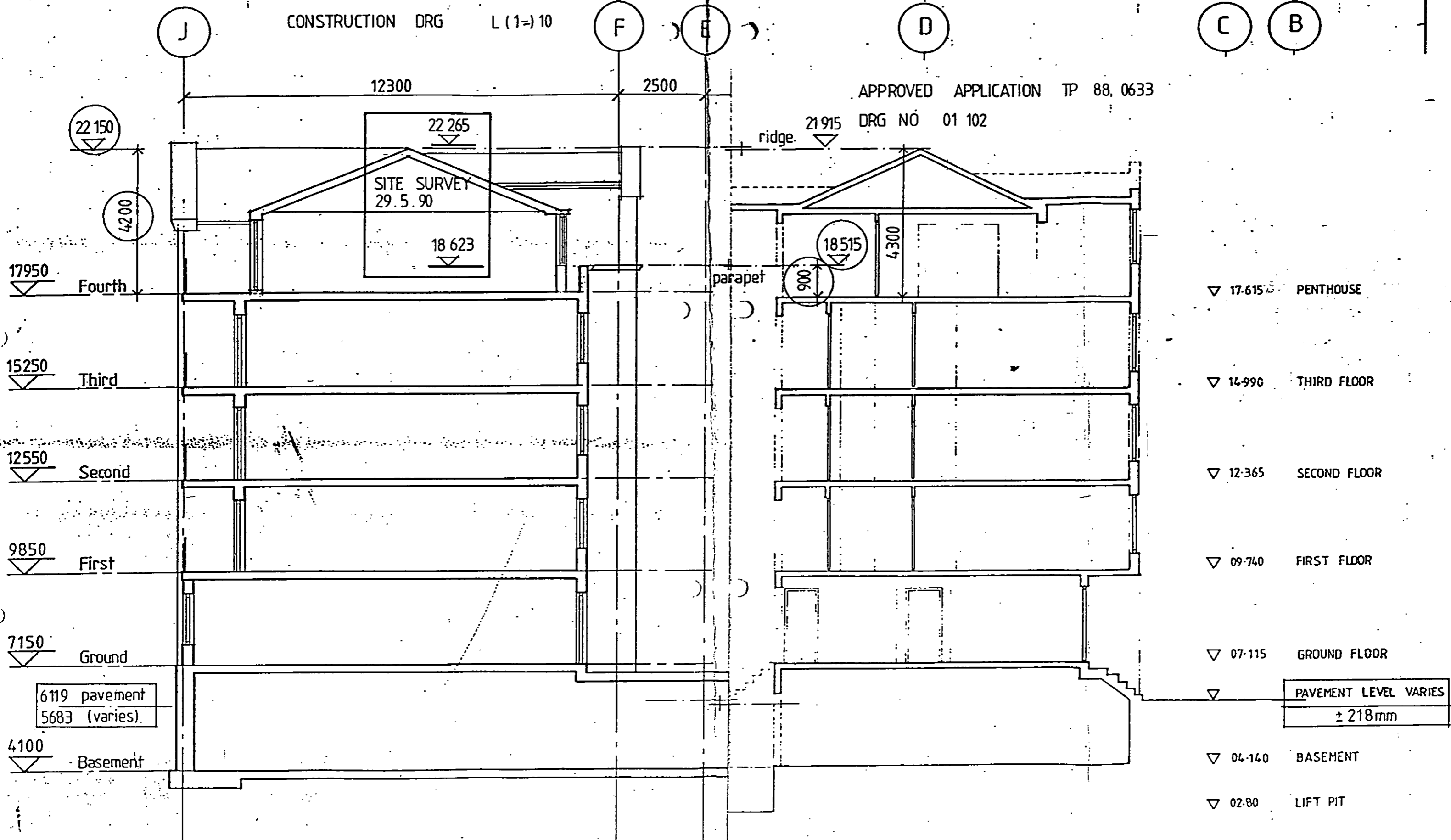
HORTENSIA TERRACE - SOUTH WEST ELEVATION

HEIGHT COMPARISON APPROVED vs. AS BUILT

CONSTRUCTION DRG L (1-) 10

APPROVED APPLICATION TP 88, 0633

DRG NO 01 102



FLATS

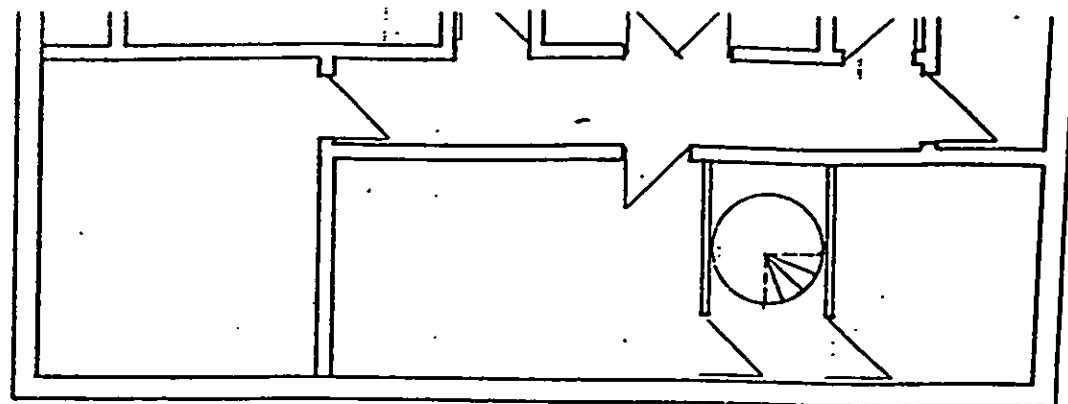
SECTION A

SECTION A-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 Δ-Δ SHOULD BE +200mm

HEIGHT COMPARISON

APPROVED vs APPLICATION

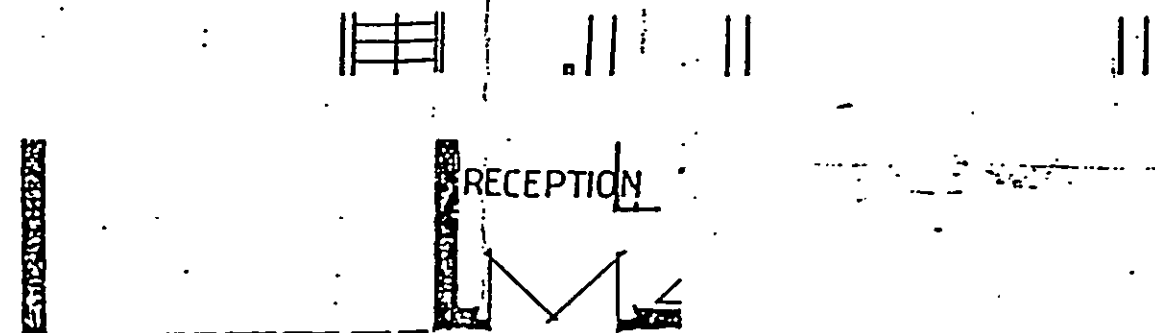


BASEMENT

APPLICATION TP 89 2137
DRG NO 01 114 F

A

GR

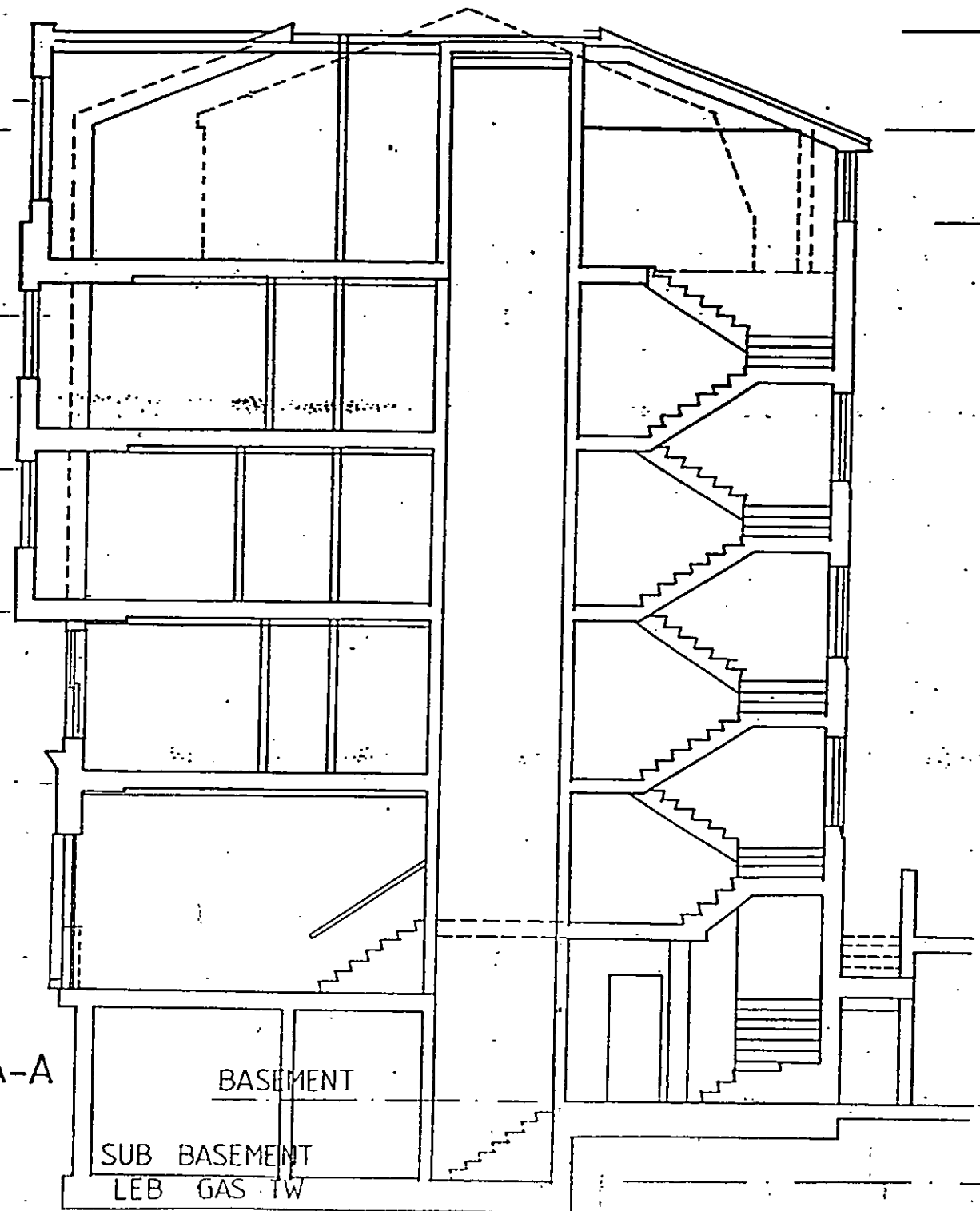


GROUND FLOOR

APPROVED APPLICATION T P 88 0633

DRG NO 01 114

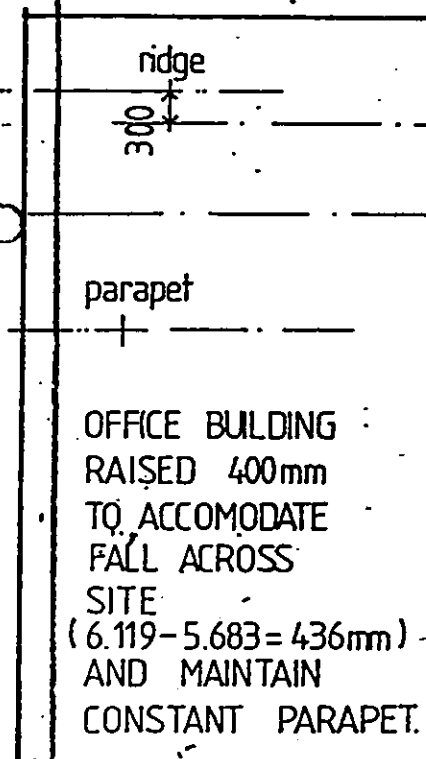
DRG NO 01 101



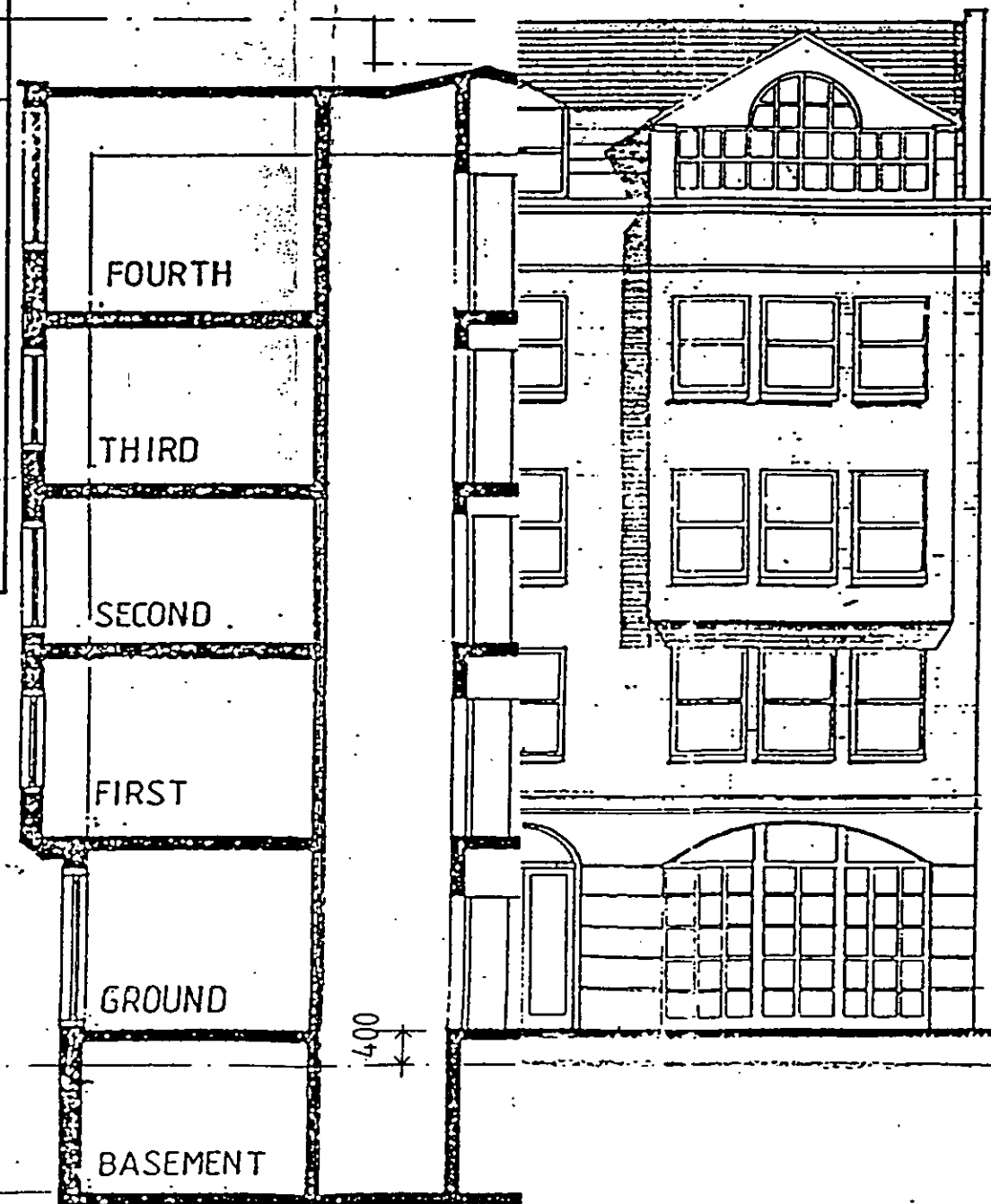
SECTION A-A

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

Royds Barfield

Solicitors

G. X. Constantinidi
A. M. S. Alexander
A. A. Maberly
R. J. Lloyd-Davies
C.R. Wnght

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

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

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

HORTENSIA ROAD REDEVELOPMENT SCHEME

LONDON SW10

APPLICATION No. TP89/2137/A/03

OBJECTION BY MR NICHOLAS STOOP

	<u>CONTENTS</u>	<u>PAGE</u>
1.	Planning Facts	1
	(a) History	1
	(b) Subsequent Events	1
	(c) Recent Applications	3
	(i) Applications TP88/632 and 633	3
	(ii) Applications TP/88/1410 and 1410A	6
	(iii) Application TP88/2137/A/03	6
	Size	6
	Use	8
	Method of Analysis	8
	High Court Injunction	9
2.	Physical Considerations	9
3.	Matters Arising	10
	(a) Summary of Case	10
	(b) Required Action	11
4.	Conclusion	12

HORTENSIA ROAD REDEVELOPMENT SCHEME

LONDON SW10

OBJECTION BY NICHOLAS STOOP

1. PLANNING FACTS

(a) History

1.1 The redevelopment site is located on the north east side of Hortensia Road adjacent to Hortensia House. Before the present scheme began its construction there was a 5-storey and a single-storey building on the site. Originally, the 5-storey building was known as Hudsons Depository, and was used as a furniture store by John Lewis and Company.

1.2 On 4 December 1966, a temporary planning permission was granted for ten years to the Chelsea College for educational purposes (now, it would be D1(c) of the 1987 Use Classes Order). In March 1973, a temporary permission for three years was granted to the college for a single-storey prefabricated building to be used for education purposes; this expiry date would coincide with the expiry date of the temporary permission for the 5-storey building. In July 1976, a further temporary permission was granted for ten years for both buildings, with an educational use, expiring on 23 June 1987.

1.3 Sometime in 1982, a permanent permission was granted for the educational use of both buildings (82/1286:2), for the stated reason that the Chelsea College had a consolidation programme concerning the adjacent site of the former college of St. Mark and St. John, and that a permanent permission would give aid to that programme. This reason was stated to be in accordance with the District Plan, where, at Chapter 8 para.4.49, it recognised the needs of the Chelsea College (University of London), and that the permission was held to be consistent with that aim.

1.4 The buildings (now demolished) were not listed, and they were not in a Conservation Area.

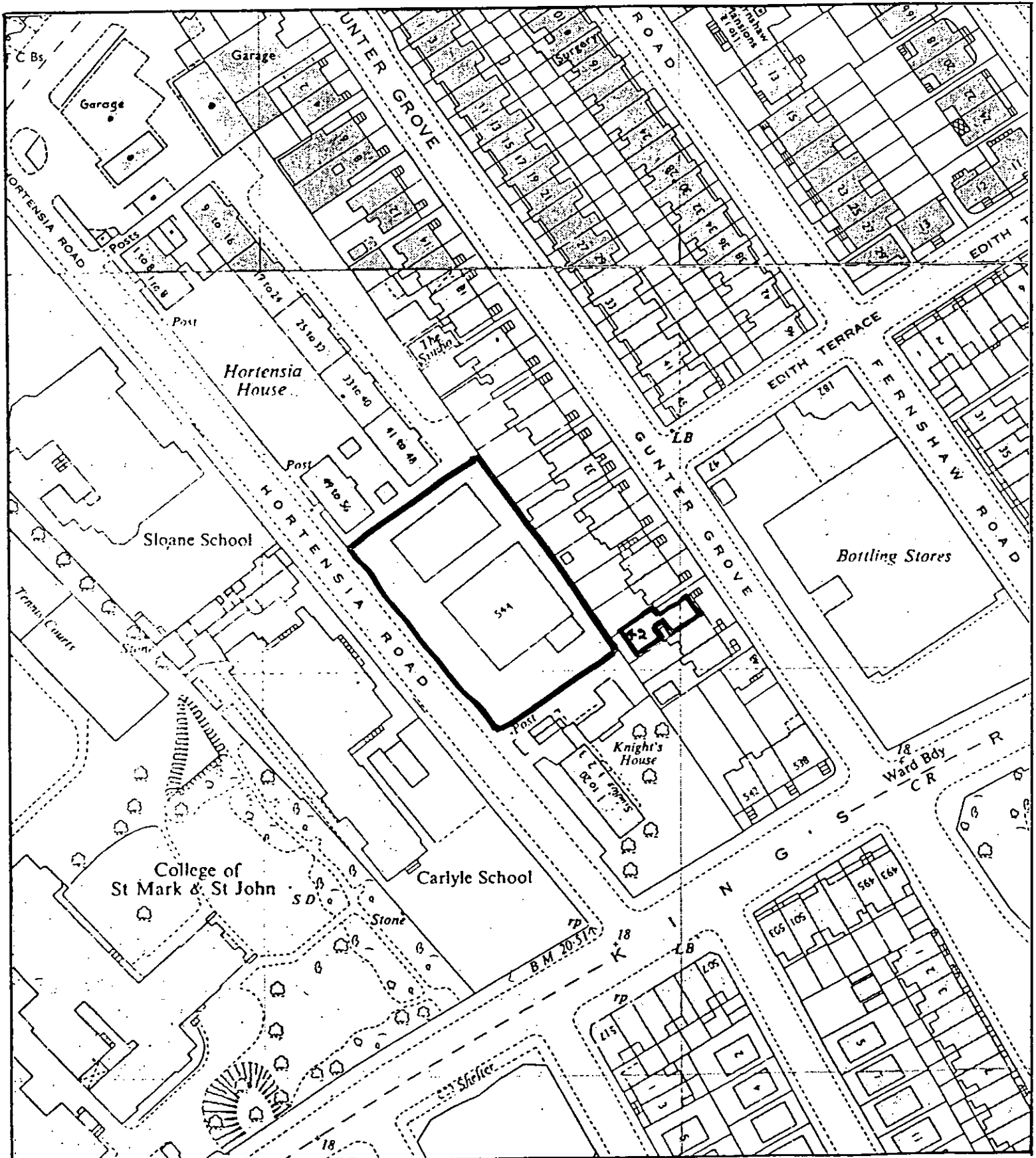
(b) Subsequent Events

1.5 The architects for the redevelopment scheme held a meeting with an officer of the local planning authority on 9 February 1988 to examine the possibilities of redeveloping the site. A drawing(s) was produced showing redevelopment proposals. It was established that the proposed density should be 70-100 habitable rooms per acre, with a plot ratio of 2:1, with a preference towards residential with a mix of types. Sunlight, daylight, privacy and overlooking, with respect to be given to adjoining properties, were entered as potential constraints on redevelopment.

1.6 There was a further meeting three days later (12 February 1988) to discuss access/highway implications, the results of which meeting were set out in a letter of 12

February 1988 to the Director of Town Planning etc., and confirmed by him on 23 March 1988.

1.7 At a meeting with a planning officer on 25 February 1988, it was specifically noted that the bulk, overlooking, and light at the rear in respect of Gunter Grove, were points of concern.



(c) Recent Applications

(i) Applications TP88/632 and 633

1.8 On March 1988, two full planning applications (TP88/0632 and 0633), were made by a firm of architects (no developer was mentioned) for the:-

"Demolition of existing building and erection of 12 houses, 9 flats and 694 sq metres office floorspace (Use Class B1)."

1.9 The total gross floorspace of "new buildings" (there could be no extension to existing buildings since they were to be demolished) was to be 4028 sq metres, which was also the figure given for a proposed change of use. There were to be no reserved matters. The application confirmed that the use of the buildings to be demolished were "educational". The owners of the site were said to be "Agent, Kempson House, Cammole Street EC3, Norton Rose Botterill and Roche" who are solicitors. The application quoted here was submitted in duplicate, the other one being TP88/0632.

1.10 The planning officer's observations of 22 April 1988 included a calculation of the number of habitable rooms as 129 which represented 516 per hectare on a site of 2250 sq metres. There seemed to be no objection to this, but there was a cautionary note on the architectural appearance. It was noted that the area was not a preferred office location (vide the Greater London Development Plan 1976), but that a B1 use was acceptable, especially if the building was capable of being sub-divided into small units, but a "lowering of the office content" should be undertaken to the front of the site.

1.11 On 5 May 1988, the traffic engineer gave his observations; parking was adequate, but access to it was sub-standard; visitors' spaces were said to be "over generous"; and there was no traffic objection to the offices, and this observation must have been based on a proposed office floorspace of 694 sq metres, with a daily traffic generation of 8 cars per day.

1.12 There is a note on the file of an undated meeting with four planning officers, of whom one referred to the loss of amenity to Gunter Grove, and he said it was his main concern; also that compliance with certain standards could not be met. There was reference to the lodgement of an appeal (TP88/0632/A/20) against the non-determination on TP88/632. There is a further undated note signed by "JW" which raised a number of objections to the proposals. Also yet another undated note of a meeting at which the planning officer raised many objections. On 17 May 1988, there again is a note of concern by the planning officer whose "main concern is the Gunter Grove elevations, and that a low-rise development would be acceptable".

1.13 On 1 September 1988, a meeting was held, seemingly to discuss the reasons for refusing the 632 proposals. The

objections were design, scale and character, density in respect of Gunter Grove, internal arrangements, lack of garden space, and the problem of 'cliff-like development' on Gunter Grove. As a result of this meeting, a letter to the LPA stated that revised drawings would be submitted for substitution, with an amended rear block of a more traditional mews development. This was called a "revised application", and followed the earlier reduction of one floor over part of the residential proposals.

1.14 Application TP88/0632/A/20 was then reported on for a sub-committee meeting on 13 October 1988, the report being dated 23 September 1988. This was one of the two applications submitted, and this one (632) was dated 4 March 1988. It was also the application appealed against, and the recommendation was for a comprehensive refusal (concerning 12 houses, 9 flats and 694 sq metres of office floorspace, as shown on drawings HTN/01/54D, 57D, 58F, 59B, 60E, 61C, 64C, 65A, 66B, 67B, 69B, 69D, and 71D). The recommended reasons for refusal which would have obtained had the application not been the subject of an appeal were:-

- Bulky, intrusive and "cliff-like, out of scale and character.
- Prejudicial to amenities of neighbouring occupiers by reason of loss of light, privacy, and a fall in environmental standards.
- Contrary to policies 4.1.5, 4.6.6, 4.9.2, 4.19.1, 4.10.2, 4.10.3 and 5.6.4.

The residential accommodation and demolition of existing buildings was considered to be acceptable, but particular regard was required to be had to the scale and character of the surrounding area, and to the effects on residential amenity and housing environment of neighbouring properties. The revised proposals were stated to be sub-standard in terms of District Plan standards, "but are not considered unacceptable". The scheme was comprehensively criticised by the Conservation and Design officer, especially in respect of the rear block which adversely affected the Gunter Grove properties. The report went on:-

"The existing unsatisfactory relationship of the five-storey building to properties in Gunter Grove is not considered to provide a justification for excessive bulk along the rear site boundary, given the opportunity to introduce a substantial block to the front of the site".

The report continued:-

"The proposal, in particular the rear block in terms of properties in Gunter Grove is considered to contravene council standards of daylight and sunlight ... In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens."

1.15 The application (632) was objected to by the West London Architectural Society (backland development, rear terrace too high at 5-storeys, elevations banal, and an unacceptable density).

1.16 This is the application (632) that was appealed against for non-determination, leaving TP88.0633 to be the subject of negotiated amendments. The appeal was lodged on 8 September 1988, (APP/K5600/M88/103080) against a non-determination, and it was hoped by the developers' agents that it would be heard at the same time as an earlier appeal (APP/K/5600/A/88/93986) which was to be heard on 8 November 1988.

1.17 The sub-committee was therefore recommended to oppose the appeal because the details of the proposed redevelopment were unacceptable.

1.18 A mysterious peculiarity then manifested itself. A report dated 23 September 1988 (the same date as the case above in para.1.14) dealing with the sister application TP88/0633/A/37), supported by drawings HTN/01/101,102,103,104, 105,106,107,108,110,111,112,113 and 114, which proposed a scheme consisting of 12 houses, 9 flats and 600 sq metres of office floorspace (Use Class B1) (see 1.20 below), was reported on in the same terms as for the refused 632. It was reported that the original proposals had been amended in respect of the 5-storey block fronting Hortensia Road, and to reduce the rear block to 3-storey by the detetion of the third floor. The report made it quite clear beyond peradventure that the amount of office floorspace under consideration was no more than 600 sq metres, and was to be located at the southern end of each residential block. The report set out all the same objections to the proposal as were given for application 632, but without further explanation it recommended that permission be granted. The minutes of that meeting (held on 13 October 1988) reveal that if 633 were permitted, the appeal on 632 would be withdrawn. A notice of decision was apparently issued on 24 October 1988 which, inter alia, included a reference to 600 sq metres of office floorspace.

1.19 A further complication arose on 22 December 1988, by the issue of a fresh notice of permission for 633 (see 1.18 above). It purported to supersede the previous notice issued on 24 October 1988, and it referred to an amendment which substituted 675 sq metres of office floorspace for 600 sq metres. The permitted development was 12 houses, 9 flats, and 675 sq metres of office floorspace as shown on drawings HTN/01/101,102,103,104A,105A,106,107,108,110,111,112,113,114. The actual application permitted was TP88/0633/A/38/4421 dated 4 March 1988, completed on 24 March 1988, and revised on 14 September 1988 and 22 September 1988, and the accompanying plans showed an office floorspace of 1010 sq metres. The permission was subject to ten conditions: No.5 prohibited the start of any building operations until a landscaping scheme had been approved; and No.8 required the permitted scheme to be built precisely in accordance with the revised application drawings which showed the greater office floorspace. This is the permission which is currently being implemented.

(ii) Applications TP88/1410 and 1410A

1.20 There was by this time a third application, apparently submitted in duplicate - TP88/1410 and TP88/1410/A/26 - that was made on 23 June 1988, which proposed 12 houses, 9 flats, and 767 sq metres of office floorspace (B1). The drawings were HTN/01/54D,57E,58I,59C,60E,61G,64E,67G,71F,96D,99B and 115. On 21 September 1988, the architects referred to a number of discrepancies in the original application. The report to committee which was dated 26 October 1988, with the sub-committee meeting on 22 November 1988, was in respect of 1410A. It was reported upon in precisely the same terms as 632, and was refused for the same reasons.

(iii) Application TP89/2137/A/03 (Objection Application)

1.21 At a sub-committee meeting on 30 October 1989, it was reported that there were "some discrepancies" between permission granted (TP88/633) and the actual building in course of construction. This resulted in the serving of an enforcement notice on 31 October 1989 which alleged a breach of planning control by carrying out building operations consisting of 12 houses, 9 flats and 675 sq metres of office floorspace which were not being built in accordance with the December 1988 permission. This notice was appealed against, and an Inquiry is to be held on 26 June 1990. It did, however, result in the submission of an application (2137) in the name of Forthhold Limited dated 13 November 1989, but apparently submitted by letter of 24 November 1989. The originally submitted drawings were HTN/01/101P,105G,106B,107,01V,011J,012J,013K,015K and 017A, the six last-noted drawings being "production drawings", and it was stated that these would be redrawn in "traditional planning form". On 8 December 1989, these six last-noted drawings were superseded by HTN/01/113C,114D,120a and 122a. On 17 January 1990, further revised drawings were submitted, namely, HTN/01/105H,113E and 115B, replacing 105E,113C and 115A.

1.22 The 2137 application was in full, and was stated to be only in respect of the front block, comprising a block of flats and two office buildings. The new proposals were for 21 flat units and two office units (B1 accommodatin). The office floorspace applied for was 1038 sq metres. This application raises several matters of principle.

1.23 Size: Section 2 of the planning officer's report (dated 26 January 1990) to the sub-committee meeting of 12 February 1990, recommended that permission be granted to drawings HTN/01/113E and 115B only, subject to a Section 52 Agreement, for "21 flats, 8 houses and 1110 sq metres of office (B1)", referring to the latest revised drawings as set out above, except that 001A was to be permitted and not 011J as submitted, and there is no explanation as to how 1038 becomes 1110 sq metres.

1.24 Section 2 of the report introduces a matter of the size of the proposed office floorspace not hitherto disclosed to the sub-committee. Para.2.1 of the report sets out the nature of

the 633 permission, but it omits the amount of office floorspace permitted, which was, by an amended notice of 22 December 1988, 675 sq metres. The paragraph goes on to state, however, that permission was actually given to 490 sq metres in a 3-storey plus basement block at the southern end "directly behind 40-42 Gunter Grove", and to a further 620 sq metres in another office block at the southern end close to Knights House. There is no evidence of this matter in the committee reports. The purpose of this method of description was to convey the information that the 633 permission related to 1110 sq metres and not to the stated 675 sq metres.

1.25 These are misleading matters. Whilst the several drawings (the repeated submissions are somewhat confusing) may have shown two office blocks, the planning officer's analysis, all statutory consultations, and the reports to committee, were based on the scheme which was stated to providing only 675 sq metres, and even that figure grew from an initial 600 sq metres. To state baldly in January 1990 that 1110 sq metres was actually permitted, is to either mislead or to create confusion.

1.26 Normally, a permission is to be taken at its face value; but where there is doubt as between the permission and the application, it has been held that the permission and the application may be looked at together to resolve any matter of doubt (*Cartright v. Sedgely UDC* [1961] R.V.R.55; *Hamilton v. West Sussex CC* [1988], 9 P.C.R. 279; and *Crisp from the Fens v. Rutland CC* [1950] 1 P.C.R.48). In this case, any person reading the permission notice of 22 December 1988 would be entitled to accept that, although an error had been made on a previous notice which gave the office floorspace as 600 sq metres, the amendment of 675 sq metres must have carried extra assurance to the reader that the new figure was a correct record of what was actually permitted. Certainly, the grant (i.e., the substance) of the 663 permission related to specific drawings, and Condition 8 required precise compliance with those drawings, but a reader of the permission, such as a local objector, could not in any sense be expected to know, as alleged now by the council, that it really should have been 1110 sq metres.

1.27 This misleading matter is further compounded by para.2.2 of the planning officer's report, where he admitted that the 675 sq metres reflected what was asked for in the 633 application. As it is a case officer's duty to examine an application and its drawings to ensure their validity before proceeding to analysis, it should have been instantly revealed that there was a large discrepancy between the drawings and the application. If the difference escaped notice at that point, the discrepancy should certainly have been seen during the planning analysis, particularly as drawing HTN/01/104A (stamped as approved by the sub-committee on 13 October 1988) clearly showed a front office comprising a basement with five floors over (fronting Hortensia Road), and a rear office consisting of a basement and three floors over (backing on to the properties of Gunter Grove). One inference can only be that the planning officer took the 675 sq metres to be the total of both buildings, but the facts are to the contrary.

1.28 Use: Even so, the explanation for the material discrepancy becomes more mysterious by the planning officer's assertion in paras.2.2 of the report to committee. It sought to show to the committee that the difference between 675 and 1038 (or 1110) sq metres arose from not counting the office space in the original college building. There is no explanation to reveal how this extraordinary leap in thought came about. In the event, the point is incorrect, for the following reason.

1.29 It is recognised by all parties that the previous permitted use of the site was for educational purpose, being Use Class D1(c). Thus, any office floorspace in the buildings would be incidental to the purposes of education, and such floorspace could not exist as a separate office use. In planning terms, there was no office floorspace which could attract the Use Class of B1(a). It is therefore incorrect to state that, because there was some space in the previous buildings occupied as administrative educational offices, "the total area of office (in the permitted 633 application) should in fact have been 1110 sq metres of office". Moreover, in policy terms, paras.5.1 and 5.2 of a "Guide to the Definition of Class B1 Development, January 1989", a figure beyond 465 sq metres was considered to lie outside a B1 use.

1.30 Method of Analysis: Para.3.1 to the report of 26 January 1990 sets out the application proposals, and it noted that the buildings under construction did not conform to the 633 planning permission; the route chosen by the architects to remedy the discrepancies was to make a fresh full application, when the proper route should have been via Section 32(1)(a) of the Town and Country Planning Act 1971, where the date of any retrospective permission granted would be that of when the works began (section 32[3]). This procedure would then have eliminated the need to take enforcement proceedings.

1.31 Reference is made at paras.4.2 to 4.4 inclusive of the committee report to objections made by the local residents, the burden of which was that they had not been notified of the details of the December 1988 permission, that a model produced for 2137 was not the same as the 633 model, and that the rear office block was now three floors above ground when it was always considered to be two. At para.7.2, the concern of the residents of 40 and 42 Gunter Grove was noted by reference to height and proximity, and the report "supports that concern". The subsequent revisions in 2137 to the original 633 proposals were only a "token modification" at the rear by setting the block 3.5 metres away from the original position (8 metres as distinct from 4.5 metres). Notwithstanding all these valid planning objections, permission was recommended, but, interestingly, it was for 21 flats, 8 houses and 1110 sq metres of office floorspace, whereas the application did not refer to the 8 houses.

1.32 For reasons unknown, this committee report was duplicated and given the same date as the other, namely, 26 January 1990, and there are some subtle differences between the two reports. Some are not material, but there are some to which attention is drawn. In para.3.1 of the new report, the

word "slightly" is inserted before the changes occurring since the December 1988 permission. In fact, those changes are sufficiently material to have attracted enforcement proceedings and a fresh application. In para.5.1, the word "fully" is inserted before referring to the accordance of the changes with the December 1988 permission, which implies that the differences were slight, which they were not. Para.6.1 is repeated, but with some different wording, but its burden is that because the differences between 633 and 2137 are slight, weight should be given to 633, and that 2137 does not, or will not, cause demonstrable harm to interests of acknowledged importance. In para 7.1, the number of flats appears to have been corrected to read 21 instead of 25 in the same paragraph of the first report. In para 7.2, the word "token" has been deleted where previously it was a material qualification of the modifications proposed. The intention of the duplicated report seems to be that of removing all possible doubts about the recommendation for permission.

1.33 High Court Injunction: Legal advice on these matters generally was asked of Counsel. As a result, an injunction was sought but was adjourned on terms that the 2137 application should not be decided before 13 March 1990.

2. PHYSICAL CONSIDERATIONS

2.1 This analysis is concerned only with the effect of the 2137 proposals on 42 Gunter Grove, although what has happened also has implications for other adjoining and nearby residents. Furthermore, reference hereon is made to certain measurements scaled off approved and deposited drawings, and whilst notice is taken of the warning about such matters that appears in the top right-hand corner of the drawings, certain conclusions can be deduced by a comparison of those drawings, where any inaccuracies of scaling are equally applicable to all drawings so that they tend to cancel out any false conclusions.

2.2 The boundary of the 633 application site extends 3 metres along the south west boundary of 42 Gunter Grove as shown on approved drawing HTN/01/105A. Between the conterminus boundary, which has a dividing wall of 2.4 metres high, and the rear elevation of the building under construction is a void to be used as a means of escape during a fire; the wall of the building then rises to form the rear elevation. At 42 Gunter Grove, there are three windows directly affected by this wall, across a garden of only 2.8 metres in depth, one window being at ground floor level, and a french window, and one at first floor level; two of which are habitable rooms. The distance between no.42 and its garden wall is 2.8 metres; the distance between no.42 and the rear part of the ground floor of the office building was 4.9 metres on the 633 permission, but has now been moved back (2137) so that the distance between No.42 and the ground and upper floors of the office building is 8.5 metres. The garden wall, at a height of 2.4 metres, obscures the basement, but exposes the ground and upper floors of the office building.

2.3 To compound these matters, whereas the 633 permission on drawing 105A showed the application site boundary to extend

only 3 metres along the rear boundary of No.42, the 2137 drawing 106B shows the extent to be 4 metres, thus bringing the overshadowing to the windows of No.42 that much closer and so becoming more oppressive. In the context of sunlighting, it had been agreed between the parties that the 633 permission would deprive No.42 of 1 hour 55 minutes of sunlight, but the new position of the five-storey block will increase materially that degree of deprivation.

2.4 It is thus obvious that what was said in the revised committee report of 26 January 1990 to be "slight" changes, are indeed substantial and material changes, which thereby increase the strength of the objections - which in their original form had the support of the planning officer in his first report of 26 January 1990 at paras. 7.2, and which confirms the nature of the refusal of the 632 application.

3. MATTERS ARISING

(a) Summary of Case

3.1 The case can be itemised as follows:-

- The previous use of the site was D1(c) (educational use).
- Two applications were submitted (632 and 633), incorporating first 694 sq metres on which the appeal was based, 600 sq metres, and then amended in the 633 application to 675 sq metres of B1 (office use).
- Application 632 was refused, appealed against, but the appeal was subsequently withdrawn.
- Application 633 was permitted, quoting 675 sq metres of office space (after an amendment to the notice) in December 1988.
- Application 1410A, quoting 767 sq metres of office space was similarly refused.
- The building began by demolition in March 1989, and building proper began in September 1989.
- The buildings were not being constructed in accordance with the 633 permission, and objections were laid.
- On 31 October 1989, an enforcement notice was served alleging a breach of the 633 permission, with an Inquiry on 26 June 1990.
- Application 2137 was submitted to remedy the breach.
- This application had fundamental changes from 633 by reason of size of the B1 floorspace (675 to 1038/1110 sq metres), and a difference of "footprint", and objections were laid against it, including the seeking of a High Court injunction.

- 2137 is to come before a sub-committee on 13 March 1990 with a revised report by the planning officer. This is a report which has made certain subtle changes to the text of the original report of the same date to reduce the emphasis on the objections and constraints.

(b) Required Action

3.2 Because of the fundamental planning objections to the redevelopment scheme, where the eventual permission granted for it (633) was founded on misleading information given to the committee; which, by analysis of the submitted drawings, was in breach of the council's own guidelines on B1 development; and which has begun a type of construction in breach of that permission, causing enforcement proceedings to be instigated; there can only be two courses open to the committee when it meets on 13 March 1990.

3.3 First, it must refuse application 2137; there can be no doubt about that if good planning practice, credulity and natural justice are to prevail, and be seen to prevail. The reasons for refusal of 2137 will be based on a conflict with the council's B1 policy, over-development, and prejudicial to the amenities of adjoining properties. The result of such a refusal will either leave the present structure without a permission, or will cause the developers to revert to the dubious 633 permission. In any event, the developers would certainly lodge a Section 36 appeal against the refusal.

3.4 Second, if the developers persist in continuing with the present structure which is in breach of the 633 permission, then enforcement proceedings must be reactivated or continued as the case may be. The developers almost certainly would appeal against the notice and there would be a local inquiry which would be heard by a DOE Inspector, and which would be heard in conjunction with the Section 36 appeal. That Inspector would have several courses open to him:-

- Uphold the enforcement notice and so require the scheme to revert to the 633 permission, and setting an appropriate period for the breach to be remedied.
- Quash the enforcement notice, which would effectively regularise by his permission the breach of planning control.
- Allow the appeal on the 2137 application.
- Dismiss the 2137 appeal.
- Within either of these possibilities, the Inspector could indicate what in his opinion should be done to produce a situation satisfactory to all parties.

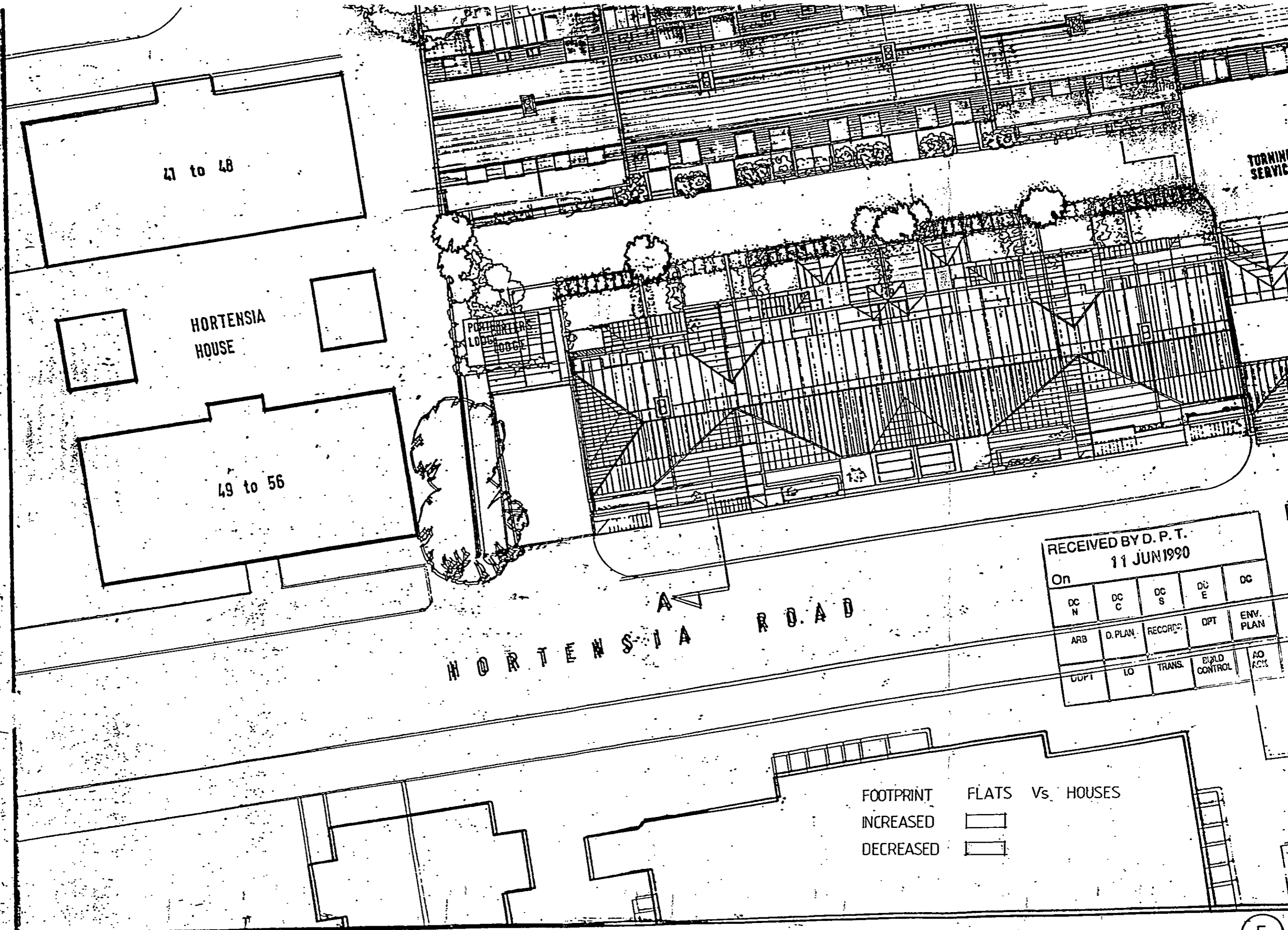
Also, within the carrying out of any of these procedures, the council could consider whether it should serve a Stop Notice, which would bring further construction to a halt (that is to say, all that work done in breach of planning control) pending the decisions which would follow on from the local inquiry.

3.4 Whichever course of action accrues from a refusal of the 2137 application, it would bring the proposals into the public arena where all parties could state their case. There can be no doubt that this is the fairest solution to the present dilemma, because any decision taken in these circumstances would be impartial, and would arise from the skilled weighing of all planning facts stripped of subjectivity.

4. CONCLUSION

4.1 It is thus clear that there are a great many questions to be answered in the determination of all these applications, and the only way to have them answered is to put the case into the public domain where all matters can be fully debated and satisfactorily resolved.

3 March 1990



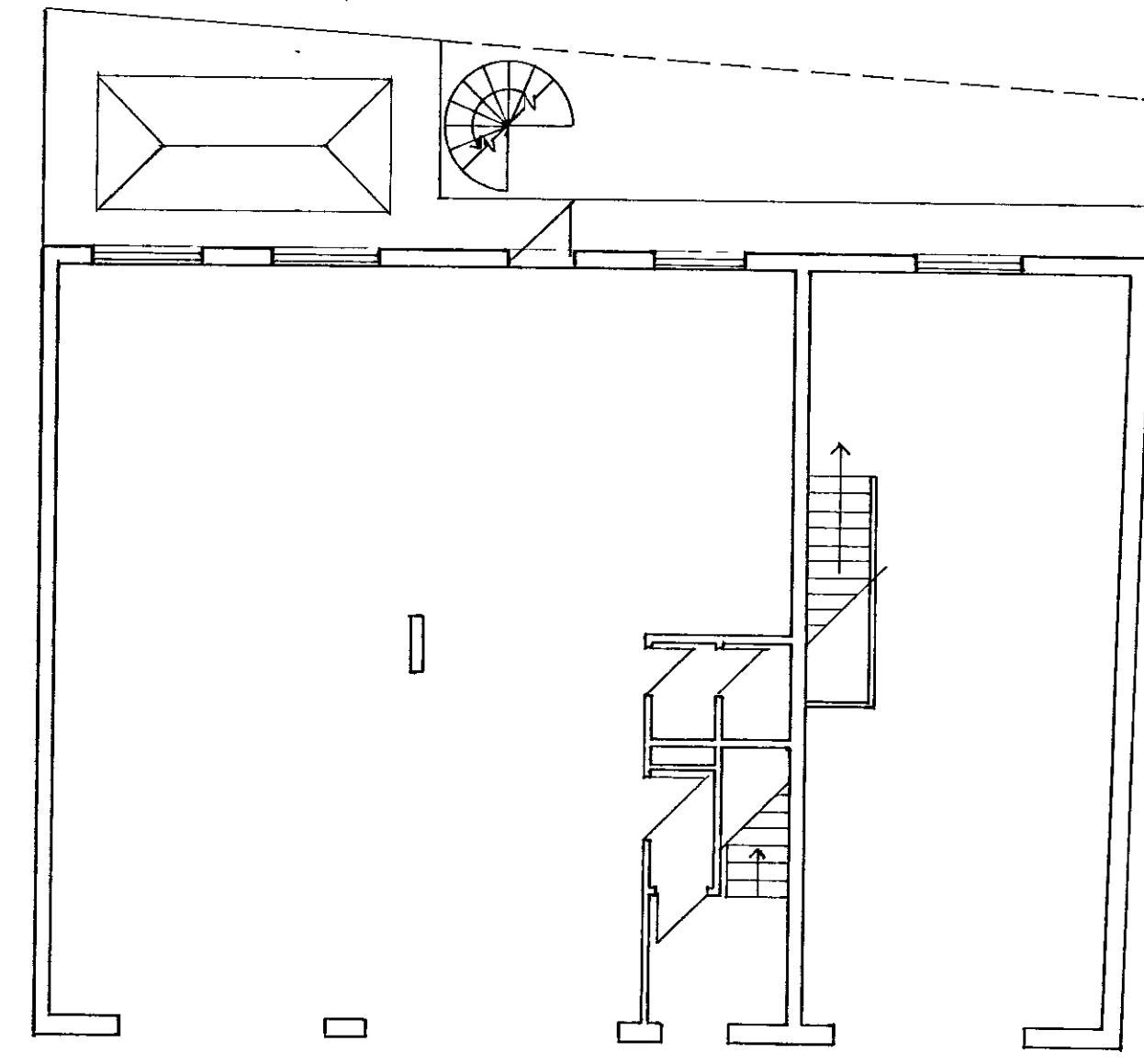
RECEIVED BY D. P. T.
11 JUN 1990

On	DC N	DC C	DC S	DC E	DC
	ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
	DDPT	LO	TRANS.	BUILD CONTROL	AD ACS

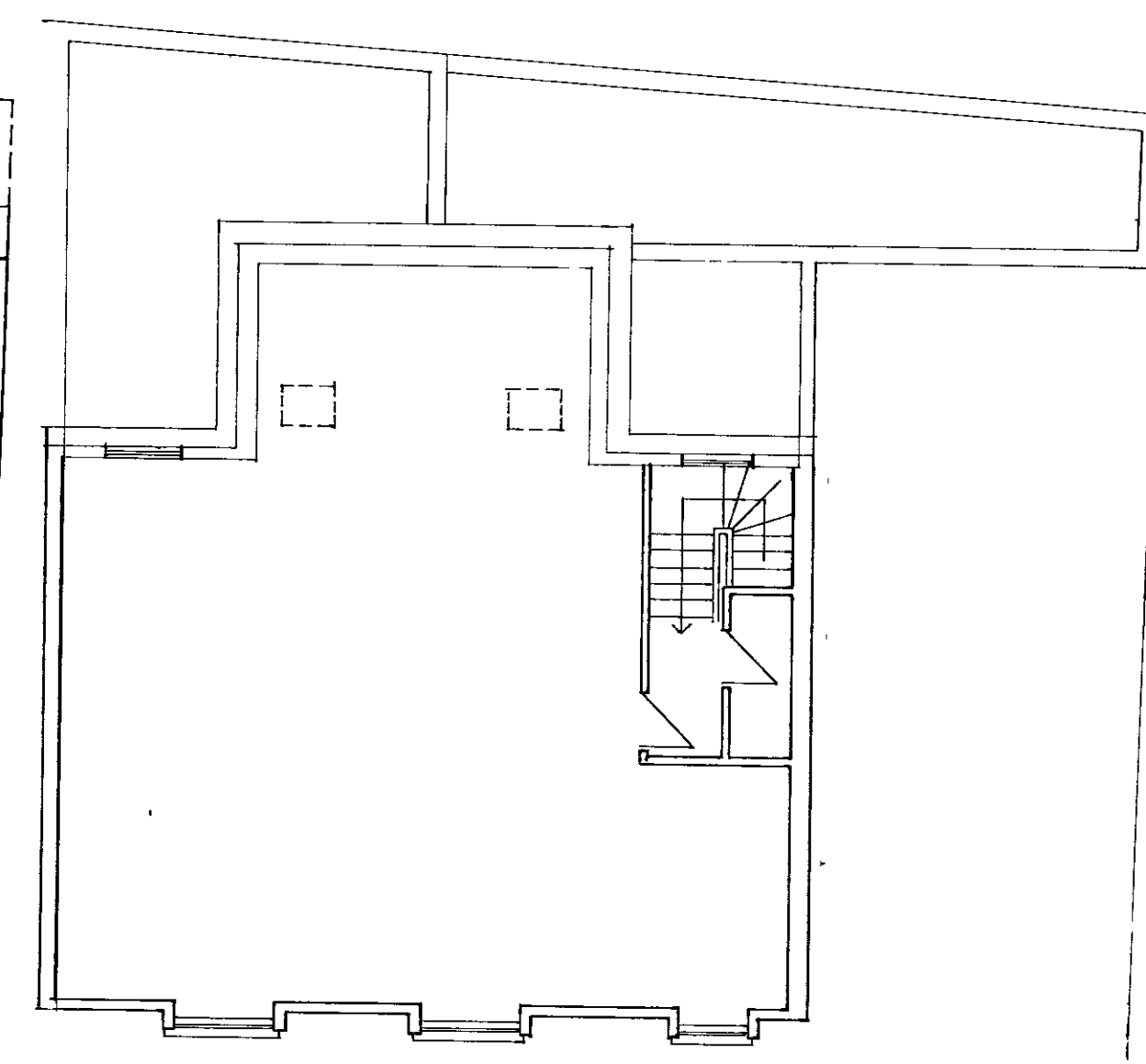
TP/39/2137 (4)

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.

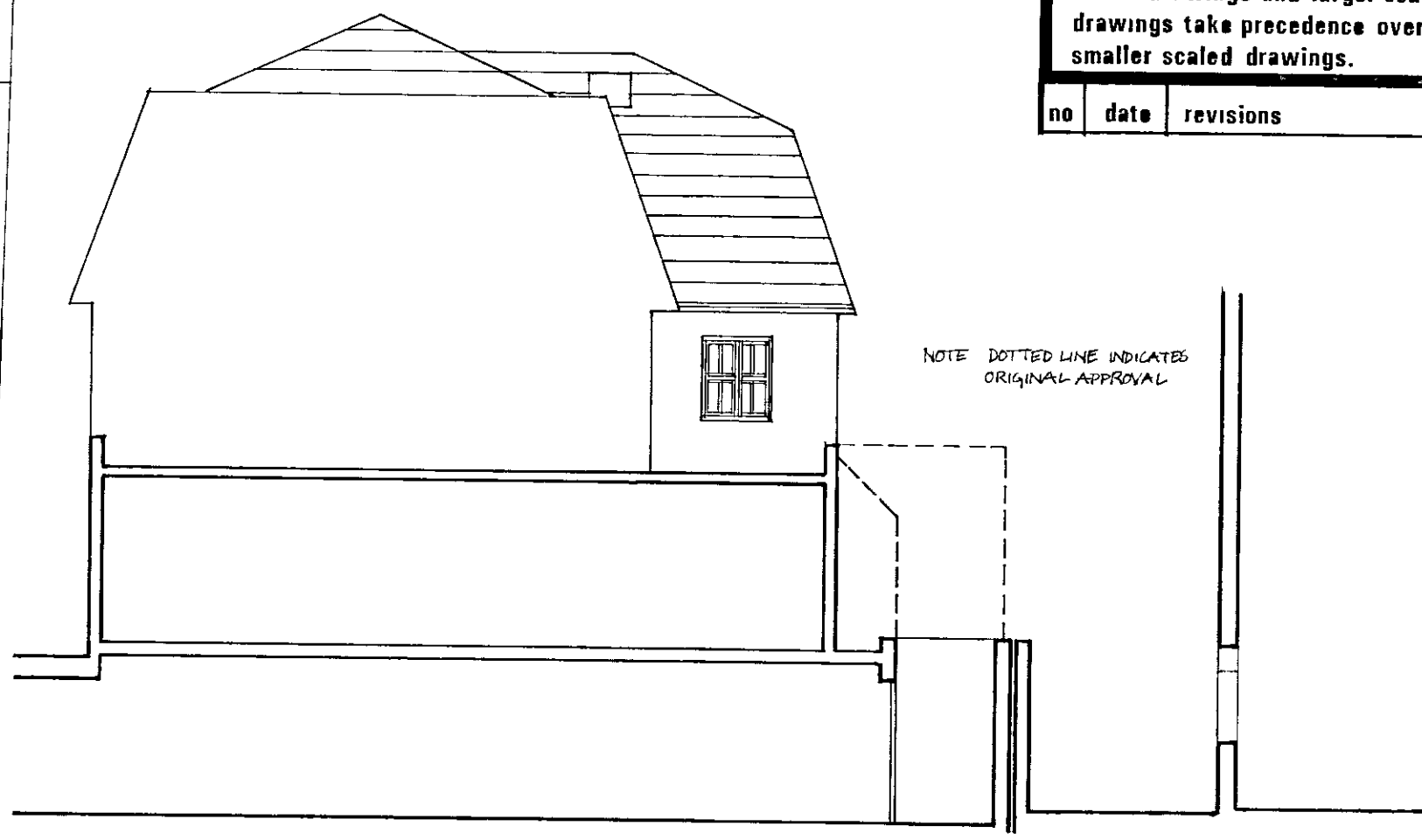
no	date	revisions



GROUND FLOOR unit 1+2

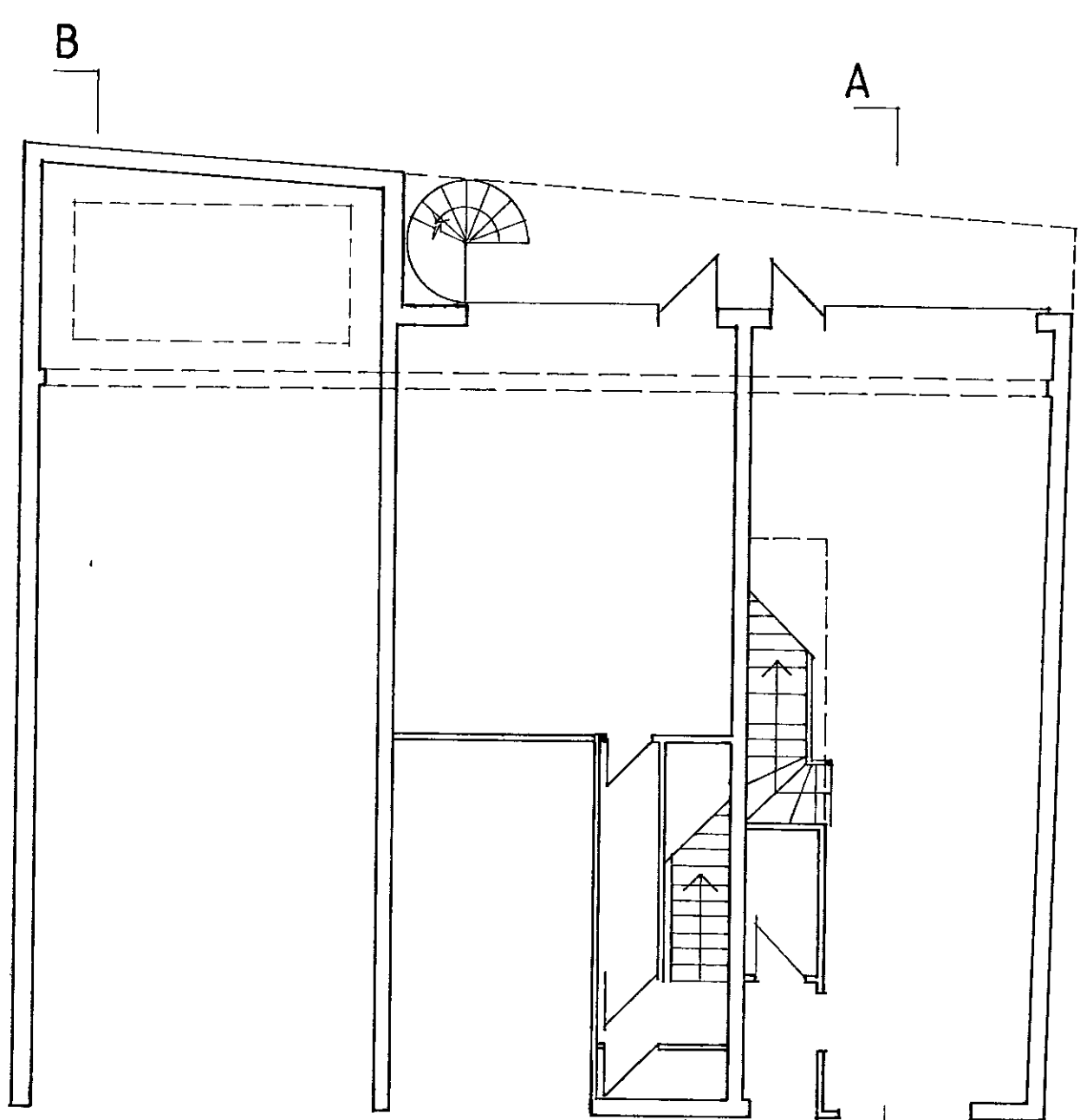


SECOND FLOOR unit 1

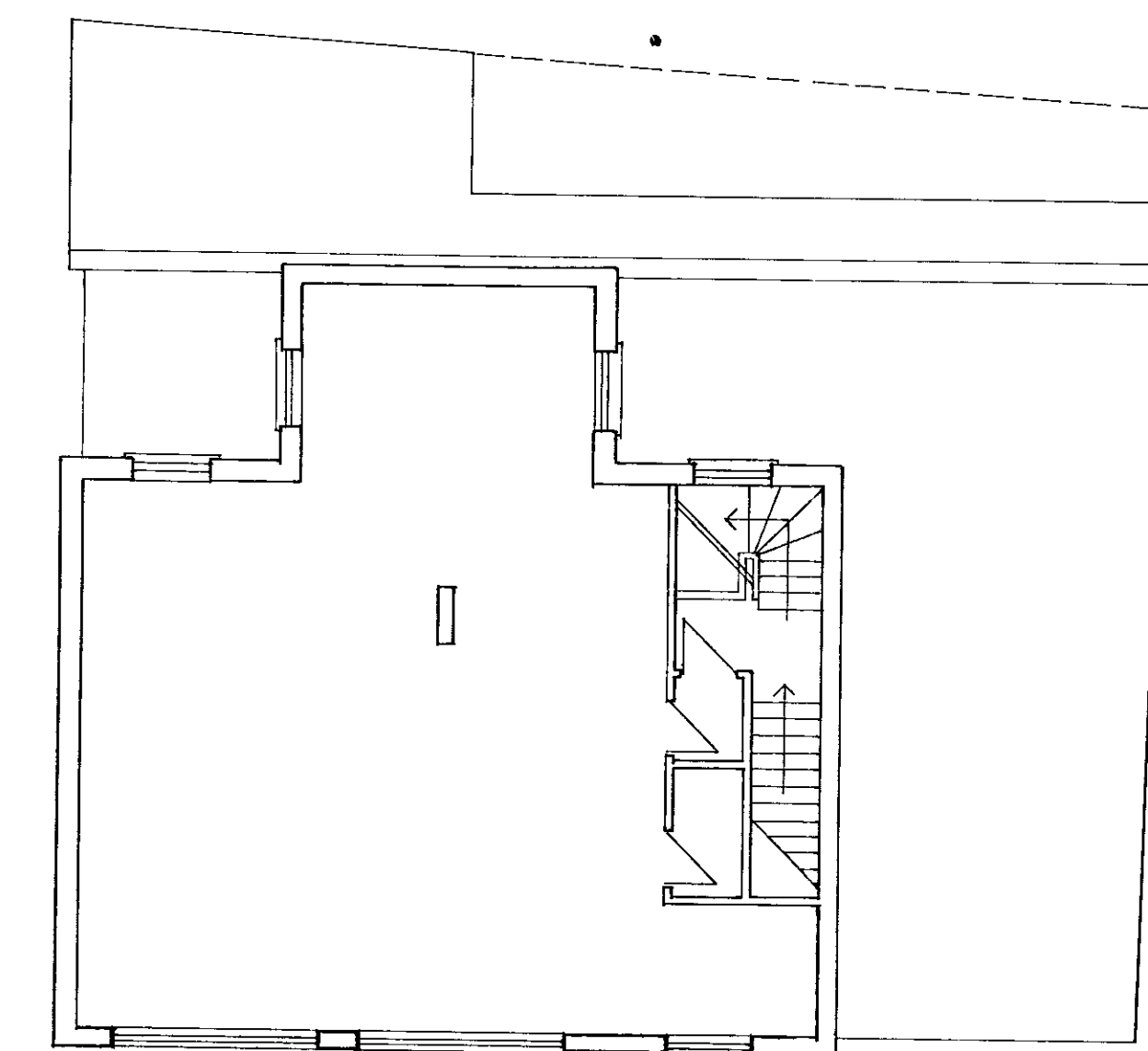


SECTION A-A

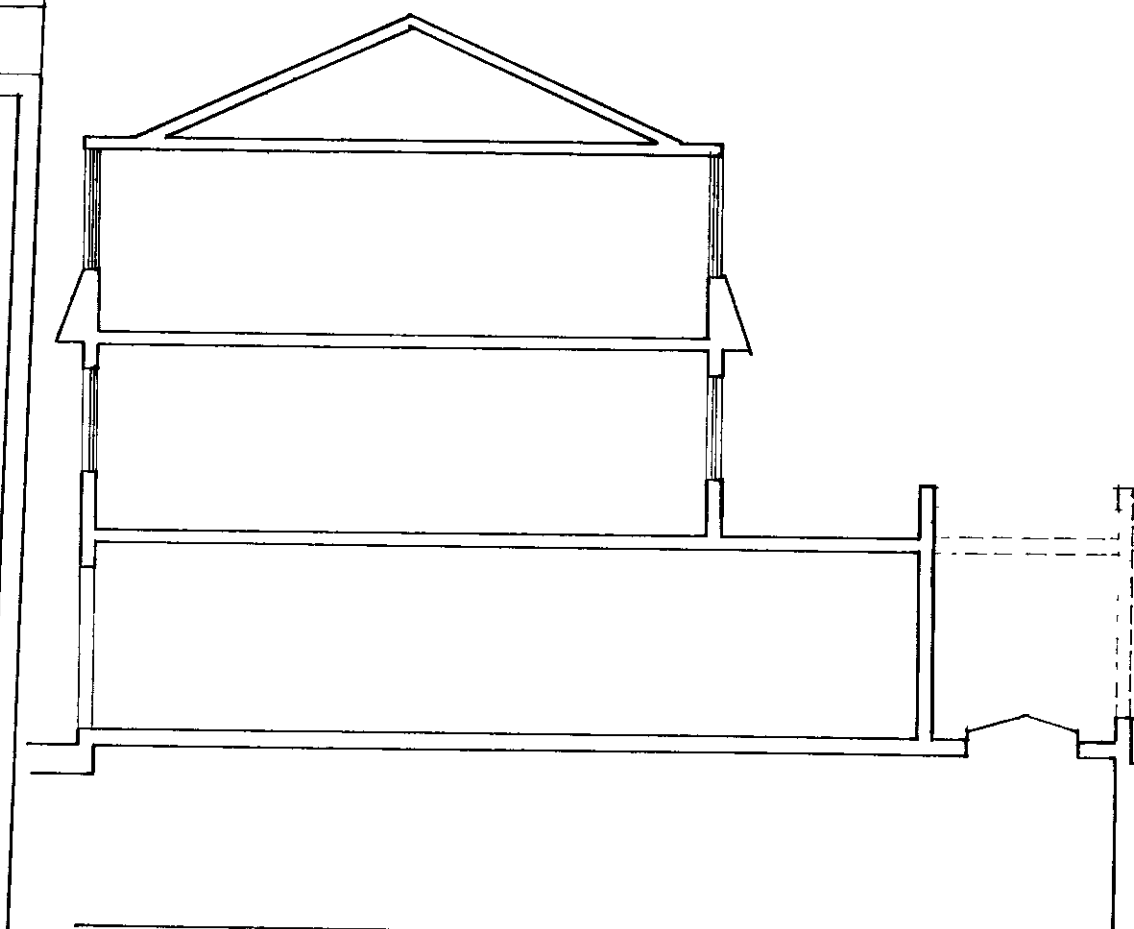
NOTE DOTTED LINE INDICATES ORIGINAL APPROVAL



BASEMENT unit 2



FIRST FLOOR unit 1



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

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

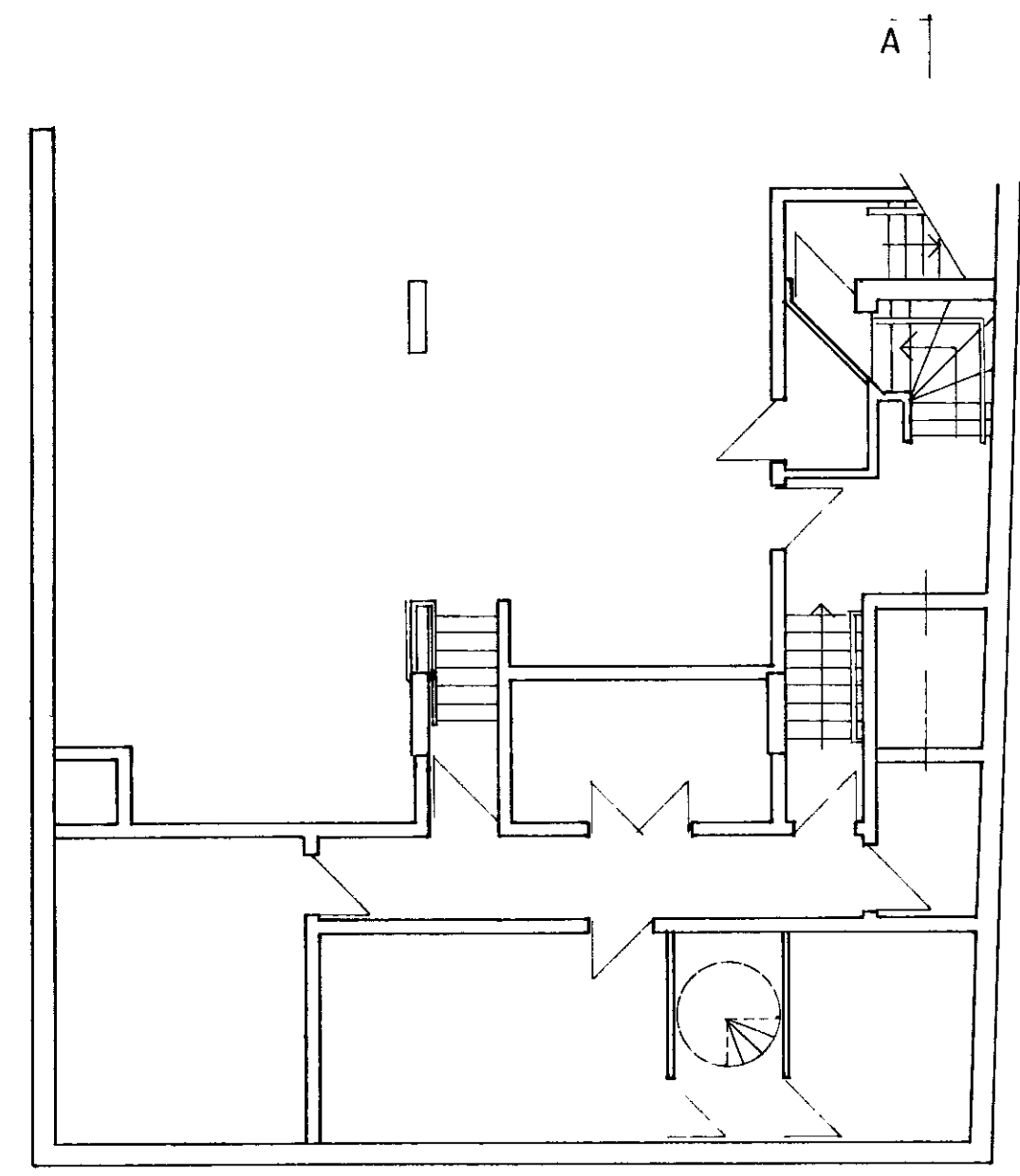
Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

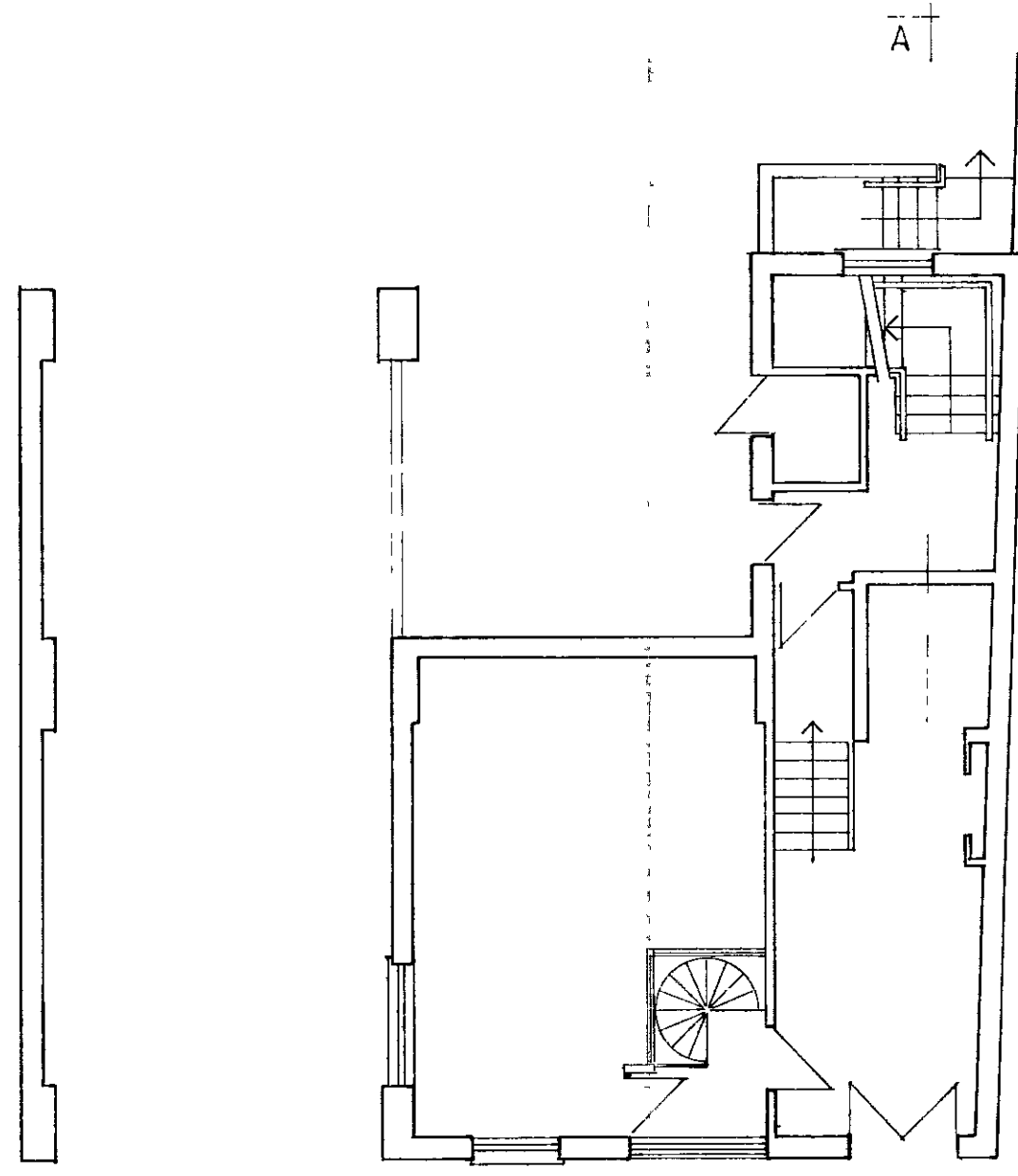
Drawn by
 RECEIVED BY D. P. T.
 On 13 DEC 1989
 Date DEC 89

Drawing No
 HTN/01/113-rev D
 A/C N C D P
 A/W D PLAN RECORDS DWG

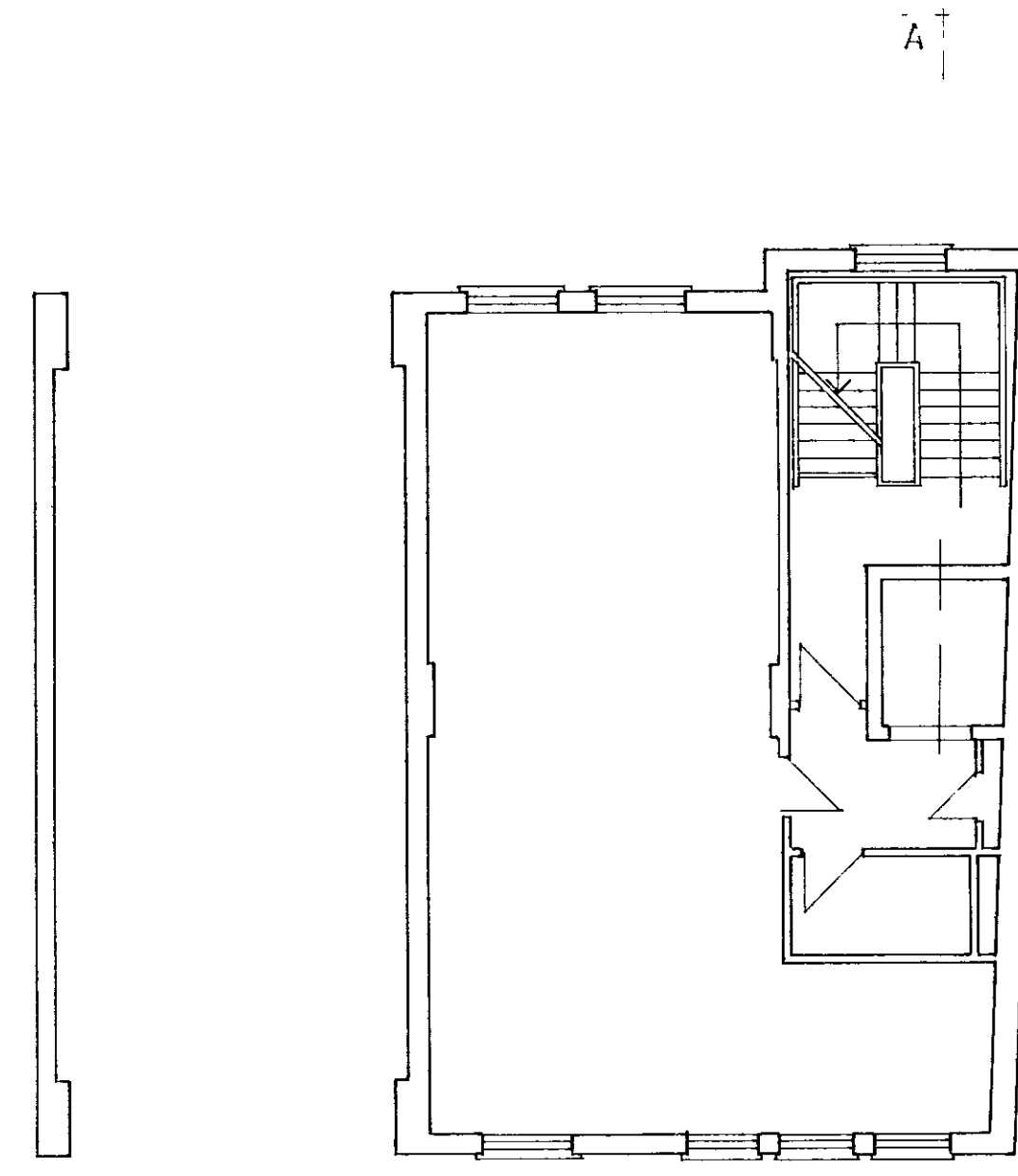
Scale
 1:100



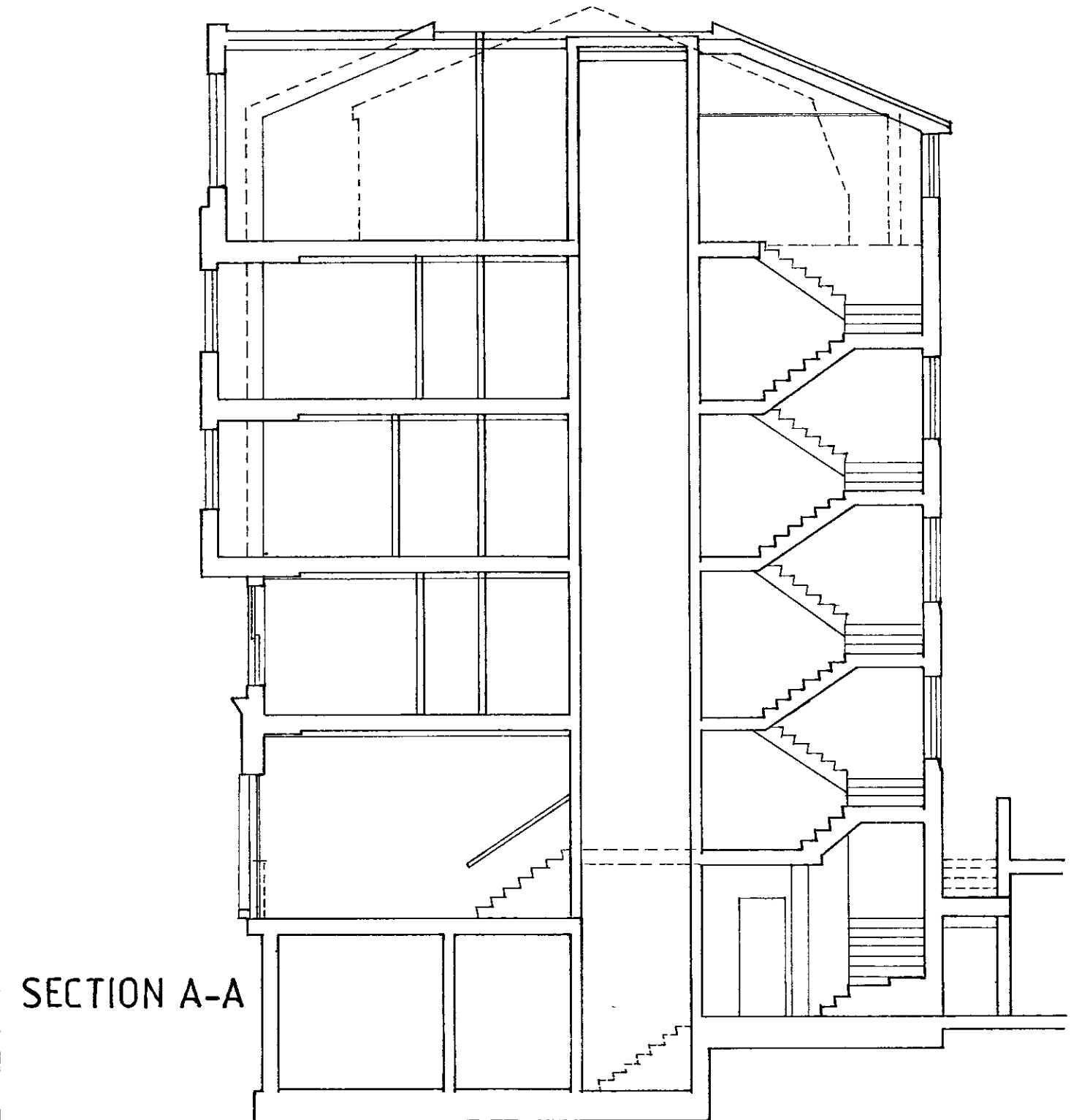
BASEMENT



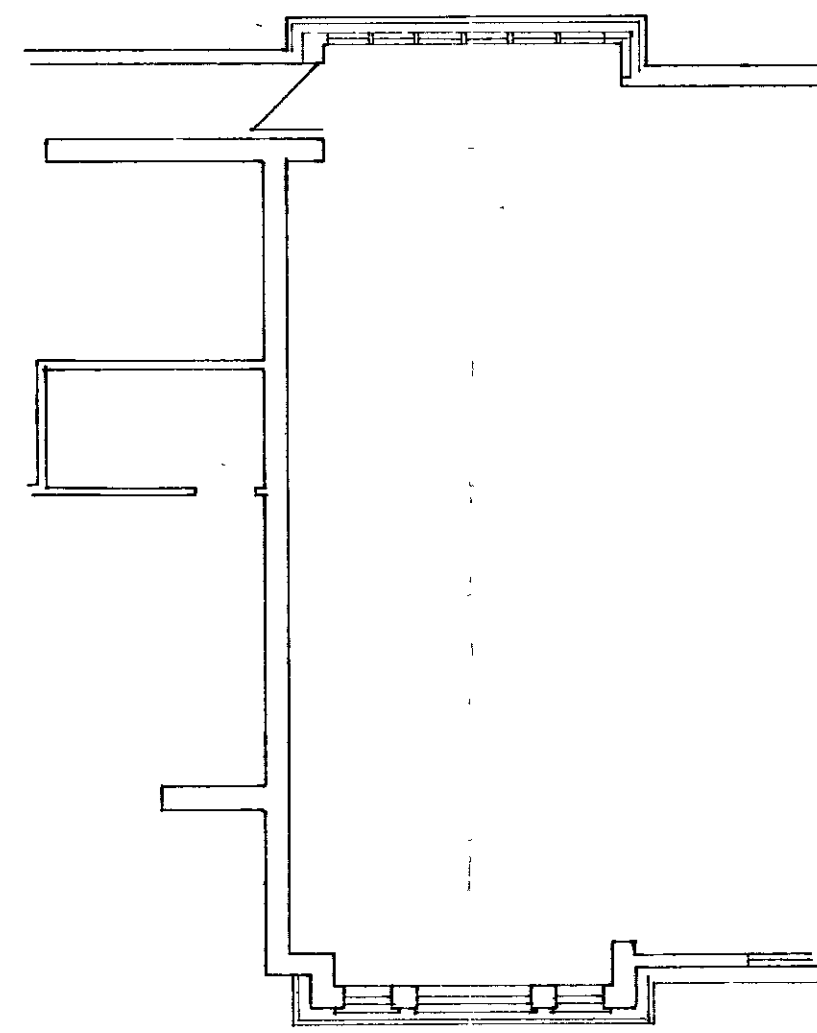
GROUND FLOOR



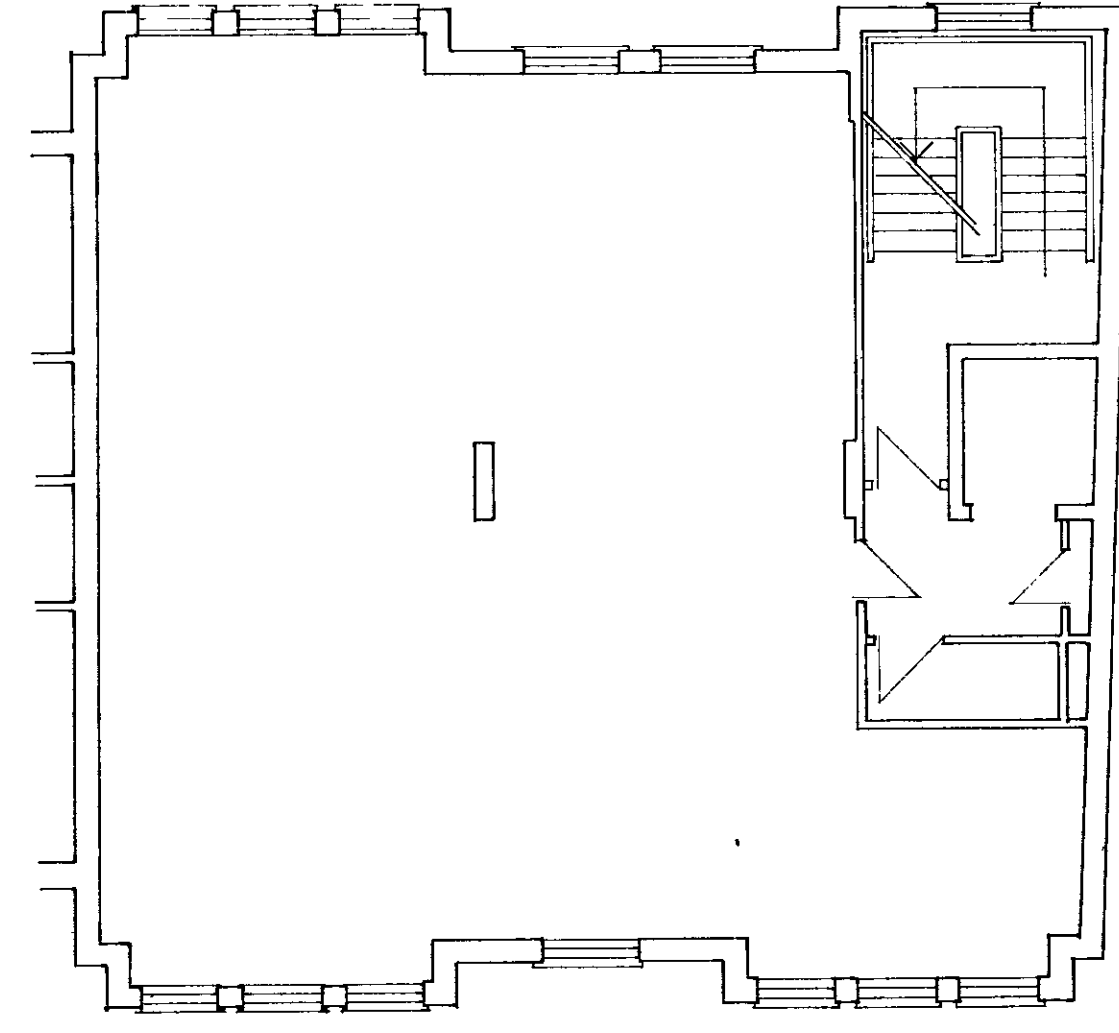
FIRST FLOOR



SECTION A-A



FOURTH FLOOR
(SHOWING ACCESS TO ESCAPE STAIR)



SECOND, THIRD AND FOURTH FLOOR

TP89/2137C

This drawing must not be scaled
Figured dimensions, levels, etc. only
are to be used TP 89/2137
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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
E	JAN 90	SECTION LINES INDICATED

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

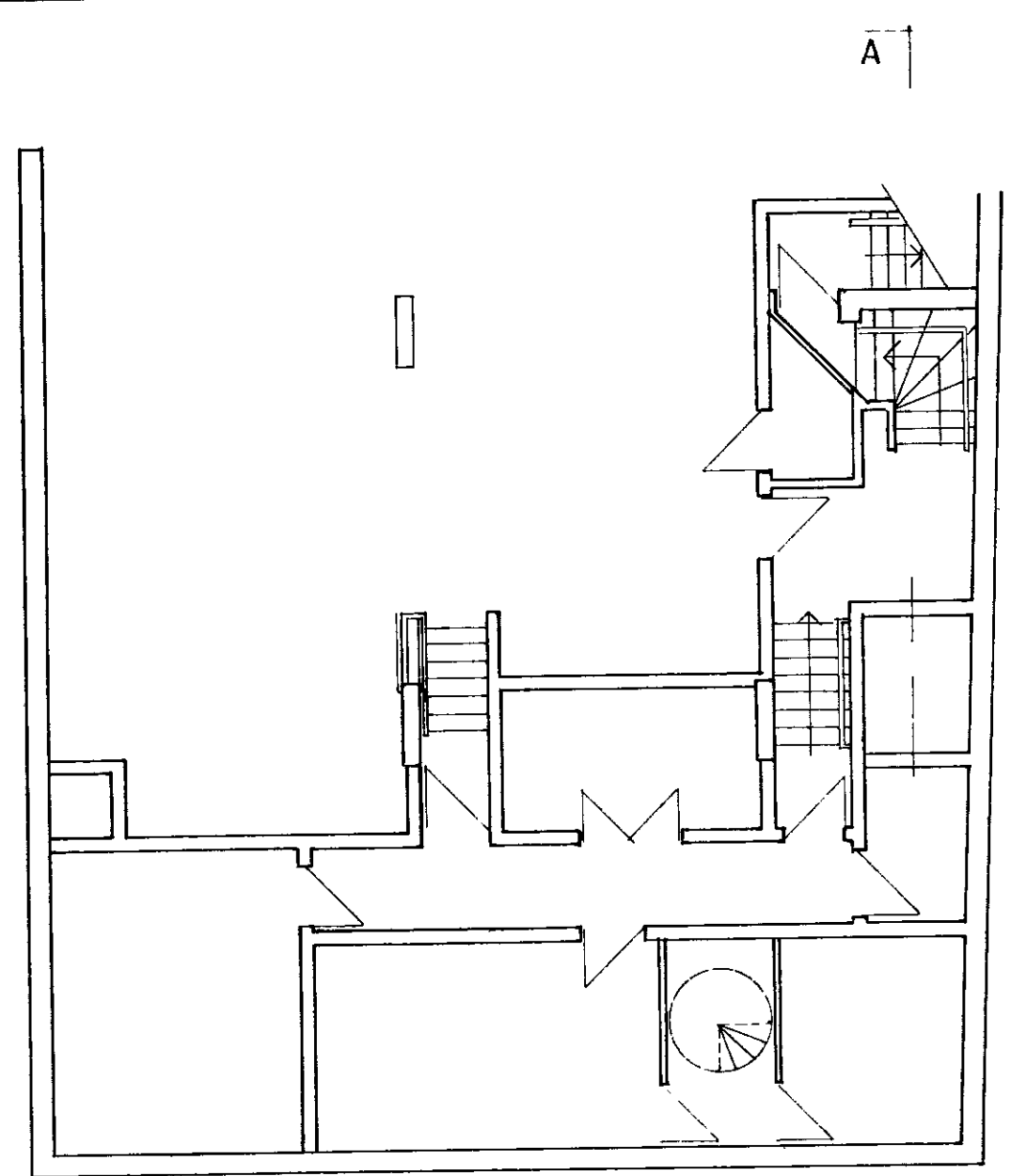
Job
HORTENSIA ROAD

Title
FRONT OFFICES

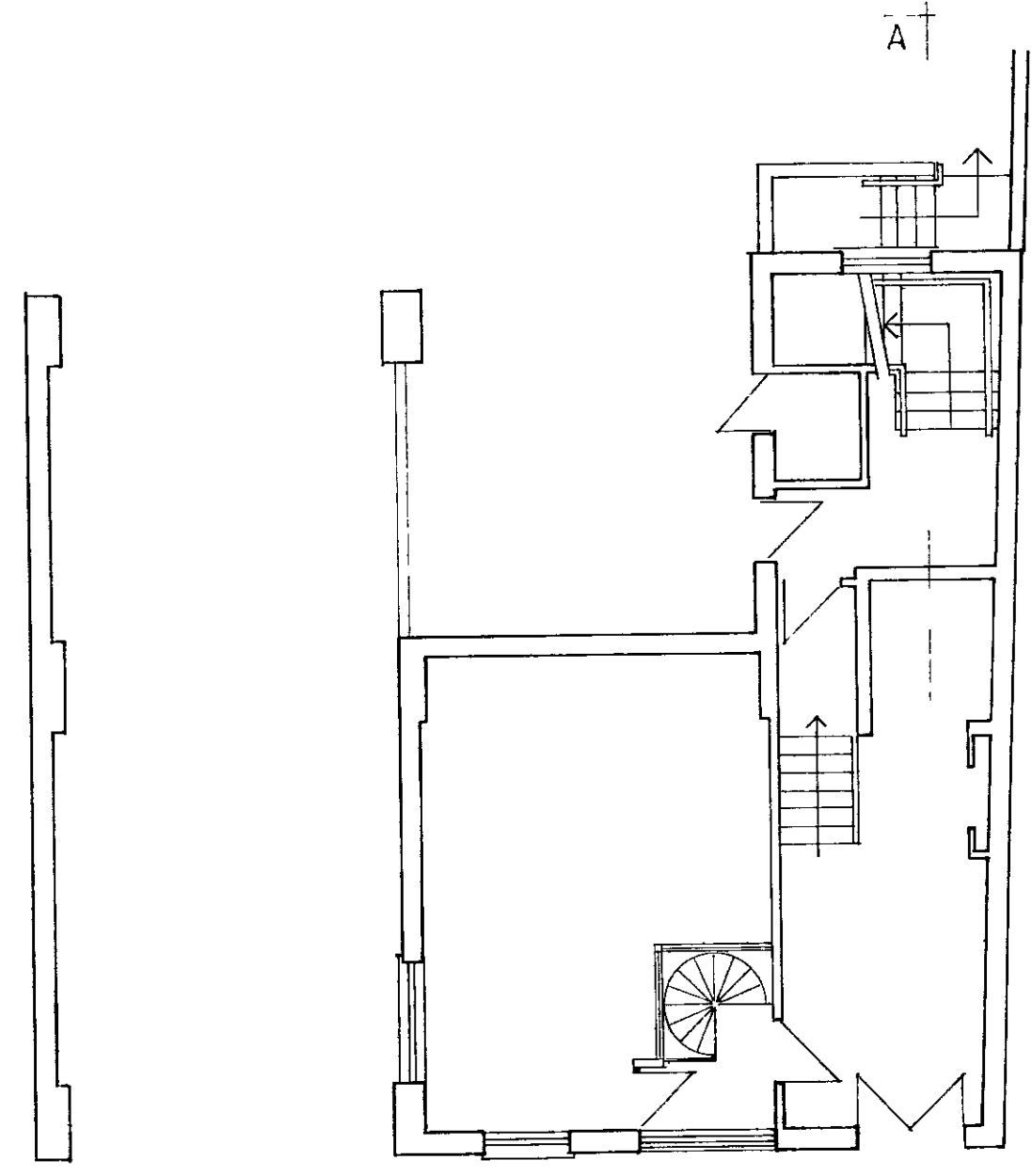
Drawn | **Date**
DEC 89

Drawing No
HTN/01/114 rev E

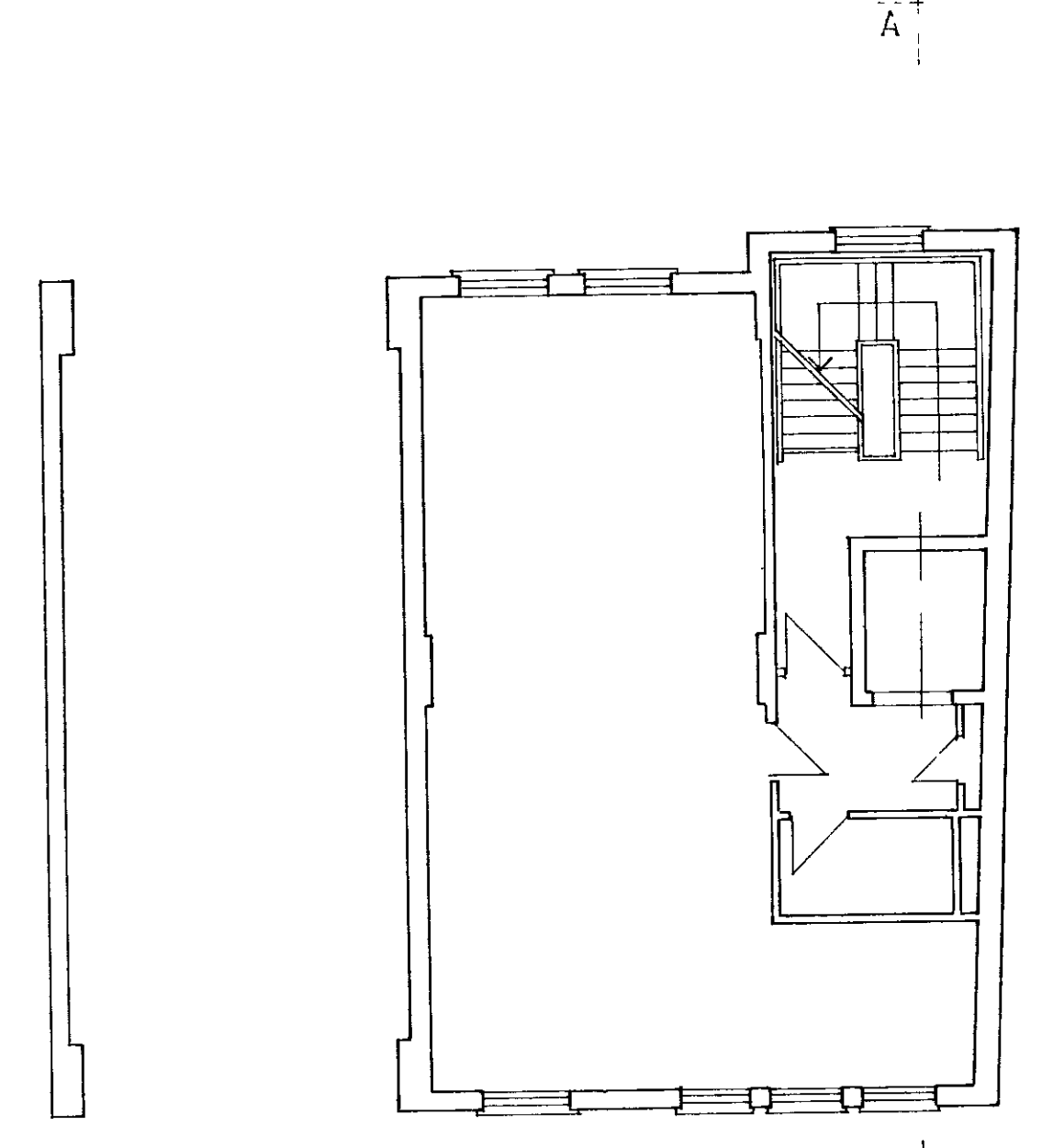
Scale
1:100



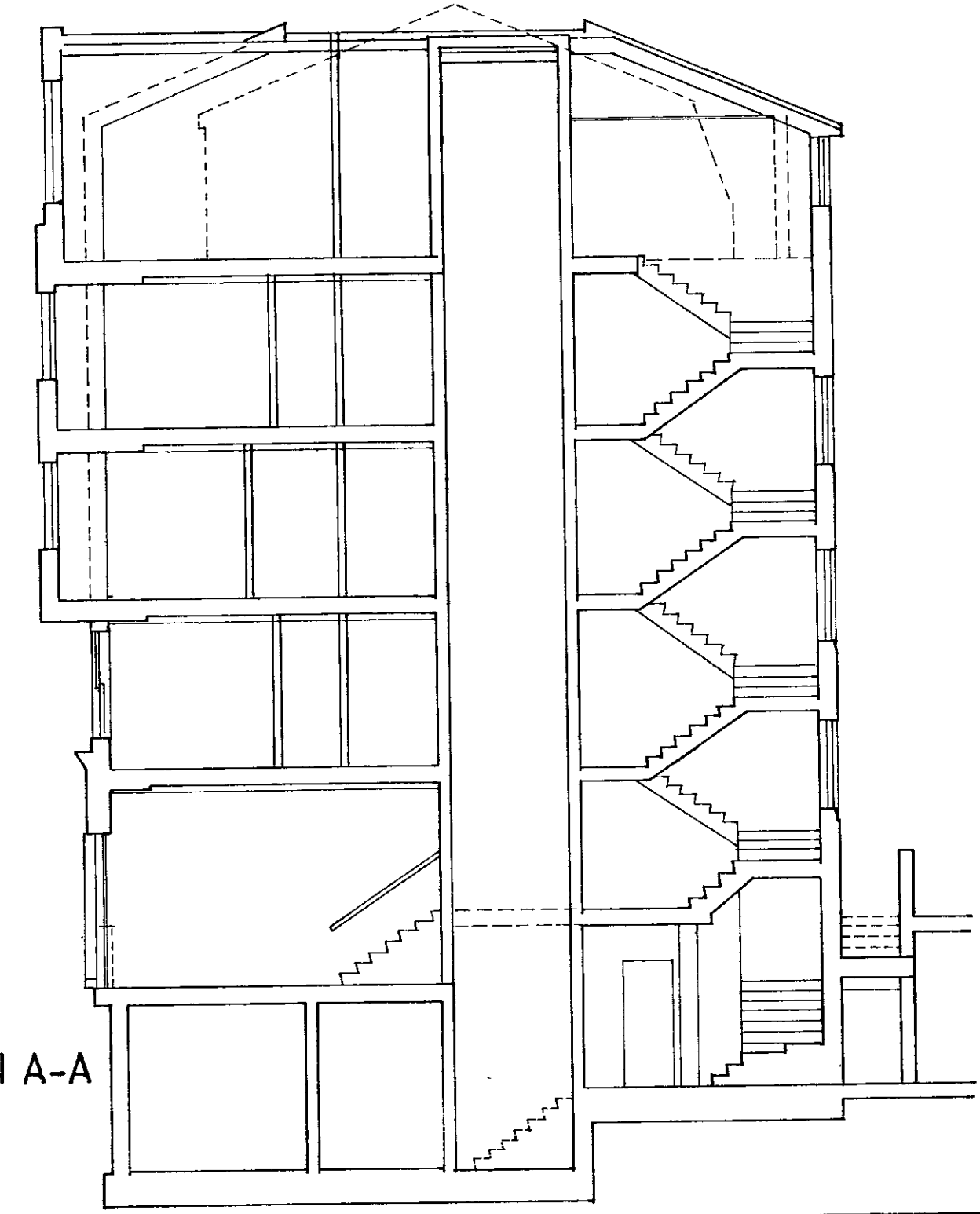
BASEMENT



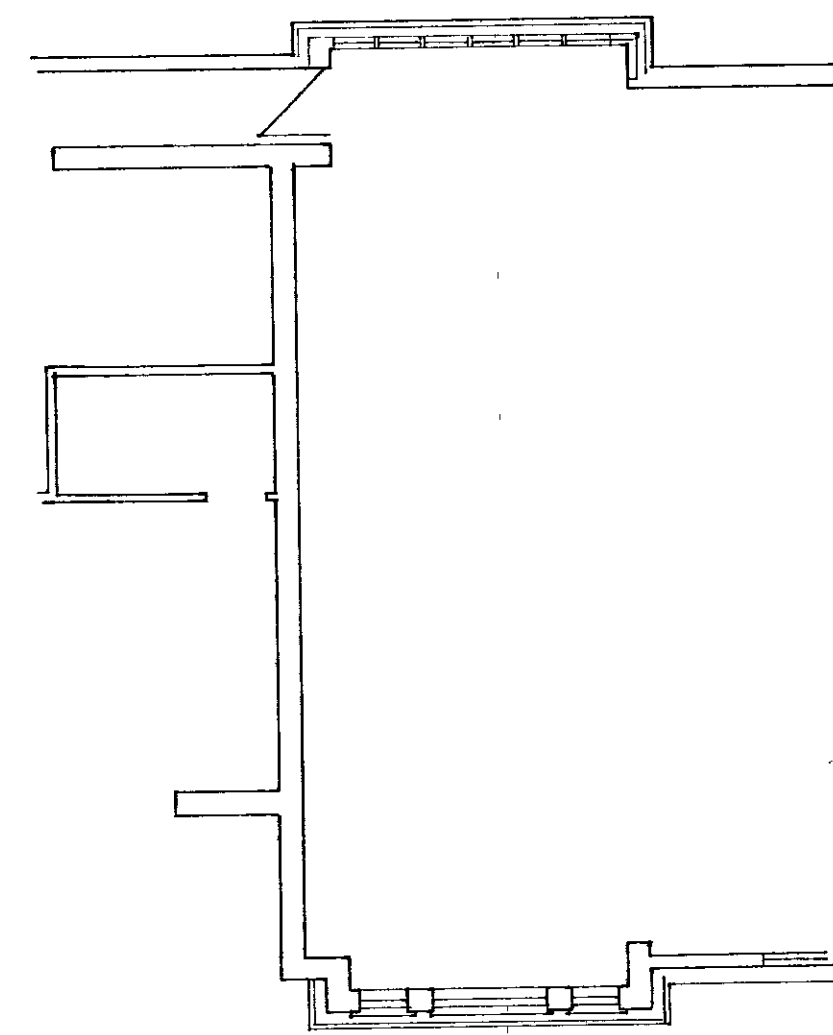
GROUND FLOOR



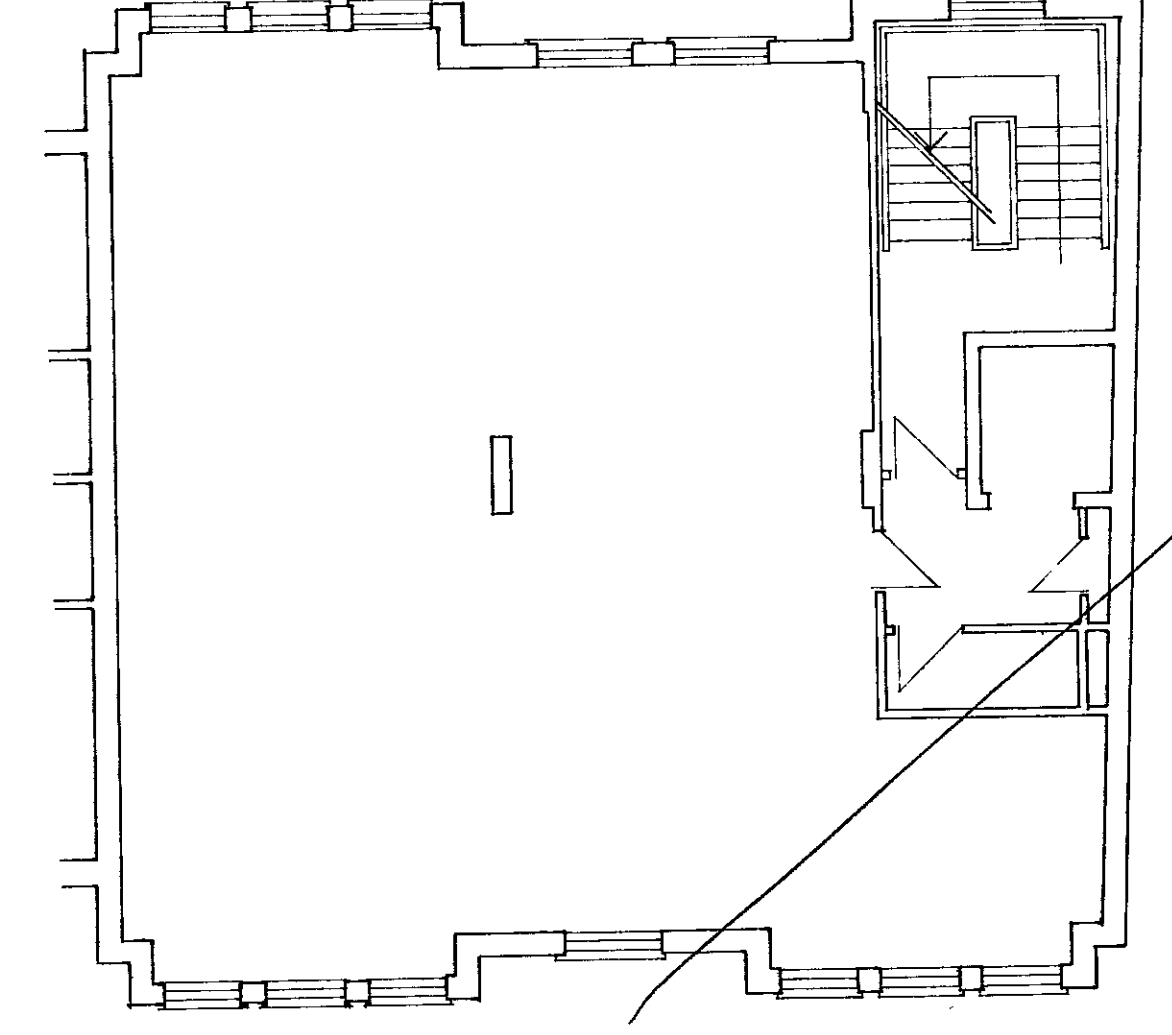
FIRST FLOOR



SECTION A-A



FOURTH FLOOR
(SHOWING ACCESS TO ESCAPE STAIR)



SECOND, THIRD AND FOURTH FLOOR
TP89/2137C

This drawing must not be scaled
Figured dimensions, levels, etc, only
are to be used TP/89/2137
Any inaccuracies, etc, must be
notified to the Architect (43)
This drawing is copyright.
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings

no	date	revisions
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
E	JAN 90	SECTION LINES INDICATED

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

Job
HORTENSIA ROAD

Title
FRONT OFFICES

Drawn
Date
DEC 89

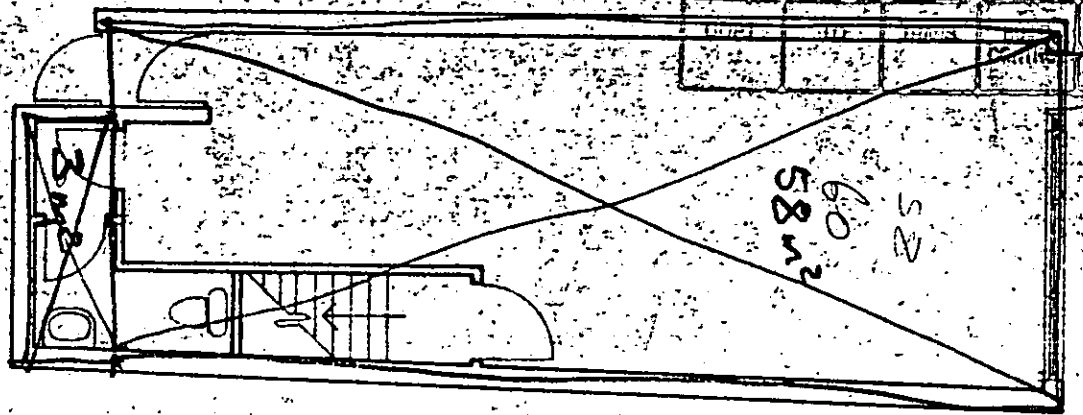
Drawing No
HTN/01/114 rev E

Scale
1:100

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
A	01/88	REVISED

RECEIVED				
22 DEC 1988				
On				
DS N	EST C	US 2	DO	
ASB	D. PLAN	RECORDS	DPT	ENV. PLAN
				CD PLAN

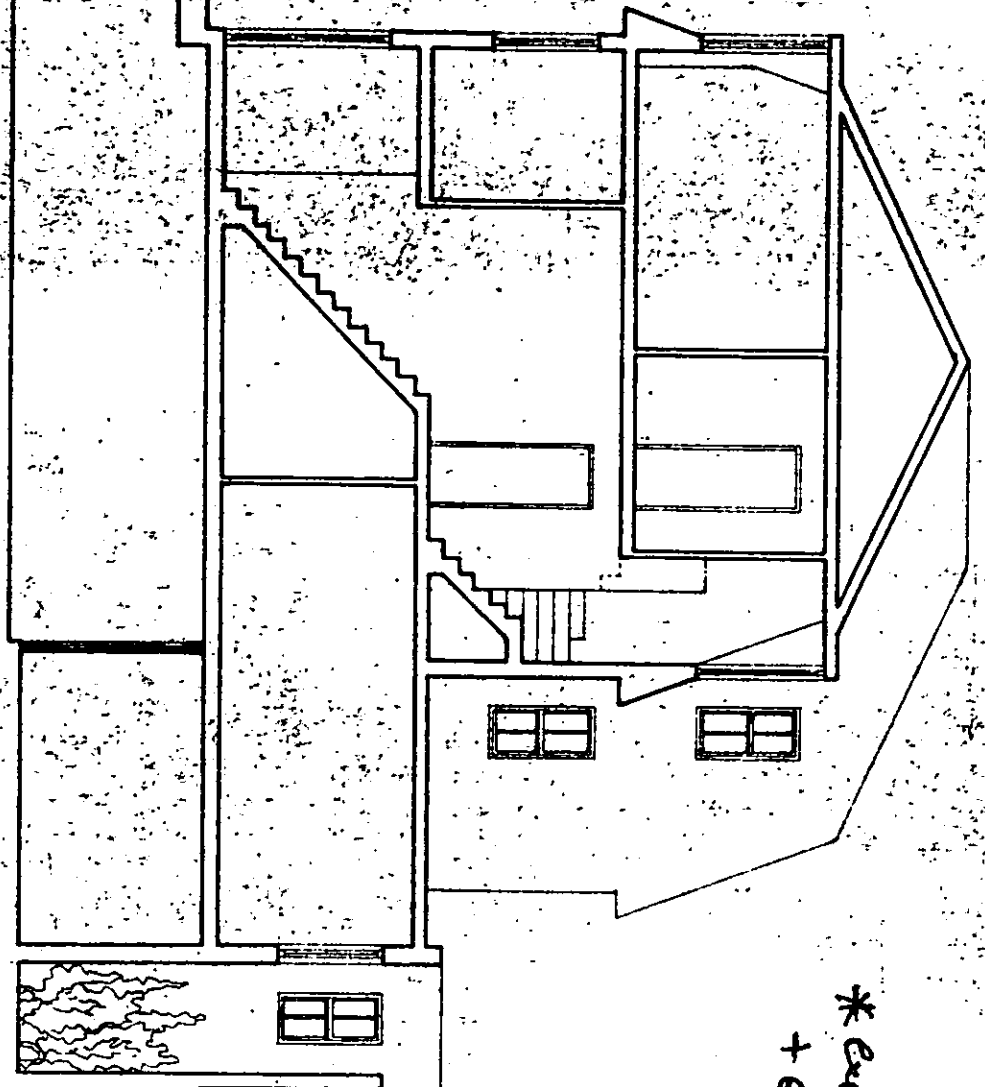


f 57.5

BASEMENT UNIT 2

Total Gross 438 m²
 Net* 400 m²

*excl WC lift + stairs core
 + external walls



ON A-A



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

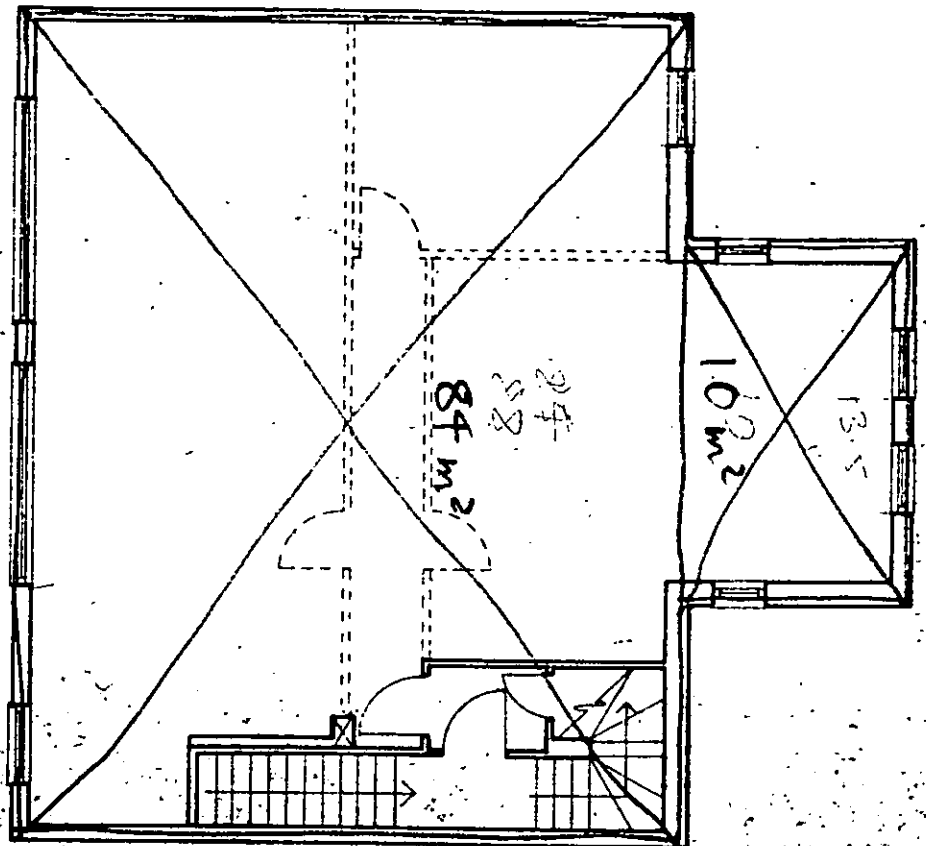
Job
 HORTENSIA ROAD

Title
 REAR OFFICE U1,2.

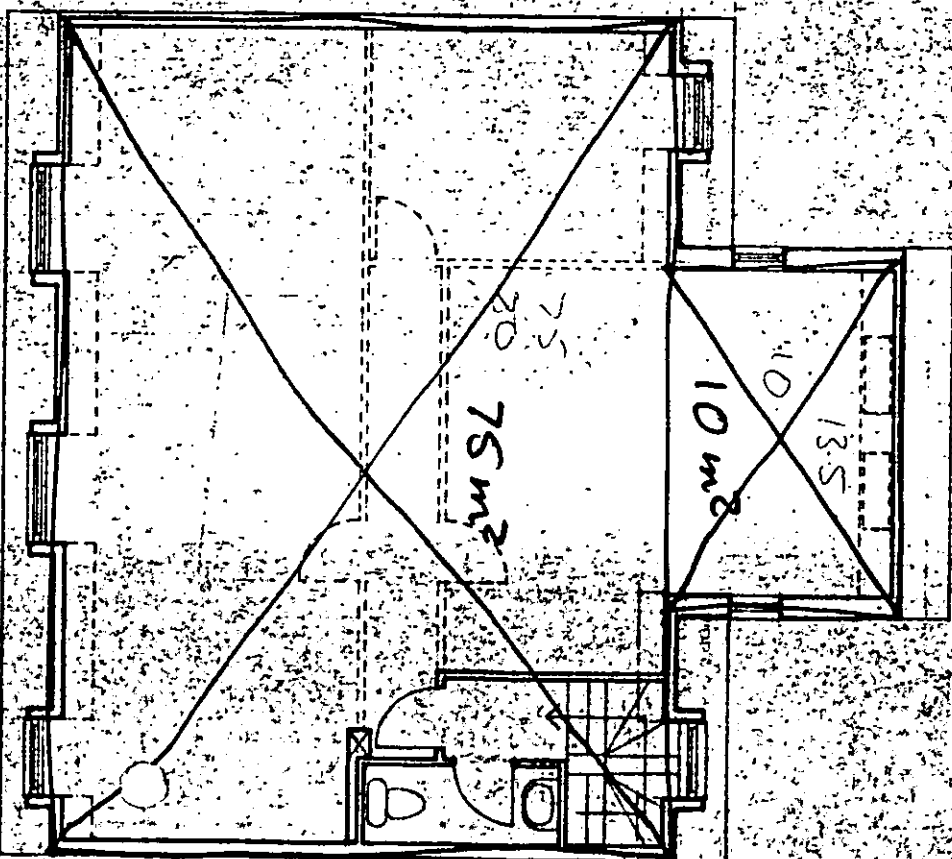
Drawn **Date**
 OCT 88

Drawing No
 HTN/01/113

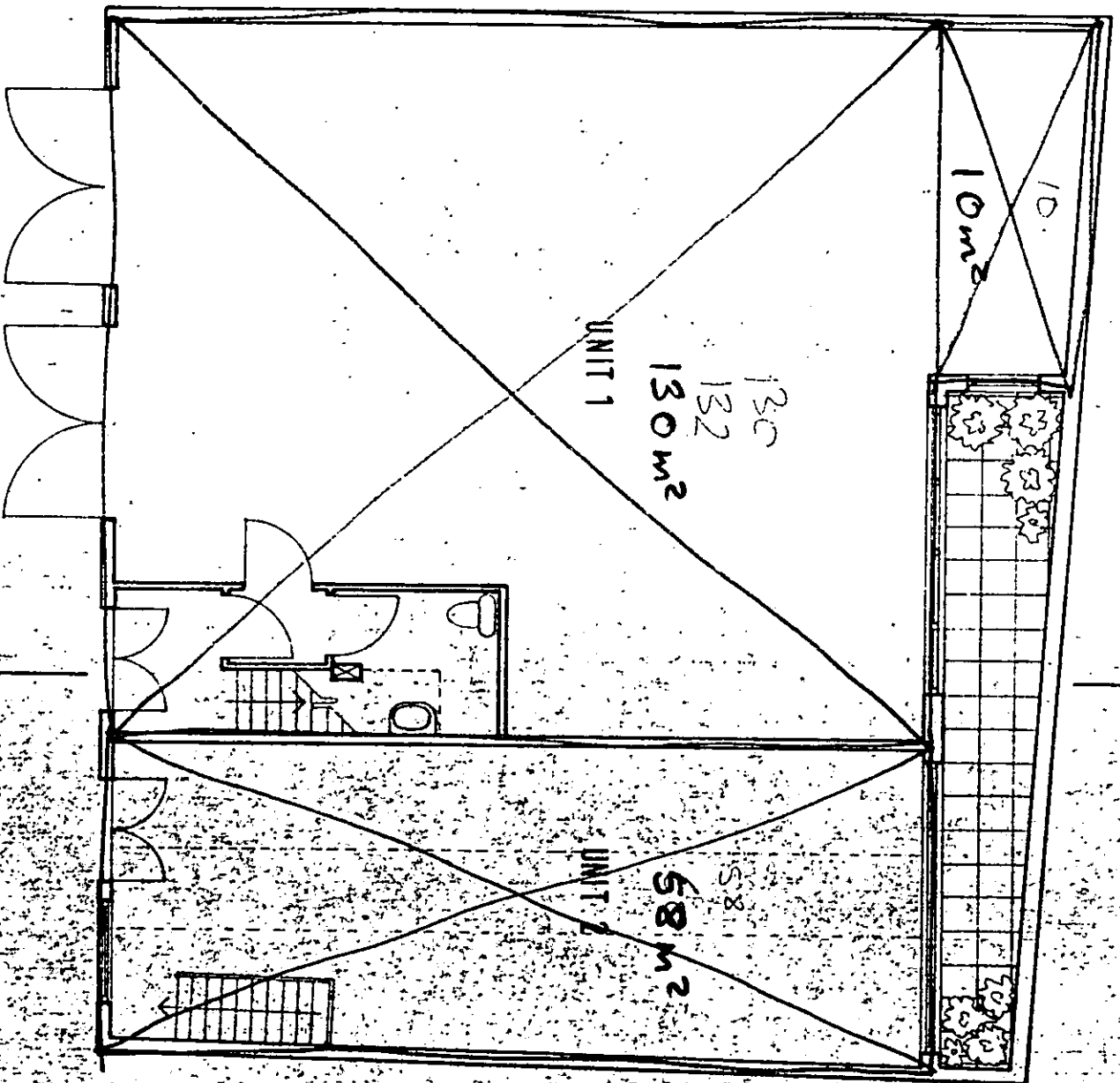
Scale
 1:100



FIRST FLOOR UNIT 1



SECOND FLOOR UNIT 1

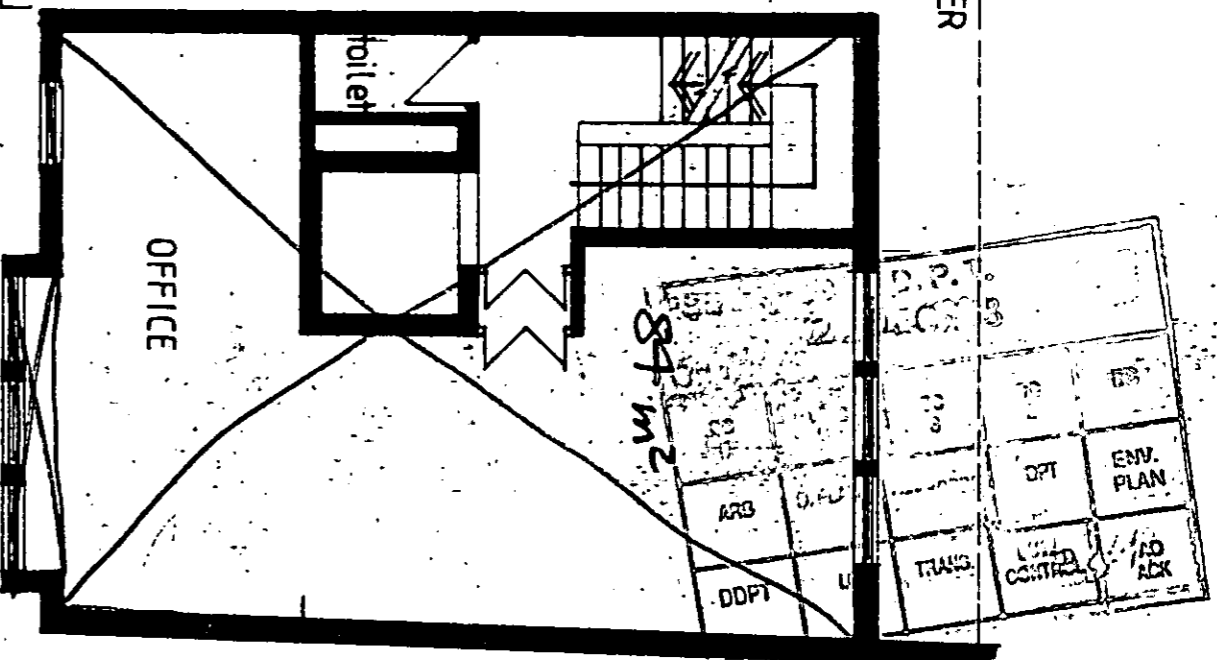


GROUND FLOOR

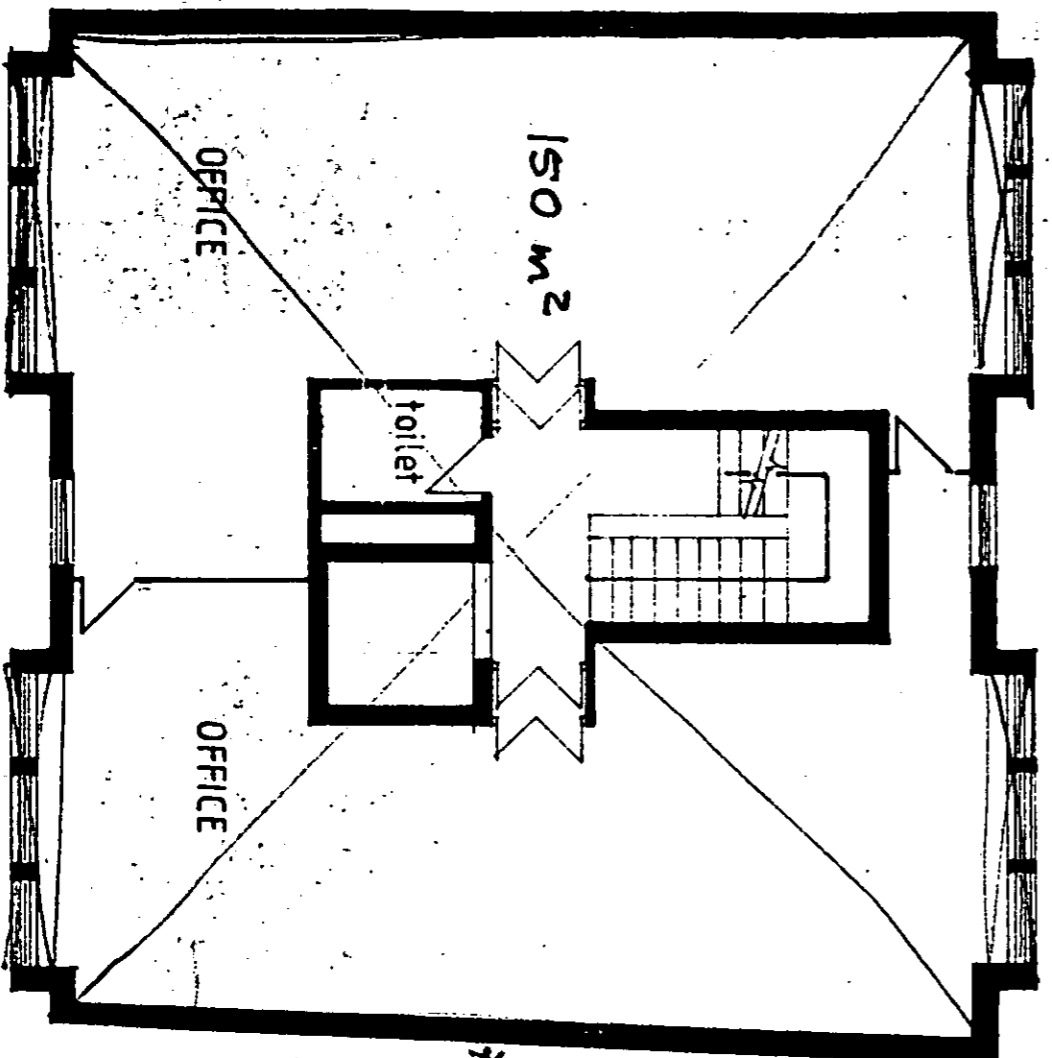


SECTION A-A

SECOND FLOOR OVER



FIRST FLOOR



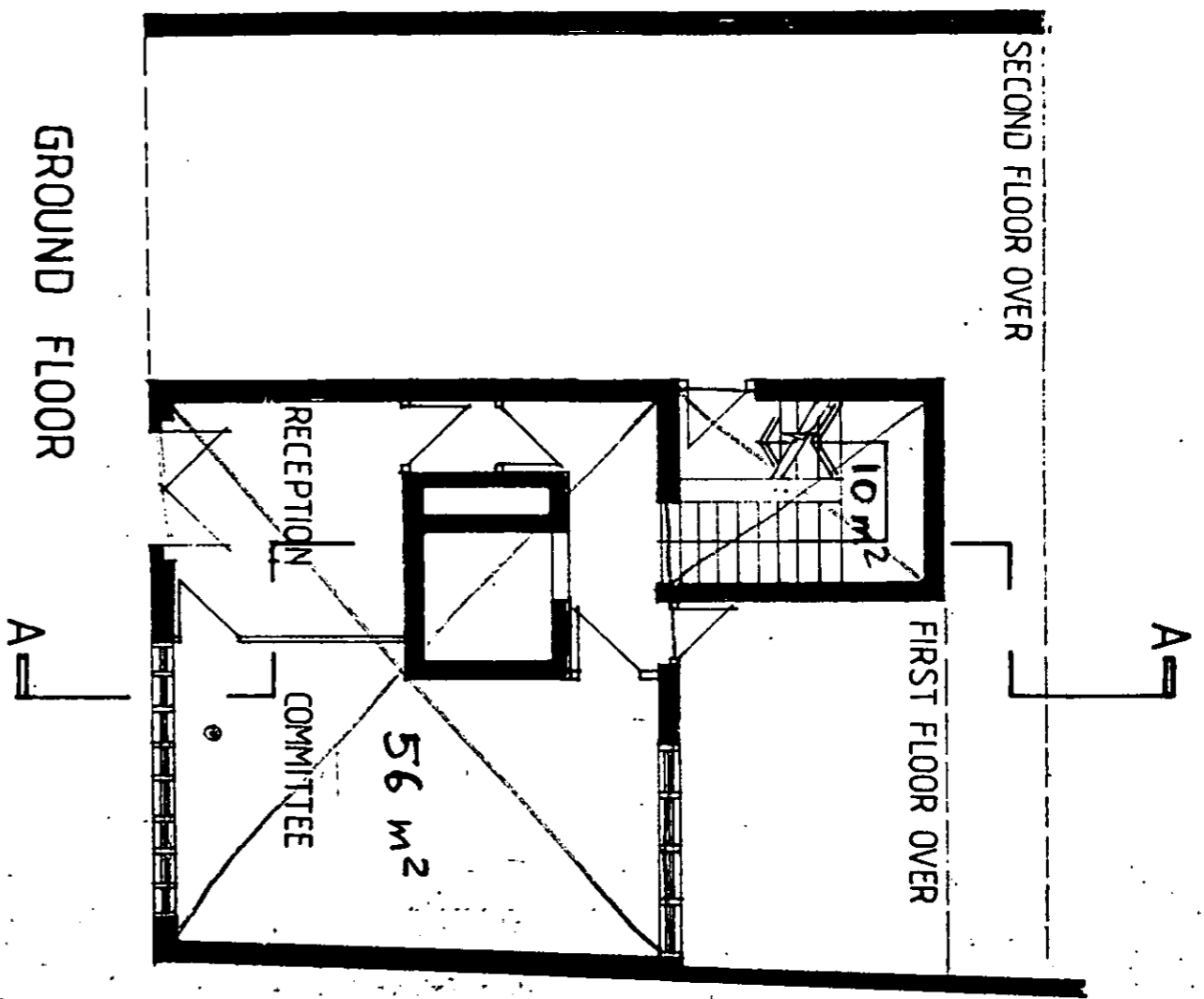
SECOND: THIRD and FOURTH FLOORS

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

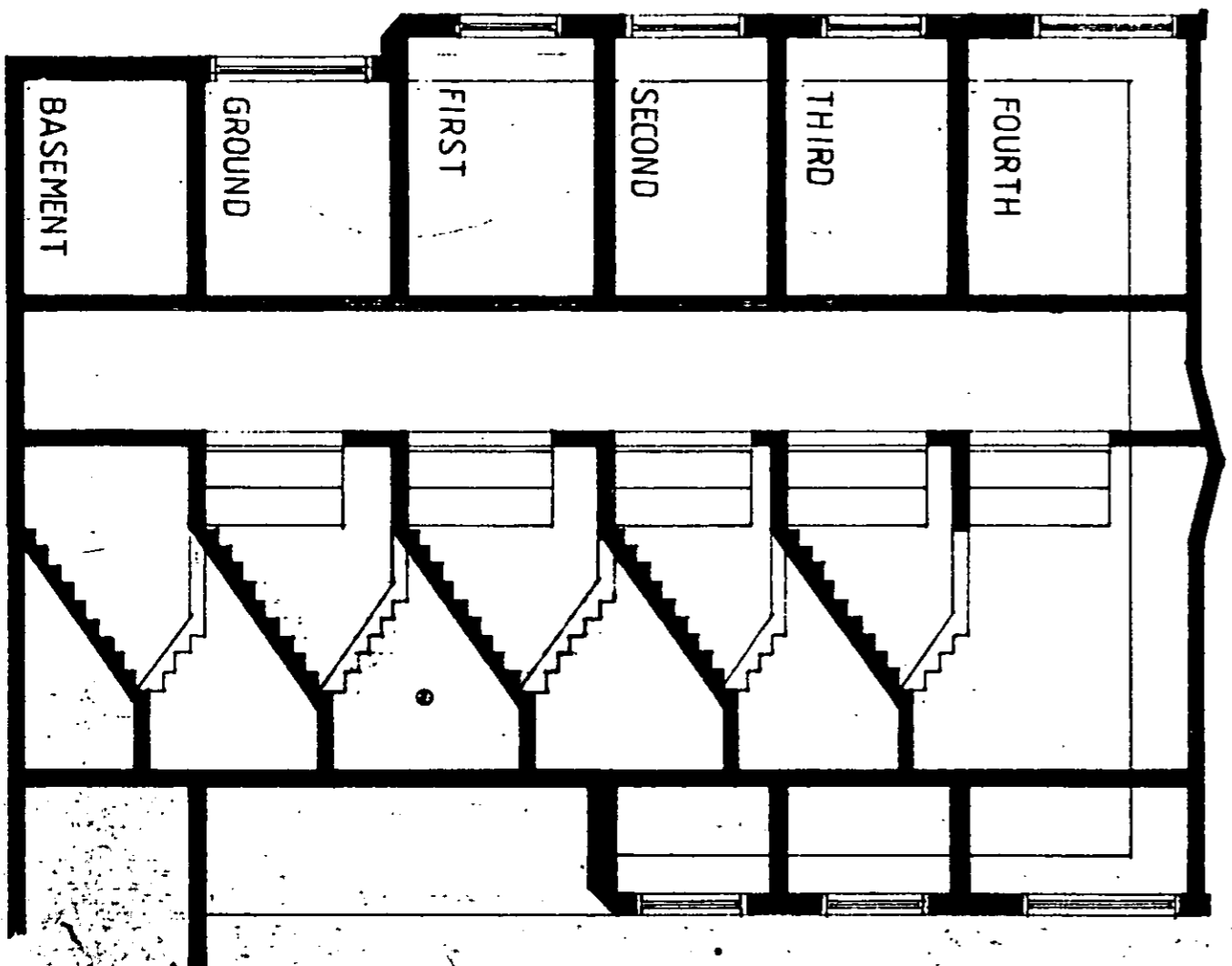
<p>CF&P Colwyn Foulkes and Partners Chartered Architects Planning and Landscape Consultants Colwyn Bay London 0492 532735 01-938 2464</p>	
<p>Job HORTENSIA ROAD</p>	<p>Title FRONT OFFICES</p>
<p>Drawn HNT /01/114</p>	<p>Date sept 88</p>
<p>Drawing No HNT /01/114</p>	
<p>Scale 1 : 100</p>	

Total Gross 600 m²
 Net* 480 m²
 * ecd. WC, stair + lift
 core + external walls



GROUND FLOOR

A-A



SECTION A-A

1:50 S

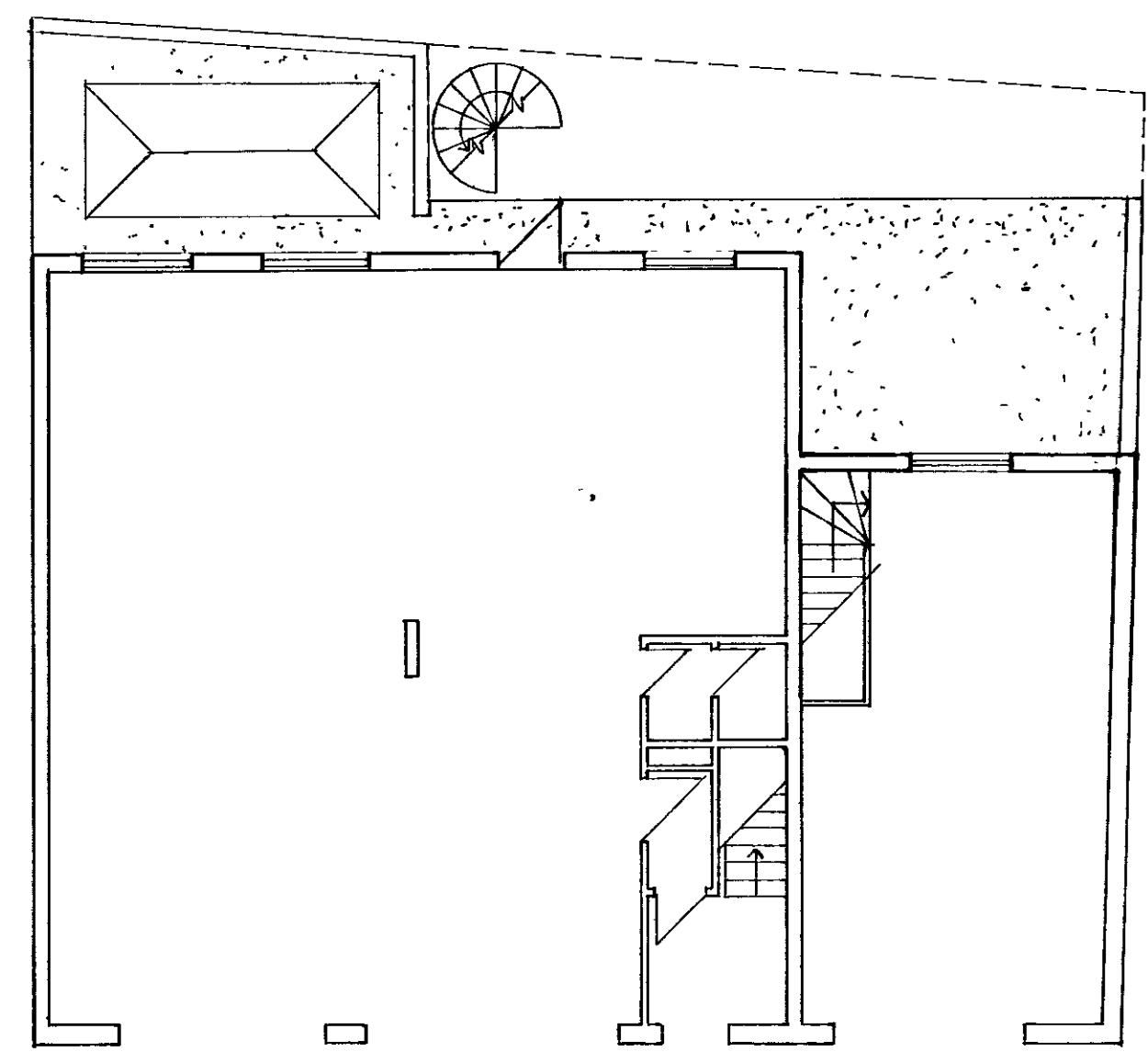
FIRST

SEC

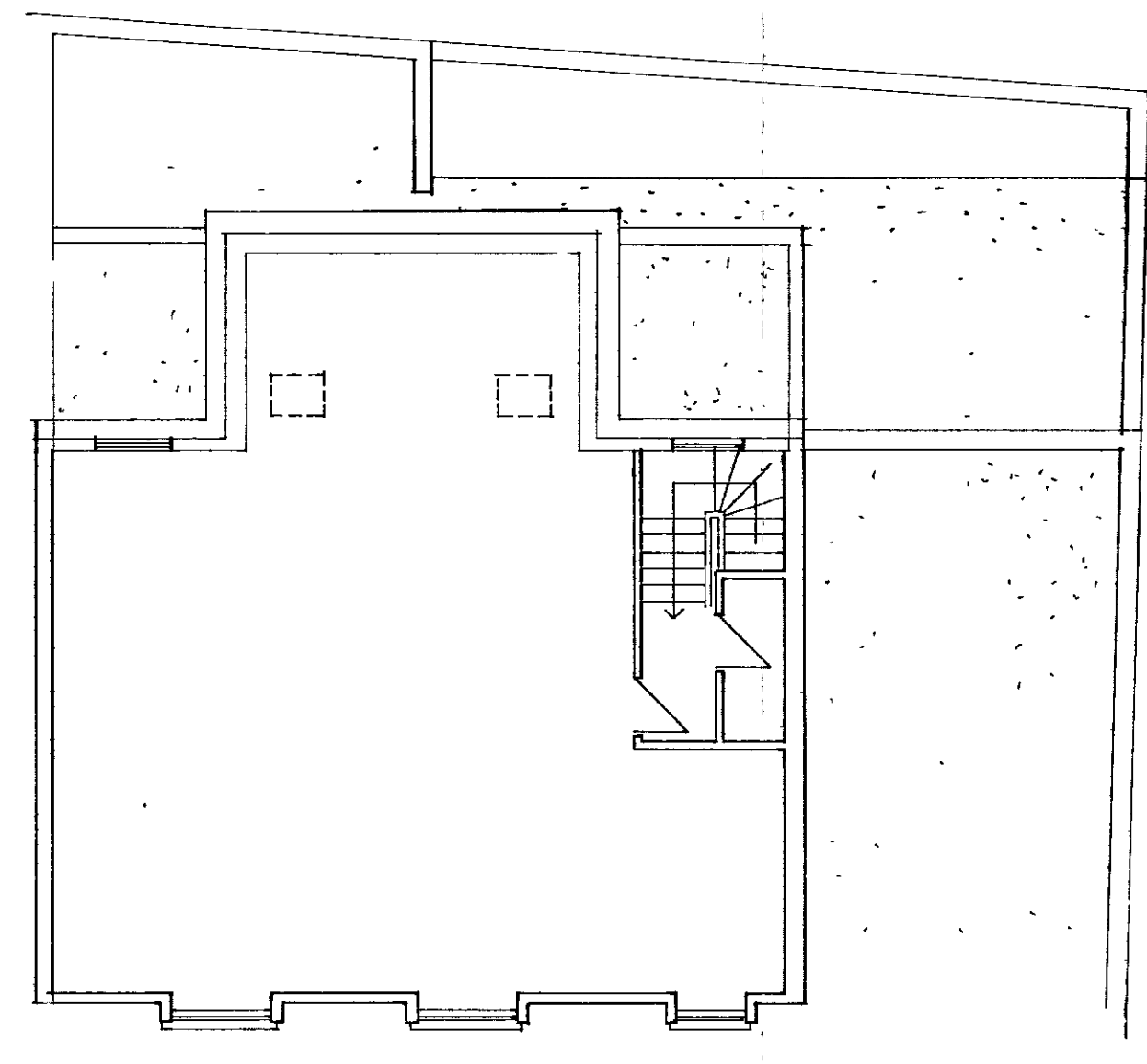
SEC

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.

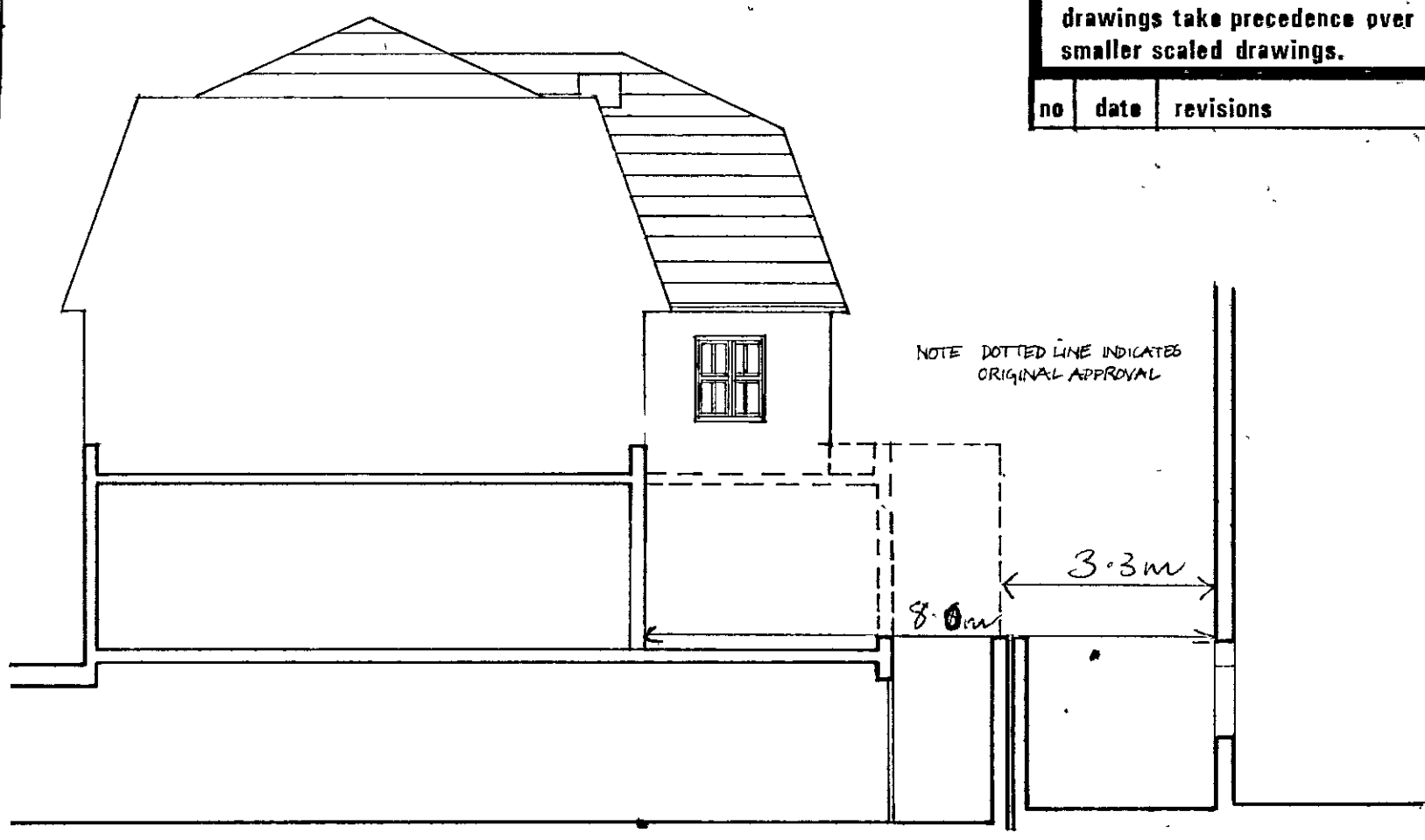
no	date	revisions



GROUND FLOOR unit 1+2

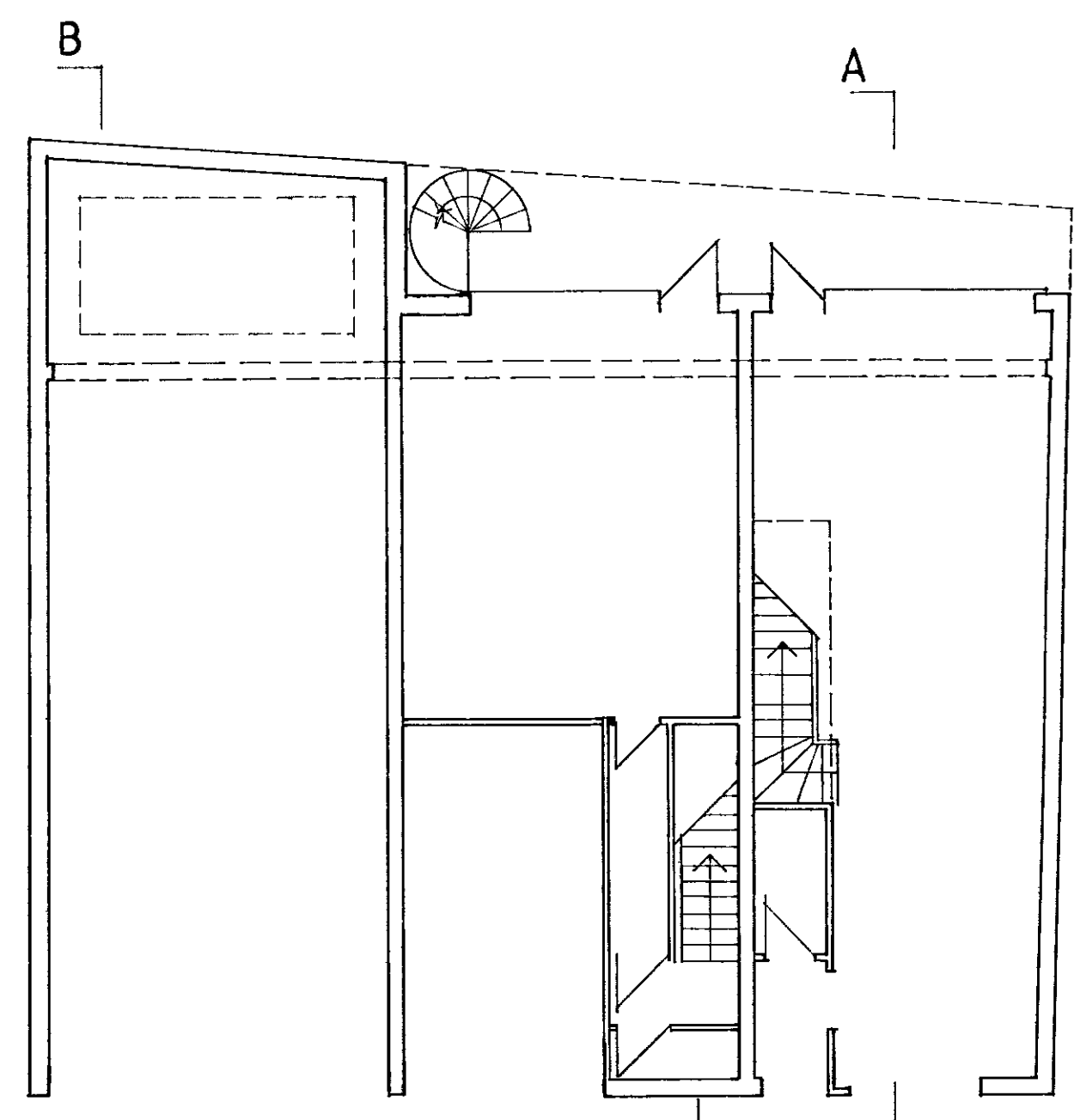


SECOND FLOOR unit 1

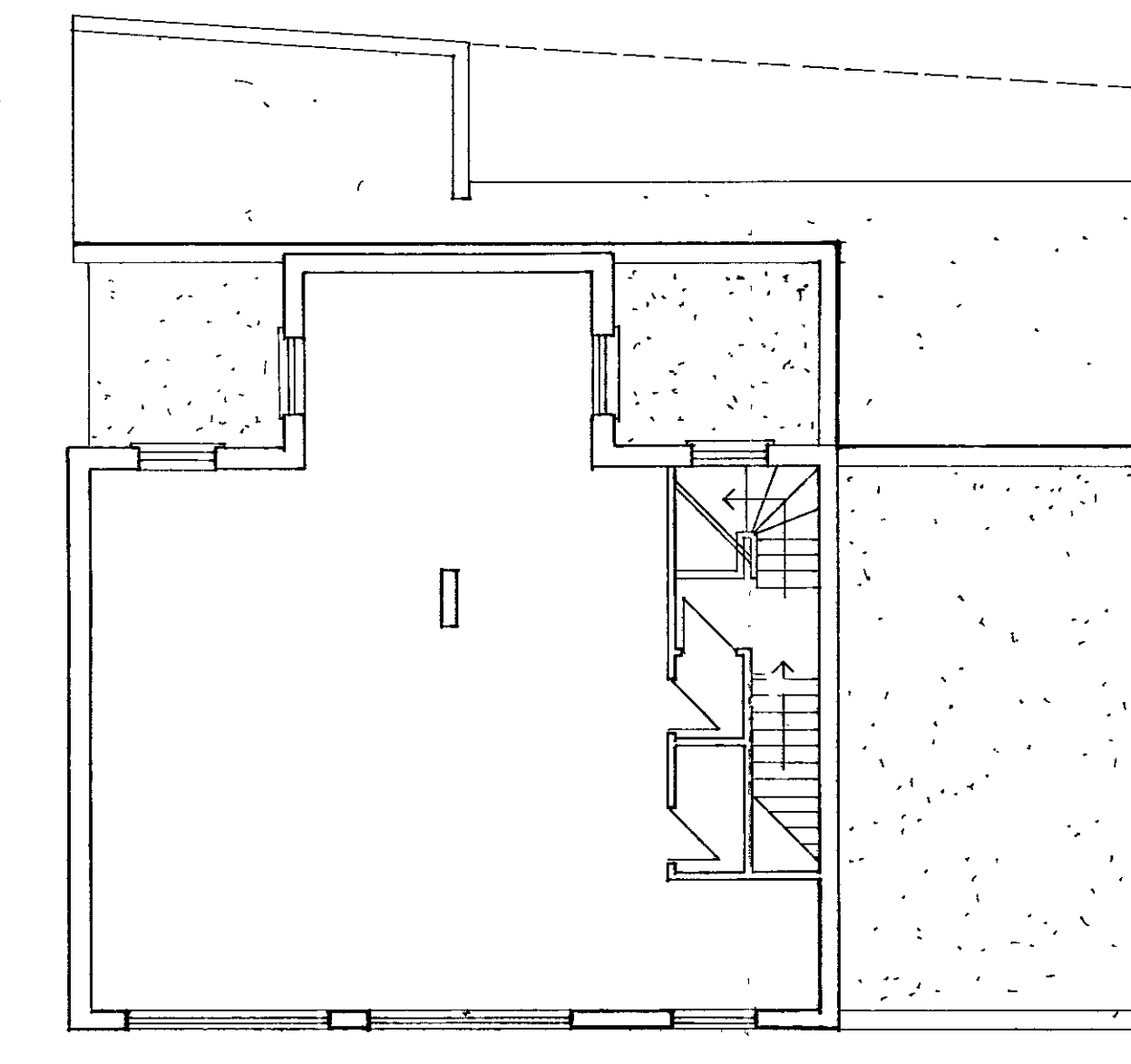


SECTION A-A

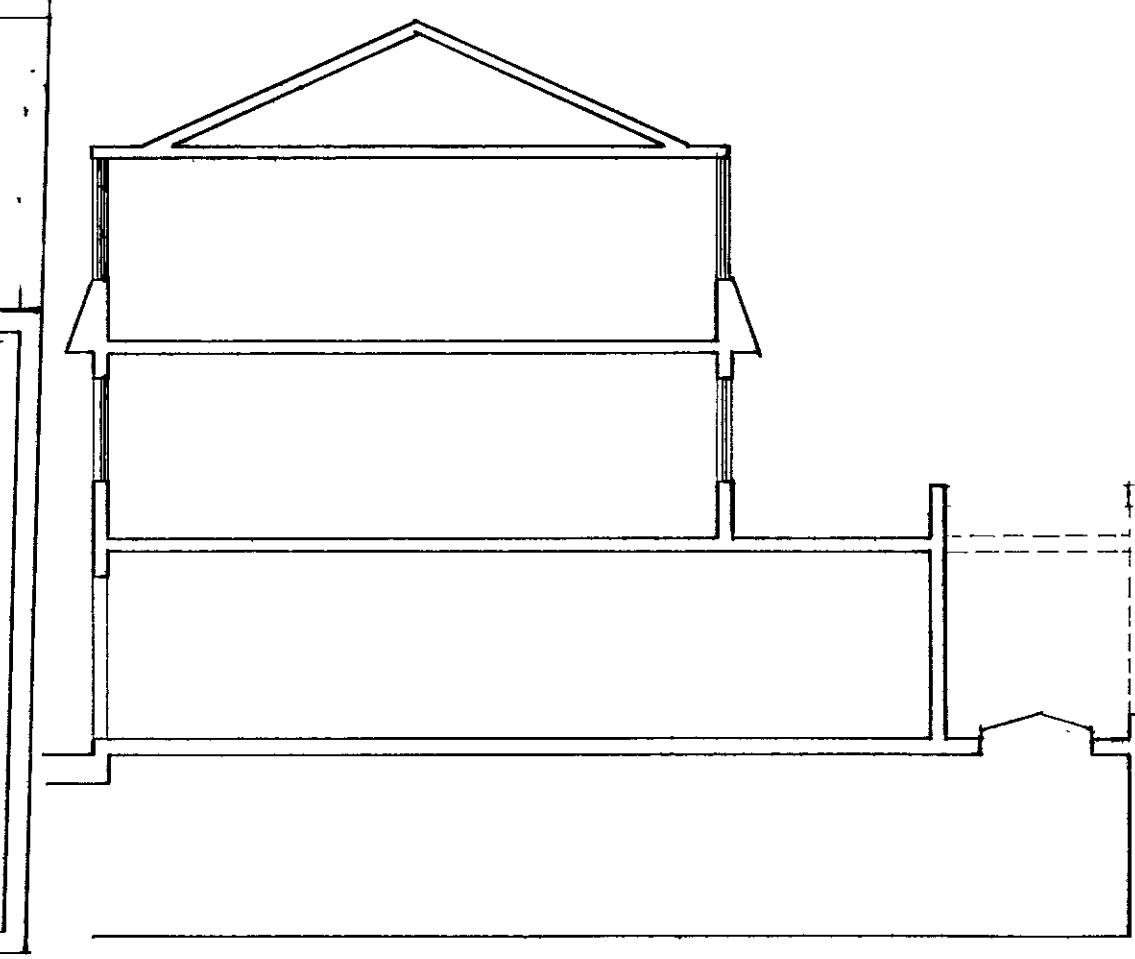
TP89/2137 B



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

C	DEC 84	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
D	DEC 84	SECTION A-A UPDATED TO INCLUDE ADJOINING PROPERTY
C	JAN 90	UNIT 2 GROUND FLOOR REDUCED

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

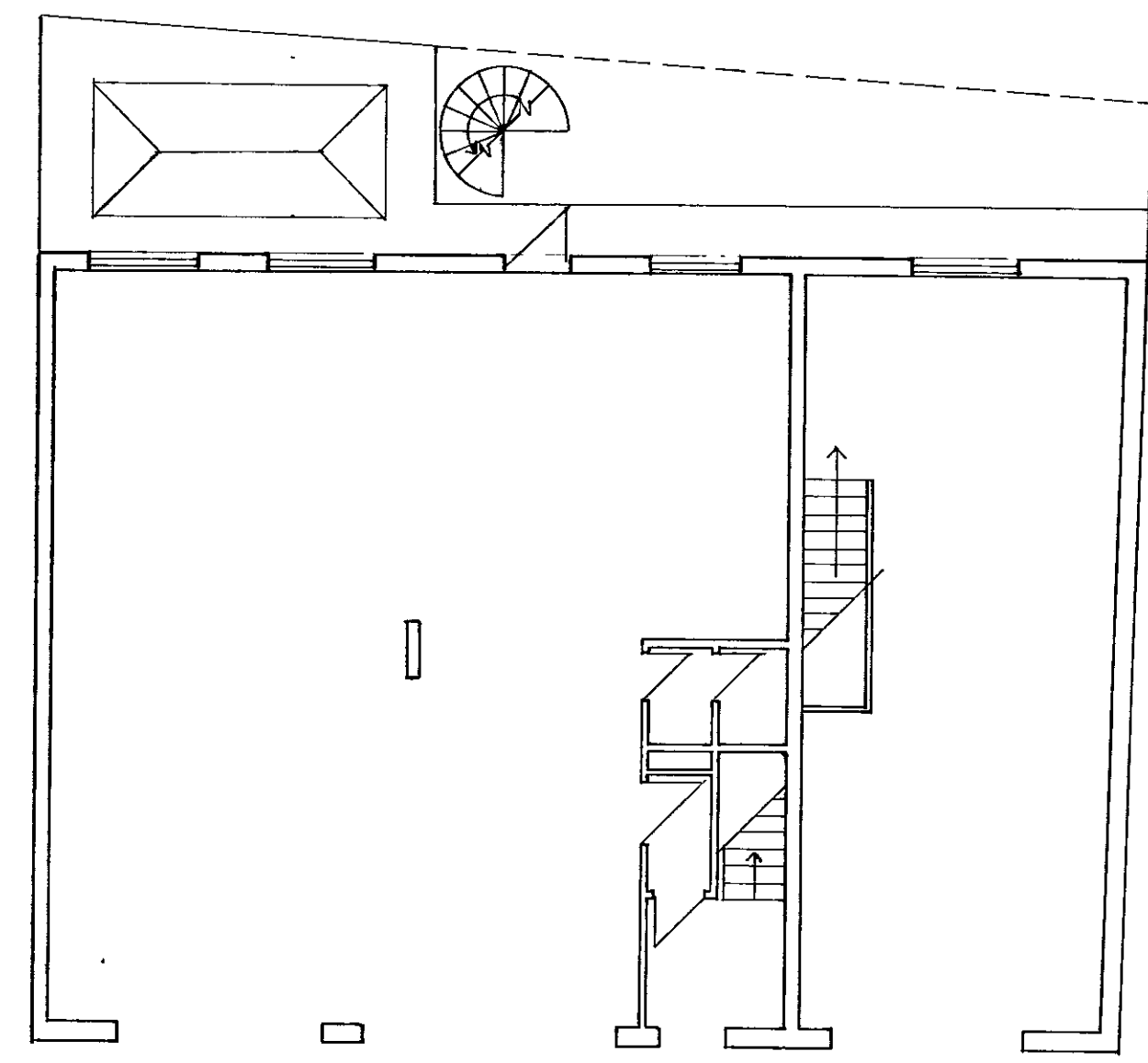
Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

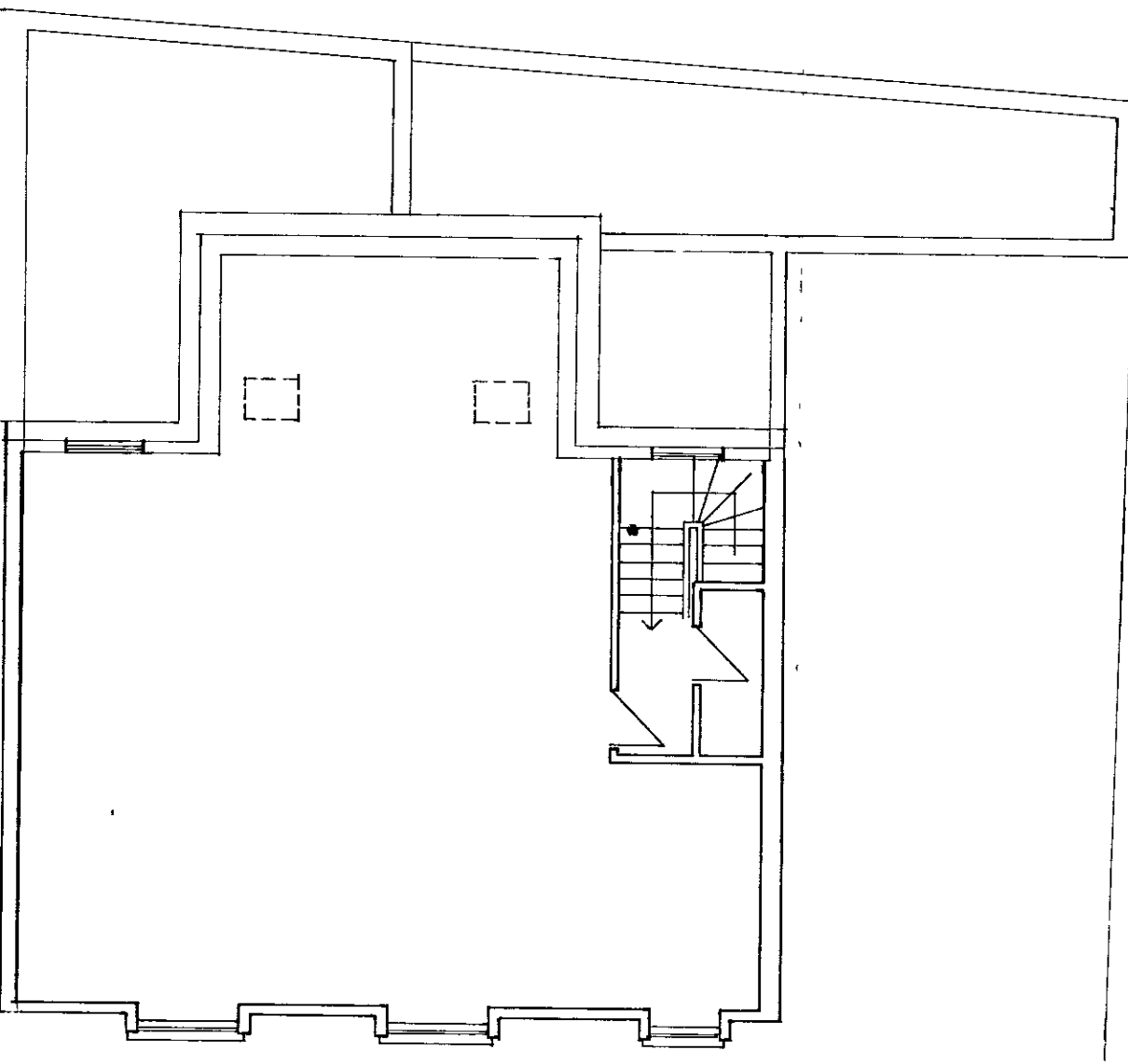
Reviewed by D.P.T.	Date
On	18 JAN 89
	DEC 89

Drawing No	DC	DC	DC
HTN/01/113	REV	BY	PLAN

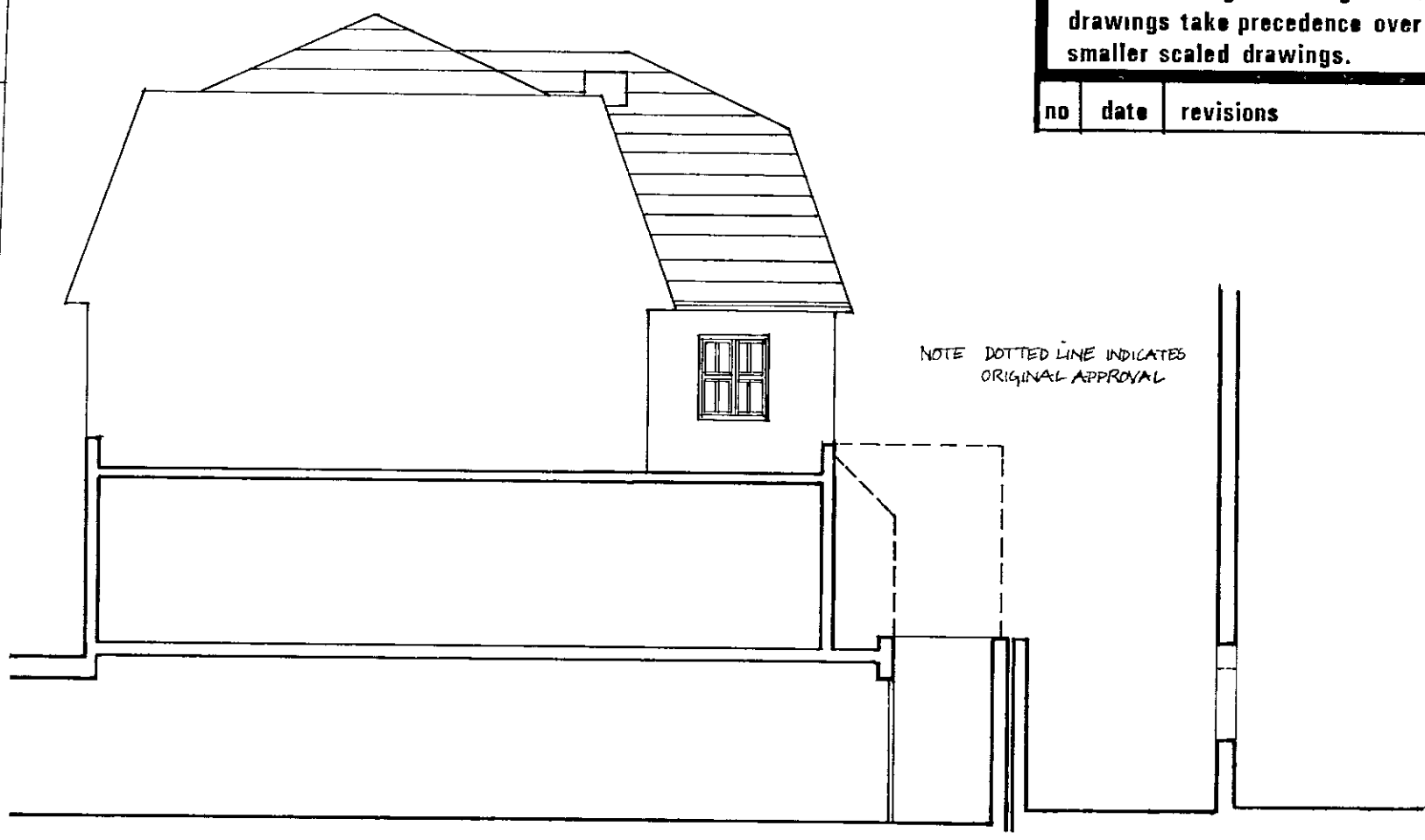
Scale	1:100	1:200	1:500	1:1000



GROUND FLOOR unit 1+2



SECOND FLOOR unit 1

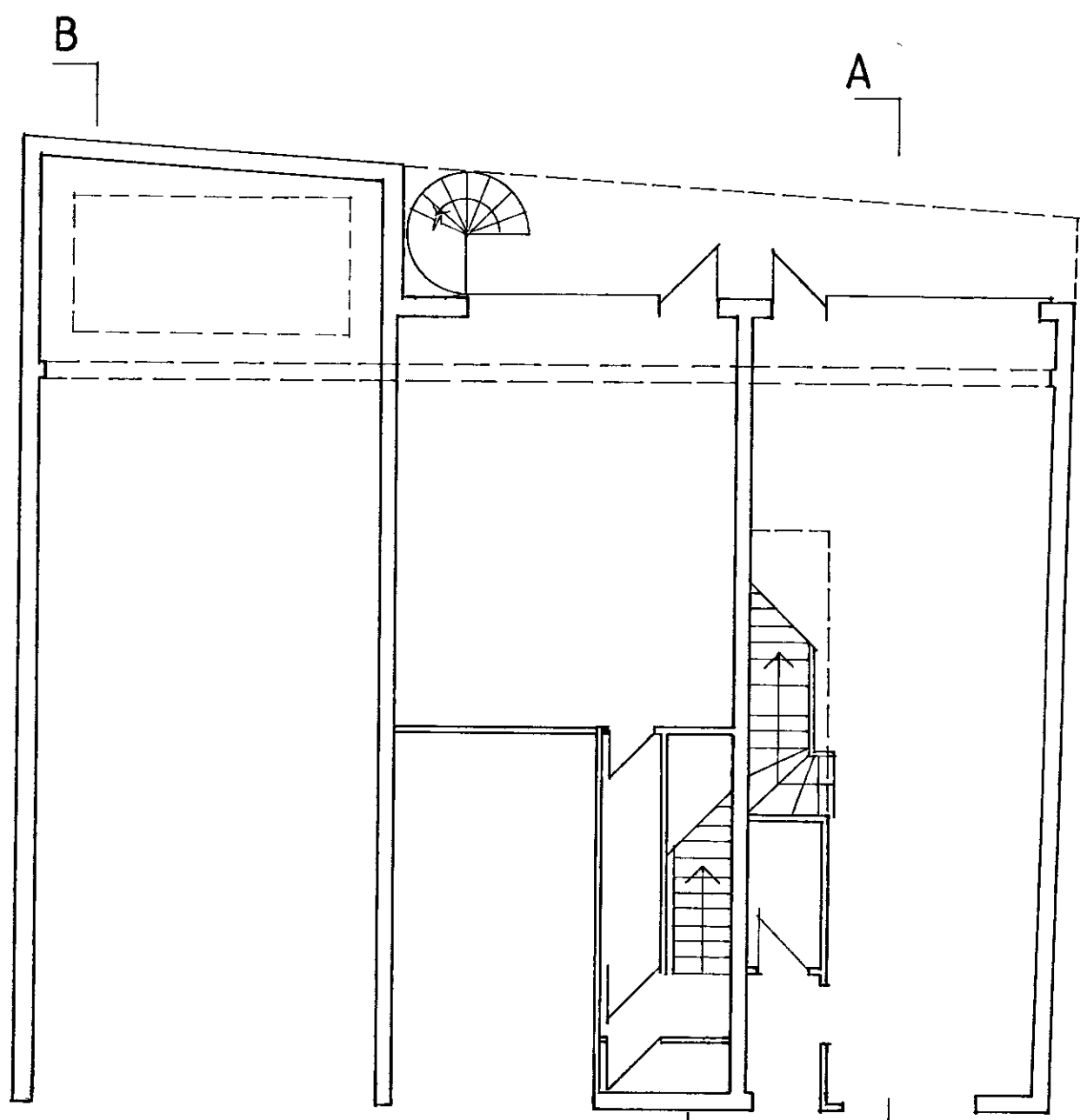


SECTION A-A

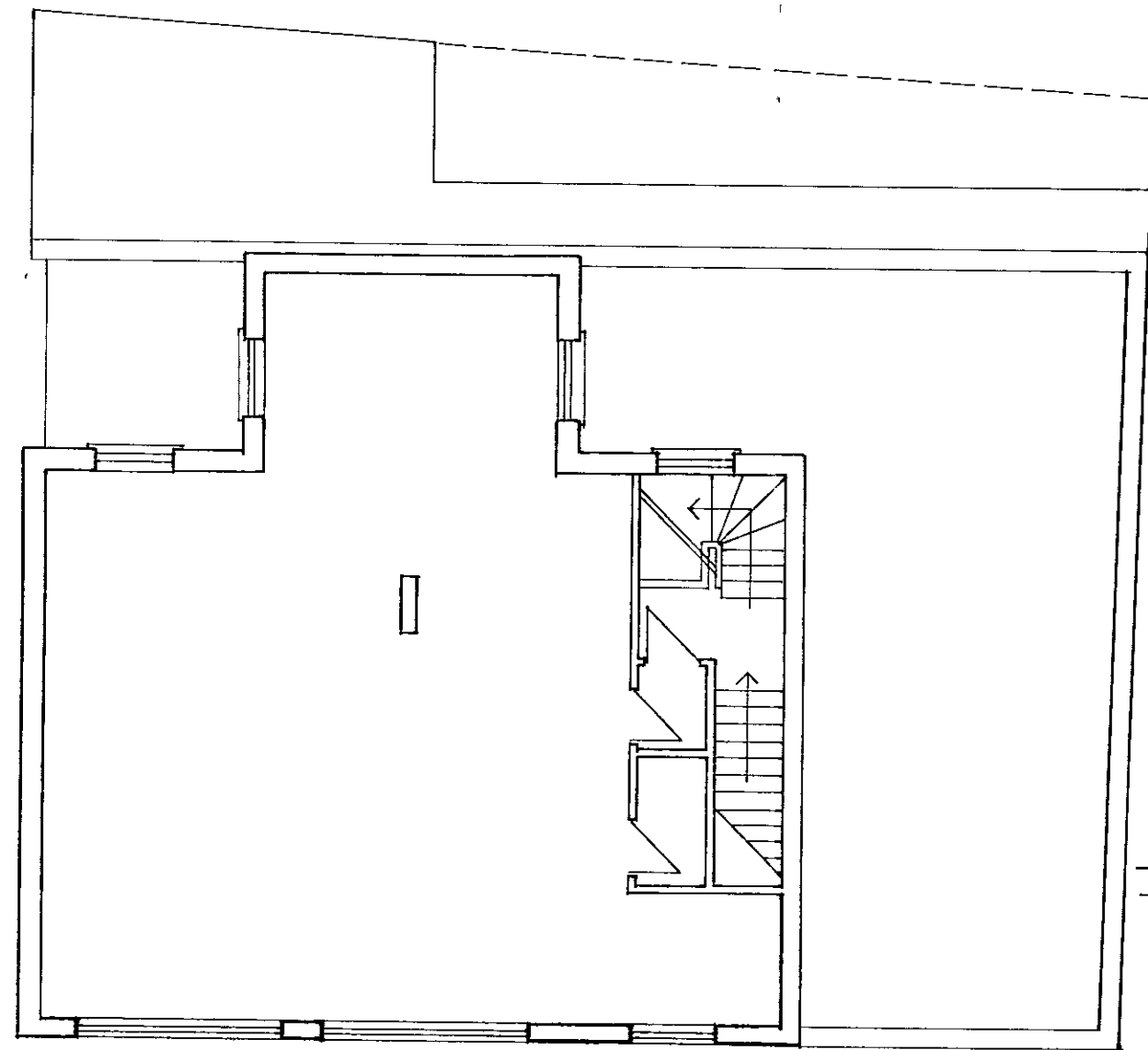
This drawing must not be scaled.
 Figured dimensions, levels, etc, only
 are to be used
 Any inaccuracies, etc must be
 notified to the Architect
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings.

no	date	revisions

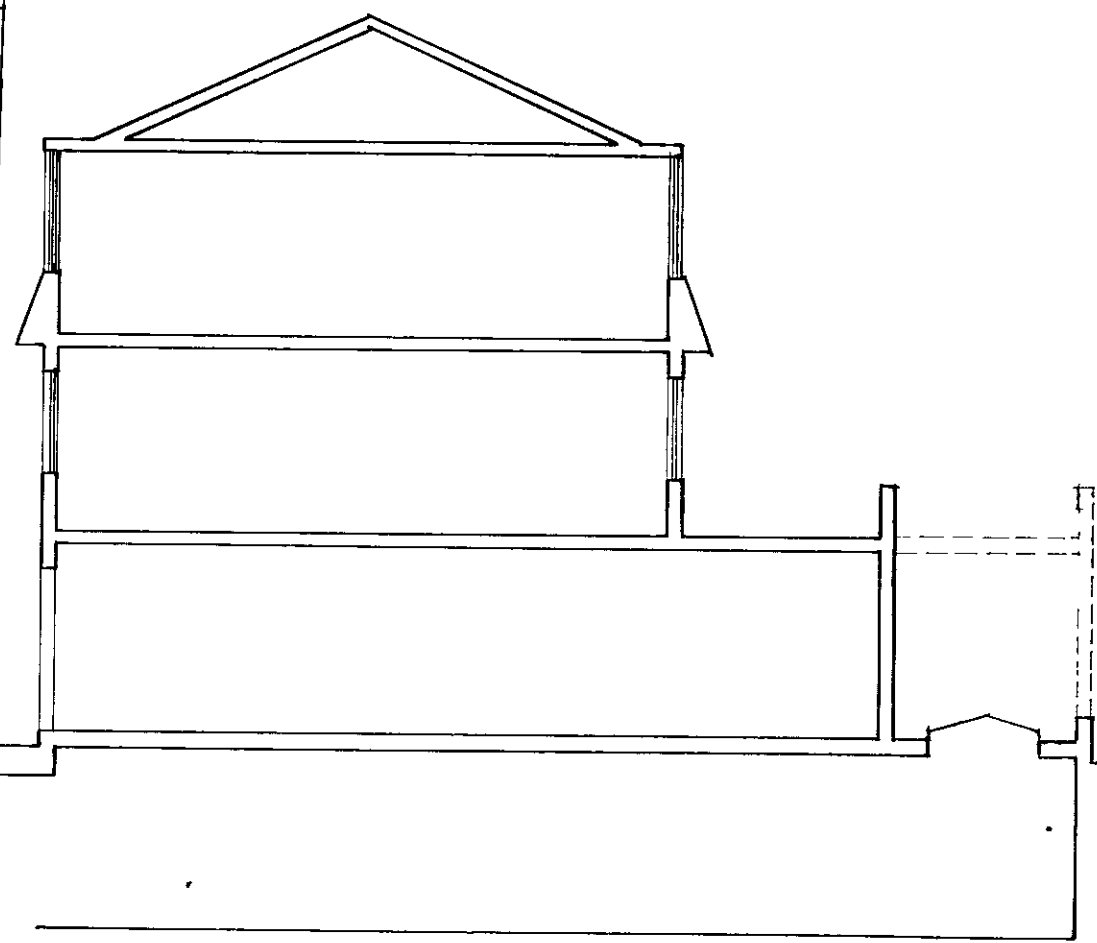
NOTE: DOTTED LINE INDICATES ORIGINAL APPROVAL



BASEMENT unit 2



FIRST FLOOR unit 1



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

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

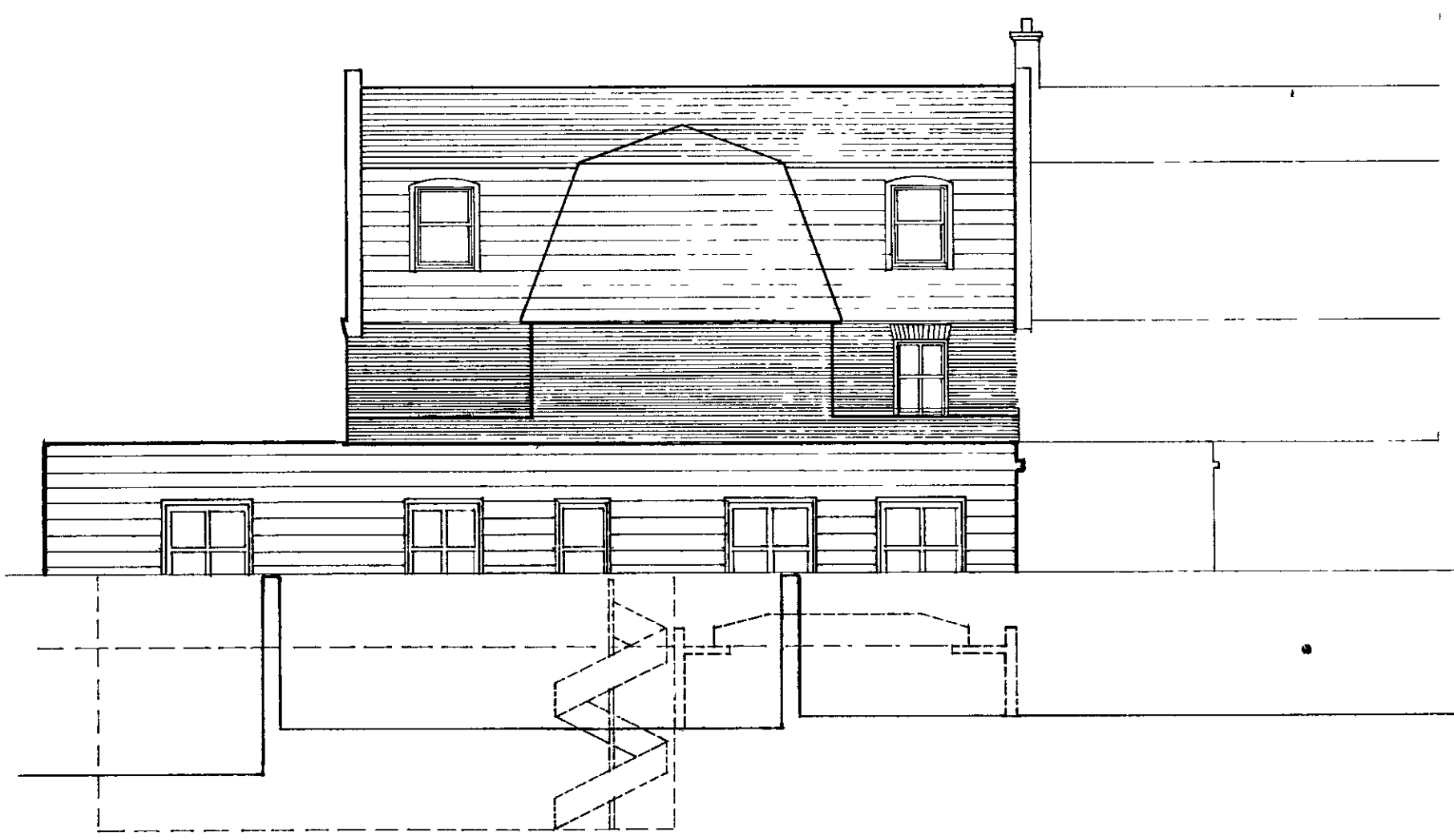
RECEIVED BY D. I. Date
 Drawn On 13 DEC 1989

Drawing No HTN/01/113 rev D
 DC S DC E DC

Scale 1:100



FRONT ELEVATION



REAR ELEVATION

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

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

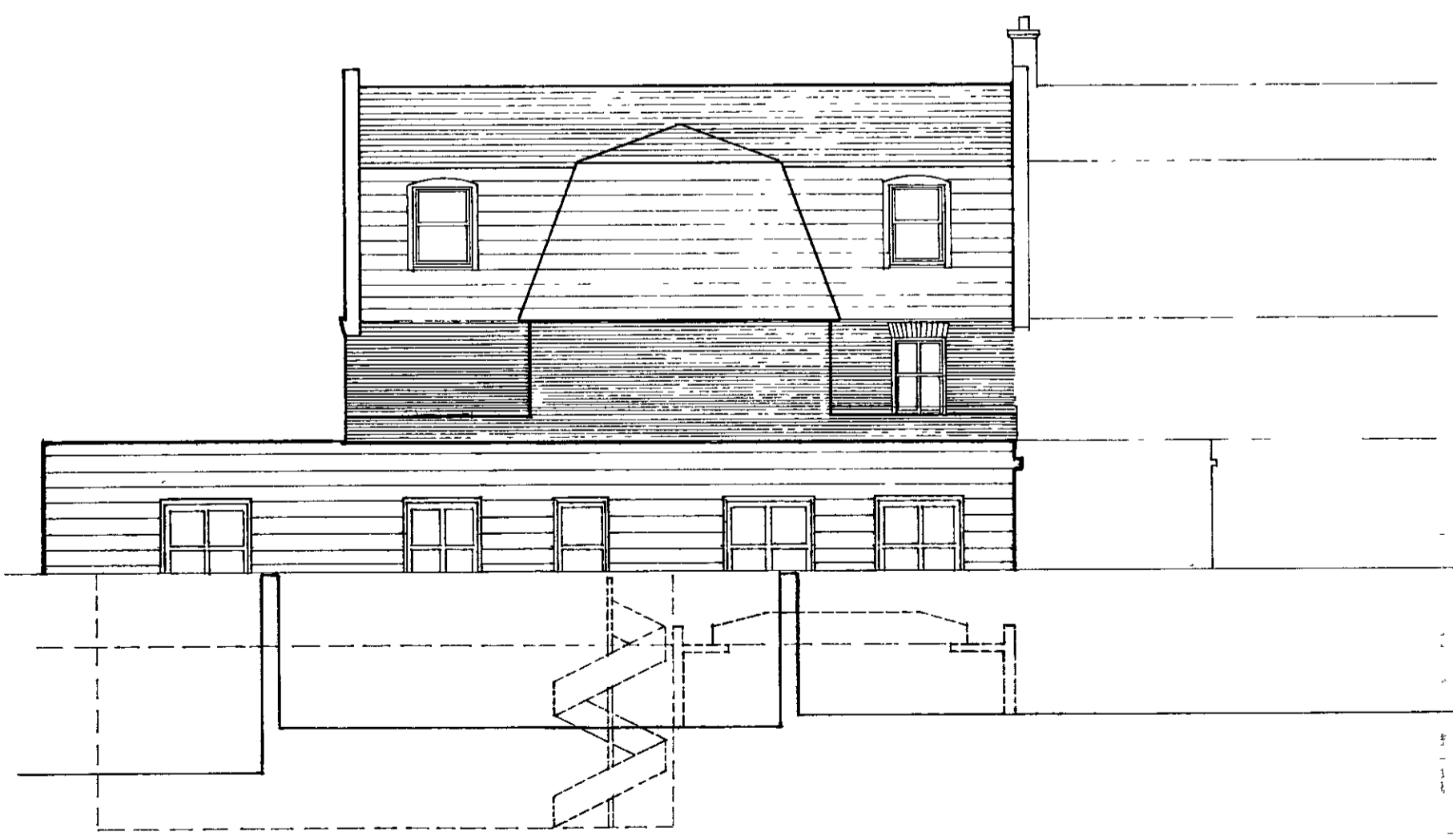
RECEIVED BY D.P. Date
 Drawn On 13 DEC 89
 On DEC 89

Drawing No	S	E	REV
HTN/01/115			

Scale
 1:100



FRONT ELEVATION



REAR ELEVATION

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

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

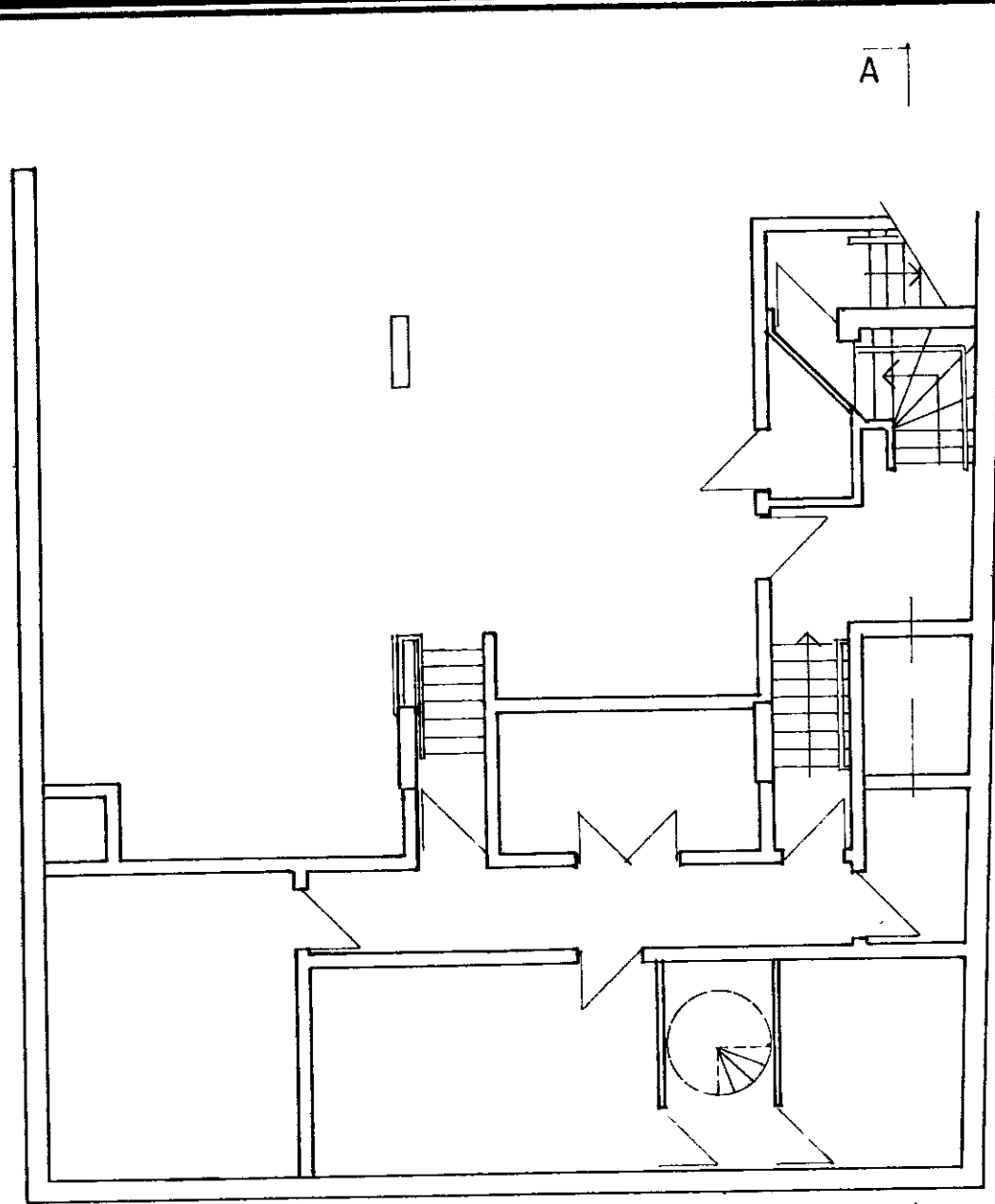
Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

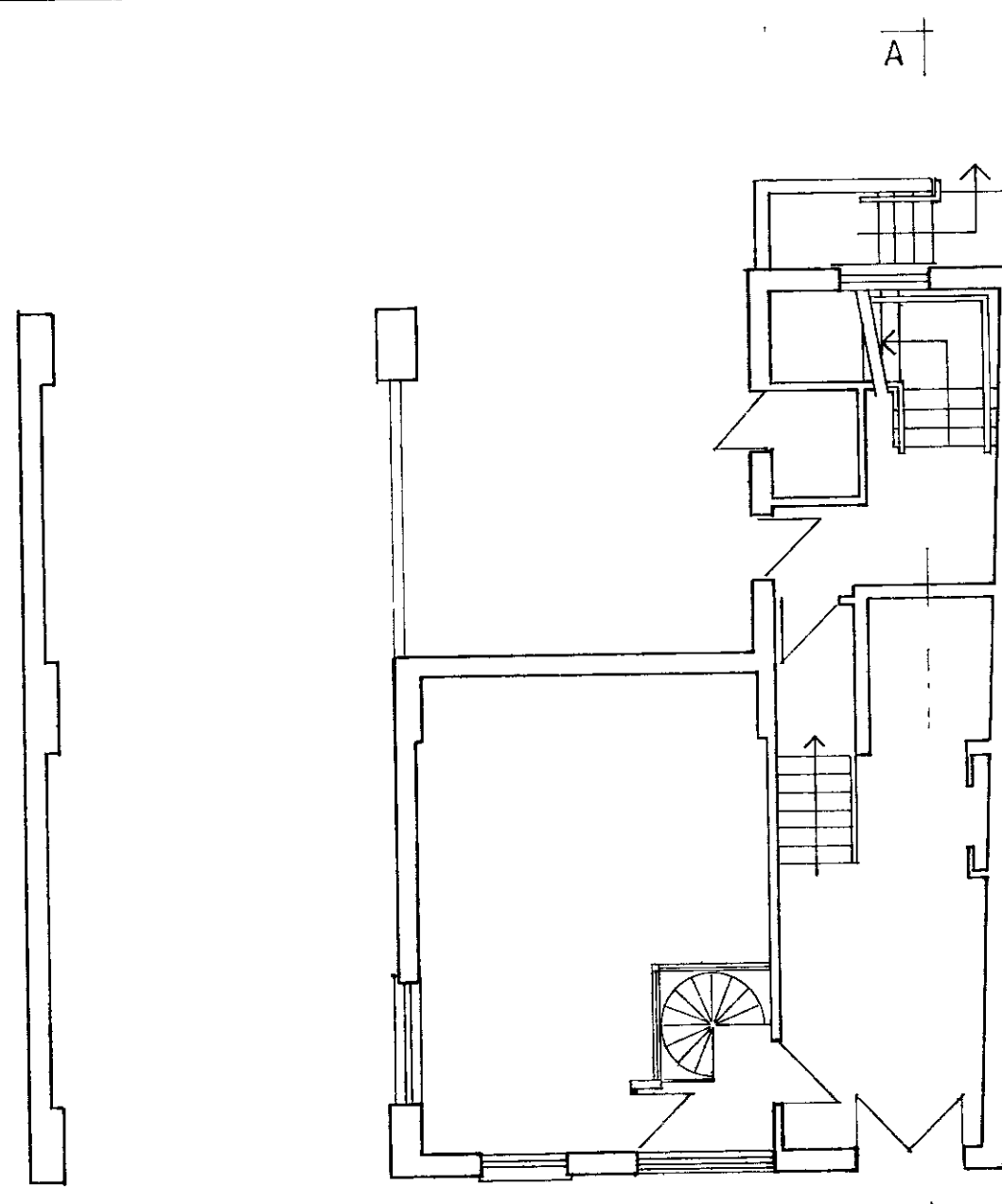
RECEIVED BY D. P. T.
 Drawn 13 DEC 89 Date
 DEC 89

Drawing No.
 HTN/01/115

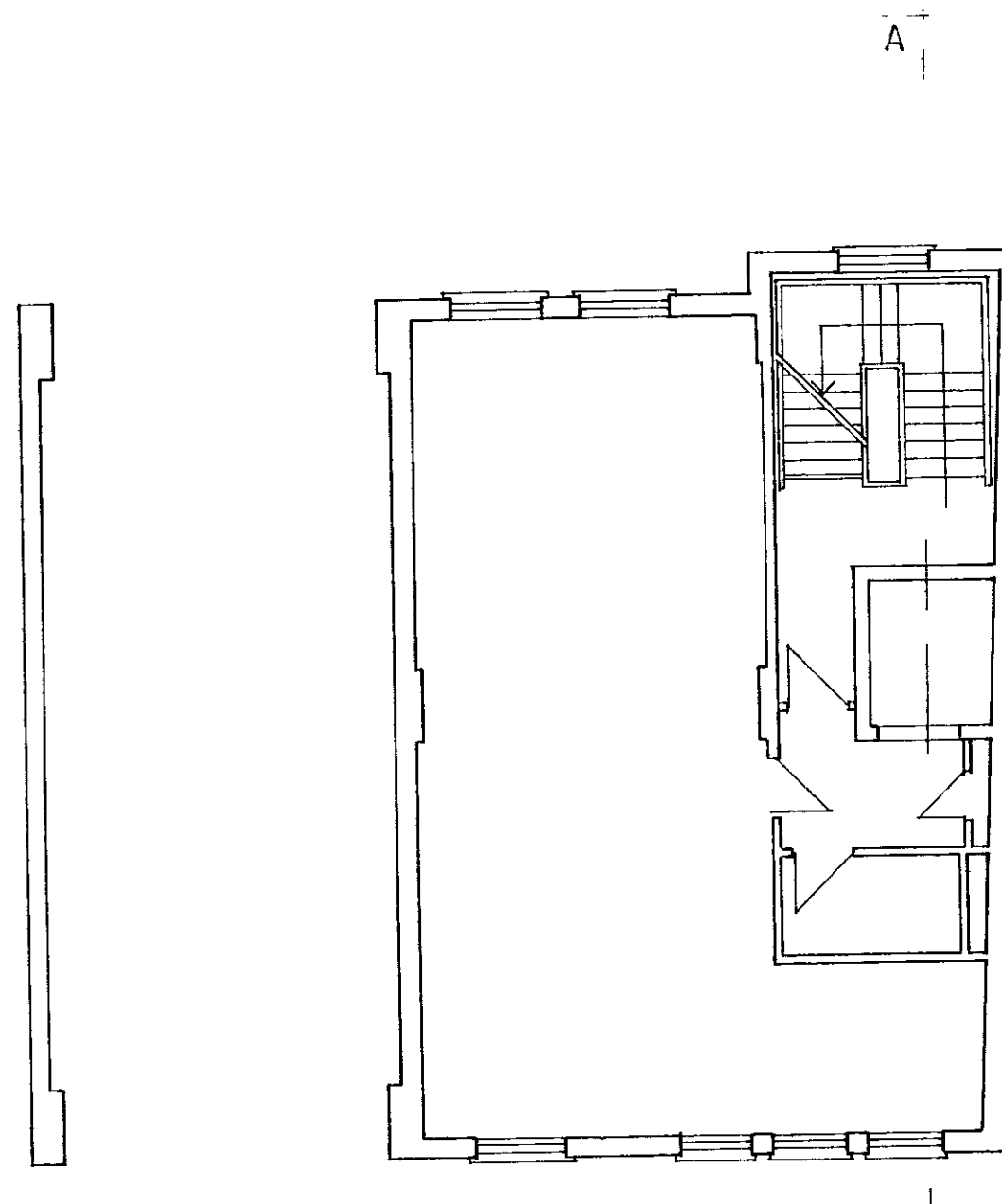
Scale
 1:100



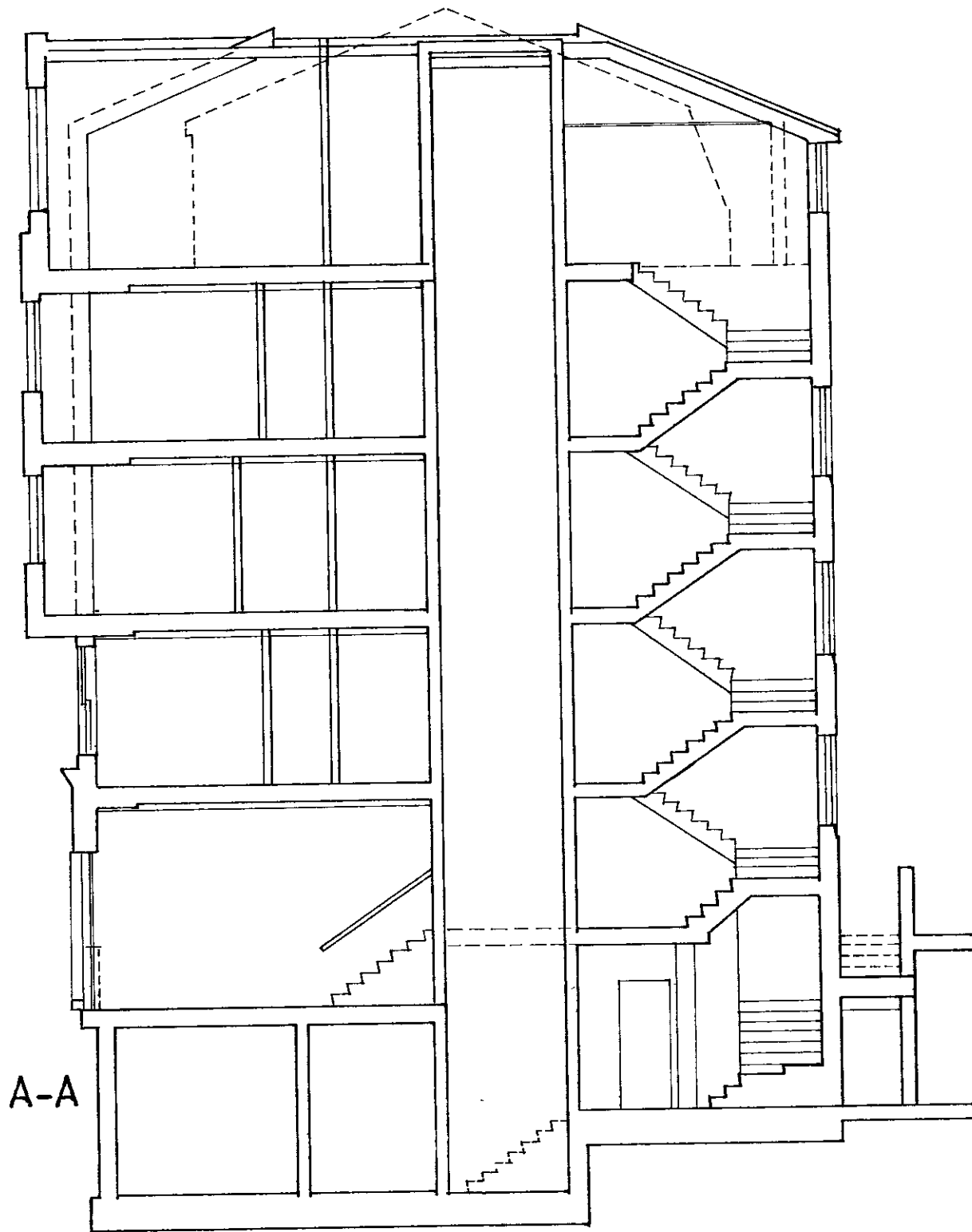
BASEMENT



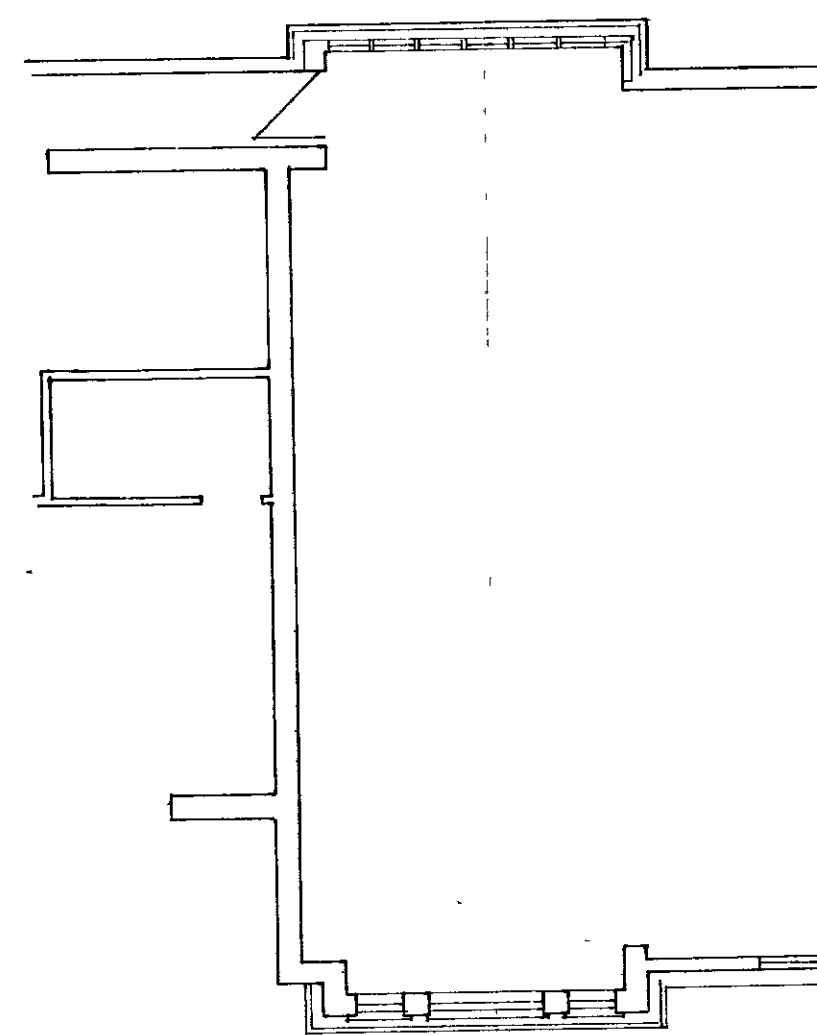
GROUND FLOOR



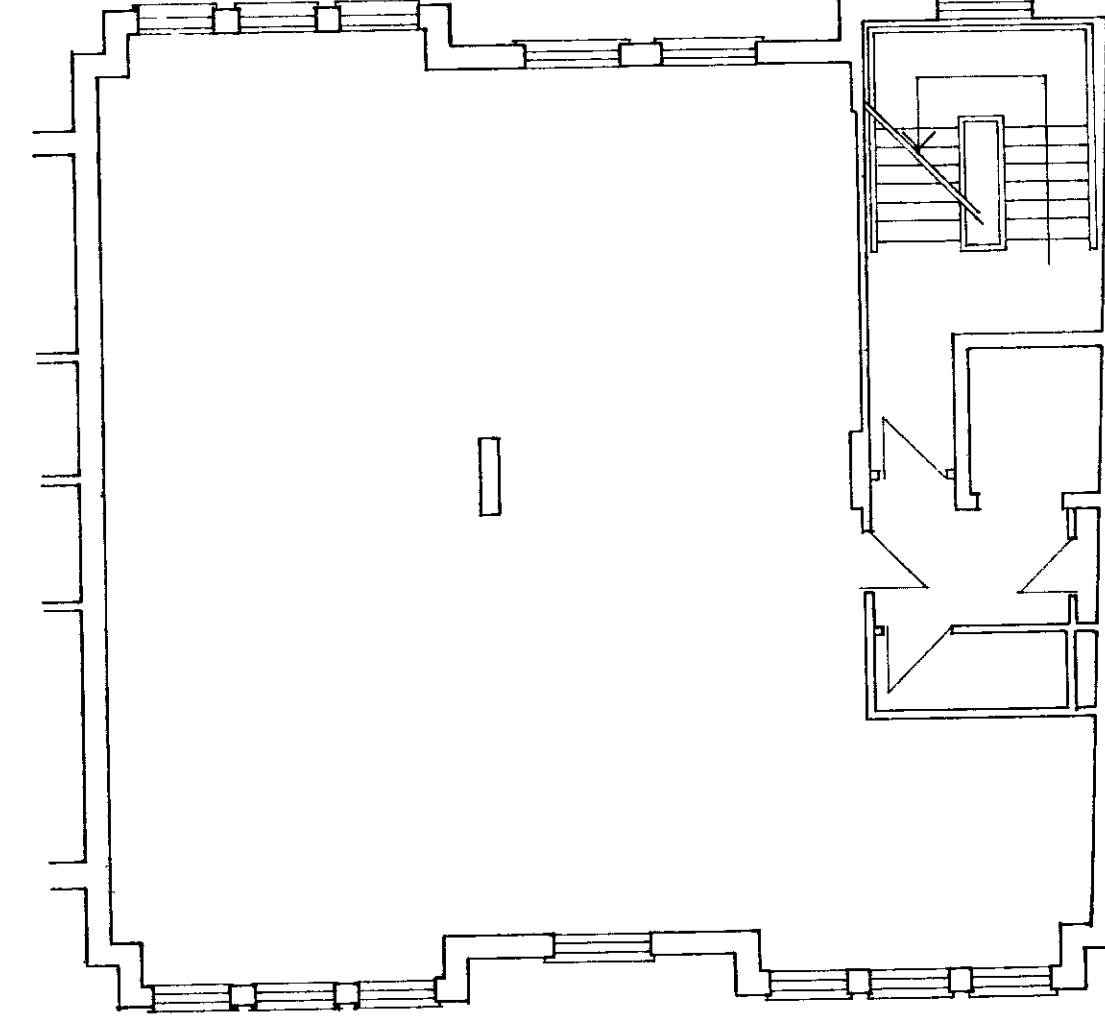
FIRST FLOOR



SECTION A-A



FOURTH FLOOR
(SHOWING ACCESS TO ESCAPE STAIR)



SECOND, THIRD AND FOURTH FLOOR

TP89/2137C

This drawing must not be scaled.
Figured dimensions, levels, etc, only
are to be used. TP89/2137
Any inaccuracies, etc, must be
notified to the Architect. (48)
This drawing is copyright.
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings

no	date	revisions
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
E	JAN 90	SECTION LINES INDICATED

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

Job
HORTENSIA ROAD

Title
FRONT OFFICES

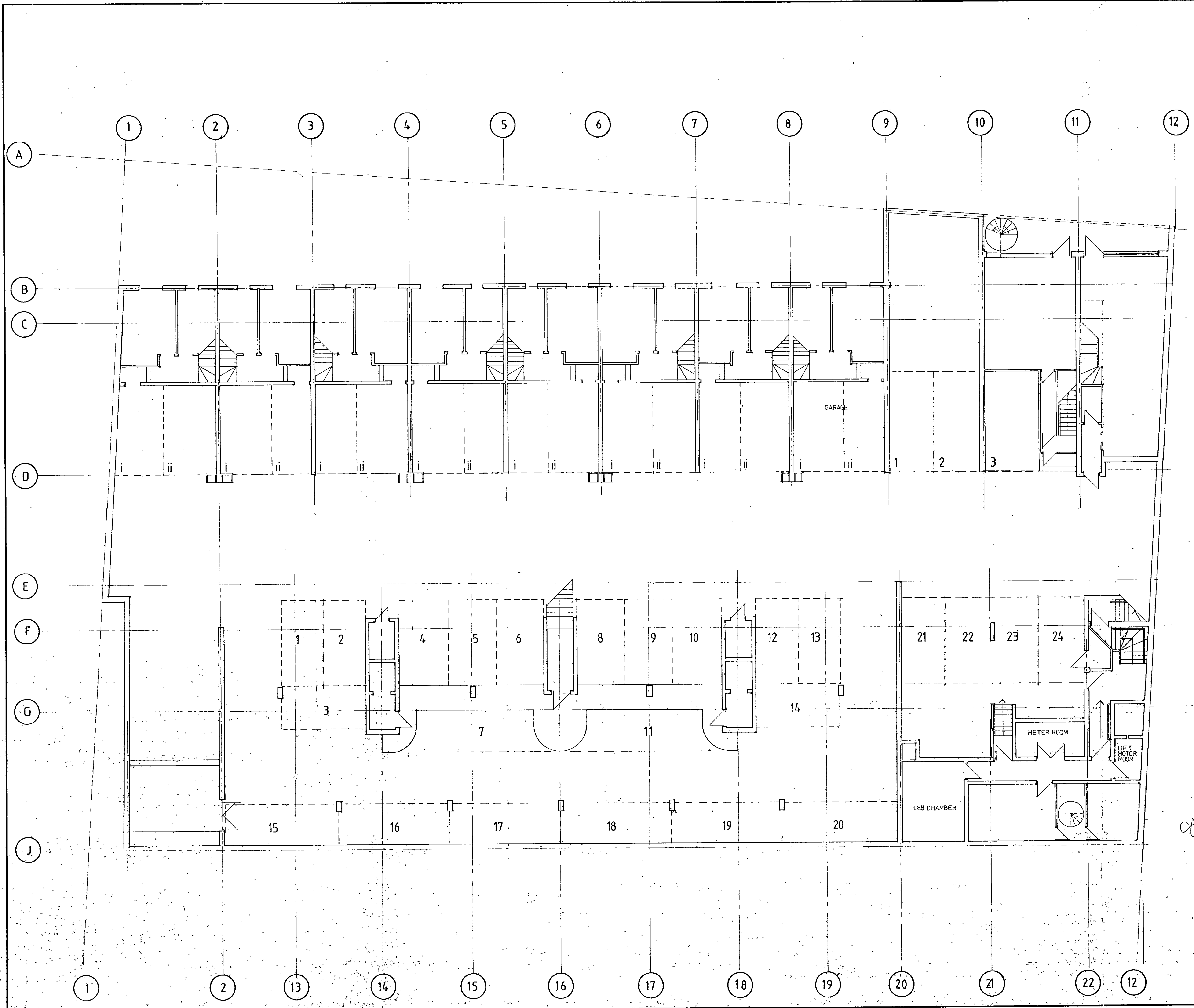
Drawn | **Date**
DEC 89

Drawing No
HTN/01/114 rev^E

Scale
1:100

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



Superseded

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultancy
 Colwyn Bay London
 0492 532735 01 938 2484

Job
HORTENSIA ROAD

Title
BASEMENT PLAN
PLANNING

Drawn Date
RECEIVED BY D.P. 11 89
10 FEB 1990

Drawing No		DC		DC		DC	
HTN	DC	01	119				
ARB	D PLAN						
Scale	1:100	10	TRANS	BUILD	CONTR	AD	ASX

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.

Notes

Revisions		
no	date	details

Project
HORTENSIA ROAD

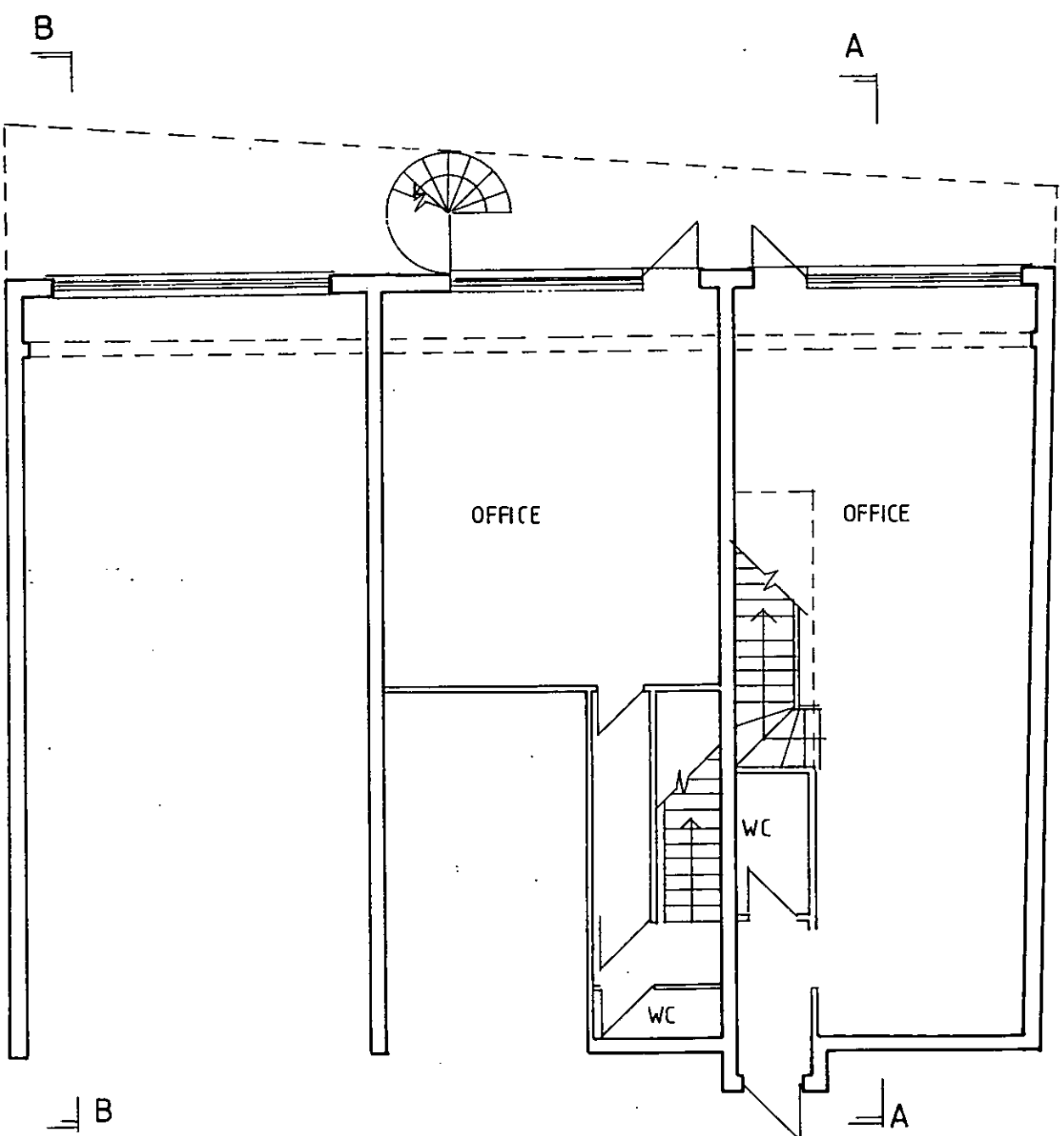
Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale	drawn	date
1:100		APRIL 90

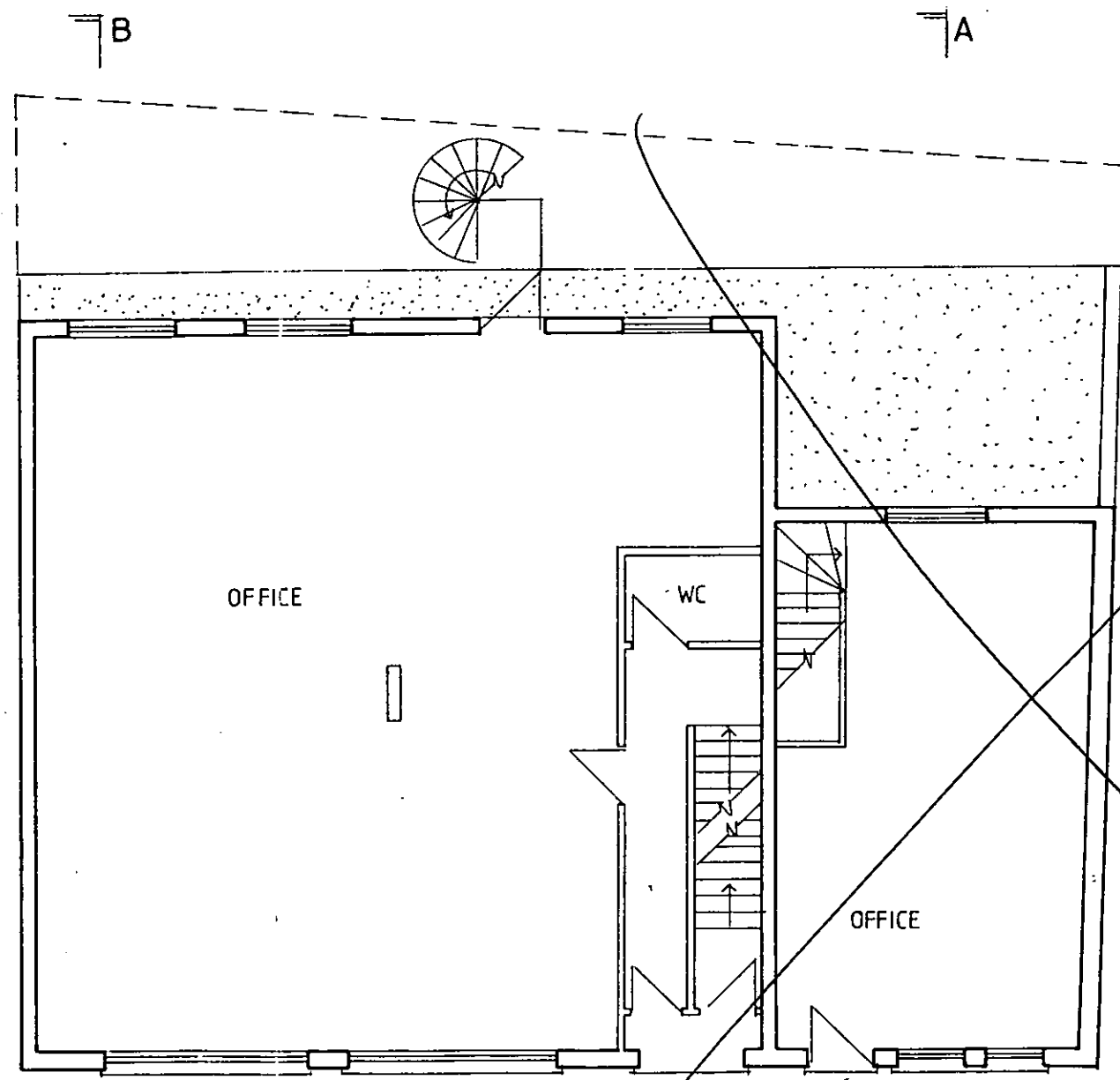
No HTN / 4 / 01 125

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



BASEMENT



GROUND FLOOR

Handwritten signature and date: 12/89/2221B

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.

Notes

Revisions		
no	date	details

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

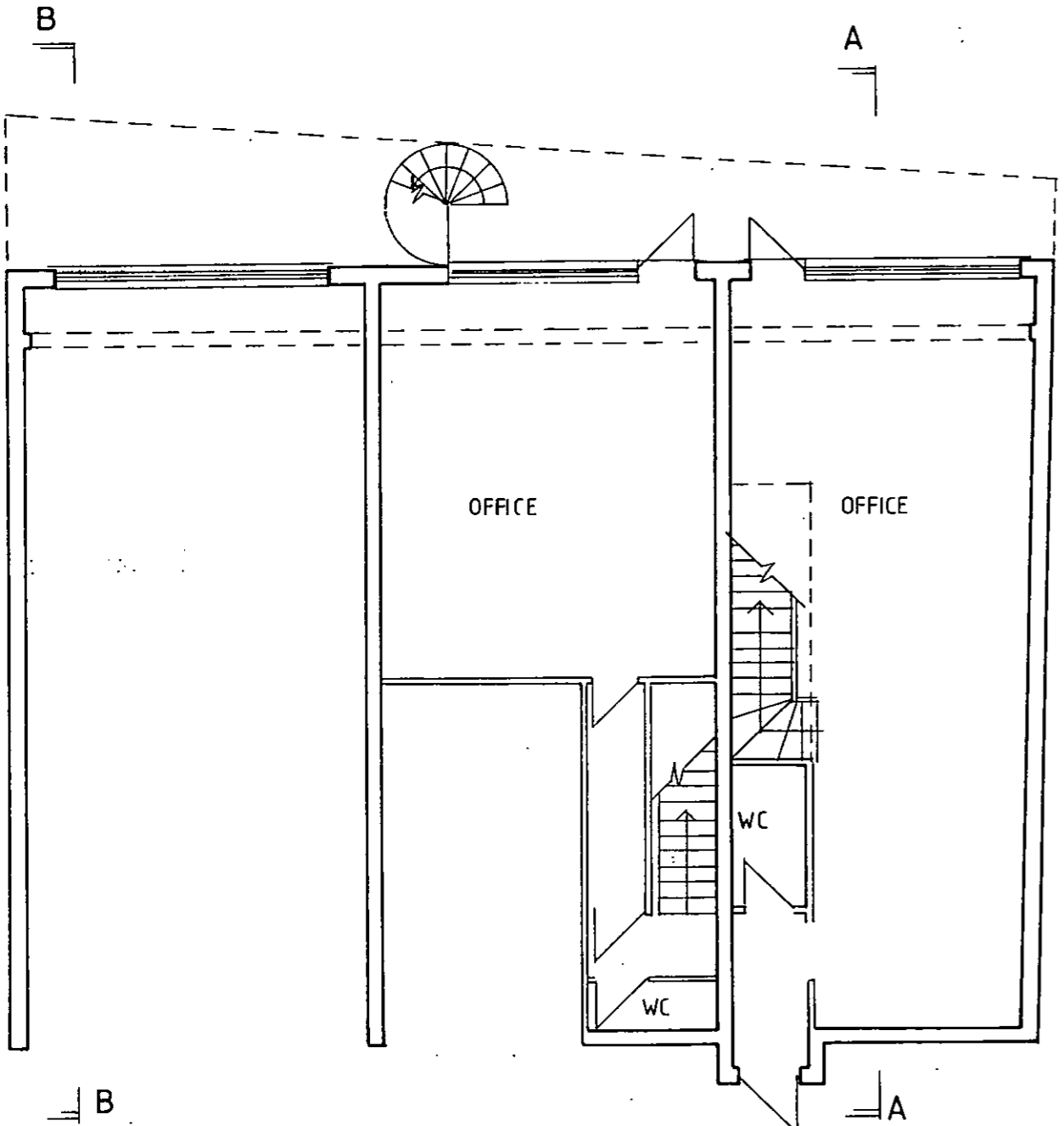
scale
 1:100

drawn

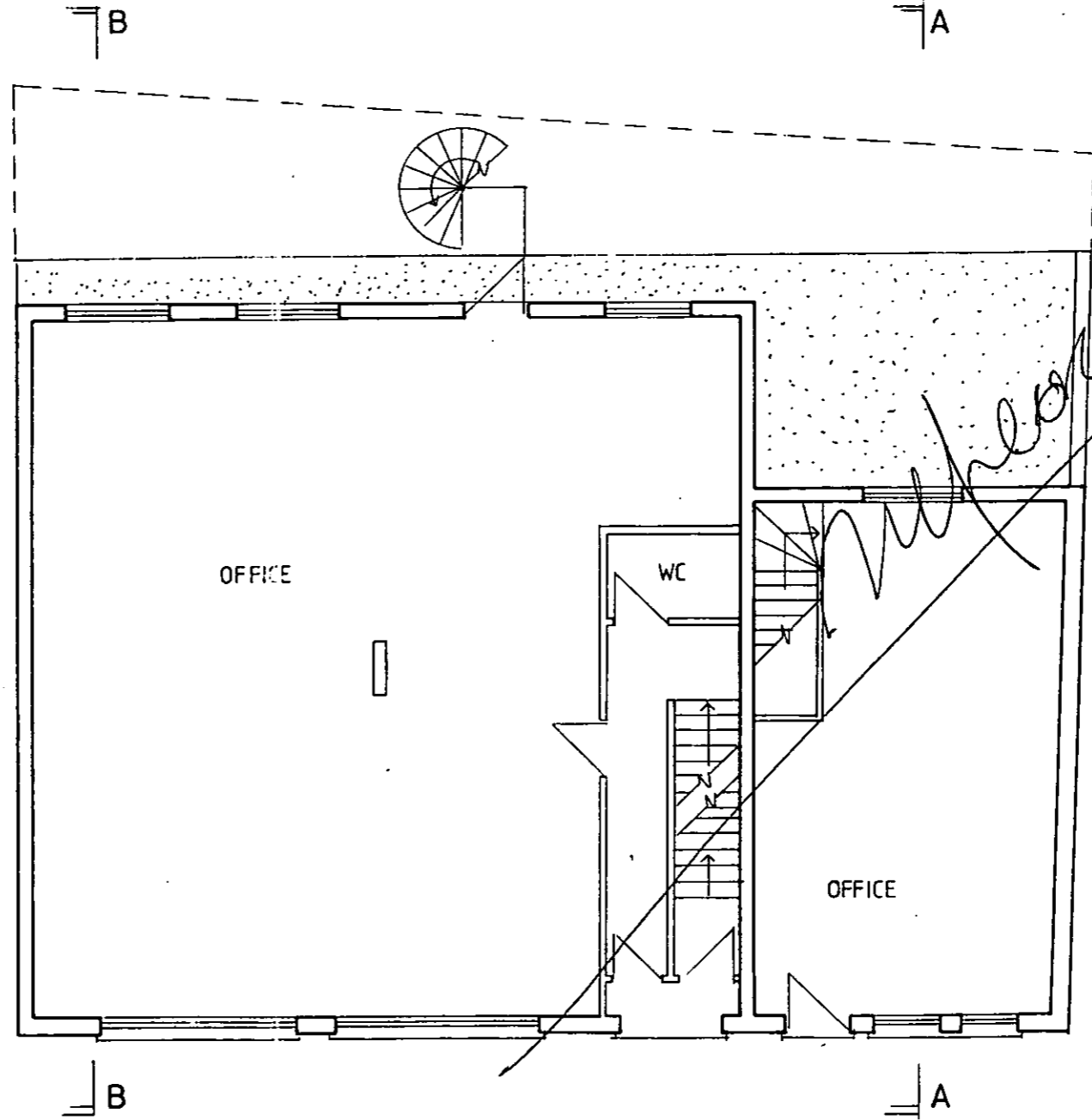
date
 APRIL 90

RECEIVED BY 74-701 125

Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London Knutsford
 0492 532735 01-938 2464 0565 52126



BASEMENT



GROUND FLOOR

Handwritten signature and initials

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.

Notes

Revisions

no	date	details

Project
 HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1 & 2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 FIRST AND SECOND FLOOR PLANS

scale 1:100 **drawn** **date** APRIL 90

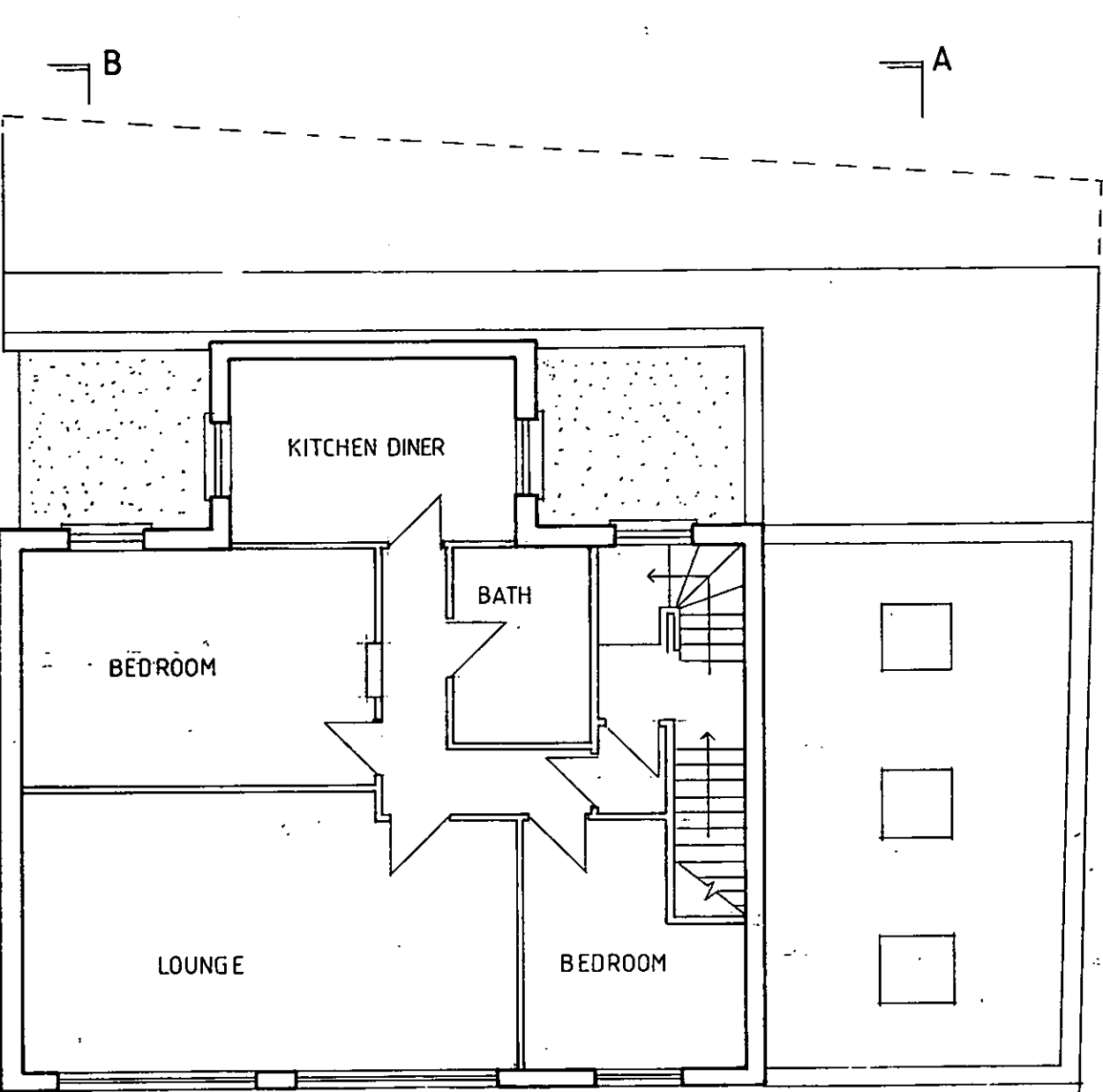
REC'D No. H/TN 4.01.126

On DC N ARB DDPT

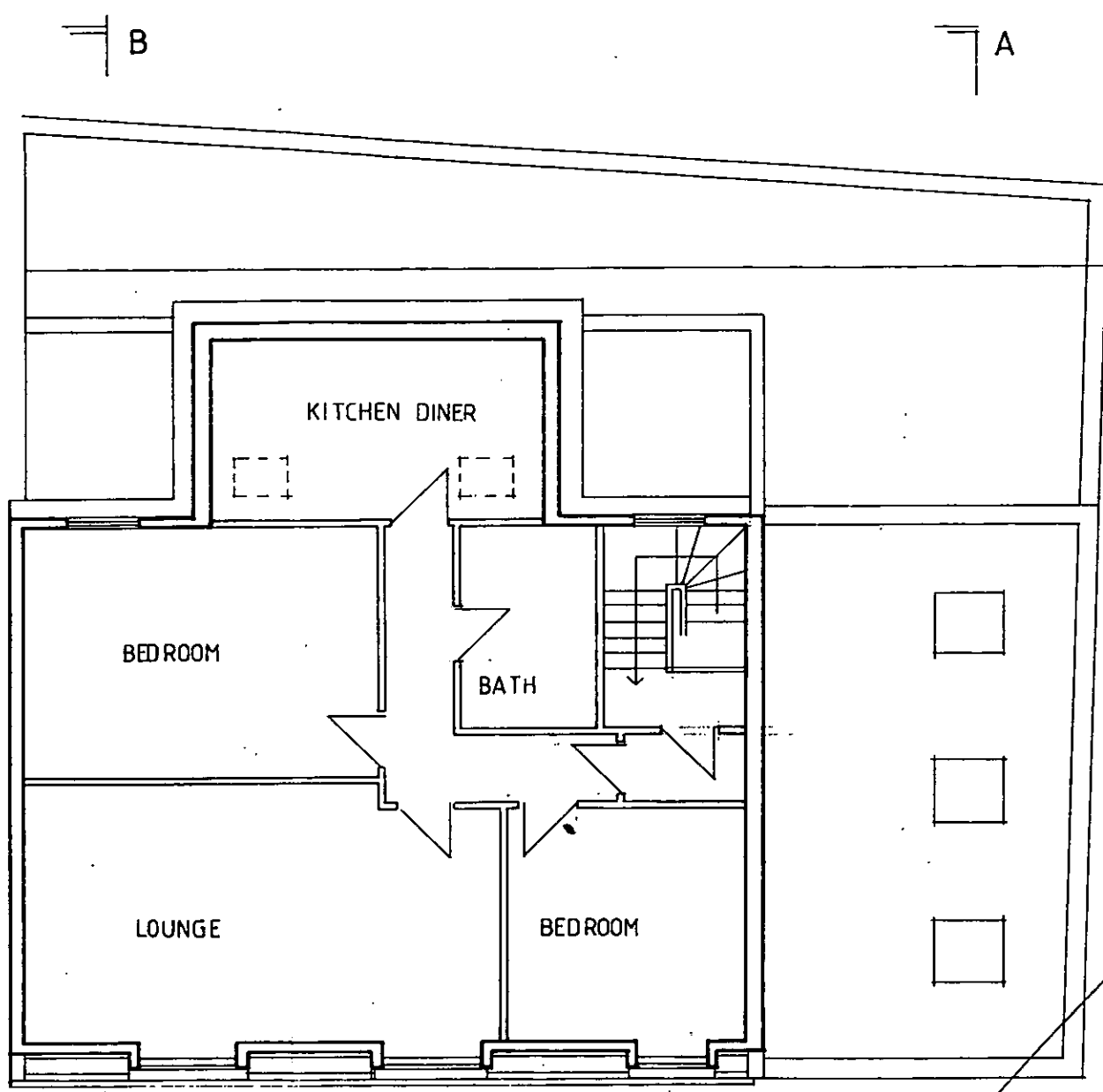
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

10 Colwyn Bay 0492 532735 London 01-938 2464 Knutsford 0565 52126

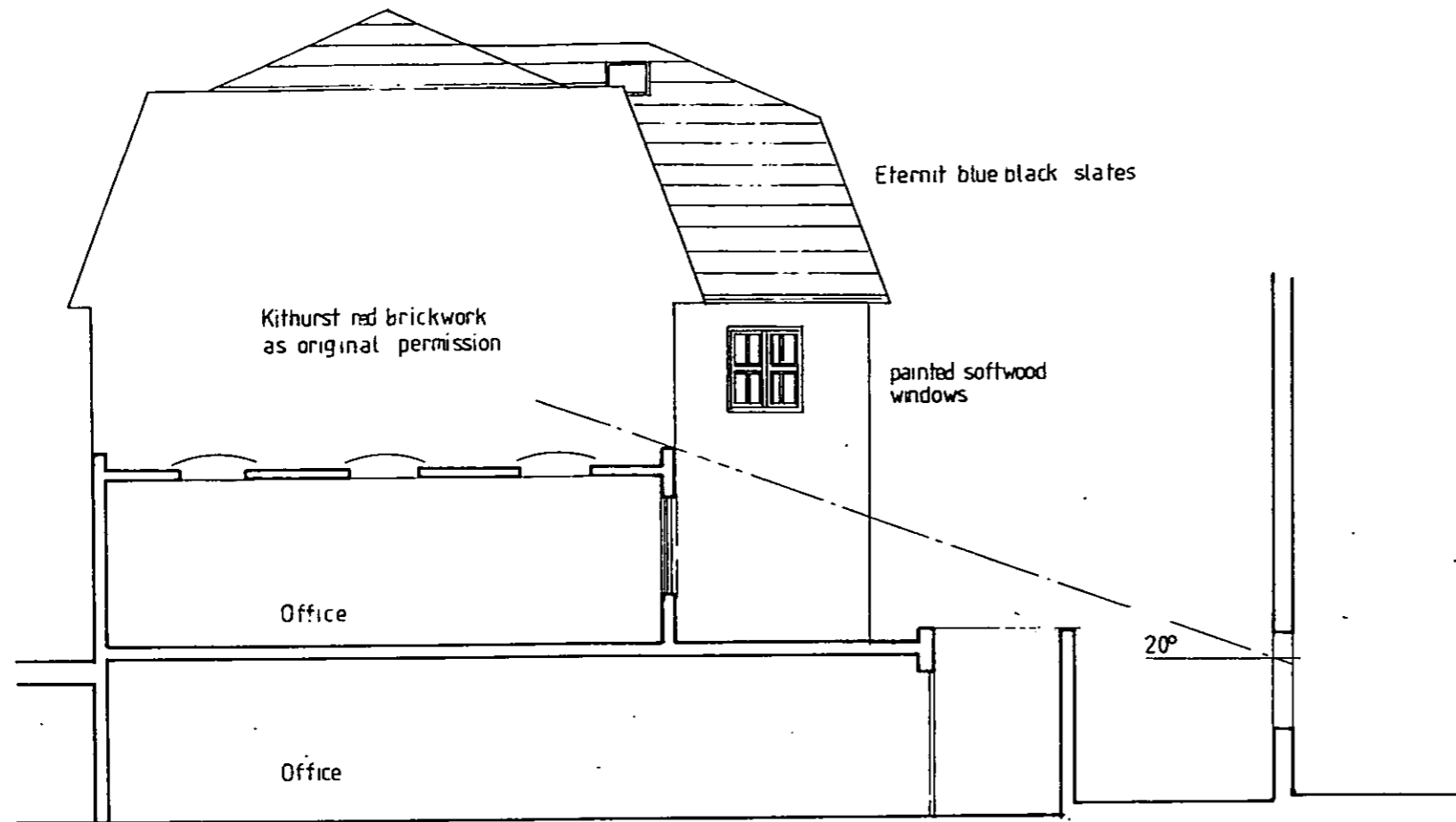
Handwritten signature



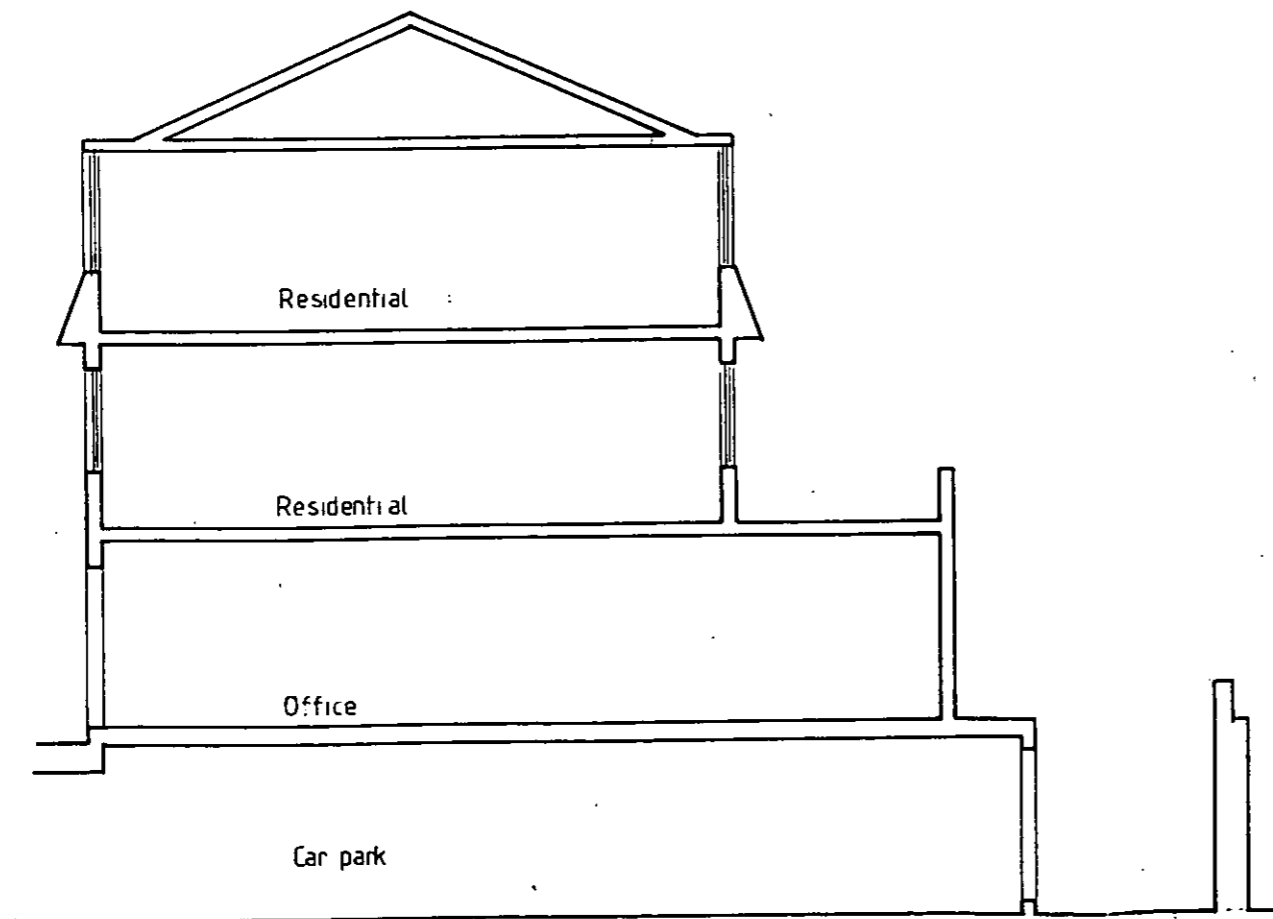
FIRST FLOOR



SECOND FLOOR



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale

1:100

drawn

date

APRIL 90

No HTN 4 01 127

Approved

[Signature]

RECEIVED BY		
DATE	APRIL 1990	
DR	Colwyn Foulkes and Partners (Chartered Architects Planning and Landscape Consultants)	
ARB	Colwyn Bay 0492 532735	London 01-938 2484
DCPT	Knutsford 0565 52126	

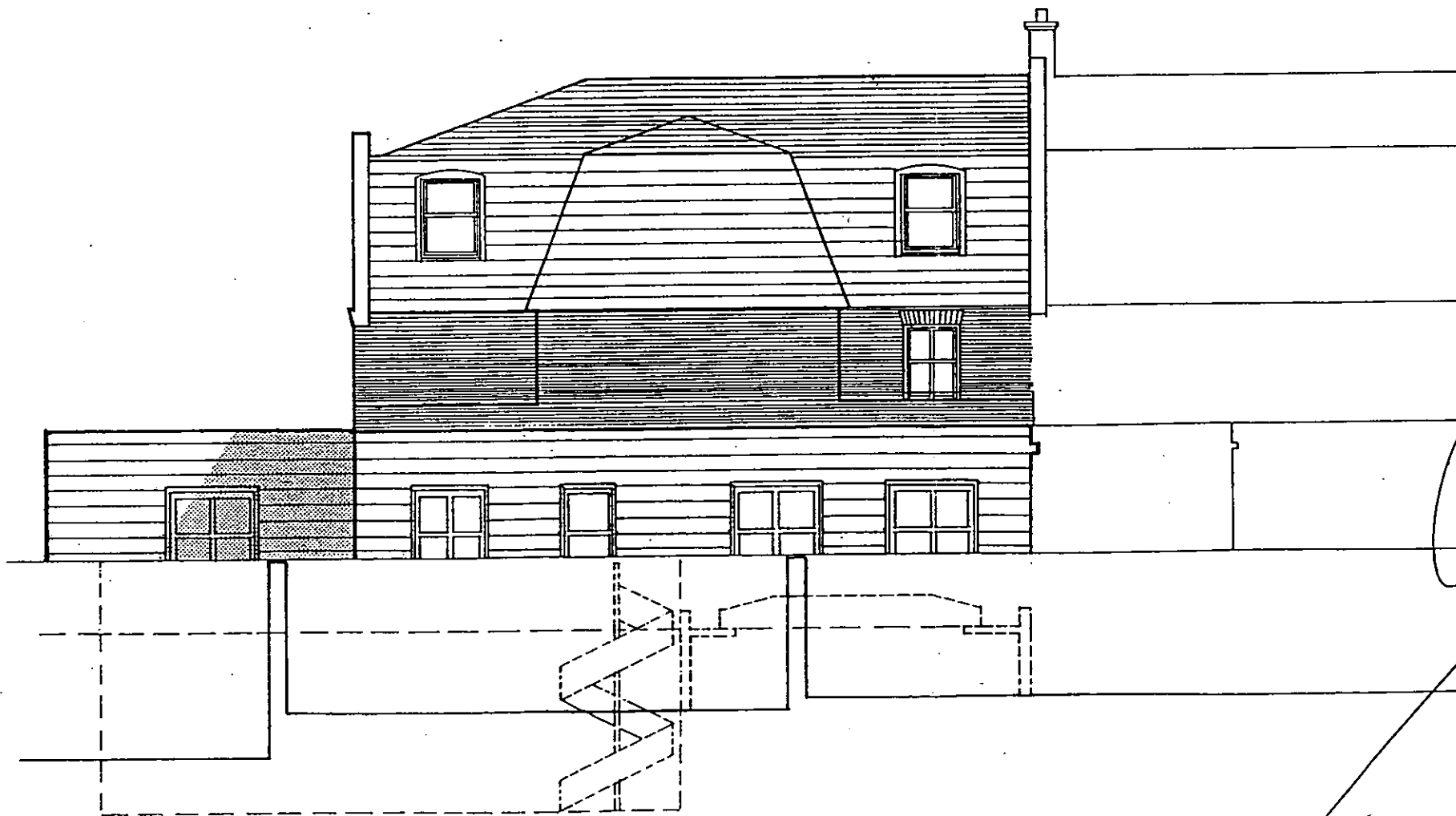


ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood

FRONT ELEVATION



REAR ELEVATION

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.

Notes

Revisions

no	date	details

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale 1:100	drawn	date APRIL 90
----------------	-------	------------------

REC No: HTN. 4. 01 128

Approved

[Signature]



Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

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

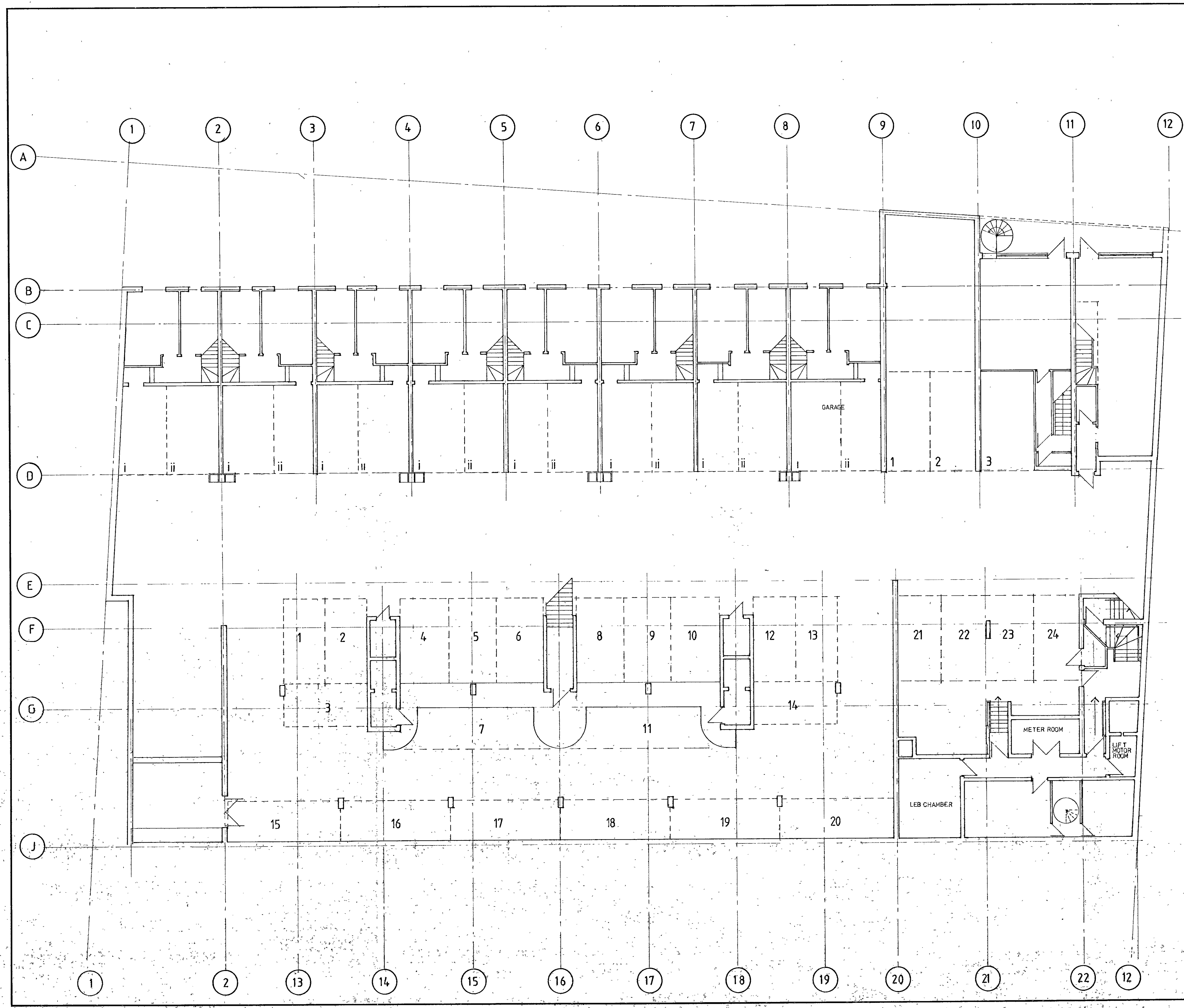






This drawing must not be scaled.
 Figured dimensions, levels, etc., only
 are to be used.
 Any inaccuracies, etc. must be
 notified to the Architect.
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings.

no	date	revisions



Superseded

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay, London
 0482 532735, 01 938 2464

Job
HORTENSIA ROAD

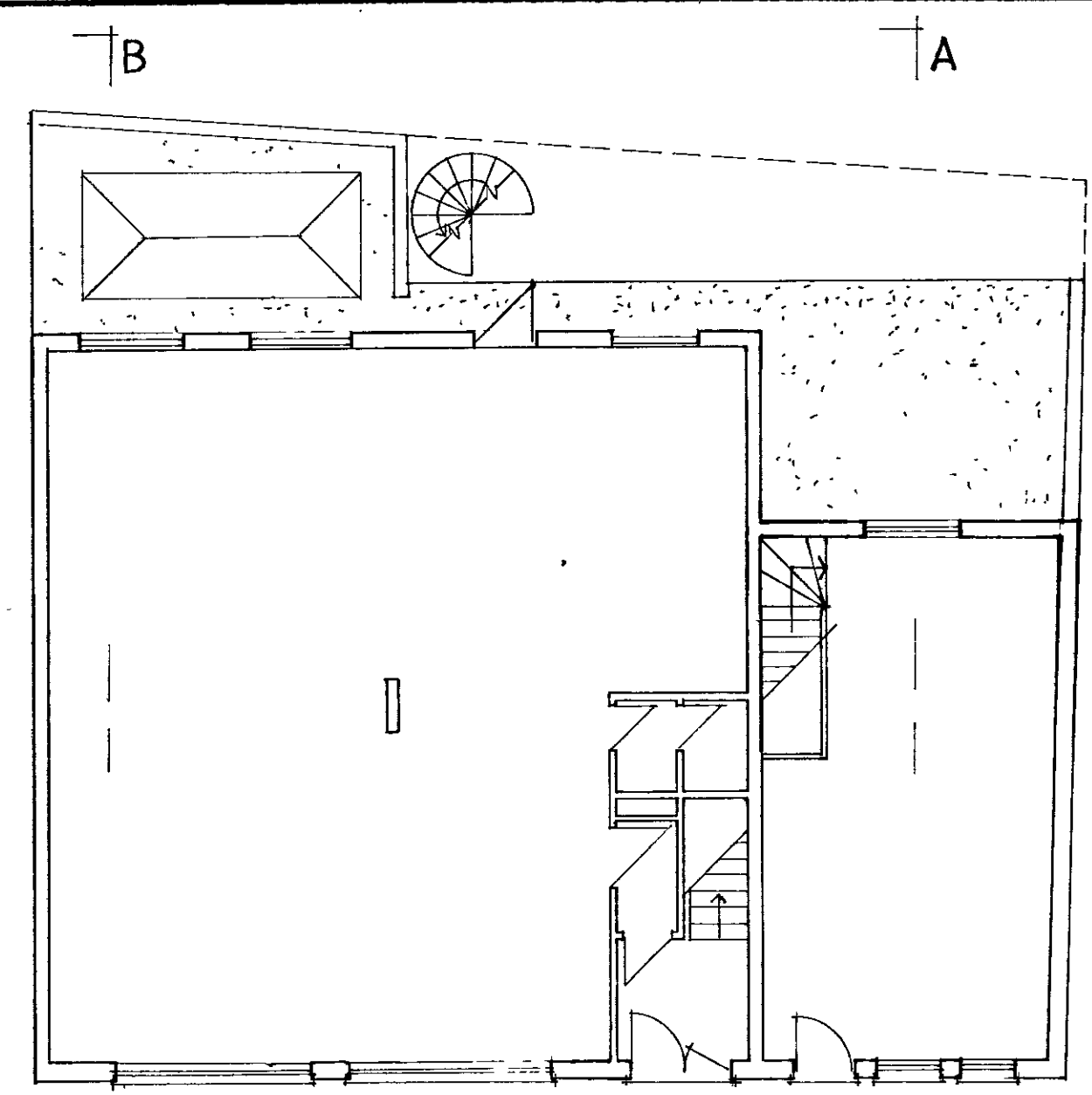
Title
BASEMENT PLAN

PLANNING
 RECEIVED BY B.P.T.

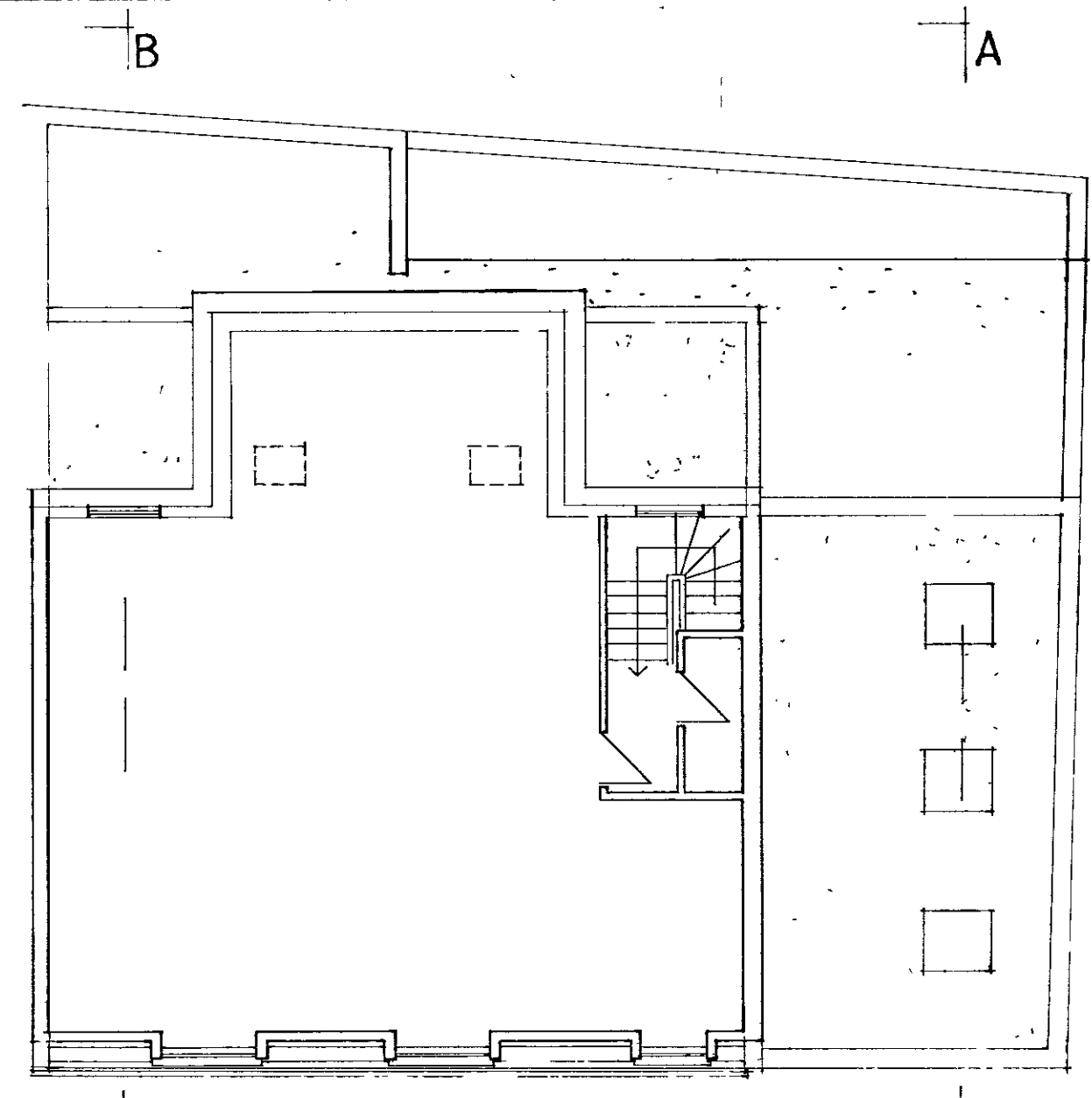
Drawn On 19F B 89
 11-89

Drawn No.	DATE	BY	CHKD
HTN	01-119	DPT	EMV

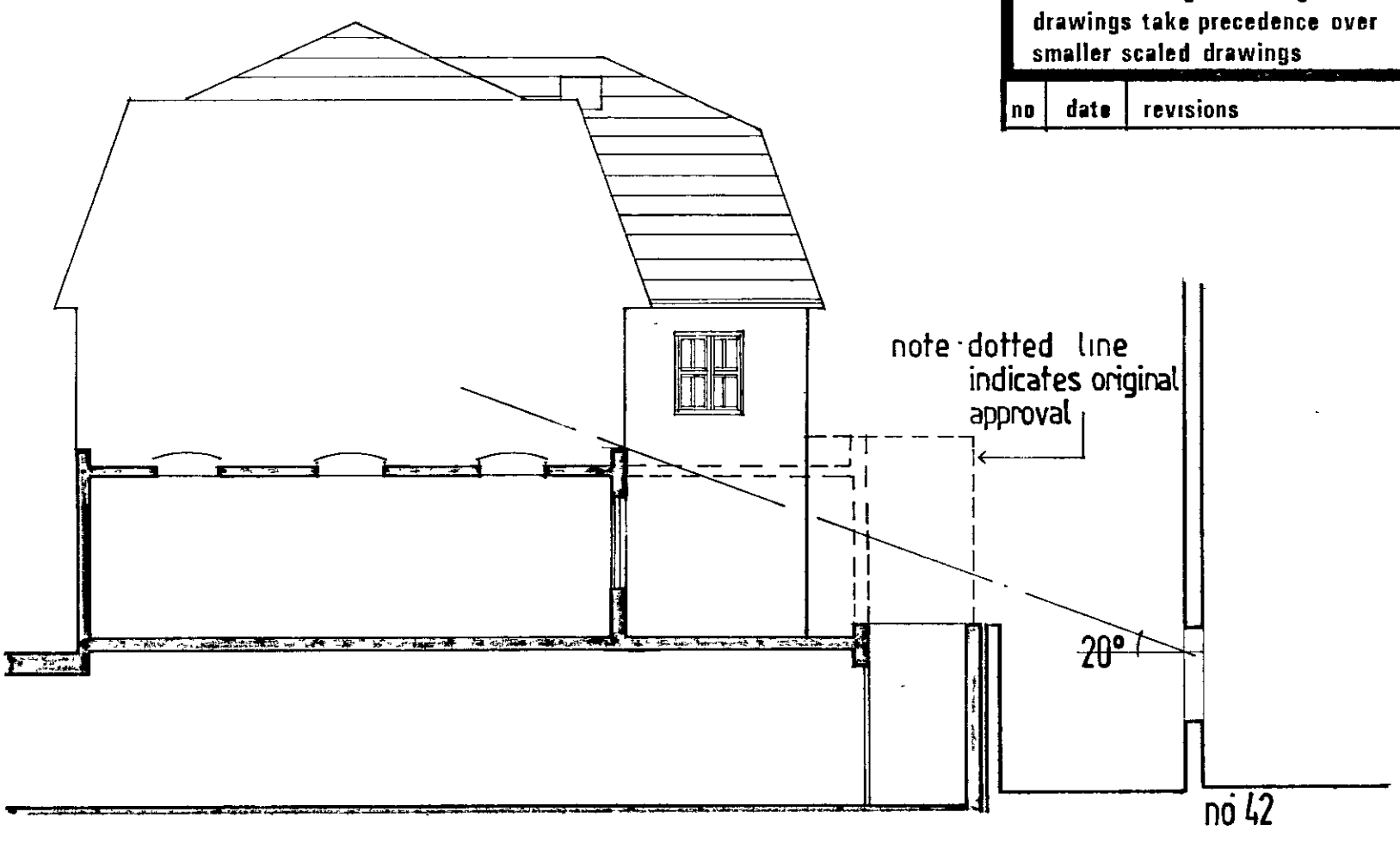
Scale
 1:100



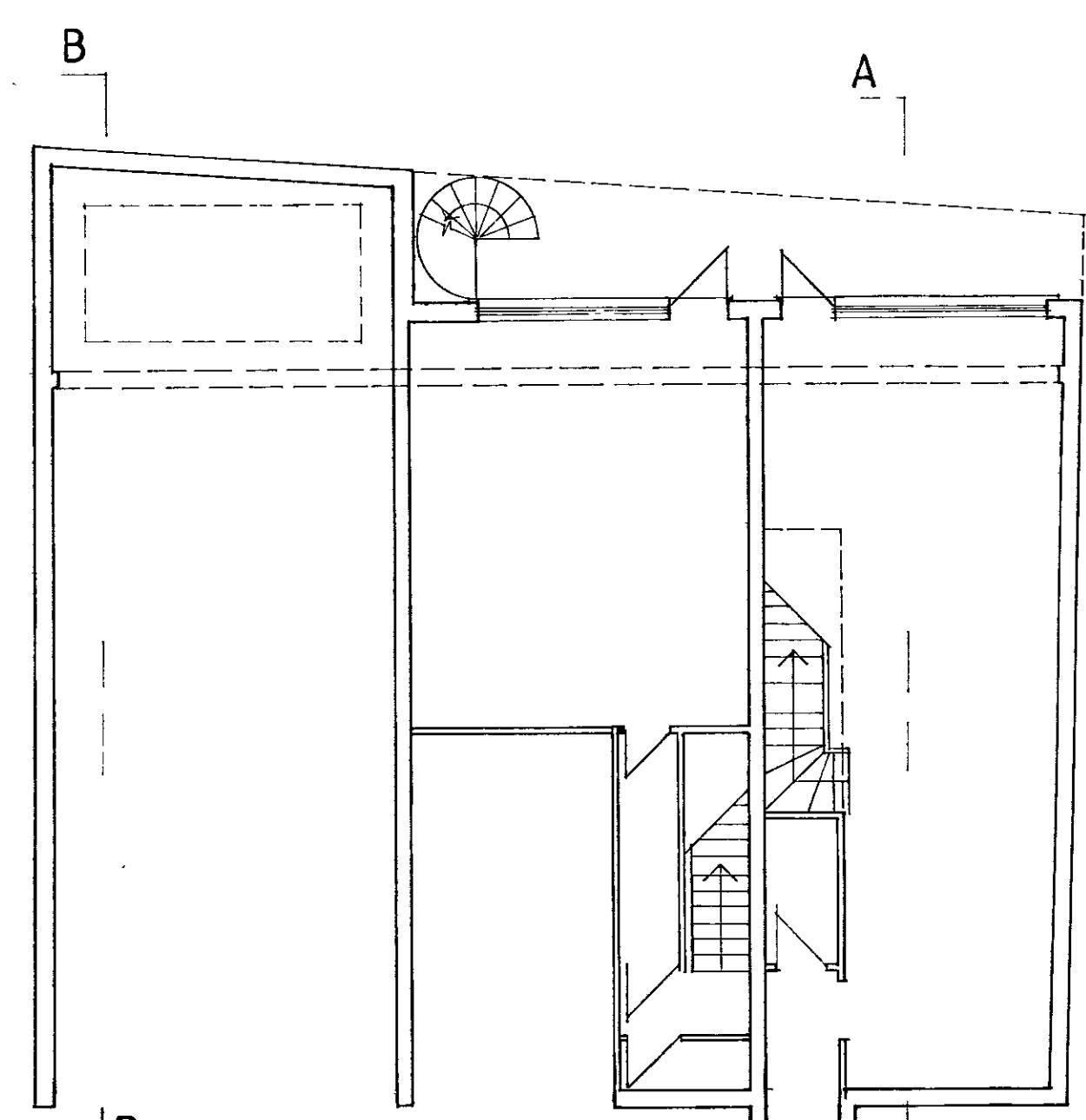
GROUND FLOOR unit 1+2



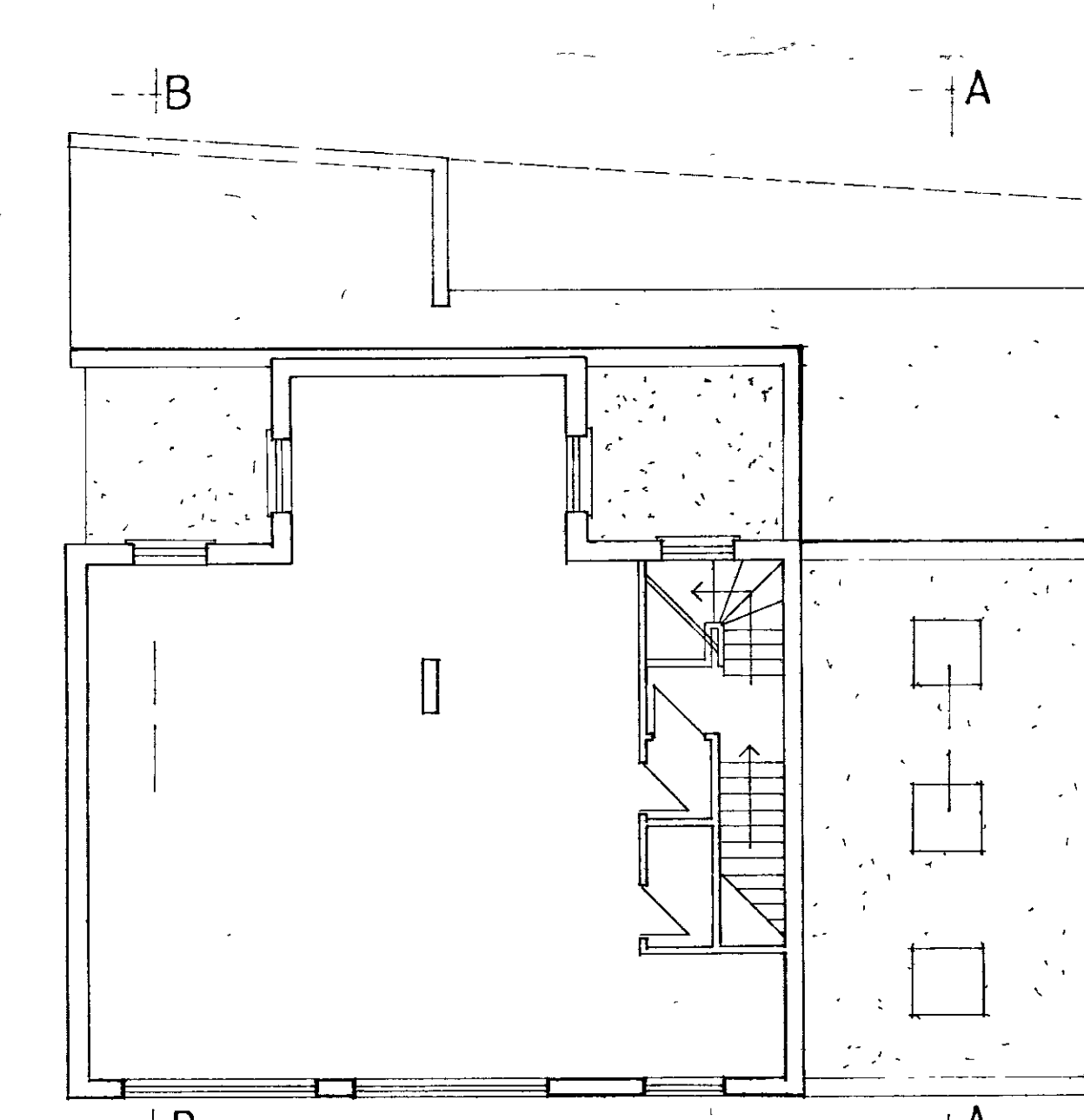
SECOND FLOOR unit 1



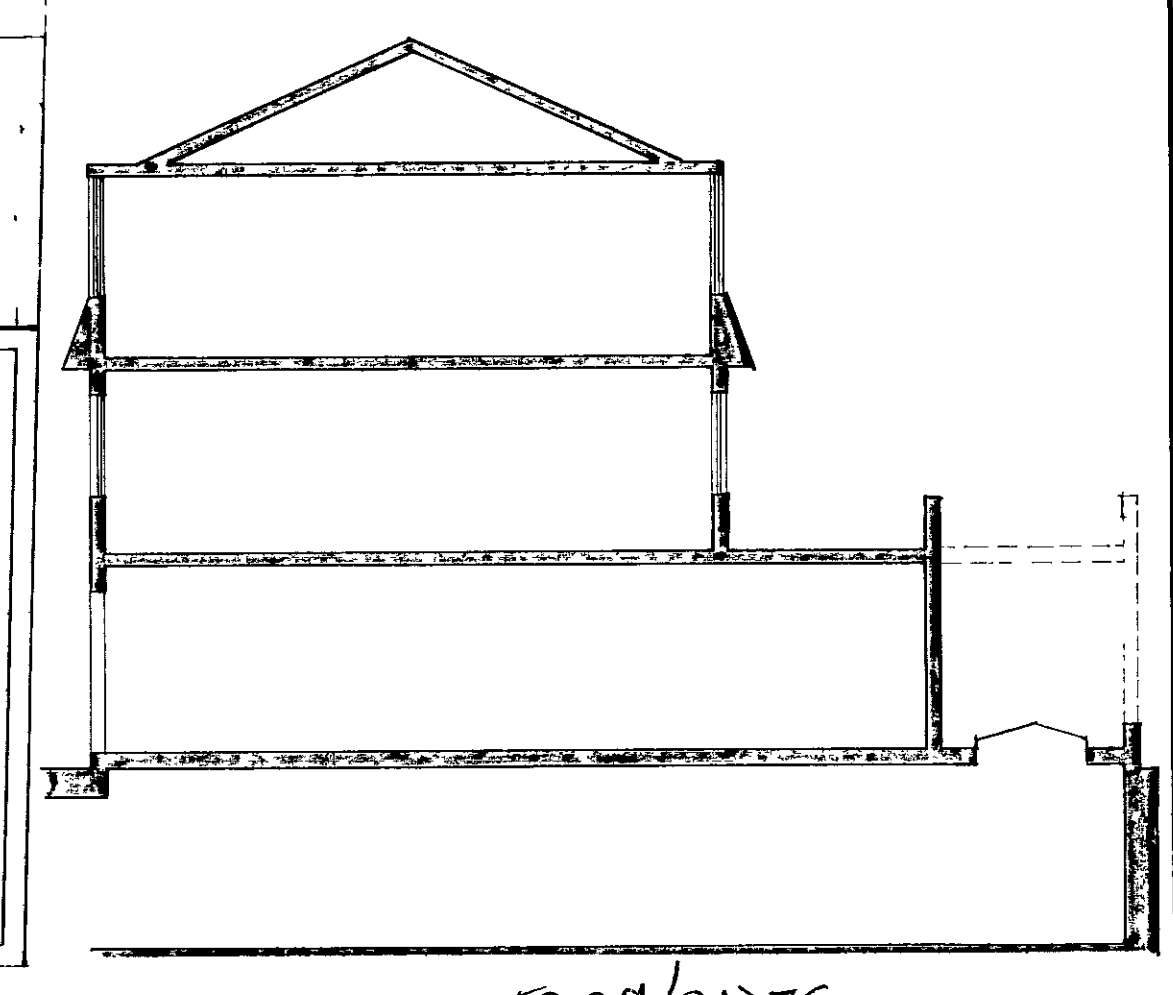
SECTION A-A



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

This drawing must not be scaled.
 Figured dimensions, levels, etc, only
 are to be used TP89/2137
 Any inaccuracies, etc, must be
 notified to the Architect. (51)
 This drawing is copyright.
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings

no	date	revisions

- 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 SUNLIGHT/DAYLIGHT ANGLE INDICATED

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

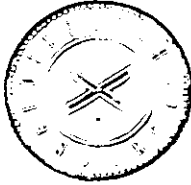
Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

Drawn
 Date
 DEC 89

Drawing No
 HTN/01/113 rev #

Scale
 1 : 100



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/...


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.

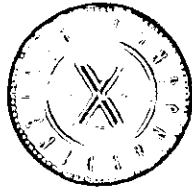
Finally, we would draw to the attention of the authority that we have a planning permission which was properly granted on the consideration of all material facts. One major consideration was the impact of the existing development and which is best illustrated by the attached photograph (Appendix A). 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



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

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.

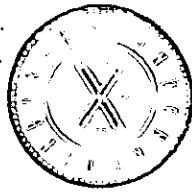
Finally, we would draw to the attention of the authority that we have a planning permission which was properly granted on the consideration of all material facts. One major consideration was the impact of the existing development and which is best illustrated by the attached photograph (Appendix A). 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



TRUST ESTATES LIMITED

WITH COMPLIMENTS
Please accept apologies for the photocopied
photographs. I will send proper copies in
due course.

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.

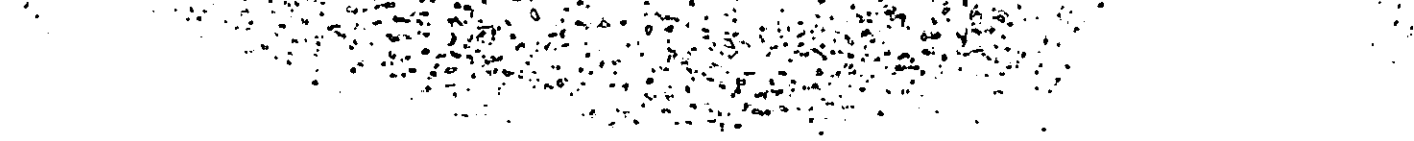
Yours faithfully,



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



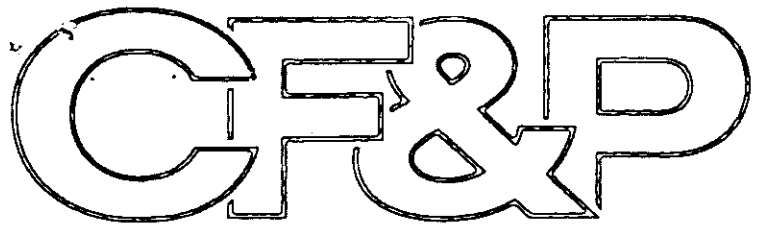




Councillor S H Shapro
Colville Ward
11 Archer House
Portobello Court
London
W11 2DL



U/S
To Planning
←



Colwyn Foulkes and Partners
Chartered Architects Planning and Landscape Consultants

ATTN: Mr M Walsh
Enforcement Officer
Royal Borough of Kensington & Chelsea
Town Hall
Hornton Street
London W8 7NX

HTN/LA/HMC/fh

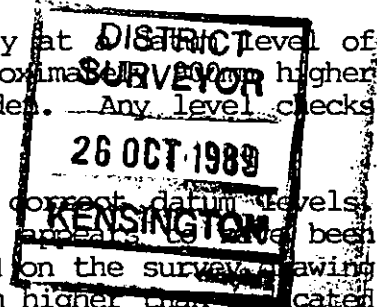
RECEIVED BY D. P. T.				
On 27 OCT 1989				
DC N	DC C	DC S	DC E	DC W
ASB	D. PLAN	RECORDS	OPT	ENVY
FIN	25 OCT 1989	TRAFFIC	OPT	AC
P24	24th October 1989	CONTROL	AC	ACK
OTHER				

Dear Sirs

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD, LONDON SW10

Further to our meeting on site on the afternoon of Tuesday 17th October 1989, we have examined the levels to the rear offices as indicated on the original planning drawing HTN/01/104 rev A, and would comment as follows:

1. Section B-B is taken through the 3 storey office unit, not the single storey unit which backs onto Mr Stoop's property.
2. The back gardens of Gunter Grove are generally at DISTRICT level of 5534 as indicated on our survey drawing, approximately 200mm higher than the ground level in Mr Stoop's rear garden. Any level checks should take this fact into account.
3. The buildings on our site are drawn to the correct datum levels. However, the level of the rear boundary wall appears to have been drawn approximately 400mm higher than indicated on the survey drawing and the level of the ground approximately 600mm higher than indicated on the survey drawing thus creating the impression that the rear office single storey building is higher than indicated on the approved planning drawing.



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., R.I.B.A.
H. R. T. Williams, B.Sc., B.Arch., R.I.B.A.
E. M. Foulkes, M.B.E., B.Arch., R.I.B.A., Dip.C.D.F.R.S.A.
J. J. R. Godfrey, M.A., Cantab., R.I.B.A.

Consultants:
R. Colwyn Foulkes, Dip. Arch., R.I.B.A.
Jane Coy, Dip. Arch., Dip. L.A. A.L.I.
Associates:
M. Marmalis, B.A. (Hons) Dip. Arch., R.I.B.A.

We do not accept, therefore, that Mr Stoop has a valid point but we appreciate his concern regarding overshadowing of his property, and will undertake the amendments to the rear elevation and section in accordance with our agreement on site on 17th October 1989, on condition that he approves the revised detail and withdraws any objection to the proposed height of the rear elevation of the building and purported loss of light with regard to his property. Enclosed is a copy of drawing no HTN4/L(2-)056 rev D on which the relevant amendments are annotated and highlighted in red. As this building is in the process of being built, your urgent attention would be greatly appreciated.

Yours faithfully

Colwyn Foulkes & Partners.

COLWYN FOULKES AND PARTNERS

enc

Response to Question from Councillor Horton to Chairman of Planning and Conservation.

QUESTION:

Will the Chairman of Planning and Conservation list the key sites which the Council expects will make a significant contribution to the Borough's need for more housing, and, bearing in mind the Council's policy for securing housing on 75% of the site and that a third of this be affordable housing, say for each site the expected overall contribution of housing and of affordable housing, and the degree to which current applications for these sites will achieve this or not?

RESPONSE:

The Directorate of Planning Services has compiled a list of identified key development sites in the Borough with potential for residential development, taking into account the policies of the Deposited Unitary Development Plan. This list was included as Appendix D in the report to Planning and Conservation Committee of 28th September 1992, "Housing Need and the Supply of Affordable Housing in Kensington and Chelsea".

Site Address	Site Area (Hectares)
Ladbroke Hall, Barlby Road	4.3
Crowthorne Road	0.055
81/87 Bramley Road	0.105
T.A. Centre, Warwick Road	0.78
British Rail Services Depot, Warwick Road	0.8
South Kensington Underground Station	1.1
49-93 Pelham Street, 250-280 Brompton Road (Brompton Cross)	1.5
Brompton Hospital, North Block	1.0
Kings College, 552 King's Road	2.97
Clearings I and II, Sloane Avenue	0.45
Fenelon Place	1.94
Site adjoining Olympia Station, Russell Road	0.9
Sidings North of Lillie Bridge	0.5
Sidings West of Philbeach Gardens	0.74
Total	<u>17.14</u>

These sites taken from UDP (Deposit Version) "Schedule of Major Sites with Development Opportunities", and excluding those:-

- (a) where non-residential use is preferred;
- (b) development is currently underway;
- (c) with planning permission for non-affordable residential development on the whole site

The Council is currently taking part in a study with London Research Council (LRC) and the House Builders Federation (HBF) to assess the housing capacity of the Borough. The assessment of housing capacity is being undertaken simultaneously in all London Borough's and the findings will be assessed and published in LPAC Strategic Planning Advice for London (December, 1993). Whilst Officers have made an individual estimate of contribution for all such sites based both on assessed potential and known potential shown in current applications (such as the Ladbroke Hall [former Rootes site] Barlby Road), until the completion of the study, the Council's estimate of contribution for each site remains confidential.

In summary, officers expect a total contribution on key sites of about 1,800 new dwellings, 600 of which should be affordable housing units. The amount of housing that can be achieved on any development site is dependant on the details of the proposal, and all material considerations that apply.

(These figures relate to known key sites and therefore do not take account of small sites or windfall development sites.)

16
2

Will the Chairman of Planning and Conservation list the key sites which the Council expects will make a significant contribution to the Borough's need for more housing, and, bearing in mind the Council's policy for securing housing on 75% of the site and that a third of this be affordable housing, say for each site the expected overall contribution of housing and of affordable housing, and the degree to which current applications for these sites will achieve this or not?

[DPS reply.

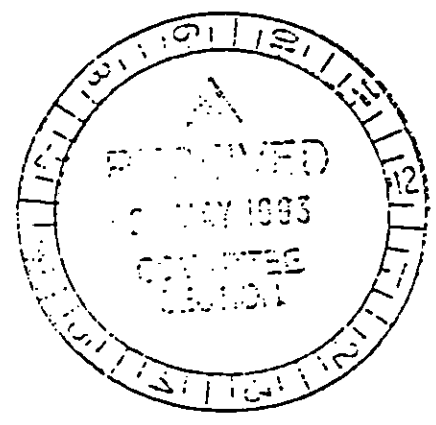
EDPC info

Rina Hall
HORTON

Saran/

By mid-day Monday, 24, 93.

List in ZA 14 will probably cover this, only we need to make it clear that it takes no account of wind farm sites and in practice each site must be considered on its merits, so that the precise figures for individual sites will vary.



Grann
24/05.

Council Question No. 3

F

Can he explain why his officers were opposed to the siting of an autoloo in Sloane Square but had no qualms about a proposed site in Worlds End? Are there different standards that have to be met in Sloane Square that do not apply in other parts of the Borough?

Each application for an autoloo would of course be considered on its merits. In the case of Sloane Square, the officers were not prepared to support the replacement of the existing facilities by an autoloo. Members will be aware that a very expensive refurbishment and enhancement of Sloane Square has only recently been completed and in the absence of any sound planning reasons further building works on the square are considered undesirable.

Concern about the autoloo in Worlds End was expressed by the Planning Services Committee and planning permission was subsequently granted subject to certain conditions and informatives which were intended to enhance its location.

Can he assure me that his Committee and officers have equal regard to improving the street scene in working class areas of the Borough as well as in the more exclusive districts?

I am very happy to assure Councillor Weems and other Councillors that my Committee and the officers within Planning and Conservation have equal regard for the maintenance and enhancement of all streets within the Royal Borough.



P2C
3

To the Chair of Planning and Conservation Committee.

(i) Can he explain why his officers were opposed to the siting of an autoloo in Sloane Square but had no qualms about a proposed site in Worlds End? Are there different standards that have to be met in Sloane Square that do not apply in other parts of the Borough?

M.F.

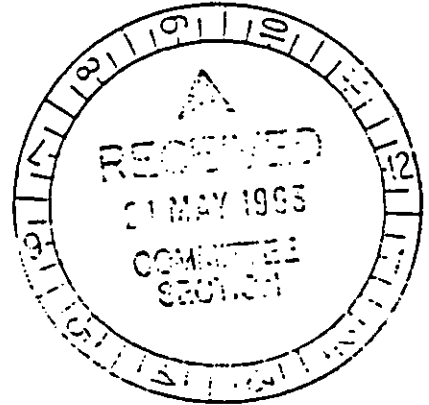
(ii) Can he assure me that his committee and officers have equal regard to improving the street scene in working class areas of the Borough as well as in the more exclusive districts.

JFF

R.A. Weems.

~~D.H. reply~~

EDPC info



THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
ENVIRONMENTAL SERVICES COMMITTEE - 10TH NOVEMBER 1992

REPORT OF THE PUBLIC HEALTH AND WORKS COMMITTEE

(2ND NOVEMBER 1992)

1. **REVIEW OF PUBLIC CONVENIENCES**
 - 1.1 The Public Health and Works Committee discussed a report on a review of the public conveniences available in the Royal Borough and considered recommendations to improve the service. The Royal Borough presently provides twelve public conveniences. These are staffed by one attendant each although three toilets, in Notting Hill, Ladbroke Grove and Sloane Square, because of location or design, have two attendants.
 - 1.2 A review in 1982 identified various reasons which justified staffing of conveniences during opening hours. These included the need to ensure adequate standards of hygiene, the deterrence of vandalism, assistance to customers, particularly the elderly and disabled, and the discouragement of anti-social behaviour. The cost of employing attendants contributes to the high cost of providing the service. The estimated cost for 1992/1993 is £775,200 with an income of £34,400. The Committee considered, however, that the need for attendants identified by the 1982 report was still valid.
 - 1.3 The Committee saw no reason to reduce service provision and has agreed to the provision of more autoloos similar to the one in South Kensington which would lead, in most instances, to new financial growth. Five sites have been identified as possible locations for new autoloos, namely Ladbroke Grove, Elkstone Road / Adair Road, Portobello Road (in front of the Piazza), Notting Hill (south side near junction with Kensington Church Street), Holland Park Avenue (near Shepherds Bush roundabout). It was also agreed to close the World's End convenience and, in principle, the Sloane Square convenience which, due to low usage yield a low income, and to replace them with autoloos providing a nett saving to the Royal Borough of £36,000 per year. Any planning application for these sites will be subject to public consultation and any use of Housing Revenue Account Land (possibly for the sites at Ladbroke Grove, Elkstone Road / Adair Road and Portobello Road) requires Housing Committee (Public Sector) authority. In addition the Highways and Traffic Committee will need to be consulted regarding the siting of the Autoloos on the highway. If the conveniences at World's End and Sloane Square are closed BFI Wastecare Limited would be asked to employ one of the attendants at the new facilities in Gloucester Road.
 - 1.4 The additional cost to the Council of each Autoloo will be approximately £12,000 per year which includes all maintenance by J C Decaux Limited, who presently maintain the facility at South Kensington. As reported to the Public Health and Works Committee on 4th November 1991 this company produces a specialised product in automatic conveniences which other manufacturers are unable to match.
 - 1.5 The Committee also considered the proposal to increase the admission charge of public conveniences from 10 pence to 20 pence. This would be the first review of charges for ten years and would provide an additional income of about £20,000 per year. The Committee noted that it was unlikely that barrier entry, which leads to a charge for all users, for the conveniences at Kensington Town Hall would be possible but the matter would be investigated further.
 - 1.6 The Environmental Services Committee is **RECOMMENDED** (a) to note the review of public conveniences as detailed above and (b) to adopt the proposed increase in the admission charge to public conveniences from 10 pence to 20 pence, increasing income by an estimated £20,000 per year.

FOR DECISION

PD

MEMORANDUM

To: Damian Vaughan From: Director of Planning Services
Directorate of Cleansing & Recycling

c.c:

My Ref: DPS/MJF/JLB Your Ref:
Room No. 323

Ext. 2078 Date: 20 October 1992

**Public Convenience Report
Public Health & Works Committee 2/11/92**

Further to the report from Norman Cook relating to the above Committee, I have the following comments:-

Para 5.2 I am not aware of any discussion on the District Plan - this does lay down in Chapter 9, Para 8.5, criteria for siting public conveniences. I can't agree that the new sites have all been considered in conjunction with the policies in the Plan. Could "In conjunction with the District Plan" be deleted please.

In Para 5.3 "Officers of the Directorate of Planning Services have indicated that these sites accord generally with the Plan criteria, but any planning application will be subject to widespread public consultation before any decision is made by the appropriate Committee."

Para 5.4 Delete "planning permission is not considered to be problematical". Add in next sentence "... is necessary, and planning permission will also be required".

Para 5.5 Officers of the Planning Department are opposed to the provision of an autoloo at Sloane Square, and would wish to see the existing facilities retained.

Recommendation on 7(f) Resolve to seek planning permission and Control of Advertisement consent for the proposed autoloos at ... (5.3).

Comment

- (1) With all the advertising allowed on these autoloos, why do they cost us anything?
- (2) What about improved provision for people with special mobility needs?

**M.J. French
Director of Planning Services**

Council Question No. 4

1. The applications were advertised as developments affecting an adjoining conservation area and as "major" applications in accordance with Article 12B(4) of the General Development Order. The applications were not considered to be departures from the Development Plan.
- ii. The applications were accordingly not notified to the Secretary of State for the Environment. There is no requirement to notify LPAC.
- iii.
 - (a) This is the largest supermarket development in the Borough to date.
 - (b) This is the largest office development in the Borough to date.
 - (c) This is the largest car parking area to date.
 - (d) This is not the largest cinema to date. The planning permission for Odeon Cinema Kensington High Street provided a 6,120 sq.m. cinema complex though the number of seats proposed there is 1,500.
- iv. The policies of the District Plan and Unitary Development Plan, as placed on deposit, have been set out in the Committee report. It is for the Committee to weigh and determine the proposals against the policies, and to take into account all other material considerations.
- v. The material considerations are set out in the Planning Committee report. It is for the Committee to weigh the considerations. Both comprehensive applications include provision for the Earls Court access road, the coach/lorry park and housing.
- vi. The applications are in outline and do not therefore show the main entrances of buildings. The Fenelon Place Planning Brief approved by the Committee states that the brief site lies within walking distance of Earls Court station. The indicative drawings accompanying the Safeway/Flaxyard application give walking distances of 475m. (offices and cinemas) and 650m. (foodstore).
- vii. The traffic impact reports prepared by the applicants and by the Council's consultants are based on a number of assumptions, and it not possible to extract simple figures in the way suggested by the question. The reports are available for inspection at the Directorate of Planning Services.
- viii. The Transportation Section of the Council are aware of the study and this was taken into account in their observations set out in the Committee report on the Safeway/Flaxyard application.
- ix. It is for the Committee to determine whether the development is in line with current Government policy and proposed Government policy regarding public transport and the location of development.
- x. Figures cannot be given for the potential catchment areas for all uses in the application. The Planning Committee report sets out the likely diversion of shoppers from other centres. It is for the Committee to determine how the facilities will serve Borough residents.

- xi. The residential use proposed in the outline schemes is approximately 20-25% of the site area though this could change at detailed stage. Neither the UDP, as deposited, nor the Planning brief "require" 75% of the site to be given over to housing. The UDP, as deposited, states at para. 3.11 of the Employment Chapter that "the Council considers that normally 75% of the site area.....should be in residential and associated uses. In establishing the proportion of housing in the scheme, regard will be had to the history of uses on the site and its location". The Planning Brief refers back to this guideline and states that the Council will expect 75% of the brief site to be devoted to residential use including associated uses. It is for the Committee to determine whether the residential element is appropriate, taking into account all material considerations.
- xii. The applications are in outline and plot ratio and building heights can only be estimated at this stage. The proposed storey heights are estimated in the Flaxyard/Safeway scheme to range from between four, six and seven storeys over a car and coach parking deck and the plot ratio is calculated at less than 2:1.
- xiii. The Safeway/Flaxyard proposal will have an estimated diversion of £1.6m. of trade from Kensington High Street equivalent to an impact of 9%. The diversion from Earls Court is estimated to be in the region of 10% (£0.9m). In both cases it is likely that the major impact would be on food expenditure.



P&C
④

QUESTION FOR COUNCIL MEETING: 26 MAY 1993

DPS reply
EDPC info

With regard to the proposed developments on land between Sainsburys Homebase and West Cromwell Road and Warwick Road, will the chairman of Planning and Conservation say:

Committee

(i) whether, and if not why not, the proposed scheme, including a 76,000 sq ft shopping development; a 288,000 sq ft offices development; an 11 screen cinema; and 670 car parking spaces, was advertised and reported as a major departure from the District plan?

Fact

(ii) whether it has been reported to LPAC and the Department of the Environment as a major departure?

Fact

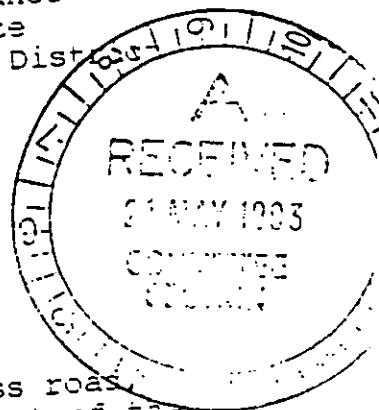
(iii) whether individually this includes the biggest:

Fact
but difficult

- (a) new supermarket proposal in the Borough to date?
- (b) new office development in the Borough to date?
- (c) new cinema development in the Borough to date?
- (d) car park development in the Borough to date, and that with the Homebase carpark and parking for the housing this represents about 1,000 car parking spaces?

(iv) whether, since S54A of the Town and Country Planning Act says that "where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise", the proposals accord with both the District Plan and the UDP with regard to:

- (a) the shopping scheme? 7,076 m²
- (b) the office development? 26,755 m²
- (c) the car parking?
- (d) the 11 screen cinema?
- (e) the amount of housing?



given that the Earl's Court Exhibition access roads coachpark and housing are a policy requirement of the UDP and the brief, what considerations, not already required, represent material planning considerations which could be used to justify departing from the Council's policies?

CONTINUE

(vi) 1. what is the exact walking distance from Earl's Court underground to the main entrance of:

fact

- (a) i. the proposed office block?
- (b) ii. the shopping scheme?
- (c) iii. the cinemas?

(vii) 2. in assessing the transport implications of these developments, what assumptions have been made about the number and proportion of the daily trips to the site will be made by car, in the case of:

fact?
extractable from H/F?

- (a) i. the office development?
- (b) ii. the shopping development? and
- (c) iii. the cinemas?

(viii) 3. whether he is aware of the transport study undertaken jointly with H&F, which shows that a 5% increase in the level of traffic delays all traffic by up to 20%?

"Wiltram model"

Y/N
(is this true?)

(ix) 4. how the location of this quantity of offices, shopping and leisure developments relate to Government advice on the location of new development which seeks to locate such developments in locations well-served by public transport so as to minimise the need to use cars?

fact?
to council?

(x) 5. what is the estimated catchment area for each of the facilities, and the degree to which each will serve Borough residents?

?
fact?

(xi) 6. to what extent the scheme meets the UDP and planning brief requirements for 75% of the site to be given over to housing and associated uses?

what are the + fact?

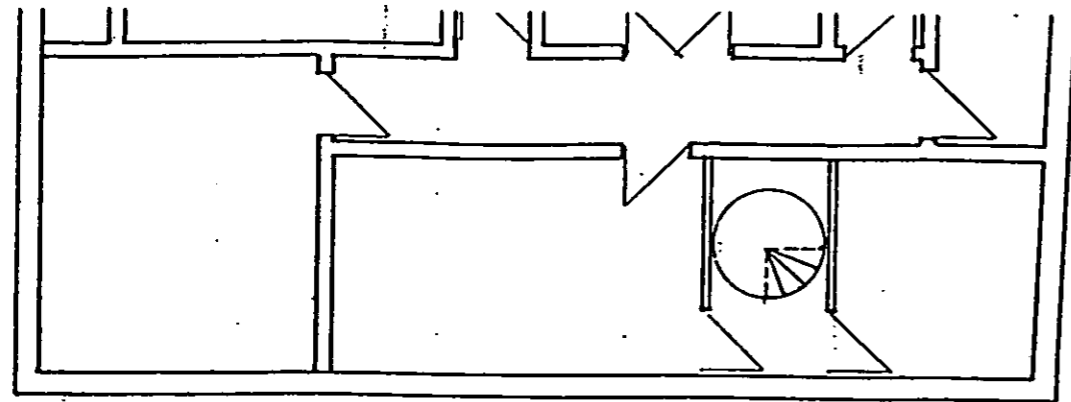
(xii) 7. whether the floorspace to site area ratio (plot ratio) exceeds 2:1 and, given the large area of the site given over to roads, parking and open space, what height of buildings will result?

see CMAE report

(xiii) 8. what impact the shopping development will have on food shopping turnover in Earl's Court Road and Kensington High Street?

is this in report?

Rino Hall
HORTON

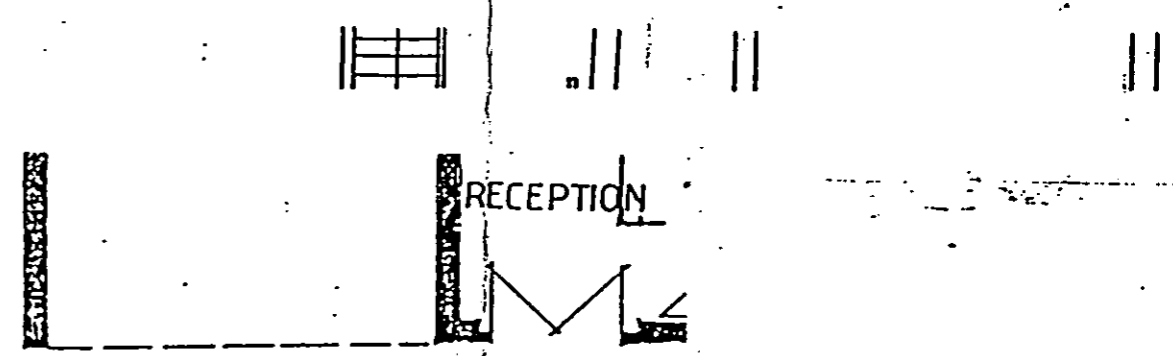


BASEMENT

APPLICATION TP 89 2137
DRG NO 01 114 F

A

GR

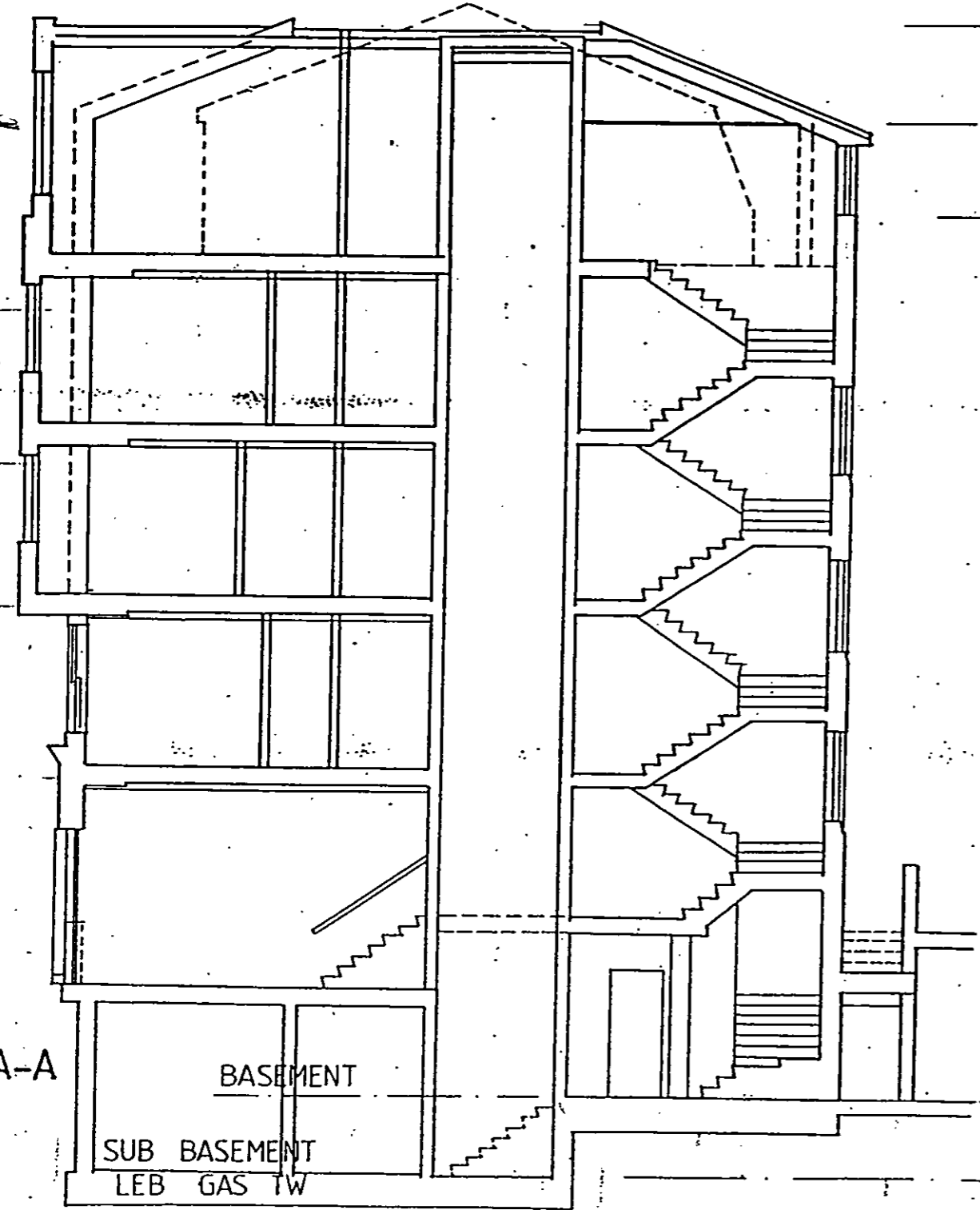


GROUND FLOOR

APPROVED APPLICATION T P 88 0633

DRG NO 01 114

DRG NO 01 101



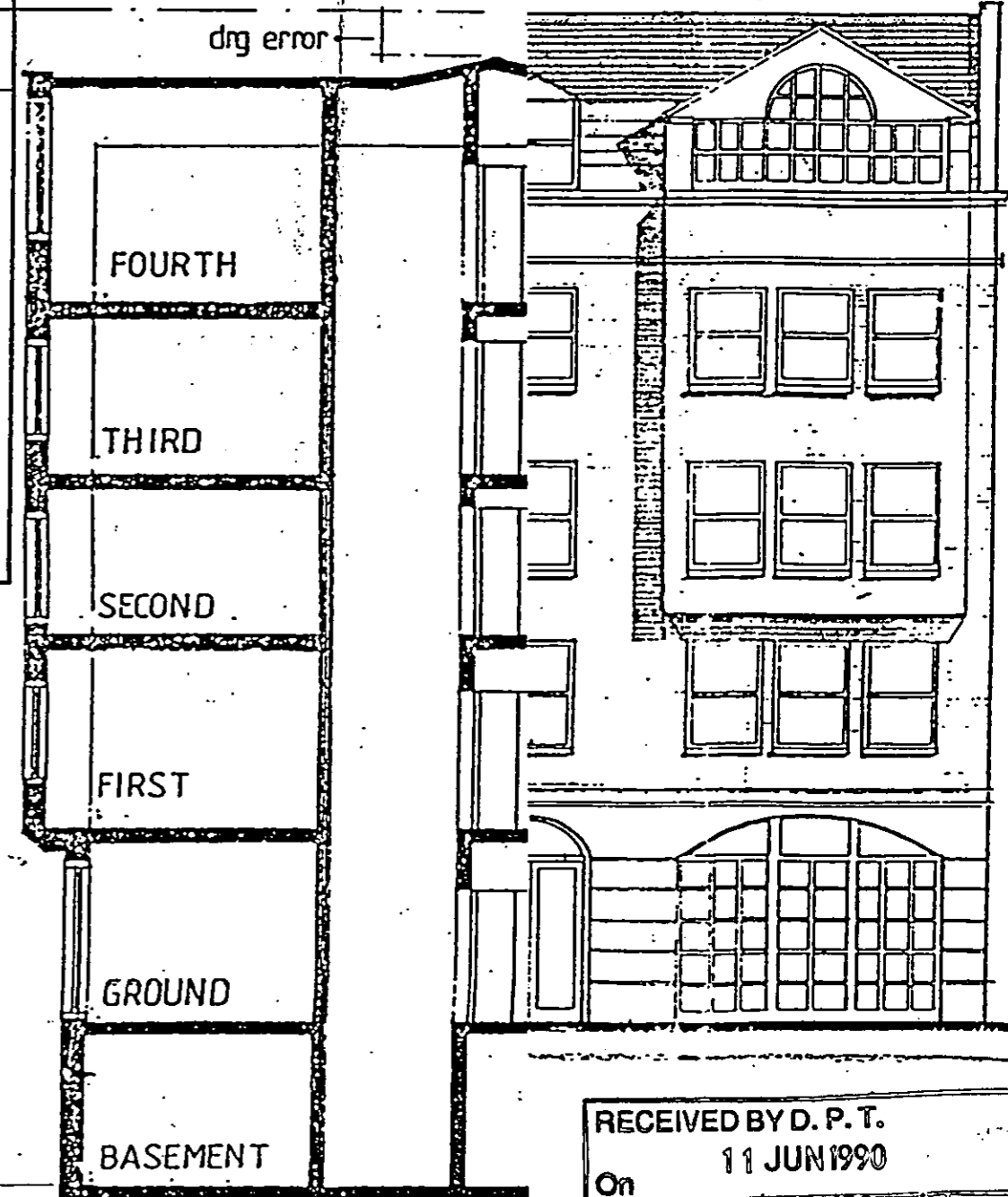
SECTION A-A

BASEMENT

SUB BASEMENT
LEB GAS TW

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

drg error



FOURTH

THIRD

SECOND

FIRST

GROUND

BASEMENT

SECTION A-A

RECEIVED BY D. P. T.
11 JUN 1990

On	DC F	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	3	3	3



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

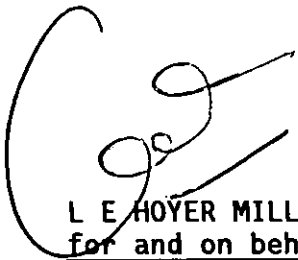
Reference has been made by residents to a model and that it was grossly inaccurate. We would, however, advise members, that the model was completed to considerable accuracy based on survey drawings and showed the scale of adjoining buildings. It sought to demonstrate the height and sitting of building 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

1

2

3

4



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/...

OMBUDSMAN

MARY'S OFFICE

FRIDAY

- 2 Coey
- 3 Watsl
- 4 Trend

~~1. AS per~~

Files

It's slightly different

other one, I accept that.

the Mortgage Offer together

Notification of Third Party

because over a certain amount

to have, they have to have an

Indemnity. Is that your signature

on the Third Party Insurance

what were you doing for a living

member

P. T. ...

PAGE No 699

Rank/No DC 1792

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.

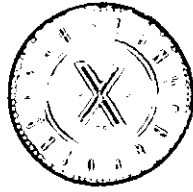
6. The choice of any "friend" is a matter for the person being interviewed but the investigator will wish to ensure that there is no conflict of interest for the "friend". A conflict could arise, for example, if the "friend" were someone who was also to be interviewed in course of the investigation, 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.

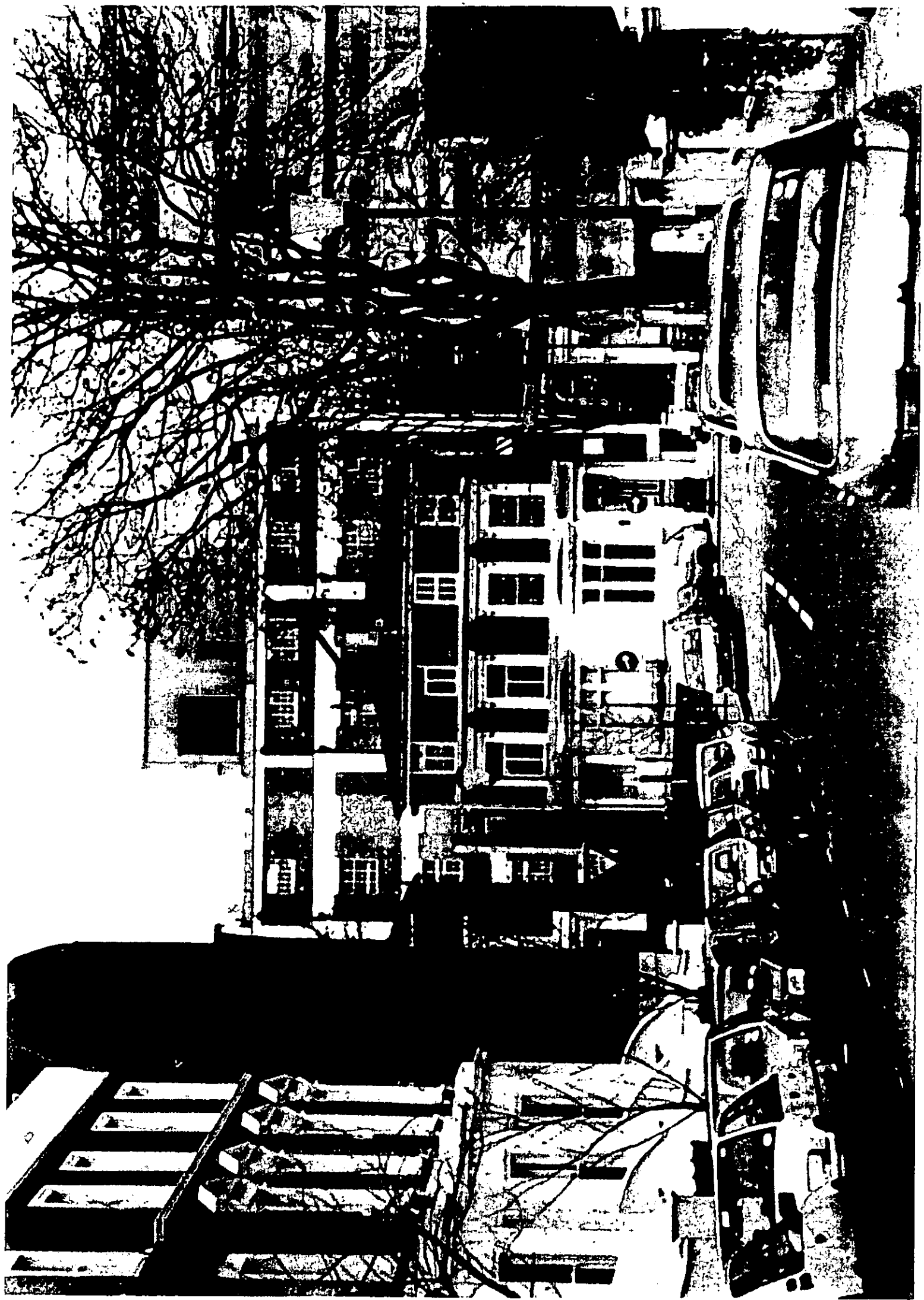


TRUST ESTATES LIMITED

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

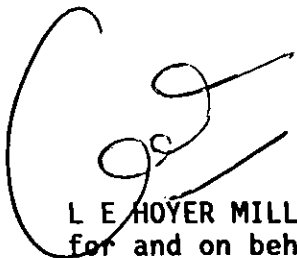
Reference has been made by residents to a model and that it was grossly inaccurate. We would, however, advise members, that the model was completed to considerable accuracy based on survey drawings and showed the scale of adjoining buildings. It sought to demonstrate the height and sitting of building 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



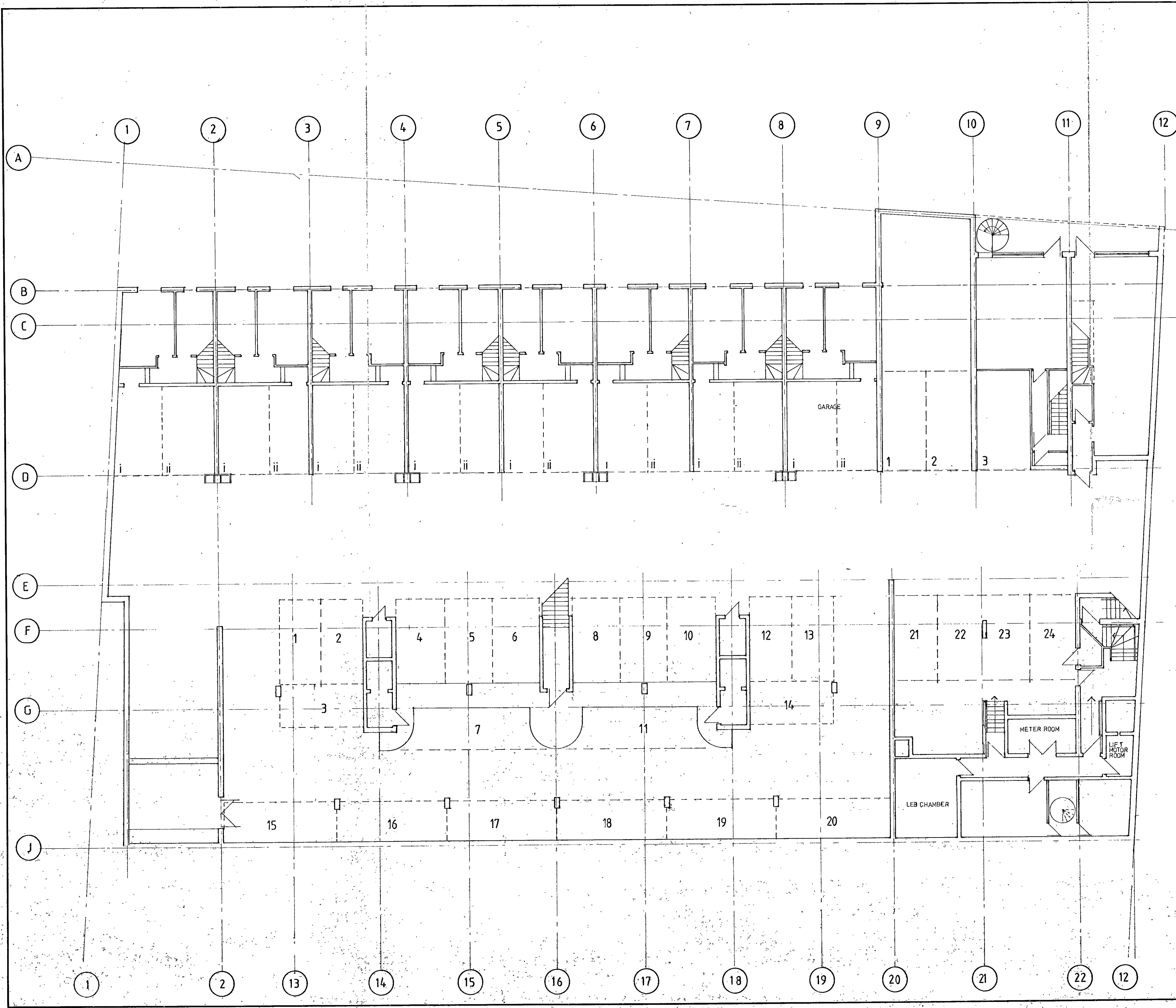


Councillor Rima Horton
St Charles Ward
12 Upper Addison Gardens
London
W14 8AP



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



RECEIVED BY D. P. T. On 19 FEB 1990

DR	DR	DR	DR	DR	DR

Superseded

CR&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 52735 01 928 2464

Job: **HORTENSIA ROAD**

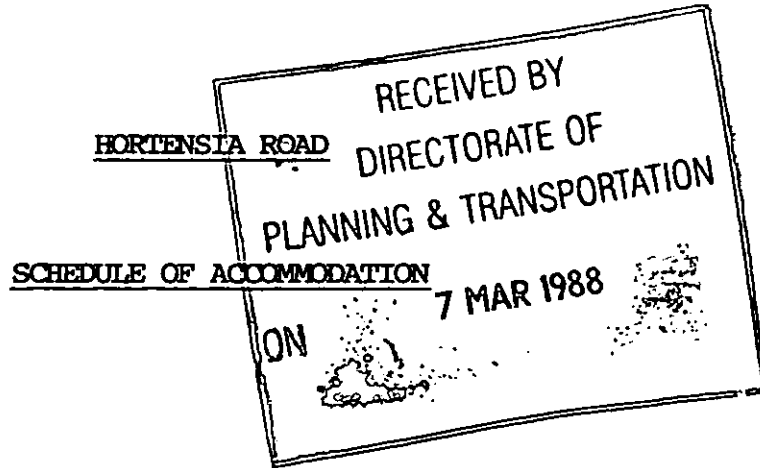
Title: **BASEMENT PLAN**
PLANNING

Drawn: Date: **11.89**

Drawing No: **HTN 01.119**

Scale: **1:100**

FULL SET
OF
DRAWINGS.



HOUSE TYPE A

8 No. @ 158.75 m2 each

TP880632

HOUSE TYPE B

4 No. @ 248 m2 each

Daylight

FLATS

9 No. @ 1061 m2 Total

OFFICE B1 ACCOMMODATION

694 m2 Total

BASEMENT PARKING

1,503m2 Total

CAR PARKING

- 2 No. office B1
- 2 No. spaces per House Type A
- 2 No. spaces nper House Type B
- 1 No. space per flat
- 14 No. Total visitors' spaces

CFP: 4.3.88

FULL
UP TO DATE
SET OF
DRAWINGS

JW 29/7

TP/39/2137
③

CARLYLE PLACE

HORTENSIA ROAD
CHELSEA



A PROPOSED RESIDENTIAL DEVELOPMENT BY



London & Edinburgh Trust PLC

243 Knightsbridge, London SW7 1DH



London & Edinburgh Trust PLC

243 Knightsbridge, London SW7 1DH



BILLINGSGATE REDEVELOPMENT



OFFICES AT CURZON STREET W1

INTRODUCTION

London & Edinburgh Trust PLC is a leading property development company and has a long experience across all sectors of the property market including city office development, city centre and out-of-town retail and residential development.

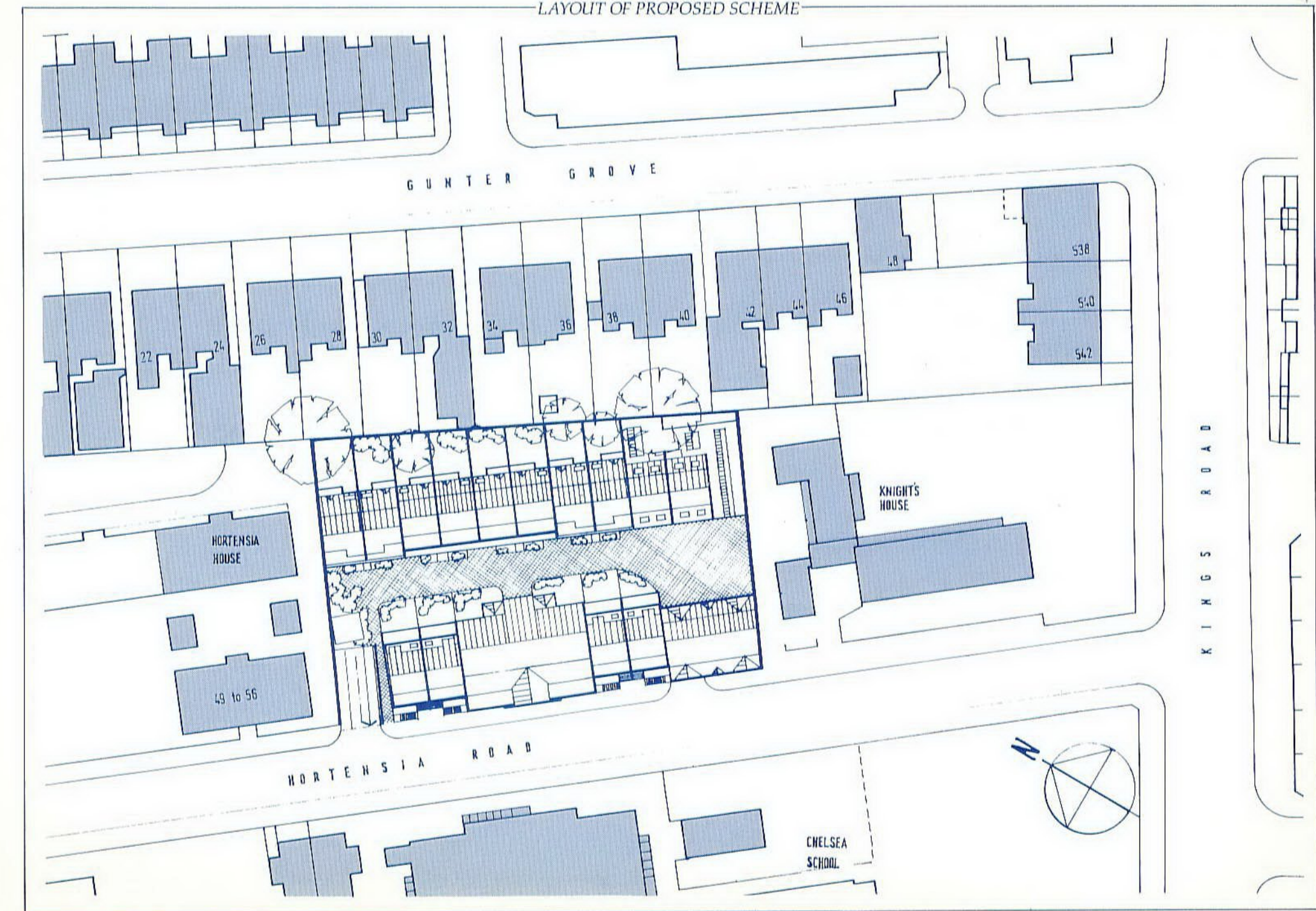
LET has a number of well-known buildings to its credit including the redevelopment of Billingsgate fish market in London.

Amongst the Company's current projects are the redevelopment of the Spitalfields market site and a new business and residential village at Glengall Bridge in Docklands. LET is also planning the redevelopment of the Richmond Ice Rink site for residential use and is in equal partnership in the development of the former Unigate Dairy site in Hollywood Road, Chelsea, together with other substantial residential schemes in Bayswater and Little Venice.

These reflect LET's use of respected architects to ensure that its buildings are attractive and complement their surroundings and continue to do so for many years ahead. Residential schemes are designed for living in as homes and not merely as houses or flats.

It is for these reasons that LET has recently been described as perhaps the UK's most 'sensitive' developer by a quality Sunday newspaper.

TP/89/237 4



THE PROPOSAL

A detailed application was submitted on 3rd March 1988 for development comprising nine flat units, twelve houses and 694m² of office space. All dwellings are to have three bedrooms. Parking for residents is to be provided at basement level whilst parking and a service yard for the office element of the scheme is to be provided at ground floor level with a separate access via an arched entrance from Hortensia Road.

THE SITE AND SURROUNDING AREA

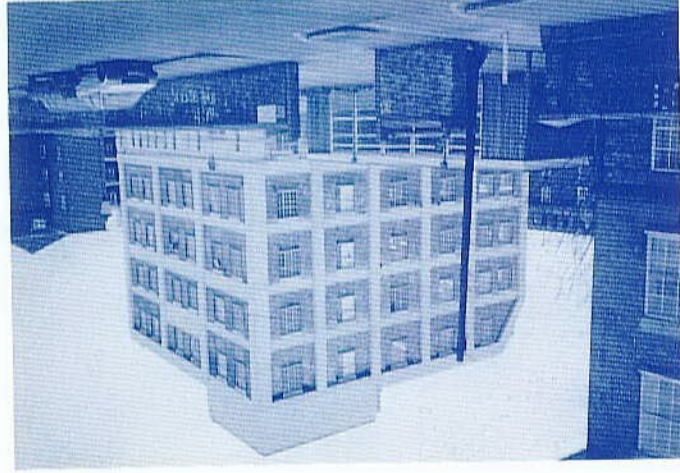
The site is located in a predominantly residential area of Chelsea, between Fulham Road and Kings Road. On the opposite side of Hortensia Road is the ILBA Chelsea Youth Centre (formerly Carlyle School).

The Georgian style of the dwellings at Hortensia House, immediately to the north of the site, and villas on Gunter Grove, to the east of the site, is a particularly attractive feature of the

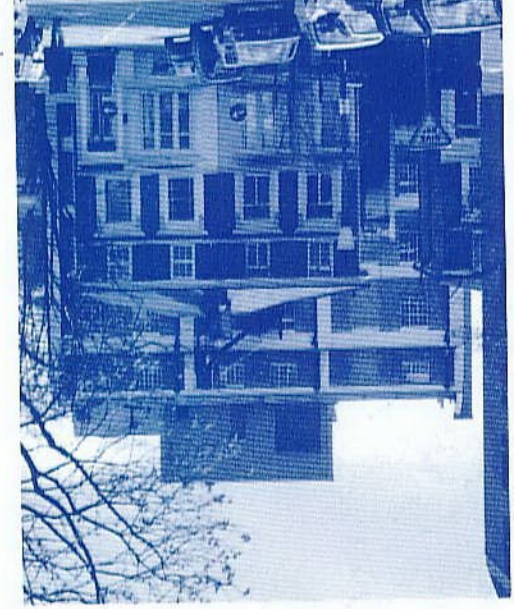
The site accommodates a five-storey building reaching a height of approximately 27ft with exposed concrete frame and a number of small single-storey outbuildings, including a prefabricated classroom unit and a greenhouse.

The main building on the site is unsightly and has no features of architectural or historical merit. It is currently utilised by Kings College (University of London) for educational use, but is now surplus to the college's requirements and the site is being purchased by London & Edinburgh Trust PLC.

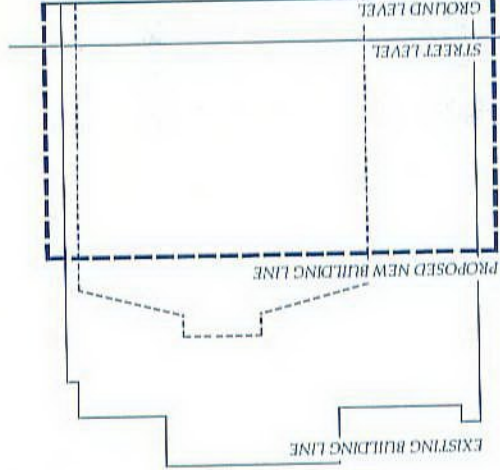
The existing main structure is clearly visible from surrounding streets as an unattractive building with a dominating appearance. There is a marked impact upon adjoining properties, in particular the villas within Gunter Grove.



EXISTING VIEW OF SITE FROM HORTENSIA ROAD



GUNTER GROVE VILLAS OVERSHADOWED BY THE FIVE-STOREY BUILDING



SUMMARY

The proposed development will

- replace unsightly buildings with a high-quality development which will enhance the environment;
- increase the housing stock in accordance with the aims of the Royal Borough of Kensington and Chelsea as outlined in the District Plan;
- substantially improve the outlook for residents of dwellings adjacent to the site.

THE DEVELOPMENT TEAM

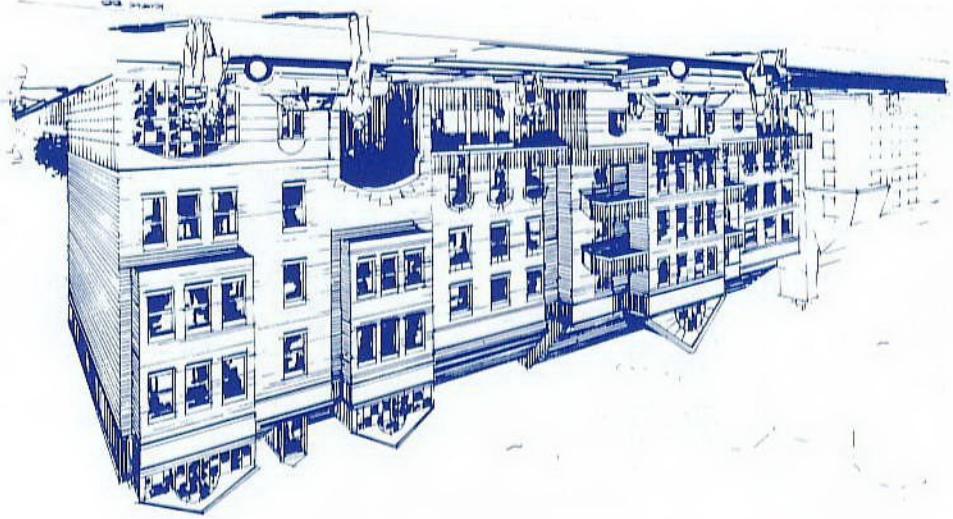
Developer
London & Edinburgh Trust PLC
243 Knightsbridge
London
SW7 1DH

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

Planning Consultant
John Troit & Son
Barnard House
The Drive
Great Warley
Brentwood
Essex
CM13 3DJ

Agents
Allsop & Co.
100 Knightsbridge
London SW1X 7LB

VIEW OF HORTENSIA ROAD ELEVATION



DESIGN AND LAYOUT

The proposed residential development has its principal elevation to Hortensia Road, with a block of nine flats centrally located bounded by two town houses at either end, keeping to the building line presently formed by 49-56 Hortensia House and Knight's House. A pedestrian access is provided to a mews development behind providing a smaller-scale development of eight houses, each with its own garden. These properties follow the building line of 41-48 Hortensia House, thus enabling the retention of the mature tree line along the northern boundary. There is significant improvement by stepping back of the new building elevation from that currently existing, which also allows increased landscaping.

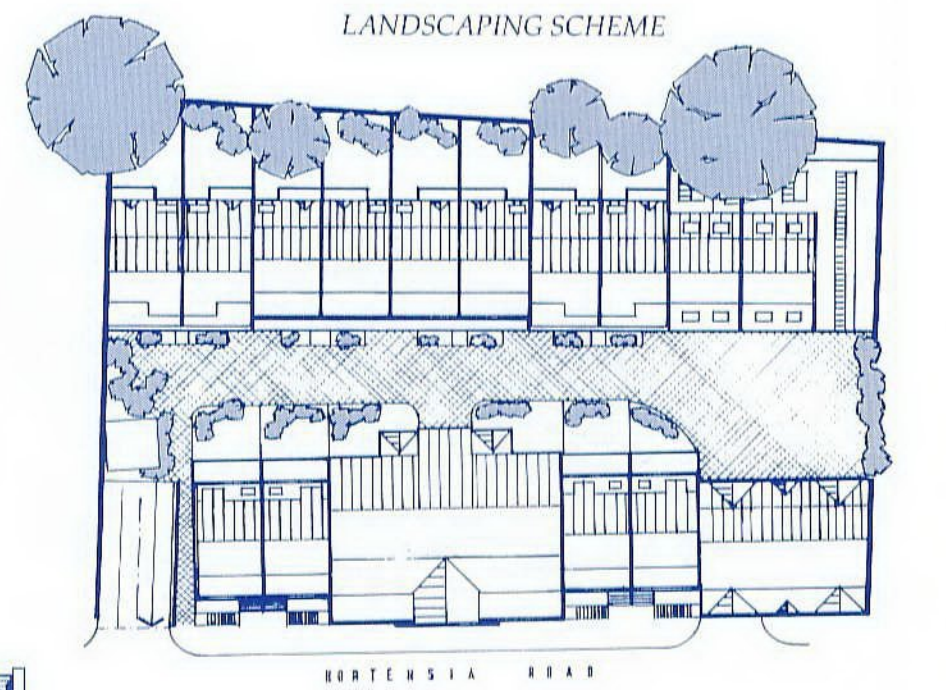
The design of the scheme reflects the Georgian proportions of the buildings to the rear of the site and is of a scale appropriate to the surrounding residential building mass.

The commercial element of the scheme is located at the eastern end of the site and will provide for small business opportunities which will integrate satisfactorily in this location.

Parking for the development exceeds the Local Authority requirement, and the mix of uses creates a plot ratio of 1.79:1 which is well within the Council's guidelines.



VIEW LOOKING SOUTH-WEST DOWN THE MEWS FROM HORTENSIA HOUSE



LANDSCAPING SCHEME

HORTENSIA ROAD

MEWS ELEVATION
(SEE FRONT COVER FOR HORTENSIA ROAD ELEVATION)



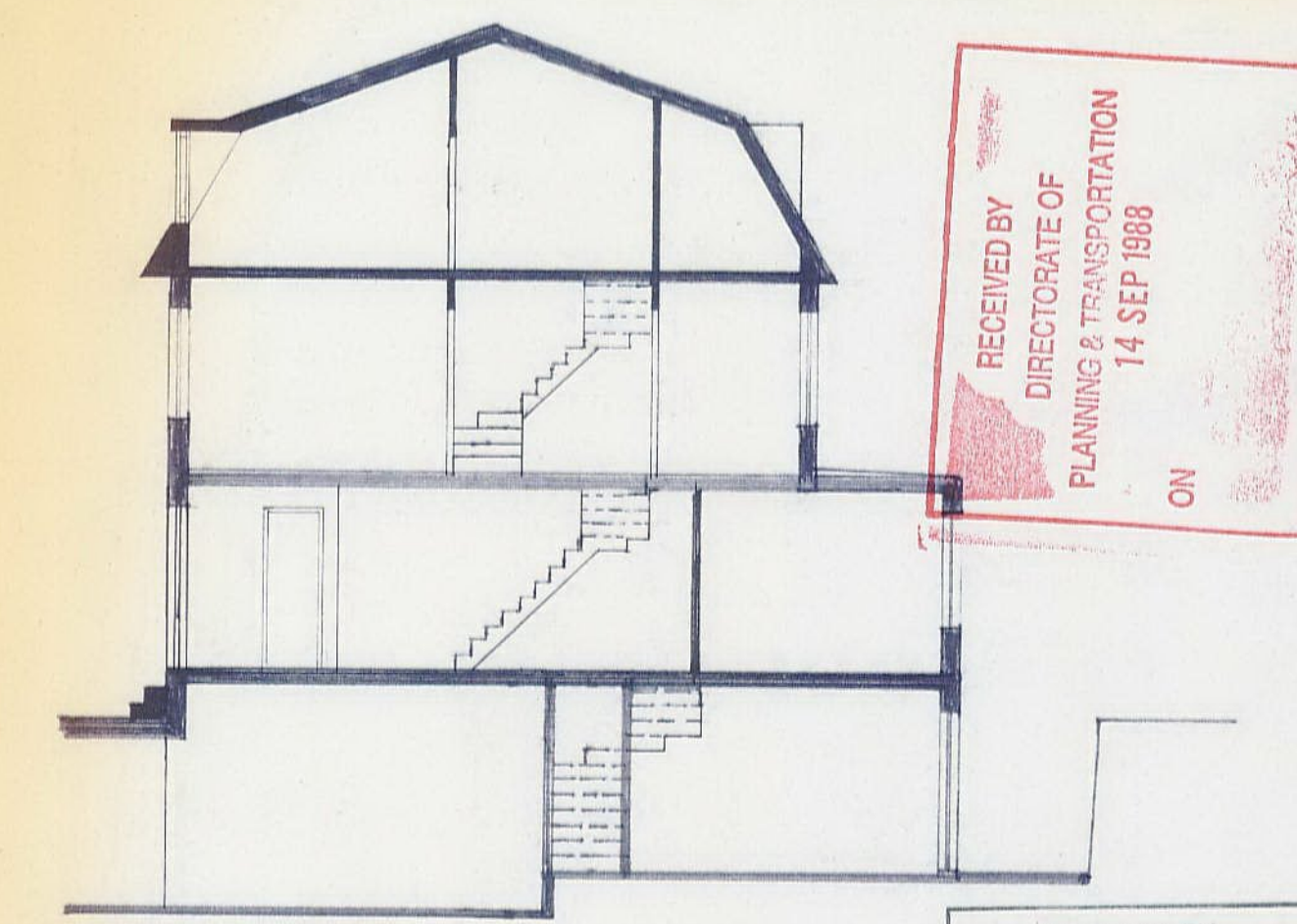
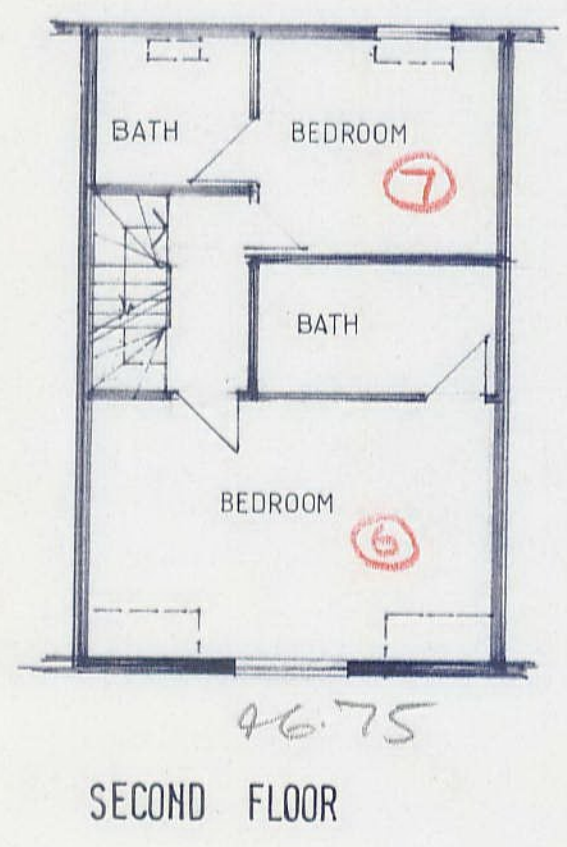
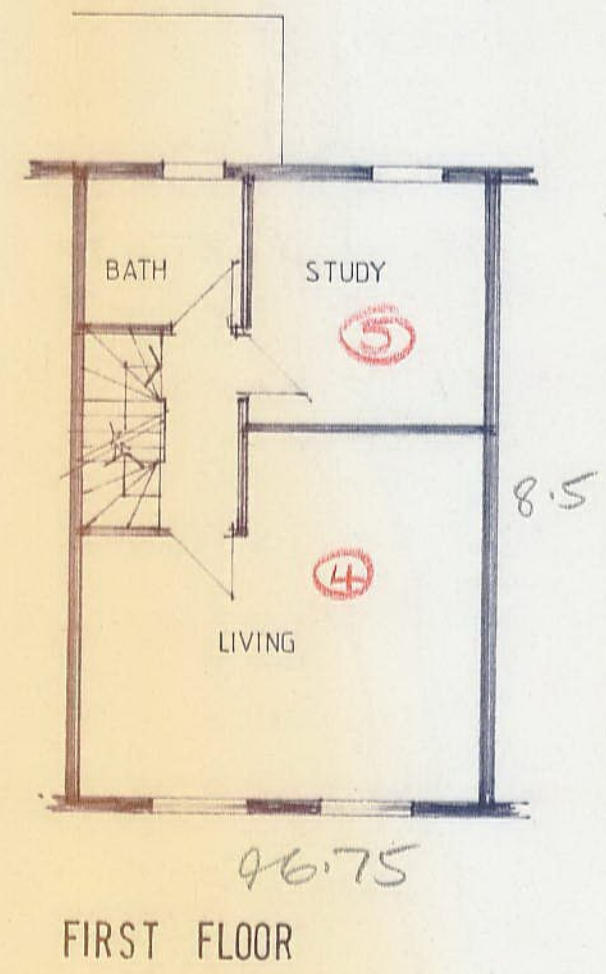
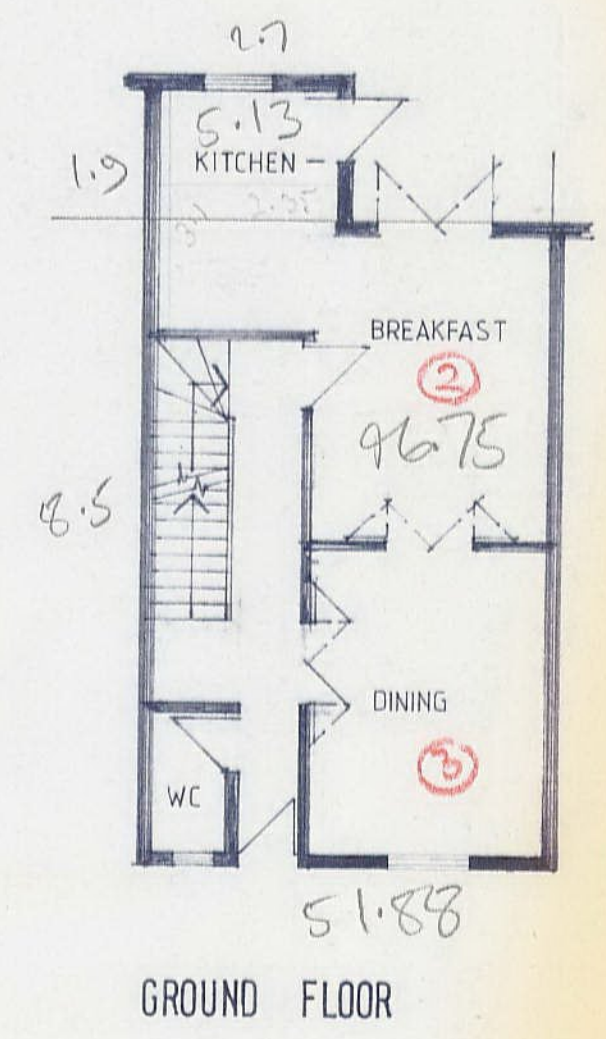
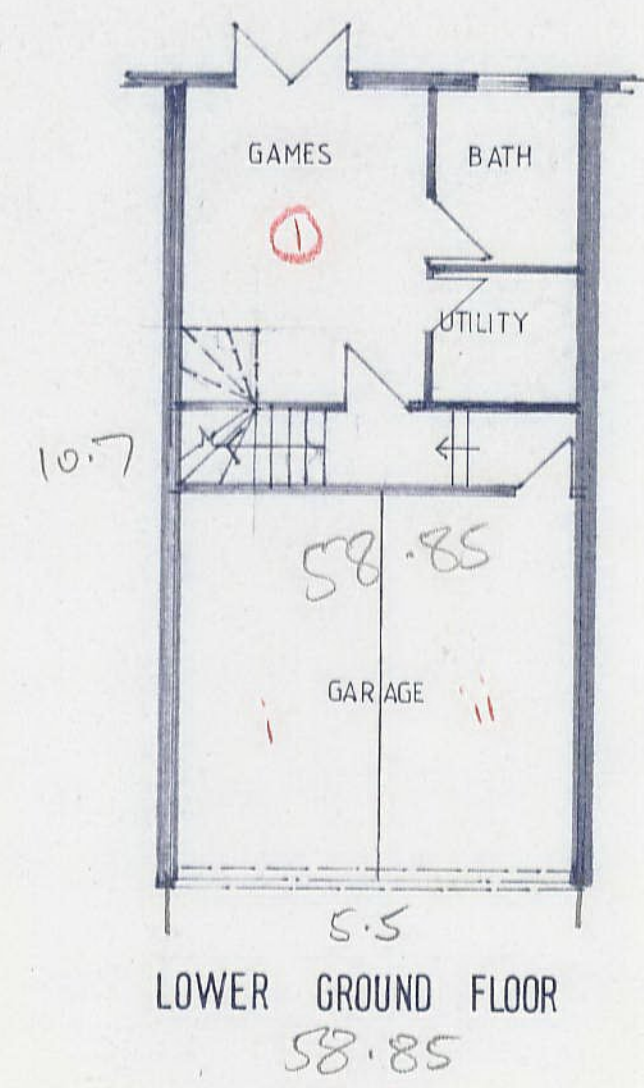
MEWS TERRACE - SOUTH WEST ELEVATION

BUSINESS UNITS

TP/89/2137 ⑦

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



RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1988
 ON

APPROVED BY
 T.P. SUBOTEE
 13 OCT 1988
 COMMENT REF

HSES
 TP880633/B

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

Job
 HORTENSIA ROAD
 204.23

Title
 HOUSE TYPE A1

Drawn **Date**
 SEP 88

Drawing No
 HTN/01/110
 145.38
 MMS

Scale
 1:100

TP/89/2137 ⑦

Colwyn Foulkes and Partners

Chartered Architects Planning and Landscape Consultants

Contract HORTENSIA RD. Job No. HTN 4 Date 29.6.90

Copies to



M. FRENCH ~~EA~~ BK+C

L. HOYER MILAR LET

P. KENTISH SAVILL.

4
4
1

1
1

Title
LC(1-04B LANDSCAPING
(01) 105
LC(1-04B LANDSCAPING
(COLOURED)
01 107

Remarks

Queries to

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



Ms. Lynn Heffernan,
Investigator,
Commission for Local Administration
in England,
21 Queen Anne's Gate,
LONDON, SW1H 9BU.

Telephone: 071-937 5464
Extension: 2944
Facsimile: 071-376 1130
16th July 1992

My reference: DPS/MJF/PYD Your reference: 90/A/1263 Please ask for: Mr. French

Dear Ms. Heffernan,

Town and Country Planning Act 1990
Investigation into complaint by Mr. N. Stoop

Thank you for your letter of 1st July 1992 regarding the above matter. I would confirm that arrangements have been made for me to meet with you at 10.30 a.m. on Wednesday, 22nd July 1992. I understand that we will meet in Hortensia Road outside Knights House.

I am enclosing for your information, and as requested, a copy of the final planning permission granted in 1990, together with a set of the approved drawings. I am sorry that it has taken some time to send the drawings, but I had to send my sole remaining copies away to be printed.

Yours sincerely,

M. J. French,
Director of Planning Services.

Matters discussed at meeting 22/7/92

- 1) Position & size of rear block (offices) in 1988
- 2) Reasonably advanced notice was served - differences in building on a site to that approved in 1988.
- 3) Change in front building's foot print - any material increase in height to front block.
- 4) Sections through building in 1988 & 1990 - (though N° 38, N° 42 A).
- 5) Note main benefit in 1990 runs to N° 40, N° 42* but less affected by 1988
- 6) Changes that took place during 1990 up to grant of P.P.
- 7) Walk round site showed many of rear units now occupied - incl the 6 flats in S. end of block - no evidence of office use at rear, N-42 vacant buildings now in use.

DJ/1949
M.J.F.

[The text in this section is extremely faint and illegible due to low contrast and noise. It appears to be a list or a series of entries, possibly names or dates, but cannot be transcribed accurately.]

F

MEMORANDUM

To: Director of Legal
Services

From: Director of Planning Services

c.c:

My Ref: DPS/MJF/PYD
Room No. 324B

Your Ref:
Room No. 251/1

Ext. 2078

Date: 14 July 1992

Re: Ombudsman Complaint - Mr. Stoop

Further to your memorandum of 3rd July 1992, I would confirm that arrangements have been made for myself to meet with Lynn Heffernan, the Investigator, at 10.30 a.m. on 22nd July 1992.

I am arranging for a set of approved drawings to be forwarded to her prior to our meeting.

M. J. French,
Director of Planning Services.

MEMORANDUM

To: Director
Planning Services

From: Director of Legal Services

c.c:

My Ref: dls/ja/dps
Room No. 251/2

Your Ref:

Ext. 2257

Date: 3 July 1992

OMBUDSMAN COMPLAINT - MR STOOP

I now enclose a copy of a letter that I have received from the Ombudsman which I trust is self explanatory. Perhaps you would be good enough to send a copy of the plans of the approved development in 1990 to the Ombudsman and arrange for a site meeting. I have told the Ombudsman that I will await the outcome of your meeting prior to submitting any further comments.



Director of Legal Services

Encl.

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\AG\PR

My ref 90\A\1263

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

1 July 1992

Dear Mr Phillips

Investigation into complaint by Mr N Stoop

I refer to your letter of 1 June 1992 to Ms O'Malley and to our subsequent telephone conversation.

I have now met Mr Stoop at 42a Gunter Grove to assess the impact of the development on his property. I mentioned when we spoke that I might also find it helpful to meet with a Planning Officer on site and should be grateful if this could now be arranged. I do not have a copy of the plans for the development which were approved in 1990 and would appreciate receiving a full set of the relevant plans in advance of any meeting.

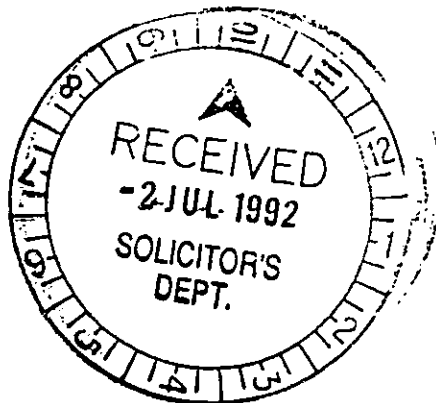
I do appreciate your Council's concern about the level of resources which have already been expended on this case and can assure you that I am anxious to ensure that the scope of the investigation is defined properly and any unnecessary work avoided. I confirm that you may wish to await the outcome of my meeting with one of the Council's Planning Officers on site before submitting any further comments on the complaint.

Thank you for your help in this matter. I look forward to hearing from you as soon as possible.

Yours sincerely

L. Heffernan

LYNN HEFFERNAN
Investigator



PRESS RELEASE - HORTENSIA ROAD

The Council's decision to grant planning permission in relation to the Chelsea College site at Hortensia Road has been the subject of an appeal to the High Court. The Court held that the Council had acted properly in reaching its decision and have dismissed the case.

A resident of the Borough, Mr Nicholas Stoop, had taken action in the High Court for the Council's decision to be quashed. Mr Justice Otton decided that there were no grounds for quashing the decision.

Councillor Andrew Fane, the Chairman of the Planning and Conservation Committee, said "I am very pleased with the decision. The Council fully appreciated that this was a controversial matter and took into account all material considerations, including objections from local residents. Careful consideration was given to the points raised by Mr Stoop and his advisors. Having considered all the issues and having taken advice from the officers, the Committee decided to grant the application. I am pleased that when the Council's actions have been the subject of scrutiny by a High Court Judge he has been satisfied that we have acted quite properly."

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

1. Introduction

- 1.1 The site is located on the eastern side of Hortensia Road, 55m. north of its junction with Kings Road. The site is 60m. wide and between 40m. and 36m. deep. To the north, south and east of the site are Hortensia House, Knights House and Nos. 28-42 Gunter Grove which comprise residential accommodation. To the western side of Hortensia Road are Chelsea School and Sloane School. Hortensia Road links Kings Road with Fulham Road and allows a two-way flow of traffic between two of the Borough's major east-west routes.
- 1.2 The site was previously occupied by three buildings, namely the former Hudson's Depository, a prefabricated classroom unit and a greenhouse. The main building was the depository, a large five storey structure with a plant room occupying part of the flat roof at fifth floor level which was used by the University of London as research laboratories. To the north of the main building was a single storey classroom and a greenhouse to the south.
- 1.3 The main building was used for storage purposes until May 1966 when limited period permission was granted to use for educational purposes. This permission was renewed in July 1976 for a further limited period. Renewal was again granted for educational purposes in November 1982, this time for permanent permission. The use of the site therefore fell within an educational Use Class which, with the consolidation of the 1987 Use Classes Order, came within Class D1. None of the buildings on the site were listed and no part of the site fell within a designated Conservation Area or was abutted by a Conservation Area (attached: (i) Site plan pre-redevelopment; (ii) two photographs of Hudson building).

2. Relevant Planning History

- 2.1 On 6th March 1988 duplicate planning applications were made, reference TP/88/0632 and TP/88/0633, which sought the demolition of the existing buildings and the erection of 12 houses, 9 flats and 694 sq.m. of office accommodation (Class B1) (attached: copies of TP1, Part I, Part II, Part III and applicants' schedule for both applications together with notice under Section 27 of the 1971 Town and Country Planning Act).
- 2.2 By letter dated 31st March 1988 adjoining owners were notified of the planning applications (attached: Copy of letter to adjoining owners/occupiers; copy of list of properties notified of application; extract from Electoral Register for February 1988-February 1989).
- 2.3 By letter dated 19th May 1988, the applicants gave notice of an appeal against the failure of the Council to determine the application within eight weeks (TP/88/0632) (attached: Copy of appeal documents dated 19th May 1988).

- 2.4 By letter dated 23rd June 1988, a new planning application was made which sought planning permission for the redevelopment of the site by the demolition of the existing buildings and the erection of 12 houses, 10 flats and 767 sq.m. of offices (Class B1), TP/88/1410 (attached: Copies of TP1, Part I, Part II, Part III).
- 2.5 By letter dated 4th July 1988 adjoining owners/occupiers were notified of the application (Attached: Copy of letter and schedule of addresses).

3.0 Planning Applications

3.1 TP/88/0632

- 3.1.1 Submitted 6th March 1988, and subject to notification. The notification gave rise to 4 letters of objection and concern. The Council's failure to determine was appealed against on 19th May 1988. A local public inquiry was fixed for 8th November 1988 and the Council's Rule 7 Statement was dispatched in accordance with Department of Environment guidelines.
- 3.1.2 On 13th October 1988 the application was reported to the Sub-Committee for information and they agreed that they were minded to refuse permission (copy attached, and written replies). The scheme considered by the Sub-Committee comprised of a front block to Hortensia Road having a basement, ground and four floors over, and a rear block comprising basement, ground and three floors over.
- 3.1.3 By letter dated 24th October 1988 the appeal was withdrawn (copy attached).

3.2 TP/88/1410

- 3.2.1 Submitted 23rd June 1988 and subject to notification (see attachment 2.4). The notification gave rise to 1 letter of objection from a local resident and a letter of objection from West London Architectural Society. Two further letters were received which commented on the application (attached).
- 3.2.2 The report was prepared and agreed for Committee on 12th August 1988 recommending refusal and the two letters of objection were reported together with a proviso that any further letters would be reported verbally (attached).
- 3.2.3 On 17th August 1988 a petition was sent in by Teresa and Mary Wyatt (which had been collected at a meeting in Hortensia House signed by 27 people in Hortensia House and 6 people in Knights House. Teresa and Mary Wyatt had already written in only making comments) (attached).

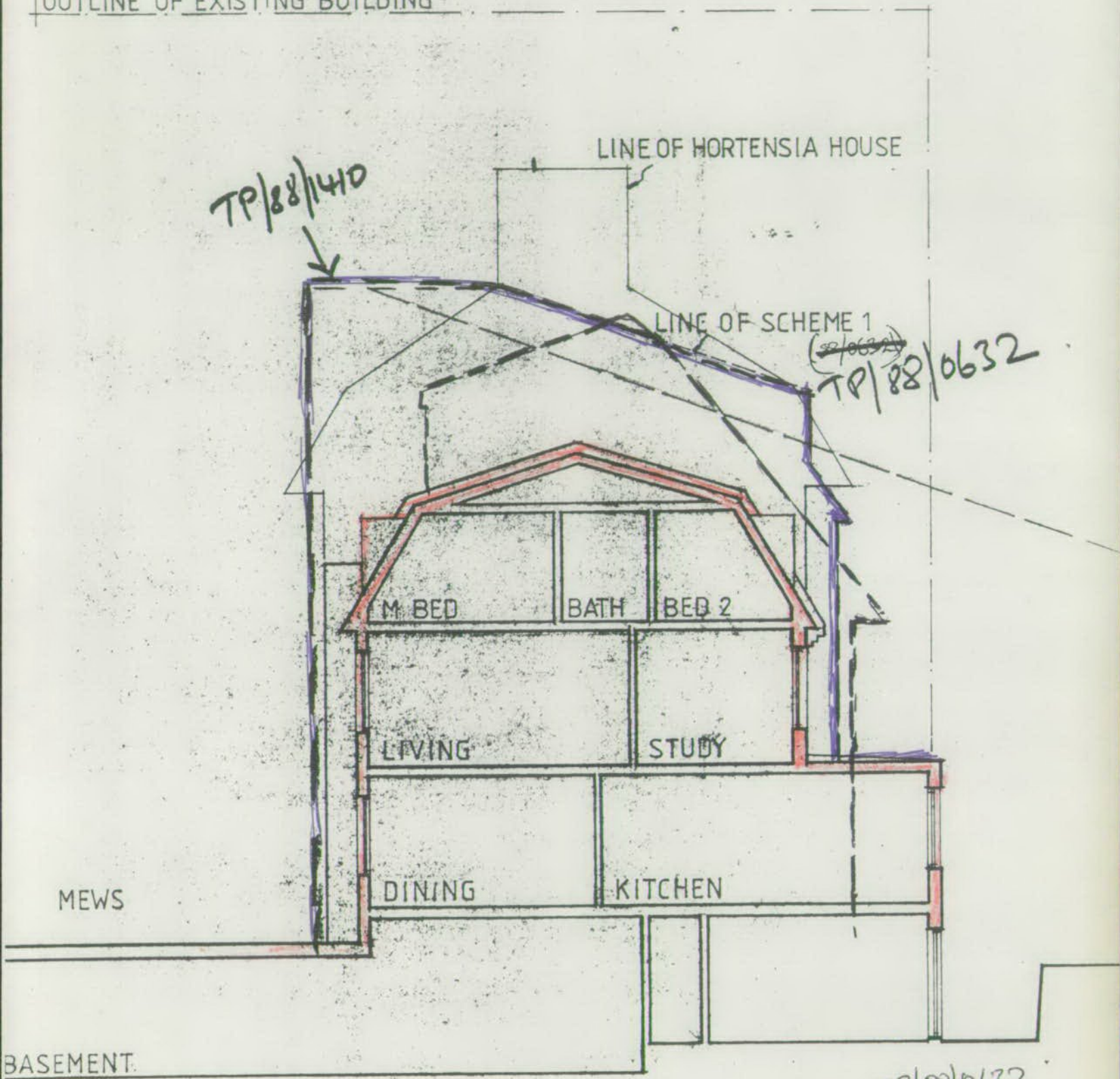
- 3.2.4 By letter dated 26th August 1988 the applicants wrote in requesting that the application be deferred from Committee. It was received in the Department on 30th August 1988 and whilst the report was included in the papers sent to the Members, no consideration of the report was given and it was withdrawn by the applicants (attached).
- 3.2.5 By letter dated 8th September 1988, the applicants appealed to the Secretary of State on the Council's failure to determine the application within 8 weeks (attached).
- 3.2.6 By letter dated 22nd September 1988 the Council received a letter from Mary and Teresa Wyatt which stated that they, together with a number of other residents, had attended a meeting with the architects and the proposed developer and as a result of that meeting the general opinion was that no further objections would be raised to the proposed redevelopment if the promised amendments were implemented (attached).
- 3.2.7 By letter dated 20th September 1988 the Council received amendments to the scheme which had been carried out primarily to meet the concerns of residents of Hortensia House (attached).
- 3.2.8 A new report was prepared on 26th October 1988 again recommending refusal to be considered by the Planning Sub-Committee on 22nd November 1988. The application was withdrawn by the applicants before the meeting and no consideration was given (copy of report attached).
- 3.2.9 The outstanding appeal had already been withdrawn (attachment 3.1.3).
- 3.2.10 The scheme which was to be considered by the Committee on 22nd November 1988 provided for a basement, ground and four storey building to Hortensia Road and a basement, ground and part three storey building at the rear.
- 3.3 TP/88/0633
- 3.3.1 Submitted 6th March 1988 and subject to notification as for TP/88/0632. The notification gave rise to 4 letters of objection and concern (1 letter was incorrectly reported as an objection to this scheme, but related to application TP/88/1410) (attached).
- 3.3.2 Consultants acting on behalf of the architects held a public meeting on 1st June 1988 for local residents. The Council were not invited nor did they attend (attached as Appendix 3 to supporting statement).
- 3.3.3 A report was prepared on 12th August 1988 for consideration by the Planning Sub-Committee at their meeting on 30th August 1988 recommending refusal (attached).

- 3.3.4 This report was withdrawn from the Sub-Committee at the applicants' request and was not considered (attached).
- 3.3.5 The withdrawal of the application from consideration on 30th August 1988 was done by the applicants to allow them the opportunity to carry out a canvass of Gunter Grove residents; this was done on 30th August 1988.
- 3.3.6 On 12th September 1988 a copy of the meeting of 1st June 1988 was received by the Council (paragraph 3.2.2) and on 20th September 1988 a copy of the canvass of 30th August 1988 was received by the Council (attached).
- 3.3.7 On 13th September 1988 the applicants wrote to the Council submitting amended drawings based on discussions with the Council's Officers and via correspondence with the neighbours (attached).
- 3.3.8 On 14th September 1988 a letter of support for the amended scheme was submitted from one of the Ward Councillors, Councillor The Hon. Simon Orr-Ewing.
- 3.3.9 By letter dated 22nd September 1988 local residents were advised of the receipt of revised drawings (attached). Same notification list as in paragraph 2.2. No further replies were received.
- 3.3.10 By letter dated 21st September 1988 the sections were amended and corrected (attached).
- 3.3.11 A report recommending the grant of conditional planning permission was prepared for submission to the Planning Sub-Committee on 13th October 1988. This report included those objections received to the original proposal, together with details of the developer's meeting, the Gunter Grove canvass and the letter from the Ward Councillor (attached).
- 3.3.12 No further representations were received and the application was considered by the Sub-Committee on 13th October 1988. The report was presented in the normal way by the Area Planner who also had a model of the proposal (since shown to be slightly inaccurate).
- 3.3.13 The proposal, as considered, comprised of a building of basement, ground and four floors on Hortensia Road and a building of basement, ground and two floors over at the rear.
- 3.3.14 Conditional planning permission was subsequently granted and a decision letter was dispatched on 24th October 1988 (Minutes of meeting attached).
- 3.3.15 The outstanding appeals were withdrawn by letter dated 24th October 1988 as requested by Committee before the decision was issued (attached).




- 3.3.16 Following discussion with the architects, it was agreed that the figure of 600 sq.m. in the decision was not correct and that it should have read 675 sq.m. As this figure was still below the figure sought in the details accompanying the application (see schedule - 694 sq.m.), it was agreed that a superseded letter could be issued under the Director's delegated powers for the figure to be amended to 675 sq.m. as that figure was below that which had been applied for and upon which consultation had been carried out (attached).
4. The report, TP/88/1410, was withdrawn from the Planning Applications Committee at their meeting on 22nd November 1988 and no further action was taken on it (attached).
5. As all other matters, apart from enforcement action, are the subject of an outstanding Judicial Review, I do not propose to deal further with them (as agreed with your office). I shall, however, deal with the complaint regarding the enforcement action separately.

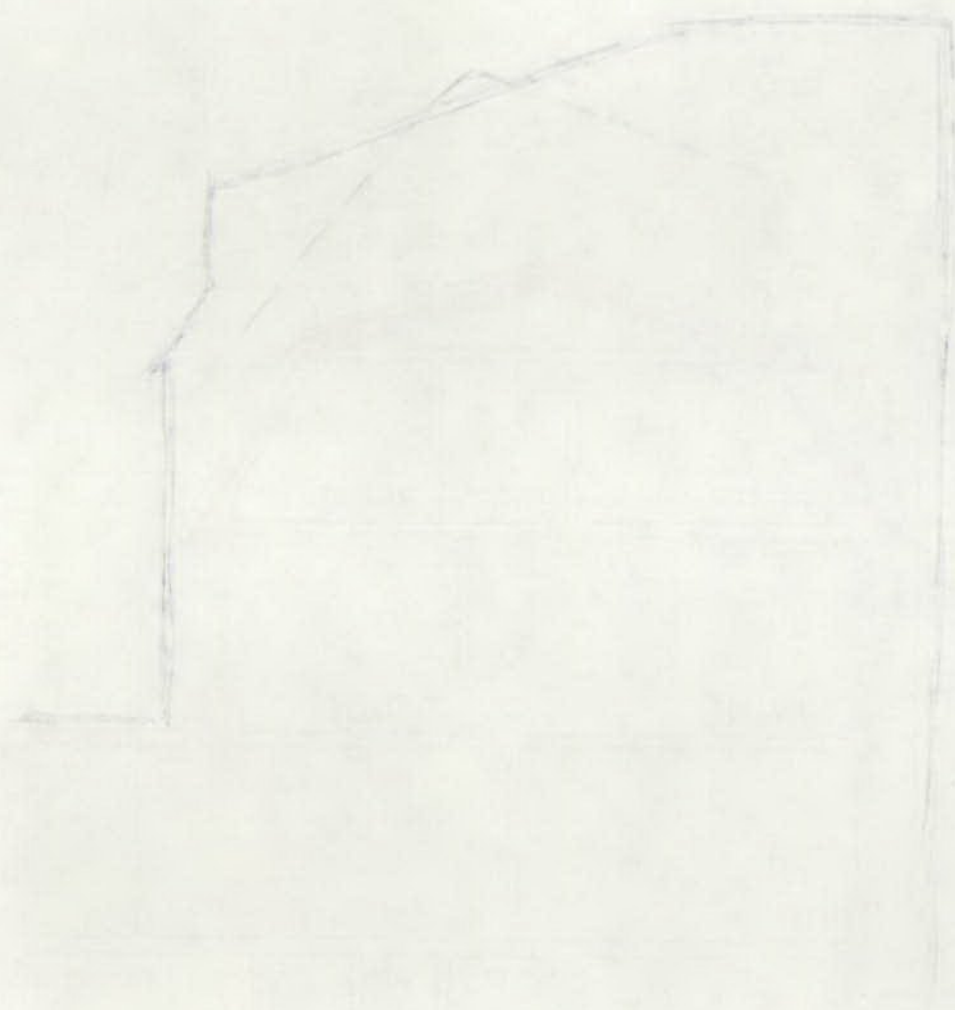
MJF
28/2/91

OUTLINE OF EXISTING BUILDING



HOUSE TYPE A 2

-  TP/88/0632
-  TP/88/0633 as amended or altered
-  TP/88/1410.



Handwritten notes or labels, possibly including the word "Structure" and some illegible text, located in the bottom left corner of the page.

MEMORANDUM

From: Director of Planning Services To: Director of Legal Services

My Ref: DPS/MJF/TP/88/0632/ Your Ref: A. Phillips
 TP/88/0633/TP/88/1410

Room No. 324B Room No. 251/1

PAX No. 2078 11th March 1991

Ombudsman Complaint - Chelsea College, Hortensia Road.

I herewith attach my comments on the complaint in which you will see that I have prepared a introduction followed by relevant planning history. I have dealt with the three separate planning applications and would remind you that only amended planning application, TP/88/0633, has planning permission. The Council has made no formal decision on applications TP/88/0632 and TP/88/1410, as amended. Both these applications were withdrawn by the applicants and whilst both were appealed against, they were both withdrawn from appeal by the appellants.

You will see from my report that substantial consultation was carried out by Officers and TP/88/0632 gave rise to very few objections. With regard to application TP/88/1410 this did give rise to two letters of objection and a petition signed by residents in Hortensia House and Knights House. You will note from the correspondence that the petition on application TP/88/1410 was received in my Department after the report on TP/88/0633 had been prepared. Also in the correspondence you will note that the parties responsible for the petition, namely Mary and Teresea Wyatt, subsequently withdrew their objections following discussions with the applicants. Other parties who signed that earlier petition were, I have assumed, at the meeting with the applicants and therefore by withdrawing their objections I think we must conclude that the other signatories endorsed this action. Indeed, when the revised drawings on TP/88/0633 were notified to local residents, the Council received no response.

Throughout the Council's discussions on the development of this site, it was the Council's view that the building which previously existed on this site was not one which the Council would wish to see retained nor emulated in any redevelopment scheme. The Officers welcomed its removal and also the creation of new residential accommodation on a site which had previously been solely commercial.

I am enclosing a photocopy of the various sections through the different developments indicating where the primary differences lay. You will see from this that application TP/88/0632 was not only a storey higher, but also slightly closer to the Gunter Grove properties, and application TP/88/1410 was even higher and intruded on its western flank with the ridge line of Hortensia House. Thus, it can be seen that the Council was at all times consistent in its approach in that it wished to ensure that the development at the rear of Hortensia Road block, which was designed to line through with the rear blocks of Hortensia House and Knights House, was kept to a height limitation which would minimise its effect on the rear of Gunter Grove. Whilst there is in part some worsening of sunlighting, the overall development provides for a considerable improvement both to daylighting and sunlighting over that which previously existed on the site.

Much play has been made of the office content within the development, but you will note from the reports which recommended refusal that the office content forms no part of the recommended reasons for refusal. The site is not within a preferred office zone, but nor was the approved development considered to be a major office development, being well below the 1,000 sq.m. identified in the Draft Plan as a major office. The application sought approval for 694 sq.m. of office accommodation, but designed to provide B1 office accommodation in small office suites. Whilst the original permission in October referred to 600 sq.m. of office space, the issue of a superceded decision in December which raised this to 675 sq.m. was still below that which had been sought and upon which consultation had taken place, and in this connection, I would draw your attention to two decisions, *Wheatcroft Ltd. v. Secretary of State, 1982*, and *Wessex Regional Health Authority v. Salisbury District Council, 1984*, which set out what constitutes a substantial alteration as being a matter within the discretion of a local planning authority which must be exercised reasonably.

Both these decisions were reviewed by Malcolm Spence, Q.C. Sitting as a Deputy Judge in *Carelink v. Secretary of State, 1989*, he stated that those who should have been consulted will already have objected either at the inquiry or by letter to the whole scheme and their views will already be known. Thus it will make little difference whether they were consulted again or not. In addition, a local planning authority has no power to grant planning permission for a development which has not been applied for; its power is governed by the making of a planning application. No formal amendments to the office content were made by the applicants and rightfully, the permission should have been for office accommodation upto 694 sq.m.

In his letter to the Ombudsman, Mr. Stoop attaches a letter from Councillor Boulton which states that if he had known of the objections, he would not have been in favour of granting the planning permission. As can be seen from my attached report, all known objections were reported to the Committee and whilst a petition was received this was

received after the report was written on TP/88/0633 and the objections contained within the report were withdrawn by the petitioners prior to the decision being made by the Committee on the application TP/88/0633. Whilst not relevant in these circumstances, it is indeed questionable as to whether the objections relating to a materially different scheme should be reported for consideration on an alternative and independent scheme, the subject of a separate planning application.

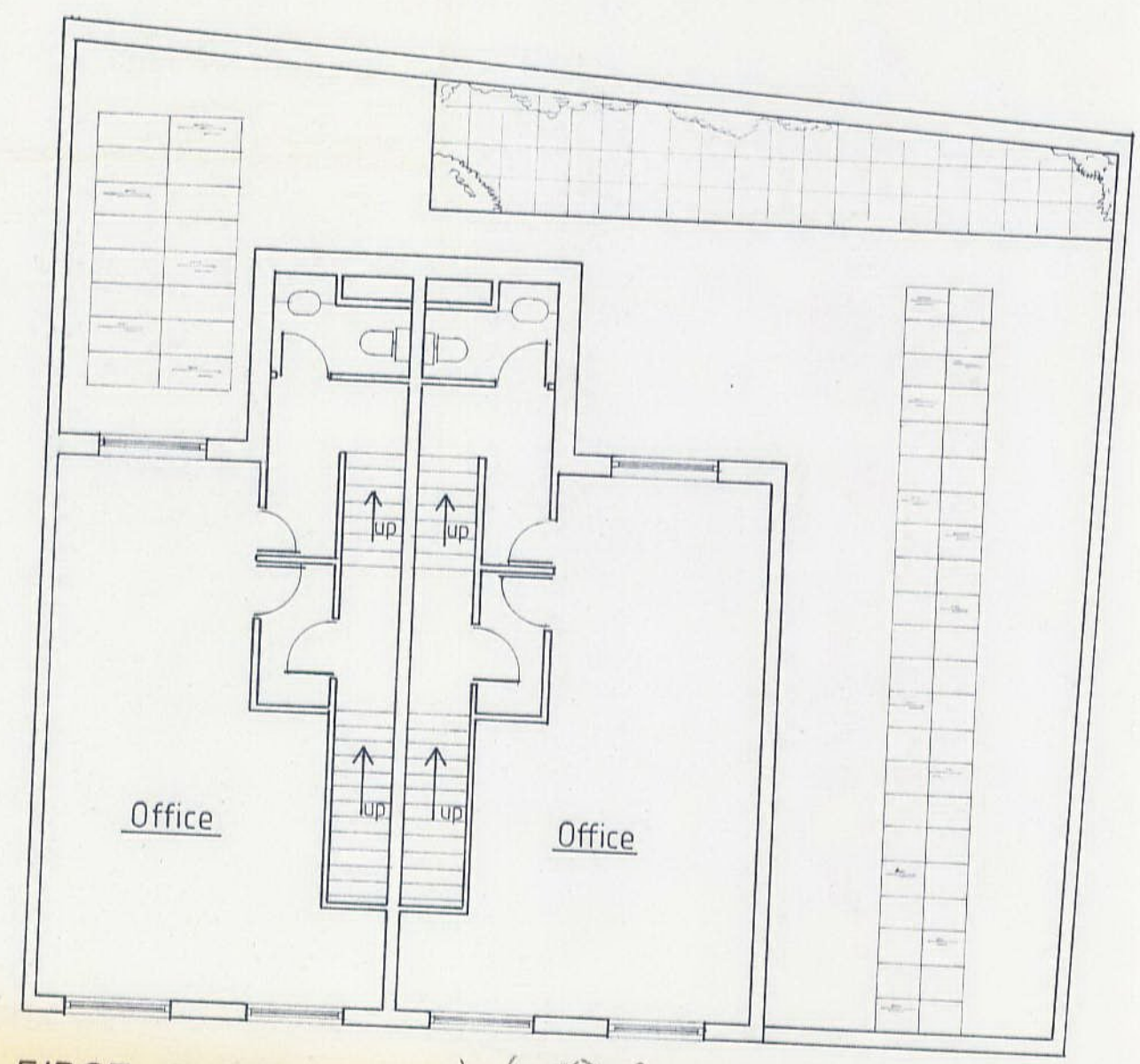
Should you require any further information, I would, of course, be happy to supply you with this.

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

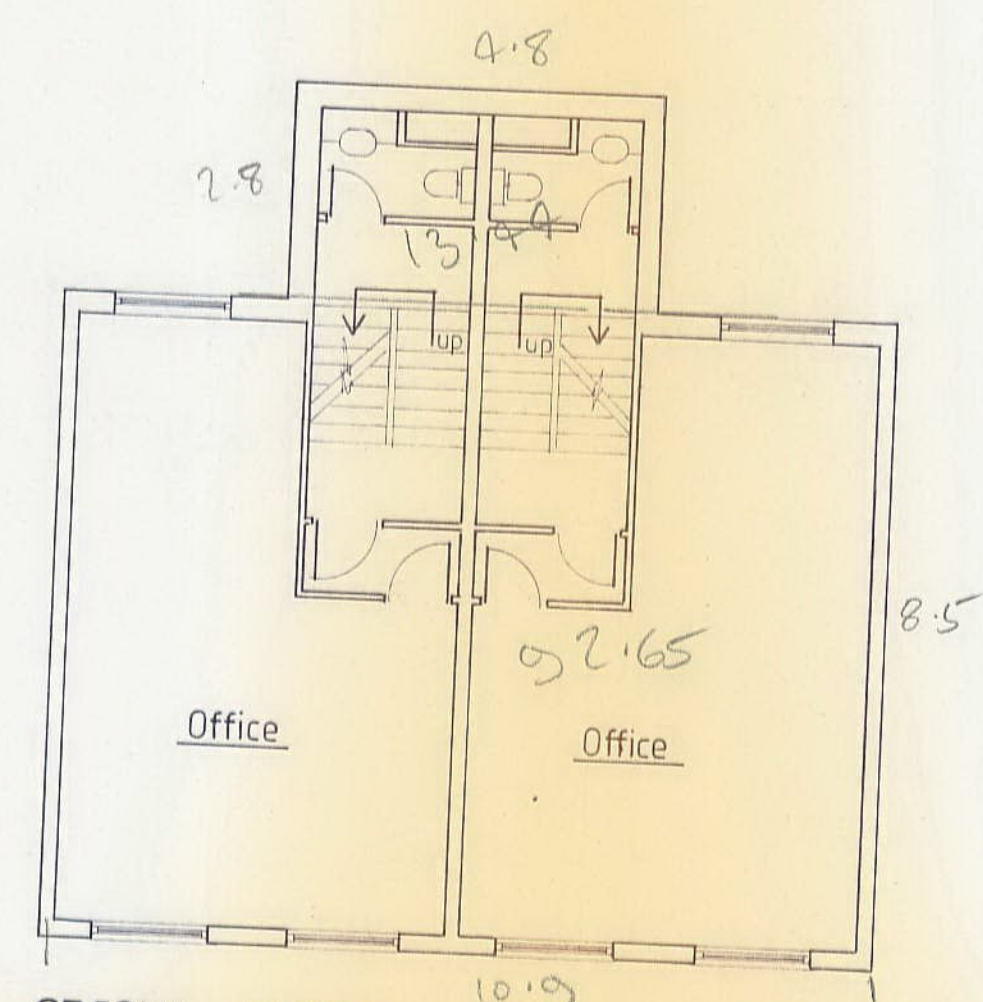
M. J. French,
Director of Planning Services.

TP/89/2137 ⑧

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.

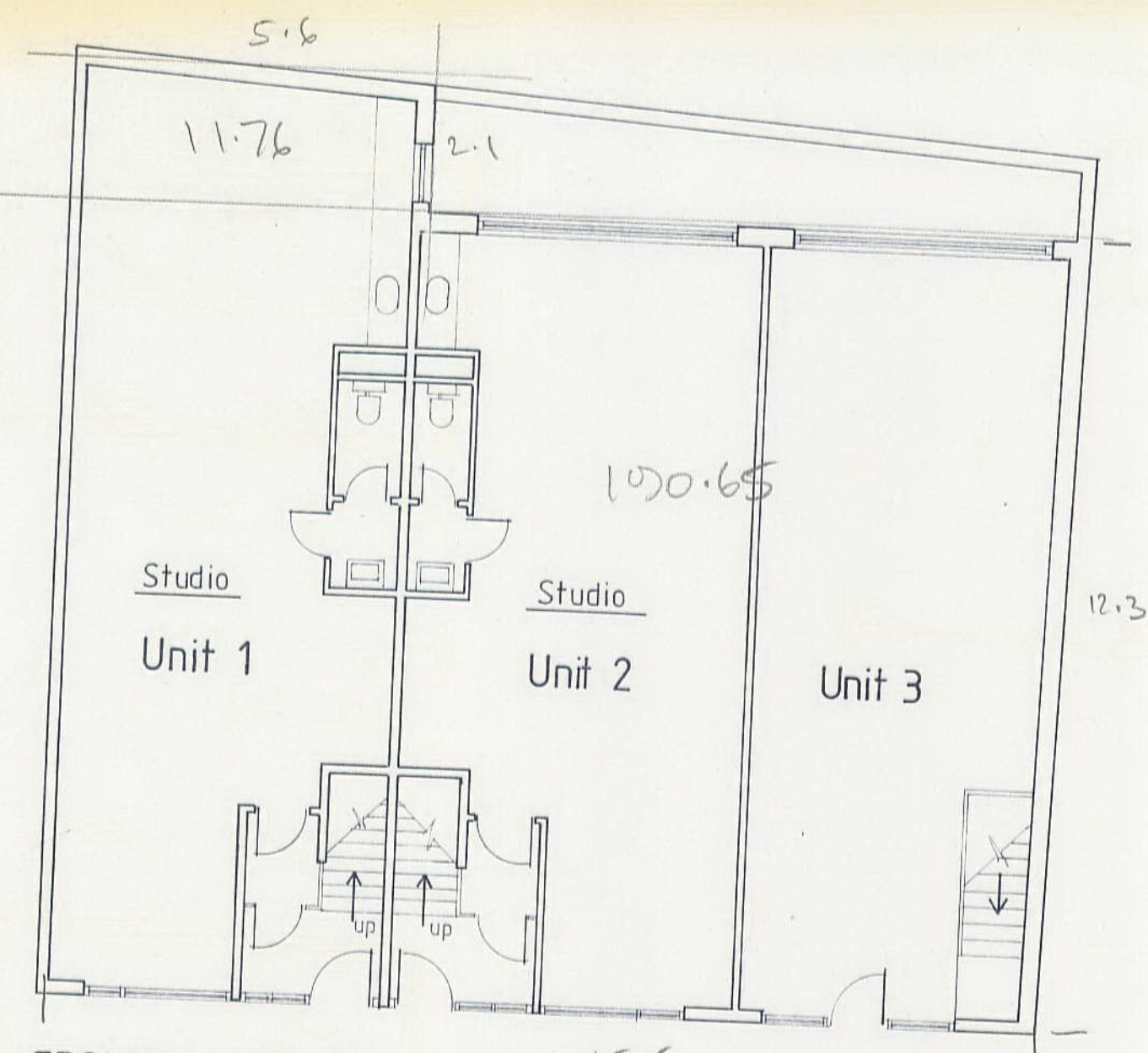


FIRST FLOOR 106.09 m²

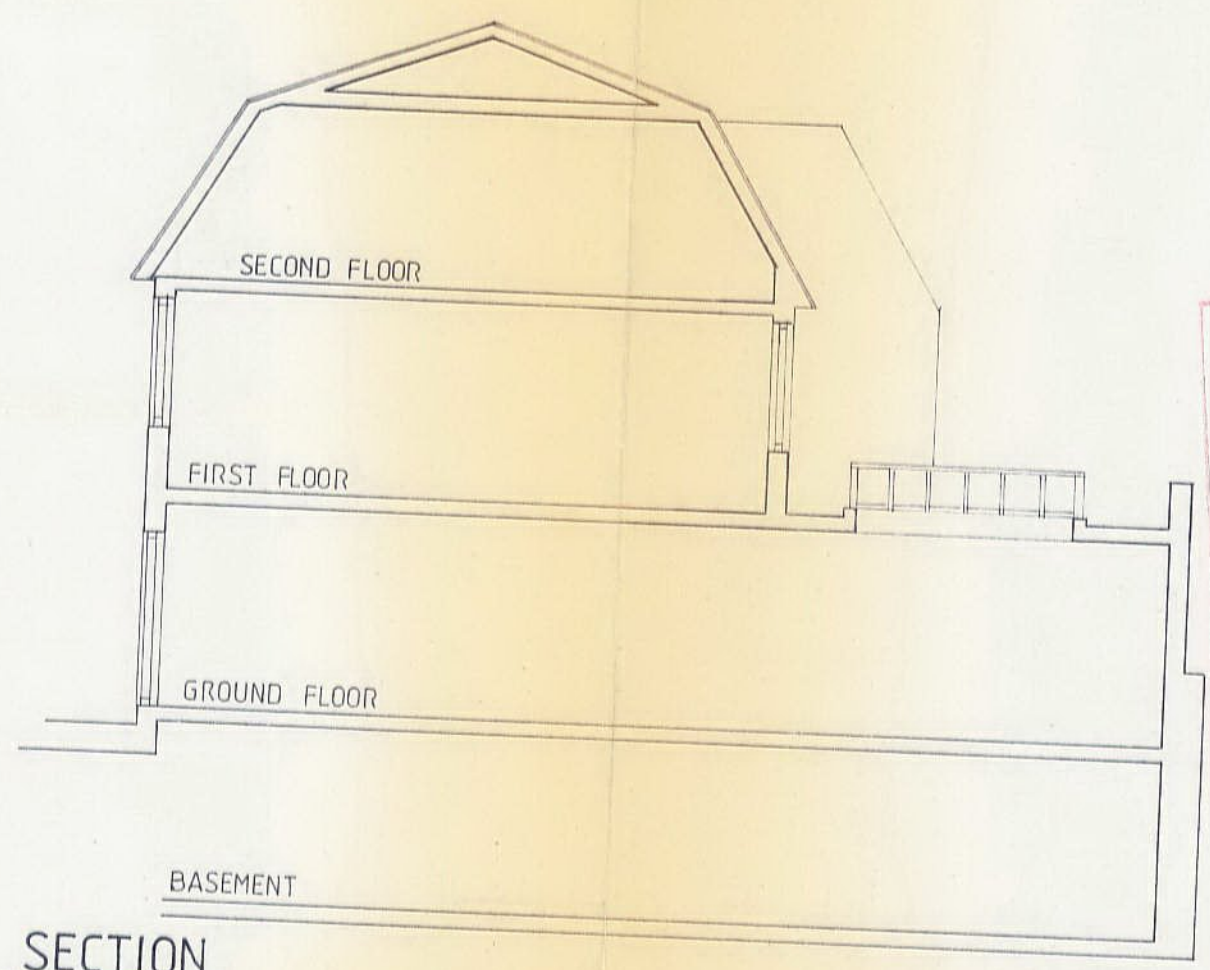


SECOND FLOOR 106.09 m²

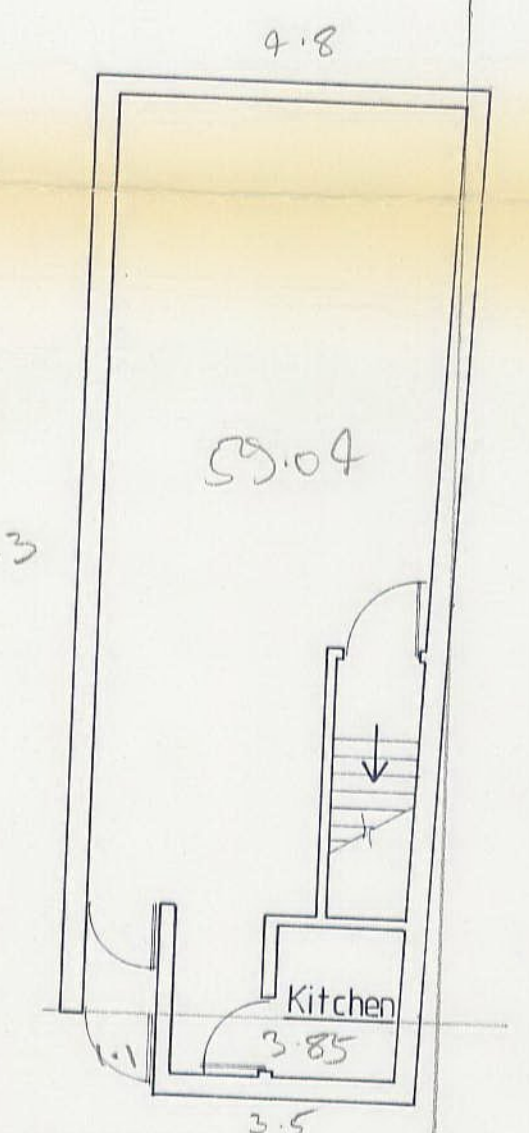
1?
 3 OFFICE
 UNITS ✓



GROUND FLOOR 202.41 m²



SECTION



BASEMENT TO UNIT 3

RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1988

APPROVED BY
 T.P. SUBOTTIE
 13 OCT 1988
 CONSENT REF

TP880633/5

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01938 2464

Job
 HORTENSIA RD.

Title
 Rear Office
 U 1, 2 & 3 477.48 m²

Drawn *RN* Date 4.10.88

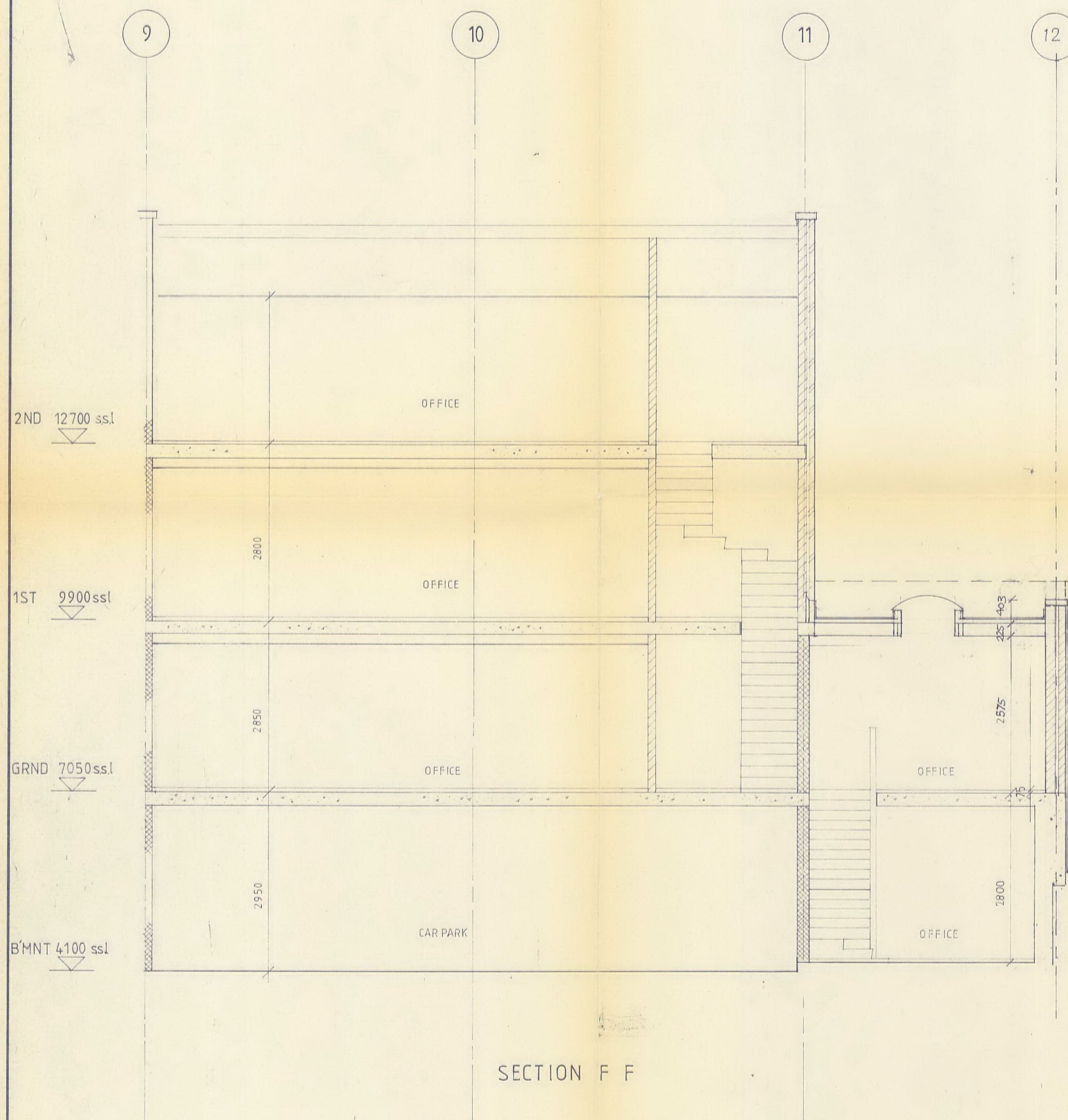
Drawing No
 HTN/01/113

Scale
 1:100

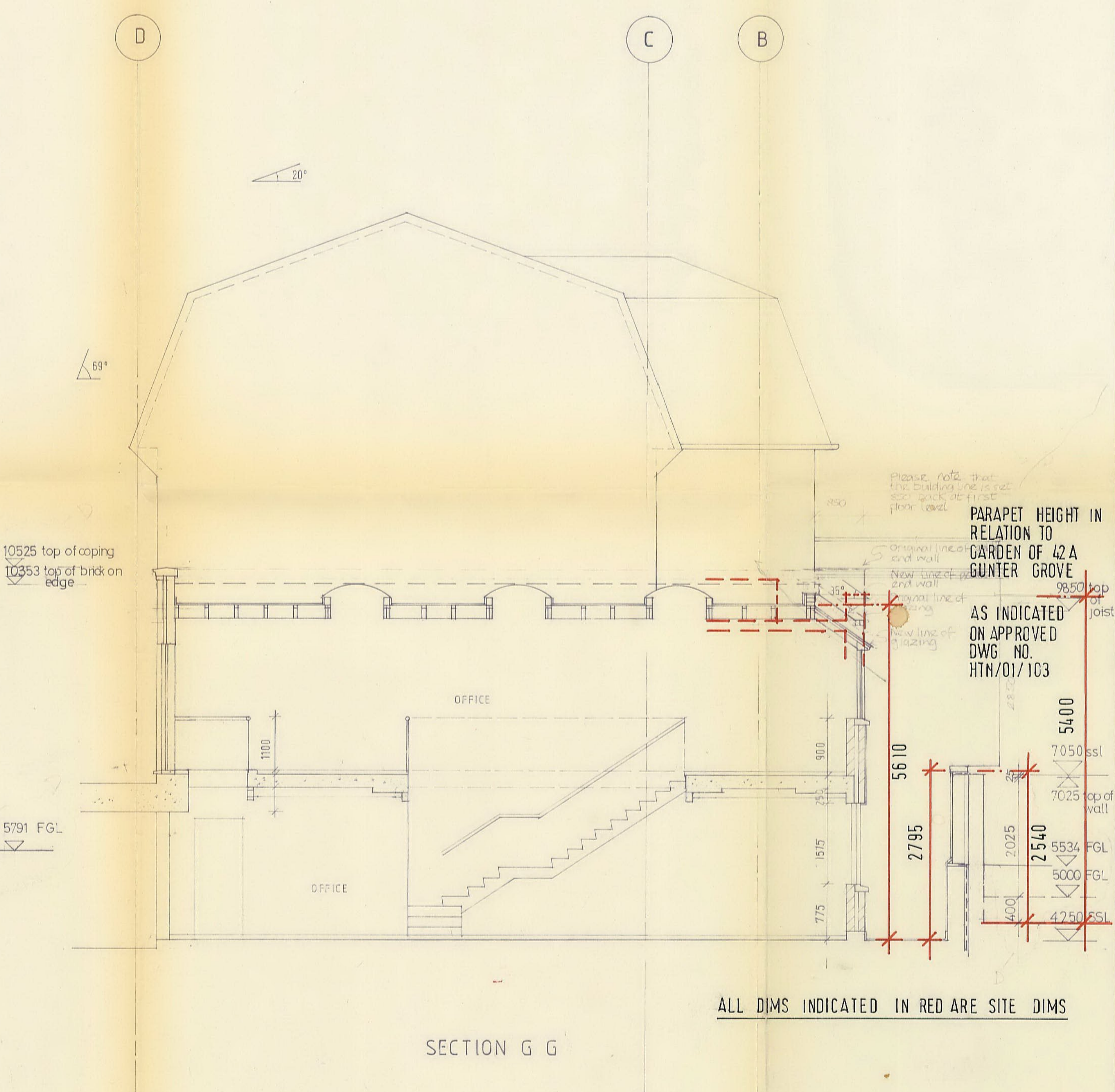
no	date	revisions

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
A	4/81	DIMENSIONS & NOTES ADDED
B	27-4-81	Dimensions of beams + lintels added, dimensions added on lines + datum raised on notes to suit a half story
D	25-10-81	Reduction in height of wall - concrete and of base by timber. Continuously plaster applied by 300mm high. 25mm plaster to new elevation reduced in height + rubble end raised back. Flat to adjoining parapet added for identification



SECTION F F



SECTION G G

ALL DIMS INDICATED IN RED ARE SITE DIMS

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

Job
 HORTENSIA ROAD

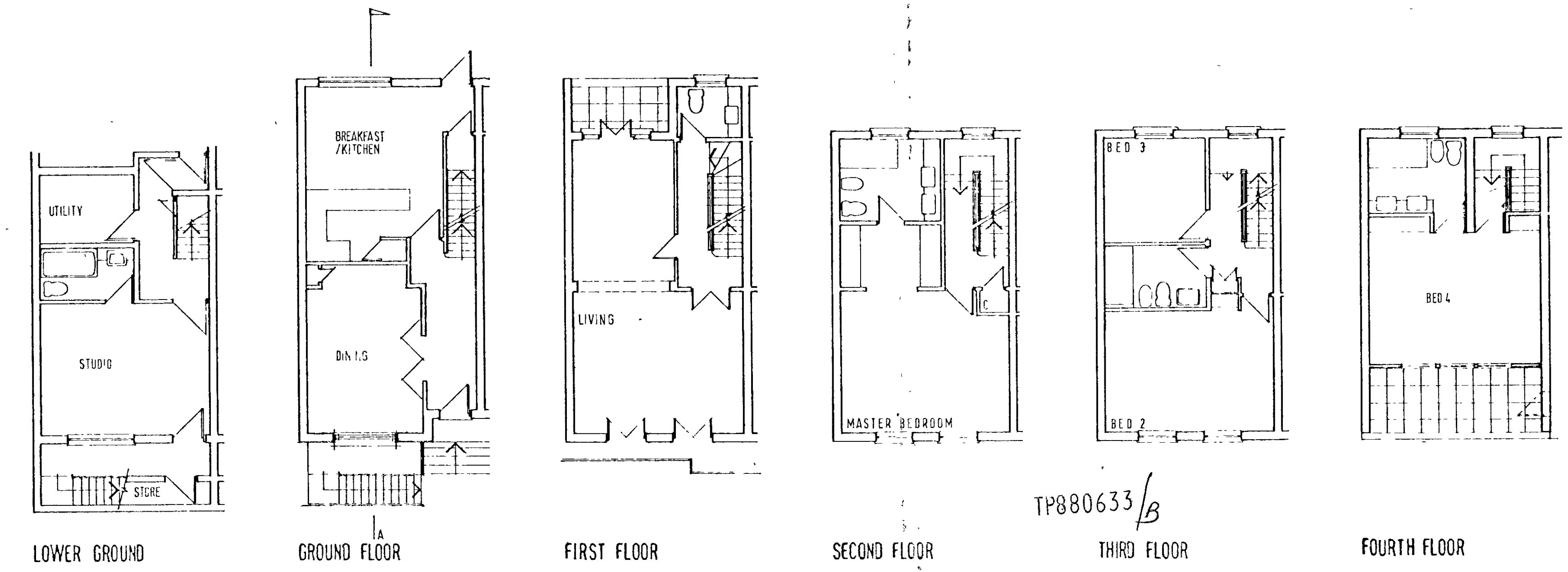
Title
 REAR OFFICES SECTIONS

Drawn _____ Date
 MAR 89

Drawing No
 HTN 4 L 2- 056 rev D

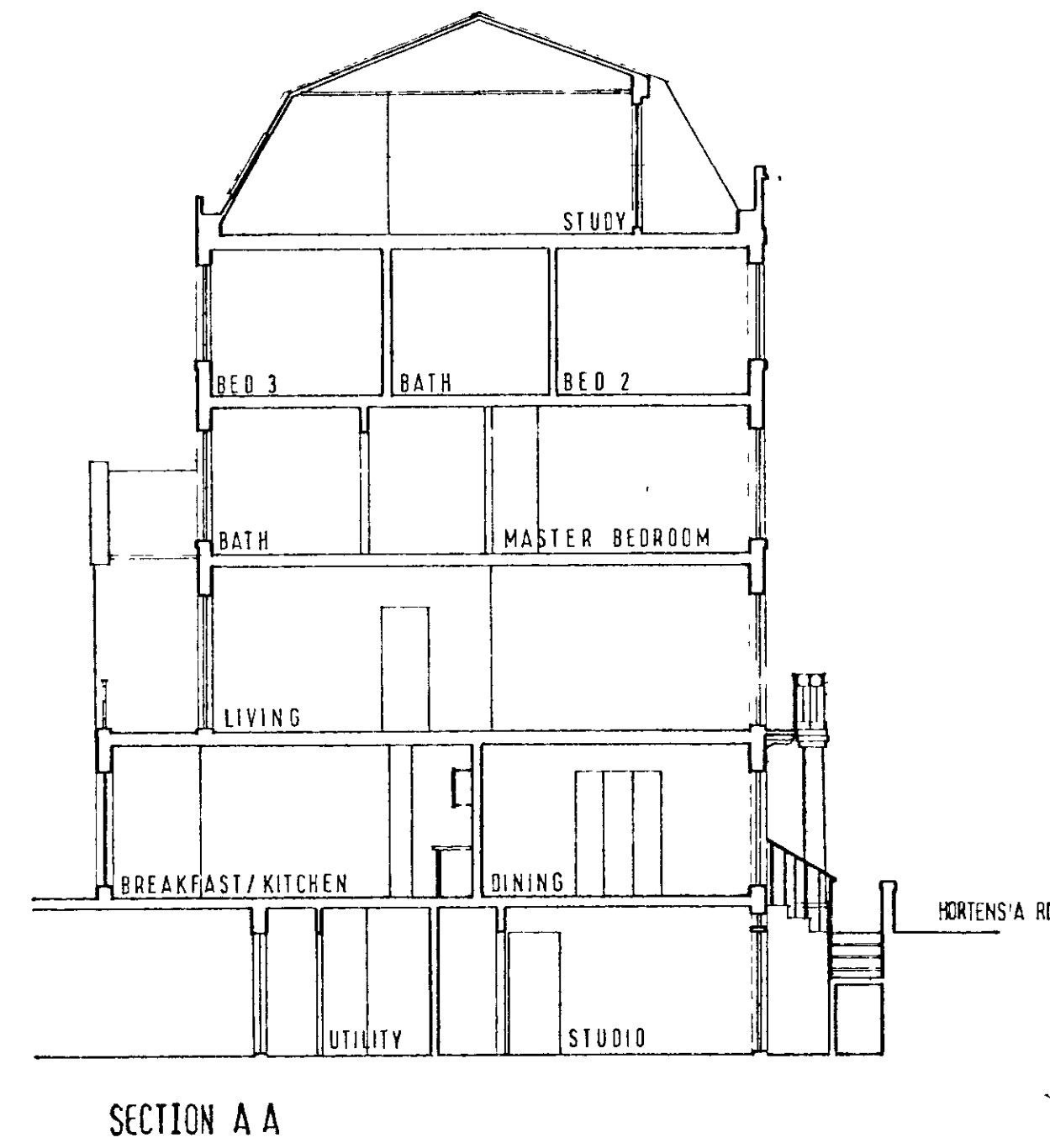
Scale
 1 : 50

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



TP880633/B

no	date	revisions
A	MAR '88	FRIDGE ROOM REMOVED
B	MAR '88	LIV. GRINDS & DINING FLOORS REVISED
C	MAR '88	PLAN ROOMS AND STAIRS
D	MAR '88	PLAN ROOMS AND STAIRS
E	MAR '88	PLAN ROOMS AND STAIRS



RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1988

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

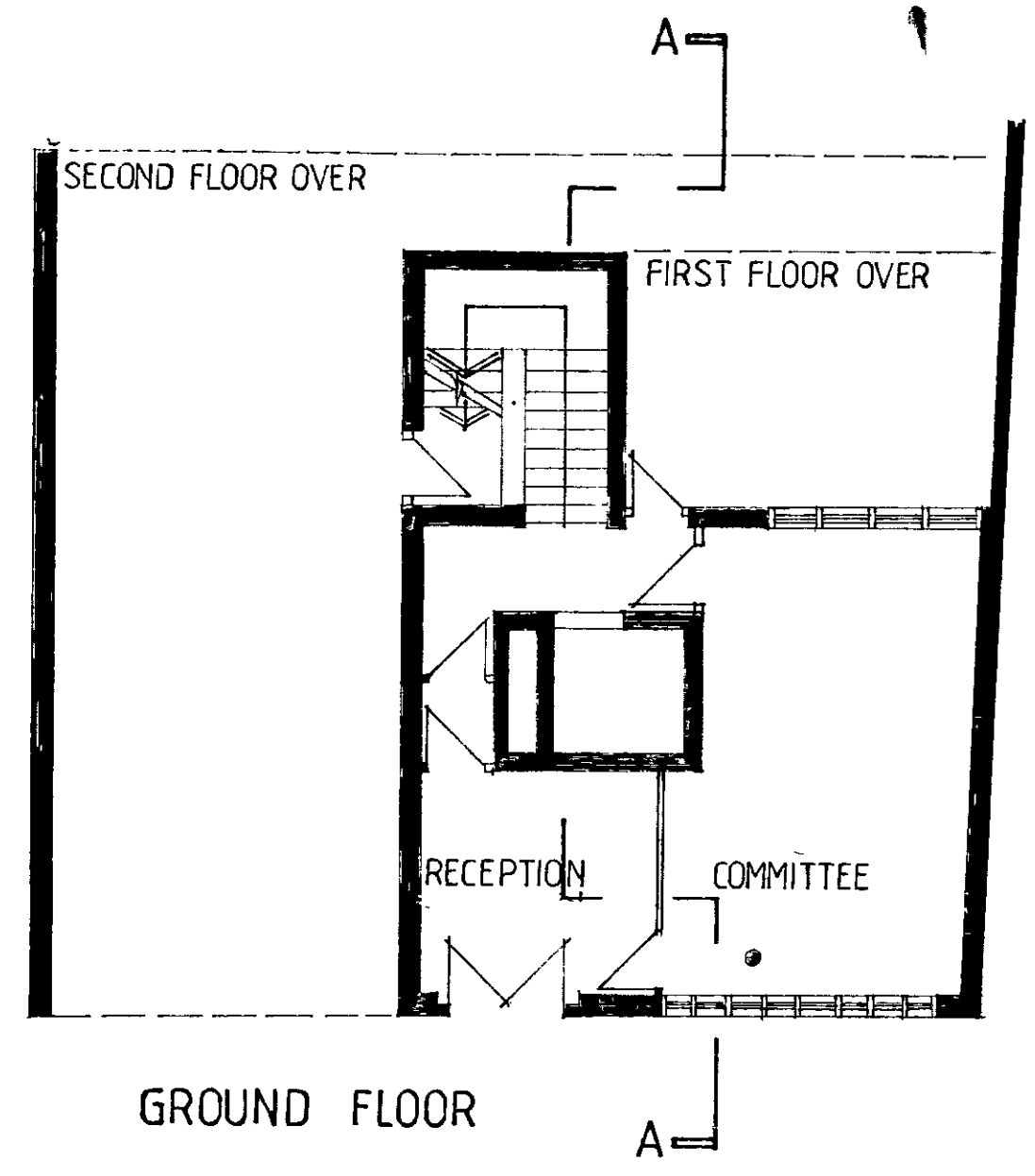
Job
HORTENSIA RD

Title
HOUSE TYPE B

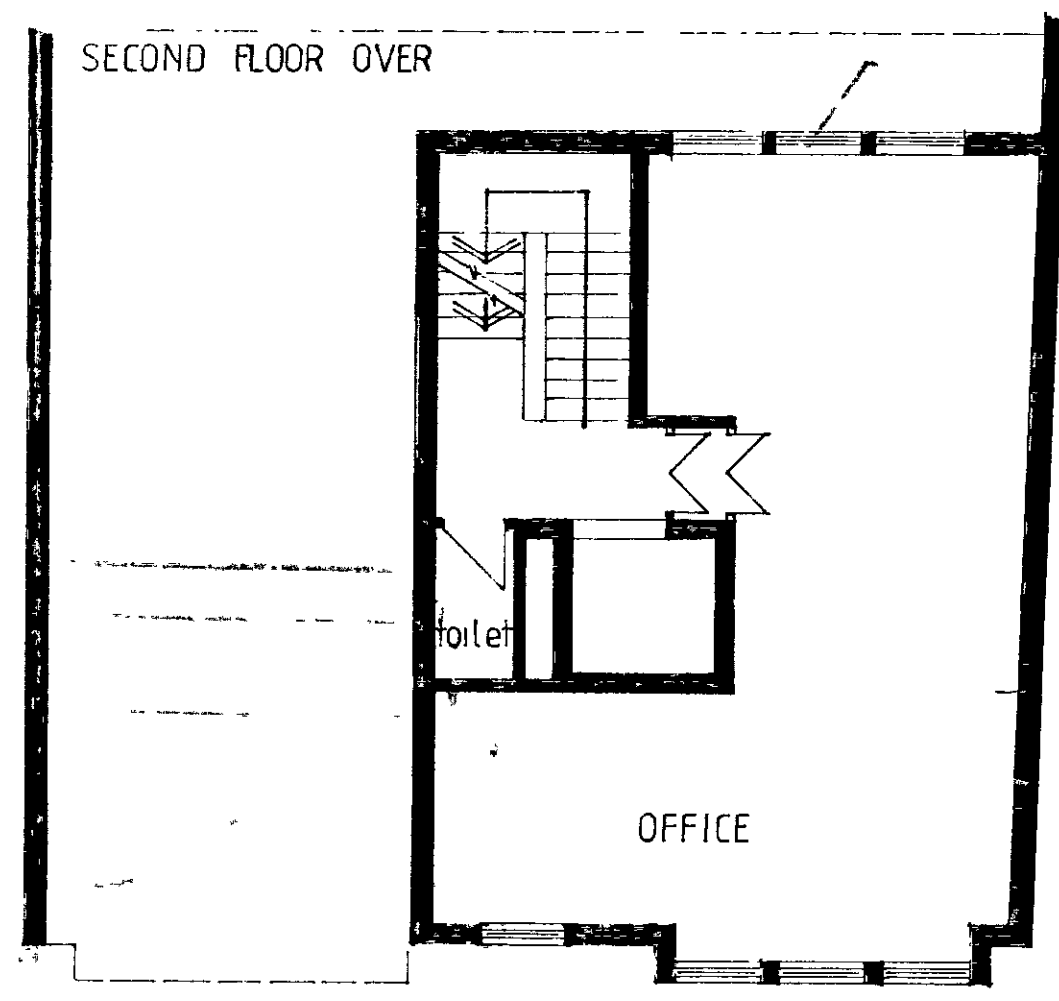
Drawn
 Date
FEB 88

Drawing No
HTN/01/112

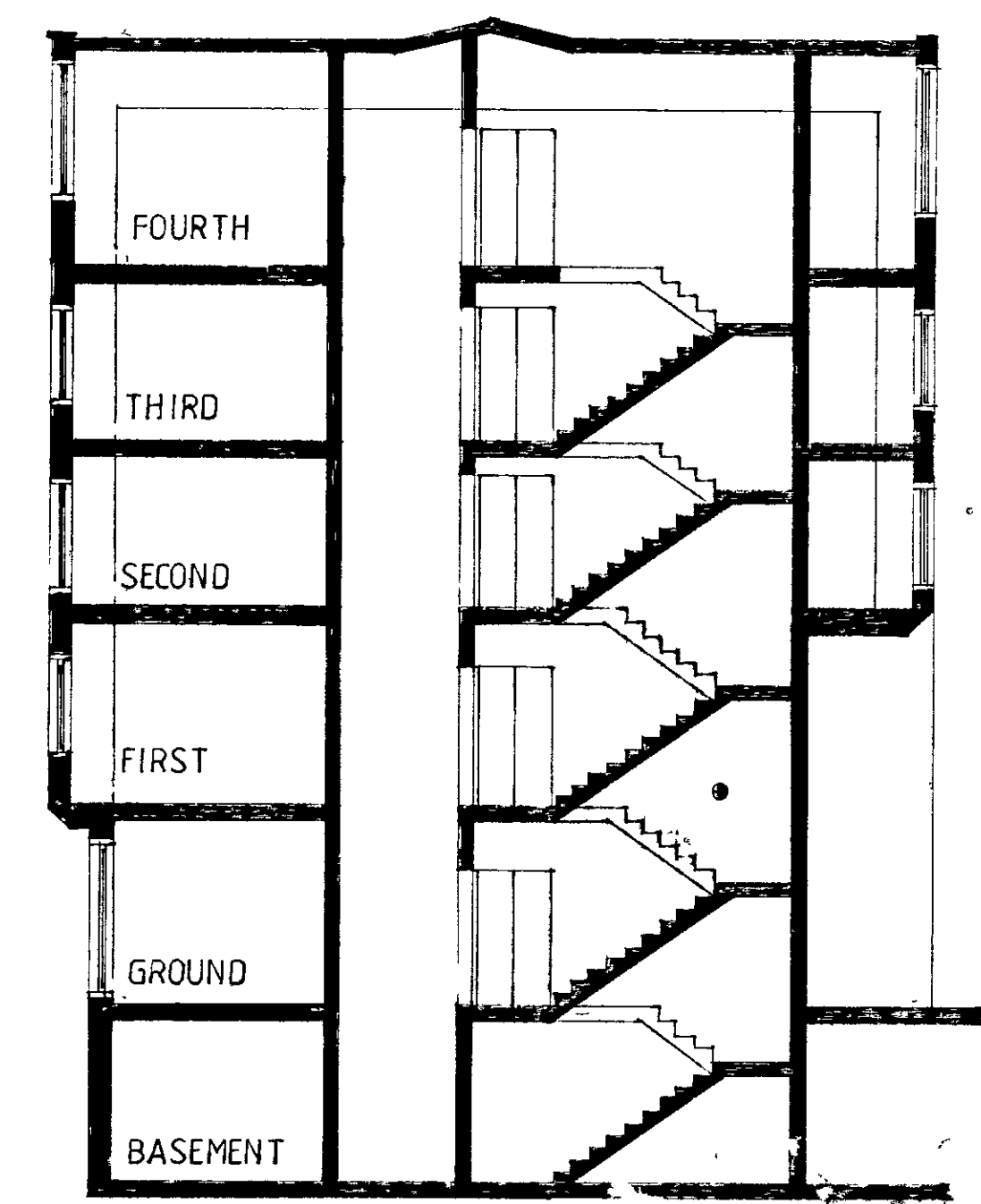
Scale
1:100



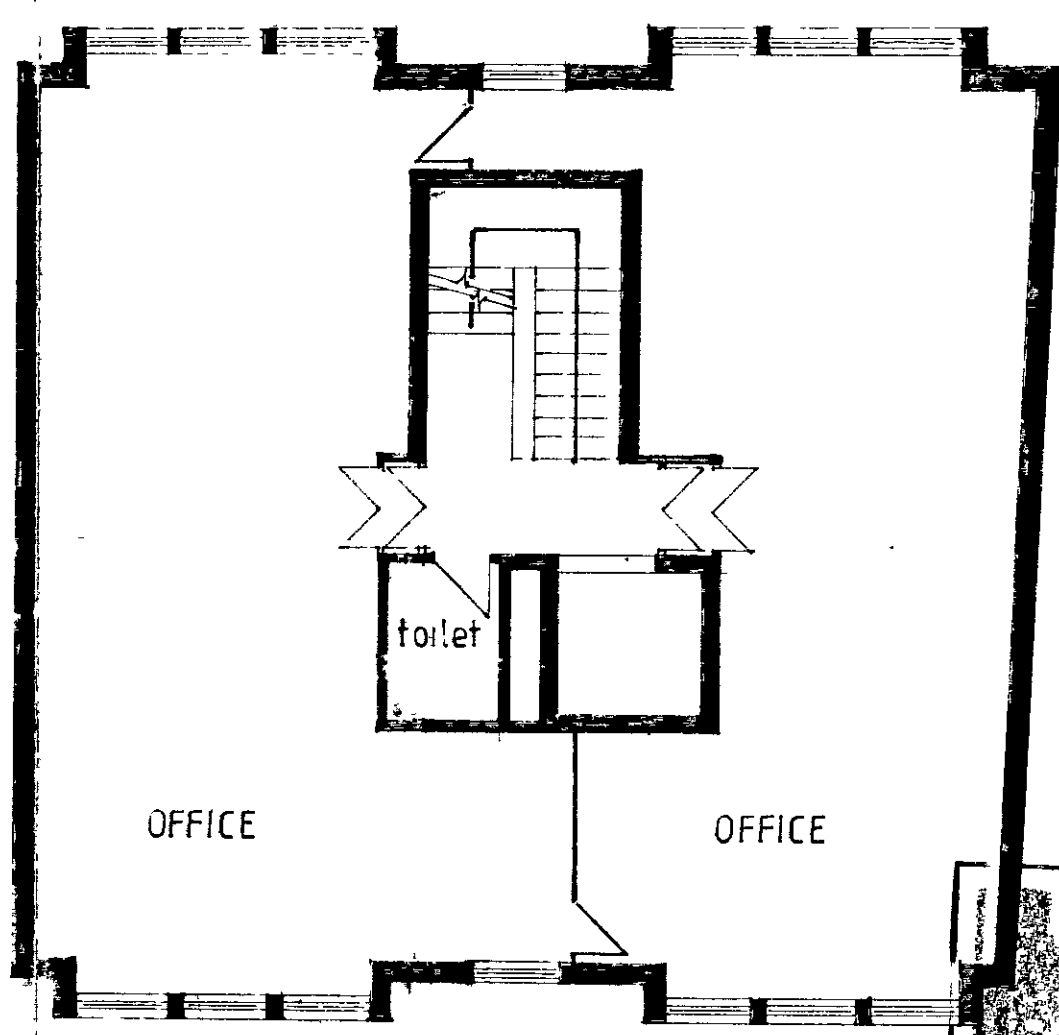
GROUND FLOOR



FIRST FLOOR



SECTION A-A



SECOND, THIRD and FOURTH FLOORS

RECEIVED BY
DIRECTORATE OF
PLANNING & TRADING CONTROL
14 SEP 1988
ON

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

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0482 532735 | London 01 538 2464

Job
HORTENSIA ROAD

Title
FRONT OFFICES

Drawn Date
 sept 88

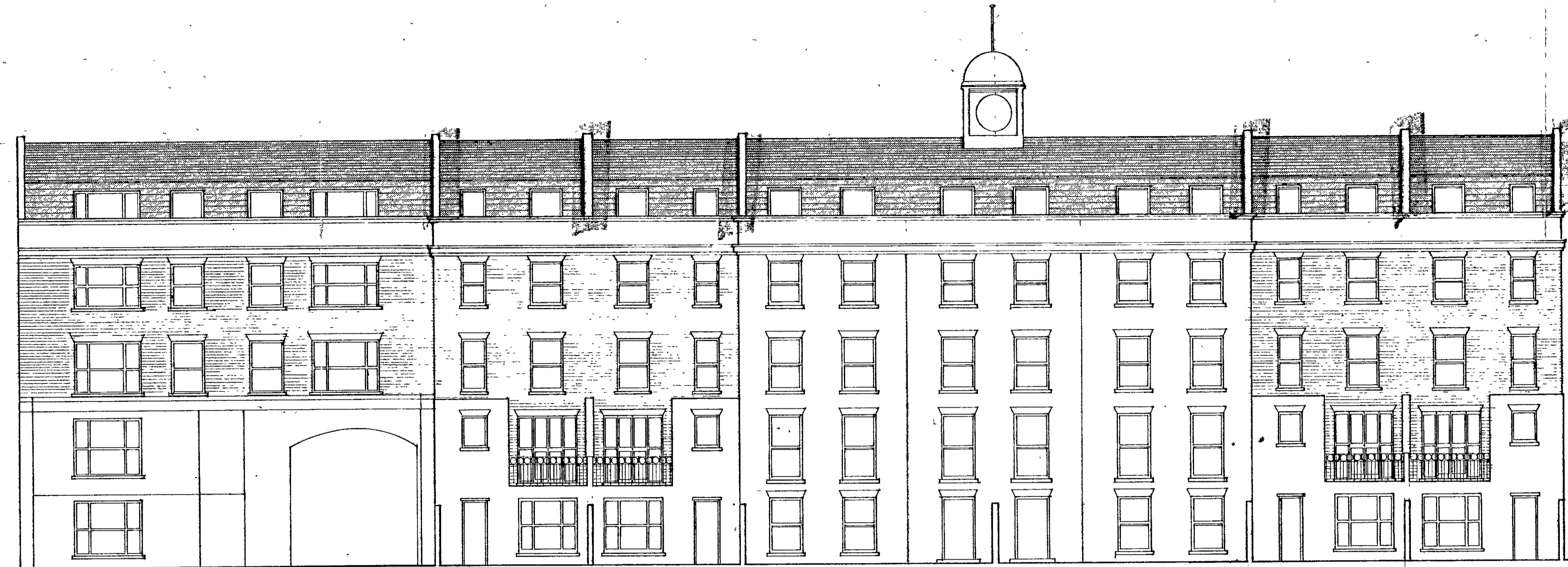
Drawing No
HNT /01/114

Scale
1:100

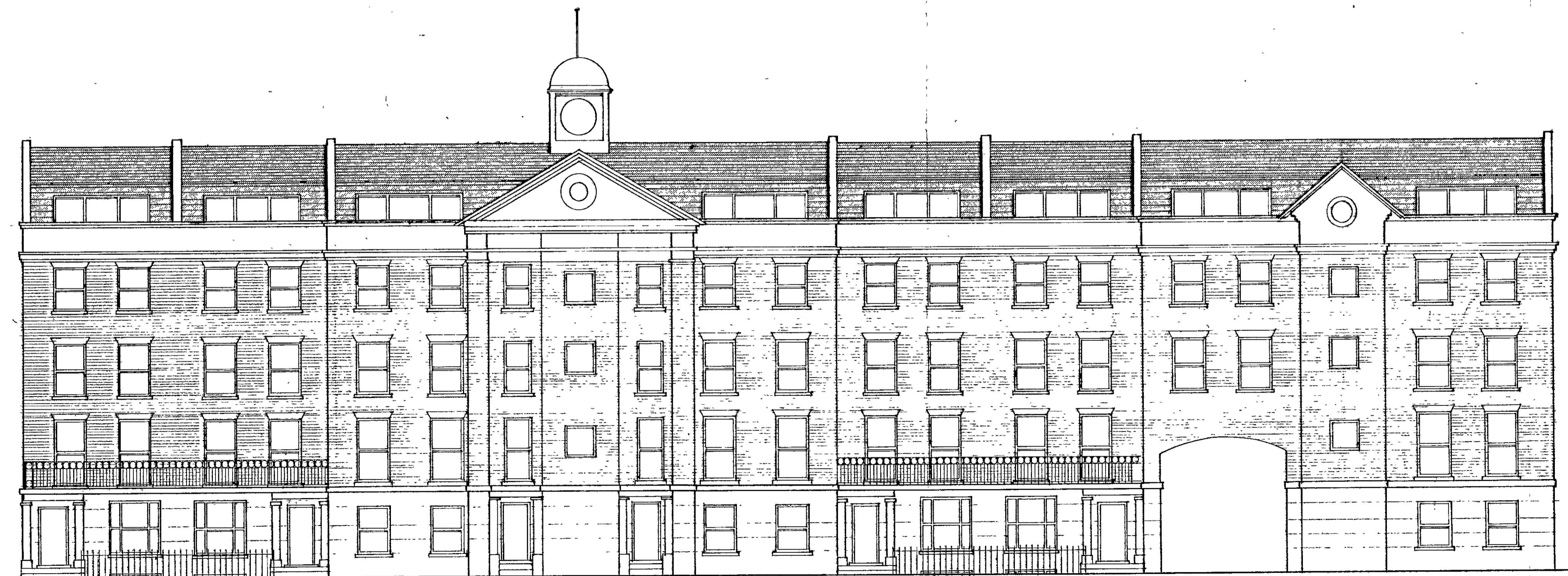
TP80633/B

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



HORTENSIA TERRACE SOUTH ELEVATION



HORTENSIA TERRACE NORTH ELEVATION

RECEIVED BY
 DIRECTOR OF
 PLANNING & TRANSPORTATION
 8 MAR 1988

11880632

FINISHES

Roof to be reconstituted stone
 slates
 Walls to be London stock and
 rusticated stucco
 Doors and window frames to be
 painted wood



Job

HORTENSIA RD

Title

ELEVATIONS

Drawn

Date
 FEB 88

Drawing No

HTN/01/67

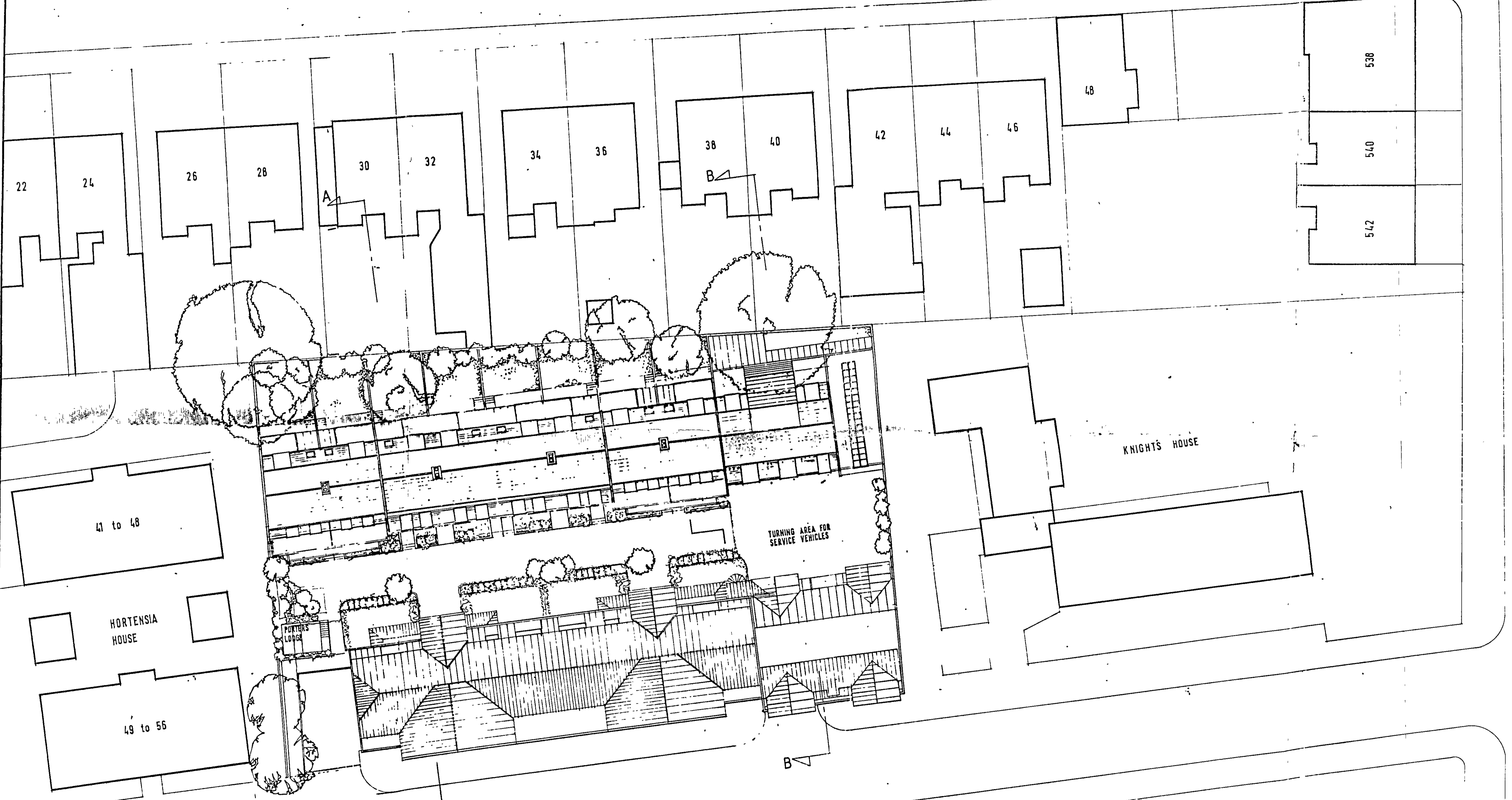
Scale

1:100

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
A	SEP 88	SECTIONS A-B SWIFT
B	NOV 88	LOCAL CHANGES MADE TO TERRACE
C	NOV 88	FRONT RE-DRAWN AS TWO BLOCKS OF FLATS
D		FRONT BLOCK - FRONT + REAR OFFICE RE-DRAWN

GUNTER GROVE



SECTION LINES REFER TO DRAWING NO HTN/01/95

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0922 332735 London 01-832 2404

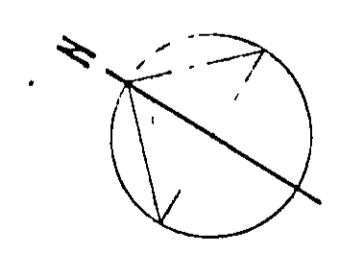
Job
HORTENSIA RD.

Title
SITE PLAN

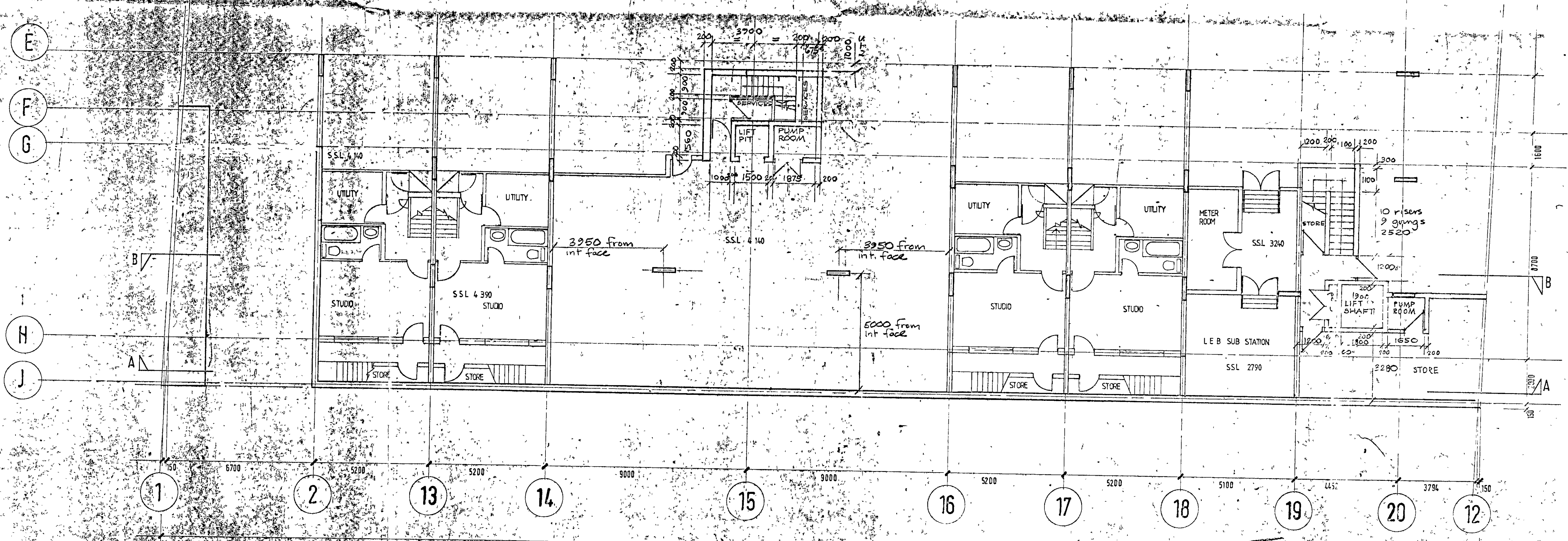
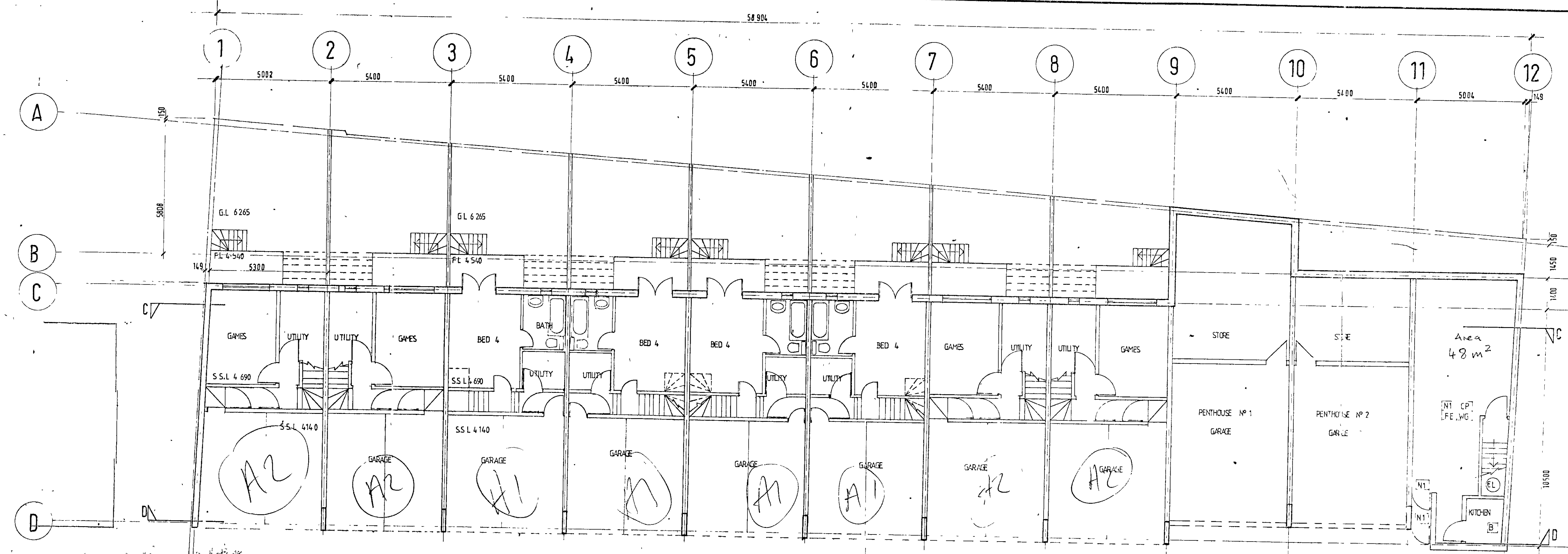
Drawn Date
MAY 88

Drawing No
HTN / 01 / 105 E.

Scale
1:200



N.C.F. LETTER 10 JAN 89



This drawing must not be altered
 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
A	JUN 88	Plot numbers amended
B	JUN 88	Grid lines & garages amended
C	JUL 88	Wn. grid floor included
D	JUL 88	PLANS AMENDED & SERVICE ADDED
E	JUL 88	LIFT SHAFT AND PENTHOUSE GARAGE
F	JUL 88	ADDED 1.58 SUPERSTAIRWAY, METERS ROOM, 2.58A ADDED, 2.58B DOORS, 2.58C, 2.58D, 2.58E HOUSES, 2.58F, 2.58G, 2.58H STORES, 2.58I, 2.58J, 2.58K
G	JUL 88	STAIRS, 2.58L, 2.58M, 2.58N, 2.58O, 2.58P, 2.58Q, 2.58R, 2.58S, 2.58T, 2.58U, 2.58V, 2.58W, 2.58X, 2.58Y, 2.58Z
H	JUL 88	RAMP, 2.58AA

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay, Gwynedd, LL57 2AB
 London, 01-532 2064

HORTENSIA RD.
 Scheme 3 PL

Title
**SETTING OUT
 BASEMENT**

Drawn: JCF
 Date:

Drawing No
HTN/L (1-)-01

Scale
1:100

SEE DRG NO. HTN/01/54

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.

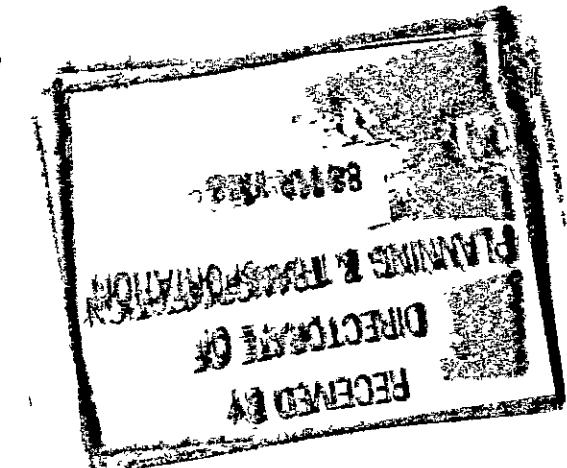
no date revisions



MEWS TERRACE - SOUTH ELEVATION



MEWS TERRACE - NORTH ELEVATION



11860632



Job
HORTENSIA RD

Title
ELEVATIONS

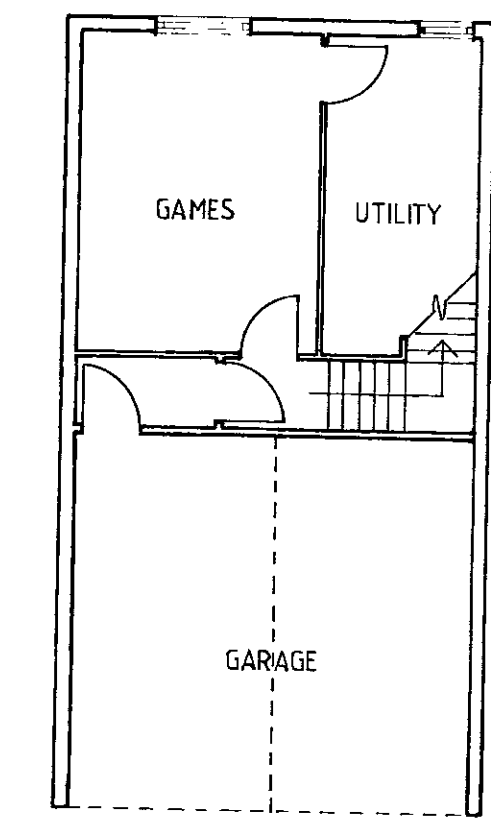
Drawn
Date
FEB '88

Drawing No
HTN/01/68

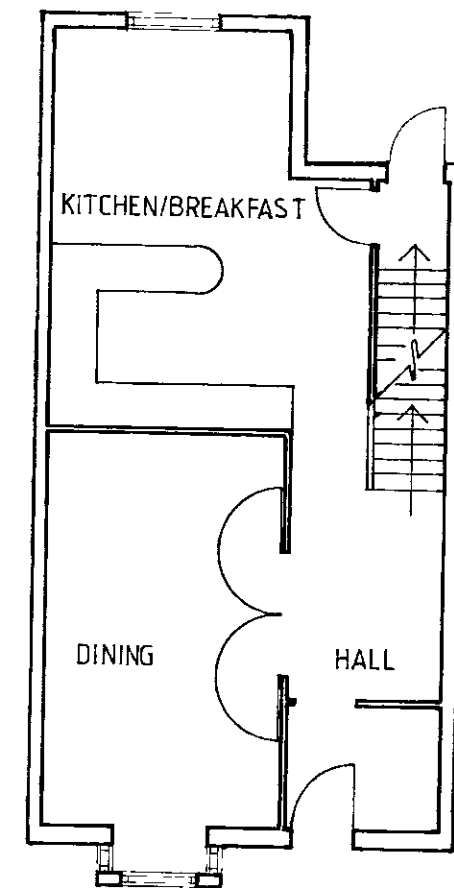
Scale
1:100

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

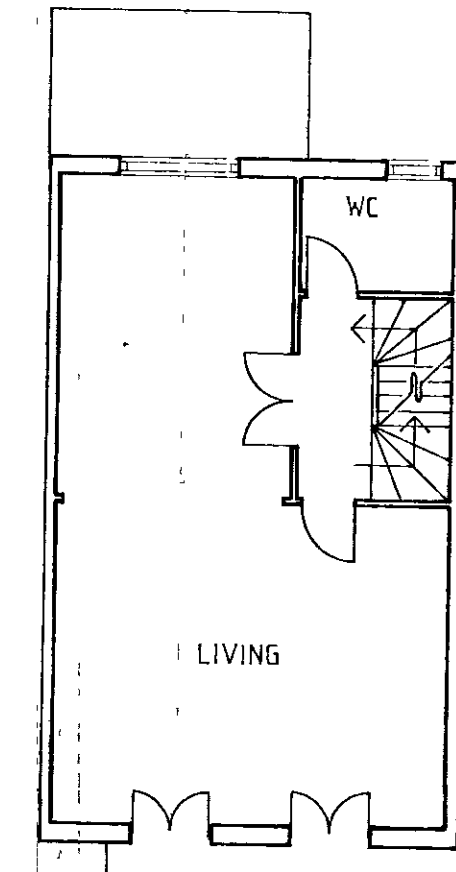
no	date	revisions



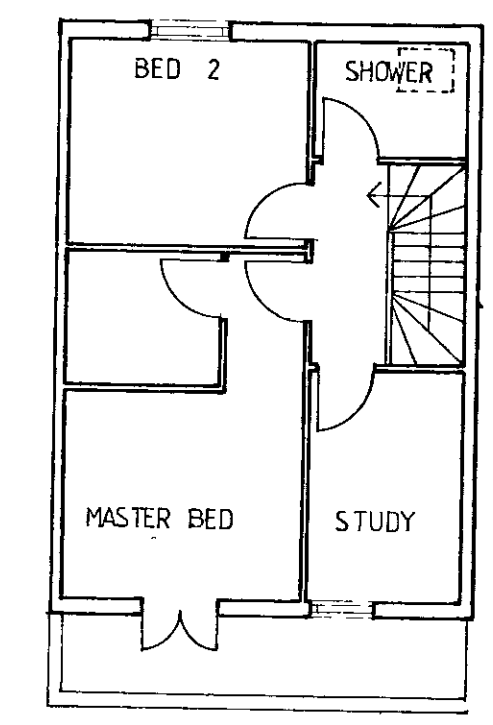
LOWER GROUND FLOOR



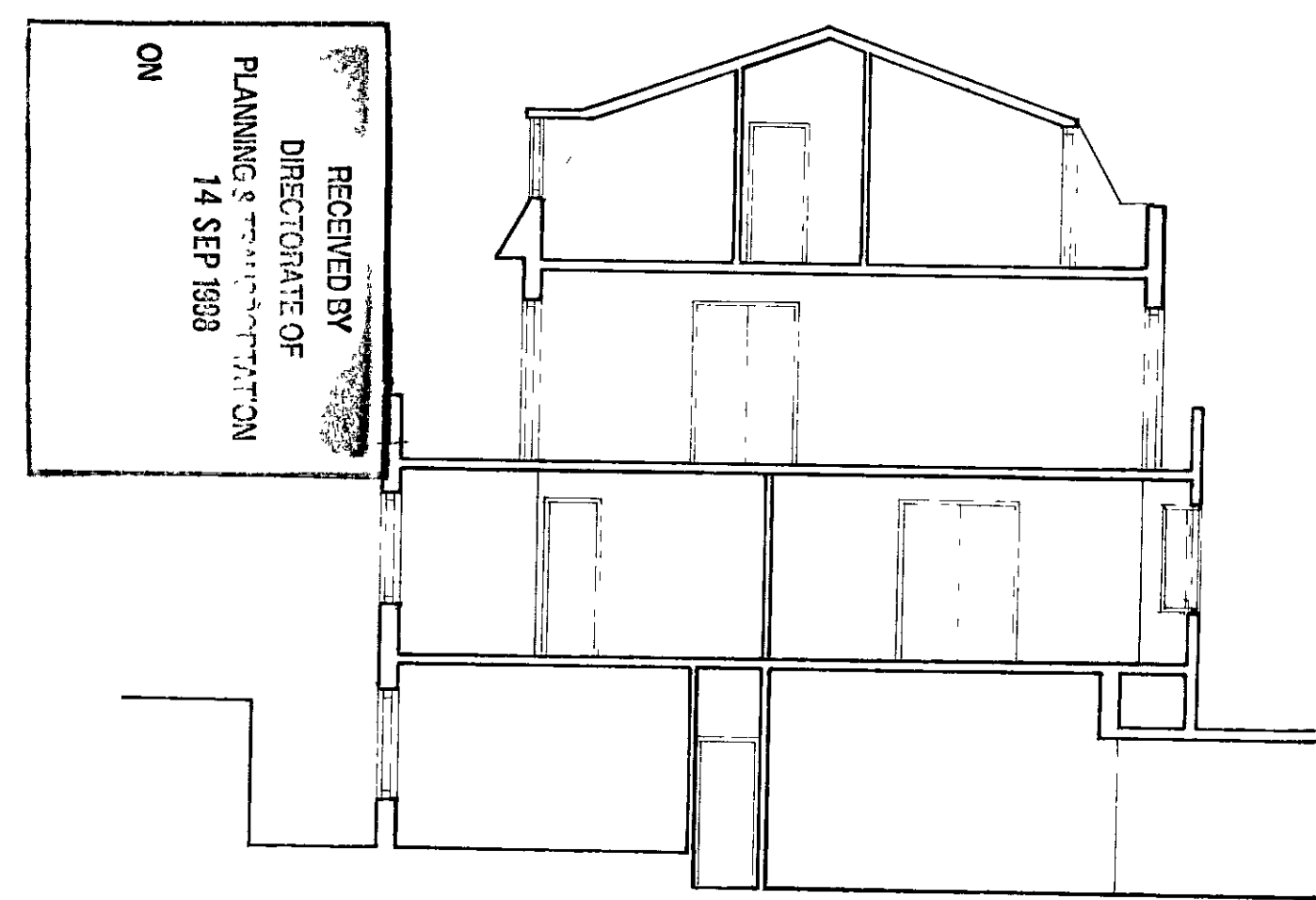
GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



SECTION

RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 14 SEP 1988
 ON

TP880633/B

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

Job
 HORTENSIA ROAD

Title
 HOUSE TYPE A2

Drawn **Date**
 SEPT 88

Drawing No
 HTN/01/111

Scale
 1:100



This drawing must not be copied, figured, dimensions, level, etc., only use 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

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

TPC80633/R

CR&P
 COLLYN ROYLE & PARTNERS
 CONSULTING ENGINEERS
 150 HORTENSIA ROAD
 WINDYBUSH NSW 2150
 Phone 969 4488
 Fax 969 4489

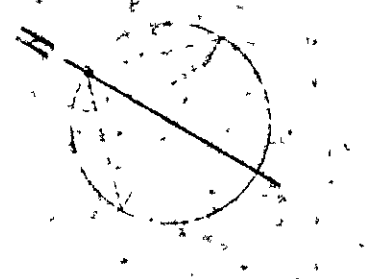
15 HORTENSIA RD

Title
 SITE PLAN

Drawn By: B.P. Date: MAY 88

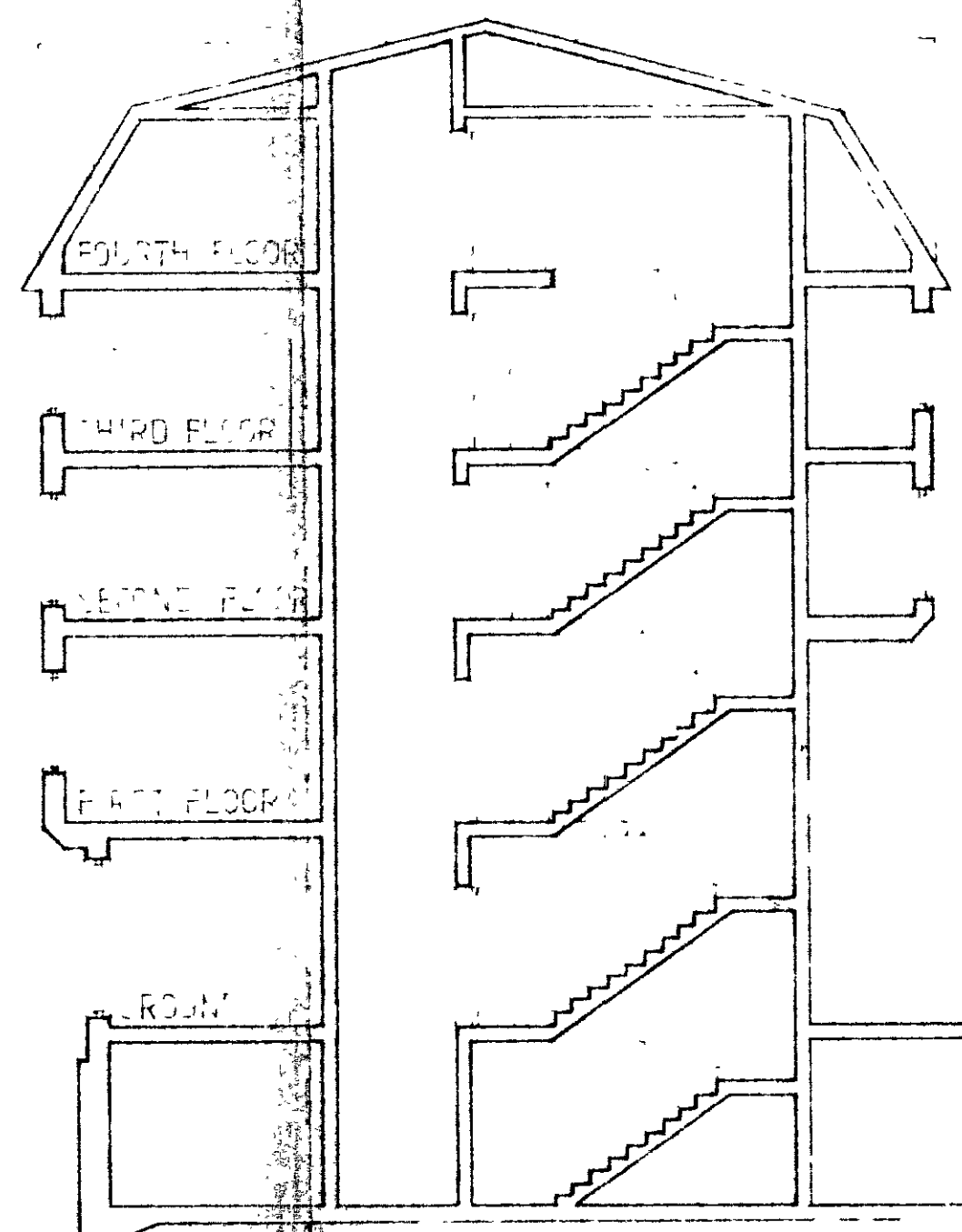
Drawing No: HTN/01/105

Scale: 1:200

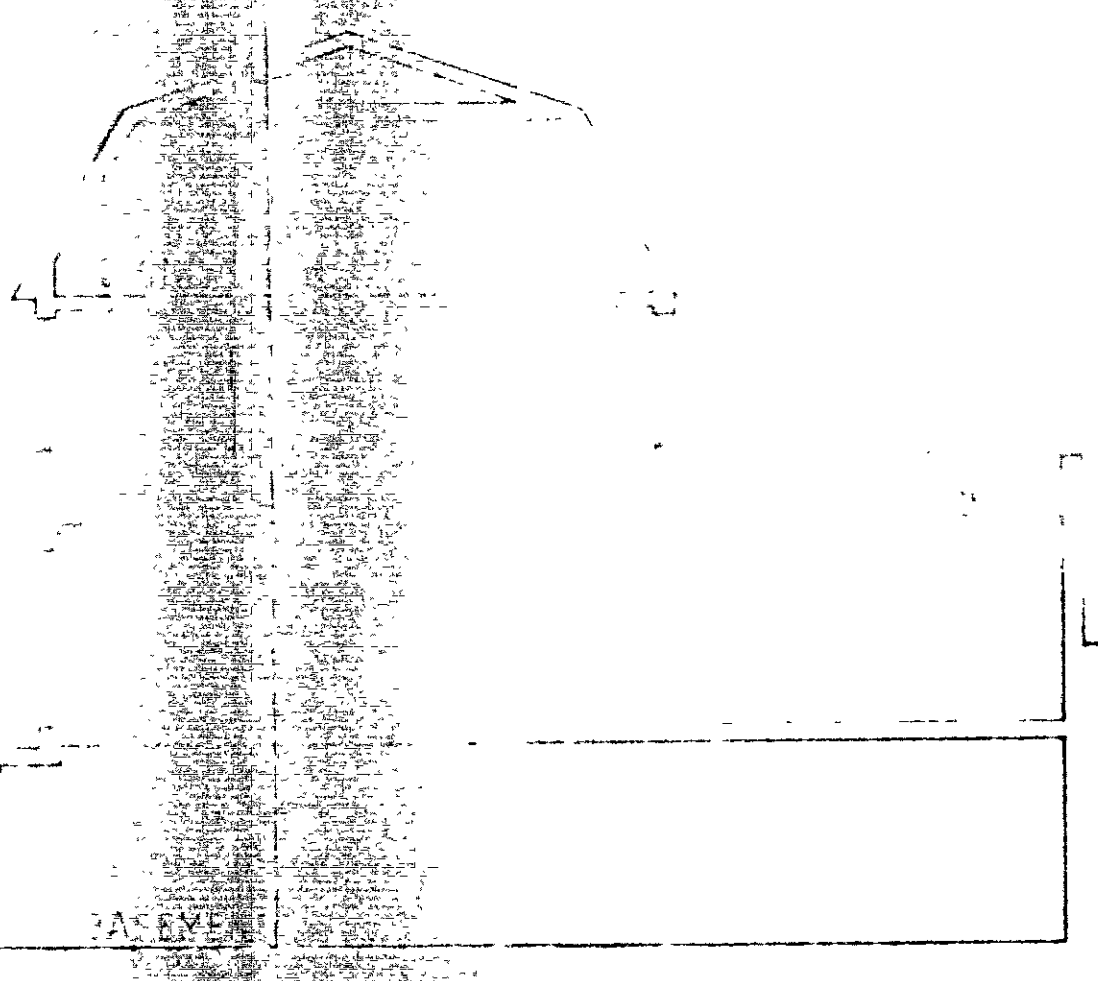


This drawing must not be scaled. Figured dimensions, levels, etc. only are to be used. Any inaccuracies, etc. must be notified to the Architect. This drawing is copyright. Detail drawings and larger scale drawings take precedence over smaller scaled drawings.

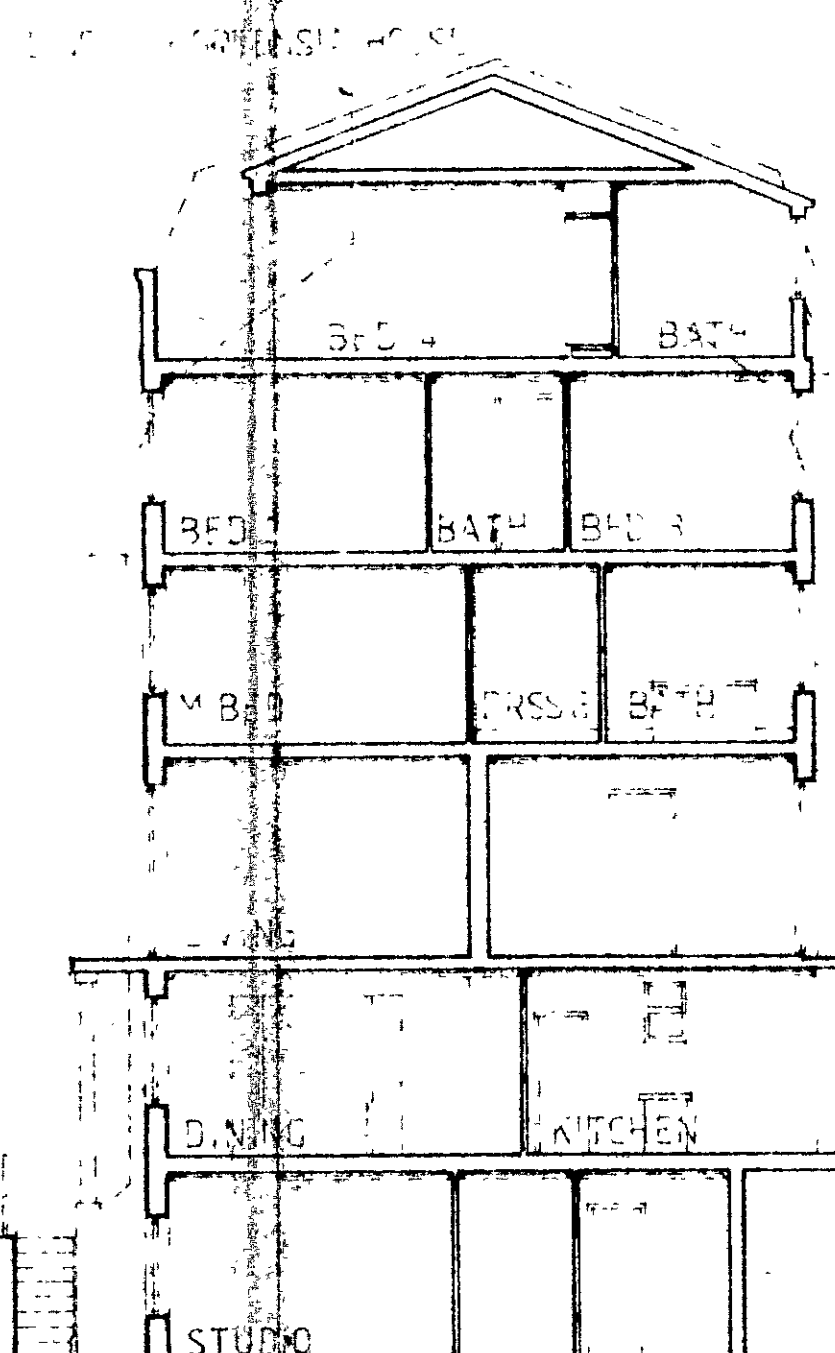
no	date	revisions



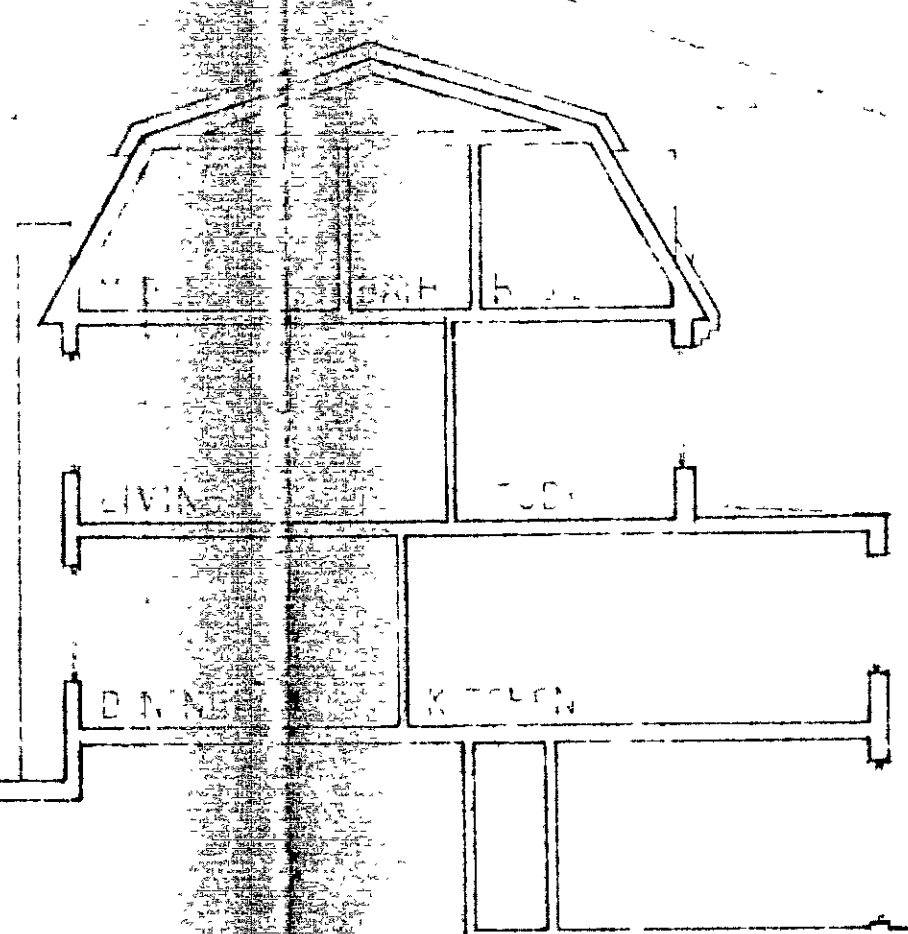
FRONT OFFICES



REAR OFFICES



HOUSE TYPE B



HOUSE TYPE A 2

HORTENSIA ROAD

TP280633/15

CF&P
 Colwyn Foulkes and Partners
 Colwyn Bay 0482 532735 London 01 938 2464

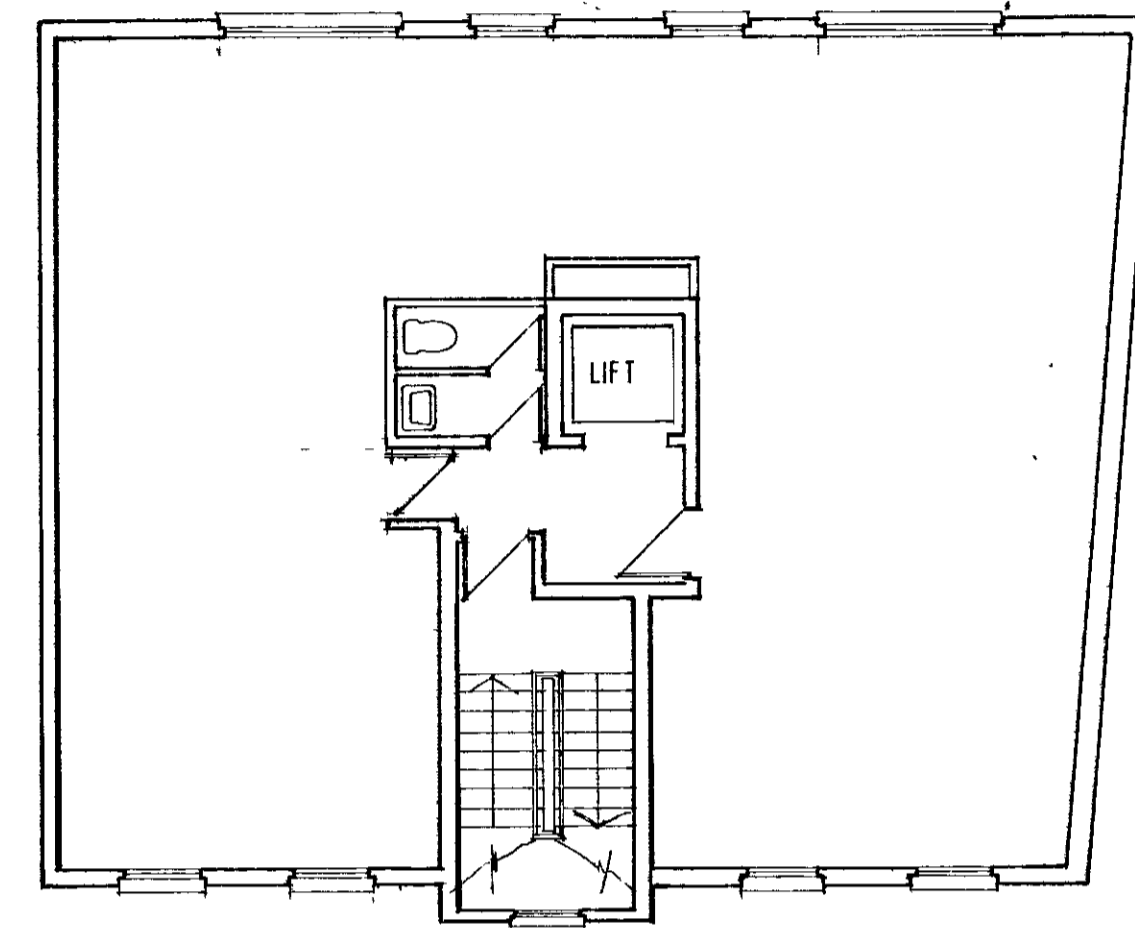
Job
 HORTENSIA RD.

Title
 SITE SECTIONS

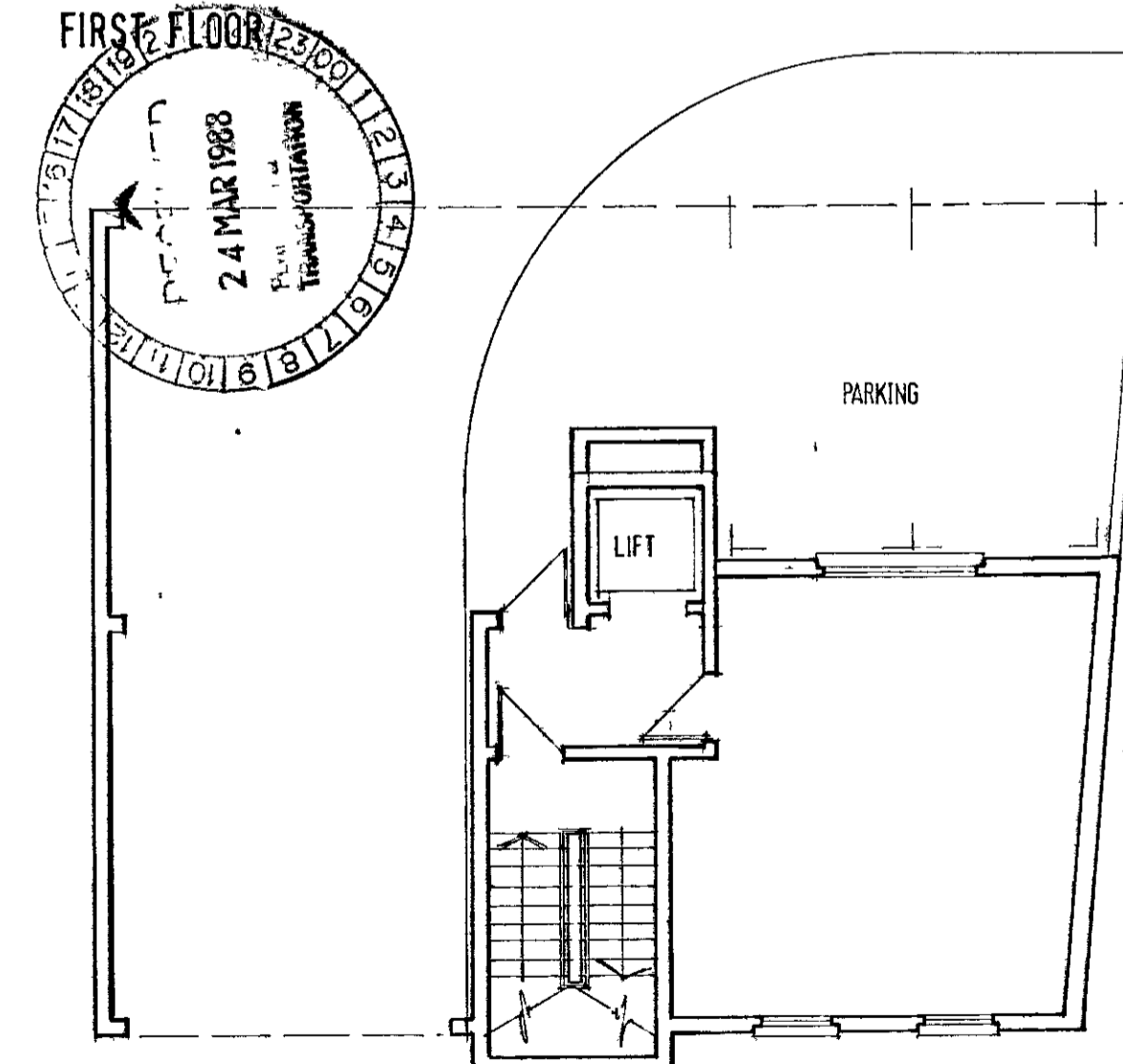
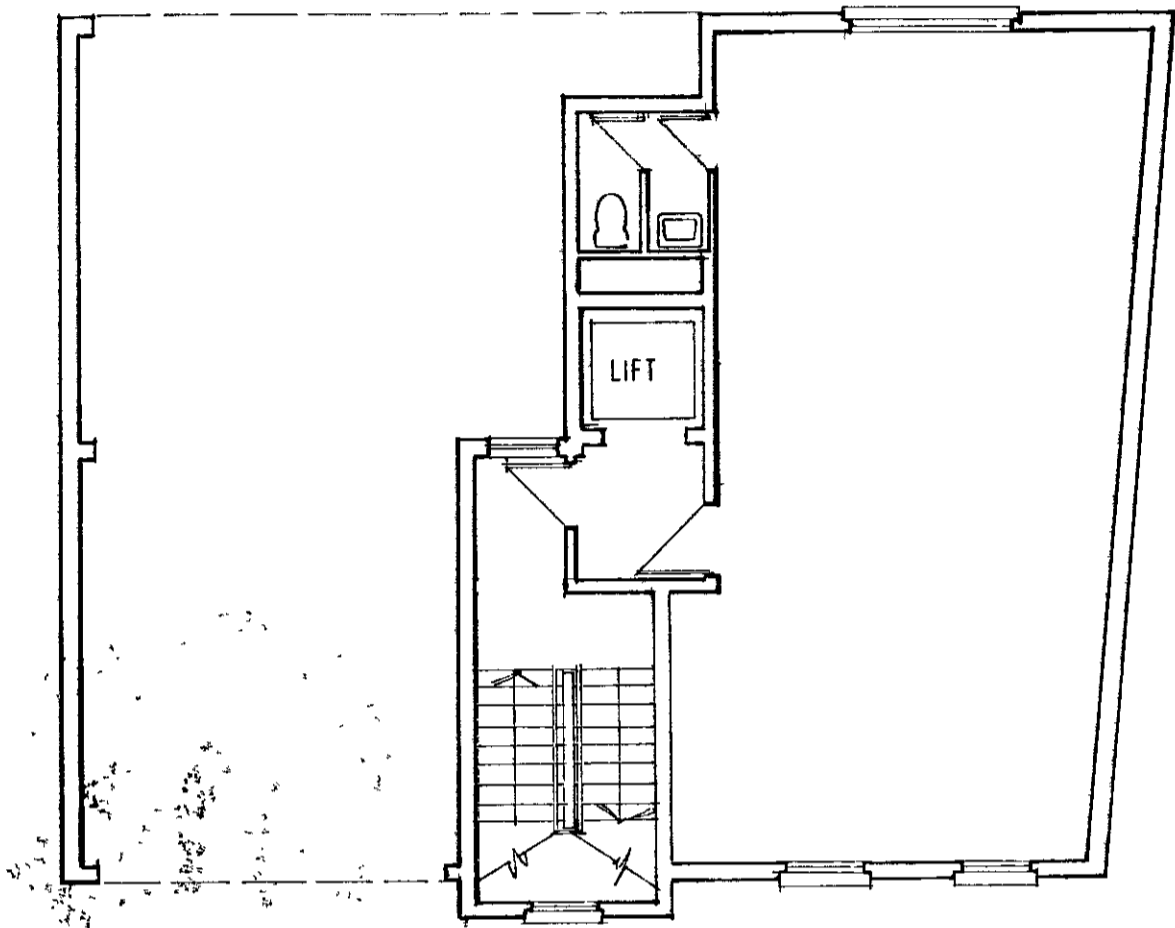
Drawn Date

Drawing No
 HTN /01/ 104

Scale
 1:100



SECOND & THIRD FLOOR



GROUND 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
A	5 88	WINDOWS ADJUSTED TO SUIT ELEVATION SIDE WALL ADJUSTED

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

Job
 HORTENSIA RD

Title
 B1 OFFICES
 TYPE 3

Drawn | **Date**
 | FEB '88

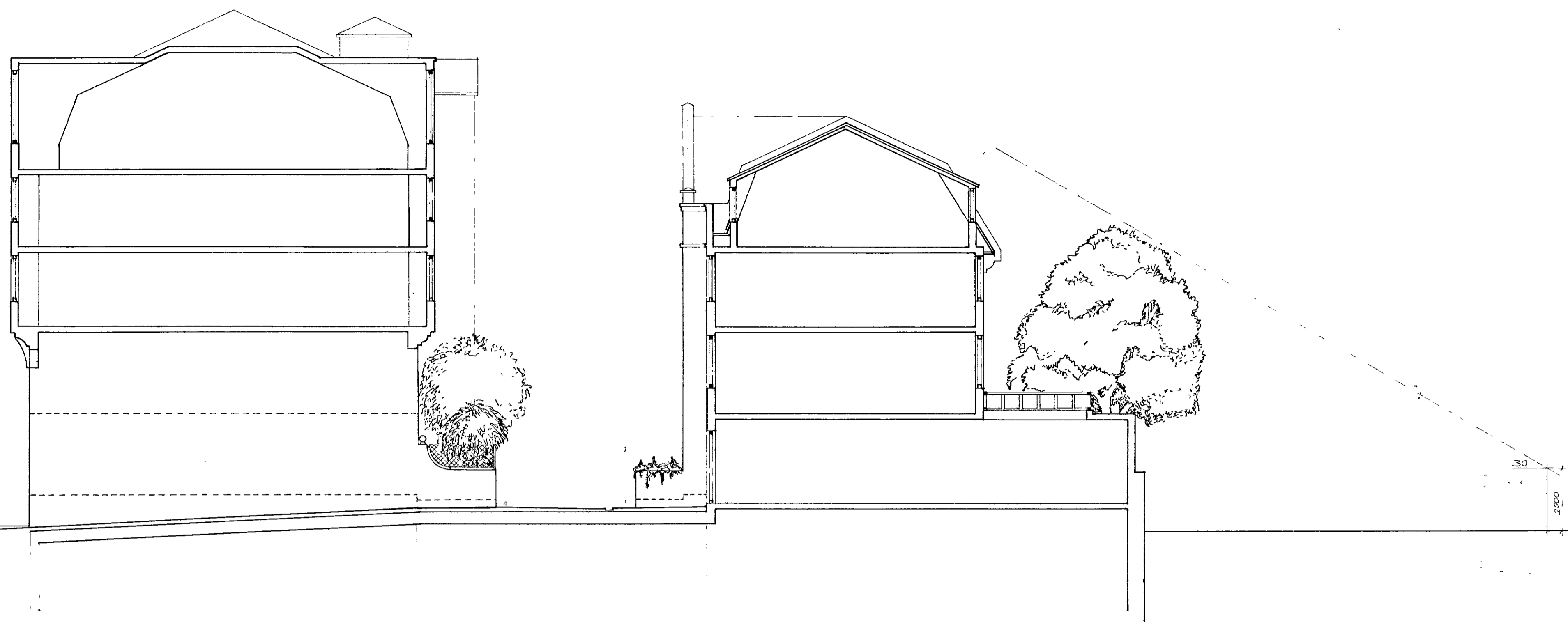
Drawing No
 HTN/01/54 A

Scale
 1:100

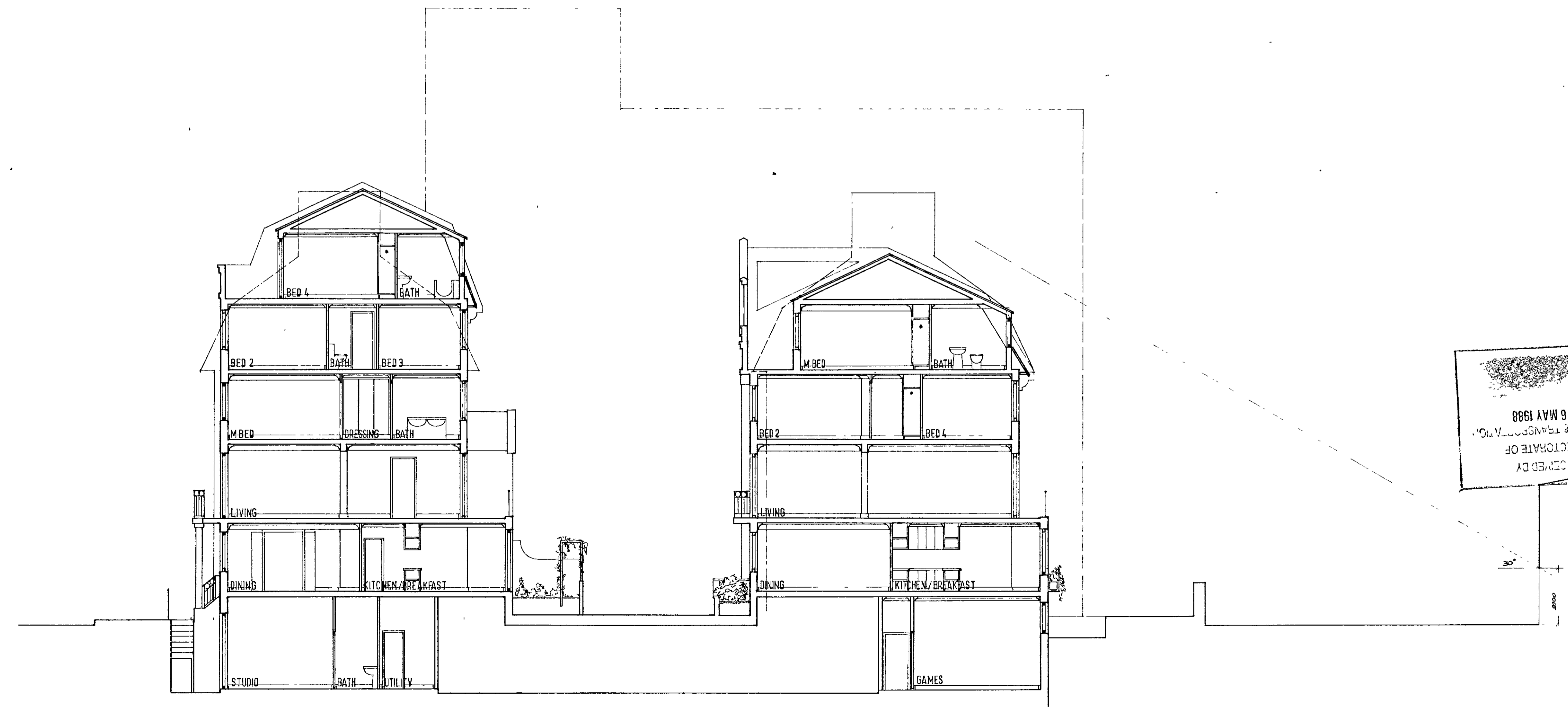
TP/880532

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.

FOURTH FLOOR SLAB ∇
 THIRD FLOOR SLAB ∇
 SECOND FLOOR SLAB ∇
 FIRST FLOOR SLAB ∇
 GROUND FLOOR SLAB ∇ 6 053
 MEWS SLAB ∇ 6 303
 PAVEMENT LEVEL ∇ 5 840



SECTION A-A



SECTION B-B

NO
 886 A/W 1
 16 MAY 1988
 PLANNING & TRANSPORT
 DIRECTORATE OF
 FOLLOWED BY

TP880632/4

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay | London
 0492 532725 | 01 938 2464

Job
HORTENSIA RD

Title
SITE SECTIONS

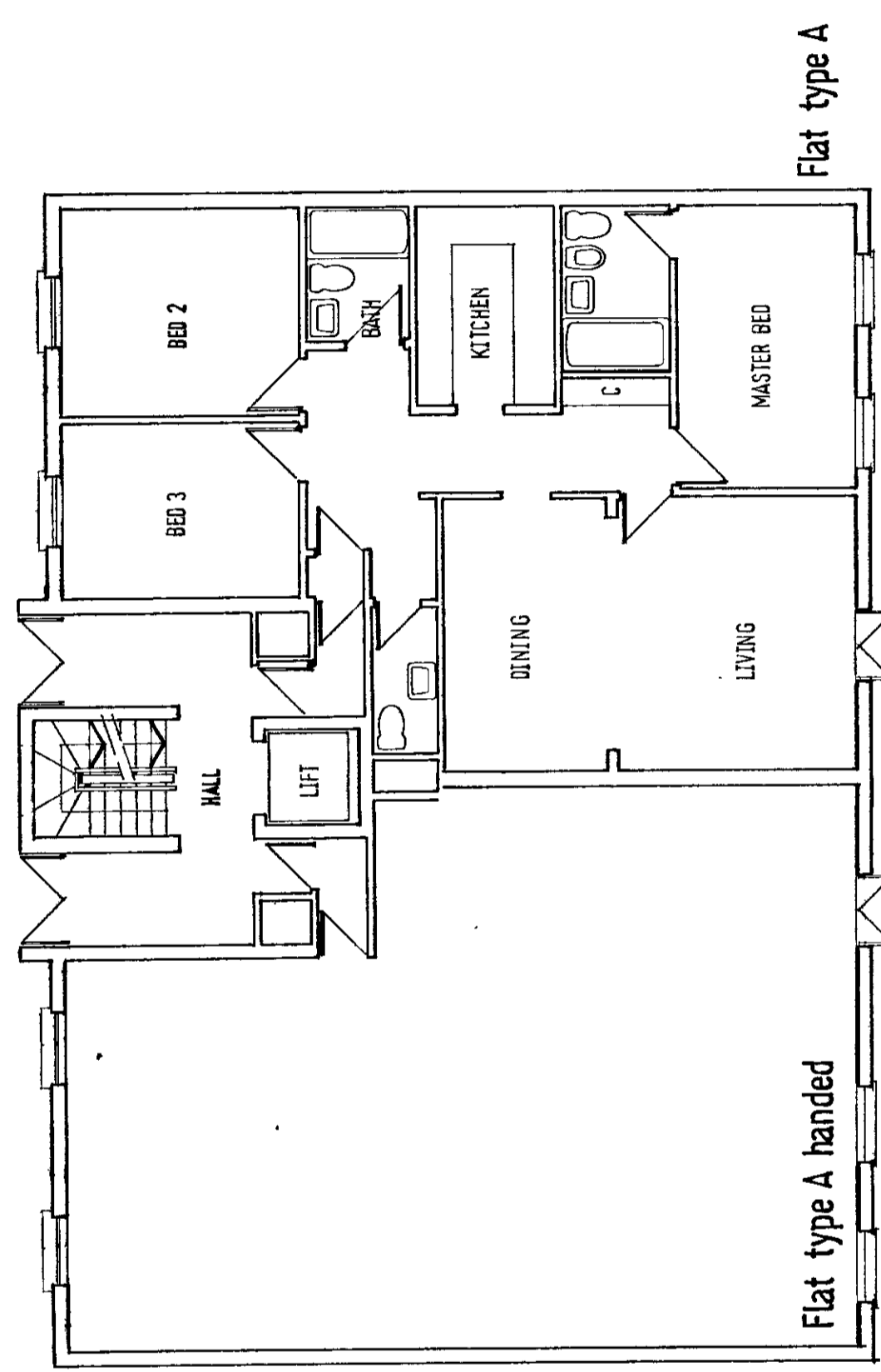
Drawn | Date

Drawing No
HTN/01/96 A

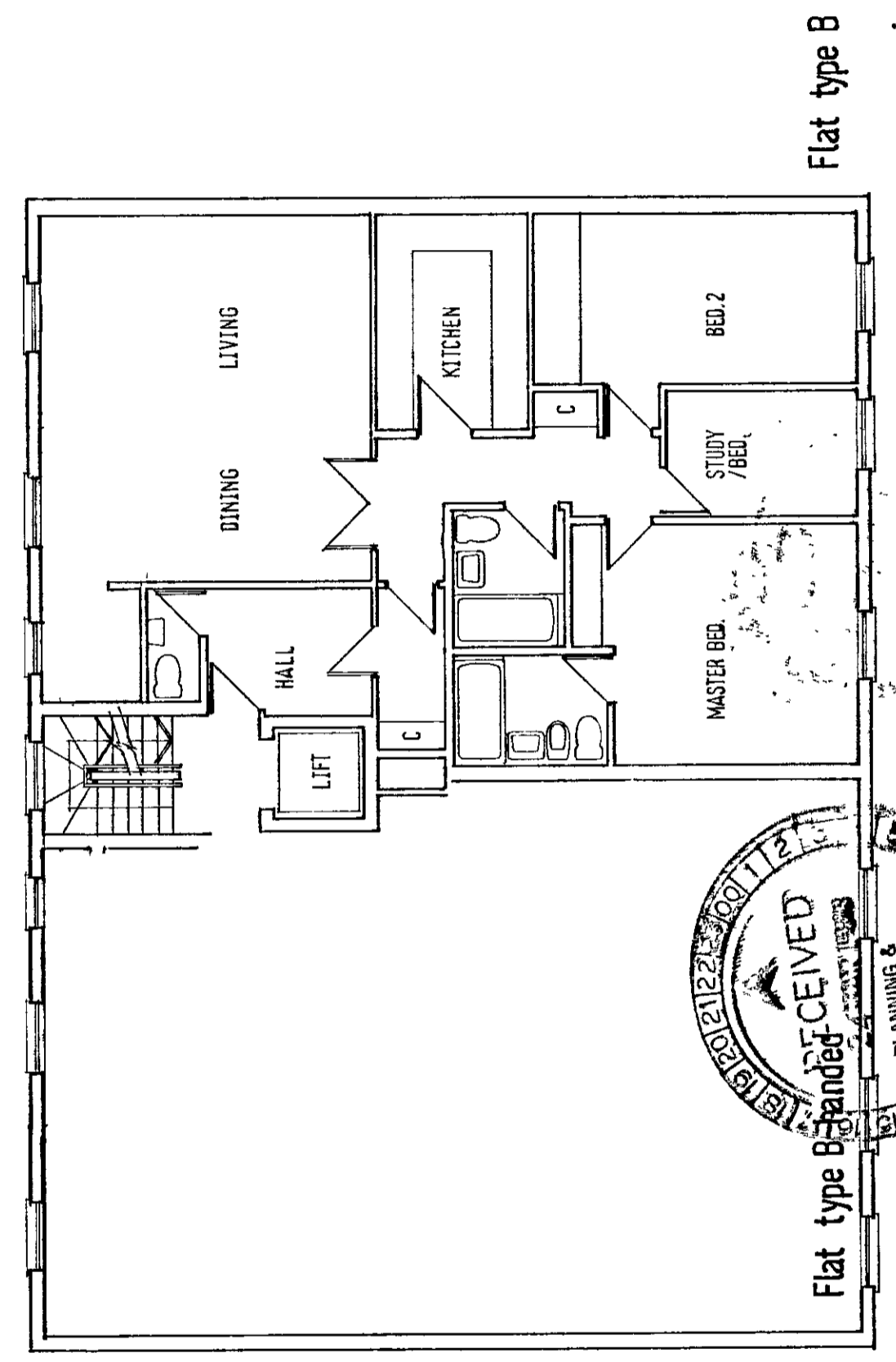
Scale
1:100

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.

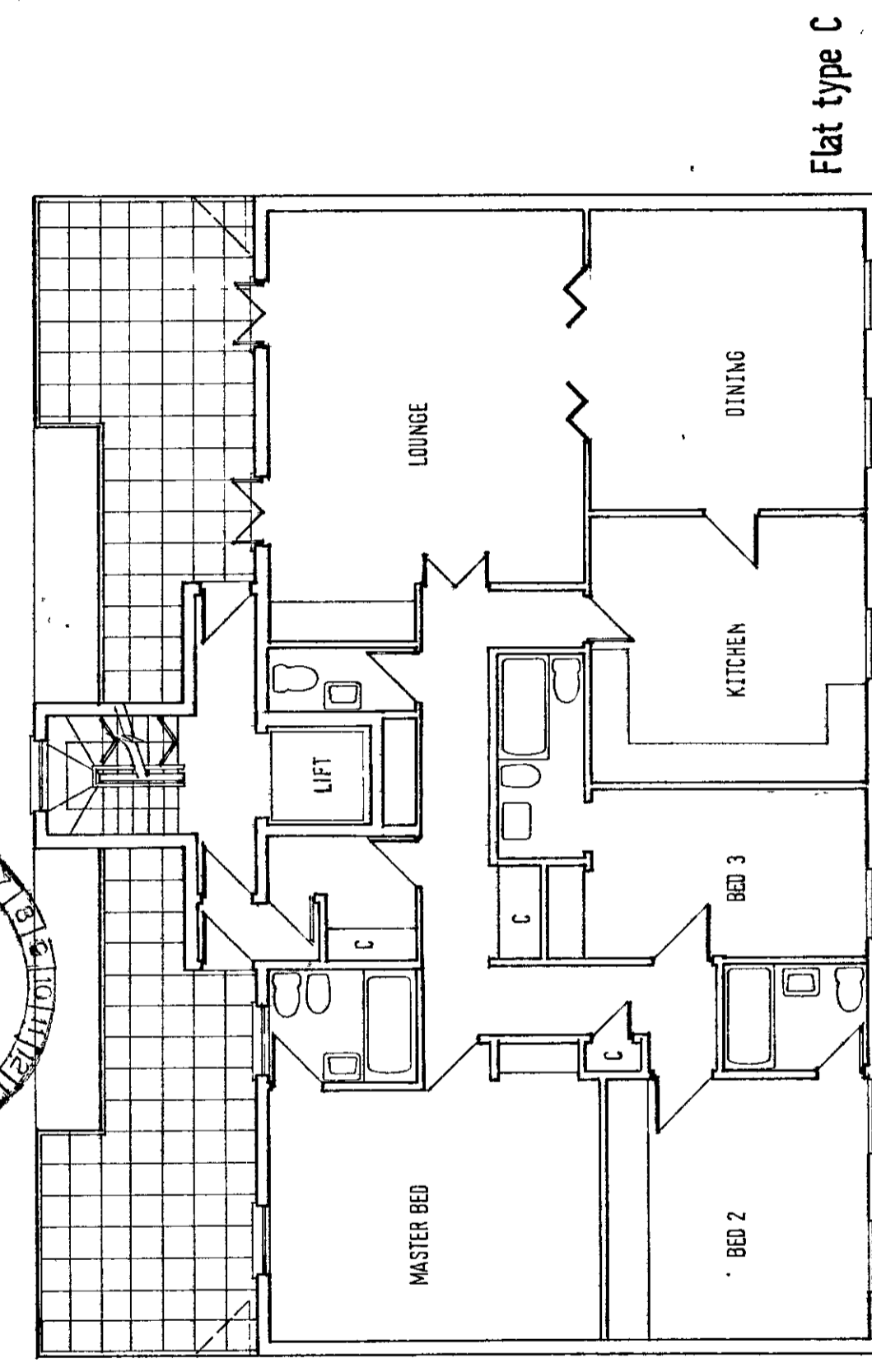
no	date	revisions
A	MAR 88	WINDOWS AMENDED



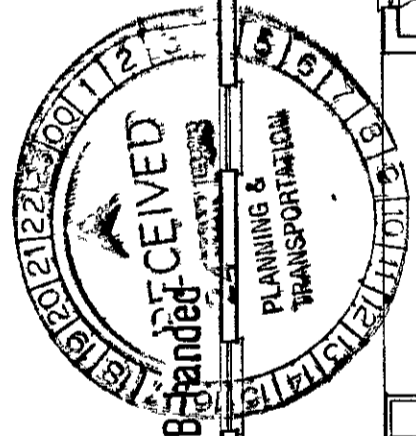
GROUND FLOOR



FIRST SECOND & THIRD FLOORS



PENTHOUSE



FP880632

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay | London
 0482 532735 | 01 938 2464

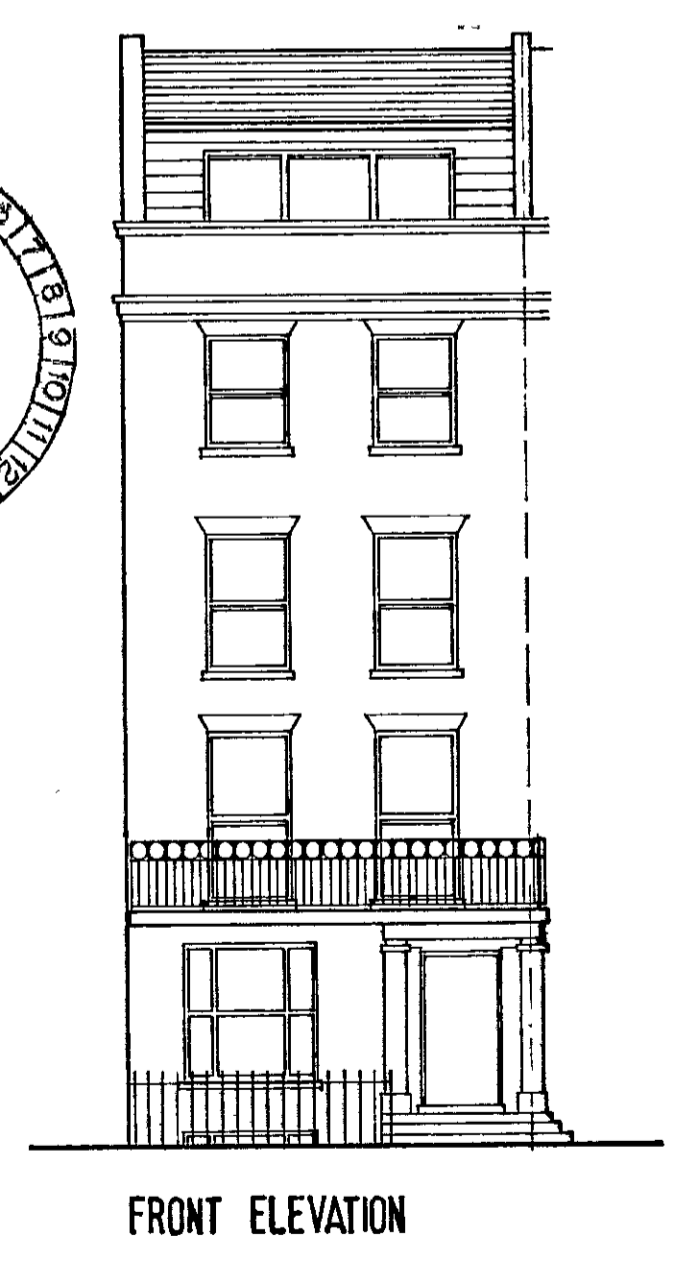
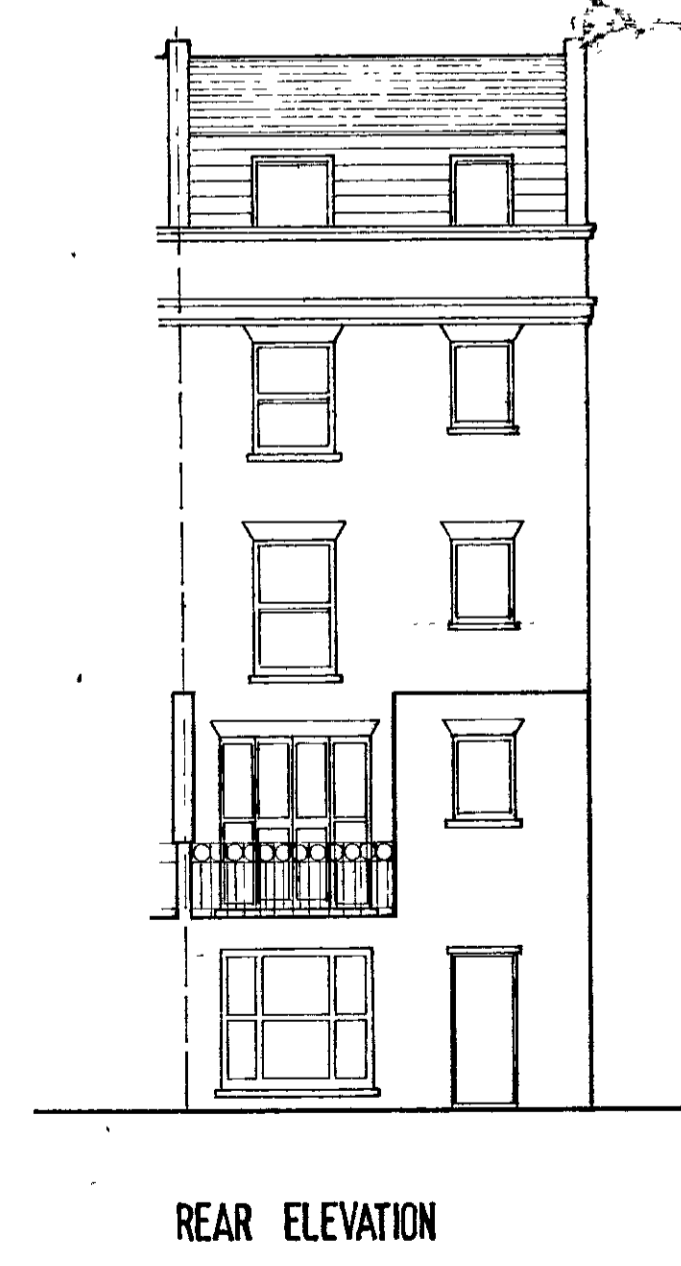
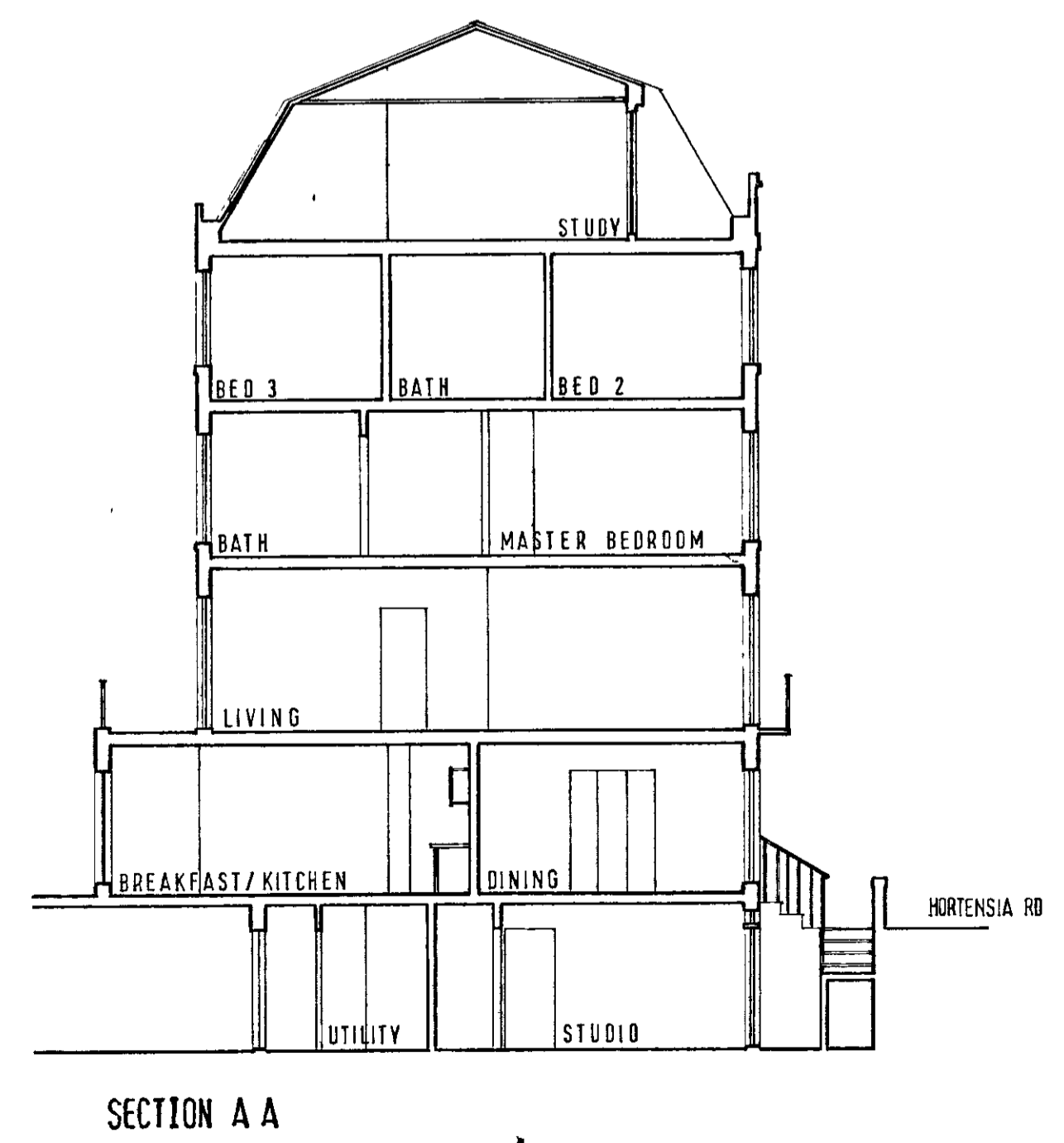
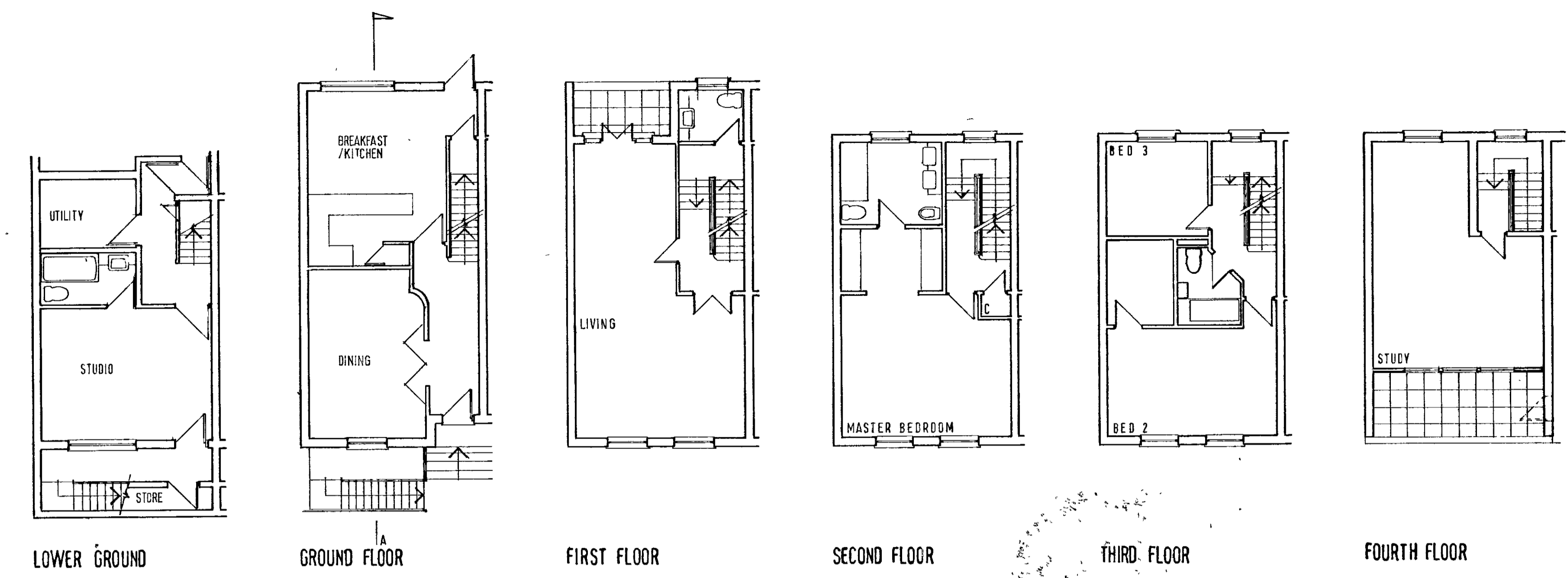
Job
HORTENSIA RD.

Title
FLAT PLANS

Drawn | Date
 | FEB '88

Drawing No
HTN /01/61 A

Scale
1:100



P880632

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
A	MAR '88	FRIDGE ROOM REMOVED
B	MAR '88	LWR GRND & GRND FLOORS REVISED
C	MAR '88	WINDOWS AMENDED

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

Job
HORTENSIA RD

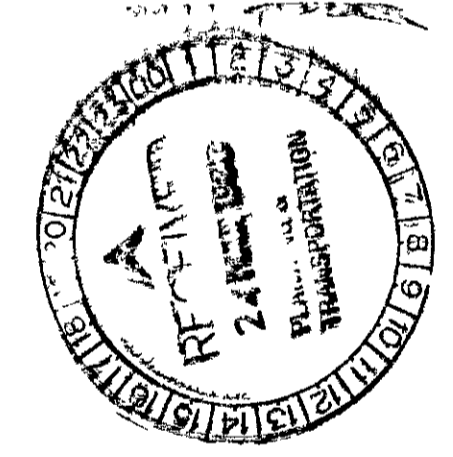
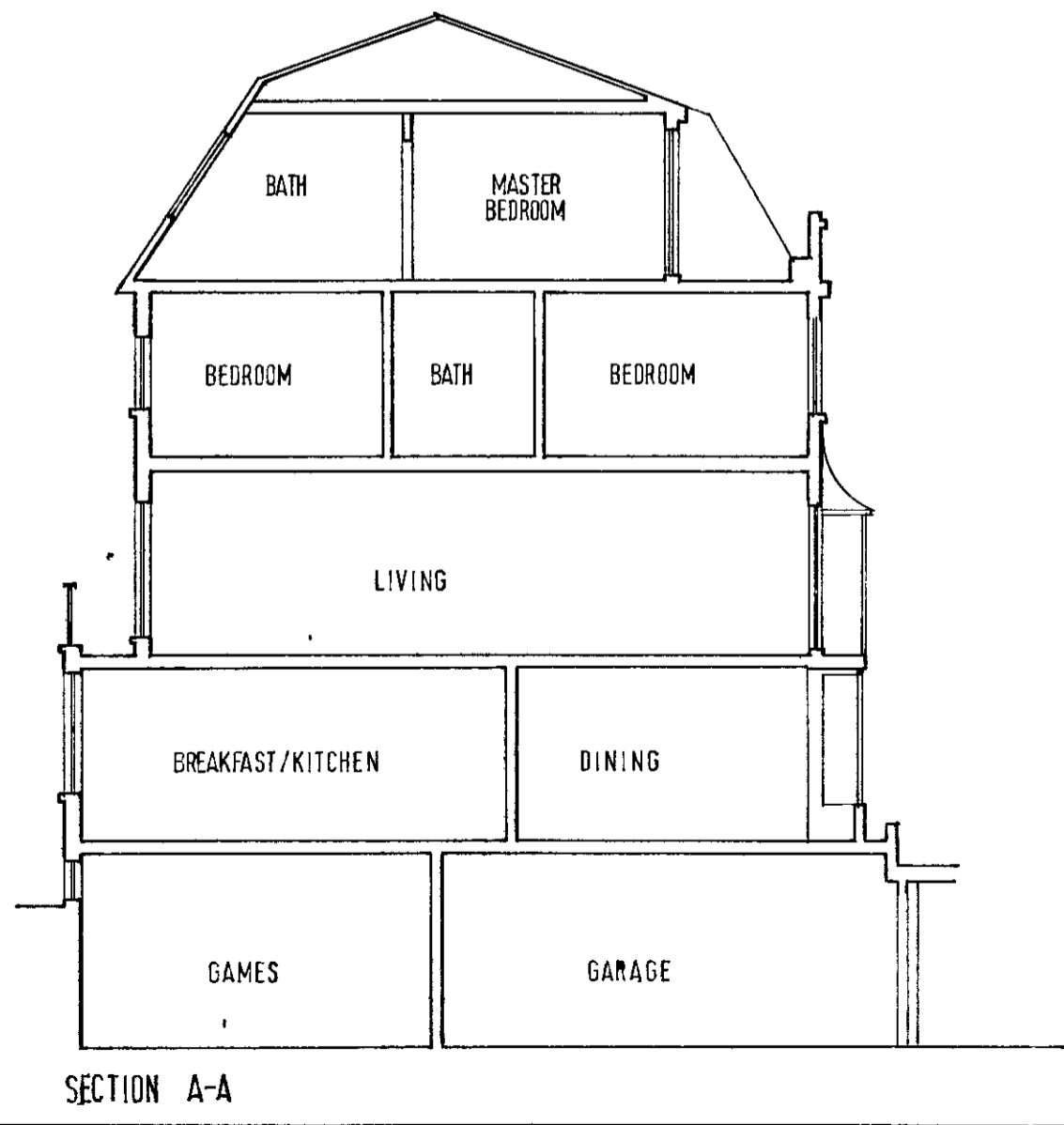
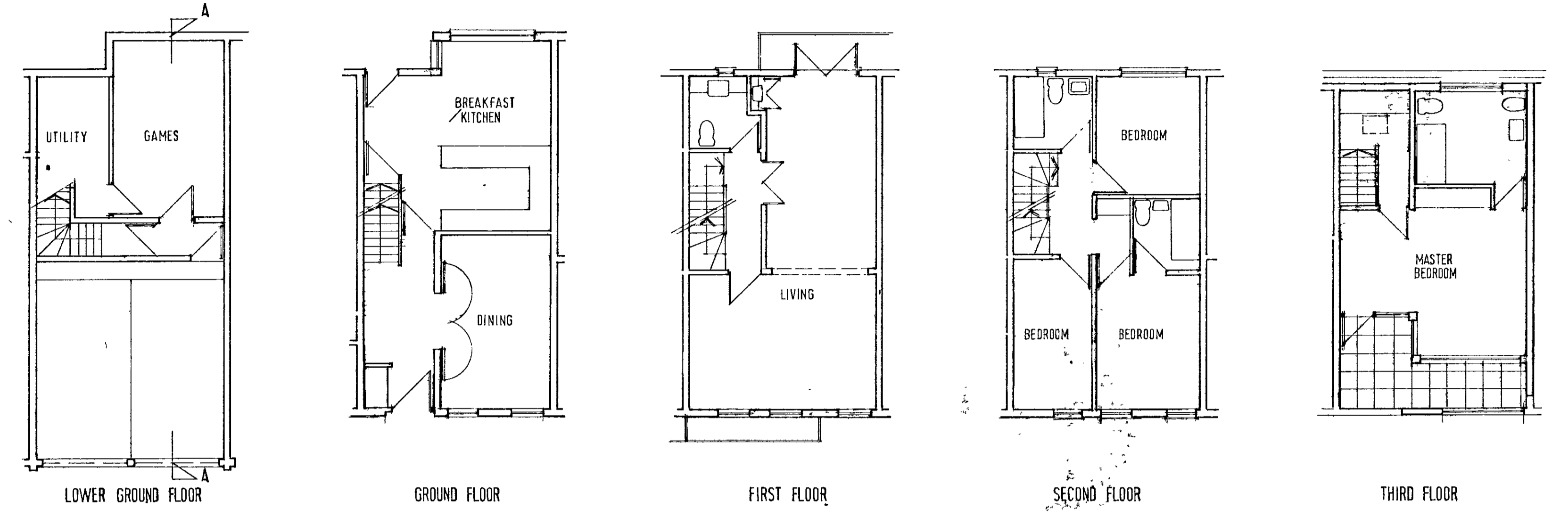
Title
HOUSE TYPE B'

Drawn
 Date
FEB 88

Drawing No
HTN/01/60 C

Scale
1:100

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



TP880632

no	date	revisions
A	1/8/87	MASTER BAY ADDED
B	1/8/87	PLANS & SECTION REVISED

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

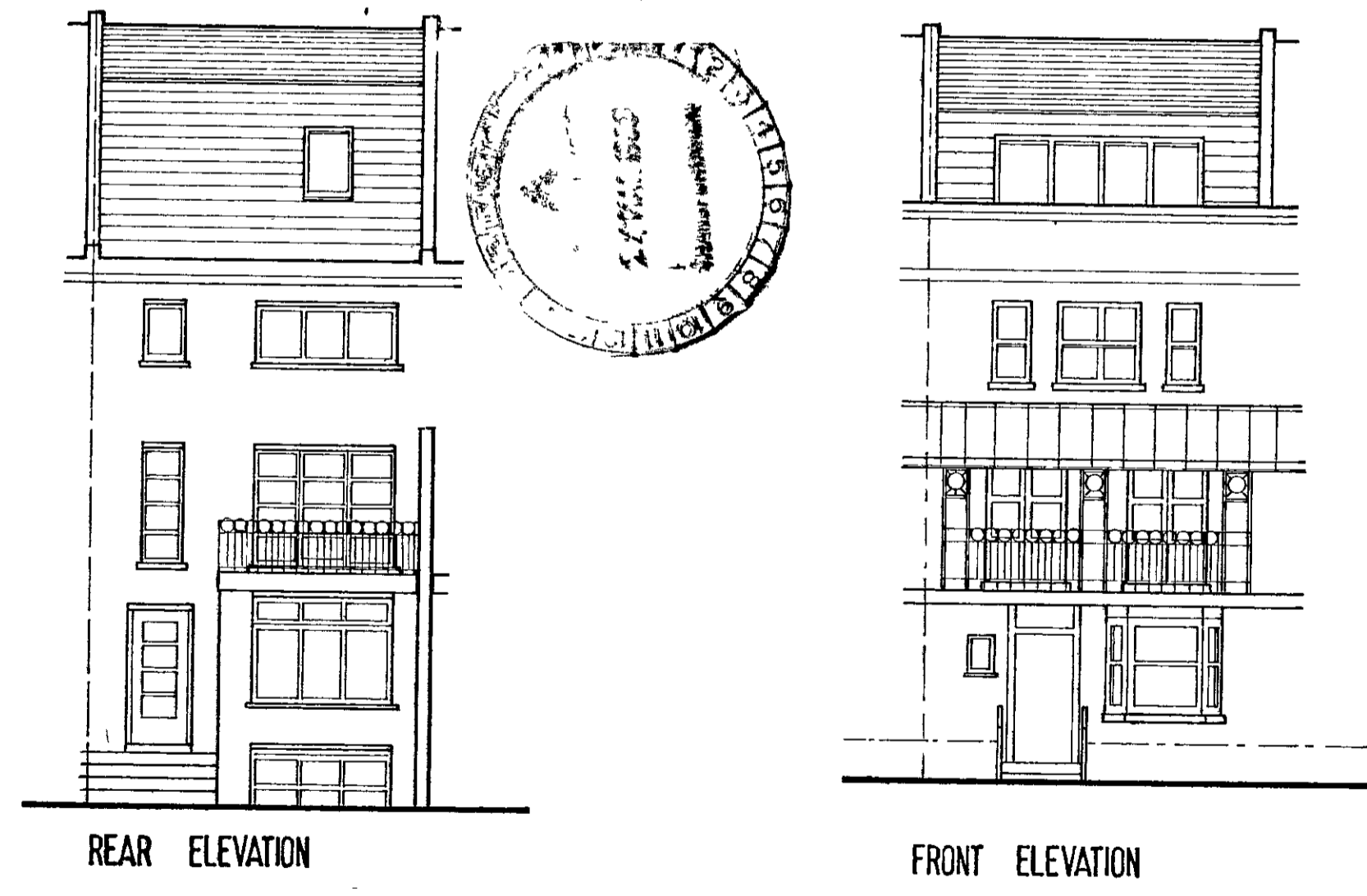
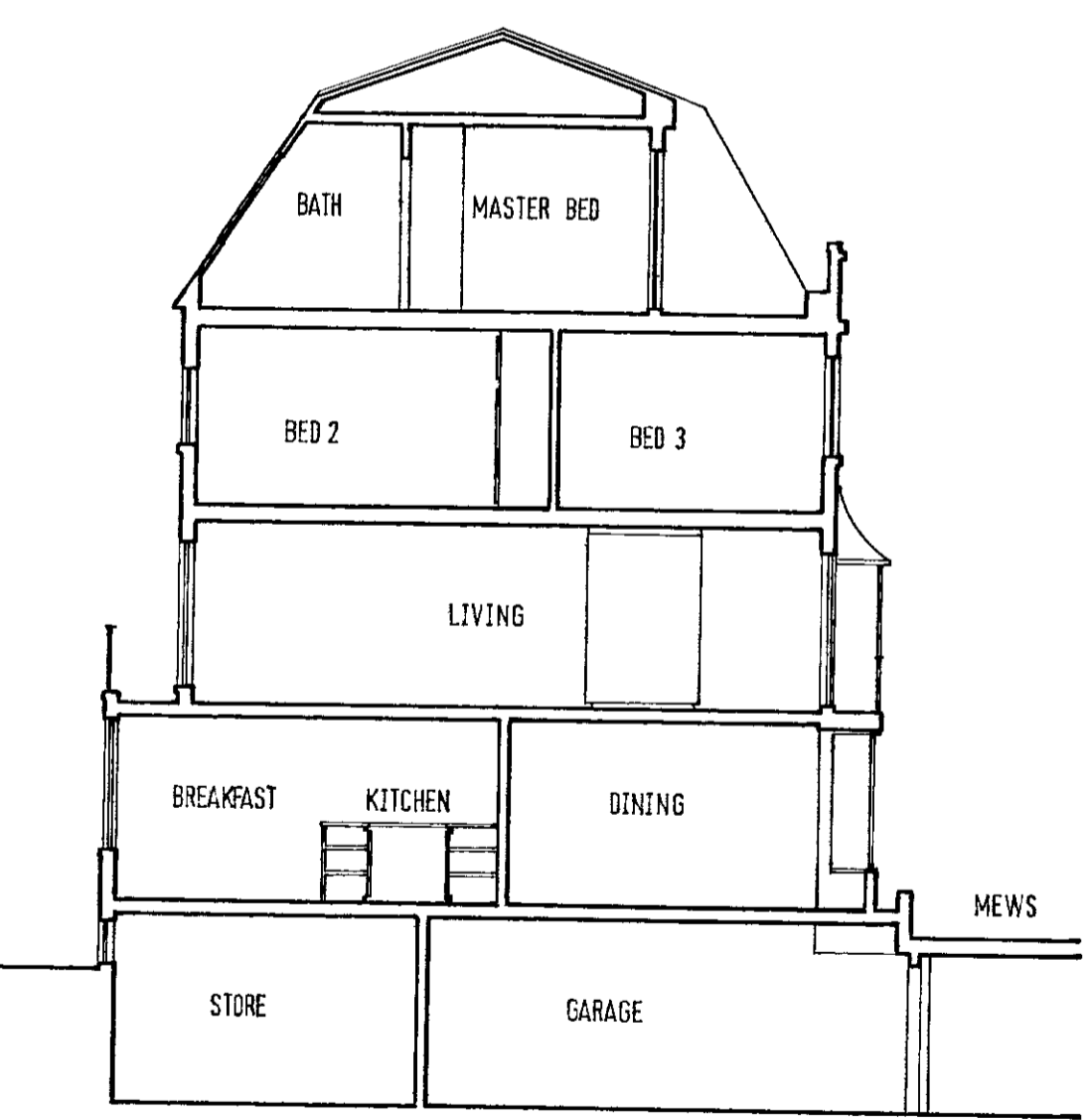
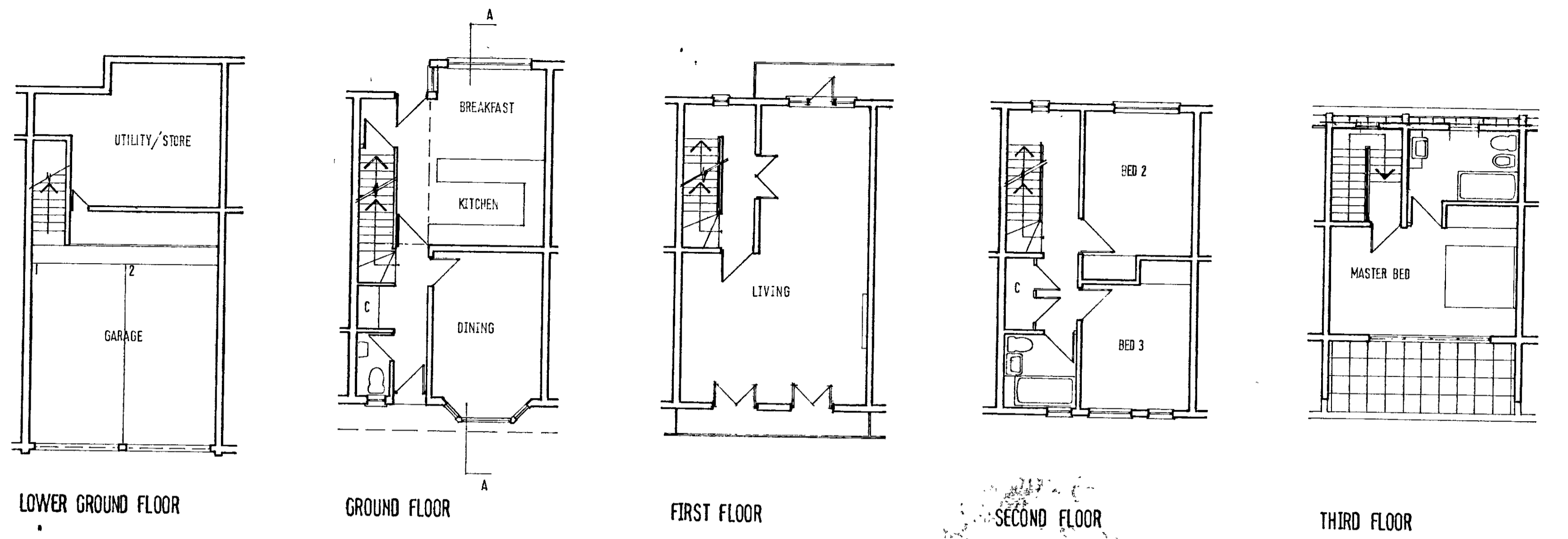
Job
 HORTENSIA RD

Title
 HOUSE TYPE A
 NO.2

Drawn | **Date**

Drawing No
 HTN/01/71 B

Scale



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
A	12/01/88	WINDOWS AMENDED

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 532735 London 01 938 2464

Job
 HORTENSIA RD.

Title
 HOUSE TYPE A
 No. 1

Drawn **Date**
 FEB '88

Drawing No
 HTN/01/64 A

Scale
 1:100

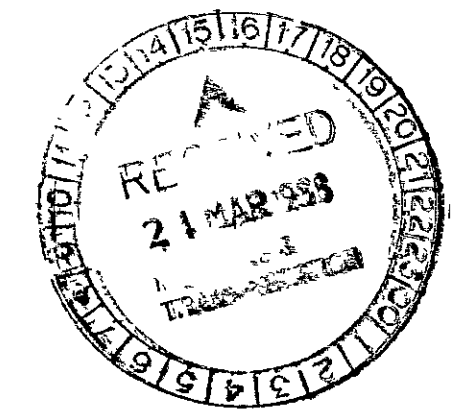
FP880632

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
A	3.88	LIFT MOVED OVER THE SWIFT PLANS. DOOR AND STAIR UNITS ADDED. CIRCULO IN PORCHHOUSE. ALTERED



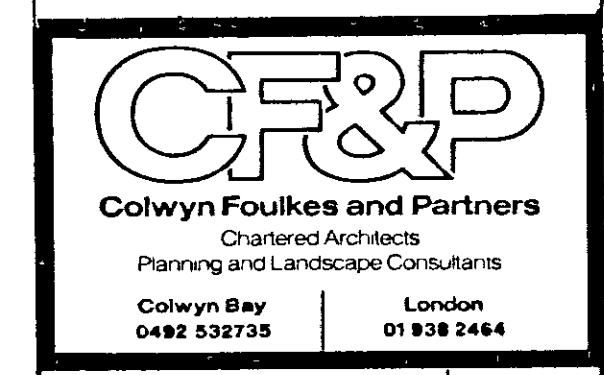
HORTENSIA TERRACE SOUTH ELEVATION



HORTENSIA TERRACE NORTH ELEVATION

F-860632

FINISHES
 Roof to be reconstituted stone slates
 Walls to be London stock and rusticated stucco
 Doors and window frames to be painted wood



Job
HORTENSIA RD

Title
ELEVATIONS

Drawn
 Date
FEB 88

Drawing No
HTN/01/67 A

Scale
1:100

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.

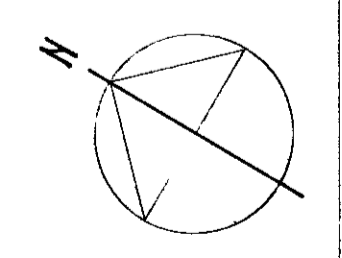
no	date	revisions
E	MAY 88	RE-DRAWING



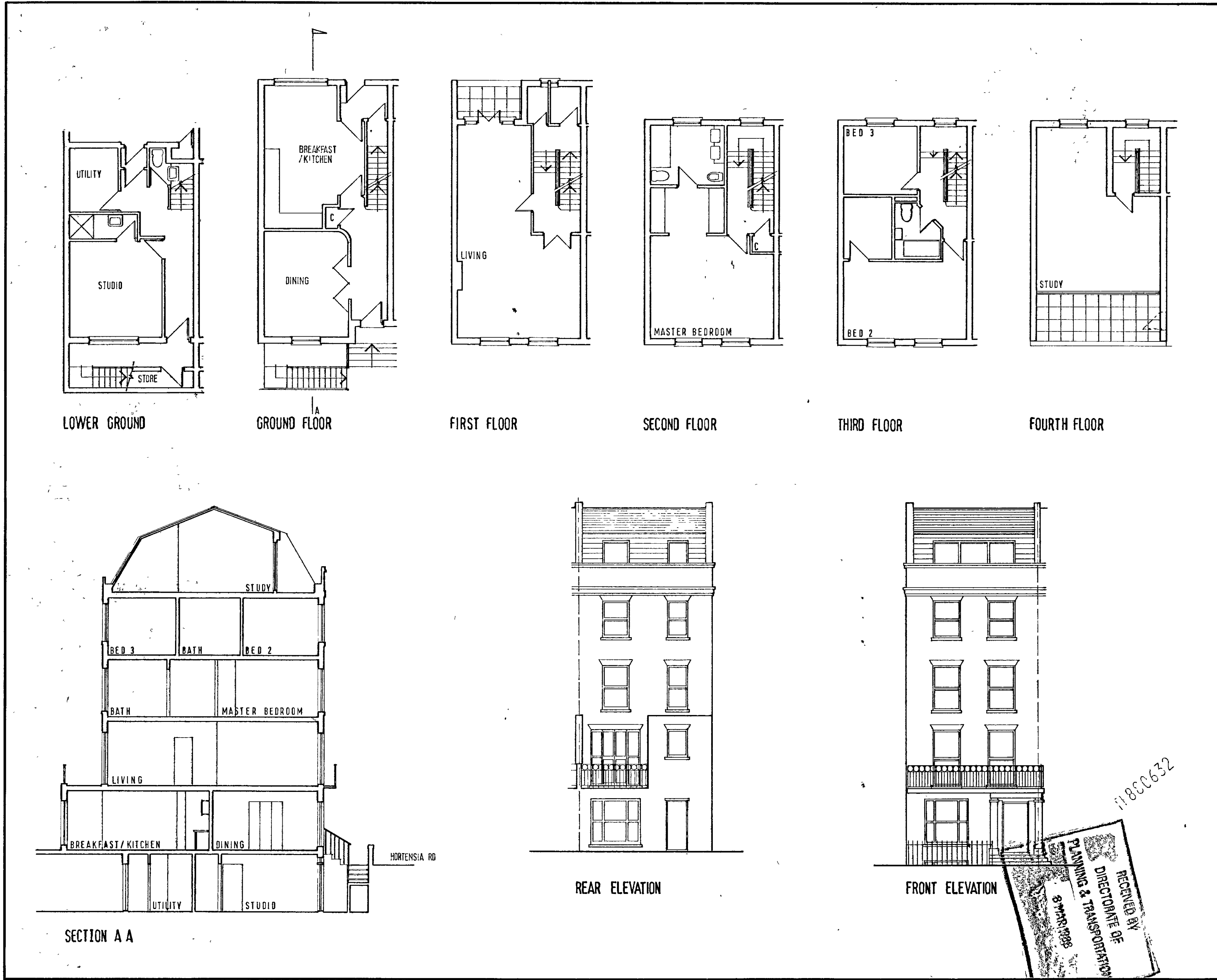
RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 18 MAY 1988
 NO

TP880632

READINGS TAKEN WITH SUNLIGHT INDICATOR S200
 LATITUDE 51°N
 ARROWS INDICATE LINE OF SUNPATH AT CRITICAL
 INTERSECTIONS
 THE HEIGHT GIVEN IS THE HEIGHT OF THE
 OBSTACLE ABOVE THE POINT BEING EXAMINED
 POINTS A, B & C ARE TAKEN TO BE 2m ABOVE
 GROUND LEVEL



Job	
HORTENSIA RD.	
Title	
SUNLIGHT CONDITIONS EXISTING	
Drawn	Date
	MAY 88
Drawing No	
HTN / 01 / 97	
Scale	
1:200	



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

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

Job
 HORTENSIA RD

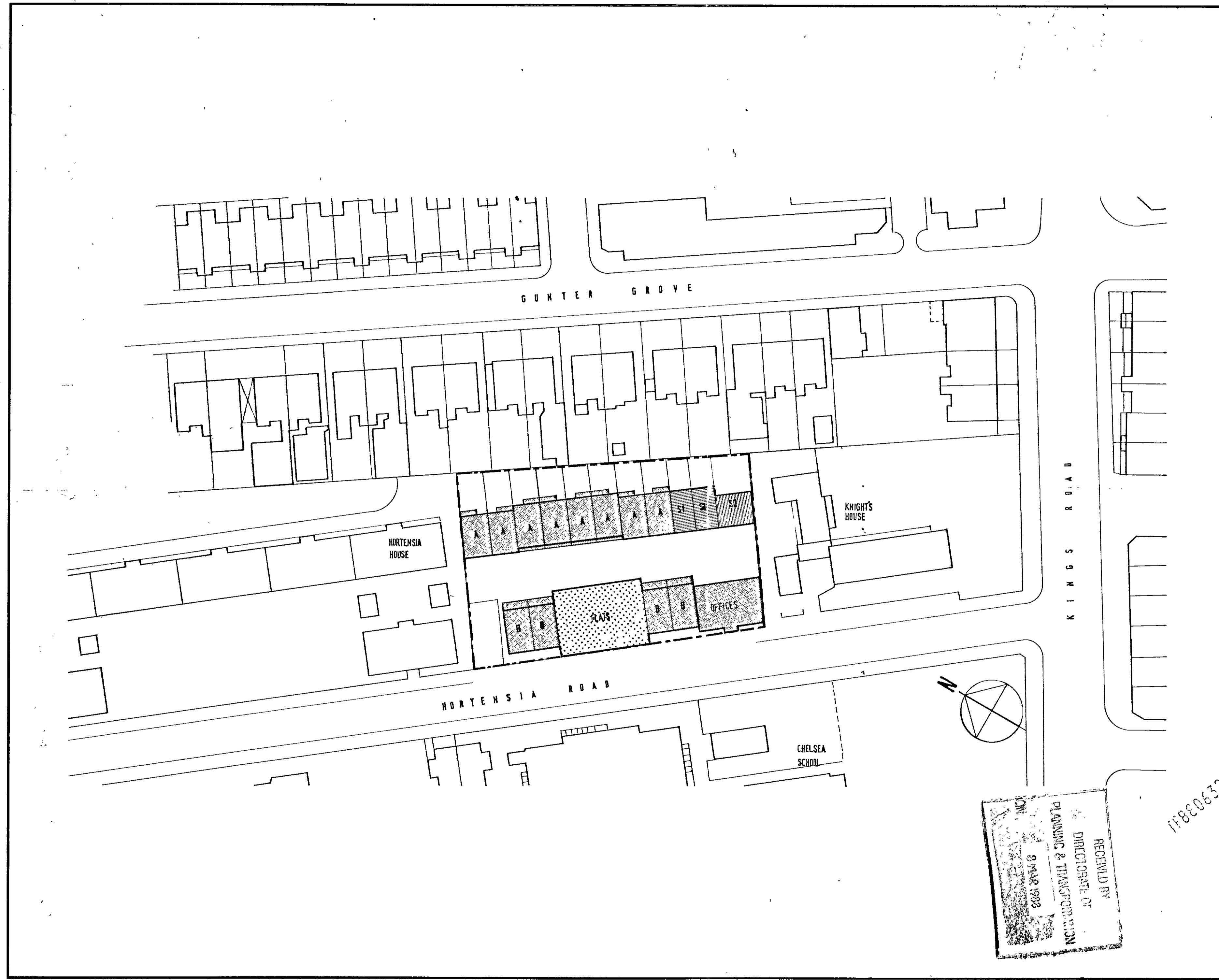
Title
 HOUSE TYPE B

Drawn | **Date**
 | FEB 88

Drawing No
 HTN/01/60

Scale
 1:100

RECEIVED BY DIRECTORATE OF PLANNING & TRANSPORTATION 8 APR 1988 11800632



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

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532738 | London 01 938 2464

Job
 HORTENSIA RD.

Title
 LOCATION PLAN

Drawn **Date**
 FEB '88

Drawing No
 HTN/01/59

Scale
 1:500

RECEIVED BY
 DIRECTOR OF
 PLANNING & TRANSPORTATION
 3 MAR 1988

11880632

TP189/12/37 72



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

RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSFORMATION
 8 MAR 1988

A—Trees to be removed

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

Job
HORTENSIA RD.

Title
SITE PLAN

Drawn
 Date **FEB '88**

Drawing No
HTN/01/58

Scale
1:200

IF8E0632

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
E	MAY 88	RE-DRAWN



RECEIVED BY
DIRECTORATE OF
PLANNING & TRANSPORTATION
16 MAY 1988

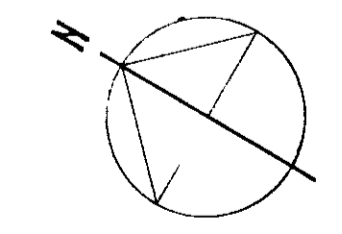
READINGS TAKEN WITH SUNLIGHT INDICATOR S200
LATITUDE 51°N

ARROWS INDICATE LINE OF SUNPATH AT CRITICAL INTERSECTIONS

THE HEIGHT GIVEN IS THE HEIGHT OF THE OBSTACLE ABOVE THE POINT BEING EXAMINED

POINTS A, B & C ARE TAKEN TO BE 2m ABOVE GROUND LEVEL

OUTLINE OF DAYLIGHT INDICATOR D200 TEMPLATE D1 AT EAVES HEIGHT 7m ABOVE POINTS A, B & C



CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0482 532735 London 01 938 2464

Job
HORTENSIA RD.

Title
SUNLIGHT CONDITIONS PROPOSED

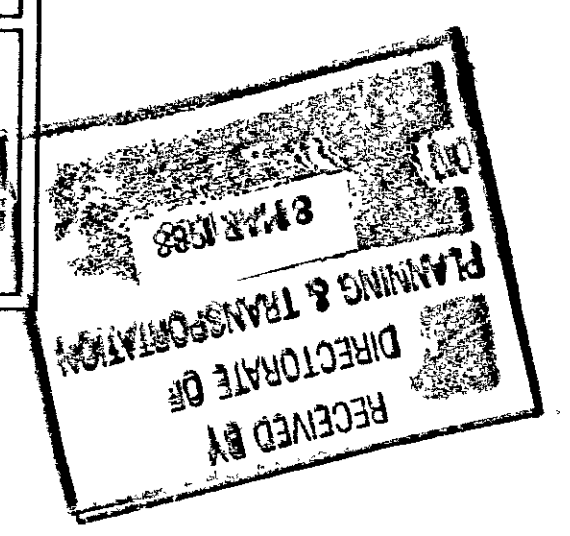
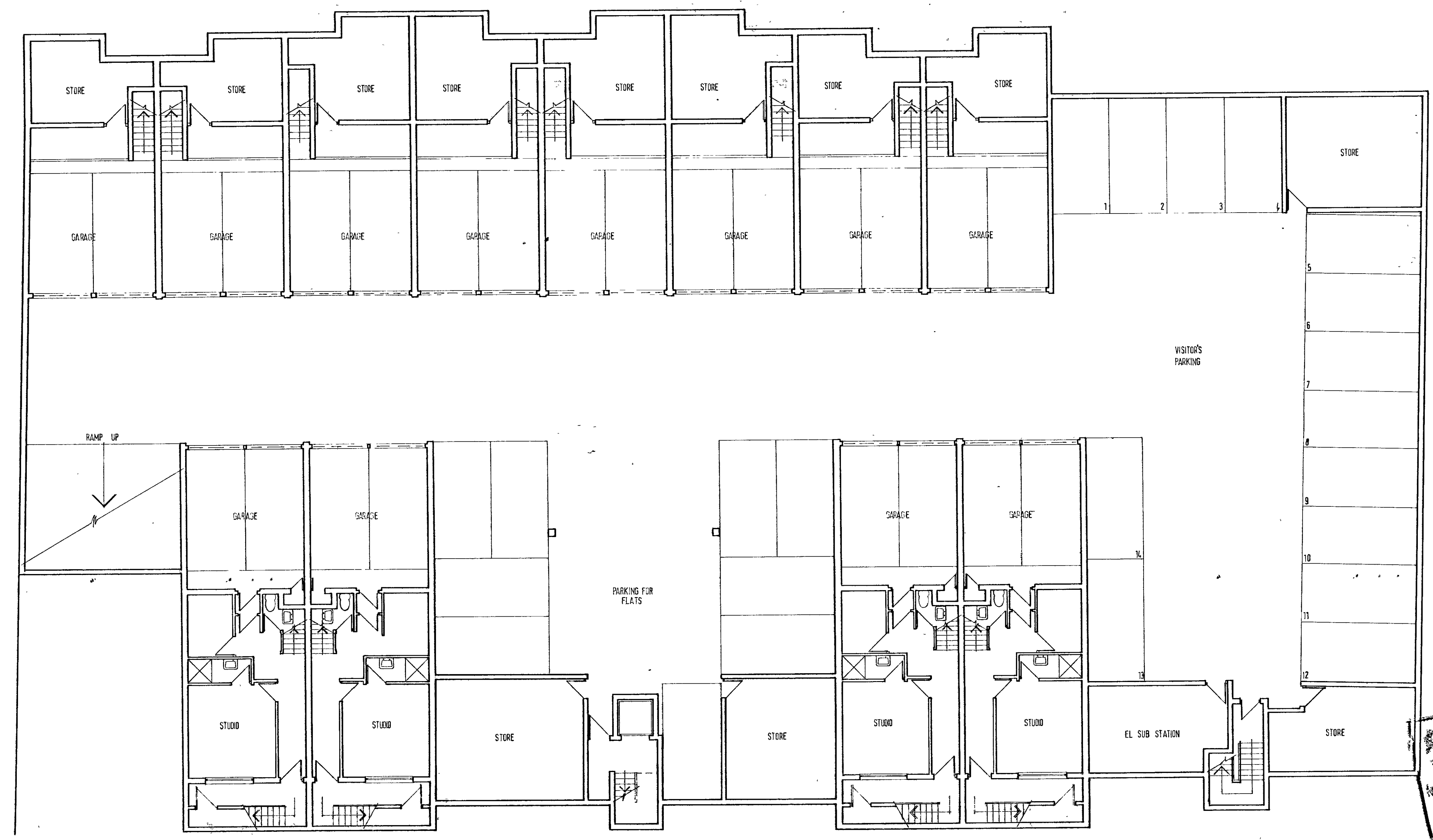
Drawn Date
MAY 88

Drawing No
HTN / 01 / 98

Scale
1:200

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



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay G446 532735 London 01 838 2464

Job
HORTENSIA RD.

Title
BASEMENT PLAN

Drawn _____ Date
FEB '88

Drawing No
HTN/01/57

Scale
1:100

IF8E0632

RBK & C DISTRICT PLAN OBSERVATIONS

T.P. Number 88 / 0633.	Address Chelsea College Site, Hortensia Road, SW10.	Date of Obs. 22/04/88
Development Demolition of existing building and erection of 12 houses, 9 flats and 684 sm of office floorspace		Obj. <input checked="" type="checkbox"/> No Obj. <input type="checkbox"/>
District Plan Paras. 5.6.4(i) / 13.3.2. 13.5.7.	Ward	Devt. Code
D.C. Officer JW		D.P. Officer GF.

Other Information

H = A₁ (4x7), A₂ (4x8), B (4x8), flats (6x4) (2x3) (1x7)

Comments

The proposal is to change from a D1 non-residential institutional use to a Class C3 Dwelling houses use and Class B1 Business use.

I have calculated that there are 129 habitable rooms in the development on a gross residential area of approx 0.225 hectares (extending the residential site to the middle of the road). This gives a figure of 516 hrh. The GLDP densities for family sized houses and flats are 175 hrh to 210 hrh (DP. 5.6.4(i) refers) - but it all depends on the architectural character and scale of the surroundings - so design obs are important.

Although this is not a preferred office location (DP 13.3.2.) ~~area~~, B1 Business use is acceptable here. Can we seek an assurance about the provision of small office suites (13.5.7.) If the development provided small office suites it would help to limit further pressure in the area to replace residential units, or shops, within or above shopping frontages.

Any reduction in the residential density should also be reflected in a lowering in the office content - perhaps to the front of the site.

Graham Foster

RECEIVED BY O. P. T. 16

On 9 FEB 1990

DC A	DC C	DC S	DC E	DC



Grimley J R Eve
CHARTERED · SURVEYORS



Grimley J R Eve

CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

REPRESENTATIONS OF BEHALF OF N. STOOP

HORTENSIA ROAD

NDL/SM/2891885
8 February 1990

Maxwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Eve MSc FRICS
Alastair H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Oliver J. N. Ogborn FRICS
Michael R. Corbett FRICS
Stephen H. Roberson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vick BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury-Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Malcolm C. Gloster FRICS
Robert J. Bould FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Oates BSc FRICS
Allan D. Mulvaney MA FRICS
Malcolm J. Whetstone BSc FRICS
Nicholas P. F. Whipp FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hepher BA ARICS MRTPI
David J. Vale BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACI/Arb
J. Don Smith FRICS ACI/Arb
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairlie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbinière BSc MPhil ARICS
Norton B. Asbury FRICS
Mary M. Mark MA ARICS
Ian M. Stinger BSc ARICS
Anthony J. Williams BSc ARICS

Associates
Colin S. Bell BA MRTPI
Mark Bingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

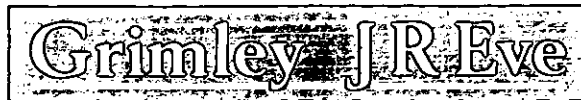
Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trollope BA ARICS
Mark R. Brunson BSc ARICS
Paul N. Bullman ARICS
Michael A. Chapman BSc ARICS
Graham Fairhurst BSc ARICS
Graham Gatlund FRICS
Matthew H. Hardy AVSA

David A. Heatherington BSc ARICS
H. Sian Kiner MA MPhil MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS

Plant and Machinery
Larry G. Burrows CEng MI MechE

Consultant
Norman More FRICS

Group Administrator
William Wood MBIM



CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

NDL/SM/2891885

Director of Planning & Transportation
The Royal Borough of Kensington & Chelsea
Hornton Street
London
W8 7NX

8 February 1990

For the attention of: Miss M Dent

Dear Sir

LAND AT HORTENSIA ROAD, LONDON, SW3

We are instructed by Mr Stoop of 42 Gunter Grove, to make representations on his behalf on the current planning application on the above mentioned site.

We have inspected the various application drawings, the model and the background papers. We have also attended several meetings with the developers and their architects.

Before considering the details of the scheme, and in particular its impact on 42 Gunter Grove, there are a number of general observations which need to be made.

A) General Points

i) Planning principles

It is a well established principle of planning law that every planning application must be treated on its individual merits. The fact that a previous scheme "may" have consent, for what on proper planning grounds is unacceptable, does not justify granting consent for a further unacceptable scheme.

The Government advises that consent should only be refused if 'demonstrable harm would be caused to interest of acknowledged importance'. In this instance interests of acknowledged importance would include:

- a) the protection of residential amenity
b) compliance with approved local plan policy and planning standards.

- continued -

Maxwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Eve MSc FRICS
Alastair H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Oliver J. N. Ogborn FRICS
Michael R. Corbett FRICS
Stephen H. Robinson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vick BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Malcolm C. Gloster FRICS
Robert J. Bould FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Oates BSc FRICS
Allan D. Mulvaney MA FRICS
Malcolm J. Whetstone BSc FRICS
Nicholas P. F. Whipp FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hephner BA ARICS MRTPI
David J. Vale BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACIArb
J. Don Smith FRICS ACIArb
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairlie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbiniere BSc MPhil ARICS
Norton B. Asbury FRICS
Mary M. Mark MA ARICS
Ian M. Stringer BSc ARICS
Anthony J. Williams BSc ARICS
Associates
Colin S. Bell BA MRTPI
Mark Billingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trollope BA ARICS
Mark R. Brunson BSc ARICS
Paul N. Bullman ARICS
Michael A. Chapman BSc ARICS
Graham Fairhurst BSc ARICS
Graham Gatland FRICS
Matthew H. Hardy ASVA

David A. Heatherington BSc ARICS
H. Sian Kiner MA MPhil MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS
Plant and Machinery
Larry G. Burrows CEng MI MechE
Consultant
Norman More FRICS
Group Administrator
William Wood MBIM

In order to depart from approved policy and standards it is beholden upon the developers to show that there are convincing and justifiable reasons to warrant such a departure.

ii) Previous Application

Whilst we do not oppose the principle of redevelopment on this site, part of the previous scheme (ie. the rear offices) had a very severe affect, and by any reasonable planning standards, an unacceptable affect, on 42 Gunter Grove. The photographs provided by Mr Stoop in his letter speak for themselves. A further photograph of the position of the development relative to 42 Gunter Grove and its garden is contained in Appendix 1 to this letter.

iii) Condition 8

The previous consent contained a condition which indicated that if the scheme was not implemented in accordance with the drawings then the permission would become null and void. The architects have acknowledged that the scheme has not been implemented in accordance with the drawings. Therefore on the wording of the condition, the existing planning permission must be construed as being dead.

iv) Residential Amenity

It has been argued by the developers and their architects that since the amenity of some of the adjoining residents may have been improved somewhat, then, the scheme should be granted though other residents suffer a loss of amenity. This is, in our view, a disingenous argument. It cannot be right to sanction a scheme where some residents gain at the expense of a lesser number, particularly where the latter suffer a very severe loss of amenity as in the case in this instance.

v) Site Area

Given a site of this size it should be possible to abide by normal standards for the protection of residential amenity. This might contrast, for example, with small infill developments in urban situations, where compliance with standards may be impossible or impracticable.

B) Specific Points

i) Accuracy of Drawings

On 21 December 1989 we wrote to the architects requesting confirmation that the application drawings were accurate and based on detailed site survey work. No reply has yet been received. From our own measurements, we estimate that the drawings are still inaccurate. For example we calculate that the development site abuts the rear garden wall of number 42 for 3.3m: in contrast to the developer's measurement of 3m. Such inaccuracies may not seem significant in overall terms. They are significant however at the very critical distances in this particular case between the rear offices and the adjoining residential properties in Gunter Grove.

ii) Overlooking

We attach a sectional plan (Appendix 2) which shows the exceptional close proximity of the proposed development with 42 Gunter Grove. The windows of the new scheme are only 8m from the living room of number 42.

Most boroughs adopt a minimum overlooking standards of 21m. Some boroughs also distinguish between overlooking between residential to residential and commercial to residential. A higher standard is adopted in the latter case. For example the London Borough of Hillingdon require 30m compared to 24.5m for residential to residential.

It is manifest that on overlooking grounds only the scheme is unacceptable. We would support the Council's view that the windows should be of obscured glazing. However this will not in itself go far enough. It is likely, for example, in the summer months that the windows will be opened, thus resulting in overlooking and possibly noise disturbance.

Without prejudice to our view that the rear elevation should be moved backwards we would suggest that the condition relating to the windows should require: a minimum cill height of 1.5m for each window, that the windows are on non-openable, and that obscured glazing should be used as well.

- continued -

iii) Sunlight

The DoE guidelines contained in their publication 'Sunlight and Daylight' require that buildings facing due south or east or west of south should have 3 hours sunlight on 1st March. Based on the developers plan we estimate (see Appendix 3) that 42 Gunter Grove enjoyed 3 hours 55 minutes sunlight before the development compared to the 2 hours 0 mins it will have once the now proposed development completed. The proposal thus fails to meet accepted planning standards for sunlight.

iv) Outlook

Loss of outlook is not normally sufficient to justify a reason for refusal in itself. In this case the loss of outlook is extremely severe. The new office buildings are only 8m away from number 42, ie. the length of a large sitting room.

The distances between the new residential properties and those in Gunter Grove (see Plan in Appendix 4) are designed in part to prevent serious problems of loss of outlook. We cannot therefore understand why a lesser distance should be deemed appropriate for commercial buildings relative to 42 Gunter Grove.

v) Housing Density

The Borough Plan advocates densities up to 247 habitable rooms per hectare. The previous scheme proposed a density of 500 habitable rooms per hectare. If anything this density may have been increased by the latest scheme. No reasons are advanced by the developers to justify such a high level of density. The drawbacks of developing at this density are manifest by the problems of overlooking and loss of outlook etc.

vi) Office Policy

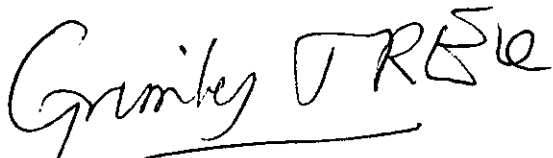
The previous scheme as reported to and approved by the Committee specified an office floorspace of 674 sq m. The revised scheme increases this to 1,100 sq m. The reason for the difference seems to be, from reading the Planning Officer's report, that some of the commercial floor space was to be occupied by the University of London and thus was not recorded as office space.

The Borough's policy on B1 Offices is that over 465 sq m takes office proposals outside the B1 use category, ie. they are no longer suitable to be located within a residential area. The developers have advanced no case to justify a departure from Borough policy in this respect.

Conclusions

1. In our view the proposed juxtaposition of the new office block in 42 Gunter Grove is wholly unacceptable on planning grounds.
2. The rear office block will result in a serious loss of outlook, privacy, quiet and light. It manifestly fails to satisfy reasonable and acceptable planning standards.
3. In the Planning Officer's report it is stated that the concerns of residents are supported in relation to the previous approved scheme. The officers then stated that the revisions which have been made constitute a "token modification". As a matter of logic if something is unacceptable and the modification to it is only 'token' one cannot reach the conclusion that it is now acceptable.
4. This is a large site where there is scope to comply with normal planning standards in contrast to more restricted urban infill developments.
5. The scheme conflicts with housing density and office policy. No special circumstances are advanced to justify an exception being made. In the absence of this justification this scheme will set a precedent for similar development elsewhere.
6. In our view planning permission should be refused.
7. Alternatively, the application should be held in abeyance and the developers asked to further amend the rear office block as shown on the attached plan - Appendix 5.

Yours faithfully



MESSRS GRIMLEY J R EVE
CHARTERED SURVEYORS

APPENDICES

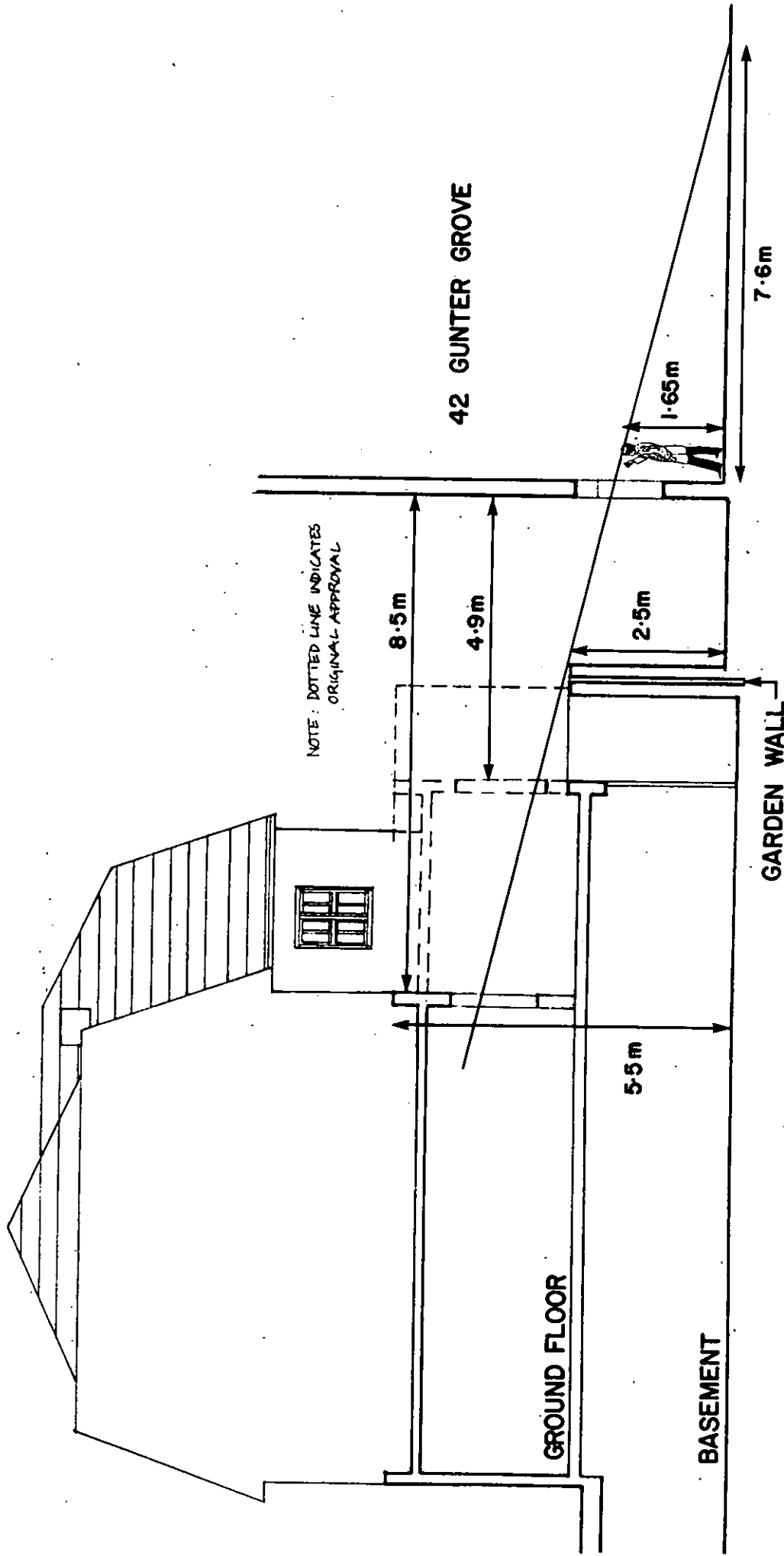
- APPENDIX 1 : OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE
- APPENDIX 2 : OVERLOOKING FROM 42 GUNTER GROVE TO
PROPOSED DEVELOPMENT
- APPENDIX 3 : SUNLIGHT
- APPENDIX 4 : DISTANCES BETWEEN PROPOSED AND EXISTING
BUILDINGS
- APPENDIX 5 : PROPOSED MODIFICATIONS TO REAR OFFICE BLOCK

APPENDIX 1

OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE







APPENDIX 2

OVERLOOKING FROM

42 GUNTER GROVE

TO PROPOSED DEVELOPMENT



CHARTERED SURVEYORS

11 Hill Street, London, W1X 7FB

Mellier House, 26a Albemarle Street, London, W1X 3FA

Tel: 01 895 1515

SCALE	1:100	DATE	FEBRUARY 1990
JOB No		DRAWN BY	



542

42

1 1/2 hrs

NOON

KNIGHTS HOUSE

Sunlight
before
3 hrs 55 mins
after
2 hrs 0 mins

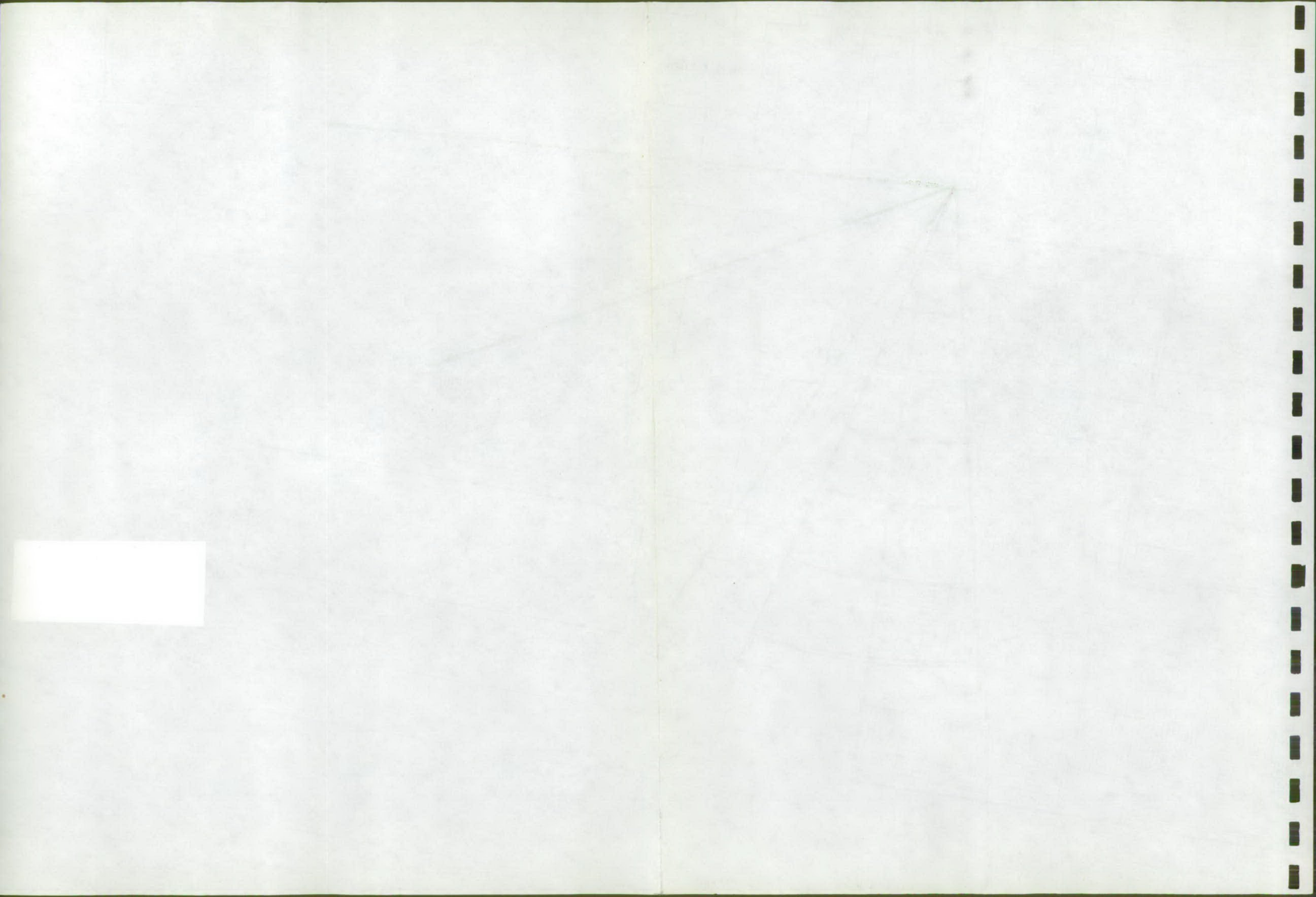
**APPENDIX 3
SUNLIGHT**

TURNING AREA FOR
SERVICE VEHICLES

2 hrs 25 mins

30 mins

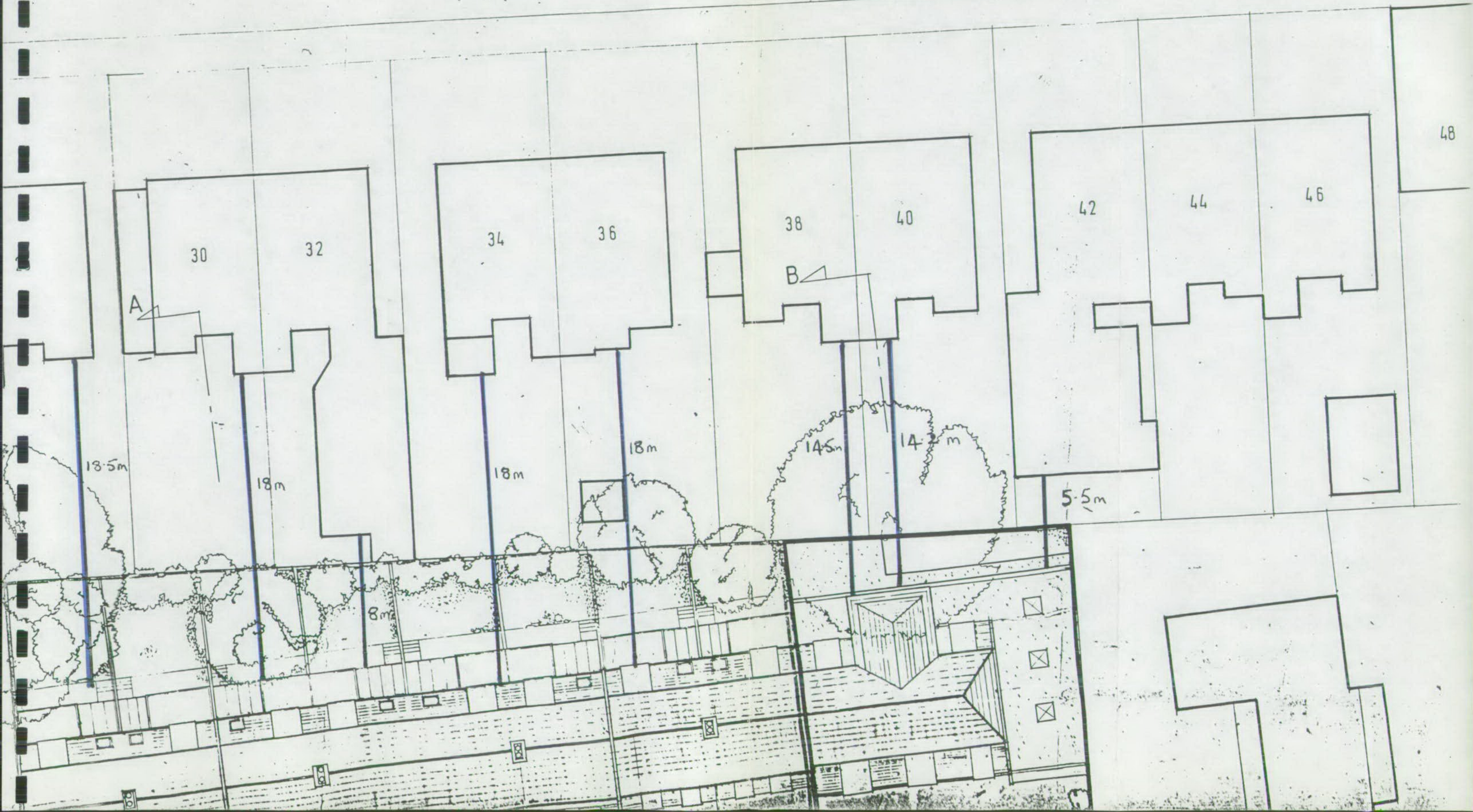
Scale 1:200

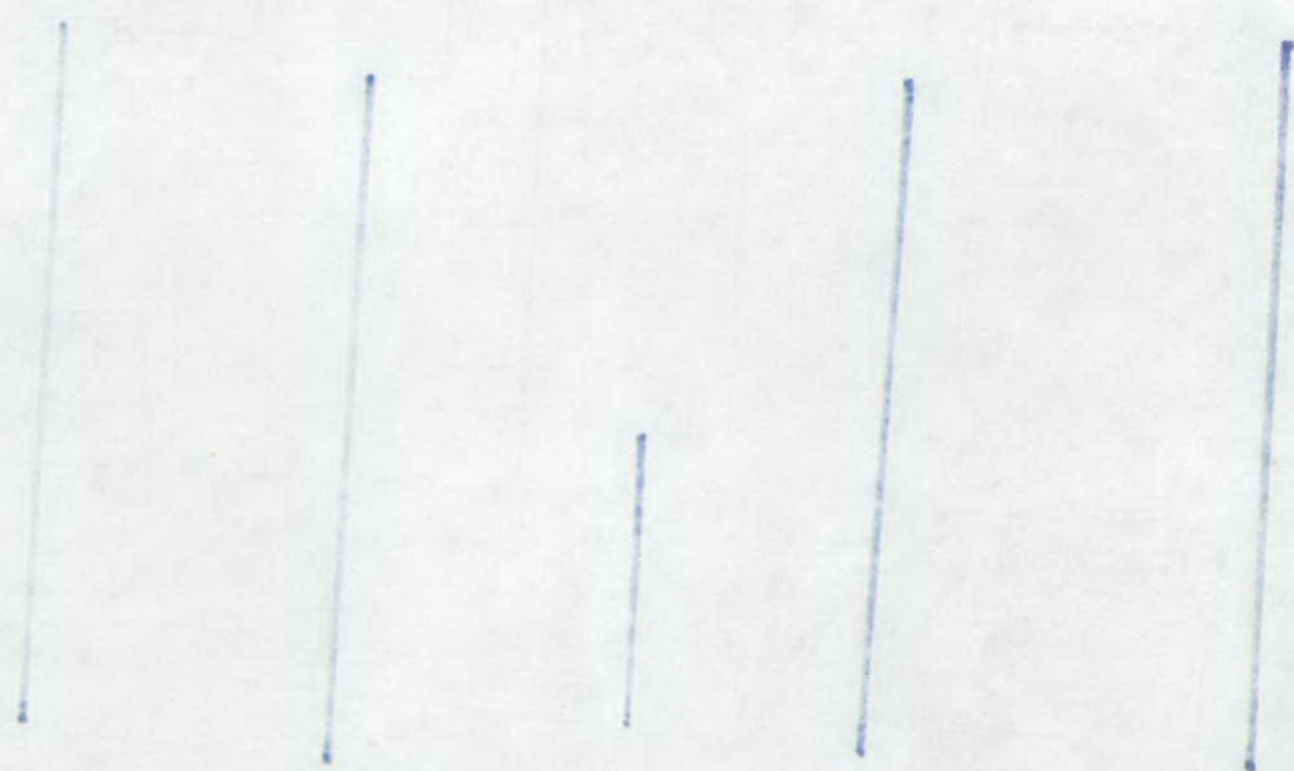
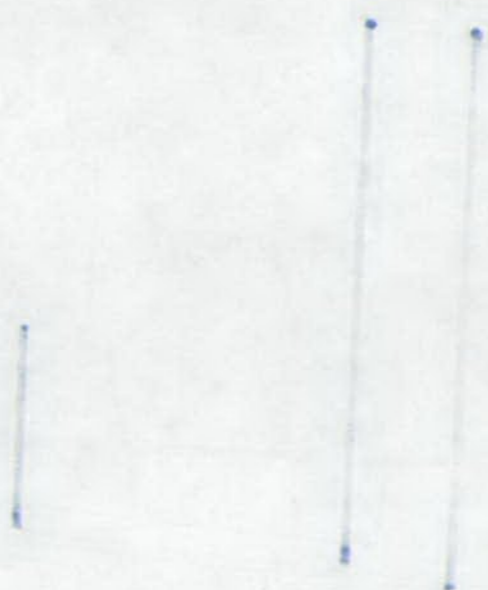


APPENDIX 4

DISTANCES BETWEEN PROPOSED AND EXISTING BUILDINGS

GUNTER GROVE





PROPOSED MODIFICATIONS
TO REAR OFFICE
BLOCK



28

30

32

34

36

38

40

42

44

46

A

B

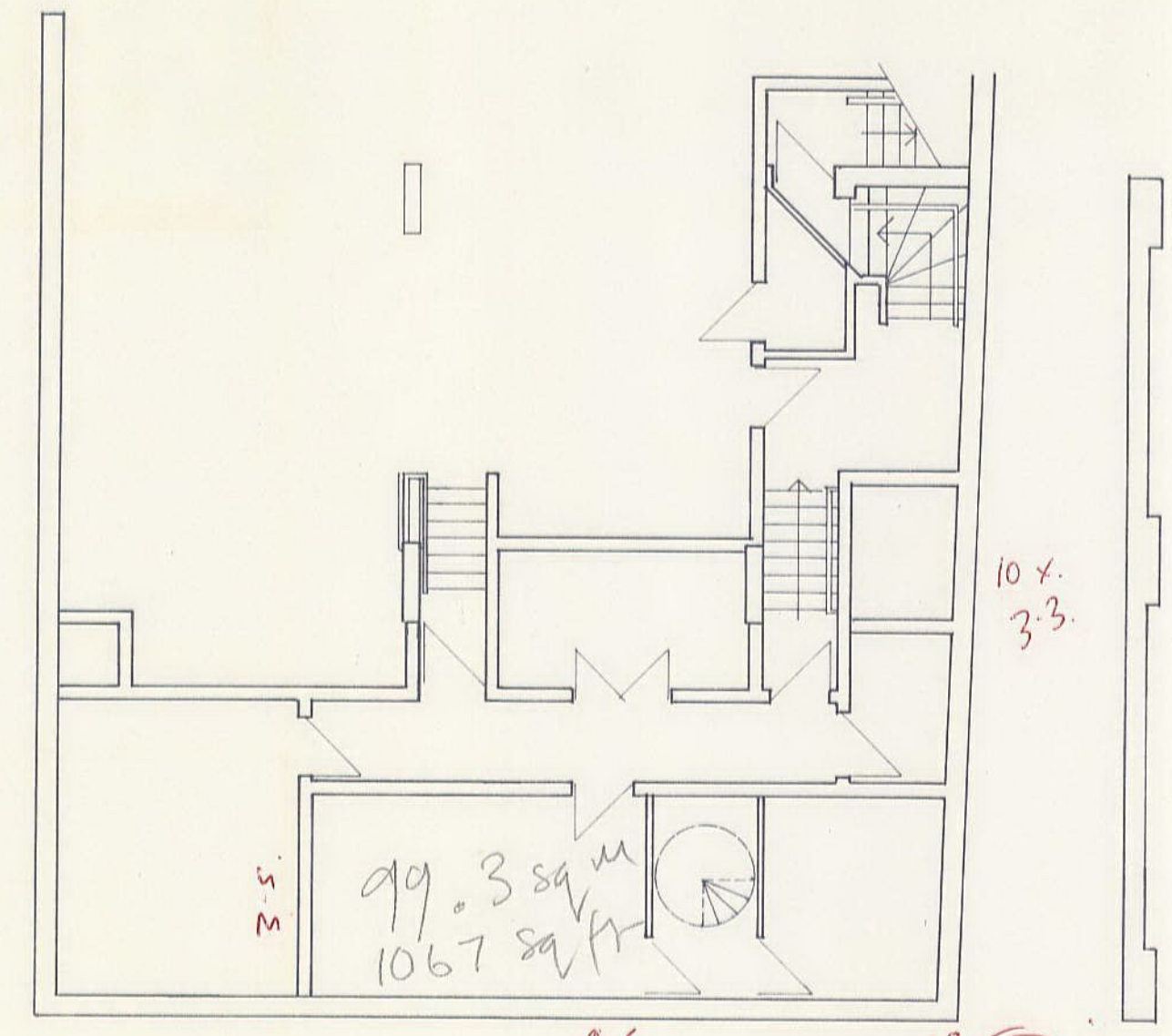
AREA TO BE LANDSCAPED
TO PROVIDE A BUFFER
BETWEEN OFFICES AND
RESIDENTIAL PROPERTY

CONTINUED LINE
OF REAR ELEVATION
OF RESIDENTIAL PROPERTIES

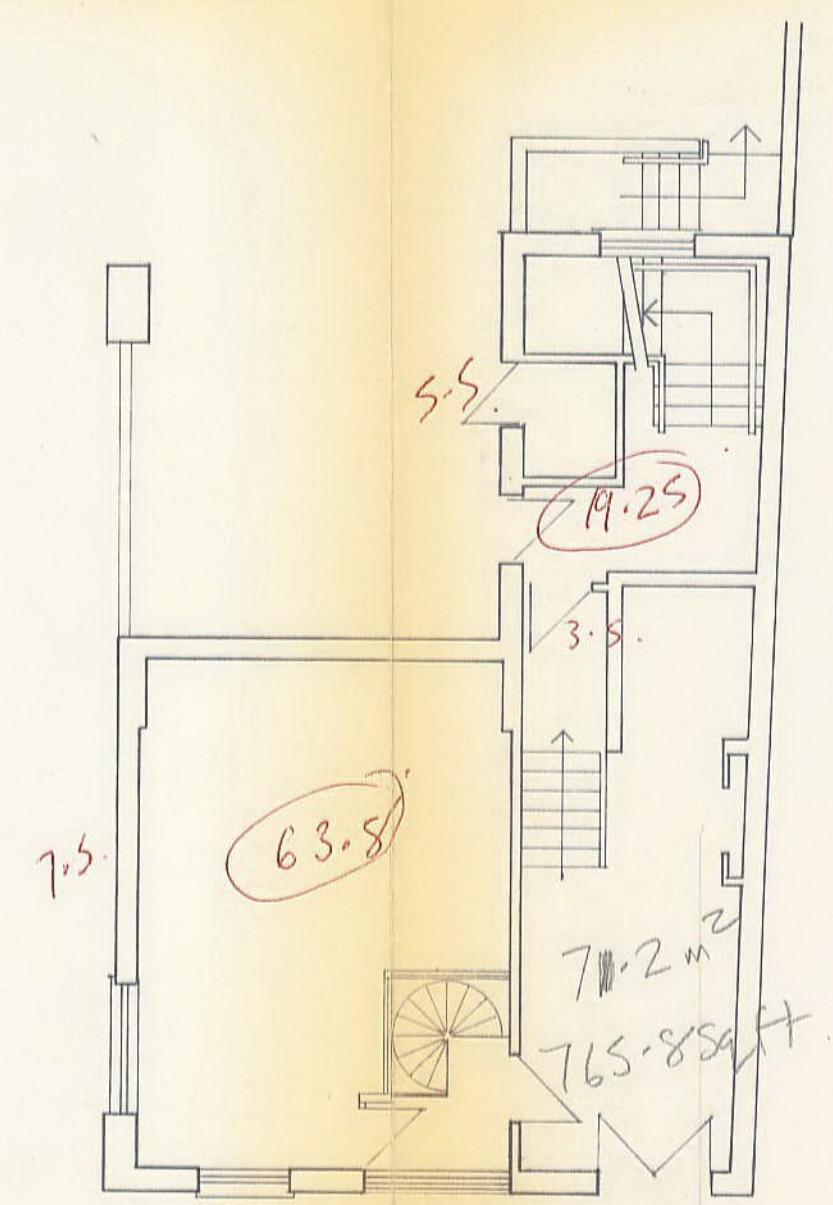
REAR OFFICES
HEIGHT TO BE REDUCED
BY 1 STOREY TO
MITIGATE LOSS OF LIGHT,
OVERLOOKING, LOSS OF
OUTLOOK, ETC.

TURNING AREA FOR
SERVICE VEHICLES

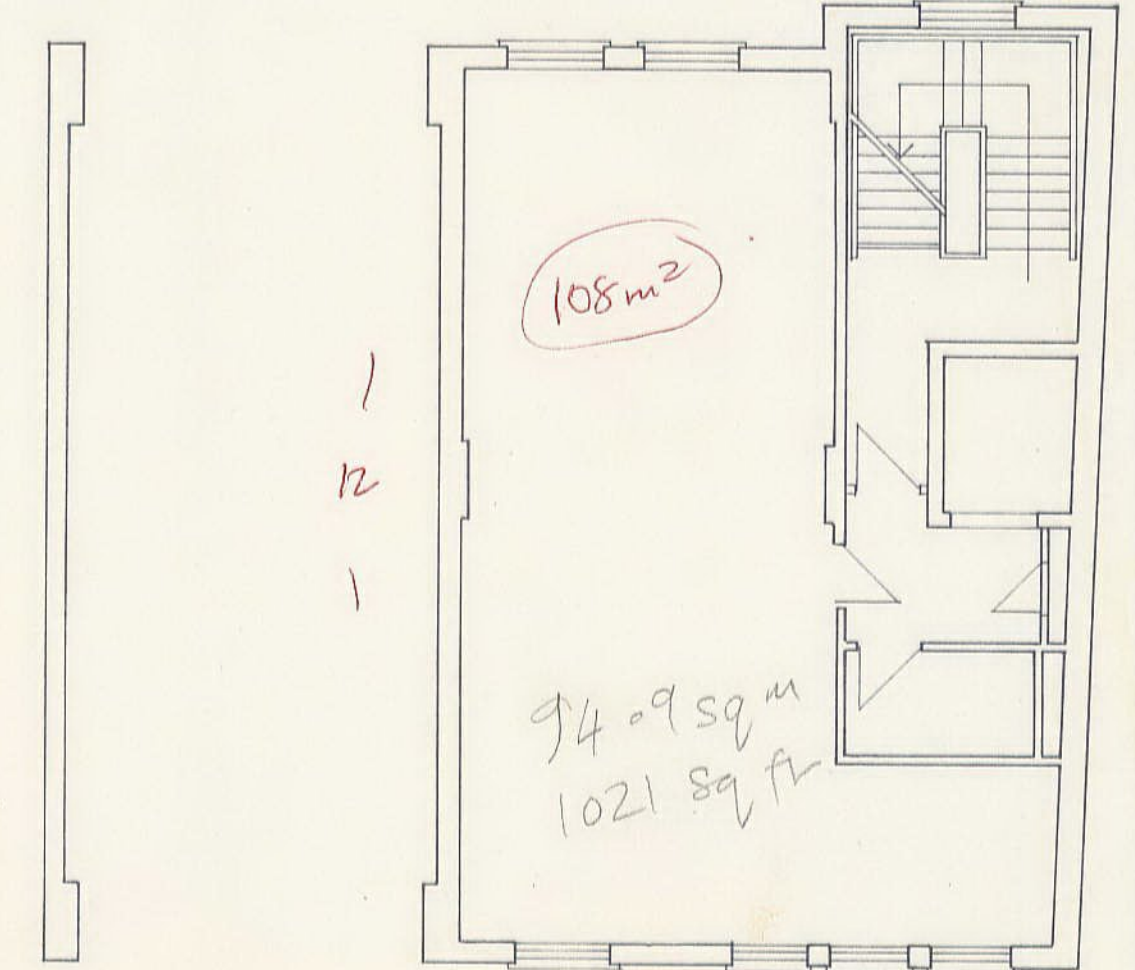
PORTERS
LODGE



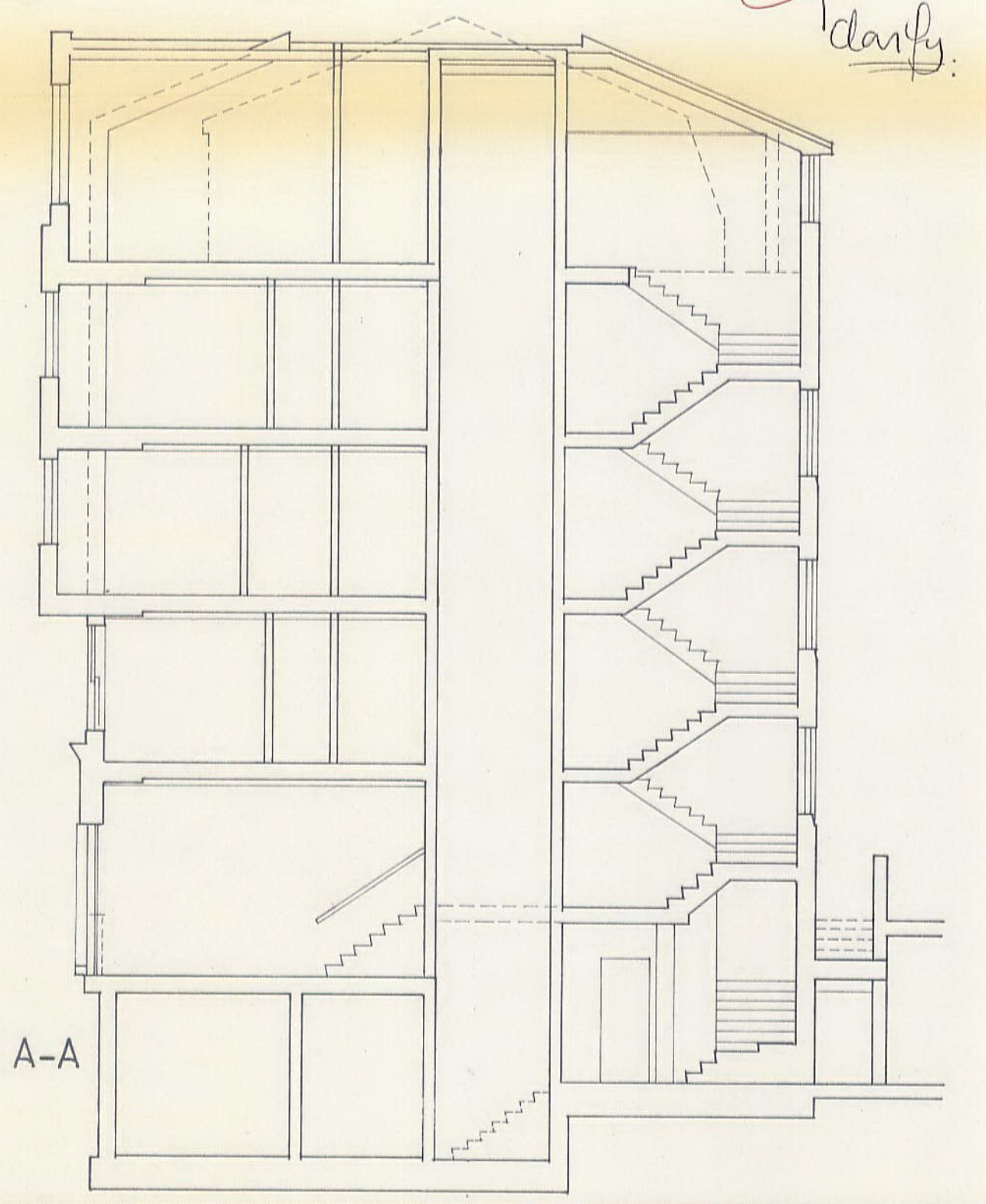
BASEMENT



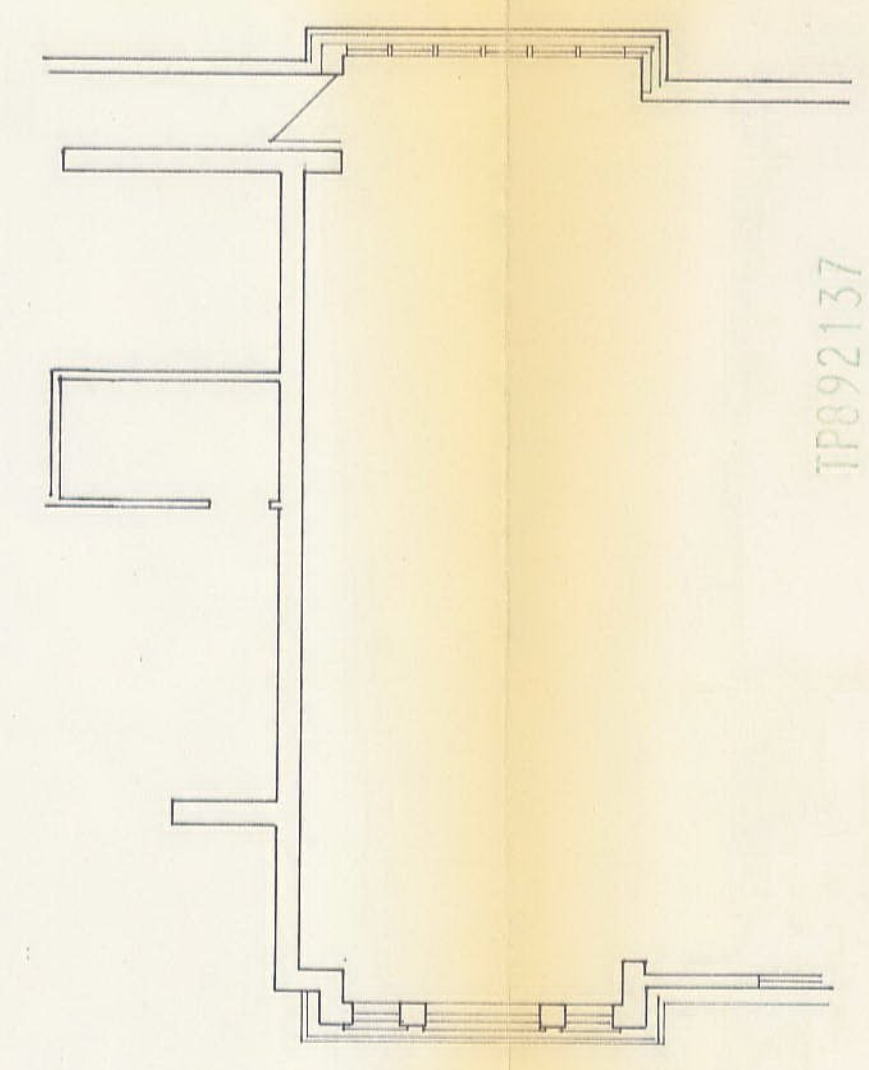
GROUND FLOOR



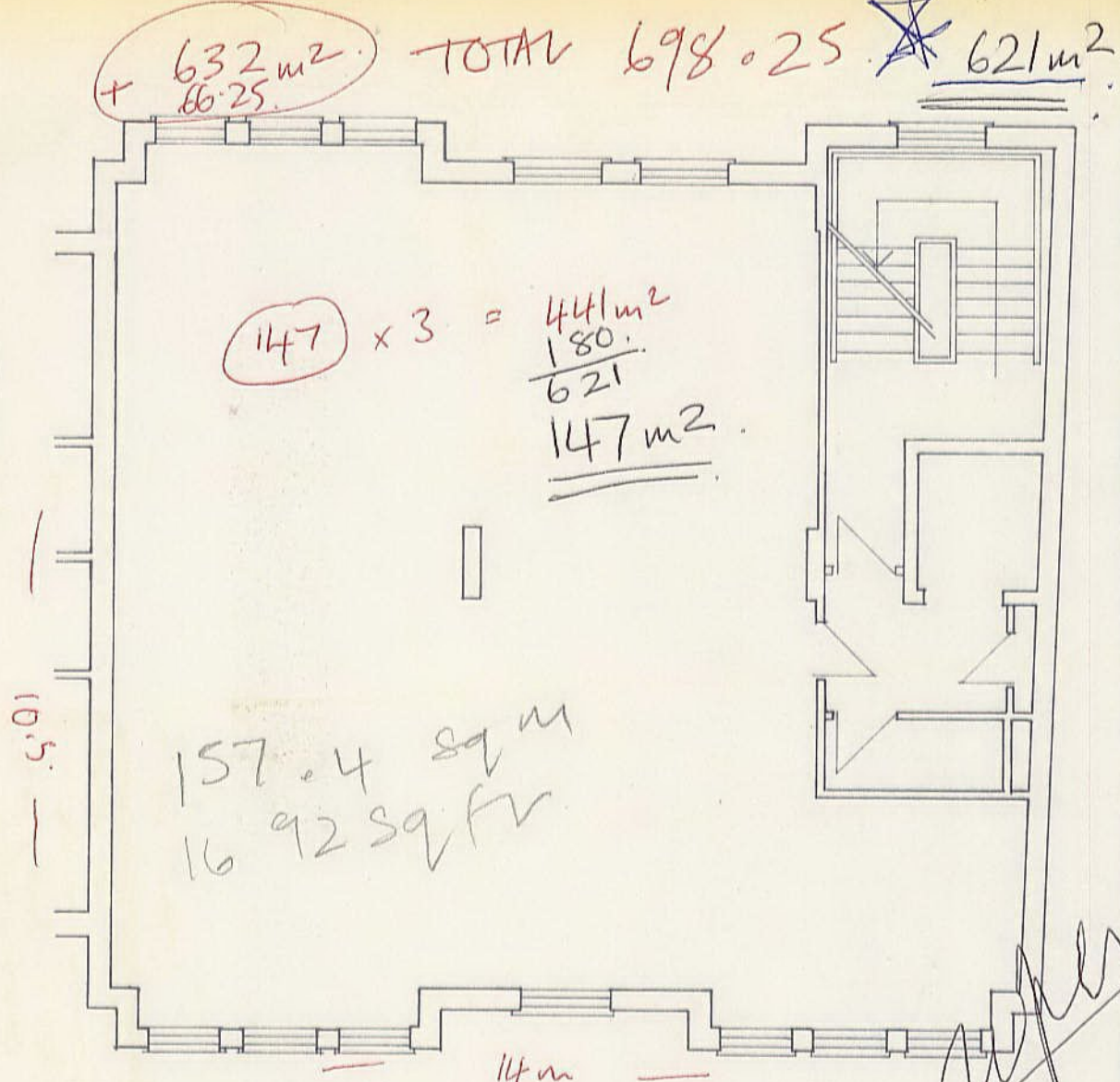
FIRST FLOOR



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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.

620 m²
total gross for front office

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

Job
HORTENSIA ROAD

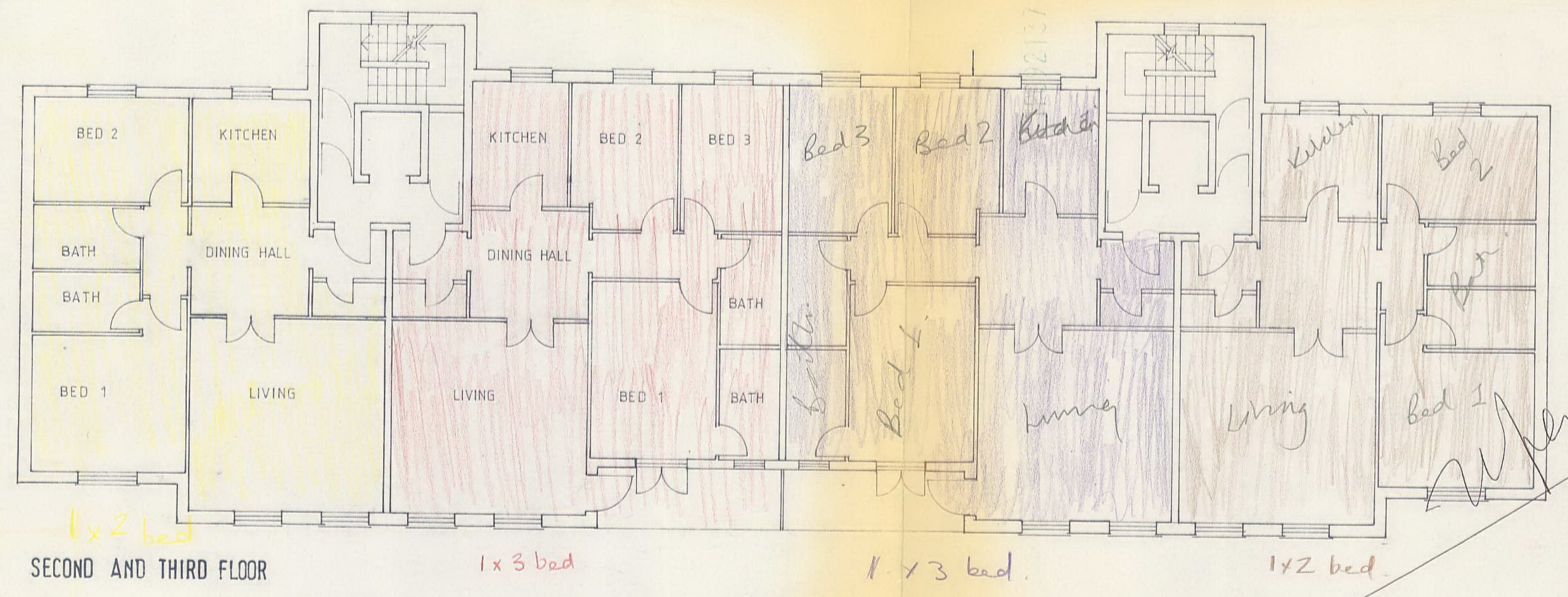
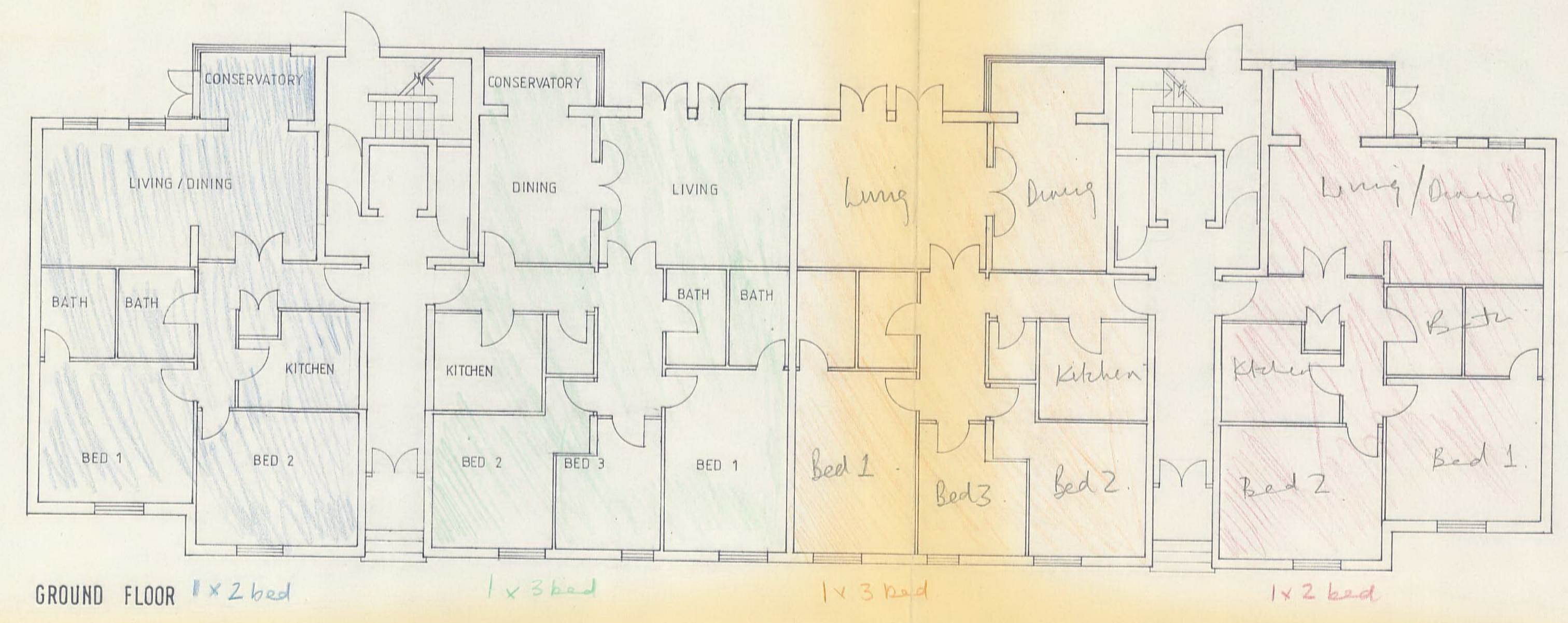
Title
FRONT OFFICES
18 DEC 1989

Drawn
Date
DEC 89

Drawing No
HTN/01/114 rev D

Scale
1:100

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
A	DEC 87	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532735 London 01-926 2464

Job
 HORTENSIA ROAD

Title
 FLAT PLANS
 RECEIVED BY D.P.F.
 11 DEC 1987

Drawn [Signature] **Date**
 DEC 88

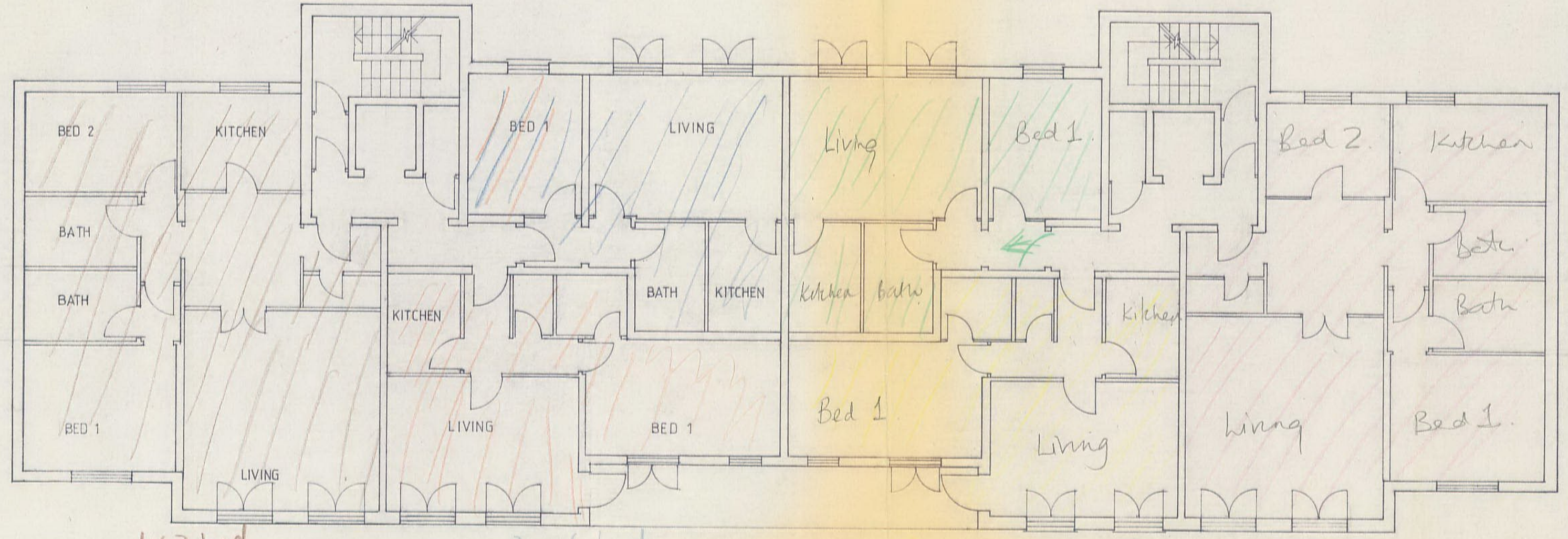
Drawing No
 HTN/01/120 A

Scale
 1:100

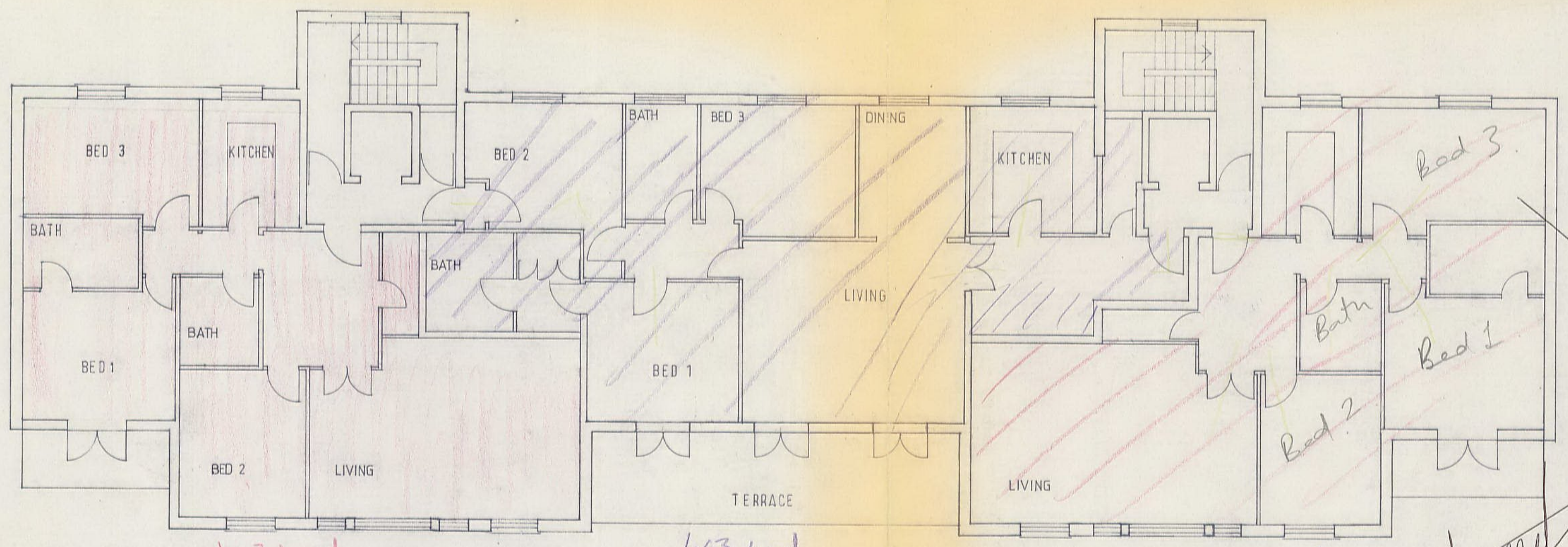
Approved

TP/89/2137 (12)

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.



FIRST FLOOR ALTERNATE PLAN WITH ONE BED FLATS
 1x2 bed, 2x1 bed, 1x1 bed, 1x2 bed



PENTHOUSE PLAN ALTERNATE PLAN WITH THREE x THREE BED FLATS
 1x3 bed, 1x3 bed, 1x3 bed

no	date	revisions
A	DEC 88	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.

TP892137

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
 11 DEC 1989

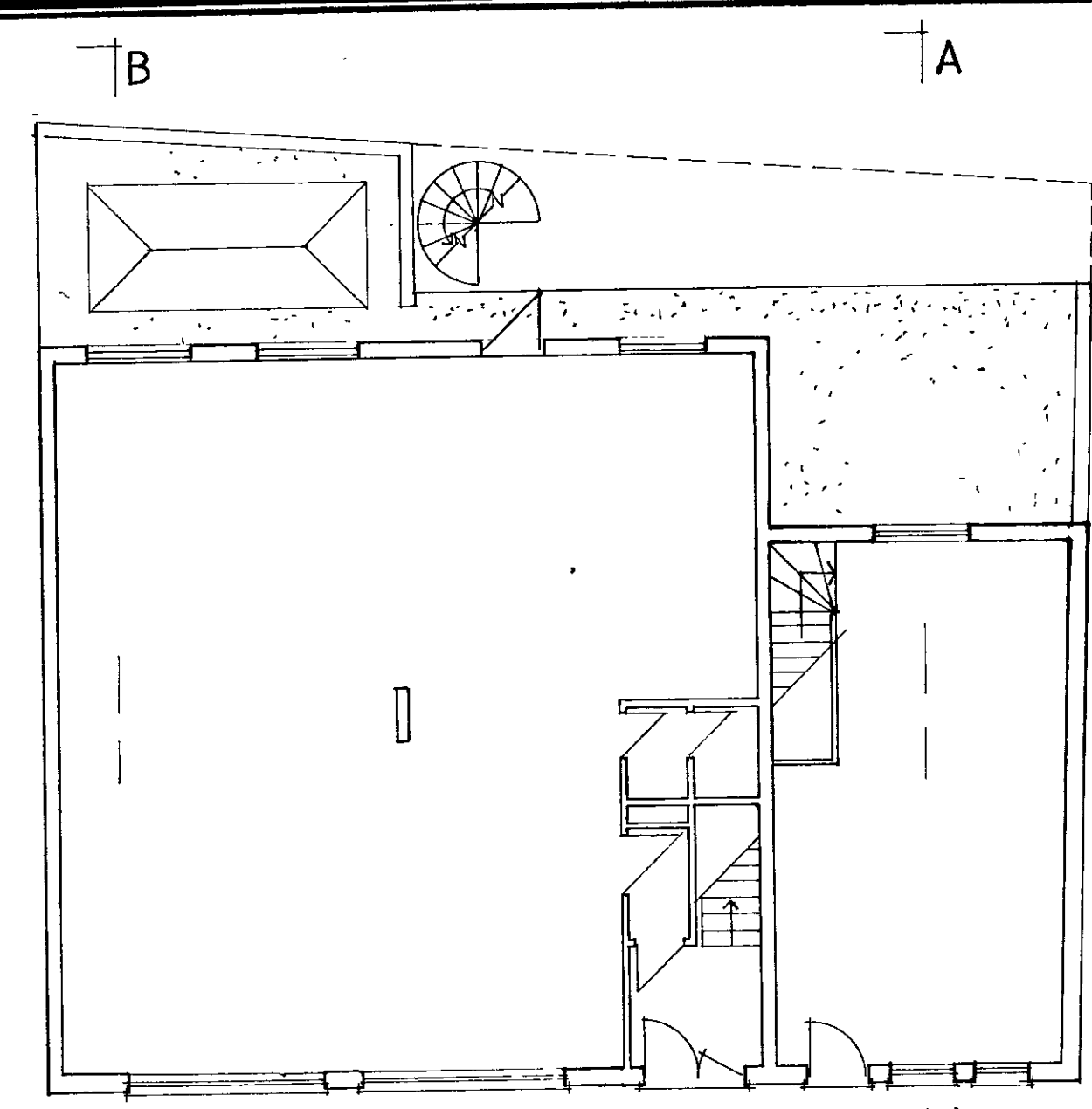
Drawn / **Date**
 / / DEC 88

Drawing No
 HTN / 01 / 122 *

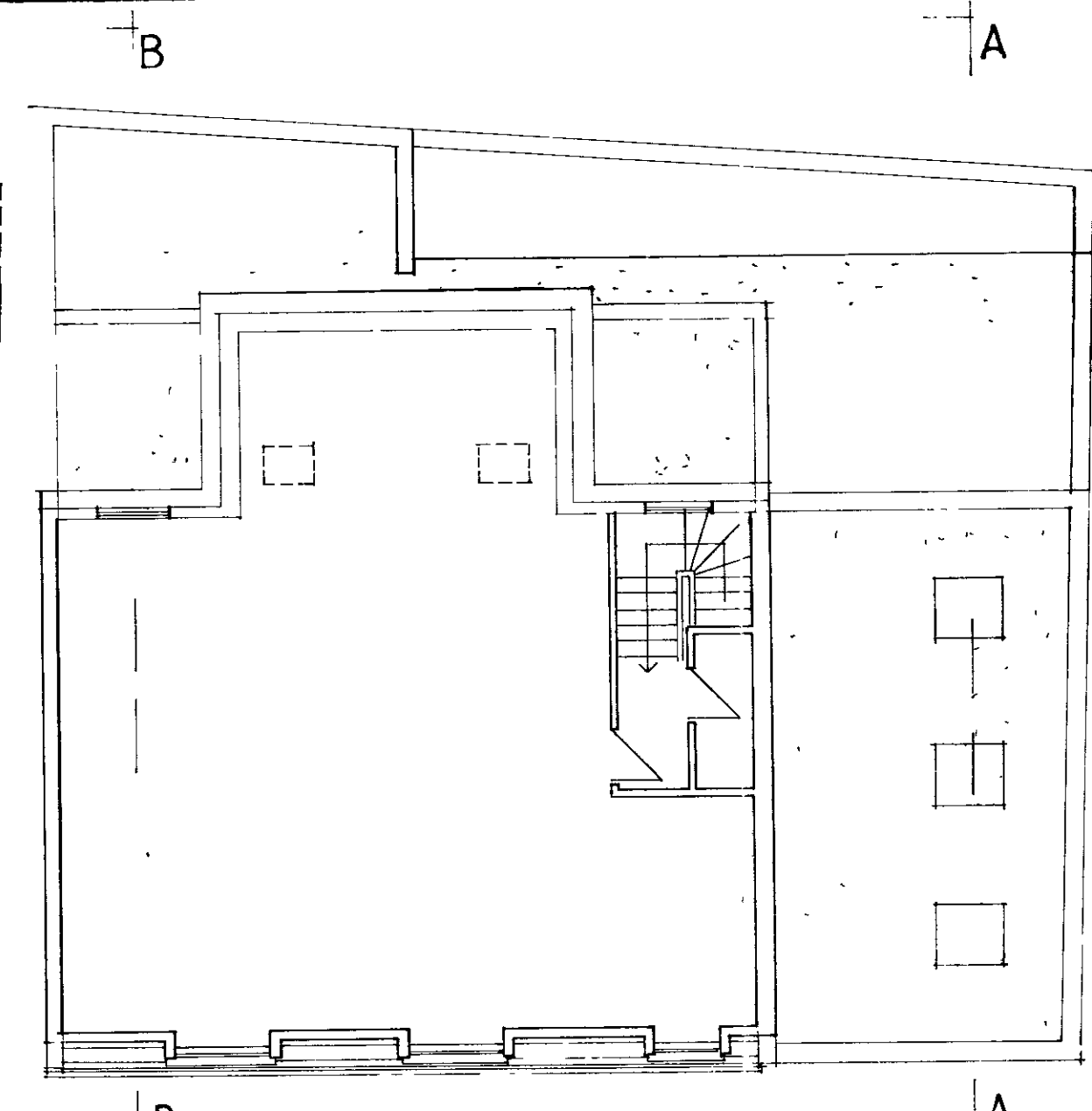
Scale
 1:100

TP892137

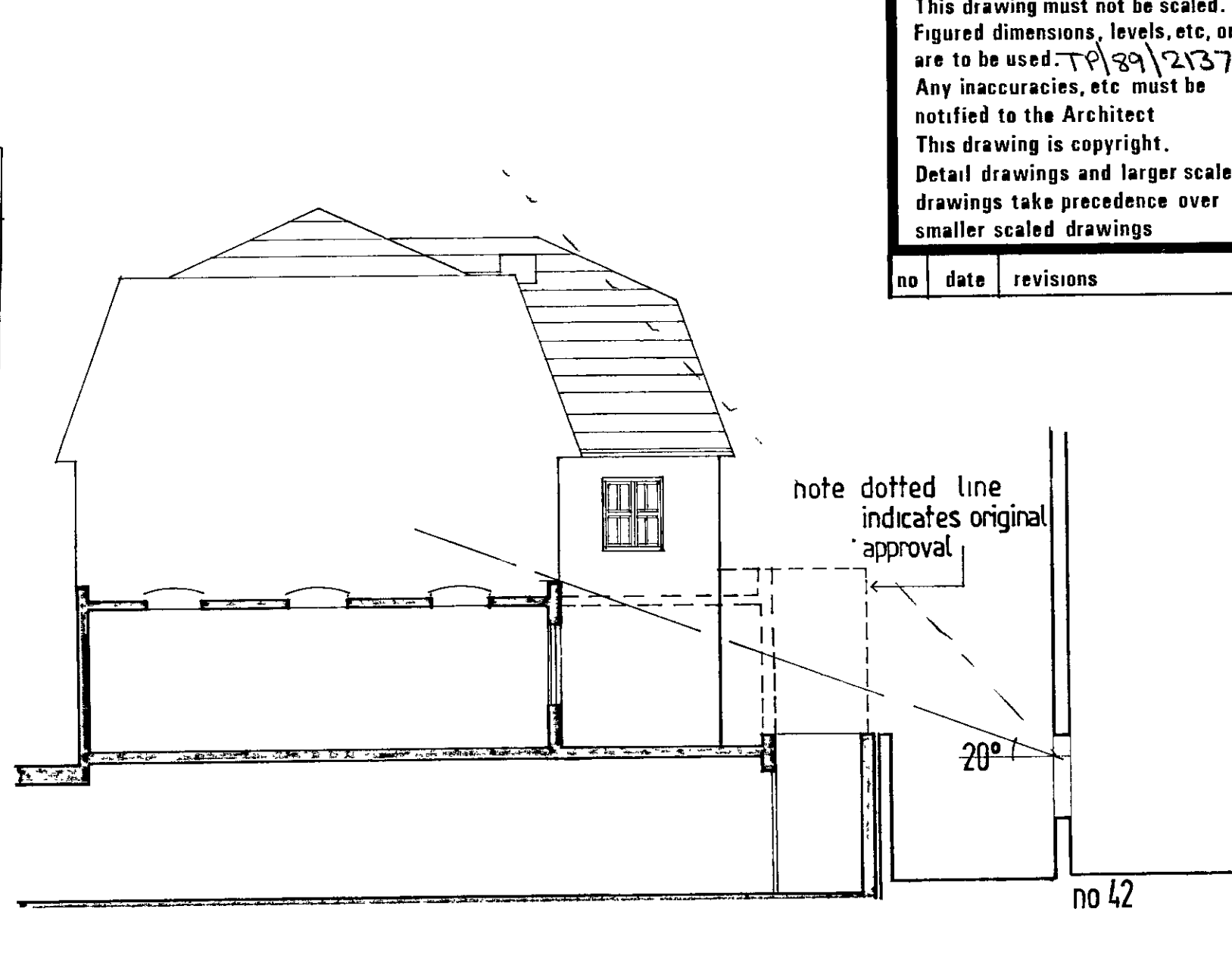
Approved



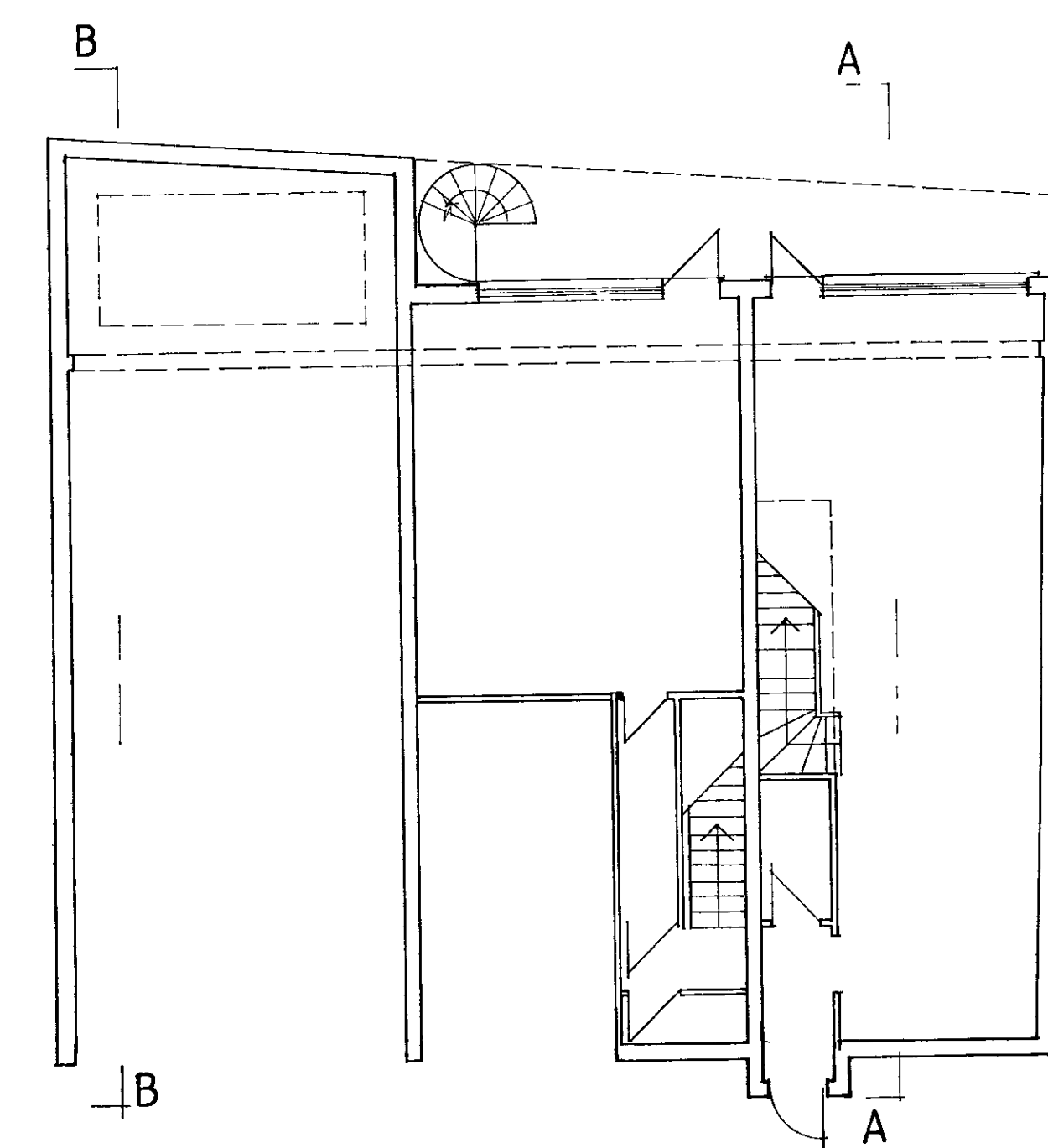
GROUND FLOOR unit 1+2



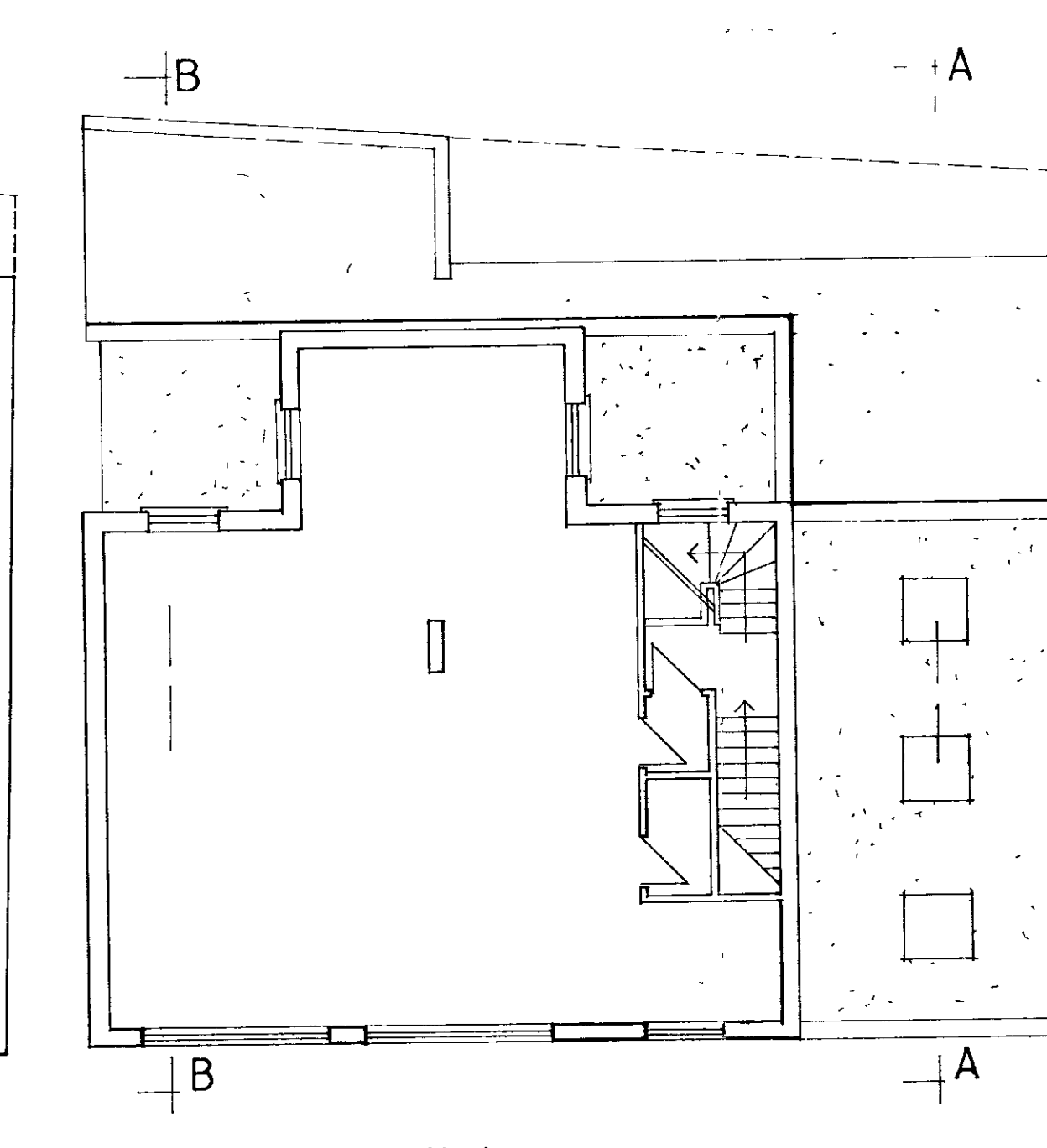
SECOND FLOOR unit 1



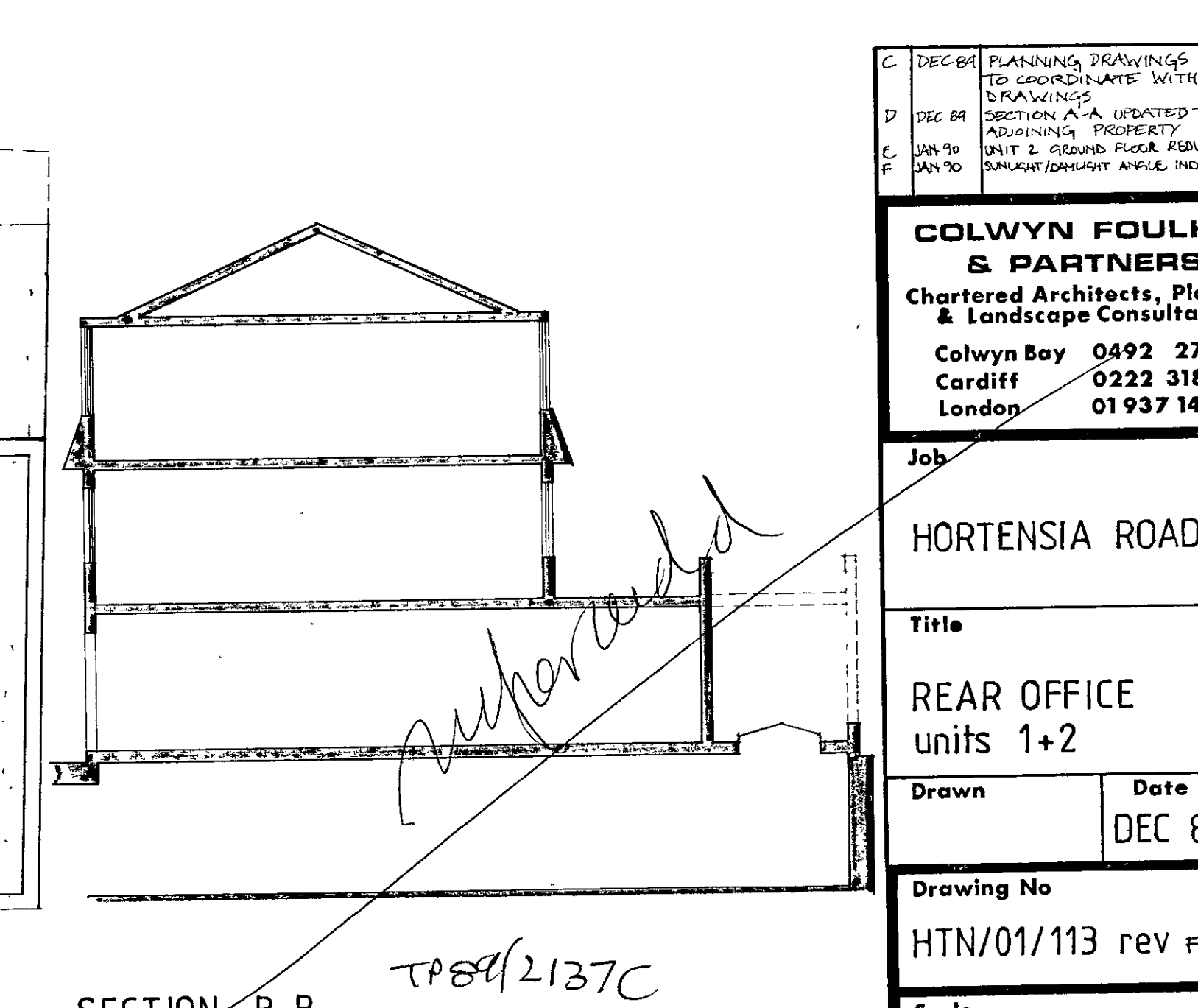
SECTION A-A



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

This drawing must not be scaled.
 Figured dimensions, levels, etc, only
 are to be used. TP89/2137
 Any inaccuracies, etc must be
 notified to the Architect. (15)
 This drawing is copyright.
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings

no	date	revisions

note dotted line
 indicates original
 approval

20°

no 42

C	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
D	DEC 89	SECTION A-A UPDATED TO INCLUDE ADJOINING PROPERTY
E	JAN 90	UNIT & GROUND FLOOR REDUCED
F	JAN 90	SUNLIGHT/DAYLIGHT ANGLE INDICATED

COLWYN FOULKES & PARTNERS
 Chartered Architects, Planning & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

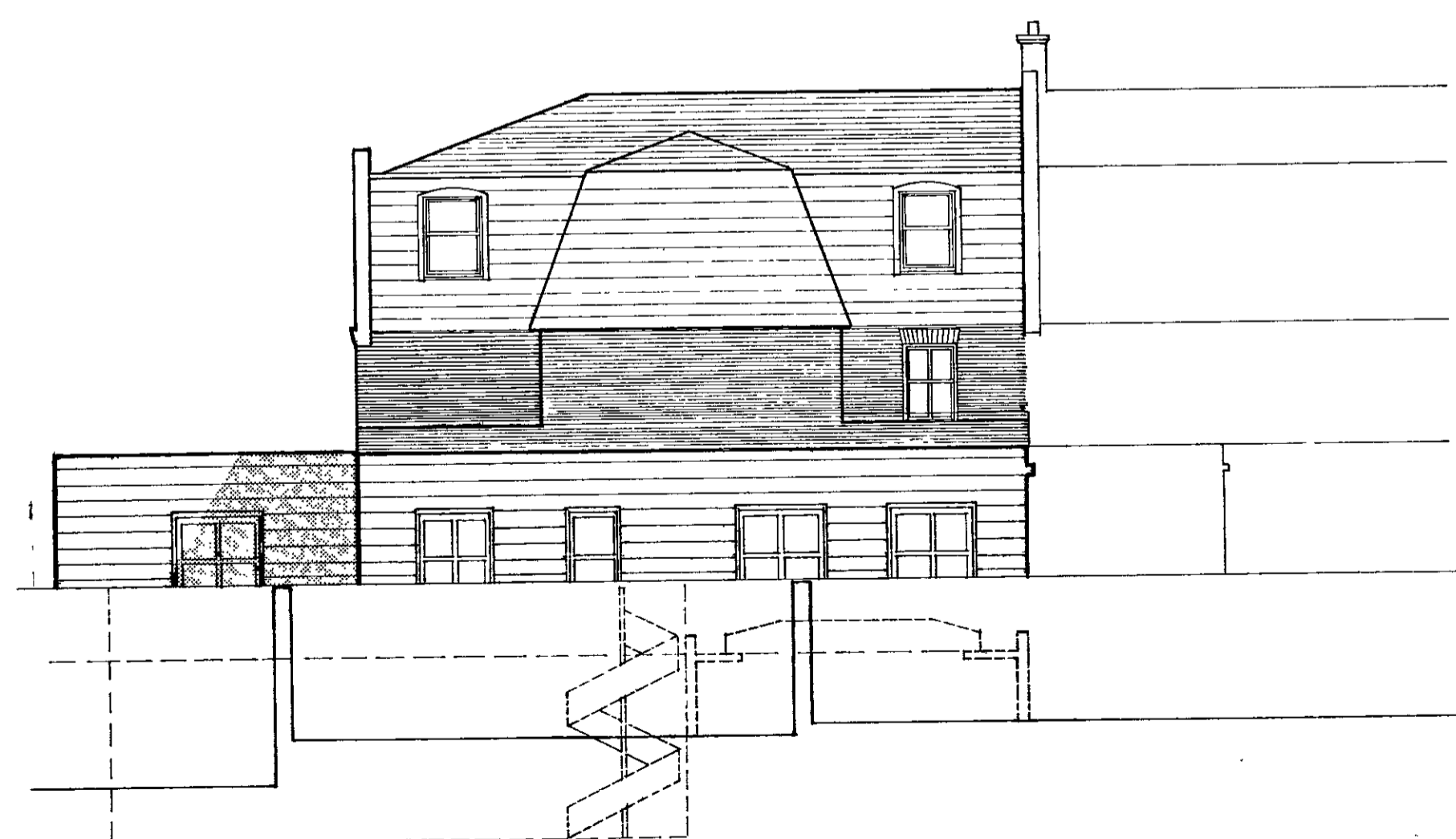
Drawn
 Date
 DEC 89

Drawing No
 HTN/01/113 rev F

Scale
 1 : 100



FRONT ELEVATION



REAR ELEVATION

TP892137/R

referred to

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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

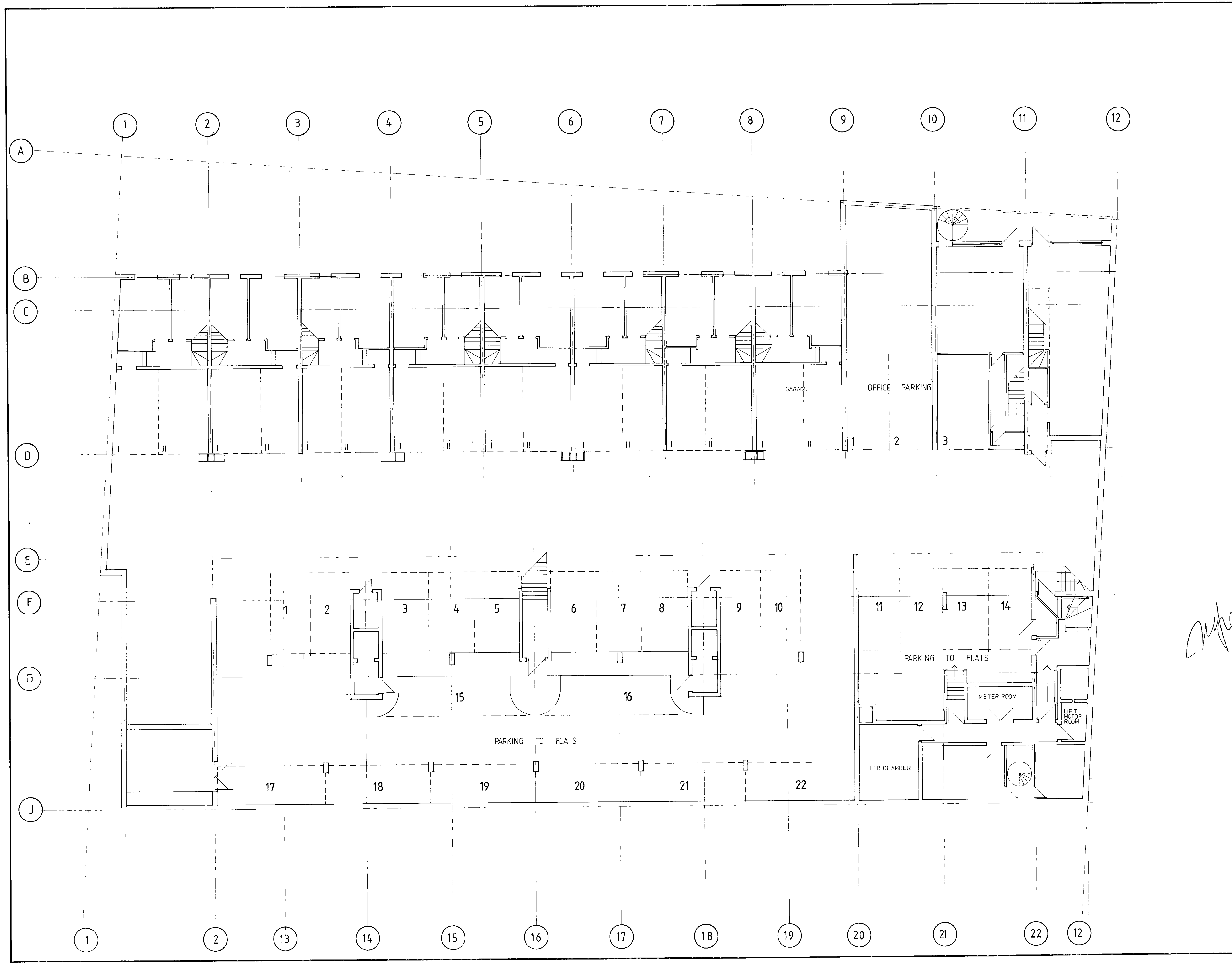
Drawn BY D. Date
 On 18 JAN 89

Drawing No
 HTN/01/115

Scale
 1:100

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



Amended
 TP/29/2137/B

A 2/10 REVISED PARKING BAYS

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

Job
HORTENSIA ROAD

Title
**BASEMENT PLAN
 PLANNING**

Drawn Date
 11 89

Drawing No
 HTN 01 119 A

Scale
 1 100

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.

Notes

Revisions		
no	date	details
A	09-04-90	Adjoining property numbers added

Project
HORTENSIA ROAD

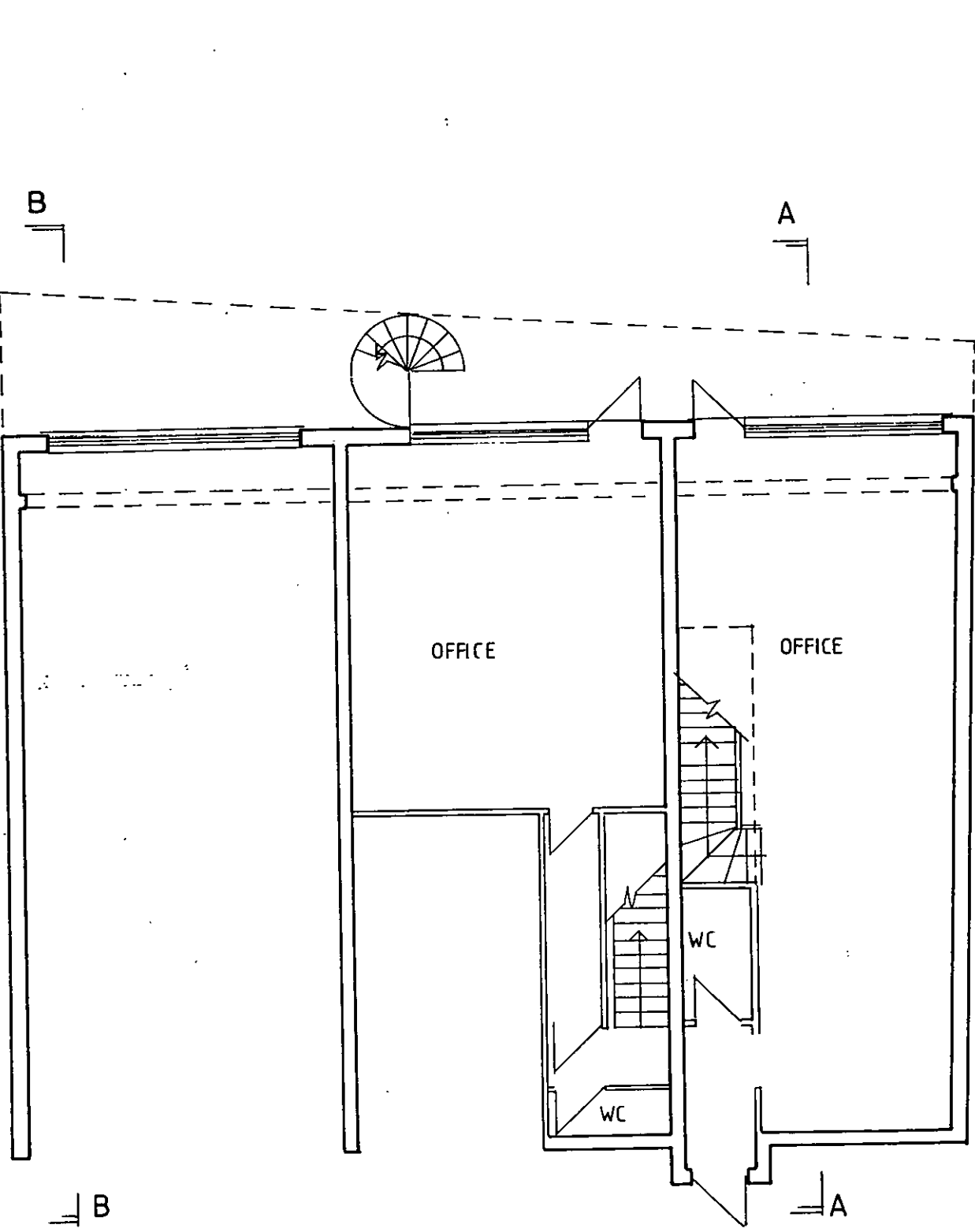
Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale 1:100	drawn	date APRIL 90
-----------------------	--------------	-------------------------

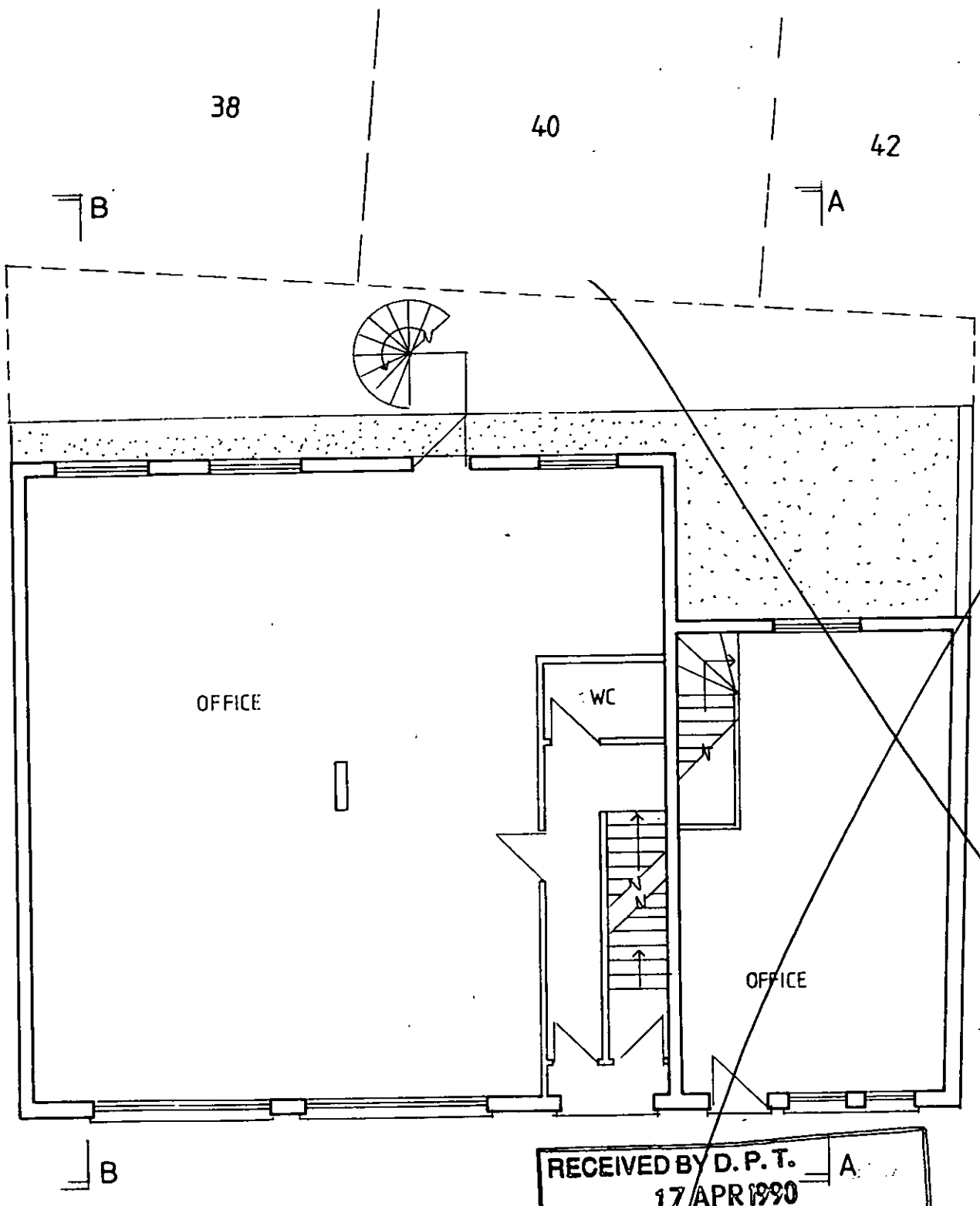
No HTN/4 /01 125 A

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



BASEMENT



GROUND FLOOR

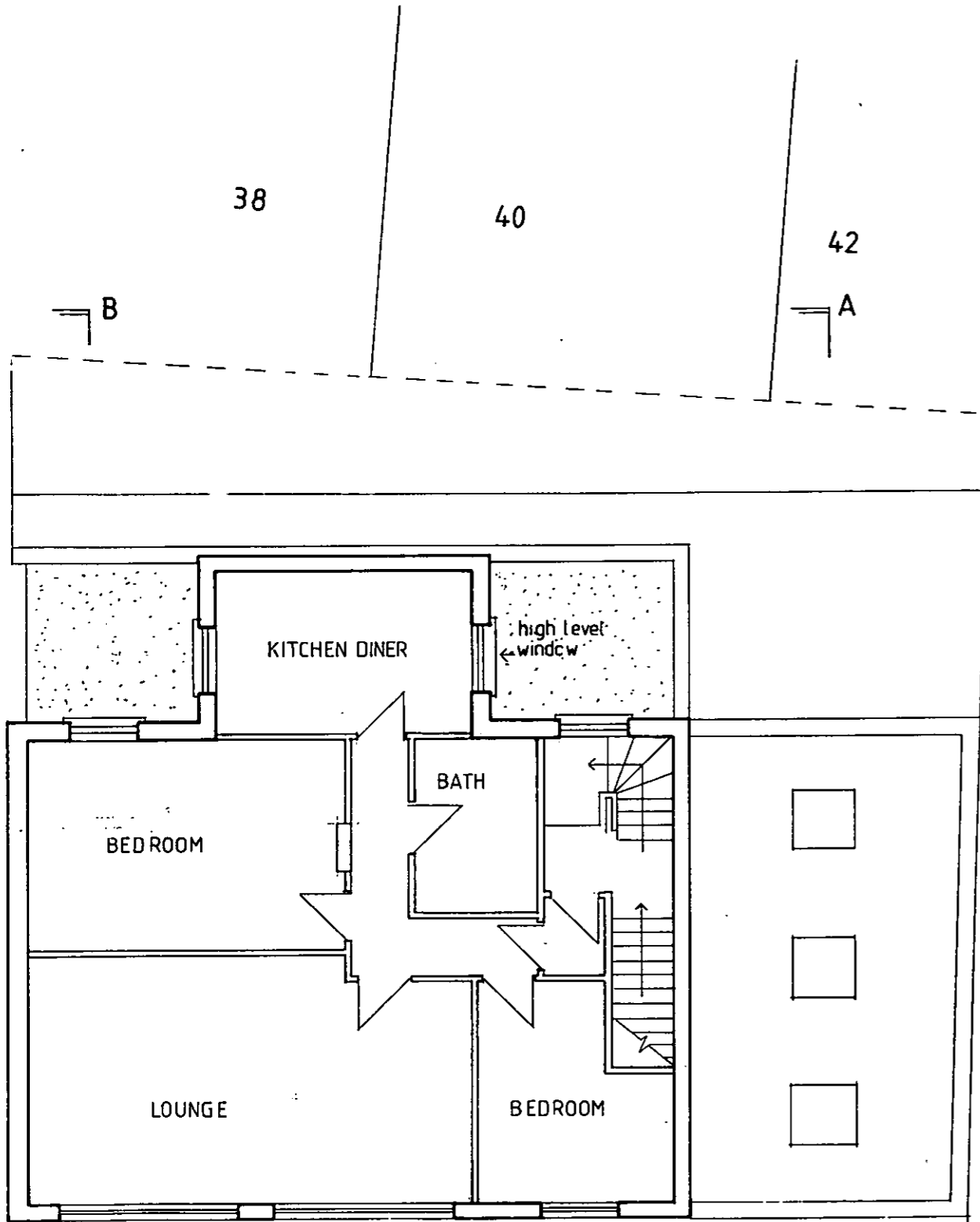
RECEIVED BY D. P. T. On 17 APR 1990

DC N	DC C	DC S	DC E	DC
ACC	Q. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LD	TRUSS	EVID CONTROL	AD ACK

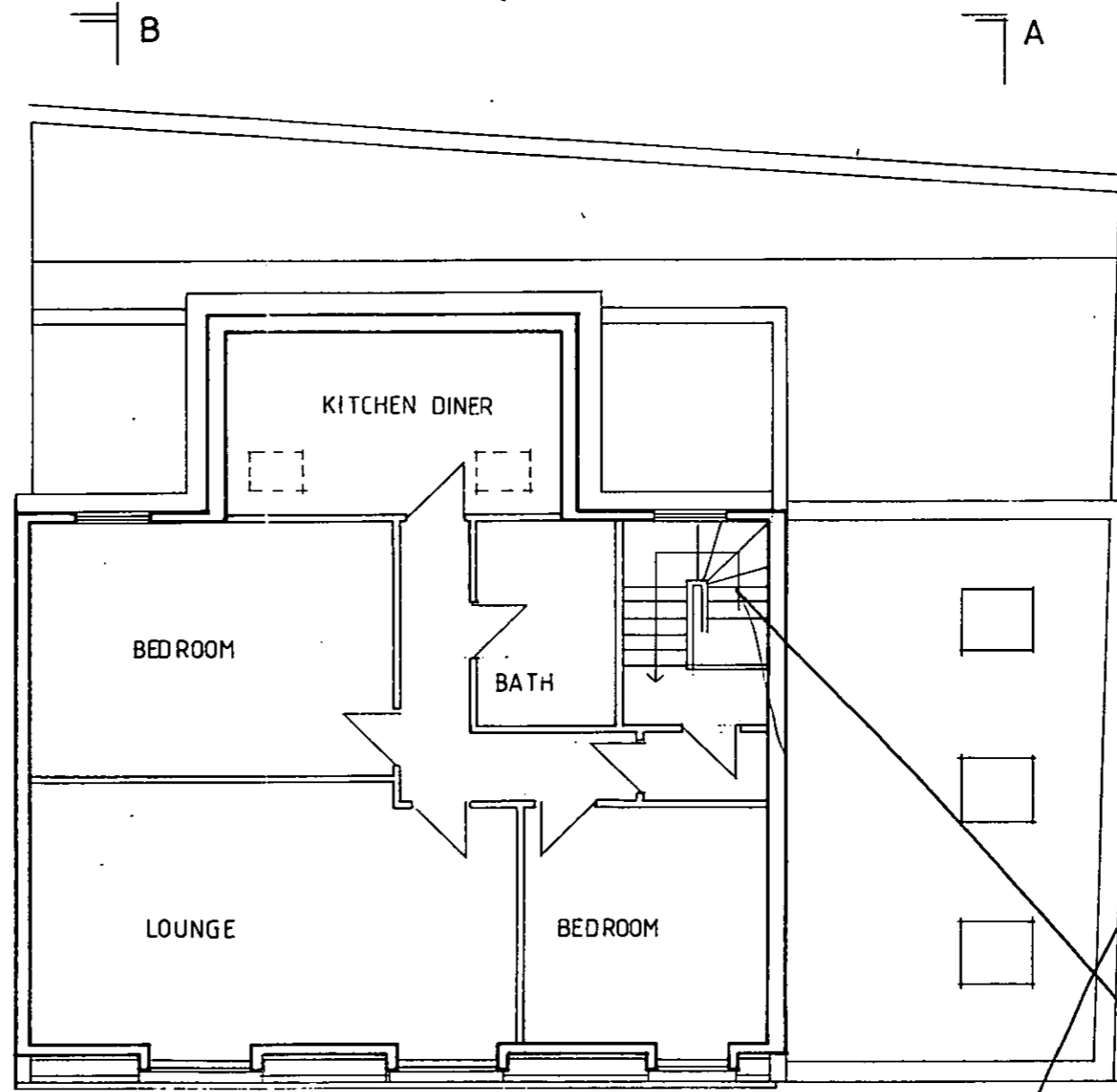
38

40

42



FIRST FLOOR



SECOND 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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers and notes on windows added

Project
 HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 FIRST AND SECOND FLOOR PLANS

scale 1:100 drawn date APRIL 90

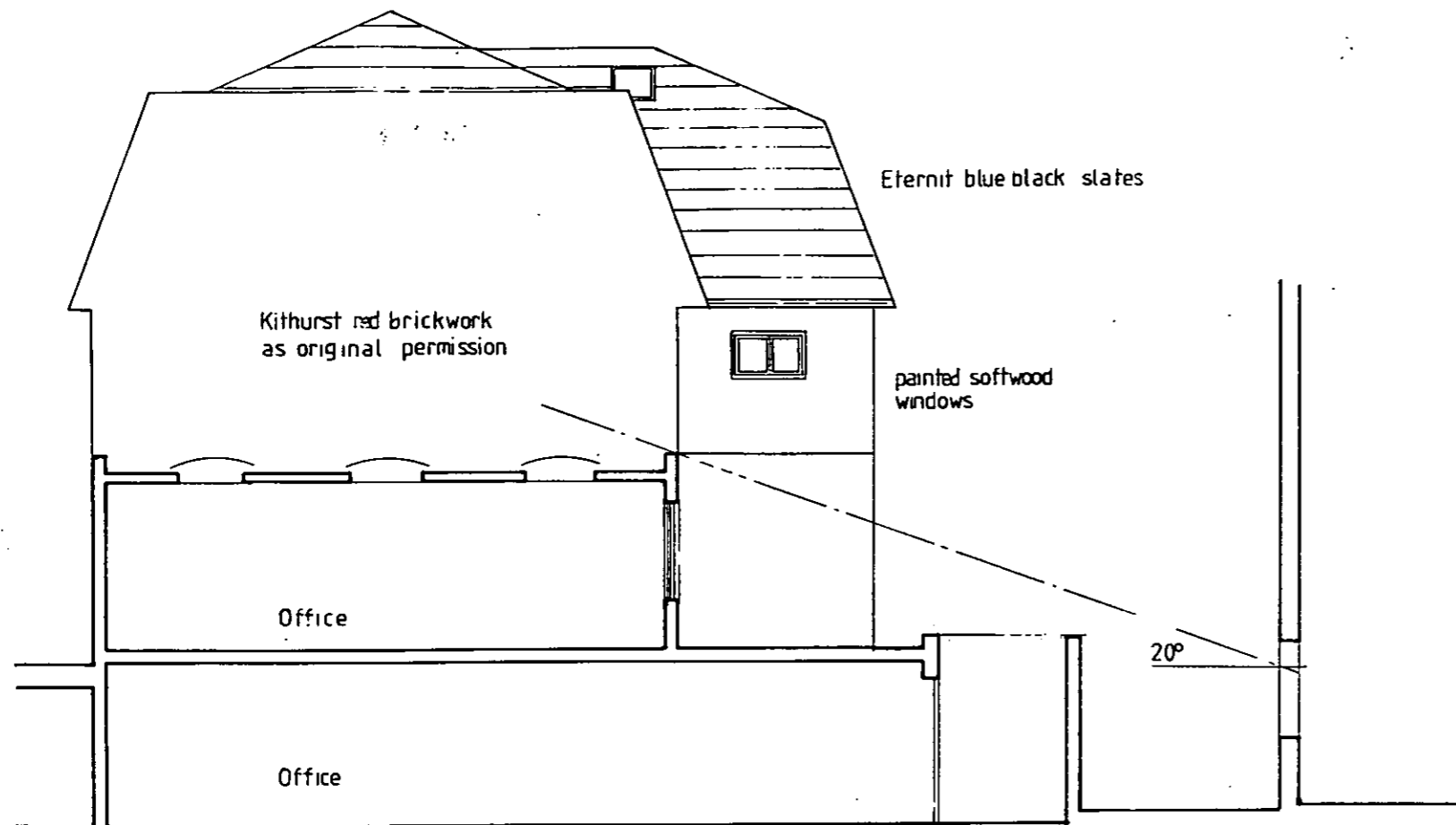
No HTN4 01-126 A

RECEIVED BY D. P. T.
 17 APR 1990

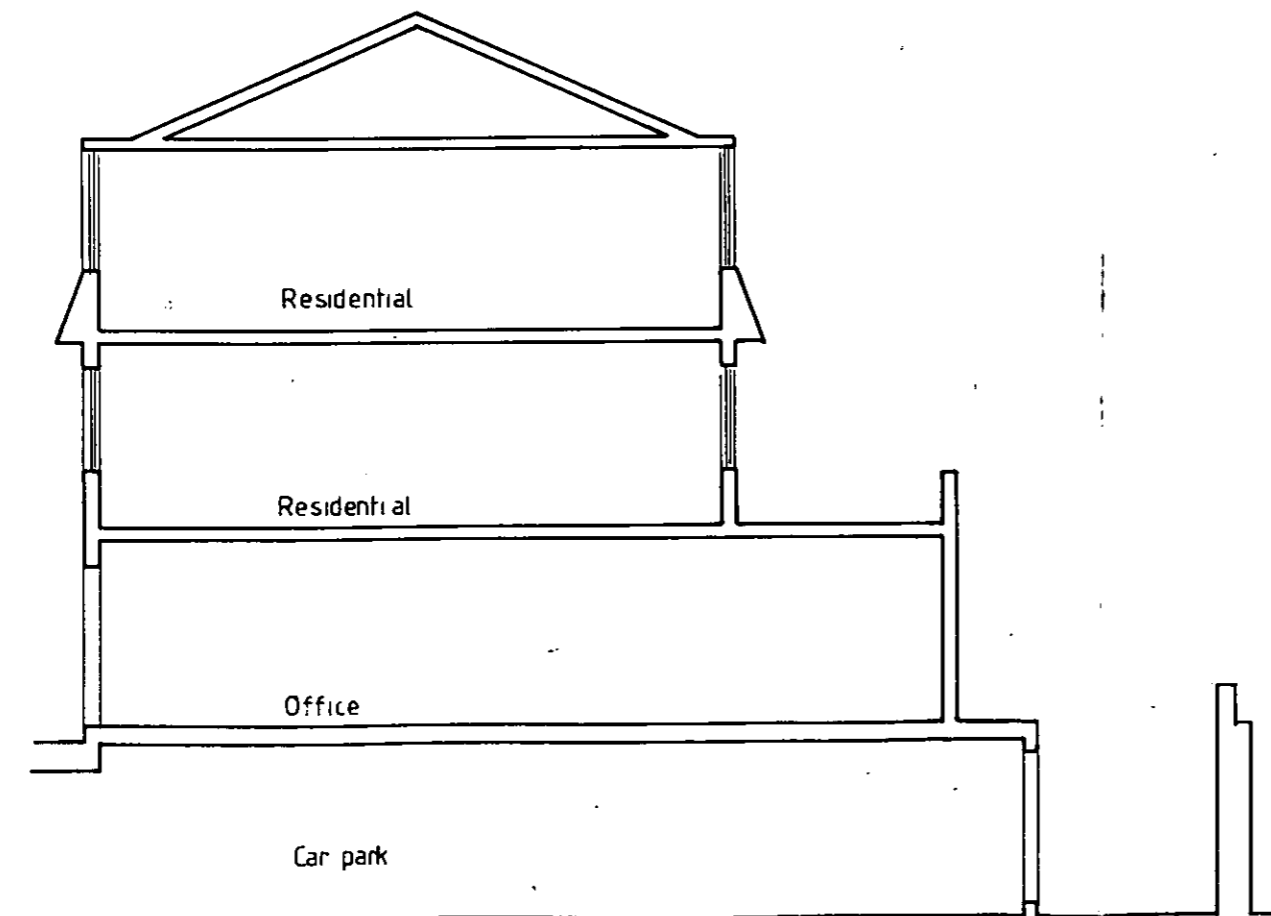
On	DC	DC	DC	DC	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN	

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735 London 01-938 2464 Knutsford 0565 52126



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details
A	09-04-90	Rear windows reduced

Project
 HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale 1:100
 drawn
 date APRIL 90

No HTN 4 01 127 A

RECEIVED BY D. P. T.
 On 17 APR 1990

DC N	DC O	DC S	DC E	DC
ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
6824				NO ACK

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

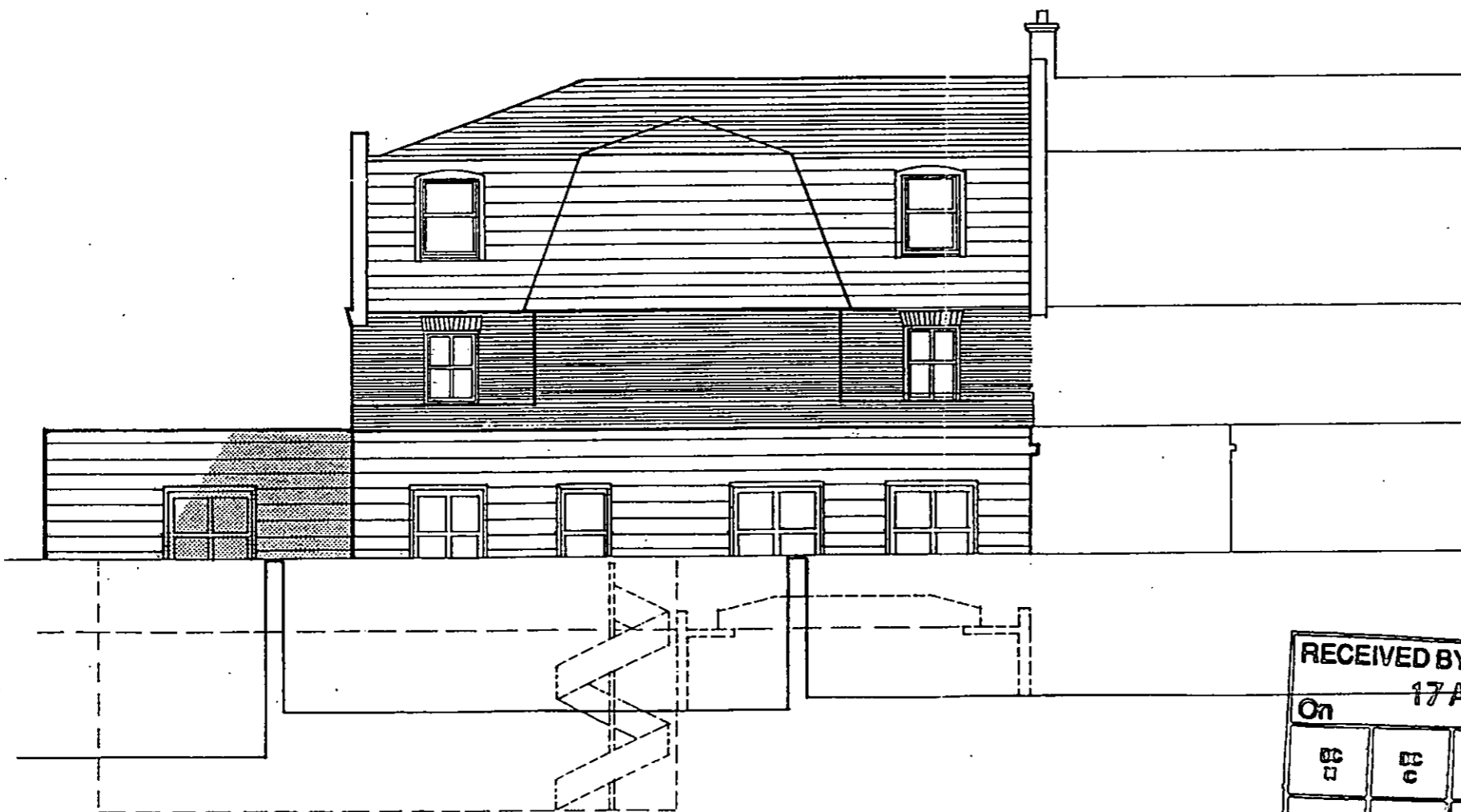


FRONT ELEVATION

ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood



REAR ELEVATION

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.

Notes

Revisions

no	date	details
A	9-04-90	Rear window added

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale 1:100
drawn
date APRIL 90

No HTN 4 01 128 A

RECEIVED BY D. P. T.
17 APR 1990

On	DC L	DC C	DC G	DC E	DC S
	CRB	D. PLAN	RECORDS	DPT	GEN. PLAN
	DDPT	LO	TRANS.	B.S.D	CO

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale

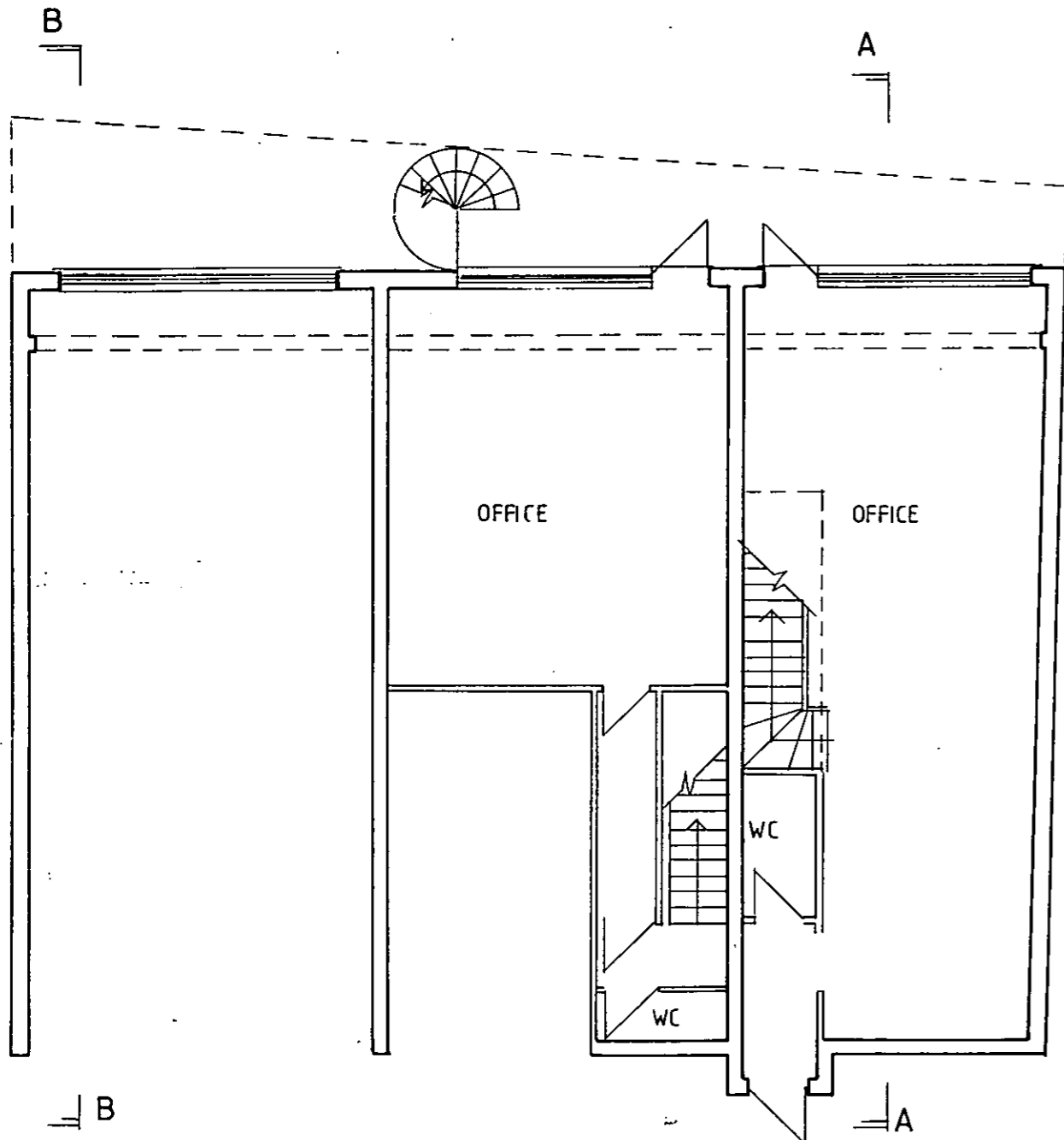
1:100

drawn

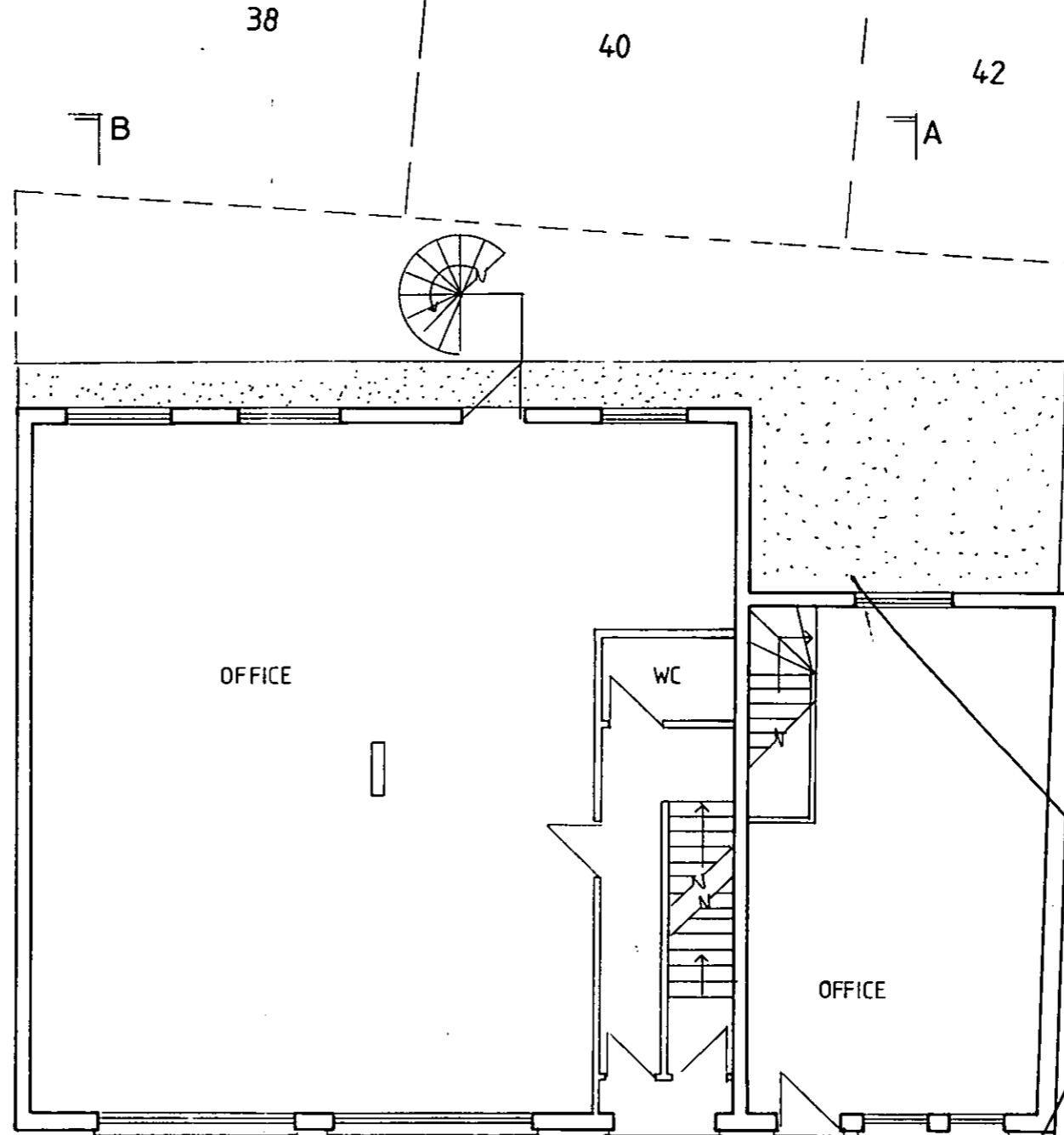
date

APRIL 90

No HTN /4 /01 125 A



**B
 BASEMENT**



**B
 GROUND FLOOR**

RECEIVED BY D. P. T.				
On 17 APR 1990				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
CDPT	LO	TRANS.	BUILD CONTROL	AD ACK

CF&P

Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

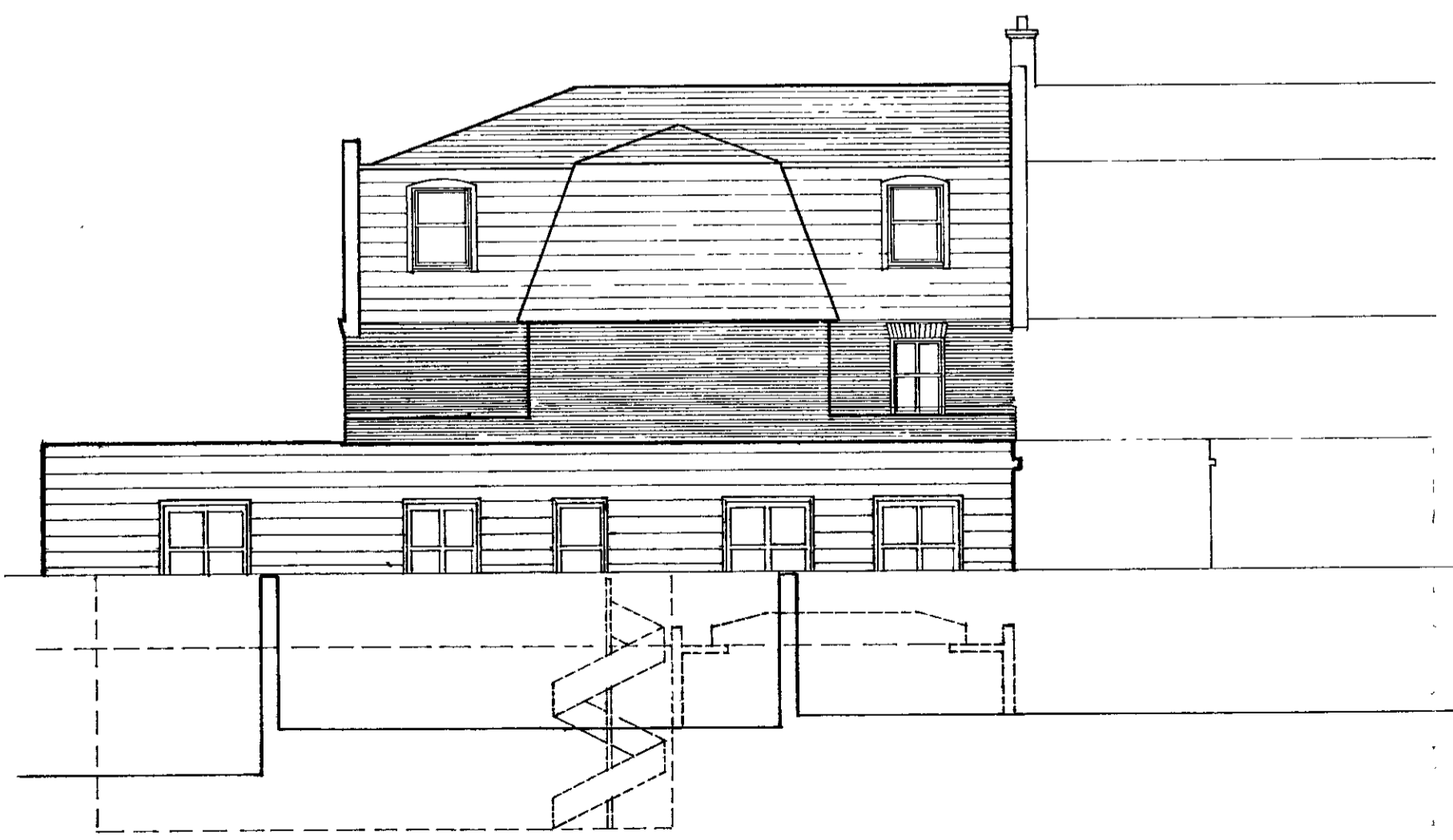
Colwyn Bay
 0492 532735

London
 01-938 2464

Knutsford
 0565 52126



FRONT ELEVATION



REAR ELEVATION

ALL SUPERSEDED

*TP/89/2137/A
Superseded*

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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END

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

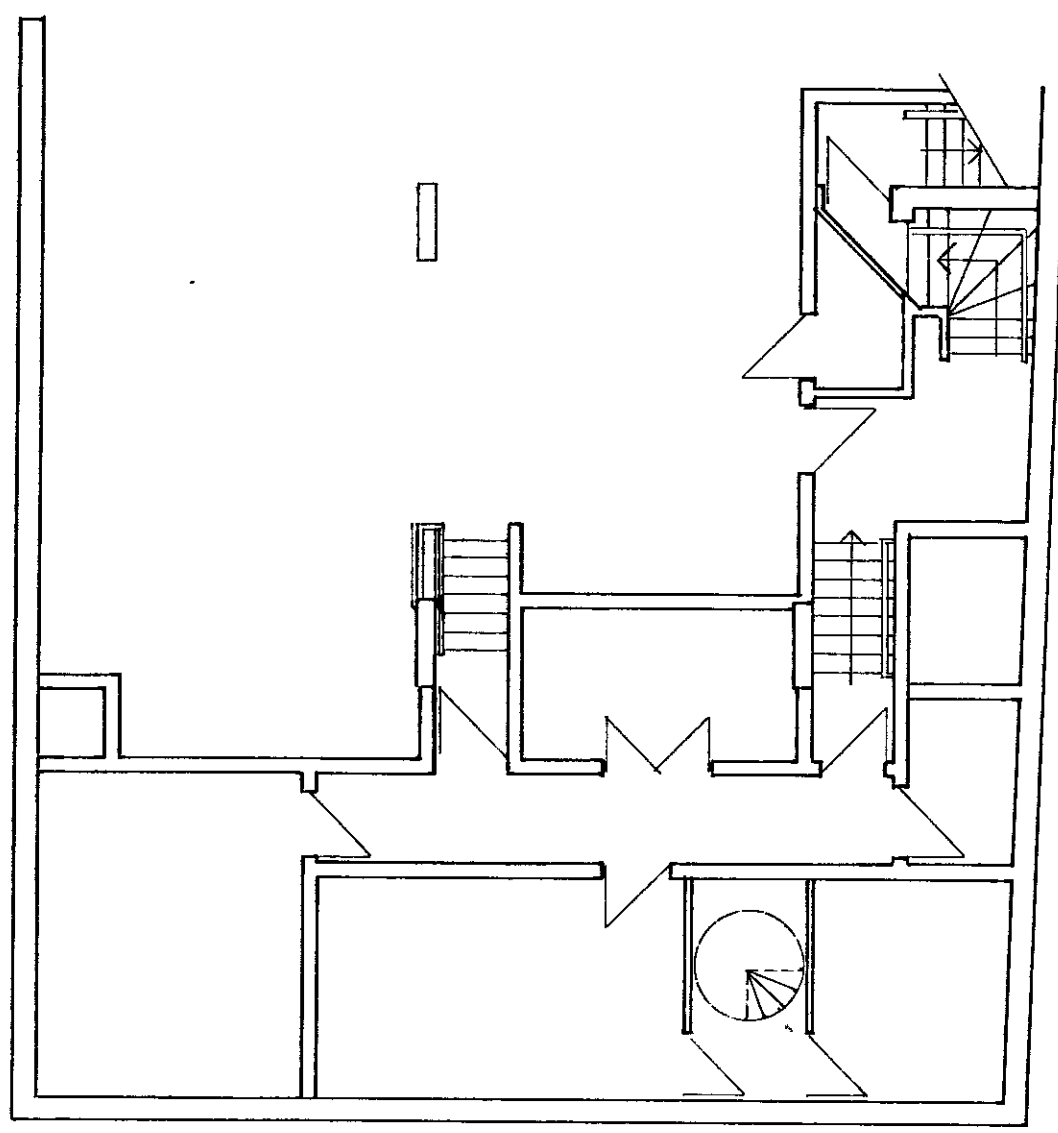
Job
HORTENSIA ROAD

Title
REAR OFFICE
units 1+2

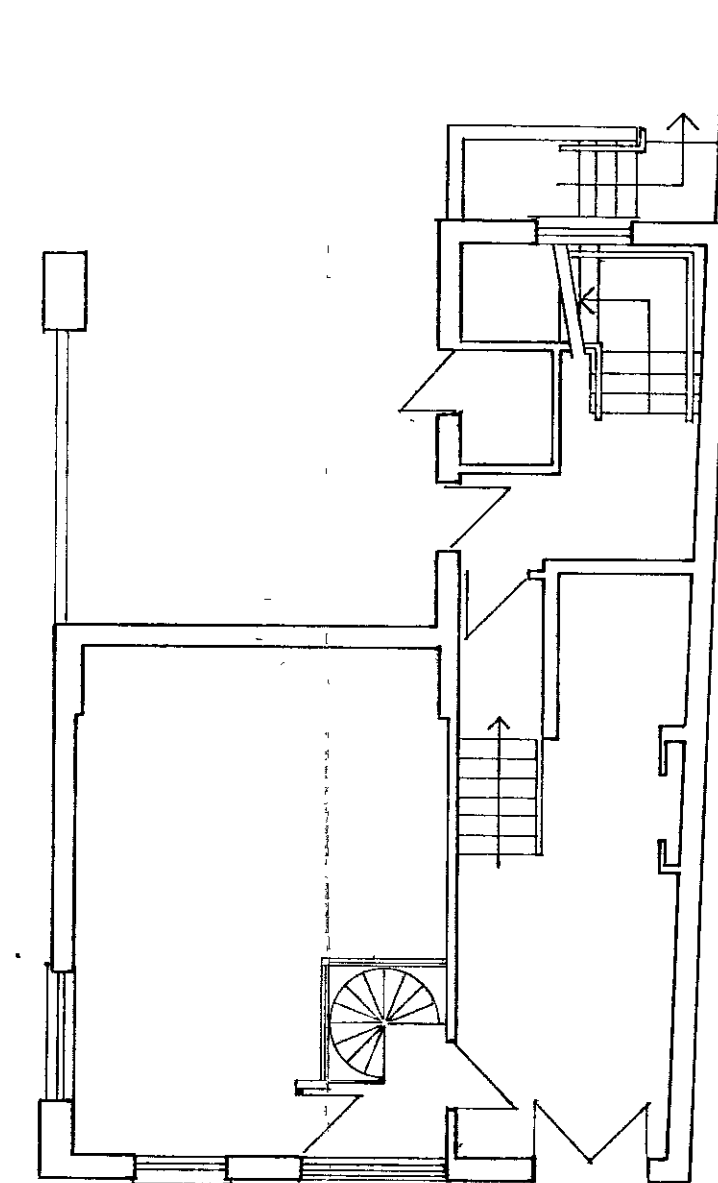
RECEIVED BY D.P.T.
Drawn On 2 DEC 89 Date DEC 89

Drawing No
HTN/01/115 A

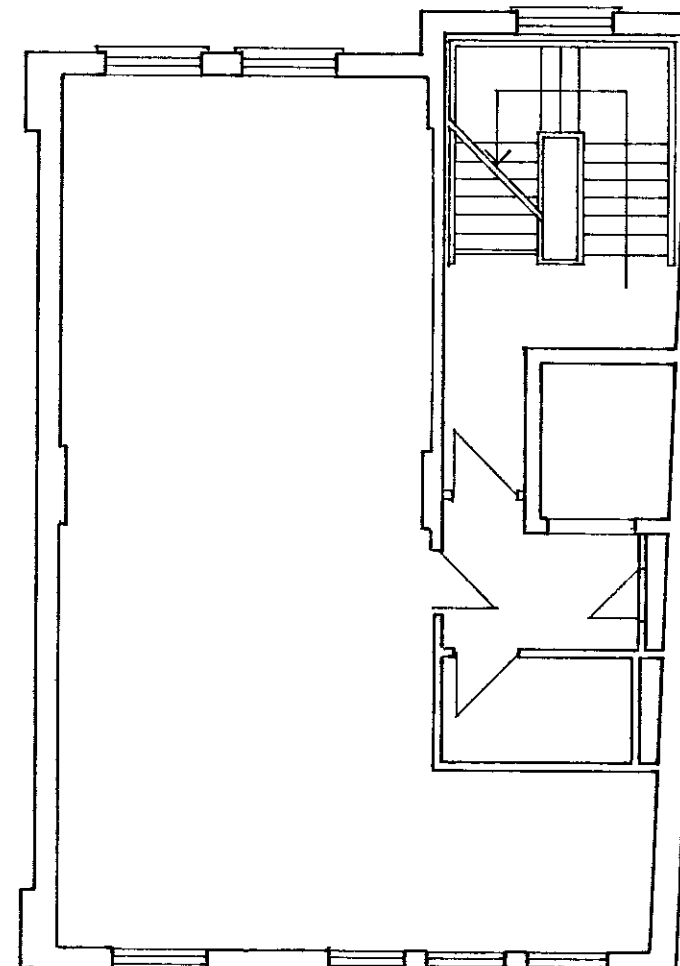
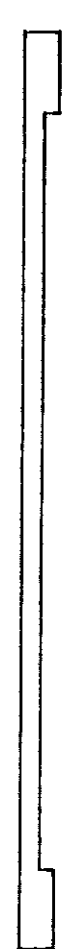
Scale
1:100



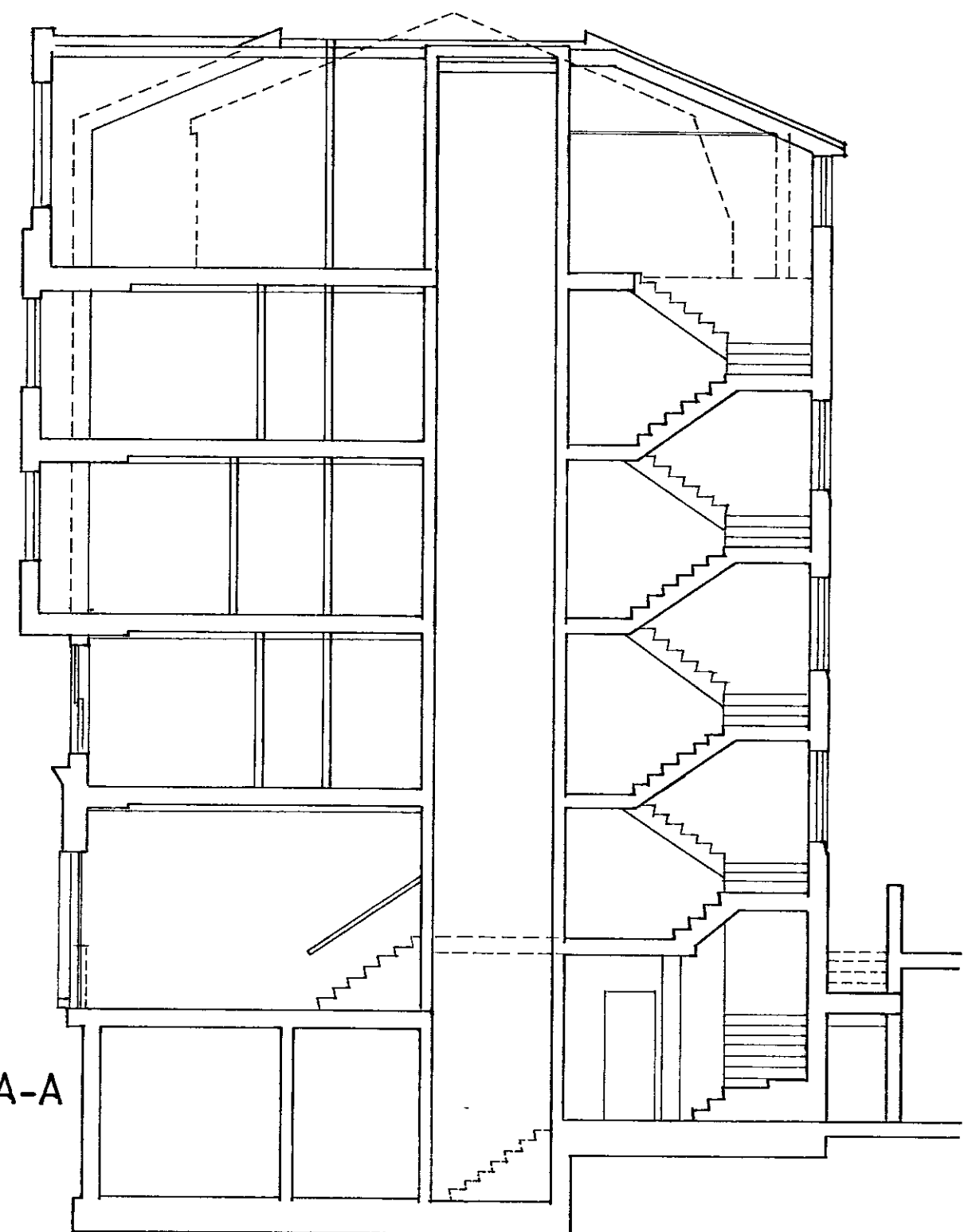
BASEMENT



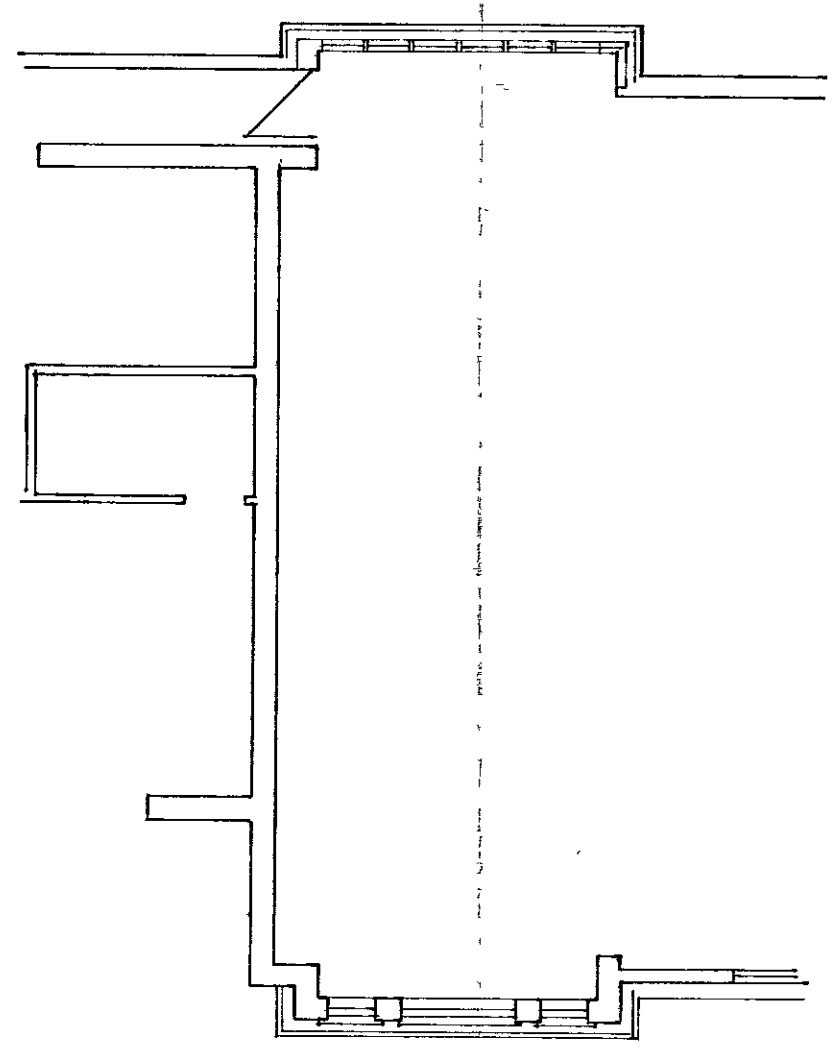
GROUND FLOOR



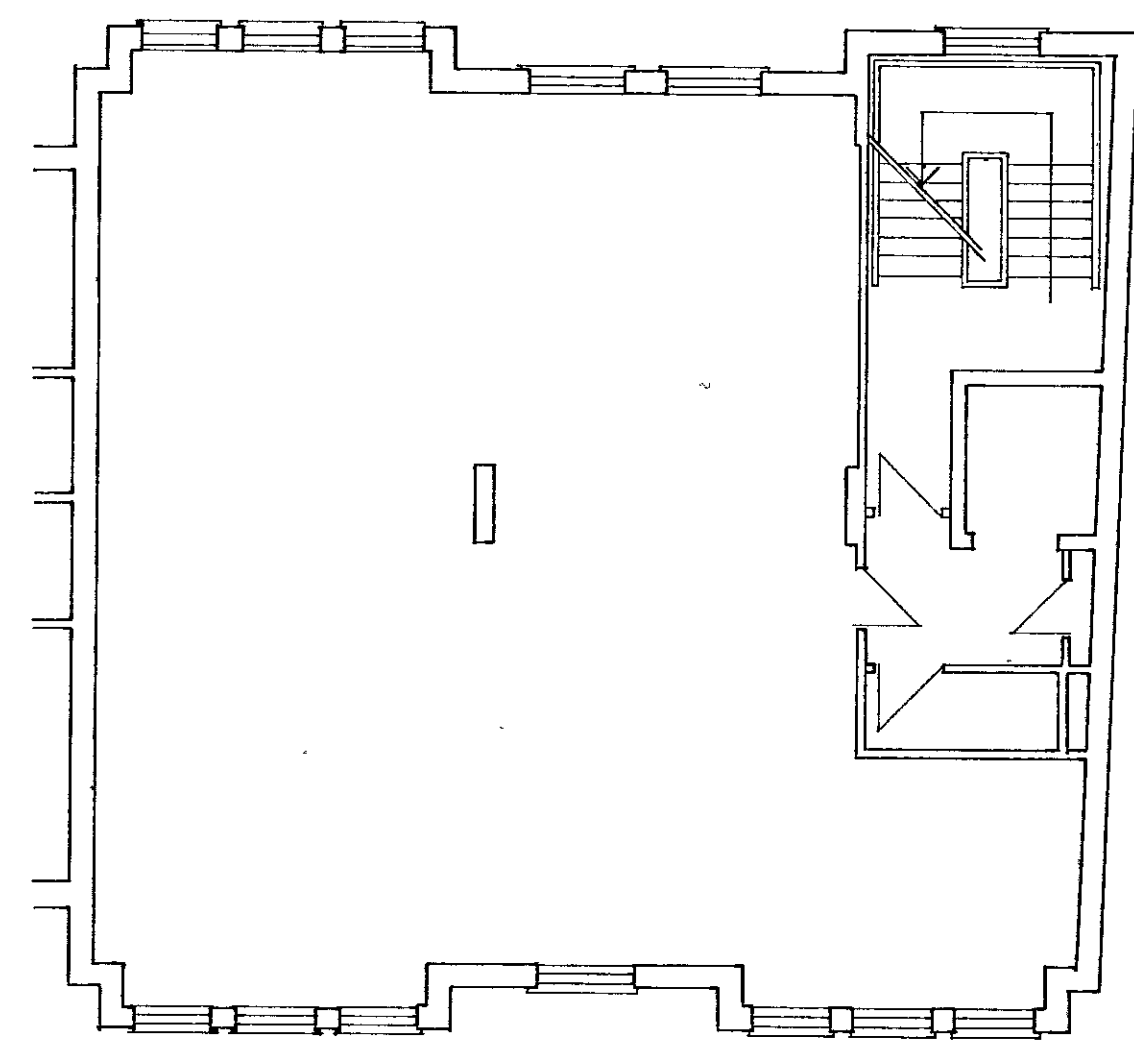
FIRST FLOOR



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
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS.

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

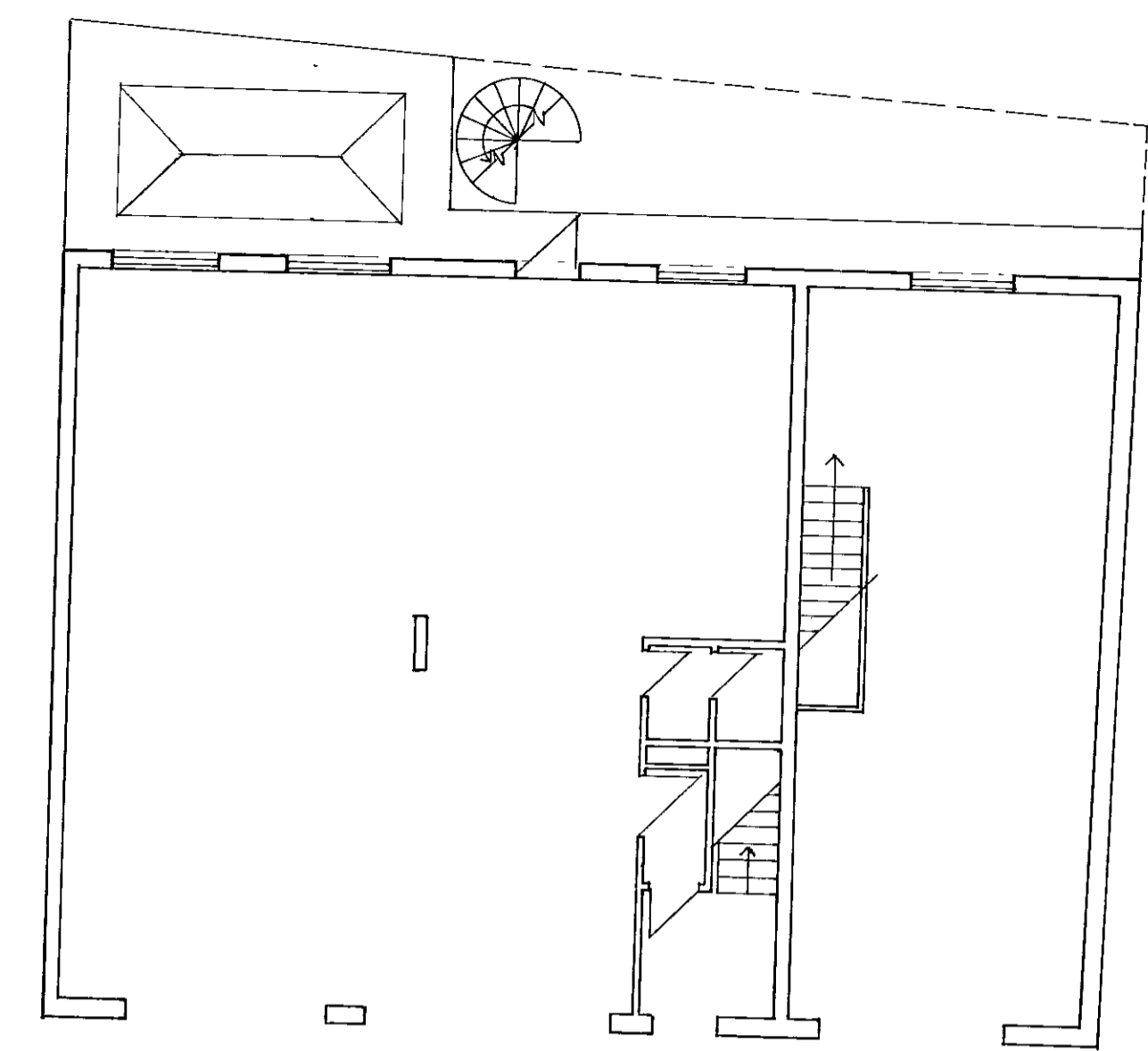
Job
HORTENSIA ROAD

Title
FRONT OFFICES
RECEIVED BY D. P. T.
11 DEC 1989

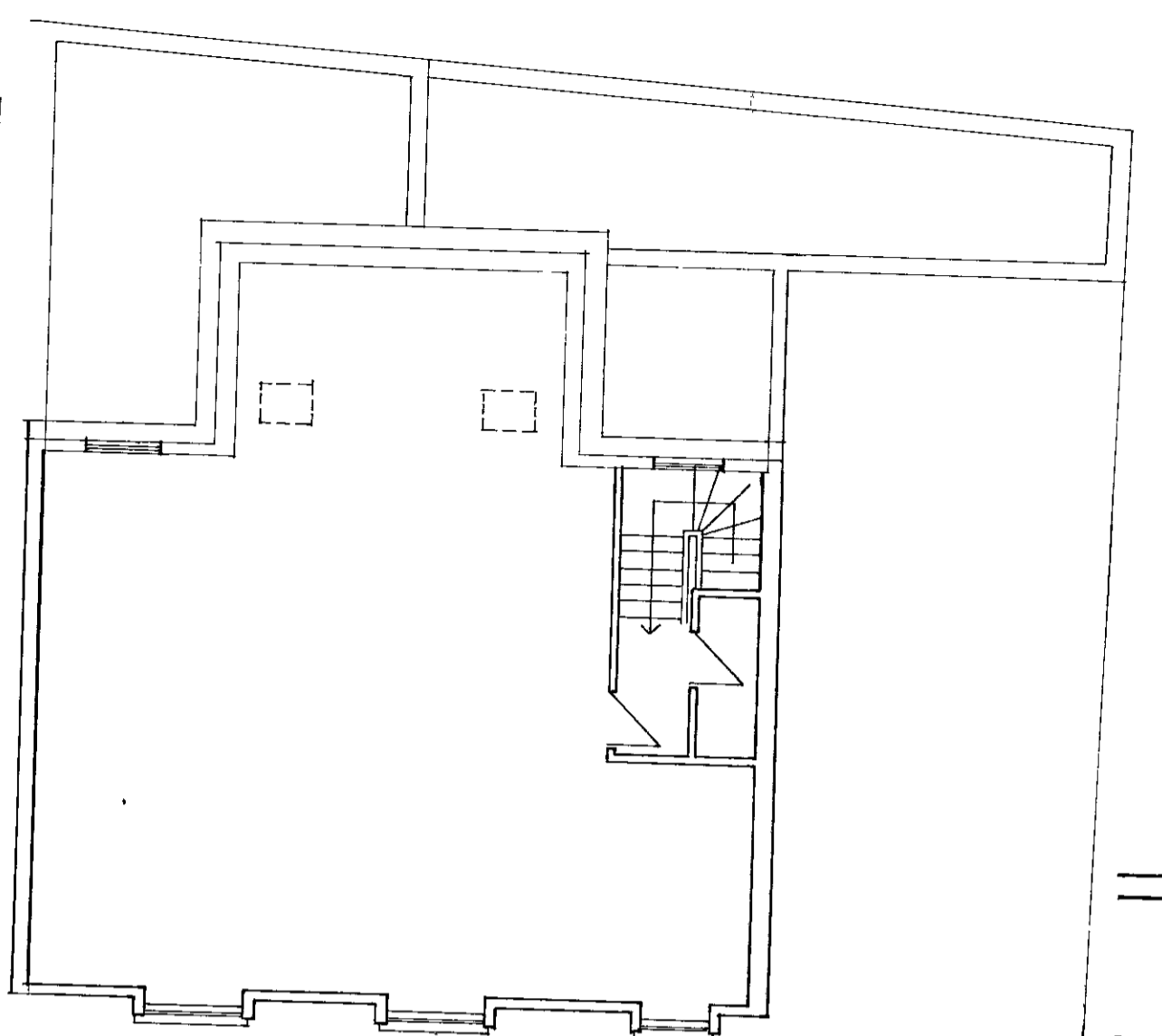
Drawn	EC	EC	Date	EC
AS	DR	IT	DEC 89	ITV

Drawing No
HTN/01/114 rev D

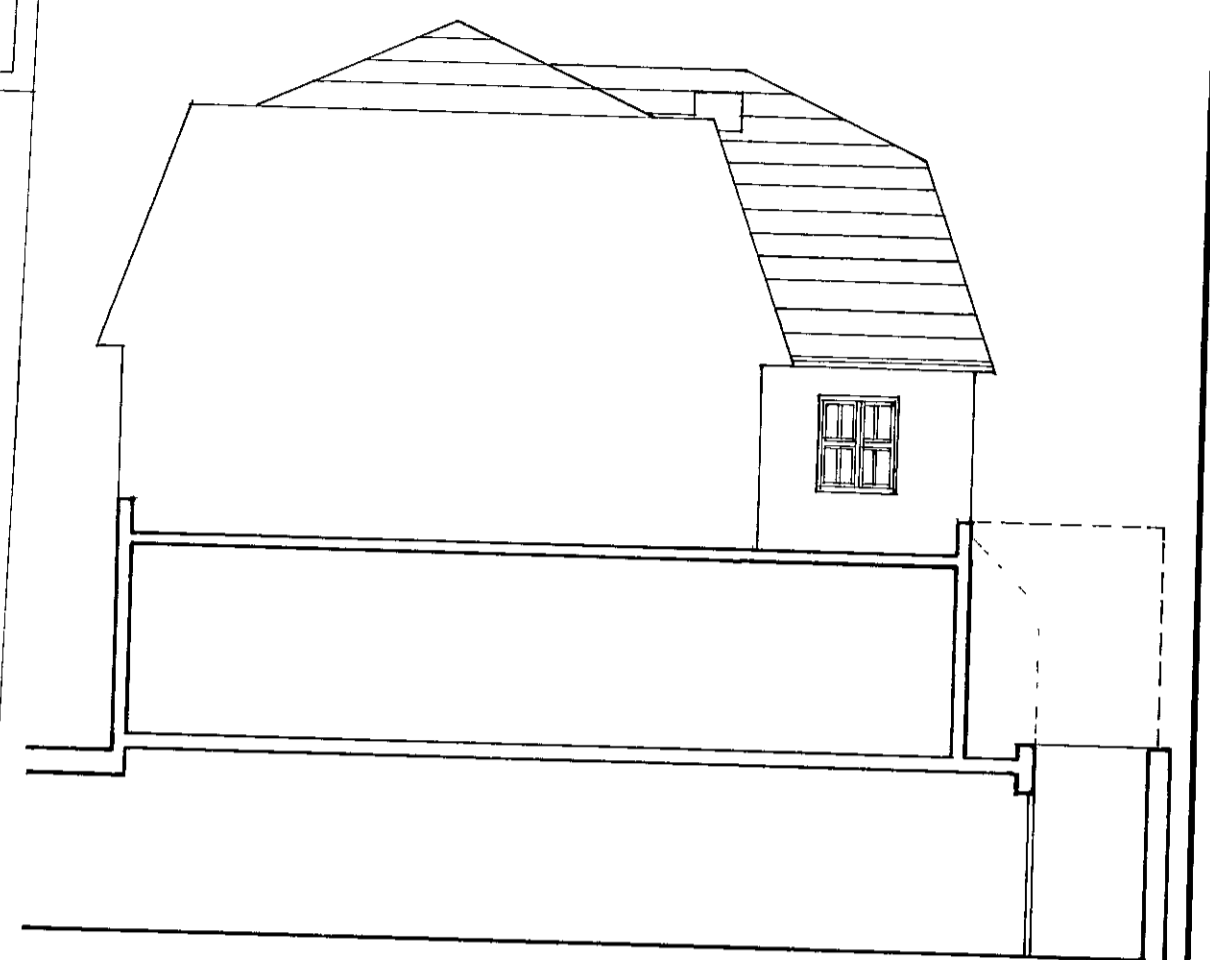
Scale
1:100



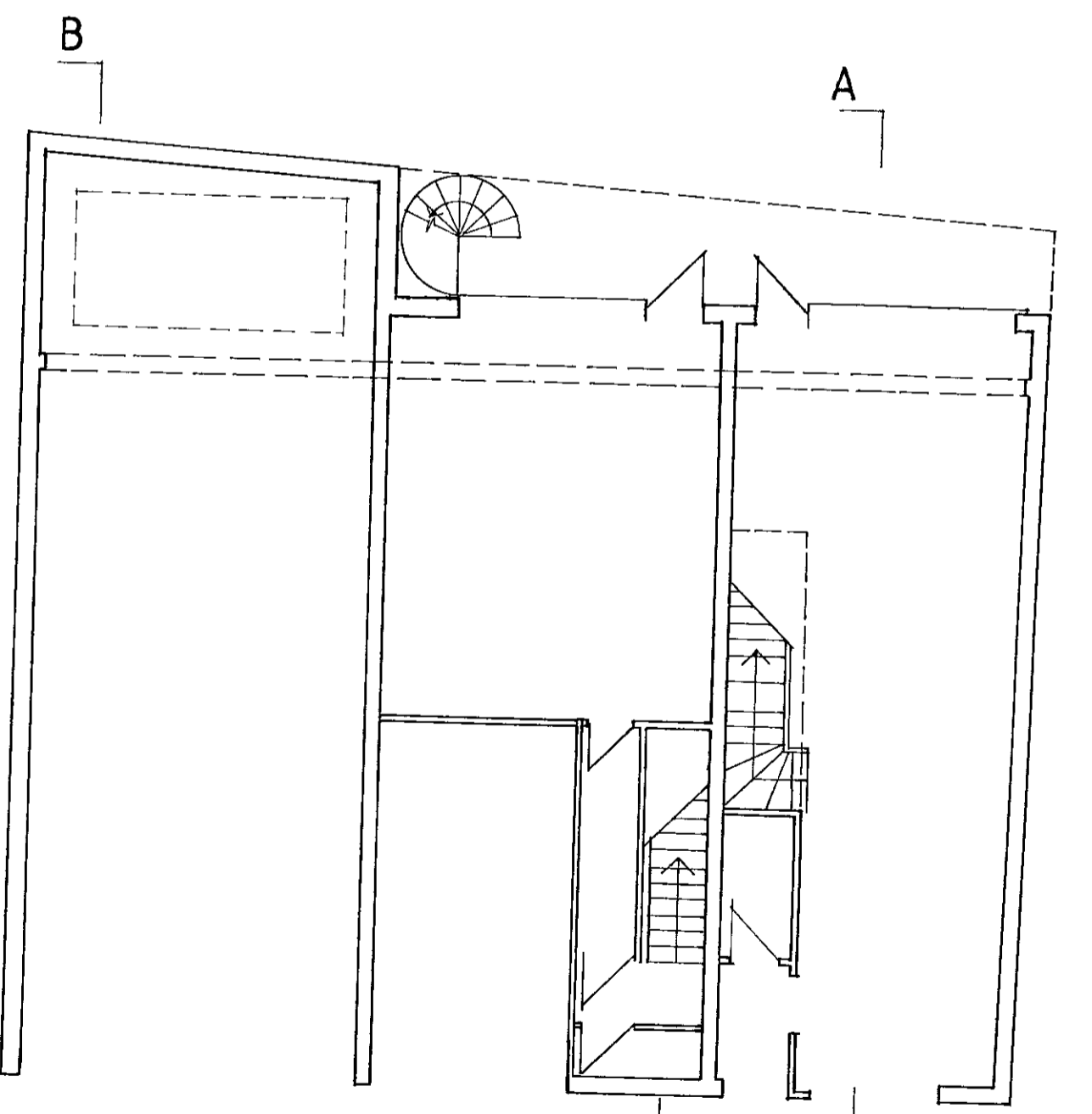
GROUND FLOOR unit 1+2



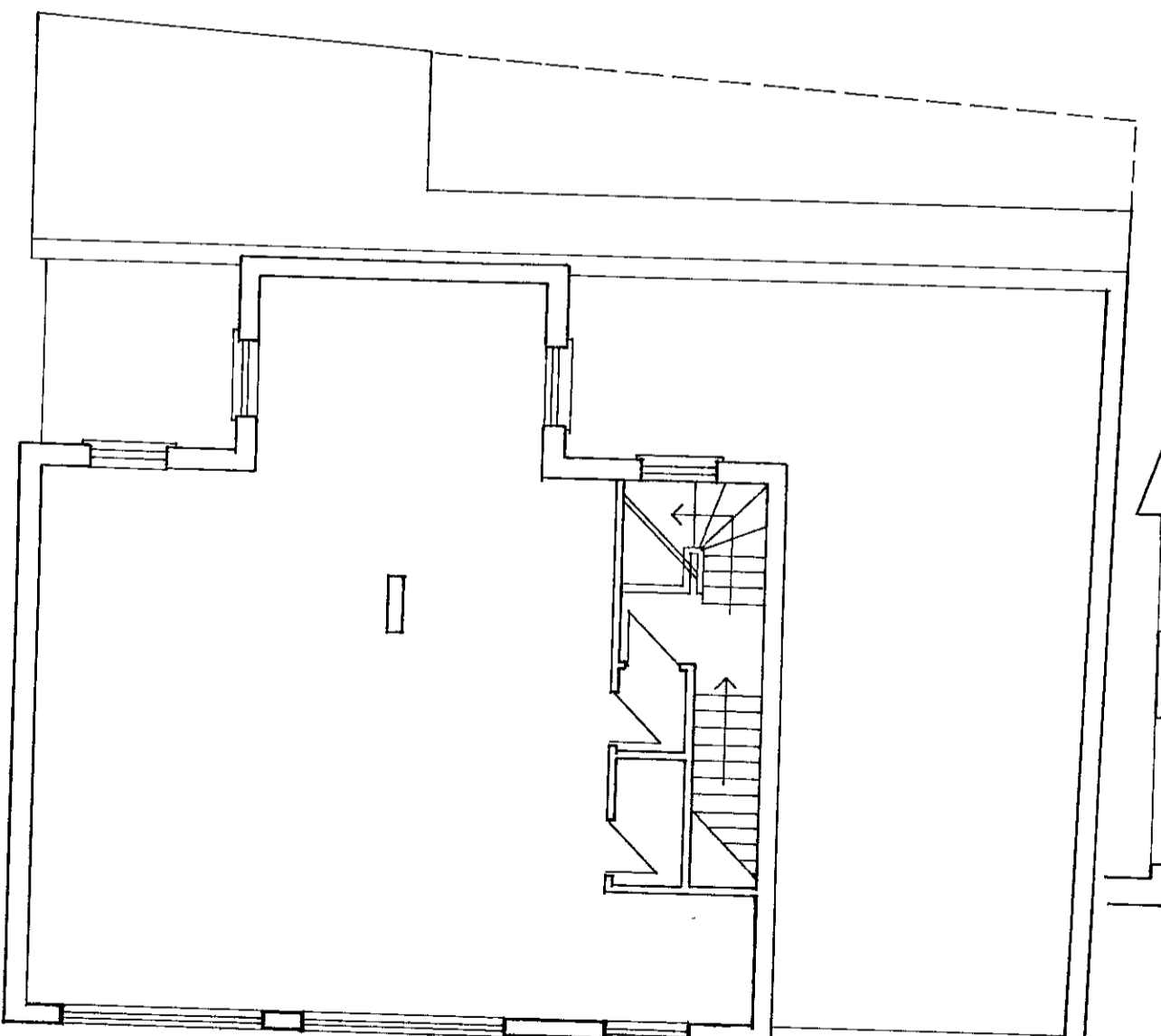
SECOND FLOOR unit 1



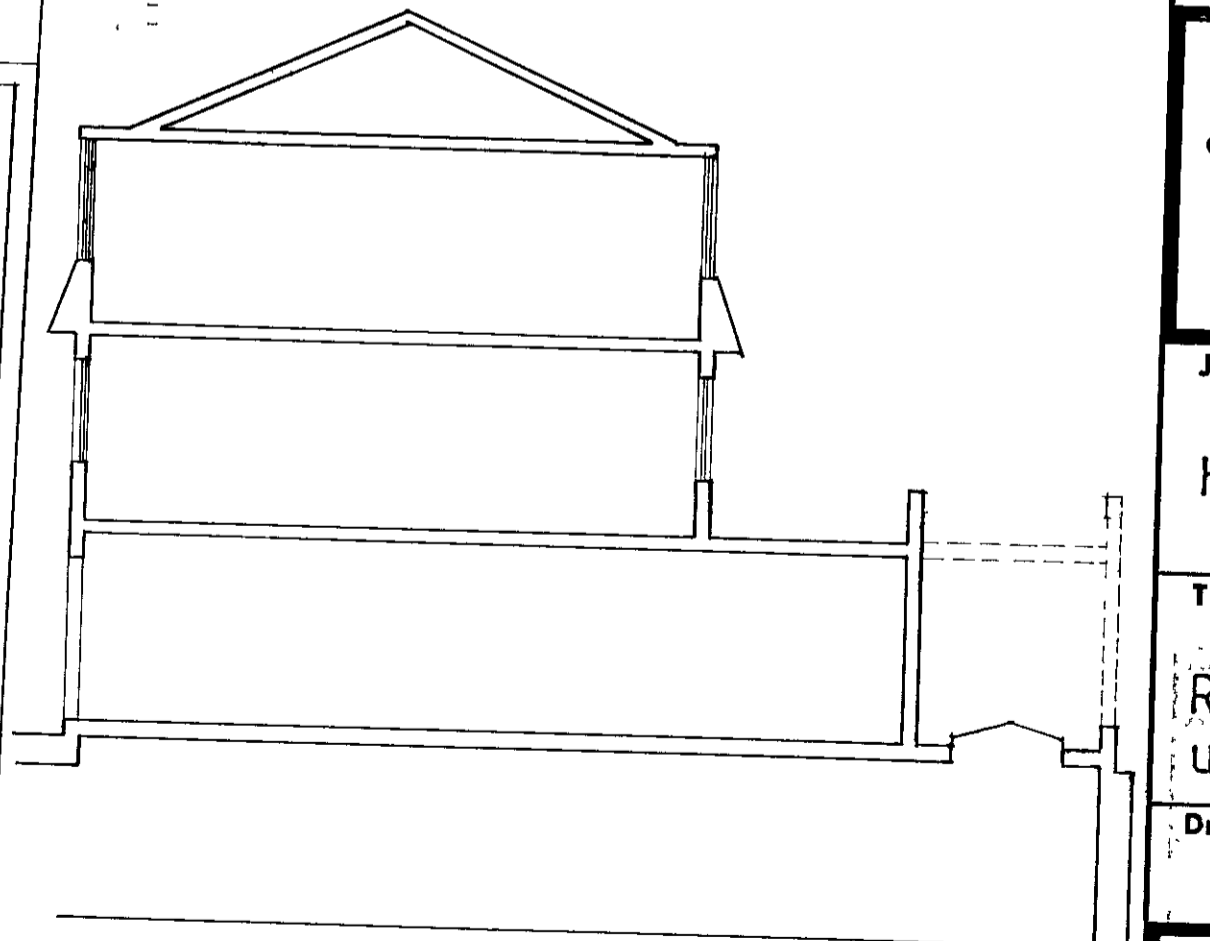
SECTION A-A



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

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
C	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS

NOTE: DOTTED LINE INDICATES ORIGINAL APPROVAL

COLWYN FOULKES & PARTNERS
 Chartered Architects, Planning & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

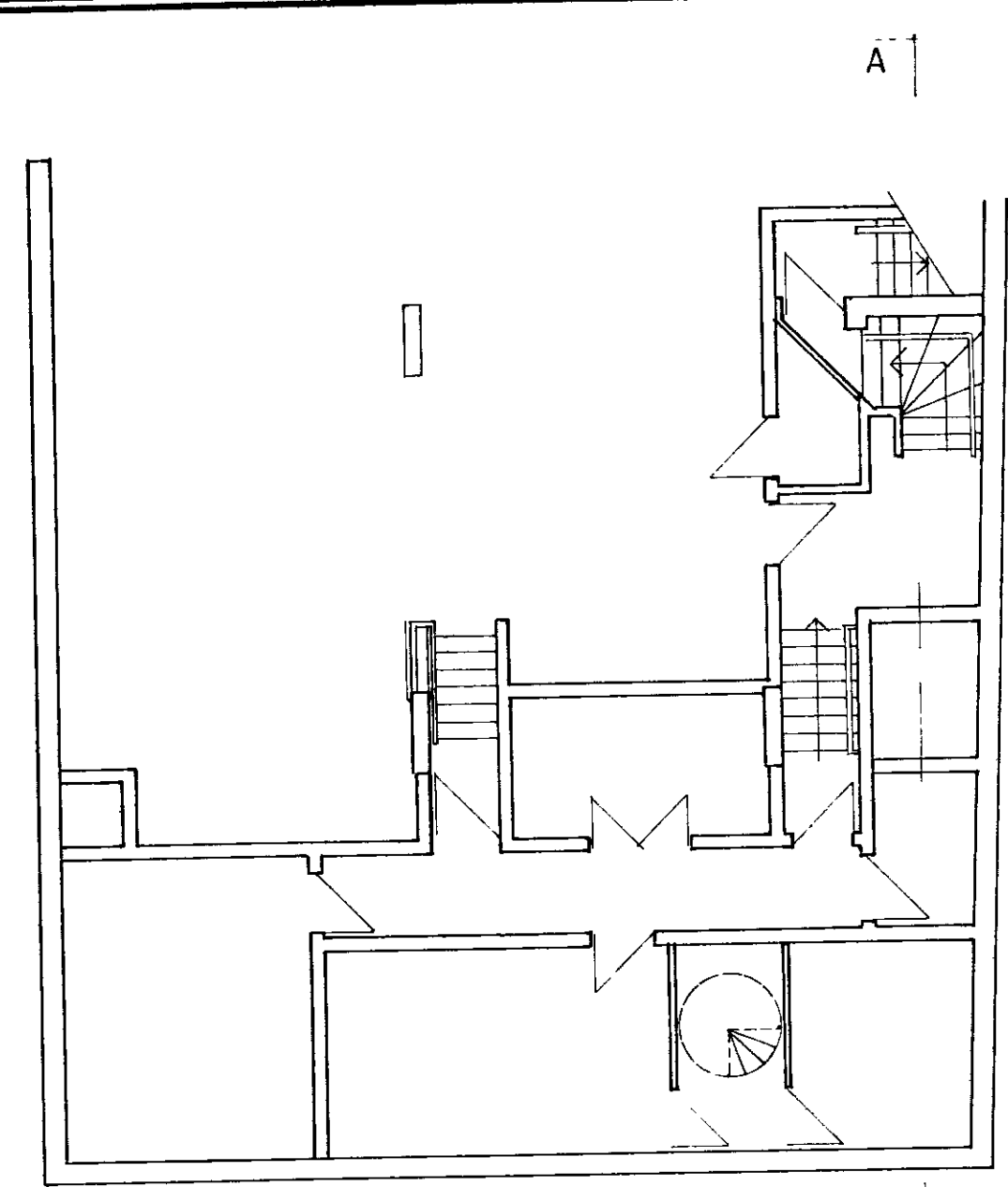
Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

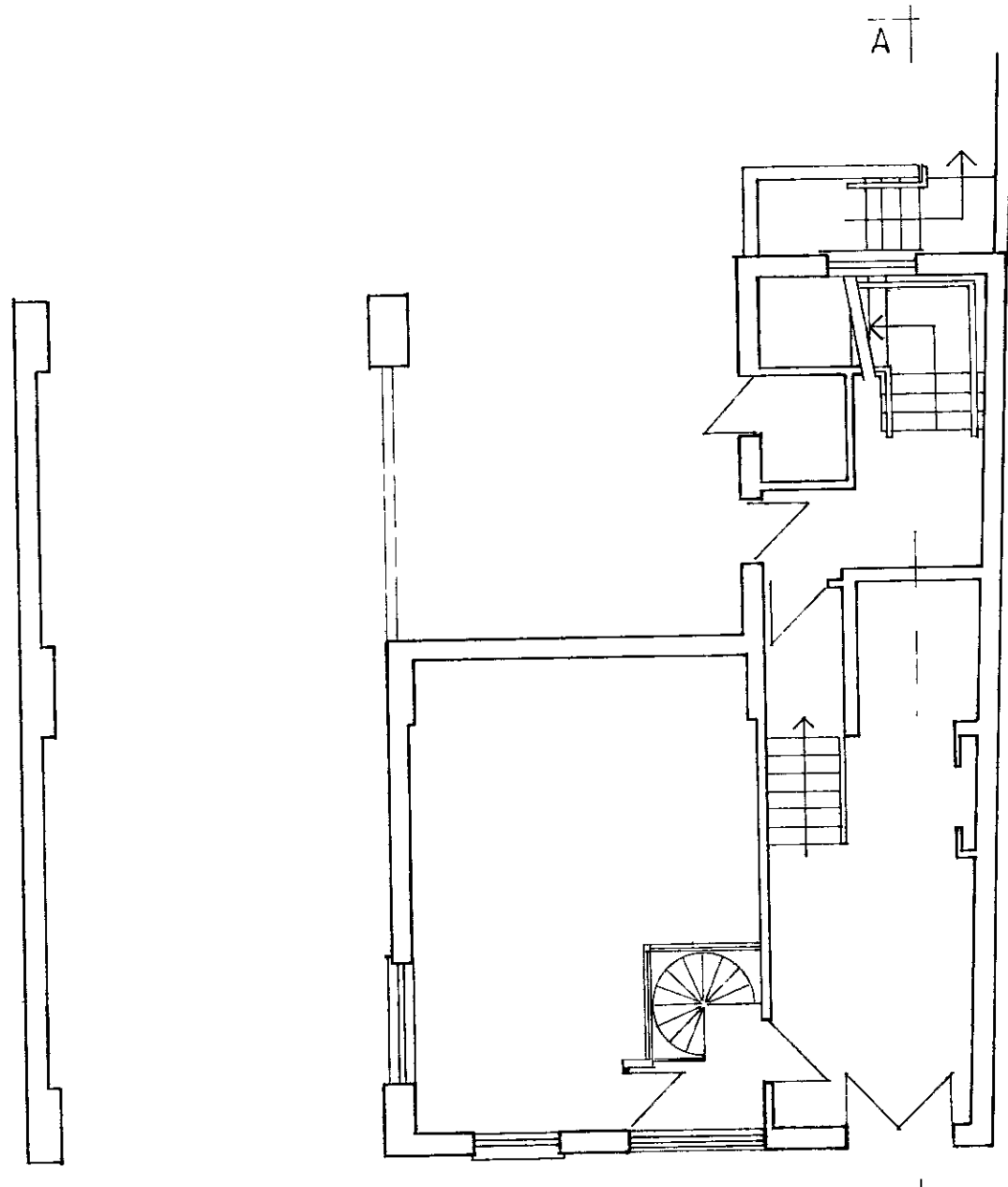
Drawn	Date
	DEC 89

Drawing No
 HTN/01/113 rev C

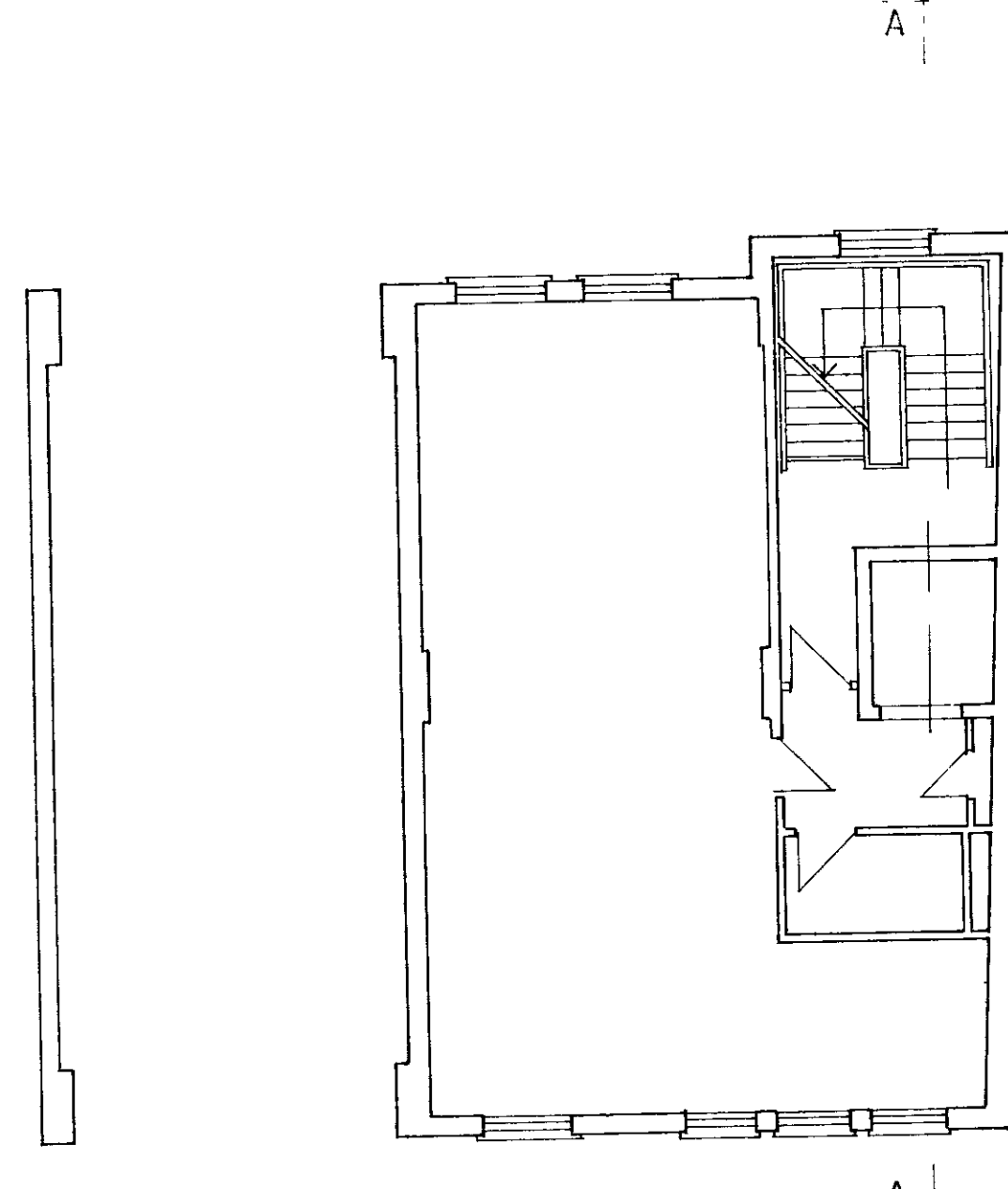
Scale
 1 : 100



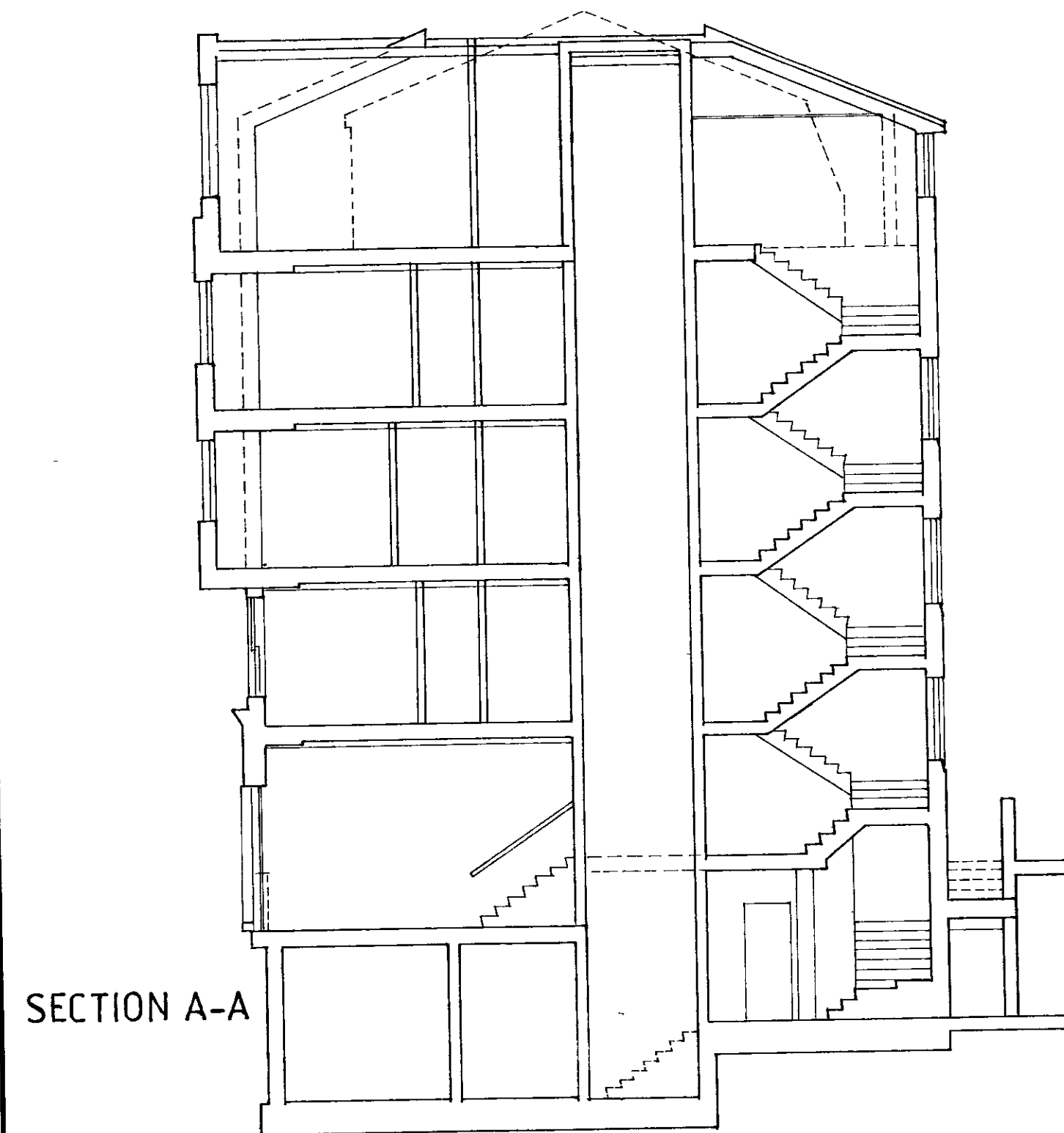
BASEMENT



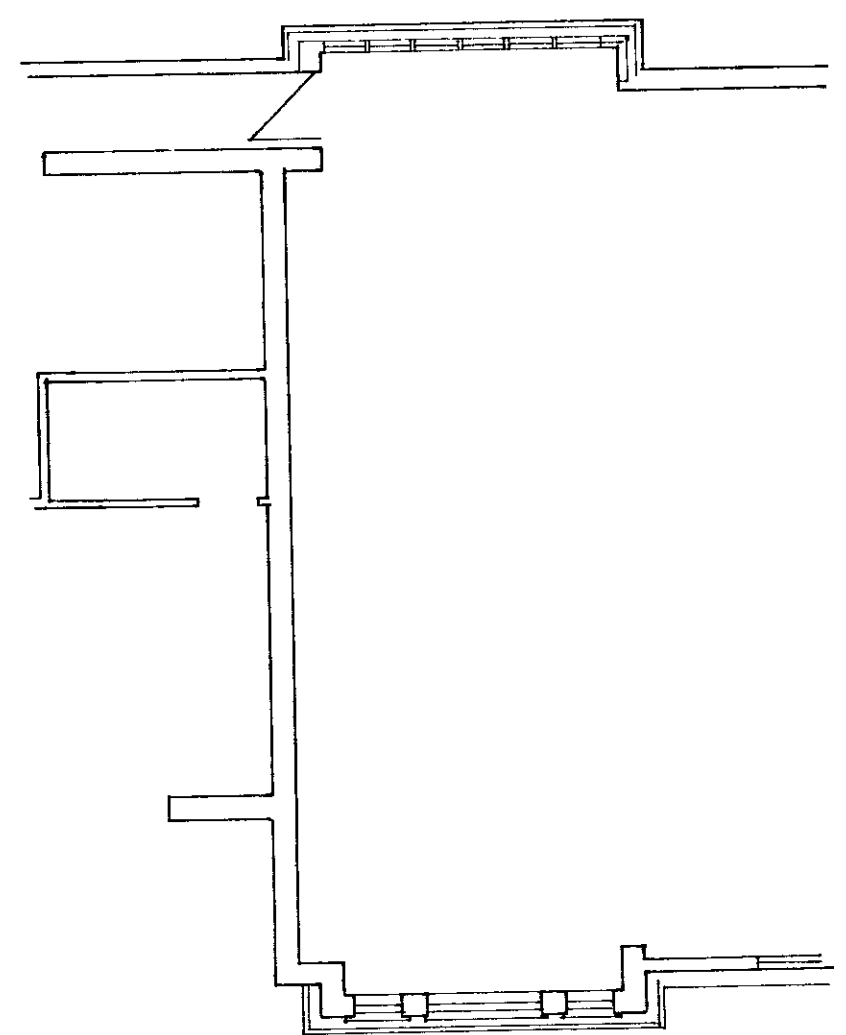
GROUND FLOOR



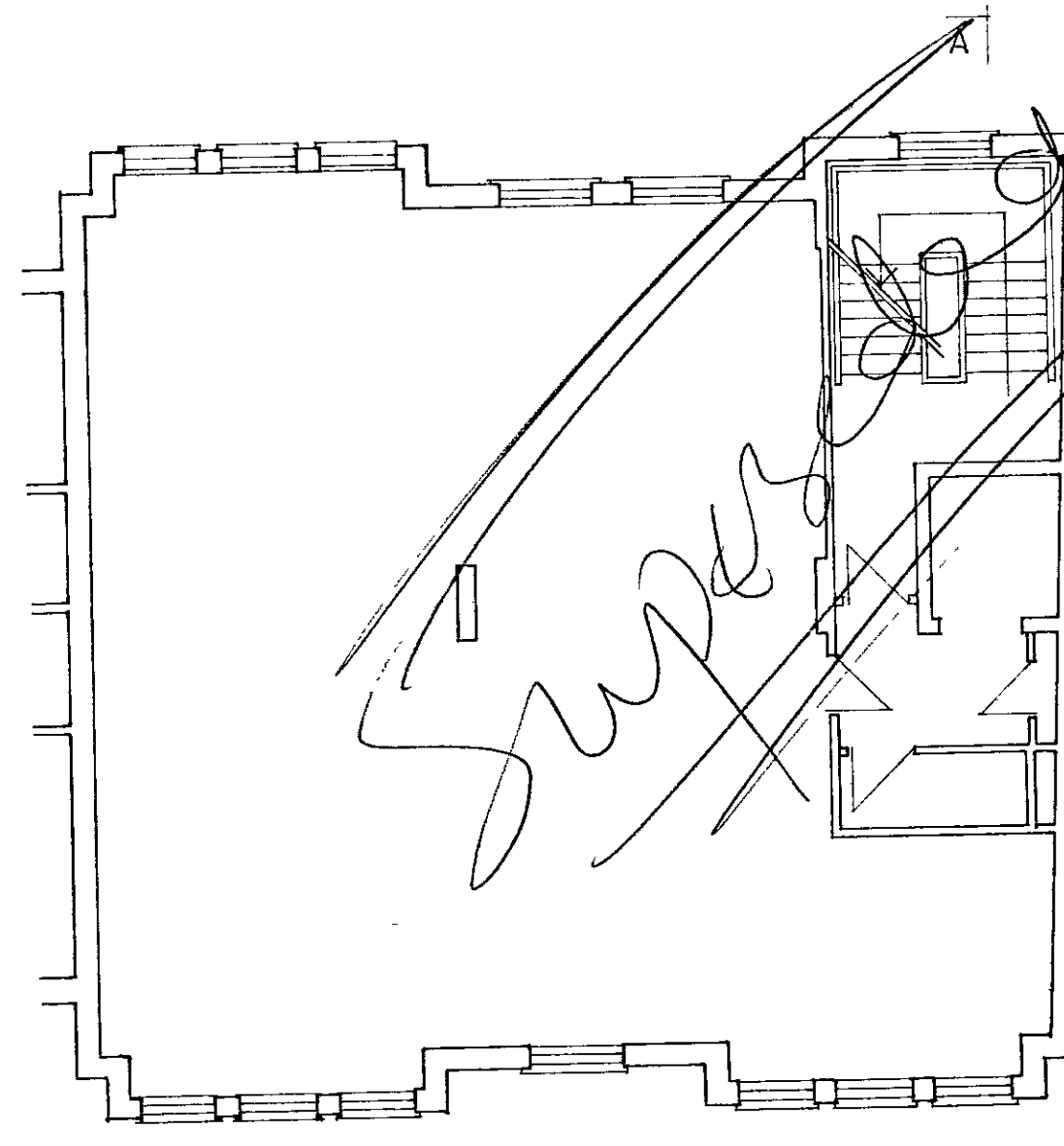
FIRST FLOOR



SECTION A-A



FOURTH FLOOR
(SHOWING ACCESS TO ESCAPE STAIR)



SECOND, THIRD AND FOURTH FLOOR
TP 89/2137C

This drawing must not be scaled
Figured dimensions, levels, etc, only
are to be used TP 89/2137
Any inaccuracies, etc, must be
notified to the Architect (81)
This drawing is copyright
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings

no	date	revisions
D	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
E	JAN 90	SECTION LINES AND LEVELS

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 | London 01938 2464

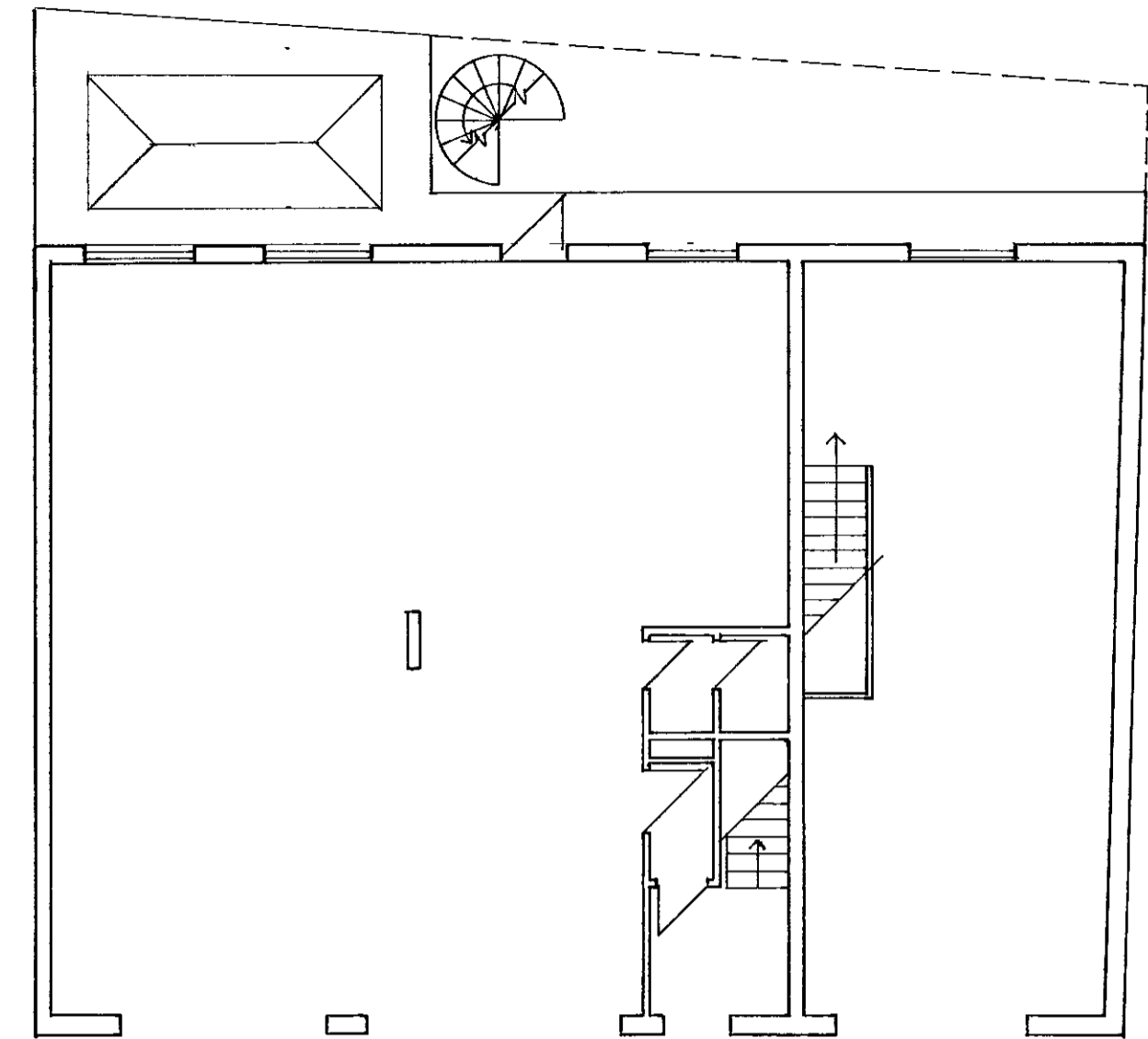
Job
HORTENSIA ROAD

Title
FRONT OFFICES

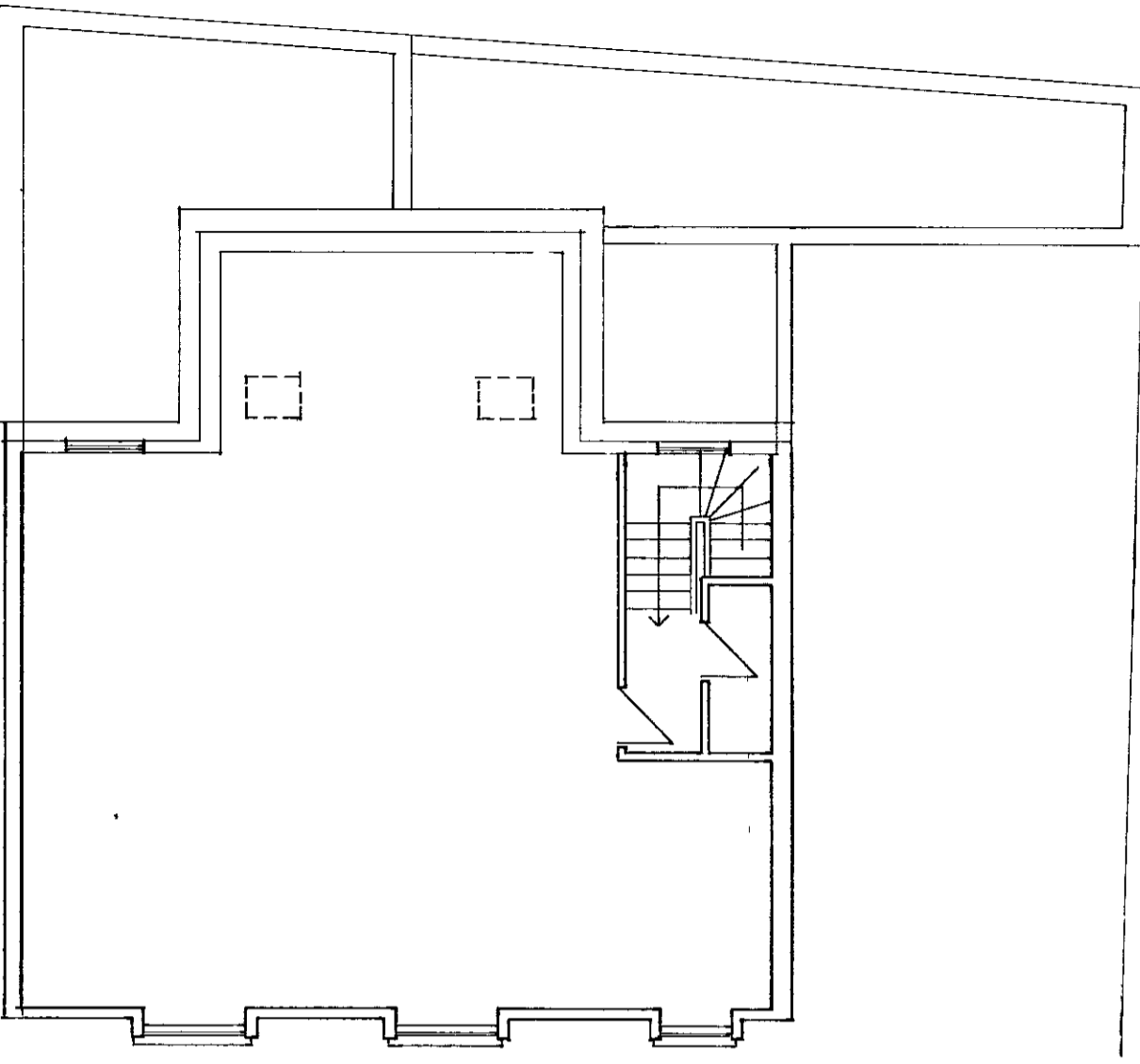
Drawn
Date
DEC 89

Drawing No
HTN/01/114 rev E

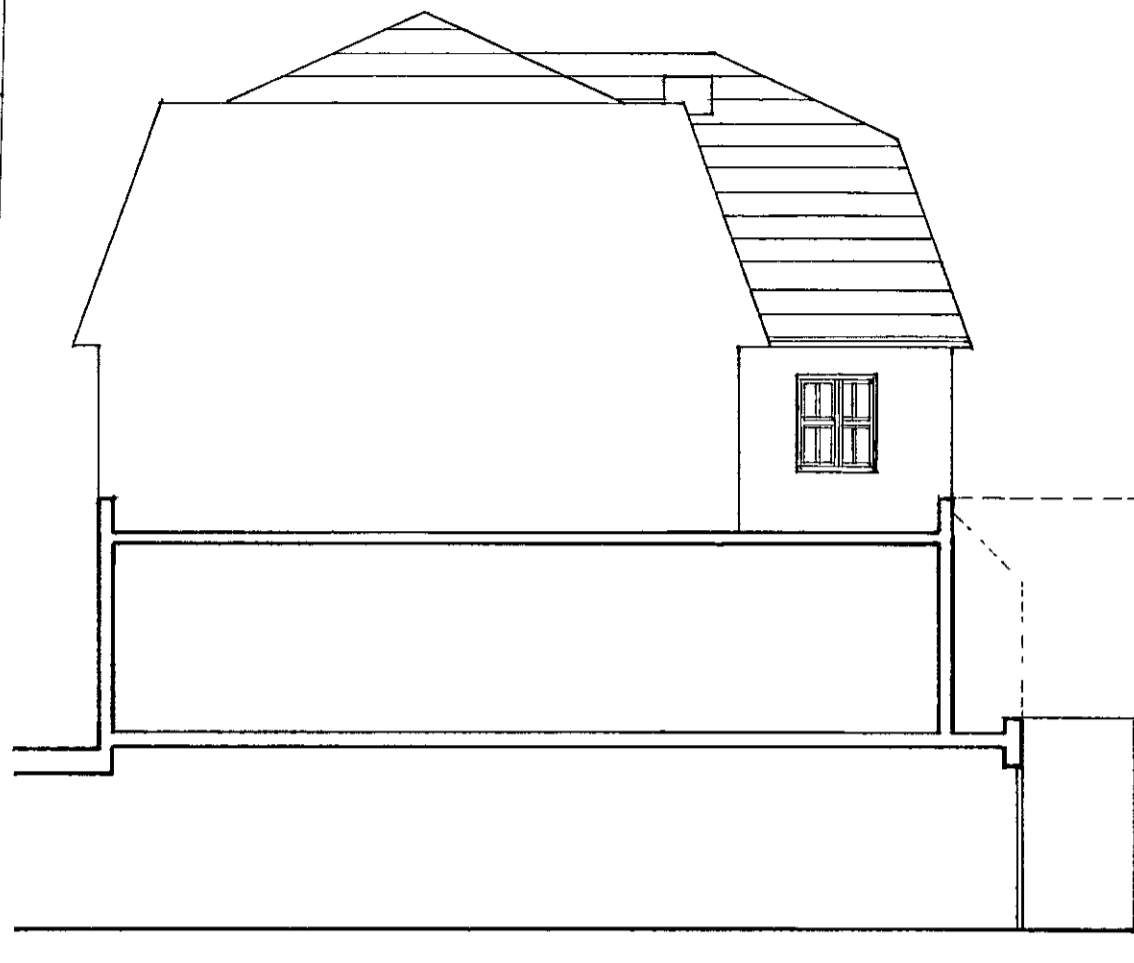
Scale
1:100



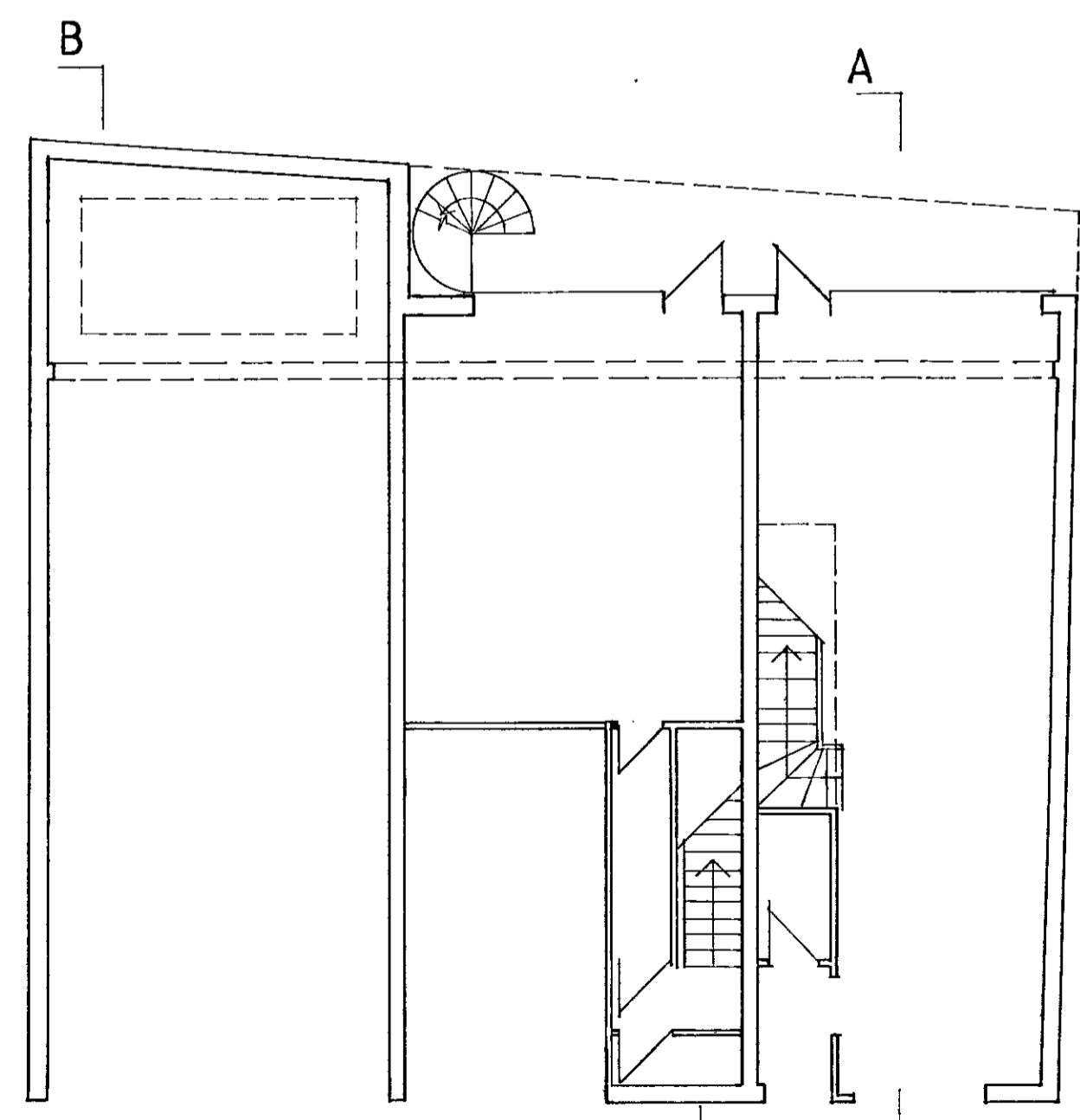
GROUND FLOOR unit 1+2



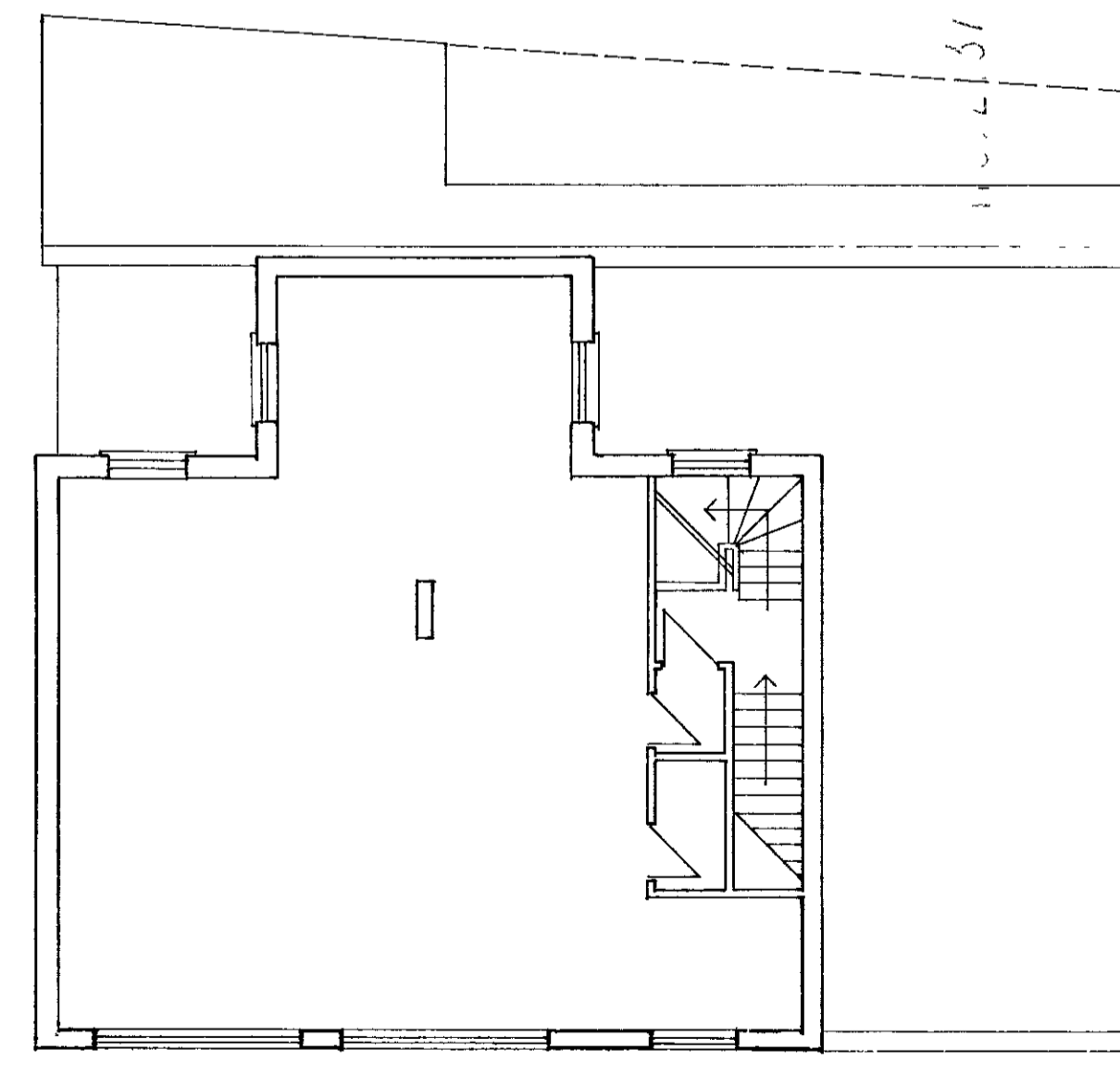
SECOND FLOOR unit 1



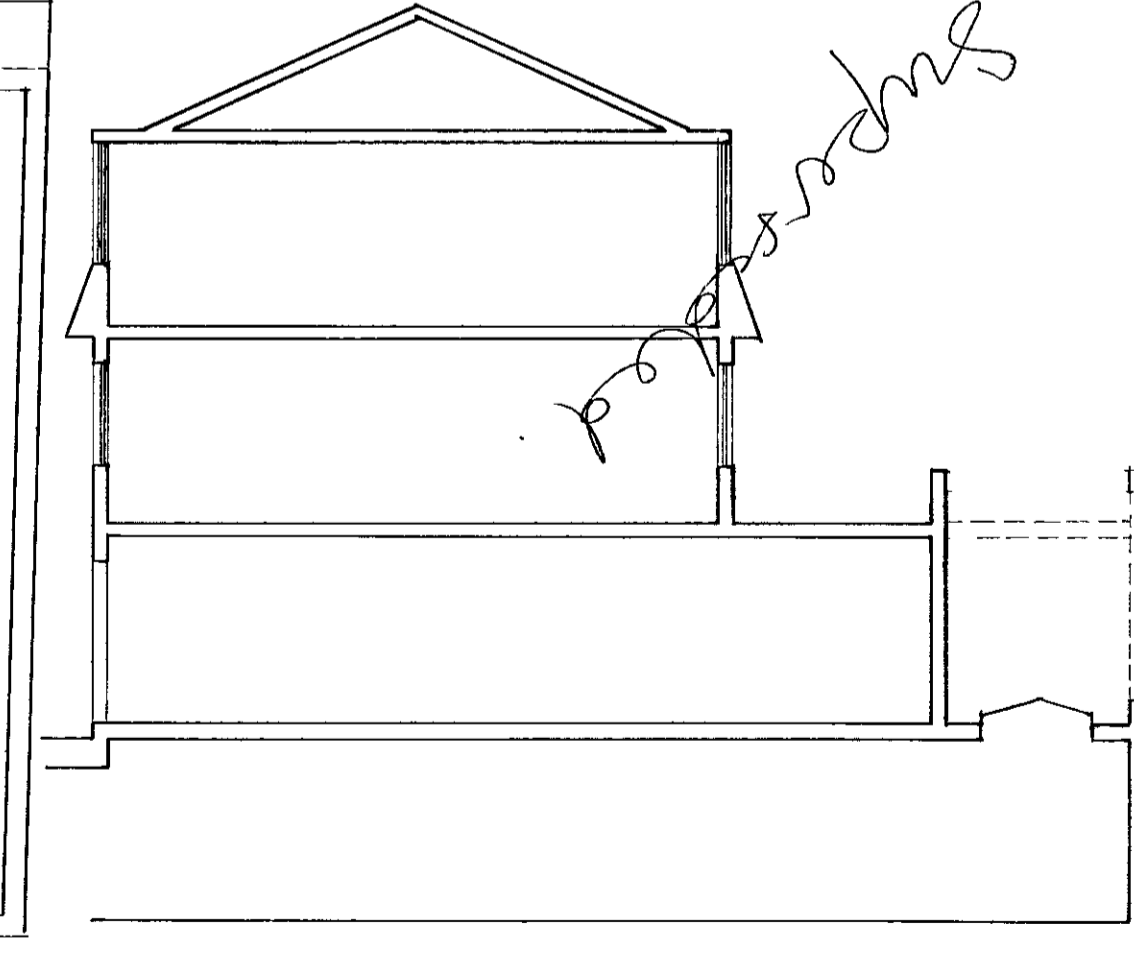
SECTION A-A



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

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
C	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS

NOTE DOTTED LINE INDICATES ORIGINAL APPROVAL

COLWYN FOULKES & PARTNERS
 Chartered Architects, Planning & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

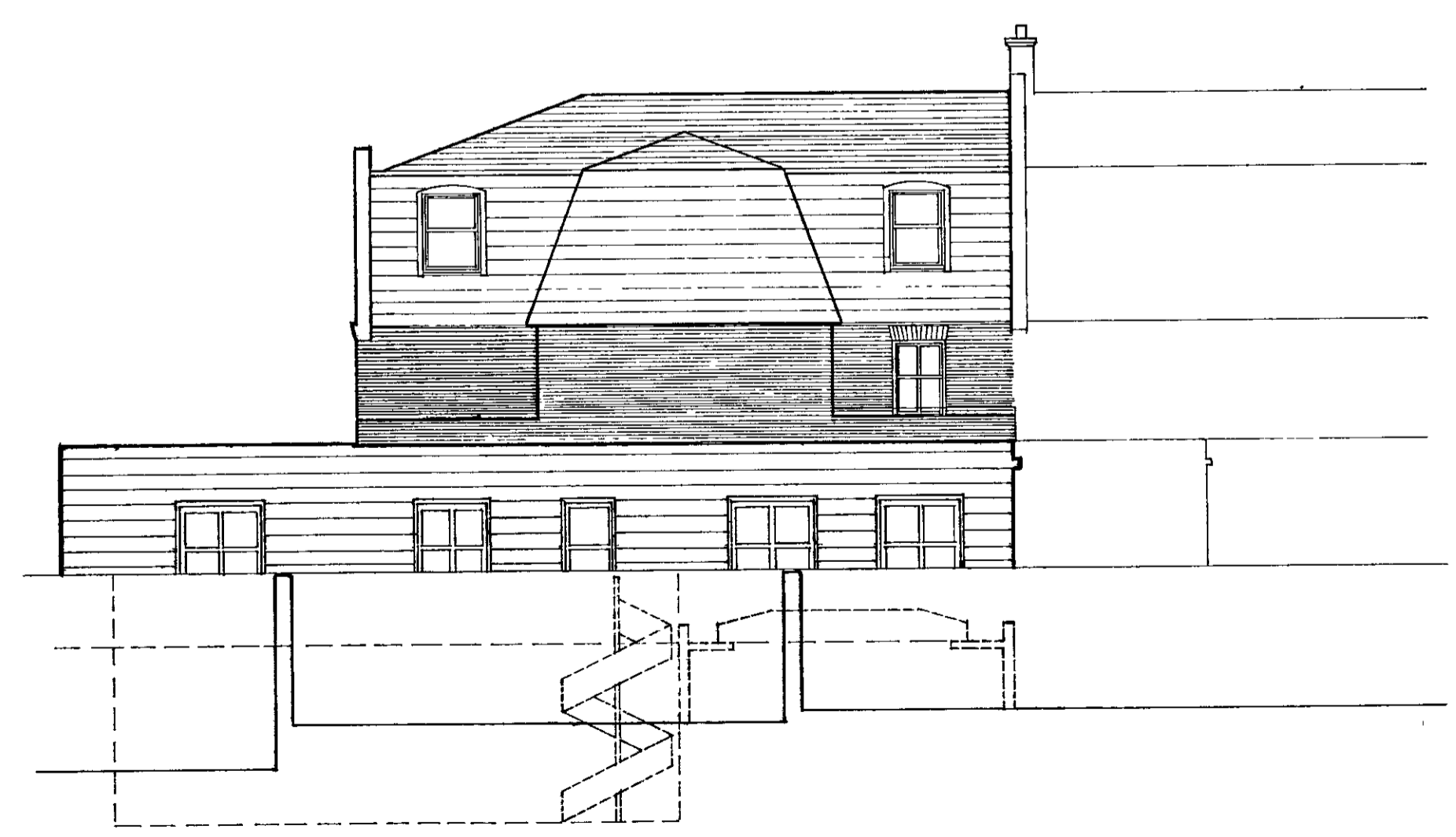
Drawn	Date
	DEC 89

Drawing No
 HTN/01/113 rev C

Scale
 1 : 100



FRONT ELEVATION



REAR ELEVATION

TP892137/A
Superseded

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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END

**COLWYN FOULKES
 & PARTNERS**
 Chartered Architects, Planning
 & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

Job
 HORTENSIA ROAD

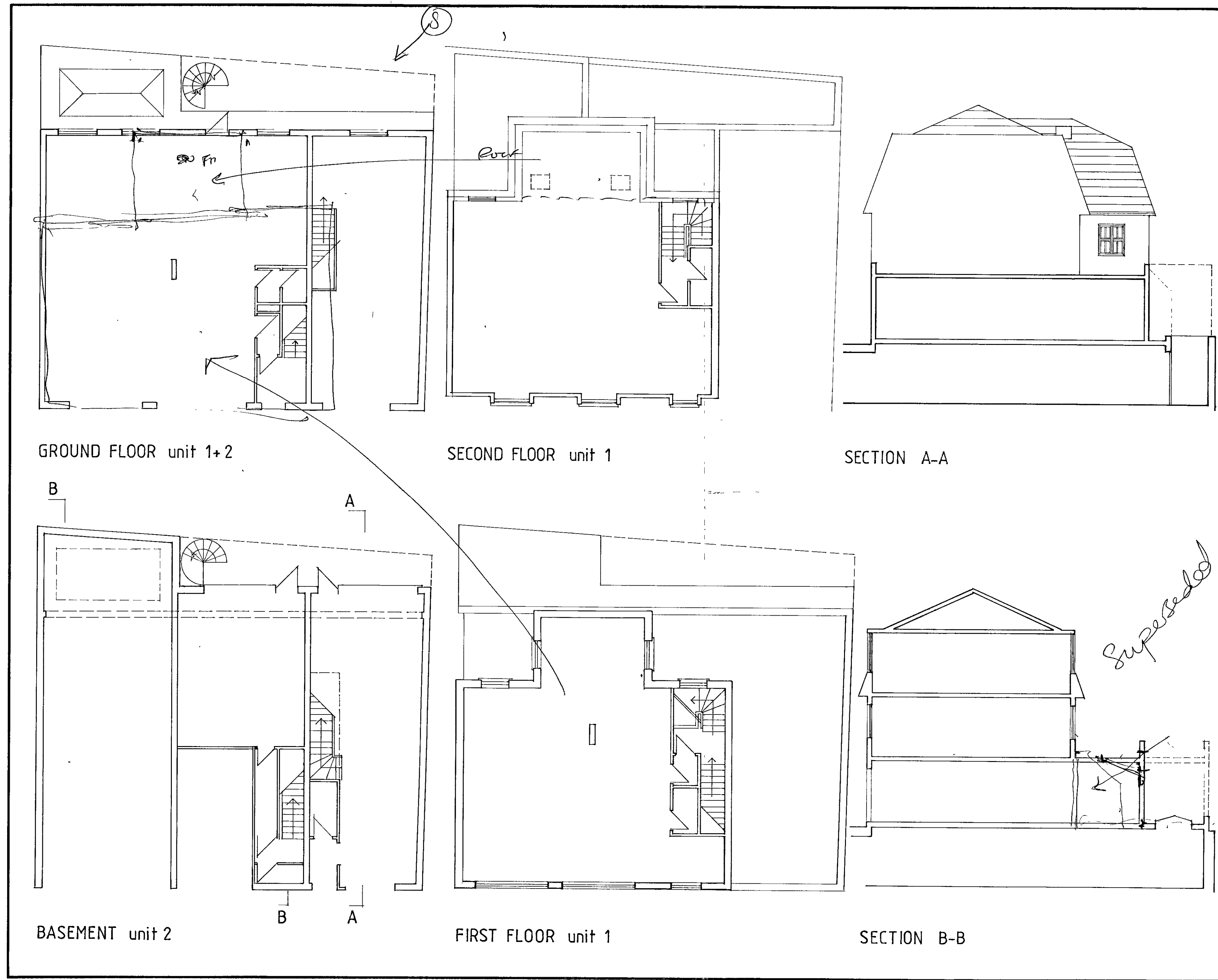
Title
 REAR OFFICE
 UNITS 1 & 2 BY D. P. T.
 On 22 DEC 1989

Drwn	CC	Date
DC N	DC C	DEC 89

Drawing No	REVISIONS	DATE	BY	PLAN
HTN/01/115	5	DEC 89	DC	PLAN

Scale
 1:100

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



GROUND FLOOR unit 1+2

SECOND FLOOR unit 1

SECTION A-A

BASEMENT unit 2

FIRST FLOOR unit 1

SECTION B-B

no	date	revisions
C	DEC 89	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS

NOTE DOTTED LINE INDICATES ORIGINAL APPROVAL

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE units 1+2

Drawn	Date
	DEC 89

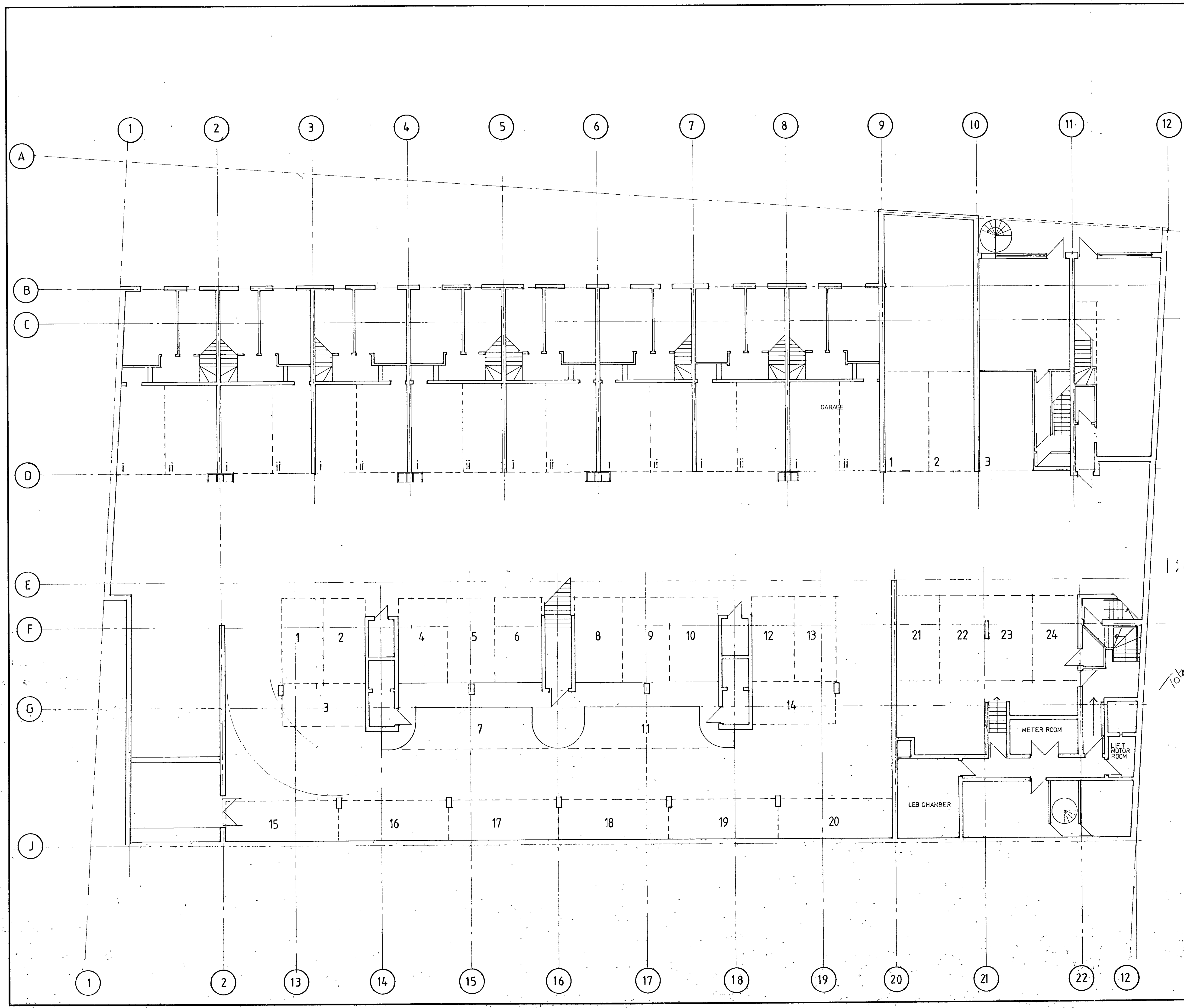
Drawing No
 HTN/01/113 rev C

Scale
 1:100

Superseded

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



1:100
 Total office area
 1110 m²

Superseded

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01 838 2464

Job
HORTENSIA ROAD

Title
**BASEMENT PLAN
 PLANNING**

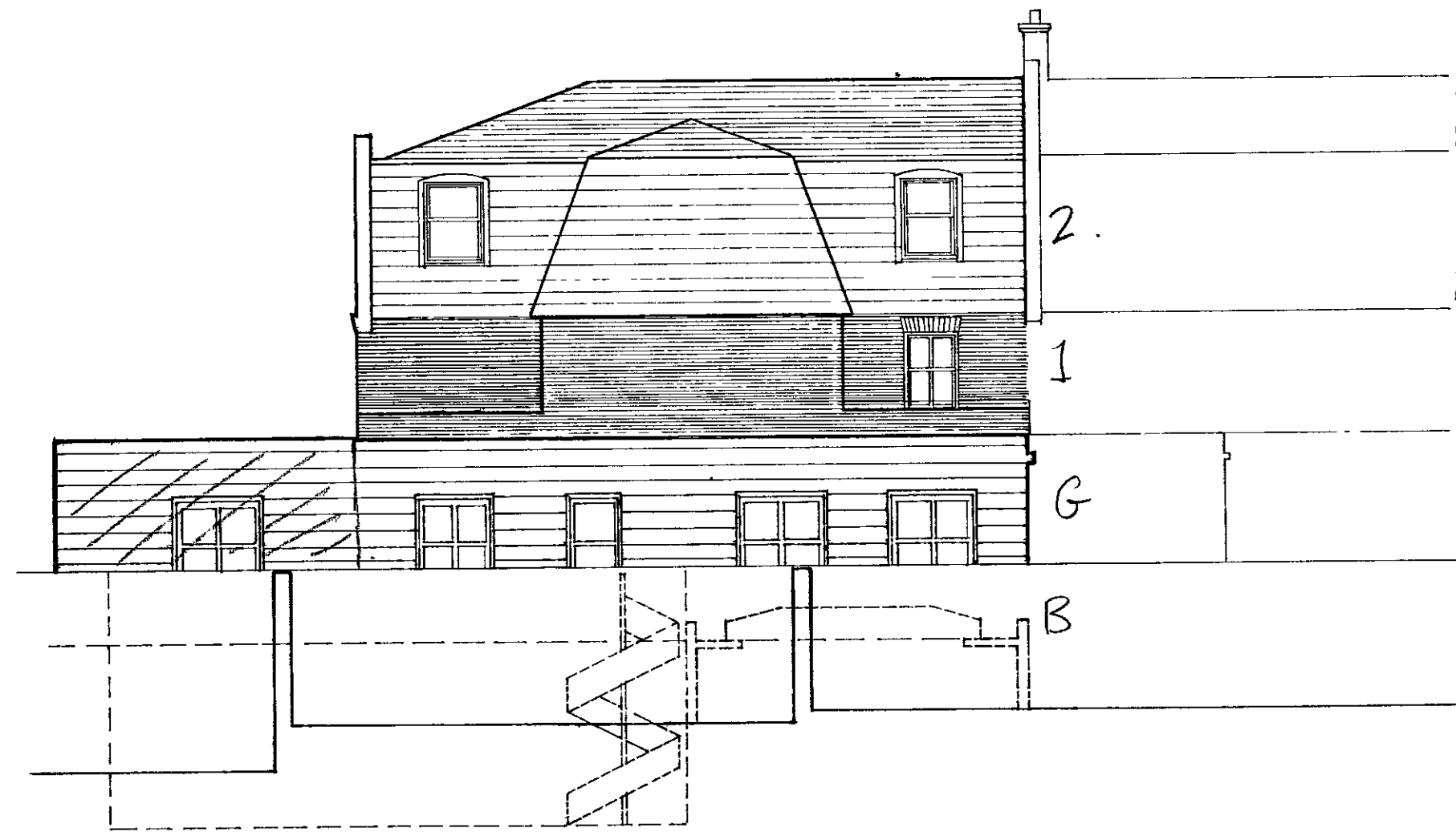
RECEIVED BY D.D.S.
 On 19 FEB 1989

Drawing No	DC	DS	DE	DO
HTN	ARB	D.P.L.	REC	DPT
				ENV PLAN

Scale
 1:100



FRONT ELEVATION



REAR ELEVATION

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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 RECEIVED BY D.P.F.
 UNITS 1 & 2 DEC 1989

Drawn
 Date
 DEC 89

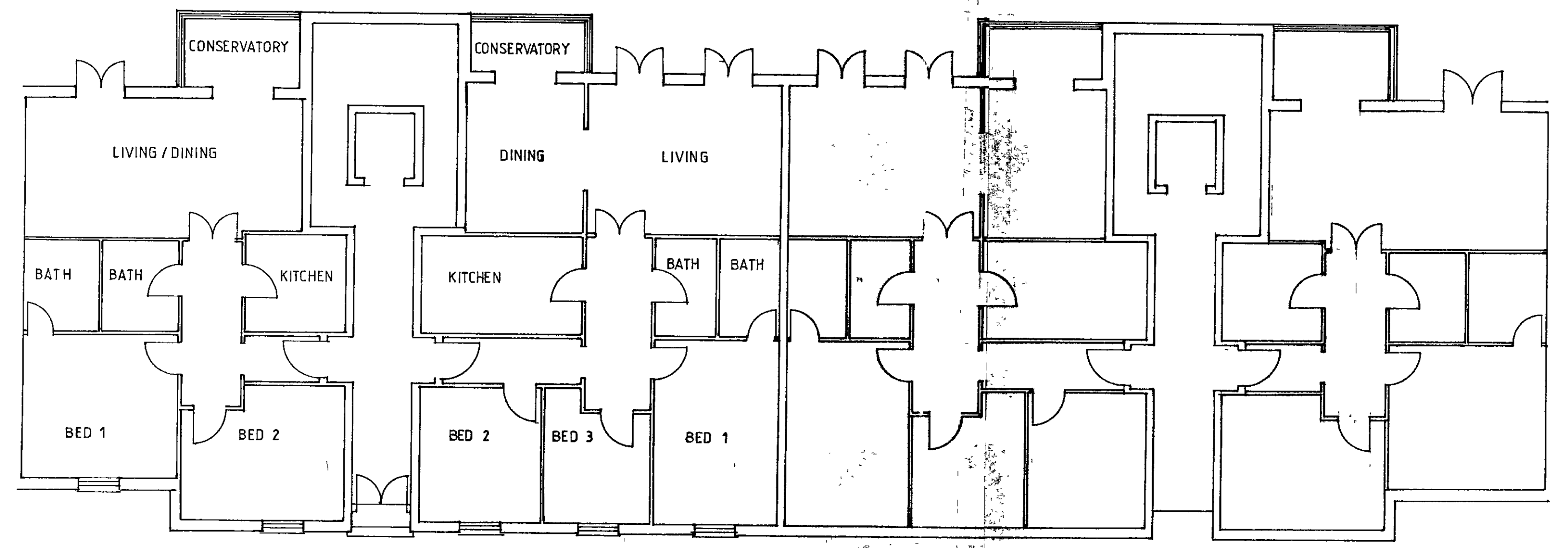
Drawing No
 HTN/01/115 A

Scale
 1:100

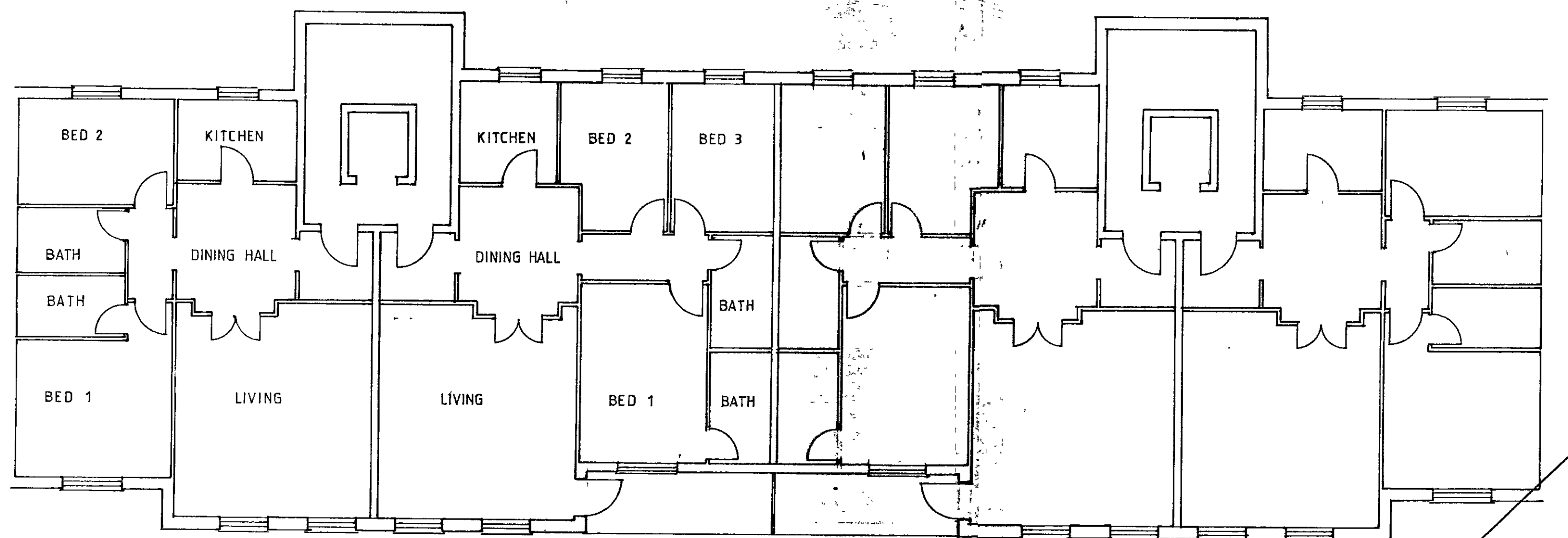
*TP892137/A
 Suspended*

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



GROUND FLOOR



TYPICAL FFLOOR

referred

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

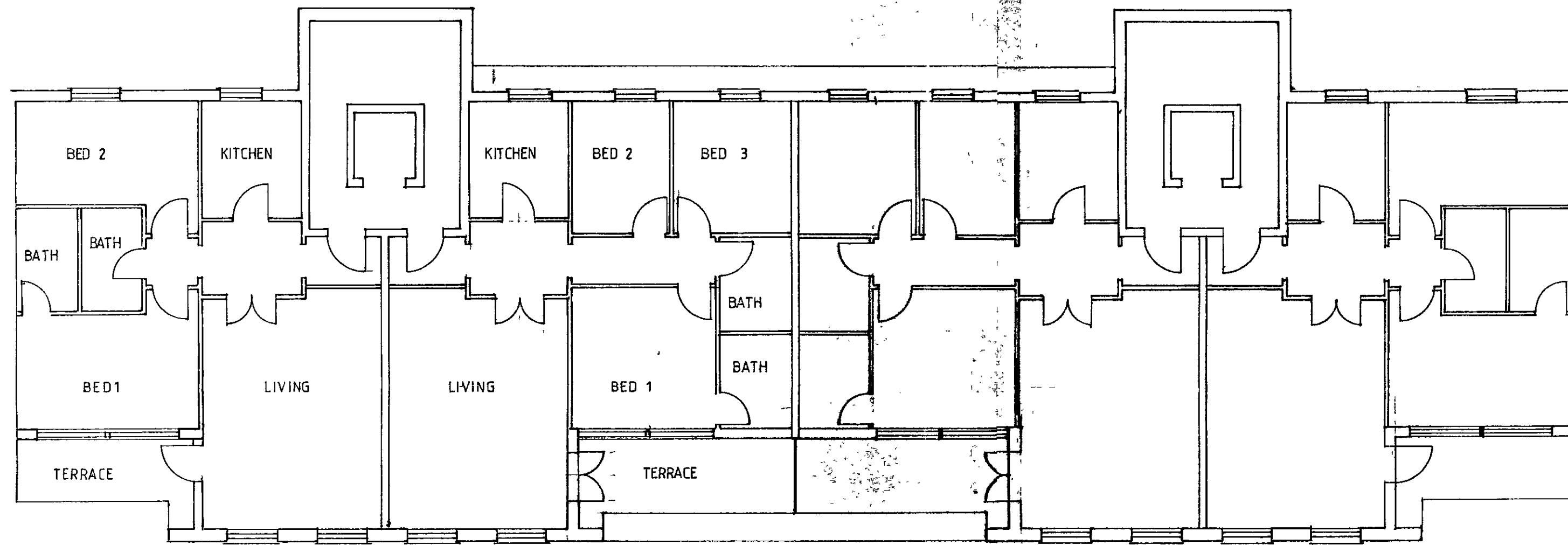
Drawing No
 HTN/01/120

Scale
 1 100

TP/89/2137 (85)

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



PENTHOUSE PLAN

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

Job
HORTENSIA ROAD

Title
PENTHOUSE PLAN

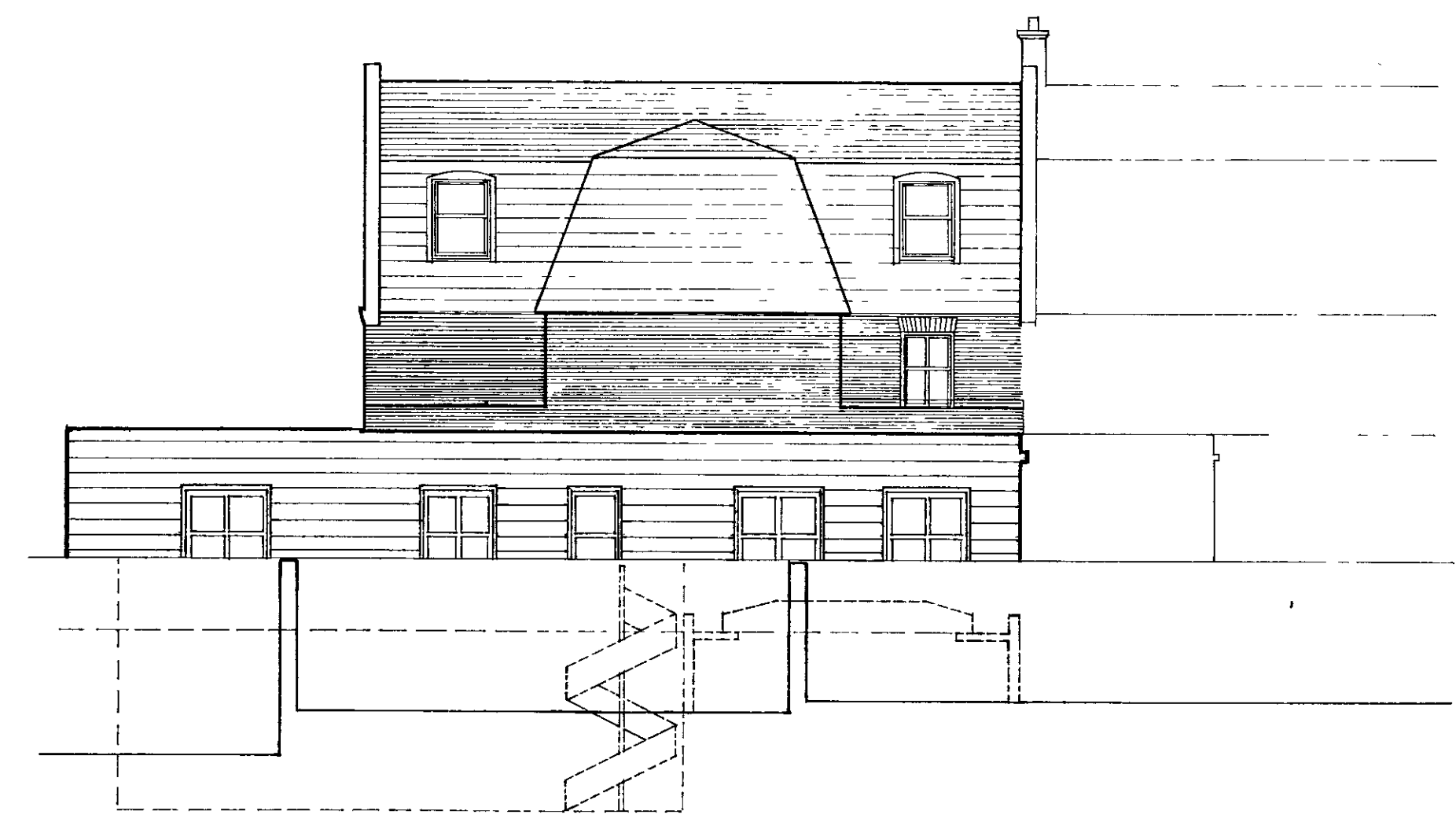
Drawn	Date
	DEC 88

Drawing No
HTN / 01 / 121

Scale
1 100



FRONT ELEVATION



REAR ELEVATION

Handwritten signature or initials, possibly 'J. P. ...'

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

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

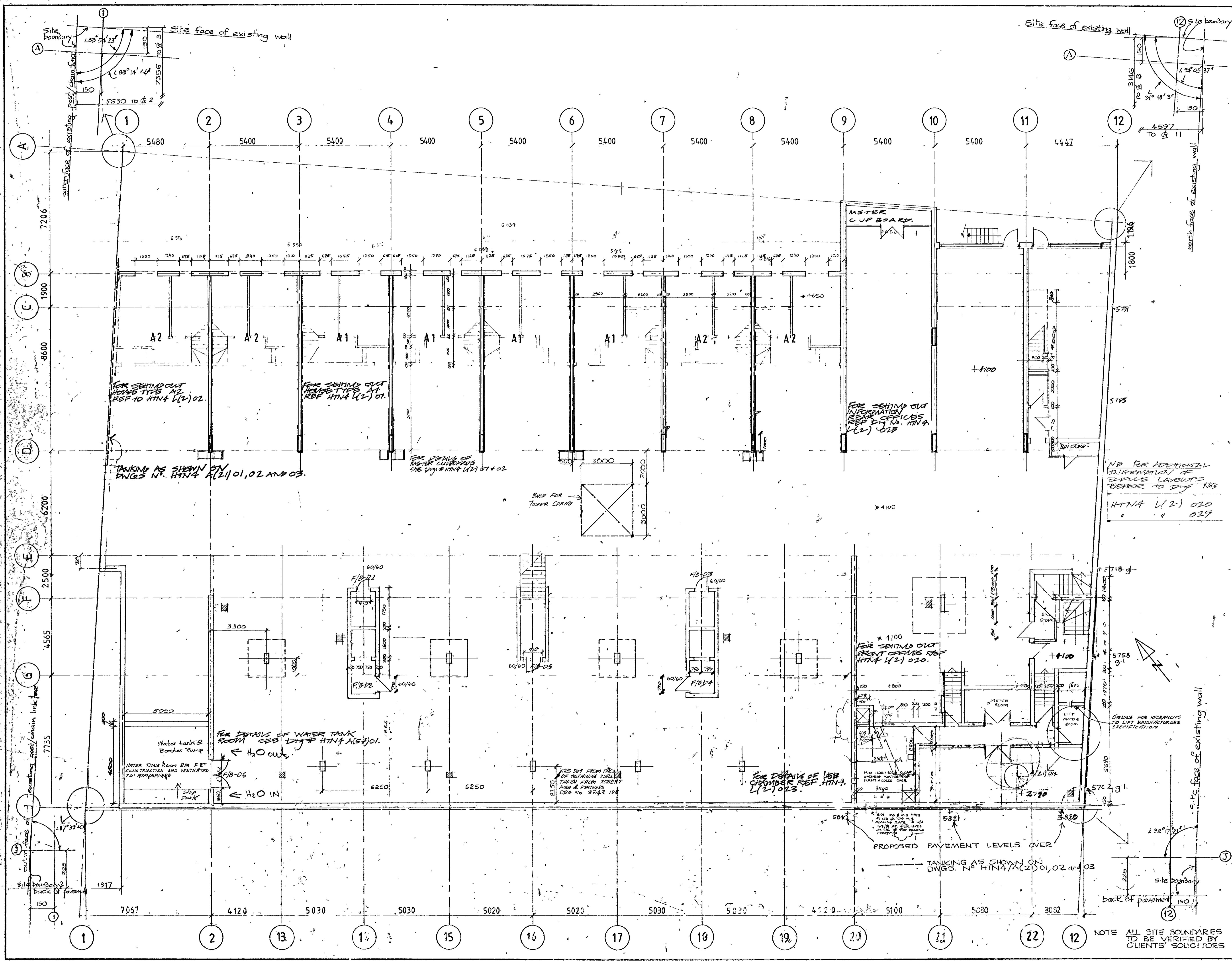
Job
HORTENSIA ROAD

Title
REAR OFFICE
units 1+2

Drawn: W.D.M. Date: DEC 89

Drawing No
HTN/01/115

Scale
1:100



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
A	16/87	Slab to roof office store re-positioned + dimensions added
B	24/87	Slab to roof office store re-positioned + dimensions added
C	14/88	Grid setting out A/B, 12/22, 22-12, amended following new site survey. Remaining wall set to grid + positions SETTING OUT OF CORNERS ADDED
D	7/88	INTERNAL ARRANGEMENT TO FRONT OFFICES REVISED. DIMENSIONS ALTERED. GRIDLINE DIMENSIONS UNCHANGED
E	4/89	TOWER CRANE BASE POSITION ADDED
F	19/89	Pump Room Amended. Serviced Tanking added
G	2/89	Lift doors revised. Staircase added in grid 10/A. Wall omitted in grid 10/C staircase to roof office remaining walls amended
H	17/89	BASEMENT STAIR AMENDED. METER CUPBOARDS ADDED
I	6/89	COLUMNS AND GRID LINES ADDED TO PLATS BEEF TRENCH IN SUBSTATION DIMS DOES TO WATER TANK ROOM NOTES ADDED
J	2/89	DIMENSION BETWEEN G/L 14-15 & 17-18 CORRECTED
K	14/89	DOOR REF TO PLATS ADDED. DIMS OF A/B/D/OE ADDED. GRID LINES TO PLATS ALTERED. COLUMNS AND GRID LINES ADDED. STAIRS, STAIR CASES TO FRONT OFFICES ADDED
L	20/89	HOUSE TYPES ADDED. DRO RAFTS ADDED. WATER SUPPLIES ADDED. REFER TO D/S 102
M	20/89	GRIDLINE J AMENDED IN ALL DIMENSIONS. DIMS. HOUSES TANKING ADDED. BASEMENT STAIRS AMENDED
N	18/89	DIMENSION TO TANK ROOM ADDED
O	2/89	ELECTRICAL LOCATIONS INDICATED
P	1/89	DIMS. AMENDED ON G/L 5 TO ACCORD WITH AS BUILT COLUMN POSITIONS ETC.

CF&P
Colwyn Foulkes and Partners
Chartered Architects

RECEIVED BY: [Signature]
Colwyn Foulkes and Partners
11, GERRARD STREET, LONDON, W1P 9DU
DATE: 11 NOV 1989

Job No. []
DC [] C [] DS [] DP [] DE []

HORTENSTADT
DDPT [] LD [] FVAC [] E [] AD []

Title: **BASEMENT PLAN SETTING OUT**

Drawn: [] Date: **Jan 89**

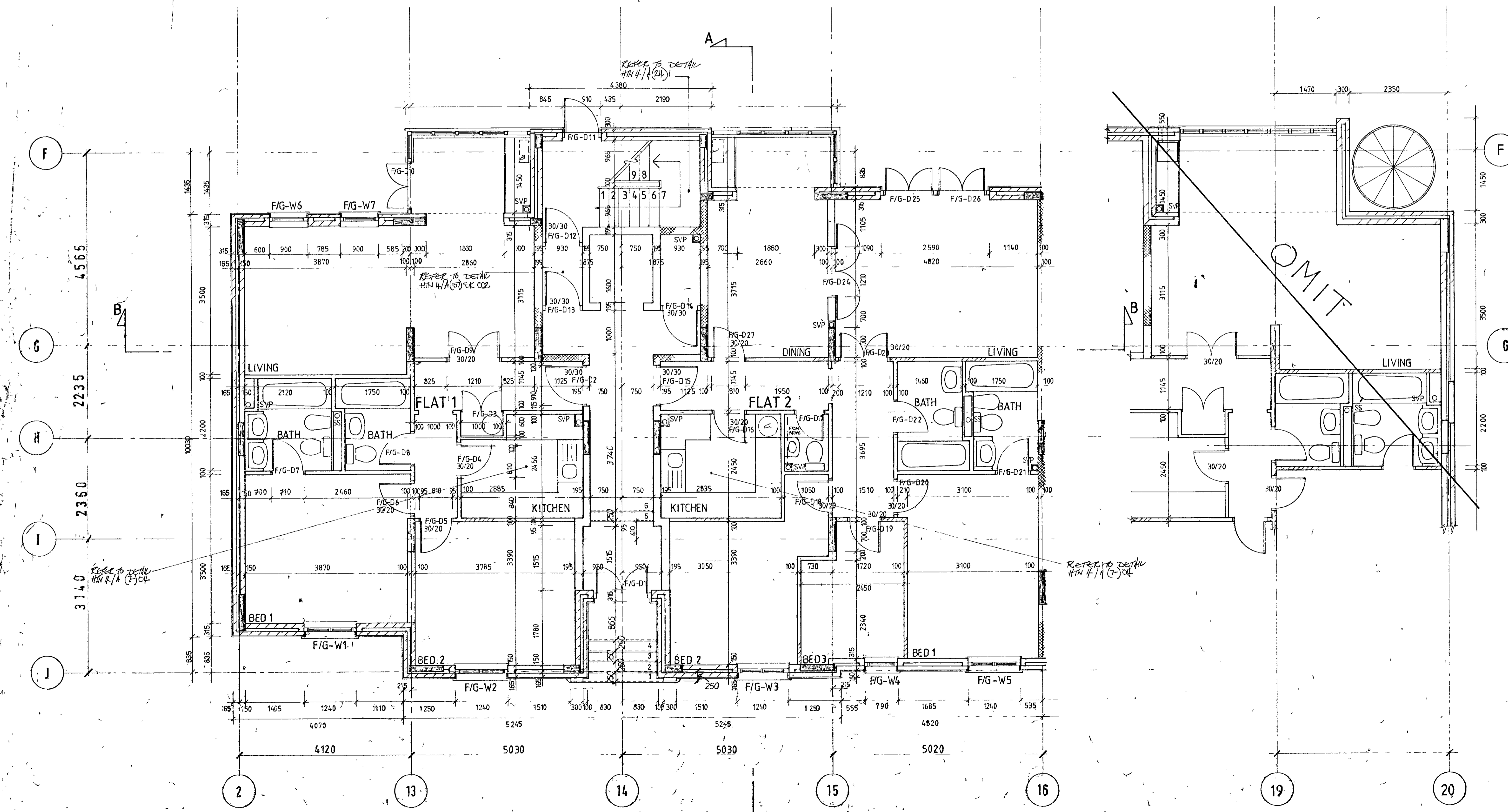
Drawing No: **HTN4/L(1)01**

Scale: **1-100**

NOTE: ALL SITE BOUNDARIES TO BE VERIFIED BY CLIENTS SOLICITORS

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
A	3/89	DRAWING INKED DIMENSIONS ADDED / CORRECTED
B	2/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BATH AND KITCHEN LAYOUTS ADDED.
C	15/89	DOOR NUMBERS ADDED.
D	16/89	COLUMNS ON GRID LINE 'H' AMENDED
E	17/89	GRID LINE 'G' ADDED
F	3/89	GRID LINES 'F' & 'H' ADDED
G	18/89	FINISHED TO EACH ROOM CAN BE READ FROM THE HTN 4 (2) (12) II
H	11/89	AMEND KITCHEN LAYOUT
I	12/89	FINISH TO EACH ROOM CAN BE READ FROM THE HTN 4 (2) (12) II
J	11/89	DIMENSIONS ADJUSTED TO NOMINAL 300 CANY WALL TREADS TO ENTRANCE STEPS CHECKED FROM 240 TO 250 3 No. ROPED.



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay, Gwynedd, North Wales
 Tel: 098 246 246

Job No: 27 NOV 1989
HORTENSIA ROAD

DC	W	C	S	E
ARB	D PLAN	CONTR	DPT	ENV PLAN

Title: **FLATS**
 GROUND FLOOR PLAN

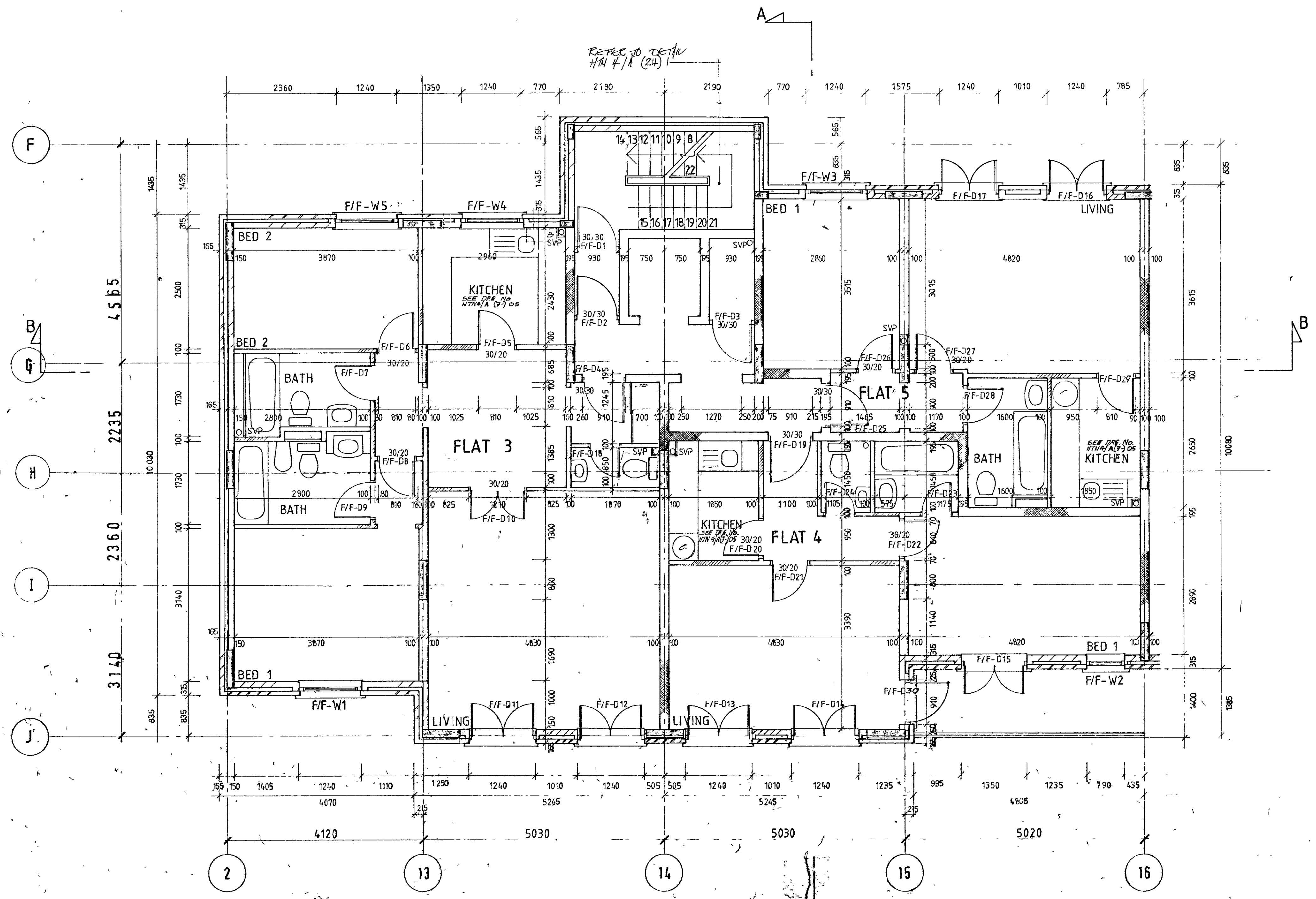
Drawn: _____ Date: FEB 89

Drawing No: **HTN 4 (2) 011**

Scale: 1:50

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
A	2/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BATH AND KITCHEN WINDOWS WIDDED.
B	8/5/89	DOOR NUMBERS ADDED
C	11/5/89	COLUMNS ON GRID LINE "W" AMENDED.
D	17/7/89	GRID LINE "D" ADDED.
E	21/7/89	GRID LINES H & I ADDED.
F	2/7/89	COLUMN ABUTMENTS AMENDED ON GRIDLINES G, J
G	13/9/89	FINISHES TO EACH ROOM CAN BE READ FROM DTD HTN 4 (2) 12 AMEND KITCHEN LAYOUT
H	1/10/89	1:11 SET REVISIONS
I	1/11/89	DIMENSIONS AMENDED TO SUIT PER NOMINAL 305 DOOR HULL
J	8/11/89	COLUMNS BETWEEN # L 15 & 16 AND 18-19 SHIFTED. COLUMNS AT STAIRS ADDED.



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

RECOMMENDED BY D. P. T. Longlands
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

Job: **HORTENSIA ROAD**

ARB	D PLAN	RECORDS	DPT	ENV PLAN
DATE	TD	TRACES	CONTROL	NO ACK

FLATS
FIRST-FLOOR PLAN

Drawn: _____ Date: FEB 89

Drawing No: **HTN L(2)-012 J**

Scale: 1:50

BUILDING REGULATIONS NOTES

This drawing to be read in conjunction with all other relevant Architects and Structural Engineers drawings.

All works to be to the approval of the District Surveyor and Statutory Inspectors.

A STRUCTURE

A 1/2 LOADING & GROUND MOVEMENT

Refer to Structural Engineer's drawings and calculations.

RESISTANCE TO STRUCTURAL THERMALS

All timber to be double vacuum treated with organic solvent preservative. All timber on site to be treated with 2 coats brush applied preservative.

RAFTERS: To all upper slopes to main roofs. 20 degree pitch double vacuum treated rafters 400 are designed to be submitted to District Surveyor prior to commencement of the work.

RAPPORTS: To all lower roof slopes to main roofs. 49 degree pitch double vacuum treated SF grade SCL. Rafters 400 are.

STRUCTURAL BRACING: All rafters to be braced in accordance with BS 5268 Pt 3 1985. Rafters to be secured to SF plates with m brass clips hot dipped galvanised to BS 2859 SF plates secured to steel purlins.

ROLES & NOTICES: For services to be strictly in accordance with the specification.

UPPER FLOORS: 19 mm T&G decking quality plywood on SF battens on 200 thick in situ RC slabs to SF design. 15mm 1800 x 2400 ply decking to kitchens and bathrooms.

BASINETS & GROUND FLOORS: Reinforced concrete finish construction to SF's details. Basement slab tapered finished

In garage area. In other areas trowel finish to receive screed or asphalt as indicated in drawings.

EXTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

FOUNDATION: Refer to SF's drawings.

INTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

INTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

INTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

INTERNAL WALLS: ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

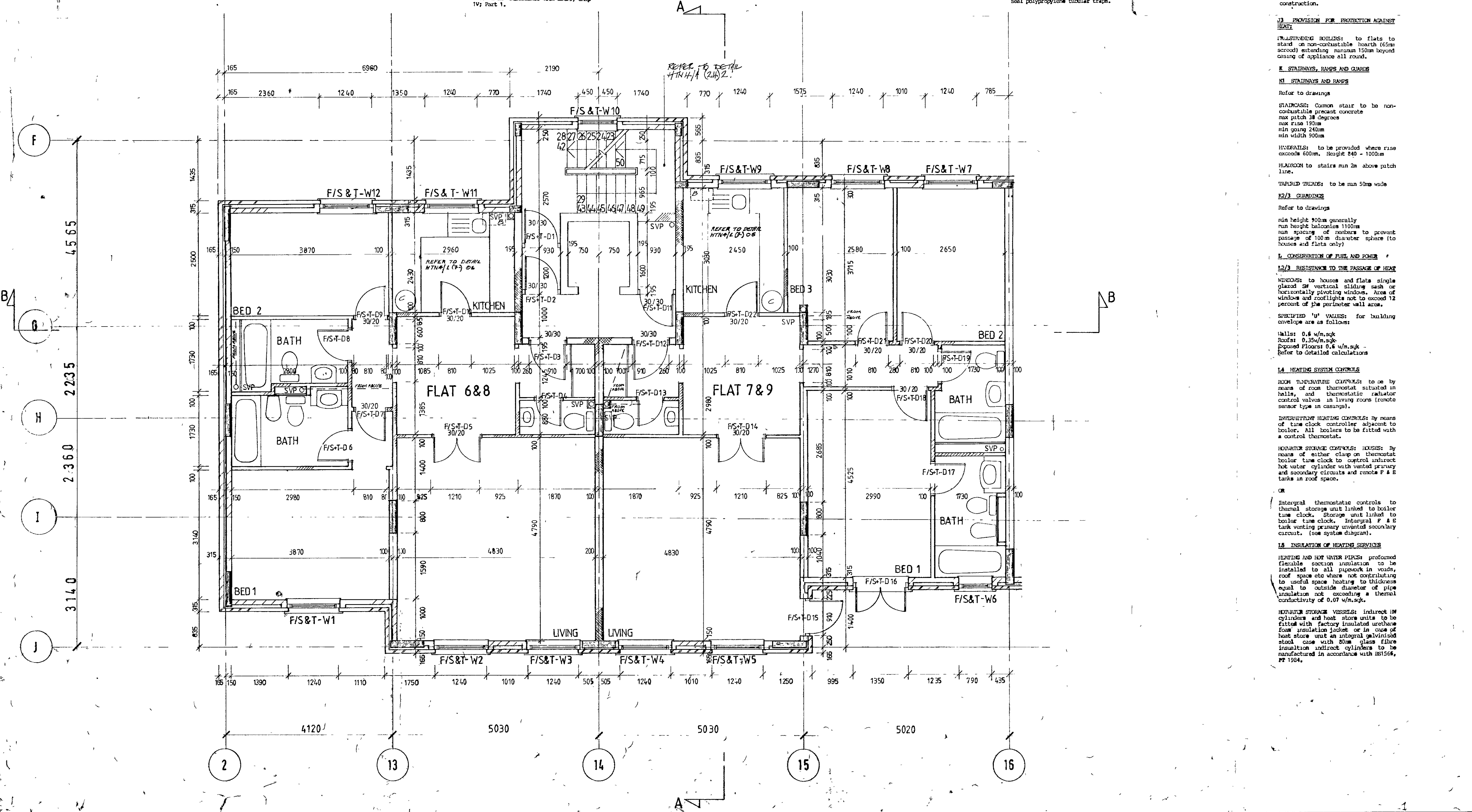
INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.



INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

INTERNAL WALLS: to be constructed of materials of limited combustibility as described in note A1/2 to give 1 hour/1 1/2 hour FR as described above.

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

27 NOV 1989

HORTENSIA ROAD

FLATS.

Second & Third Floors

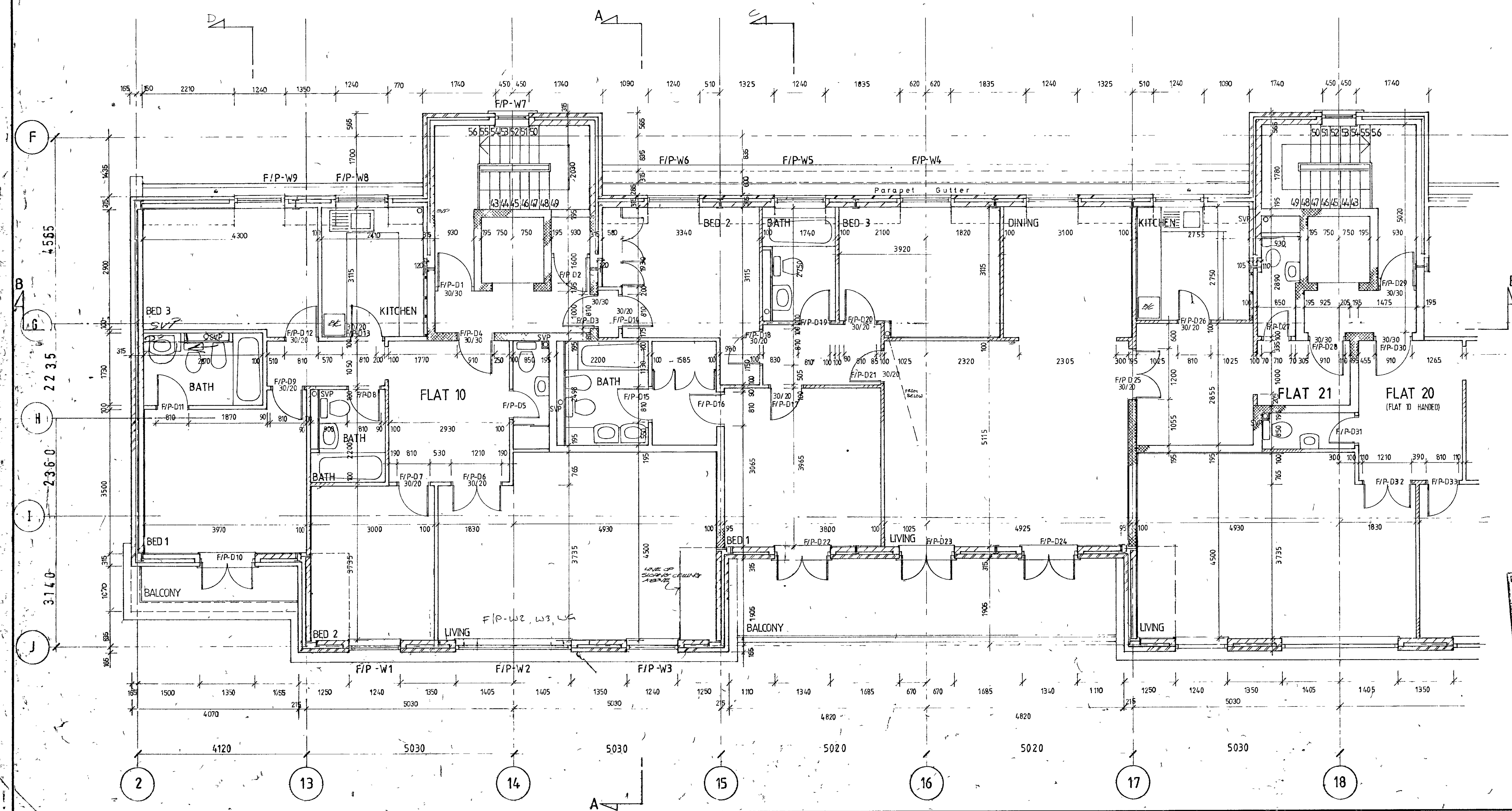
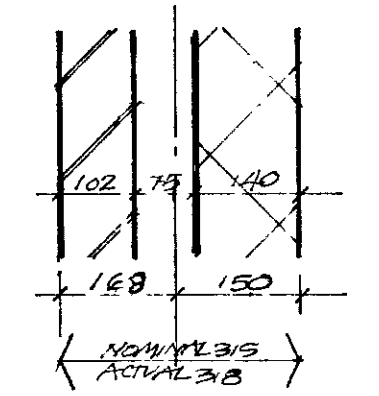
Drawn: FEB 89

Drawing No: HTN L(2)-013 K

Scale: 1:50

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

NOTE:
 CONCERNING GRID-LINE ② AND GRID-LINE ⑬
 AND SETTING OUT OF WALLS THEREOF
 DIMENSIONS 100MM OFF GRID-LINE TO INSIDE
 FACE OF BLOCKWORK



no	date	revisions
A	1/3/89	DOORER WINDOWS AMENDED.
B	2/89	ALTERATIONS TO FLAT NO 11. DIMENSIONS WROTE BEING WROTE UP.
C	12/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT. BATH & KITCHEN LIGHTS WROTE S.V.P. INDICATED
D	6/5/89	DOOR NUMBERS WROTE.
E	17/7/89	GRID LINES TO ADD.
F	31/7/89	GRID LINES H.F. ADDED.
G		
H	7/9/89	AMEND WALL DIVISION POSITION OF FRONT BALCONY WALL AMENDED, REAR WALL LOCATION AMENDED.
I	8/9/89	FURNISHES TO EACH ROOM CAN BE READ FROM LARG HTN L (2) 015
J	1/10/89	AMEND KITCHEN CAPSULE TO 11 TO BED 3. PLAN TO ADD STEEL COFFERINGS A END DIMENSIONS TO LOW FOR MINIMUM 1.80 GATE. L.P.L.
K	1/10/89	AMEND LOCATION OF WINDOWS F/P-W3 & W4

C&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 632735 London 01 938 2484

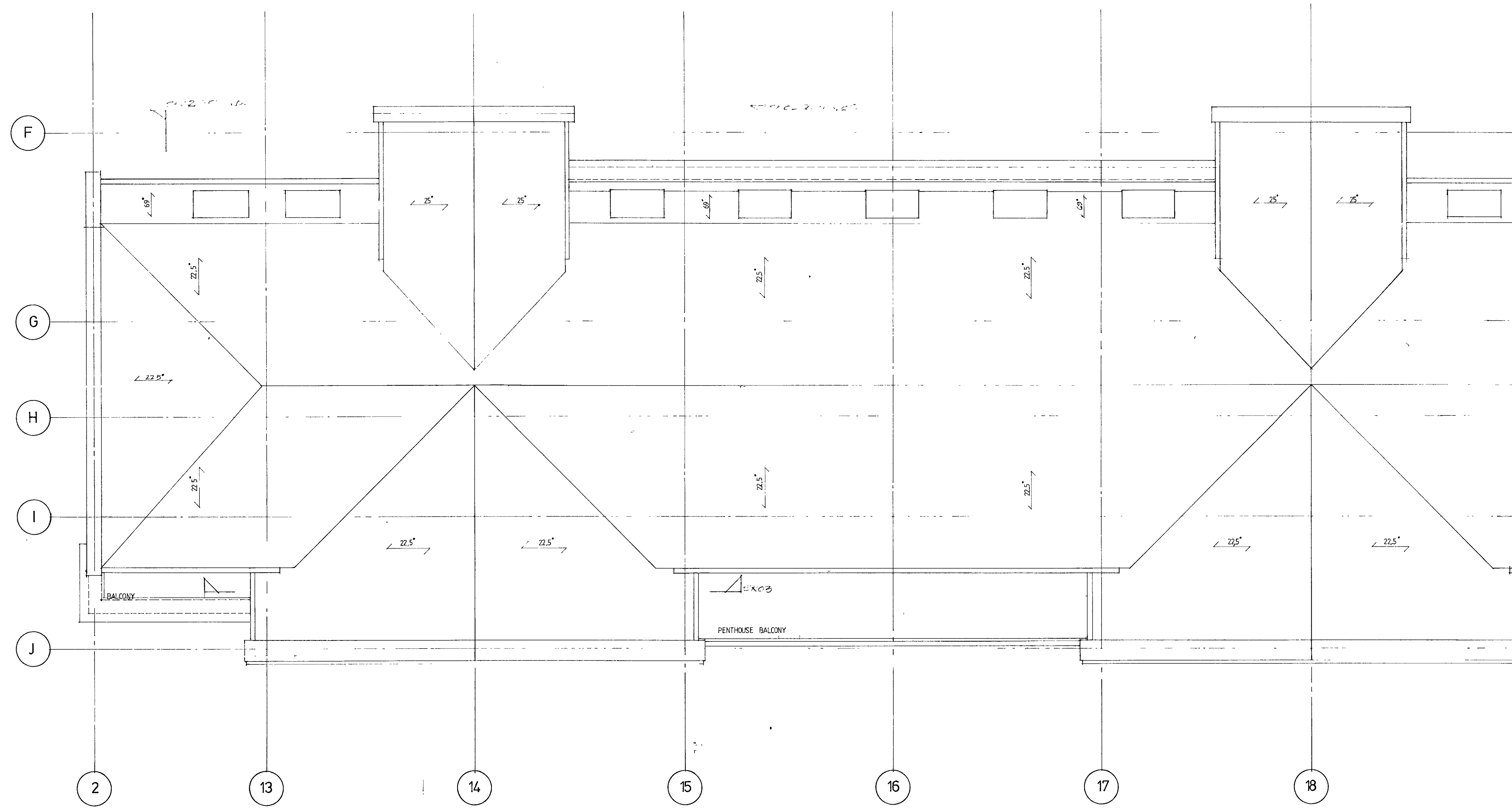
RECEIVED BY D.P.T.
 HORTENSON ROAD

DC	DC	DC	DC	DC
N	S	E	W	DO
AR	TR	DO	EN	PL
DOPT	IS	TR	CO	AO
				ACK

Drawn: FEB 89 Date: FEB 89
 Drawing No: HTN L (2)-015
 Scale: 1:50

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	SEP 89	AMEND GABLE END TO BE A 1/4" R/O. W/END CORNERS & GRID LINE 'D'



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Chartered Building & Planning Consultants
 Colwyn Bay 1999 London
 0445 532255 01 838 244

Job No	HTN 4/L(2)-17			
Client	HORTENSIA ROAD			
DDPT	LD	TRANS	BUILD CONTROL	AO ACK

Title
FLATS ROOF PLAN

Drawn
 Date
 8.8.89

Drawing No
 HTN 4/L(2)-17 A

Scale
 1:50

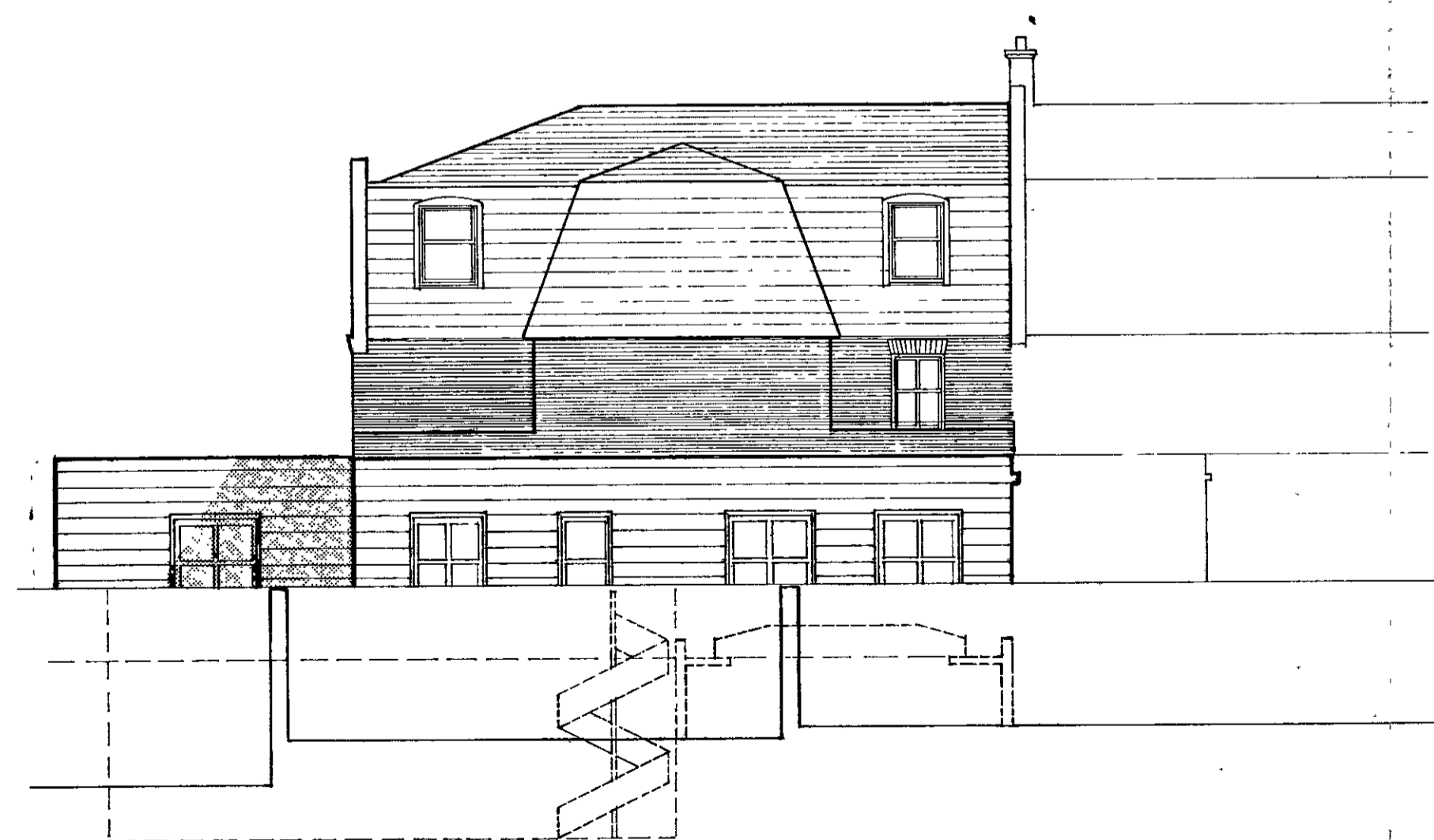
TP/89/2137 96

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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED



FRONT ELEVATION



REAR ELEVATION

TP89/2137/B

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

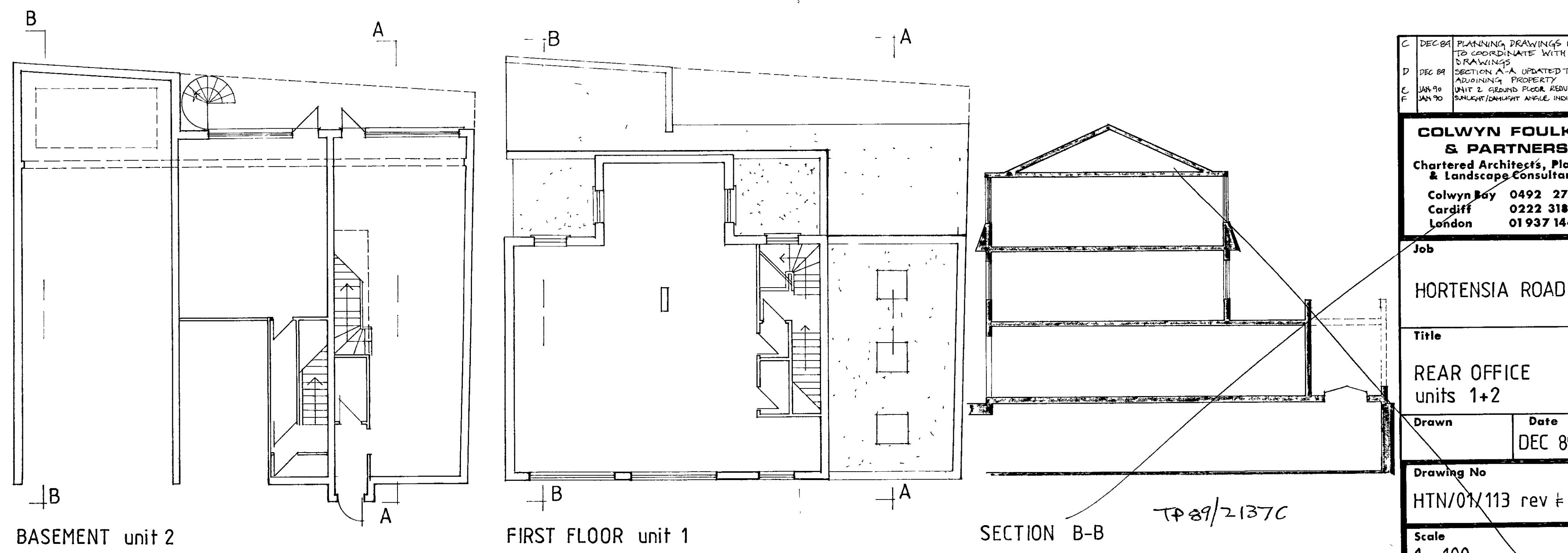
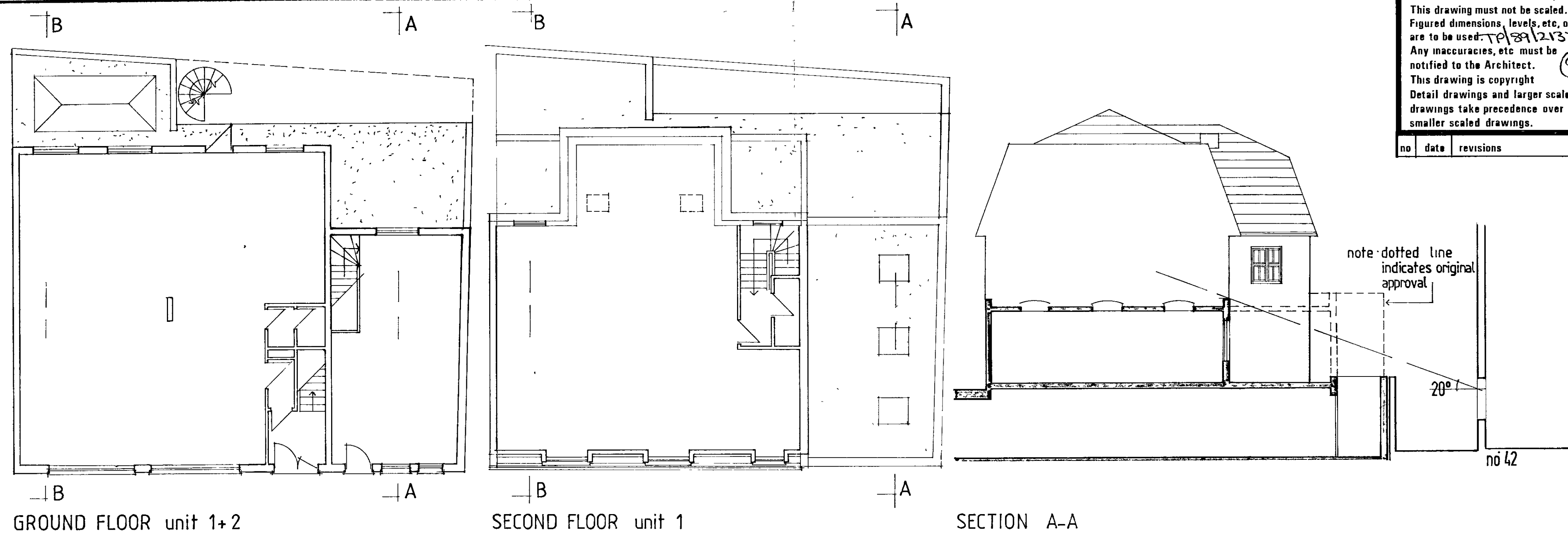
Job
HORTENSIA ROAD

Title
REAR OFFICE
units 1+2

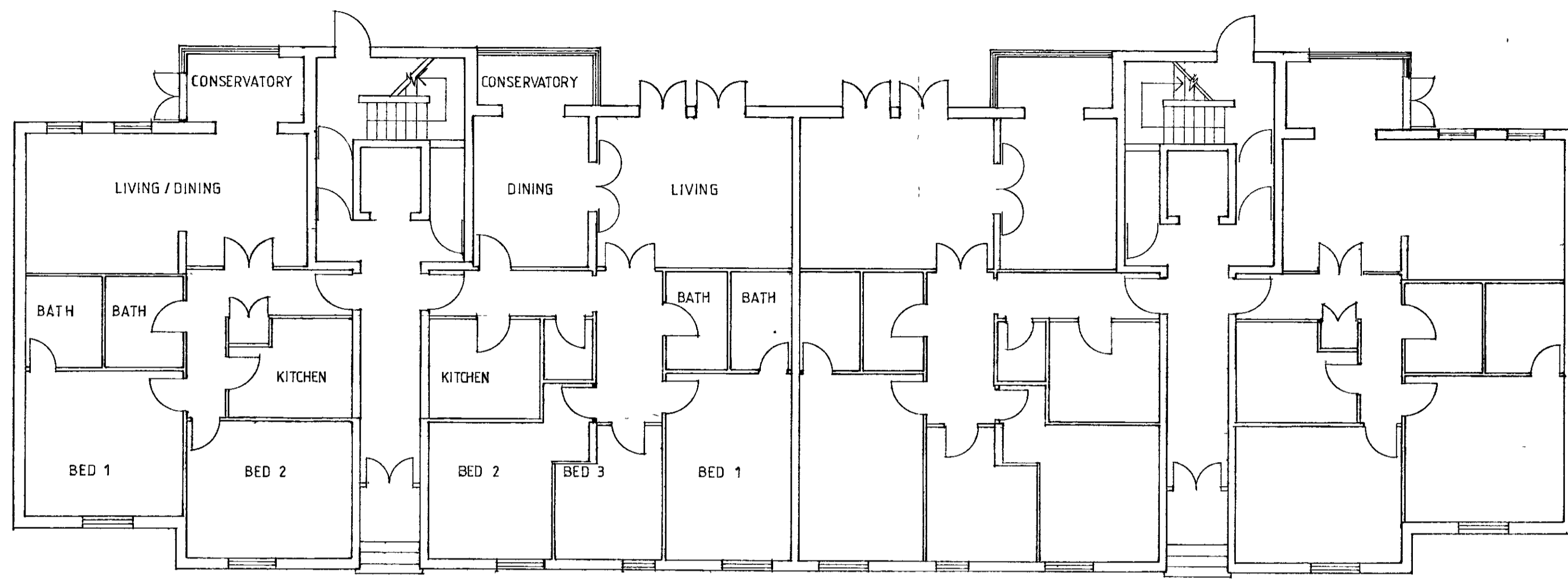
Drawn
RECEIVED BY D.P.T.
Date
DEC 89

Drawing No. 15 JAN 1990
HTN/01/115

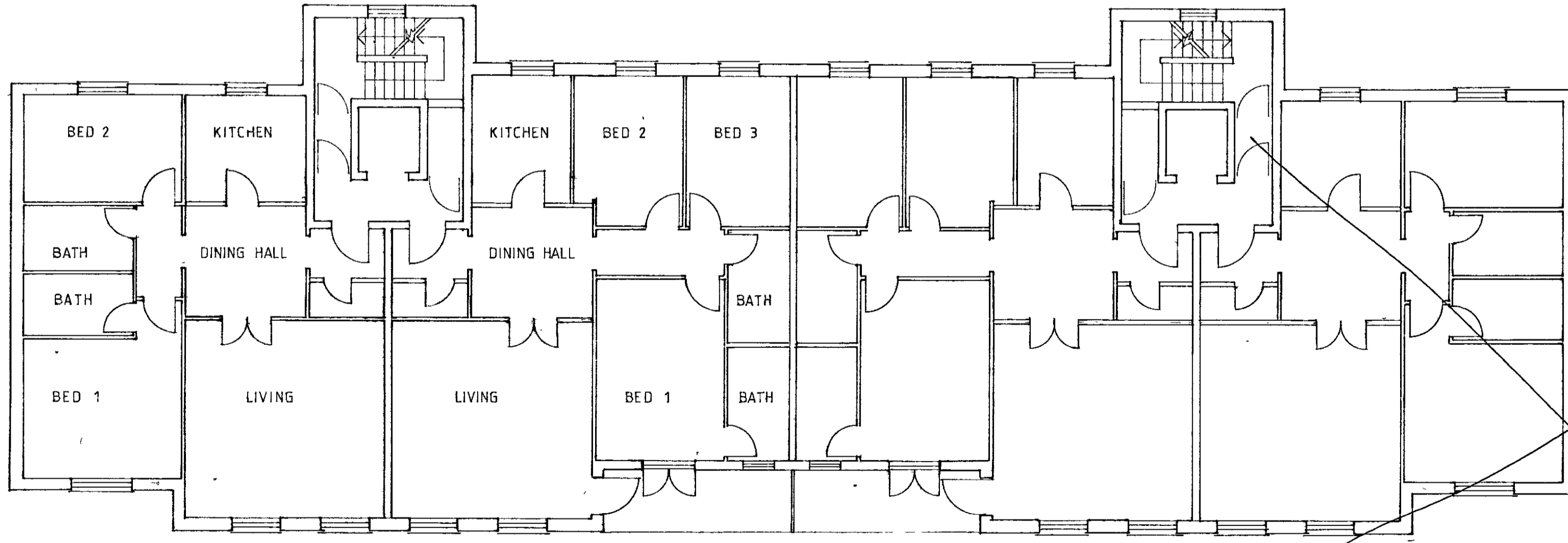
Scale
1:100



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.



GROUND FLOOR



SECOND AND THIRD FLOOR

no	date	revisions
A	DEC 88	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS

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

Job
 BORTENSIA ROAD

Title
 FLAT PLANS
 11 DEC 88

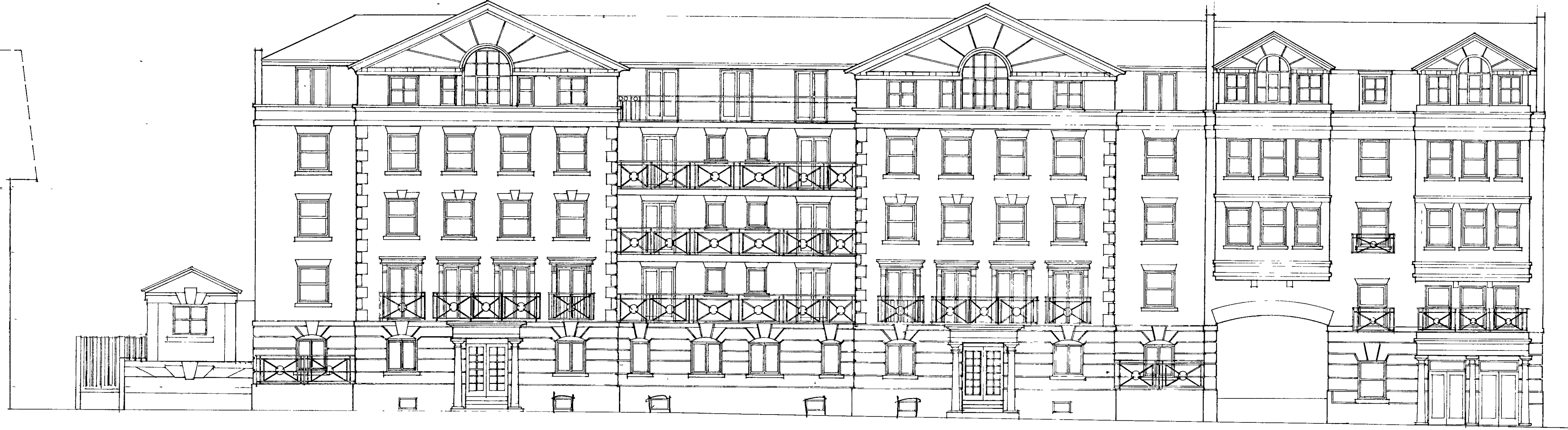
Drawn **Date**
 DEC 88

Drawing No
 HTN 701/120 A

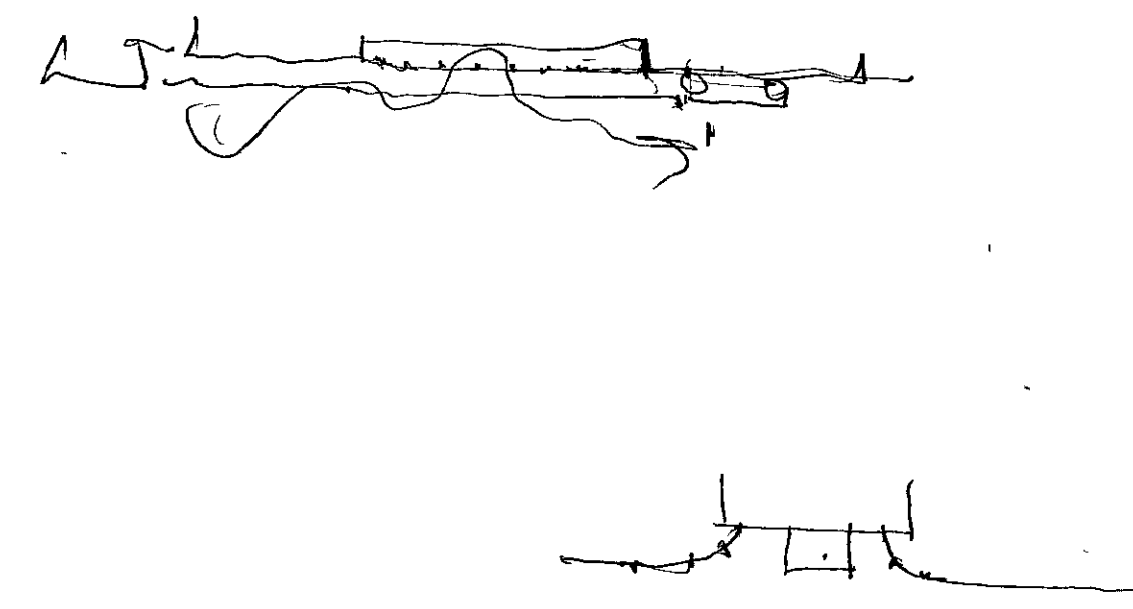
Scale
 1:100

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



ELEVATION TO HORTENSIA ROAD



CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 52735 London 01 938 2464

Job: HORTENSIA ROAD
RECEIVED: 27 NOV 1989
On: []
File: []
ELEVATIONS
DPT: []

Drawn: [] Date: NOV 89

Drawing No: HTN / 01 / 101 P

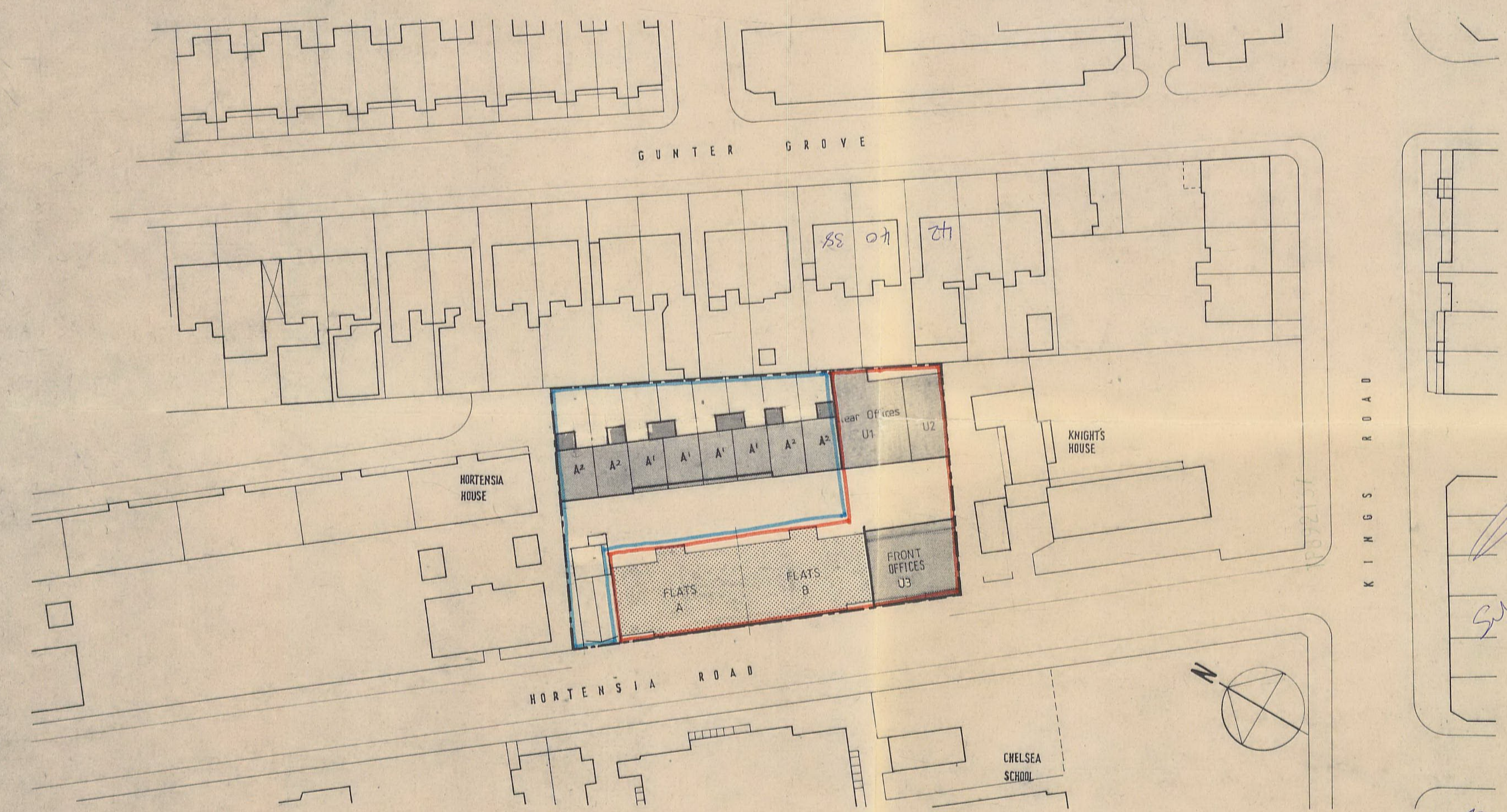
Scale: 1:100

TP/89/2437 (13)

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
A	11/87	1st block of flats drawn
B	Nov 87	Part 1's Large amended.

- LAND OWNERSHIP:
TO BE BUILT IN
ACCORDANCE WITH
PLANNING PERMISSION
DATED 22.12.88
- APPLICATION SITE



superceded

NOT TO SCALE

A 9.3.89 UPDATED.

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

Job RECEIVED BY P.T.
HORTENSIA RD.

Title LOCATION PLAN

Drawn _____ Date 8 '88

Drawing No HTN/01/106 B

Scale 1:500

TP/29/2137 (14)

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
B	SEP 88	SECTIONS A-B SHOWN
C	NOV 88	REVISIONS TO TERRACE
D	NOV 88	FRONT ELEVATION AS TWO BLOCKS OF FLATS
E	2/1/89	FLOOR ROOF - FRONT + REAR OFFICE RE DRAWN
F	NOV 89	REAR OFFICE RE-DRAWN
		Porter's Lodge amended
		Spiral escape stair omitted
		Flats roof amended
G	NOV 89	REVISED REAR OFFICE PLAN TO GUNTER GROVE FACADE

TP892437
 TP892437
 Superseded

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

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0482 532735 London 01 938 2444

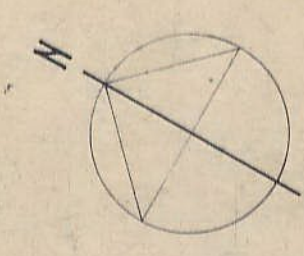
Job	NO	DATE	BY	CHK
HORTENSIA RD.				

Title
 SITE PLAN

Drawn Date
 MAY 88

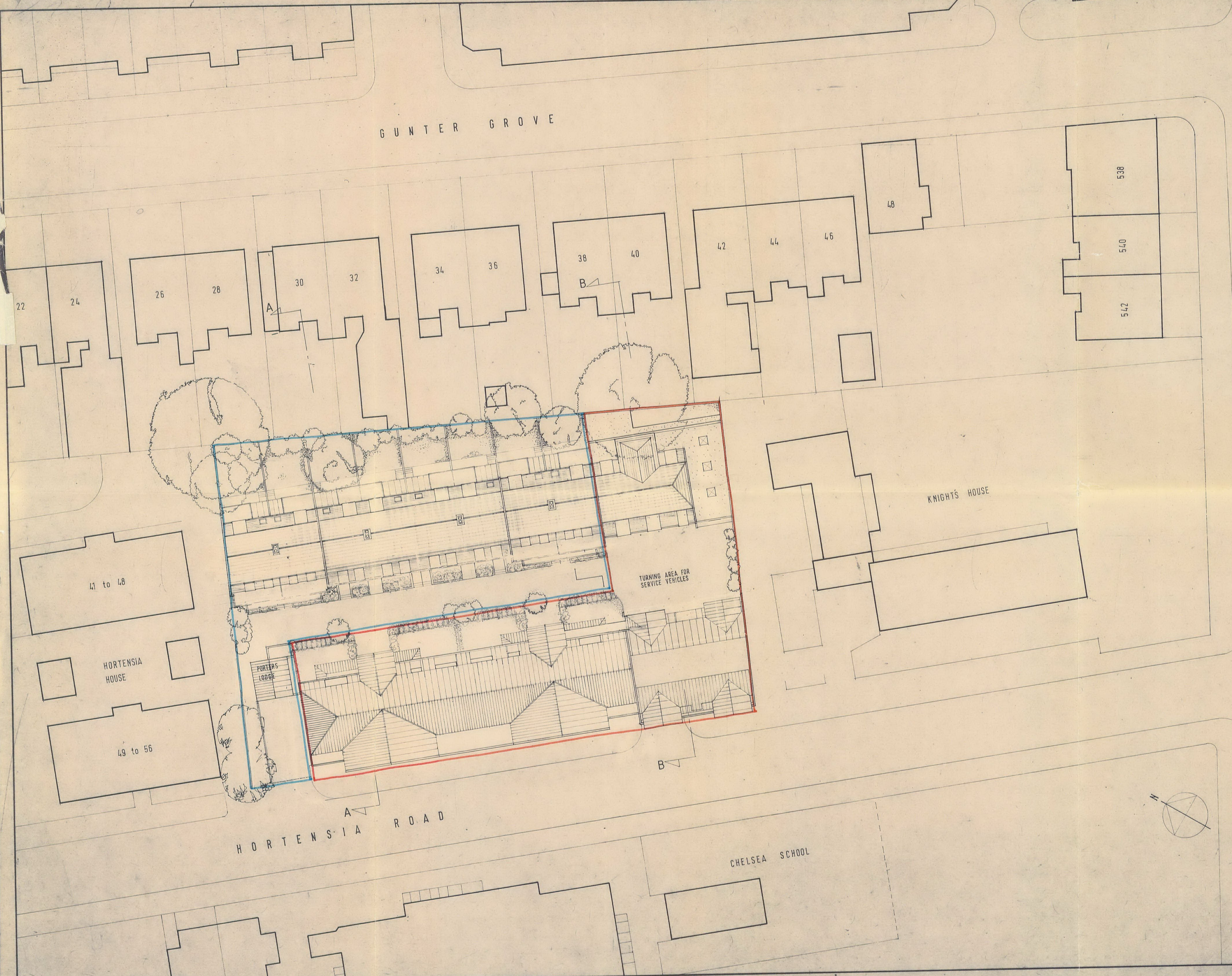
Drawing No
 HTN / 01 / 105 G

Scale
 1:200



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
A	SEP 88	SECTIONS A-B SHOWN
B	NOV 88	REVISIONS TO SECTIONS A-B
C	NOV 88	FRONT PORCH AS TWO BLOCKS OF FLATS
D		FRONT BLOCK + FRONT + REAR OFFICES RE DRAWN
E	2/1/89	REAR OFFICES REAMENDED
F	NOV 89	PORTERS LODGE AMENDED, SPIRAL ESCAPE STAIR OMITTED, FLATS ROOF AMENDED.
G	NOV 89	REVISED REAR OFFICE PLAN TO MATCH SCALE FACADE.



SECTION LINES REFER TO DRAWING NO. HTN/01/95

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 532735 London 01-638 2404

Job	27 NOV 1989			
Client	HORTENSIA RD.			
Drawn	AC	CF	DF	DF
Checked	DF	DF	DF	DF
Title	SITE PLAN			

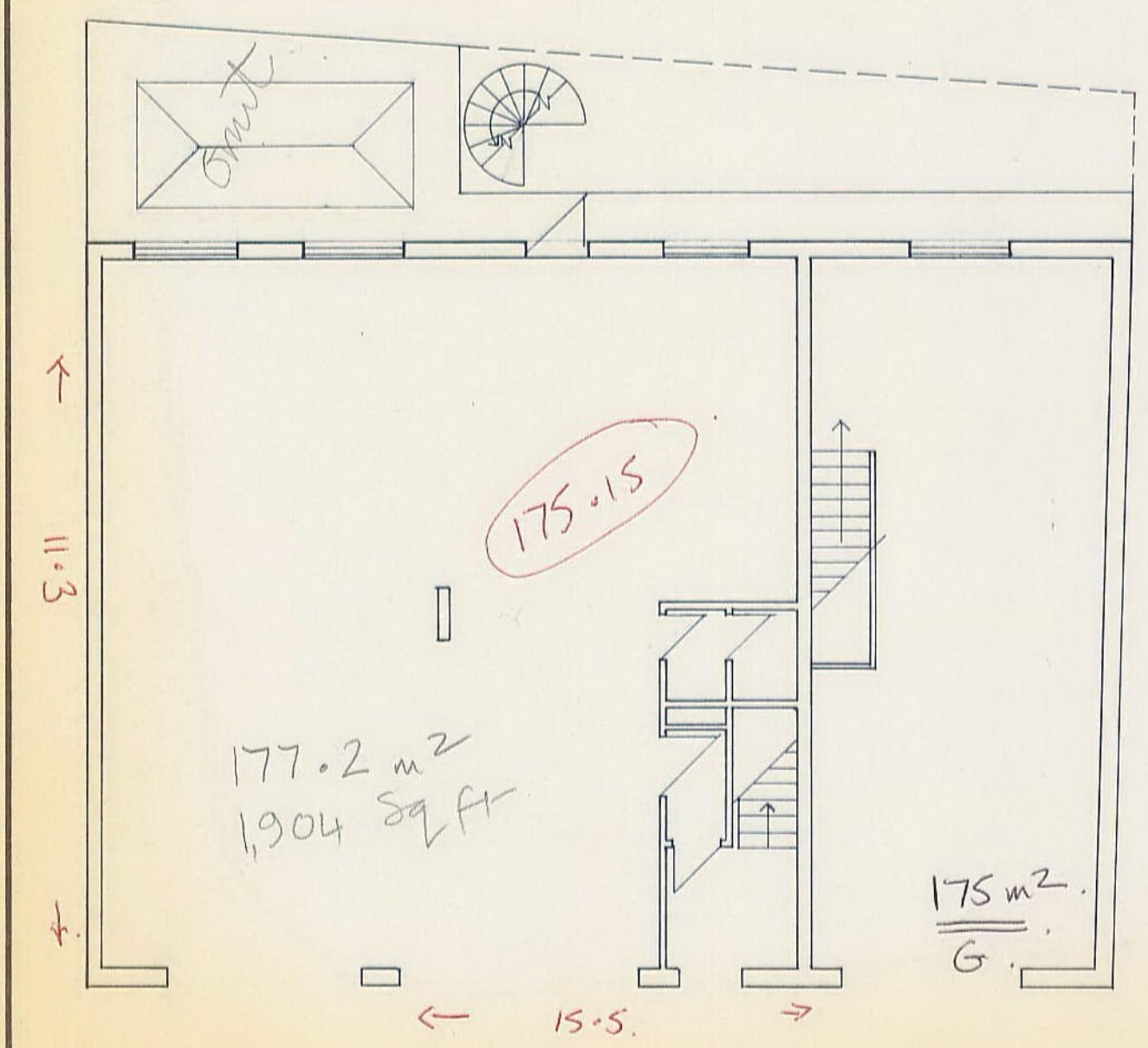
Drawn Date MAY 88

Drawing No HTN / 01 / 105 G

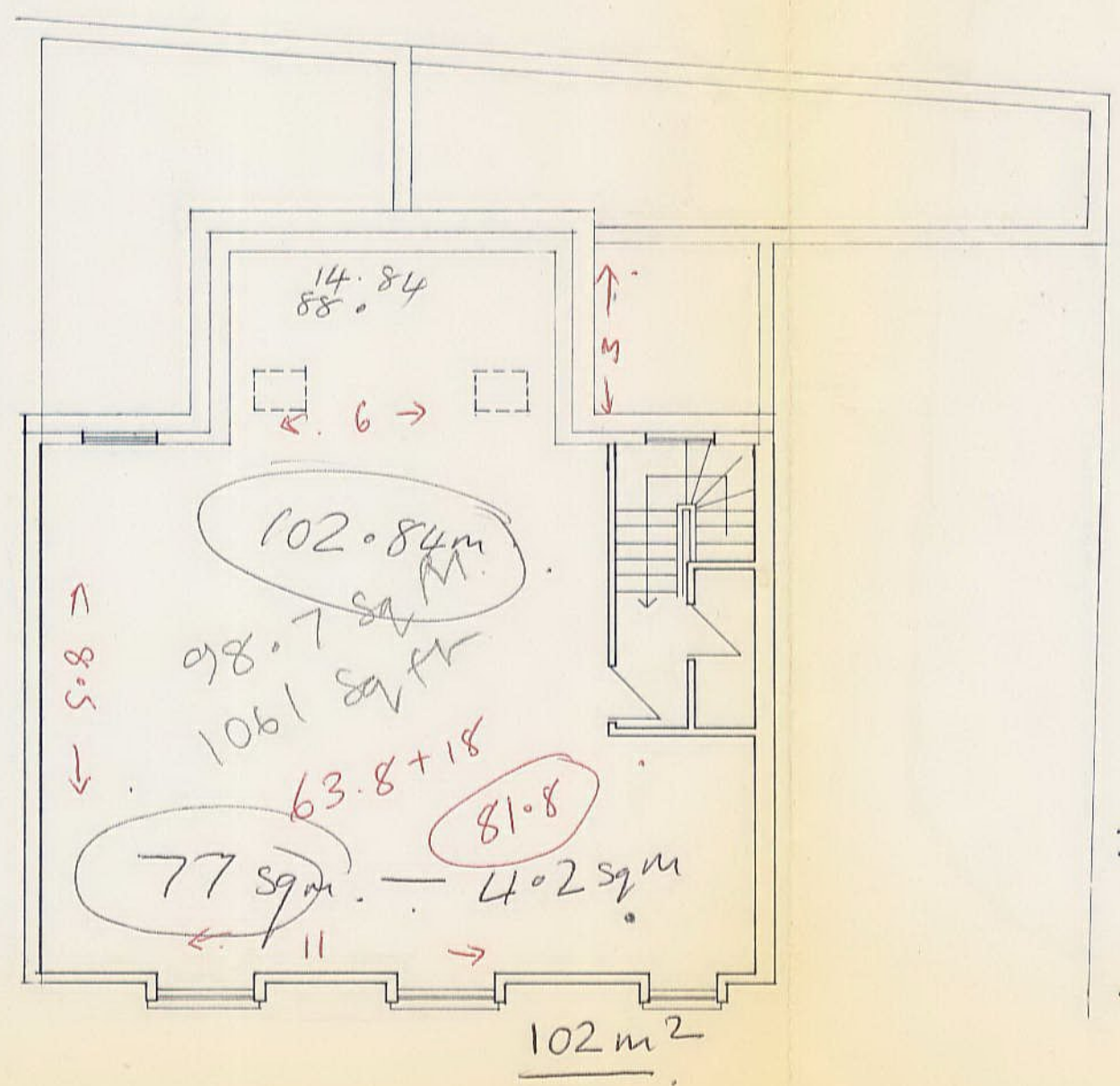
Scale 1:200

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.

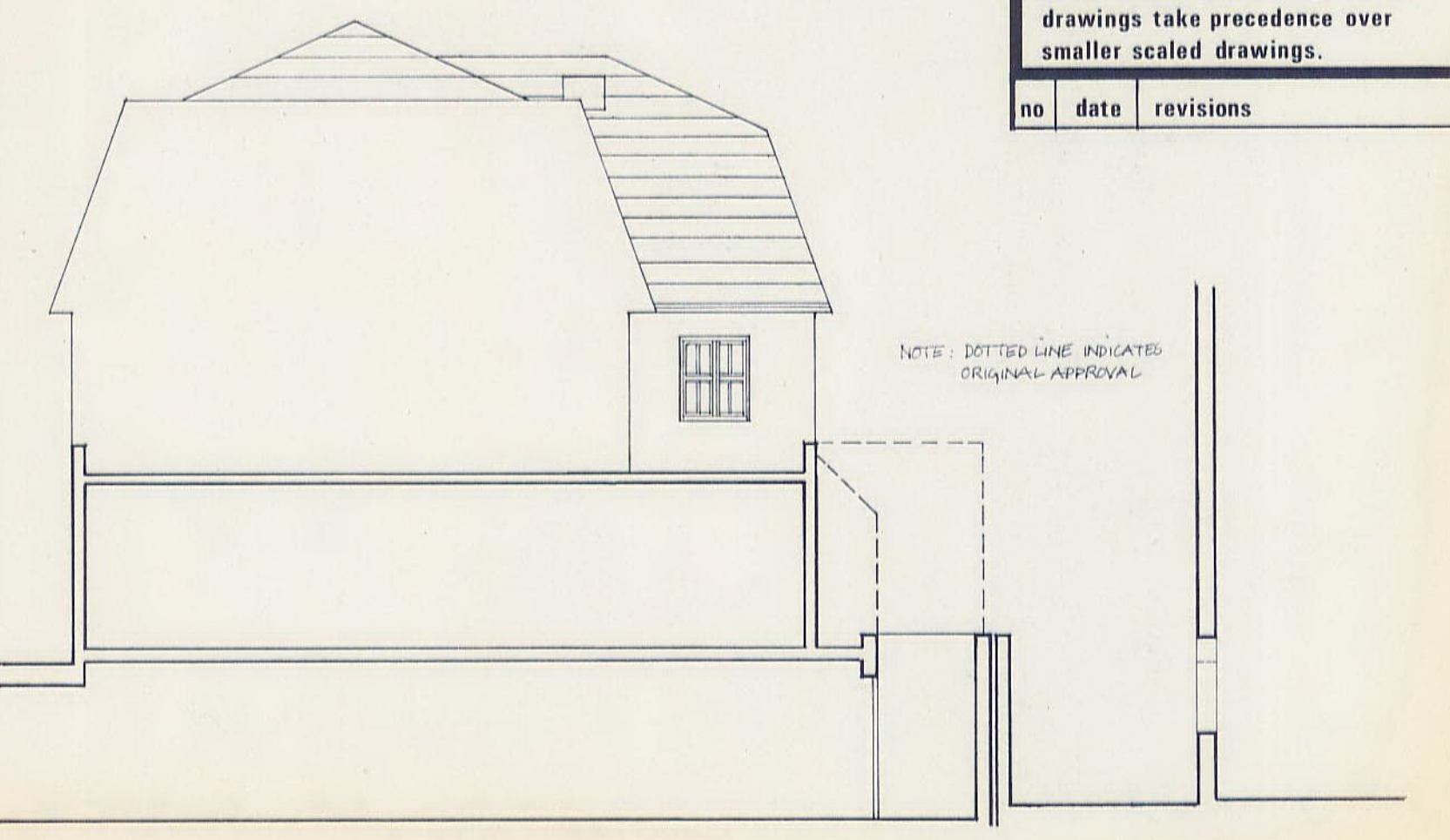
no	date	revisions



GROUND FLOOR unit 1+2

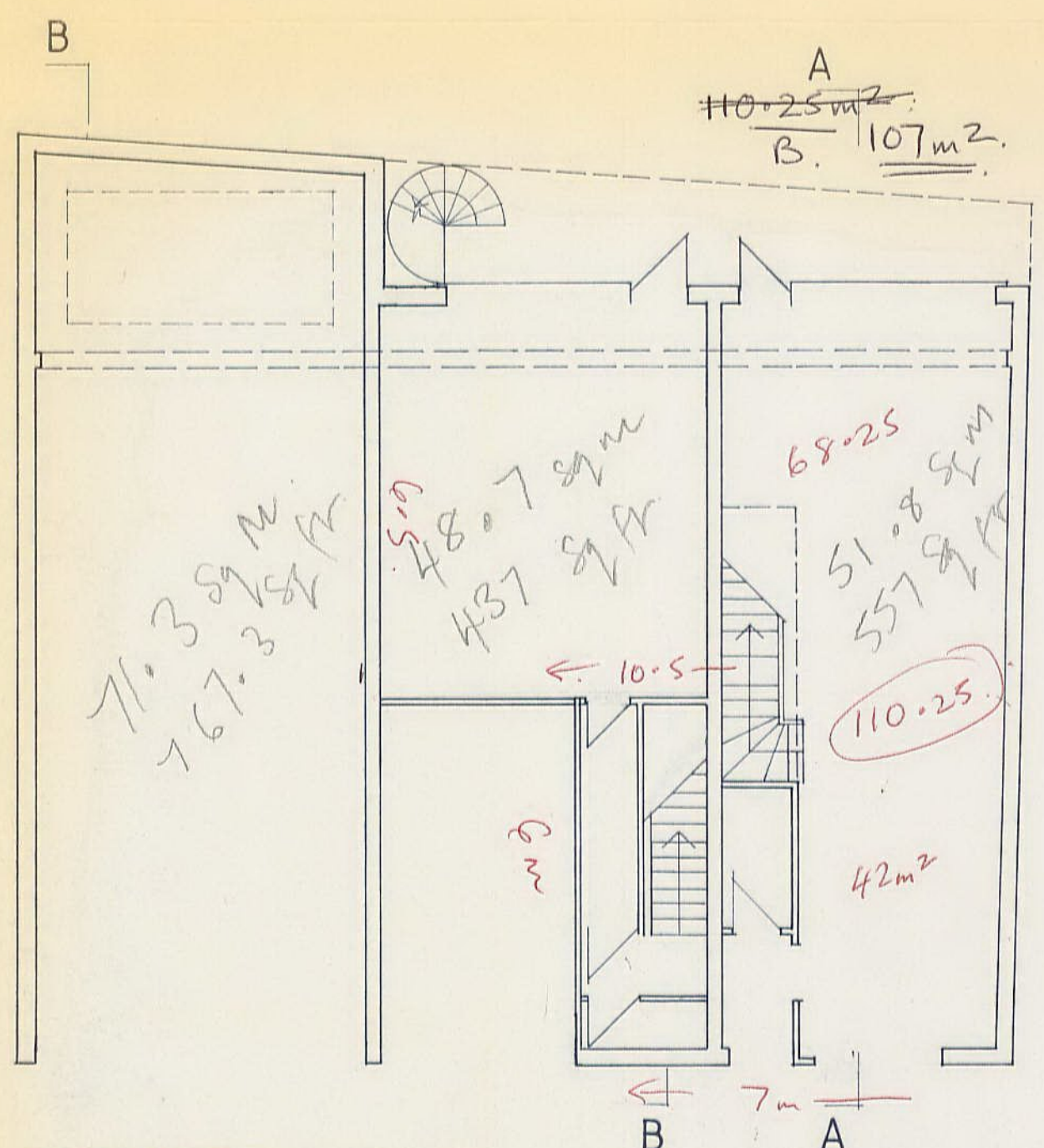


SECOND FLOOR unit 1

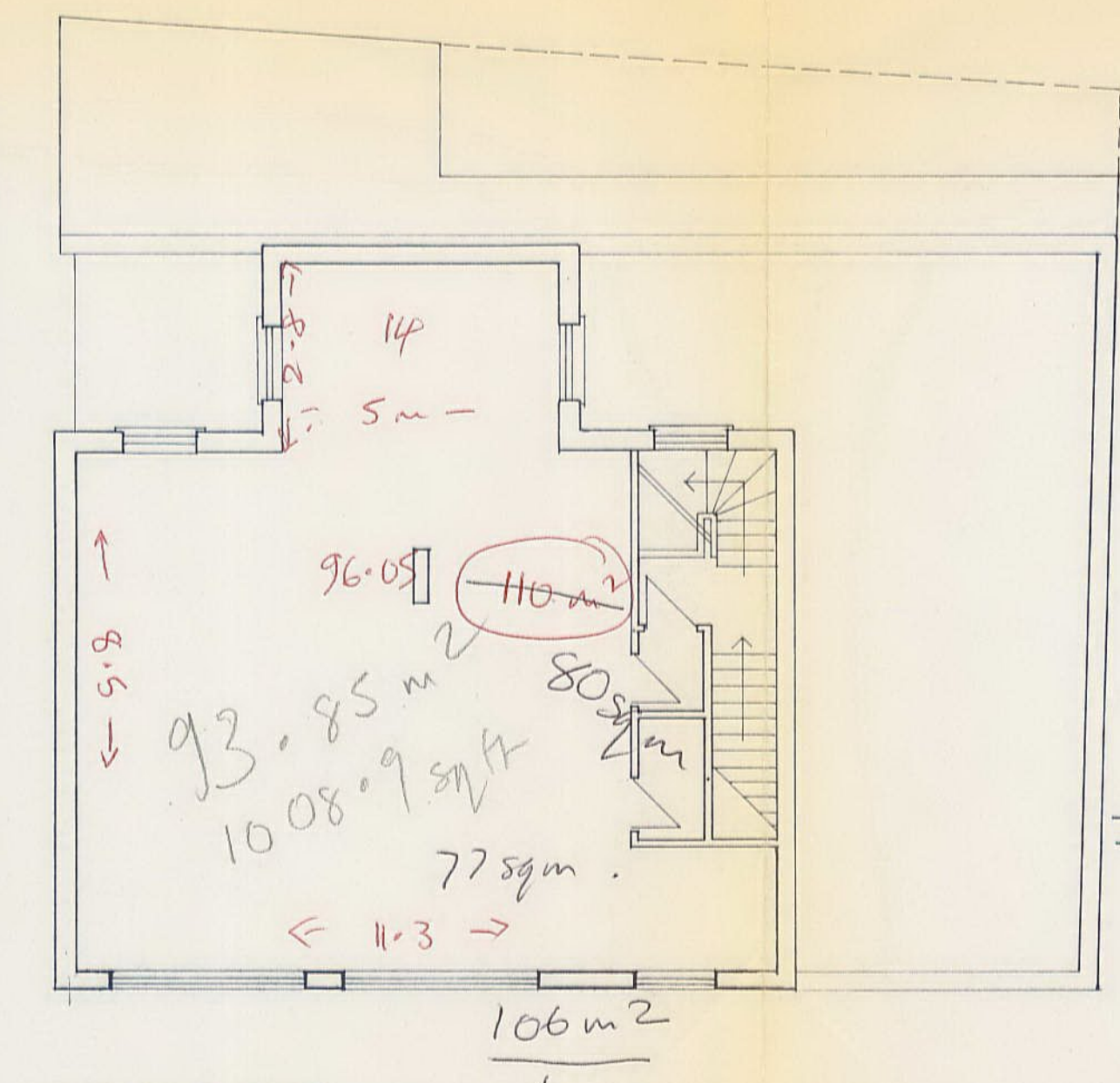


SECTION A-A
490 m² Rear block.
621
1010

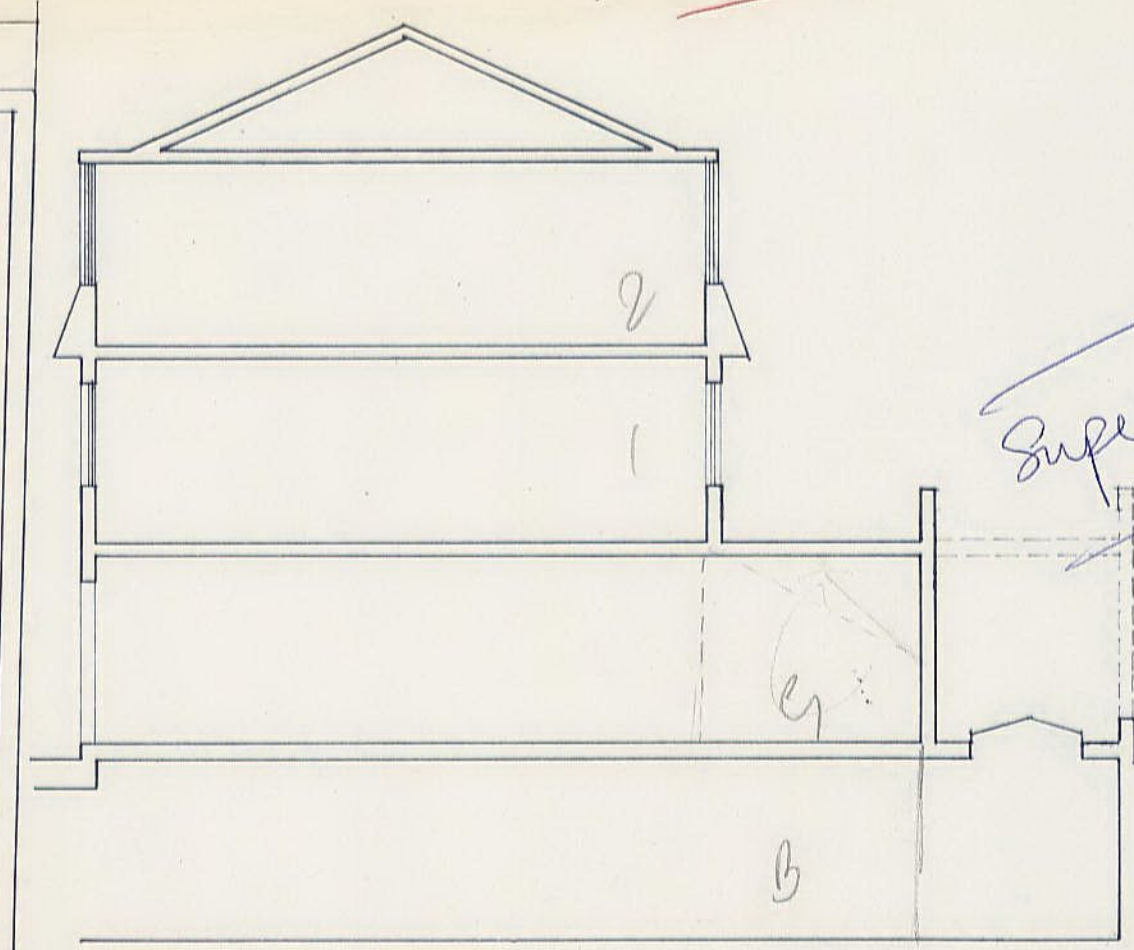
477.2
698.25



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

C	DEC 84	PLANNING DRAWINGS UPDATED TO COORDINATE WITH WORKING DRAWINGS
D	DEC 84	SECTION A-A UPDATED TO INCLUDE ADJOINING PROPERTY

COLWYN FOULKES & PARTNERS
Chartered Architects, Planning & Landscape Consultants
Colwyn Bay 0492 2735
Cardiff 0222 31833
London 01 937 1444

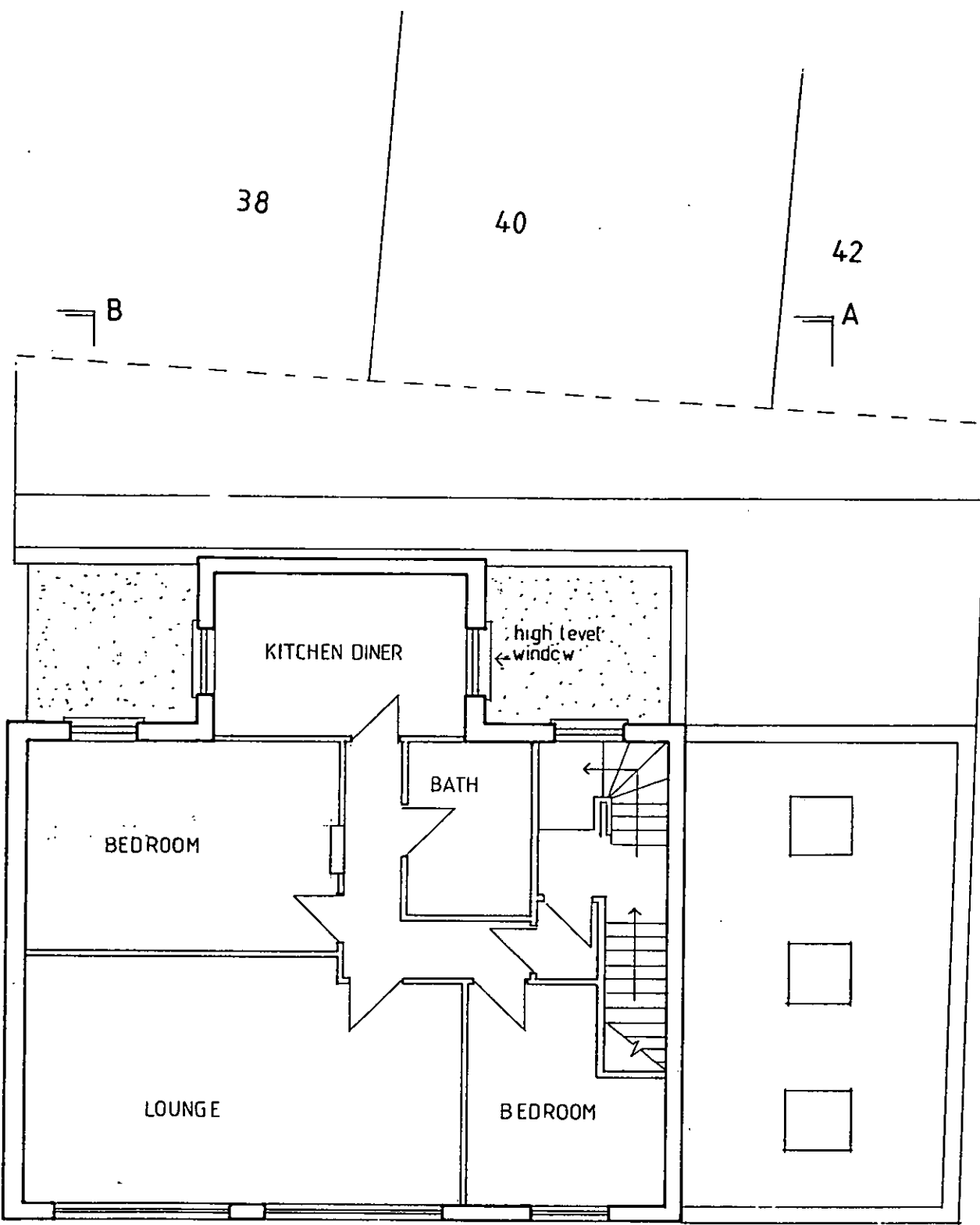
Job
Superceded
HORTENSIA ROAD

Title
REAR OFFICE
units 1+2

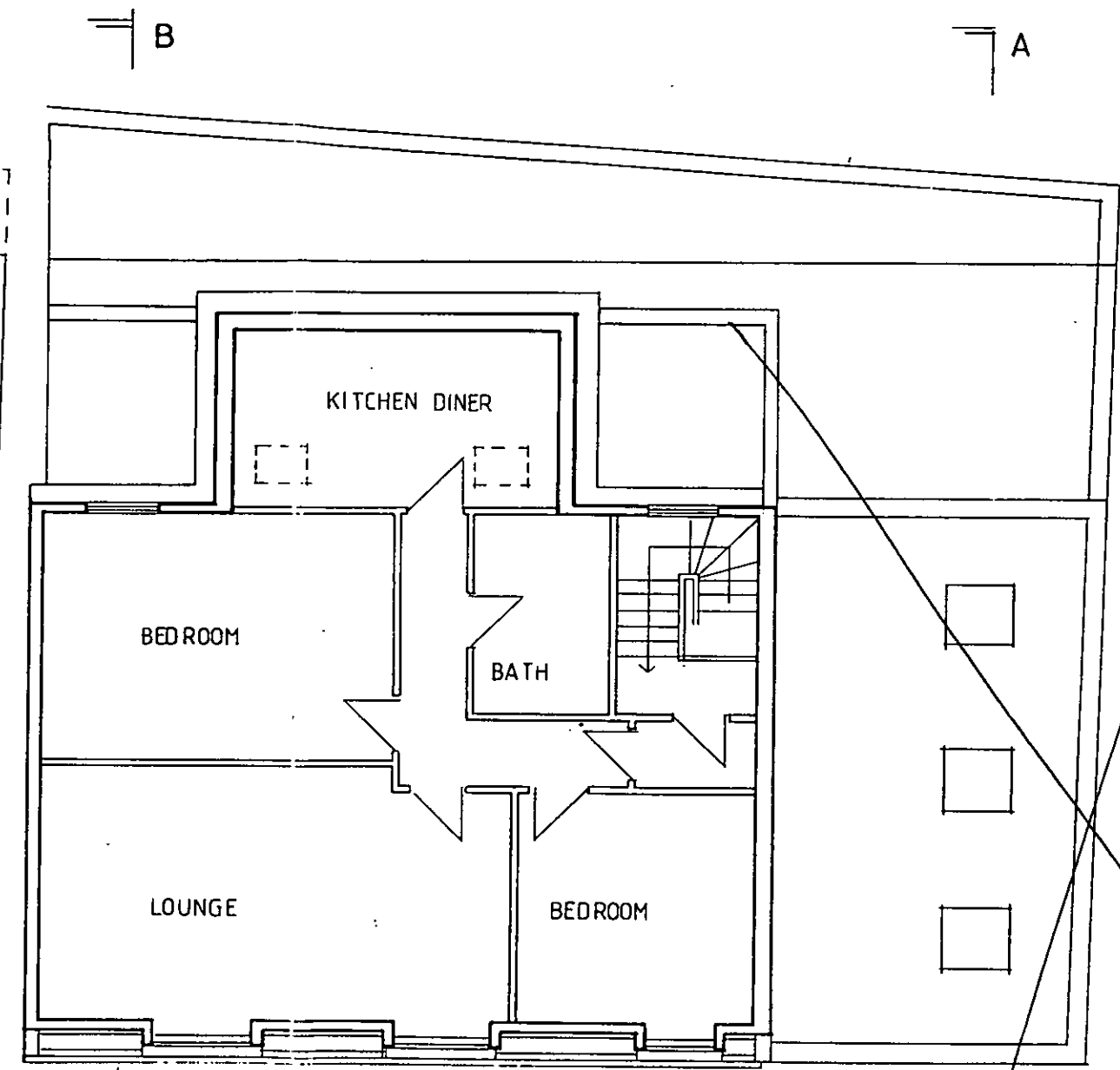
Drawn BY D. P. T. Date
On 13 DEC 89 DEC 89

Drawing No
HTN/01/113 rev D

Scale
1:100



FIRST FLOOR



SECOND FLOOR

RECEIVED BY D. P. T.
17 APR 1990

DC N	DC C	DC G	DC E	DC S
ARB	D. PLAN	RECORDS	SPT	ENV. PLAN
DDPT	I.O	TRANS		

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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers and notes on windows added

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1&2
INCORPORATING RESIDENTIAL
ACCOMMODATION
FIRST AND SECOND FLOOR PLANS

scale 1:100
drawn
date APRIL 90

No HTN 4 01-126 A



Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735
London 01-938 2464
Knutsford 0565 52126

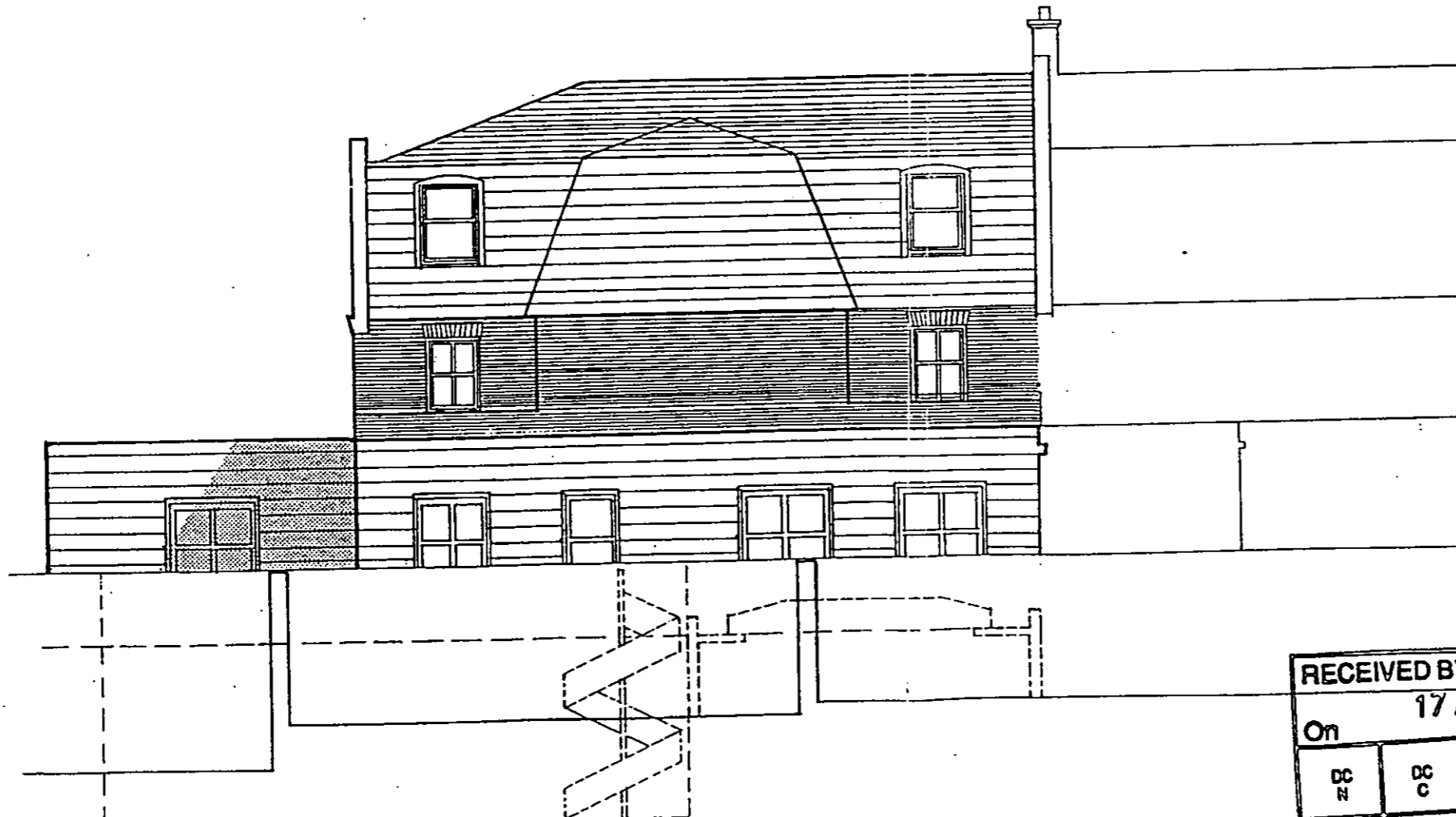


FRONT ELEVATION

ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood



REAR ELEVATION

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.

Notes

Revisions

no	date	details
A	9-04-90	Rear window added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale

1:100

drawn

date

APRIL 90

No HTN 4 01 128 A

RECEIVED BY D. P. T.
17 APR 1990

On	DC N	DC C	DC S	DC E	DC
	ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
	DDPT	LO	TRANS.	BUILD CONTROL	AO ACK

CF&P

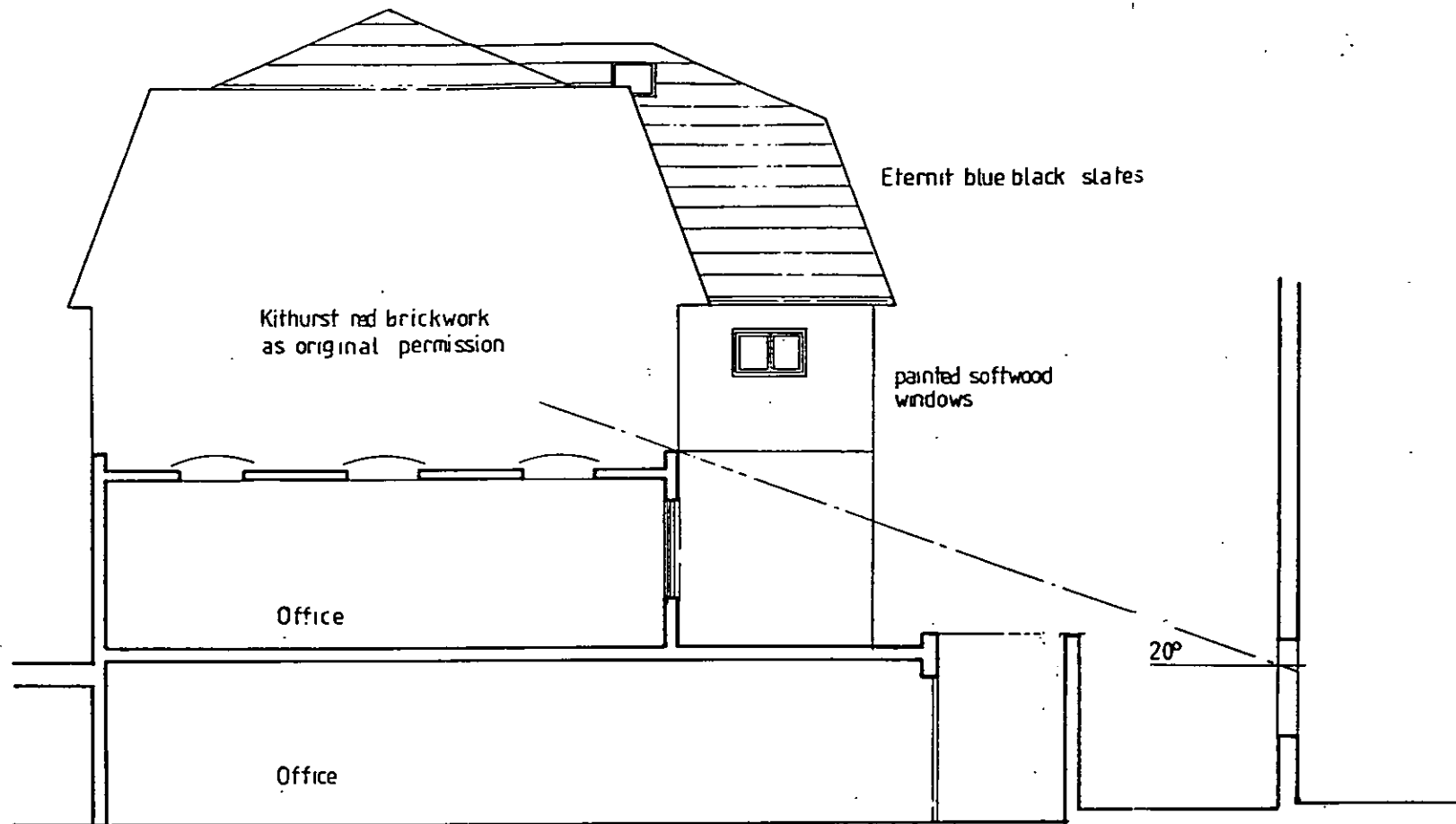
Colwyn Foulkes and Partners

Chartered Architects
Planning and Landscape Consultants

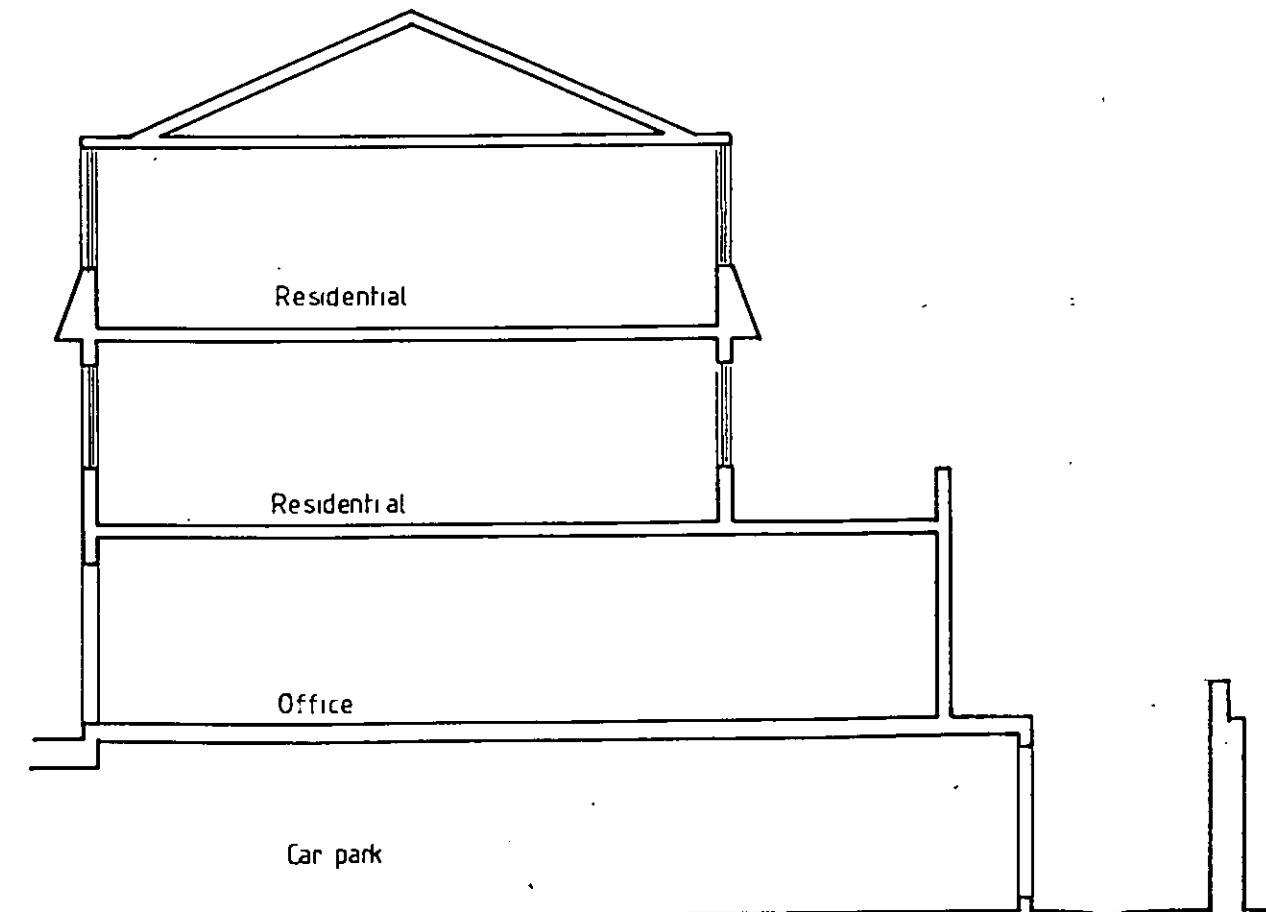
Colwyn Bay
0492 532735

London
01-938 2464

Knutsford
0565 52126



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details
A	09-04-90	Rear windows reduced

Project
HORTENSIA ROAD

Title
**REAR OFFICE UNITS 1&2
INCORPORATING RESIDENTIAL
ACCOMMODATION
SECTIONS**

scale 1:100	drawn	date APRIL 90
----------------	-------	------------------

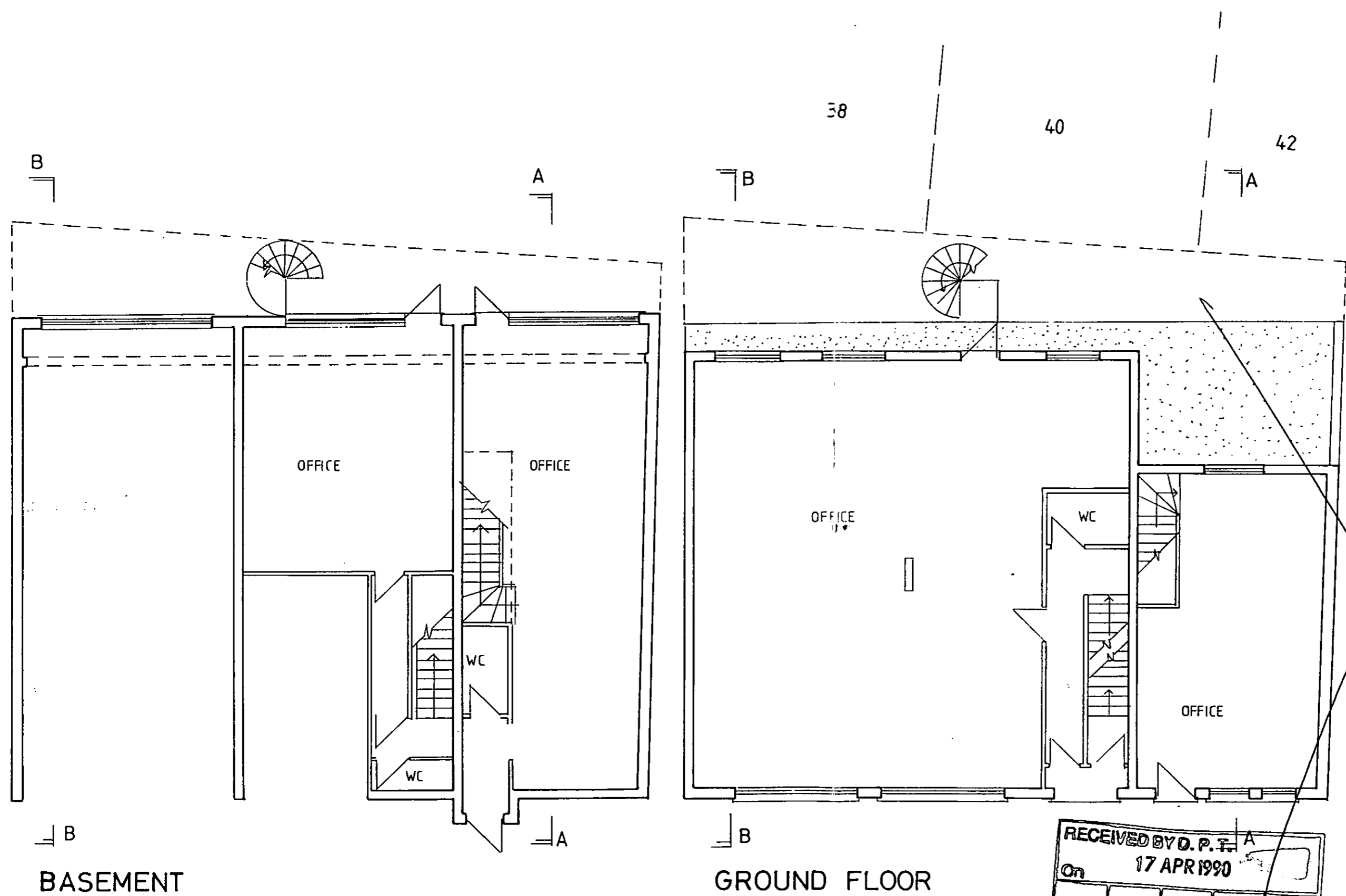
No HTN 4 01 127 A

RECEIVED BY D. P. T.				
On 17 APR 1990				
DC N	DC C	DC S	DC E	DC
ADD	D. PLAN	RECORDS	OPT	ENV. PLAN
DDPT	LO	WORK	PLD CONTROL	AO ACK

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

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.



B
 BASEMENT

B
 GROUND FLOOR

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers added

Project
 HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale 1:100	drawn	date APRIL 90
-----------------------	--------------	-------------------------

No HTN / 4 / 01 125 A

RECEIVED BY D. P. F. A
 On 17 APR 1990

DC 1	DC 2	DC 3	DC 4	DC 5
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DDPT	LO	TRANS		

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

Colwyn Foulkes and Partners

Chartered Architects Planning and Landscape Consultants

Contract **CHELSEA QUEEN SITE** Job No. **HTN** Date **19/2/90**
HORTENSIA ROAD

Copies to				
				MS. C. ZACHARIA KC BC
			Title	
	4	HTN	01 114 F	
	4	HTN	01 119 A	

Remarks
REVISED DRS FOR PLANNING COMMITTEE
19/2/90

Queries to **R. WILLIAMS.**

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.

Notes

Revisions		
no	date	details
A	09-04-90	Adjoining property numbers added

Project
HORTENSIA ROAD

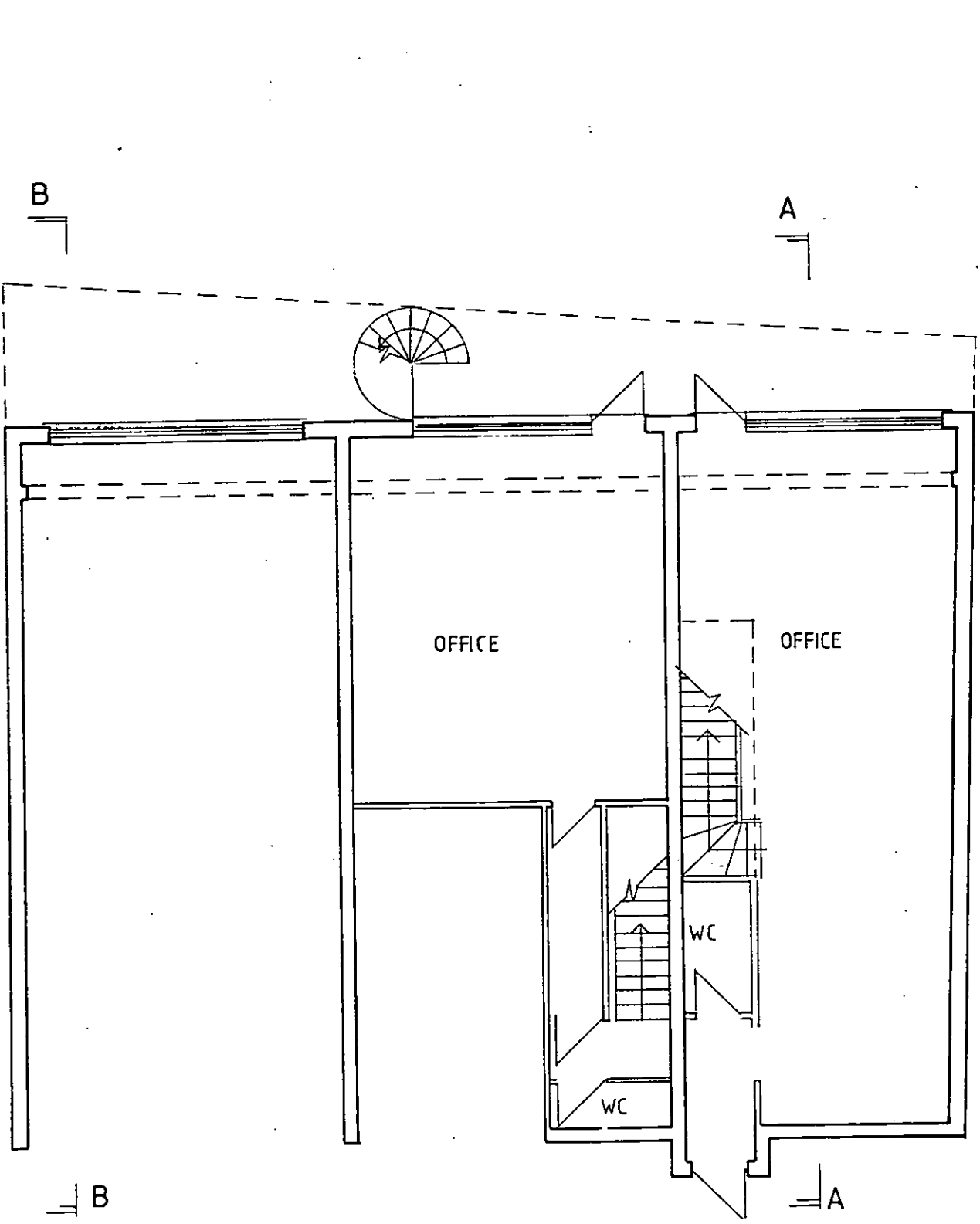
Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale	drawn	date
1:100		APRIL 90

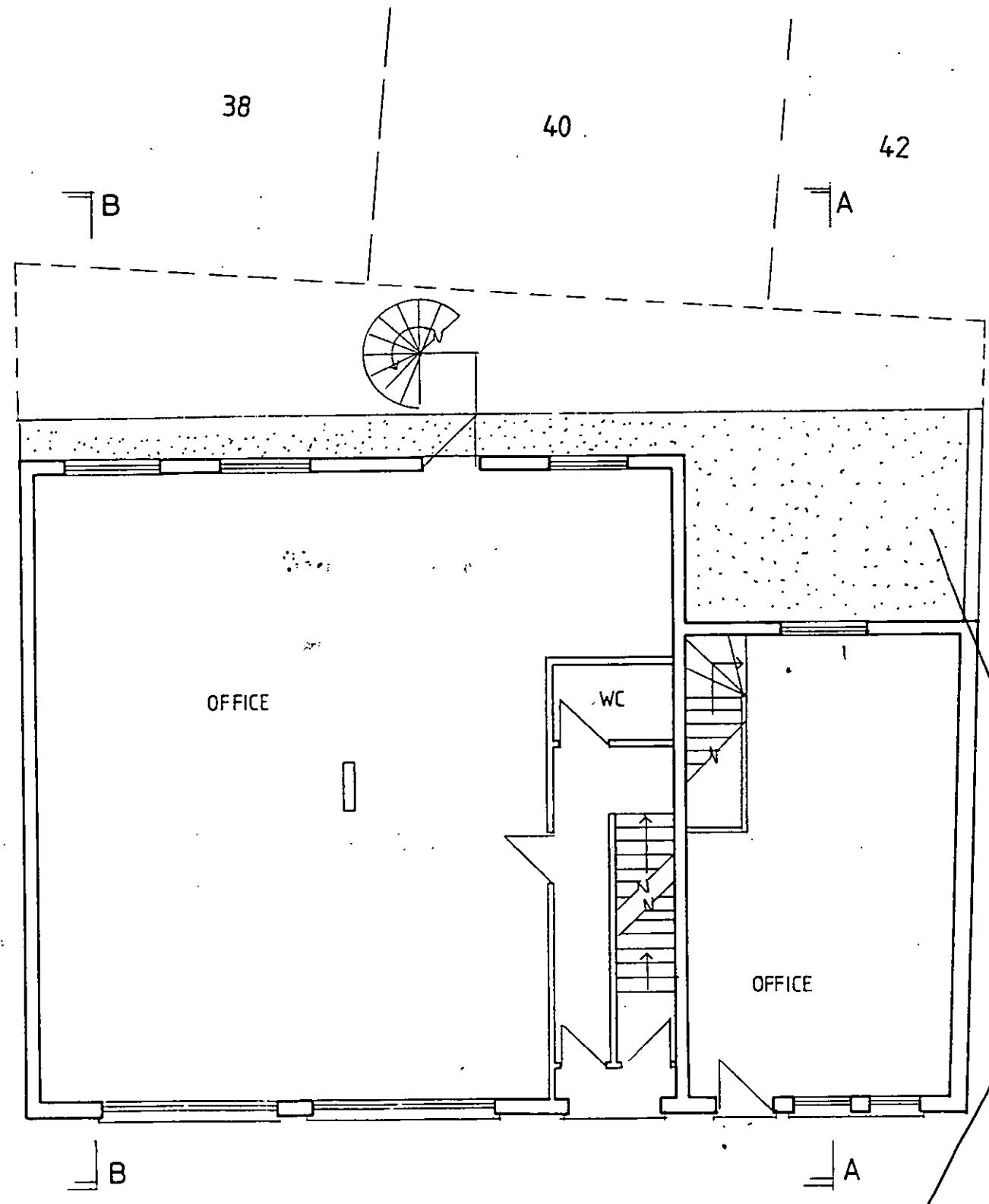
No HTN/4 /01 125 A

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



BASEMENT



GROUND FLOOR

38

40

42

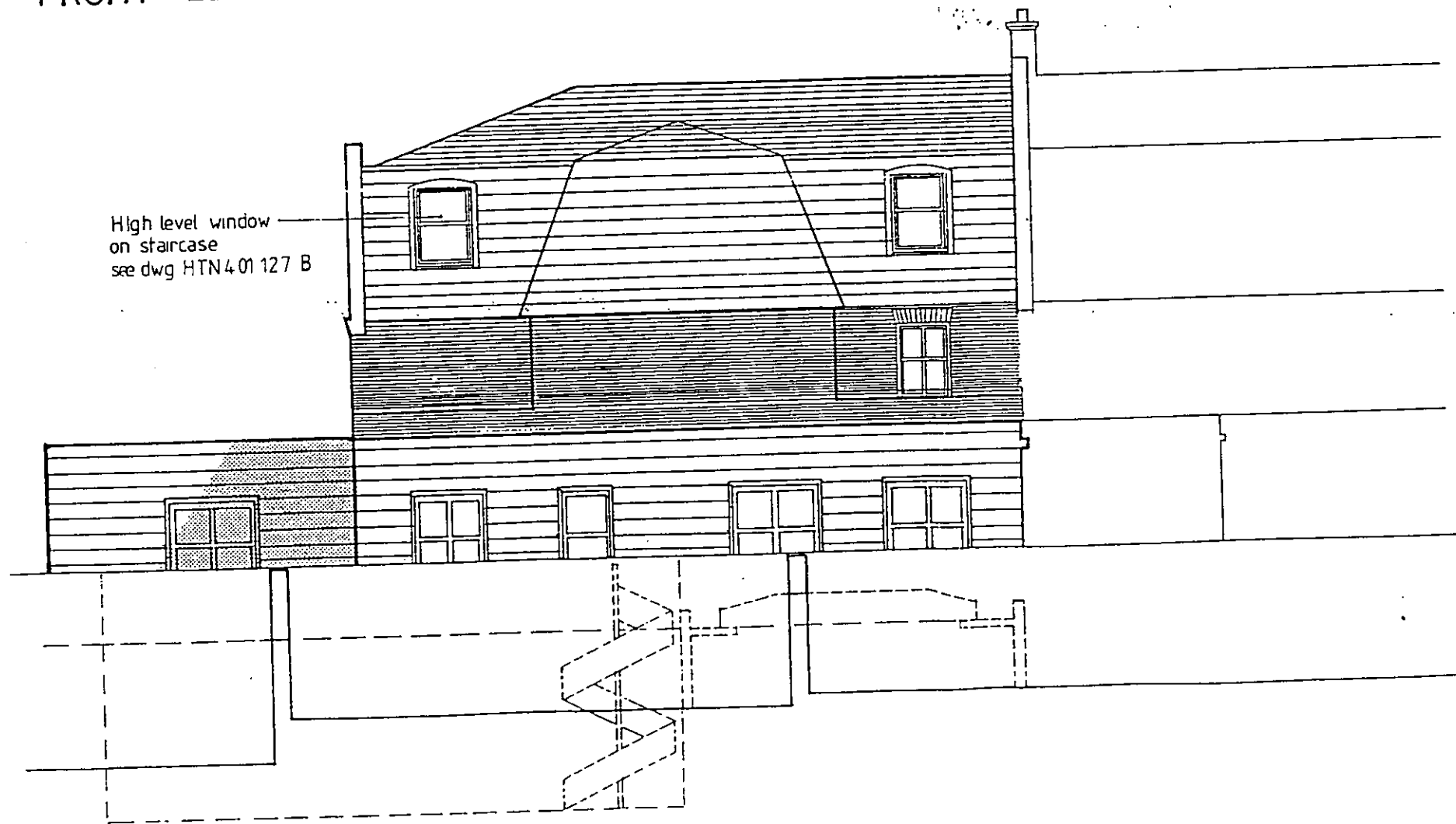


ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood

FRONT ELEVATION



High level window
on staircase
see dwg HTN4 01 127 B

REAR ELEVATION

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.

Notes

Revisions

no	date	details
A	9-04-90	Rear window added
B	19-04-90	Rear windows amended

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale	drawn	date
1:100		APRIL 90

No HTN 4 01 128 B

CF&P

Colwyn Foulkes and Partners

Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers and notes on windows added
B	19-04-90	Rear windows amended

Project

HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 FIRST AND SECOND FLOOR PLANS

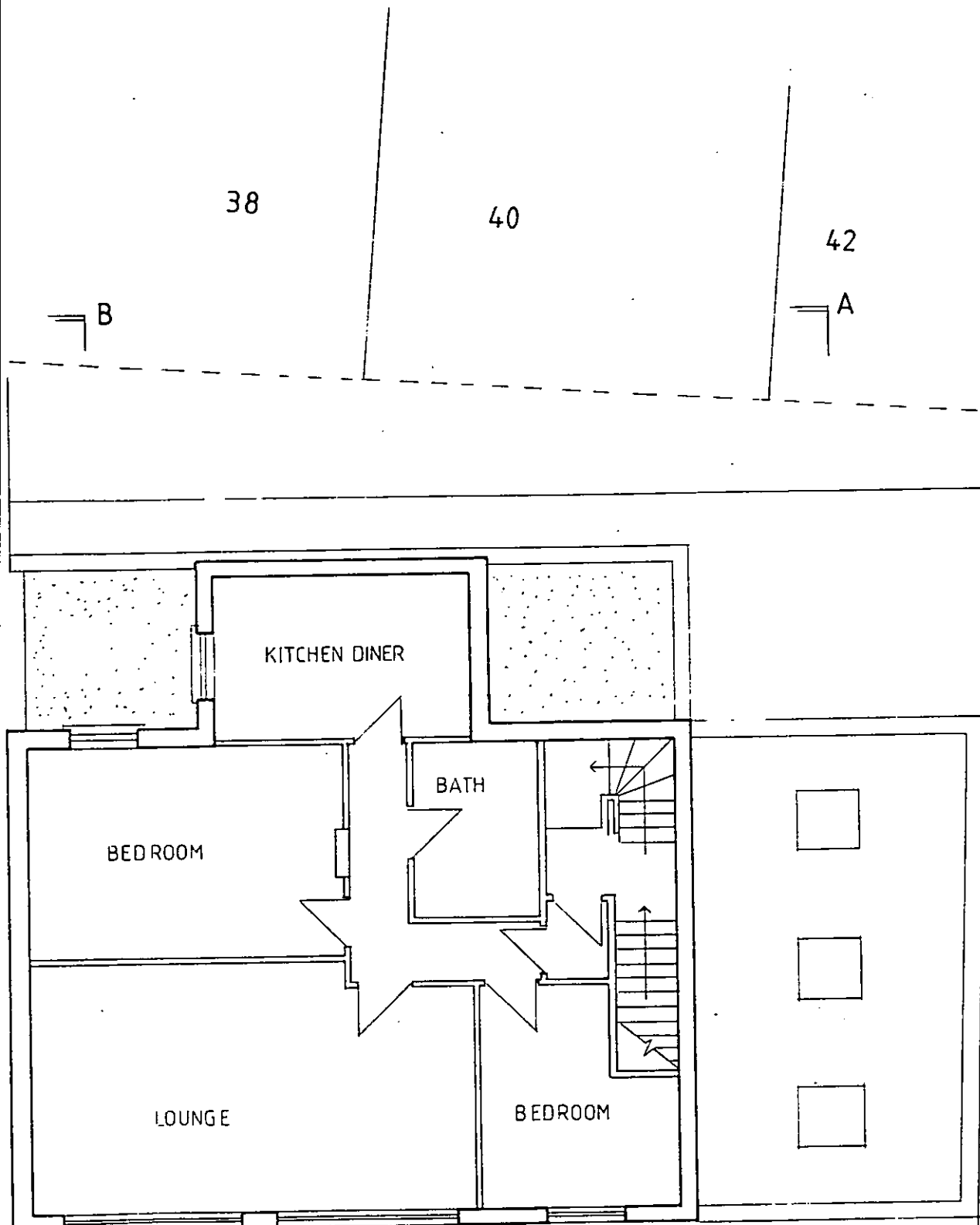
scale 1:100	drawn	date APRIL 90
-----------------------	--------------	-------------------------

No HTN 01-126 B

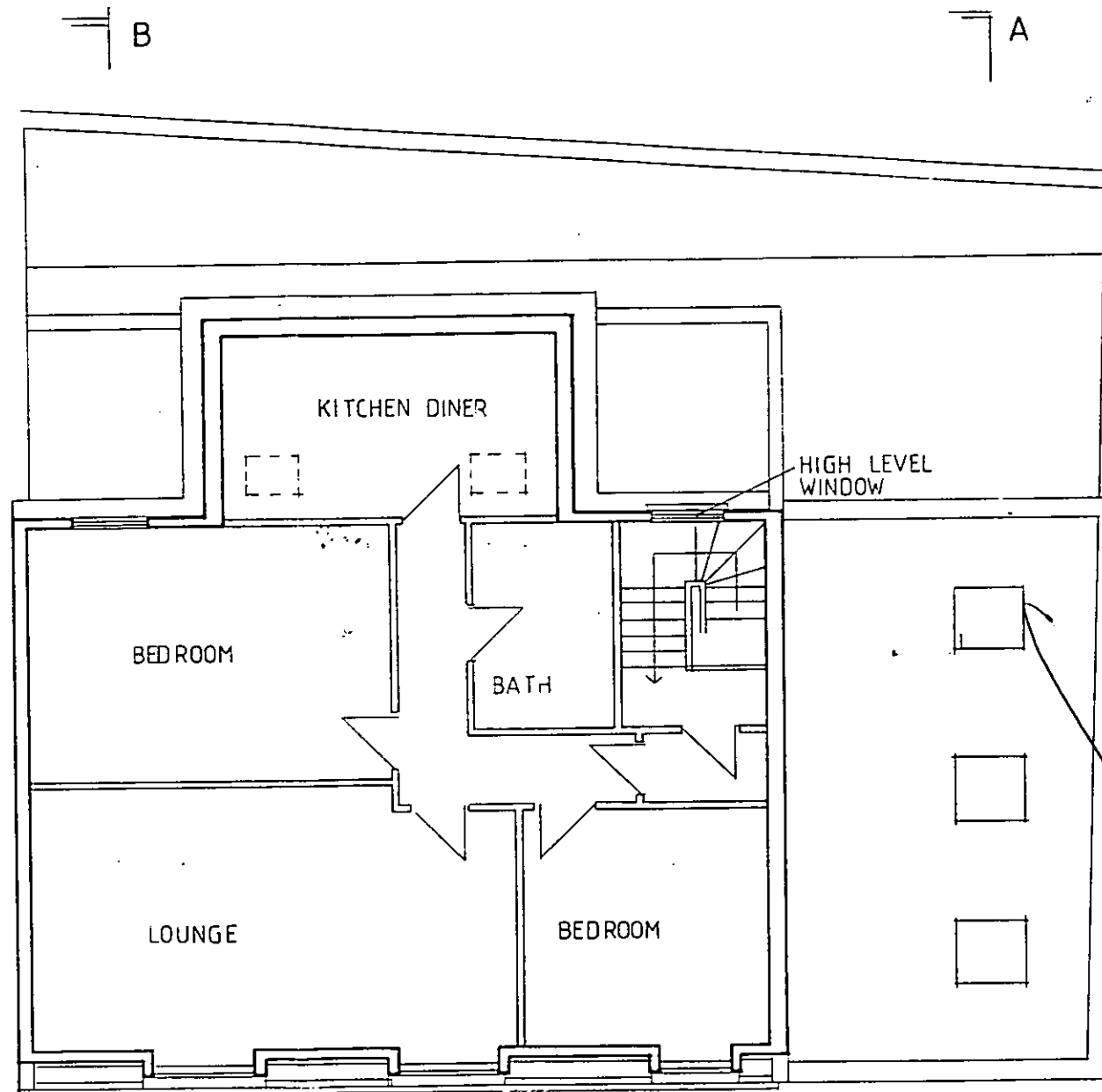
CF&P

Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

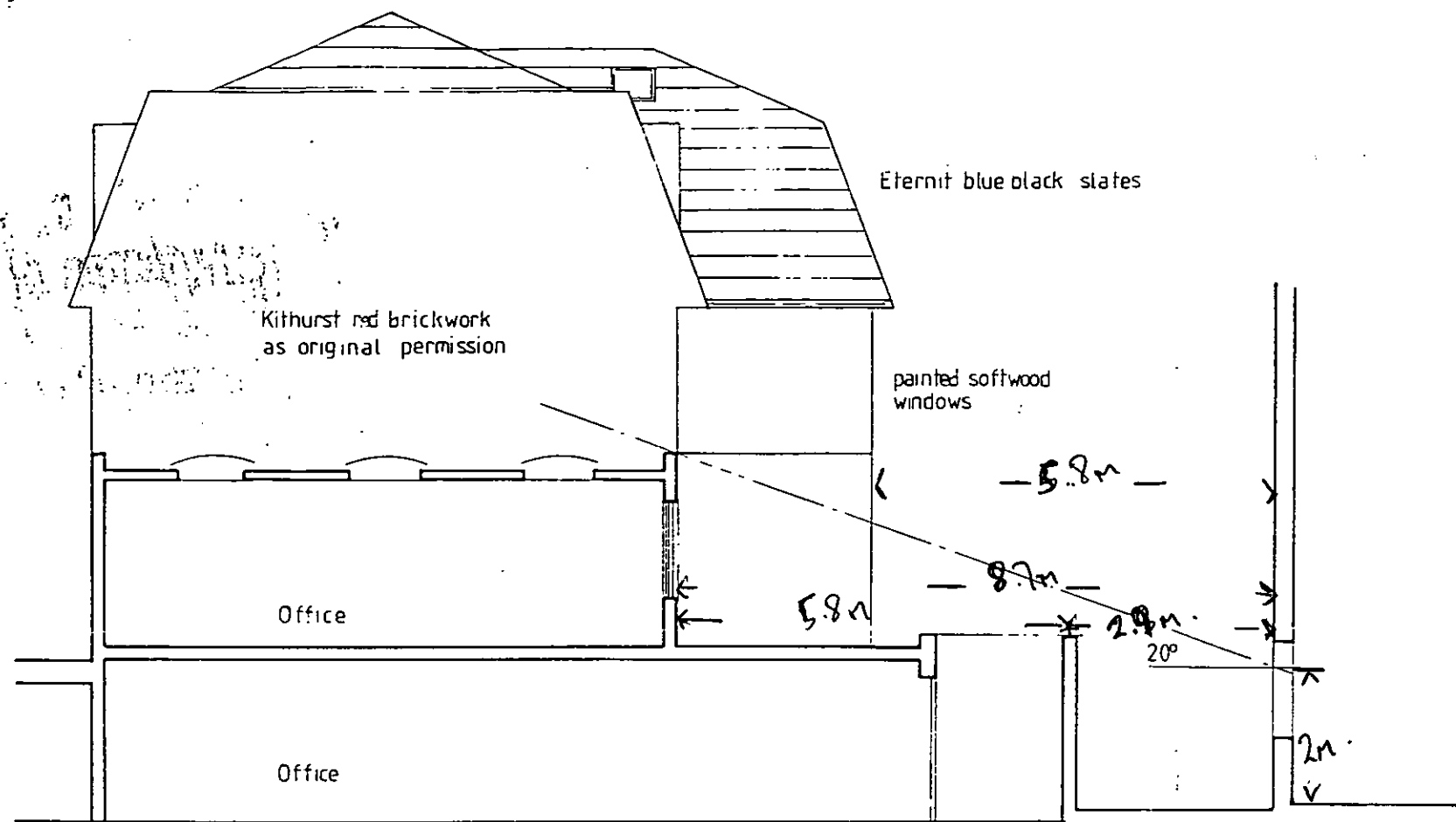
Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
----------------------------------	------------------------------	--------------------------------



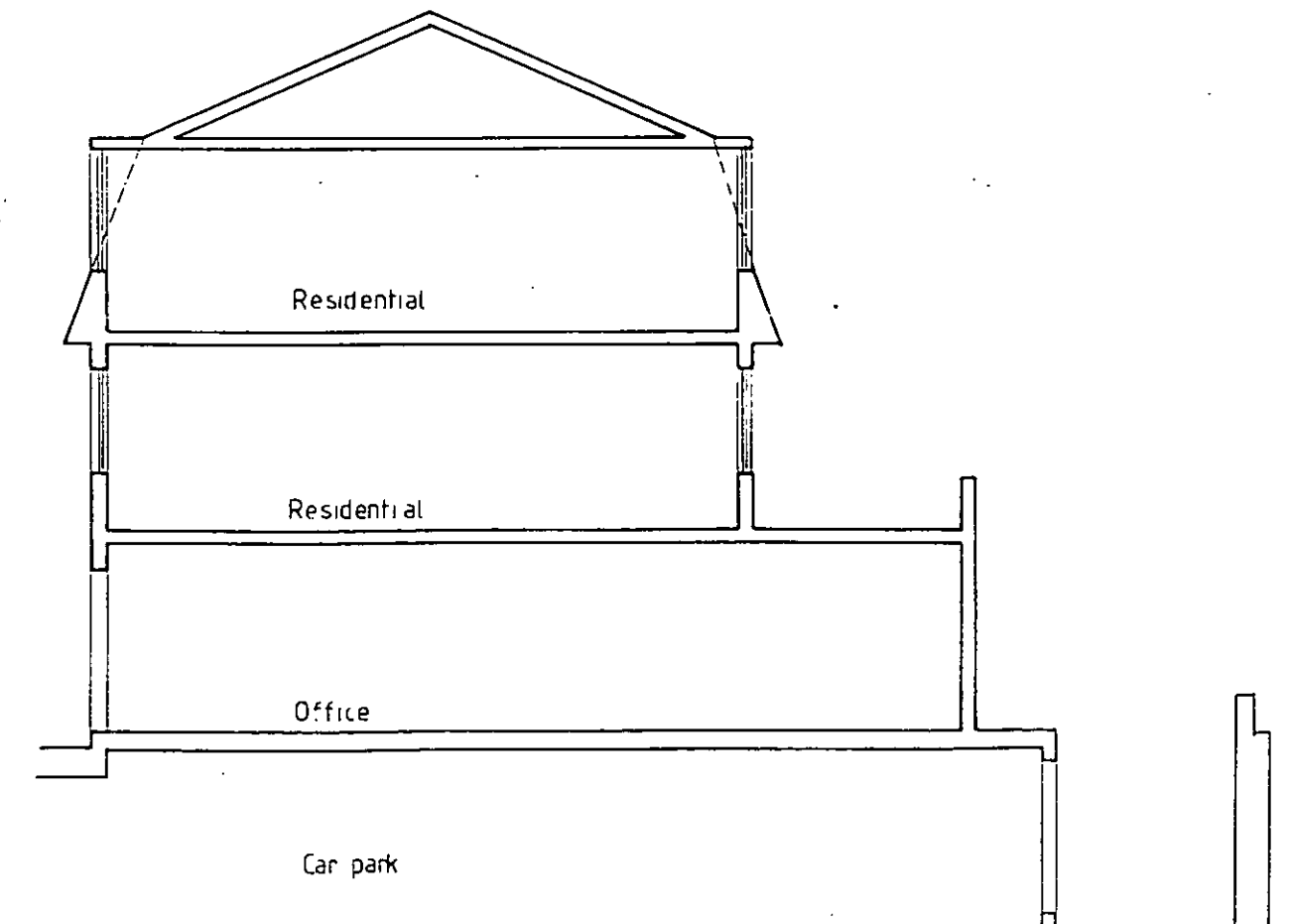
FIRST FLOOR



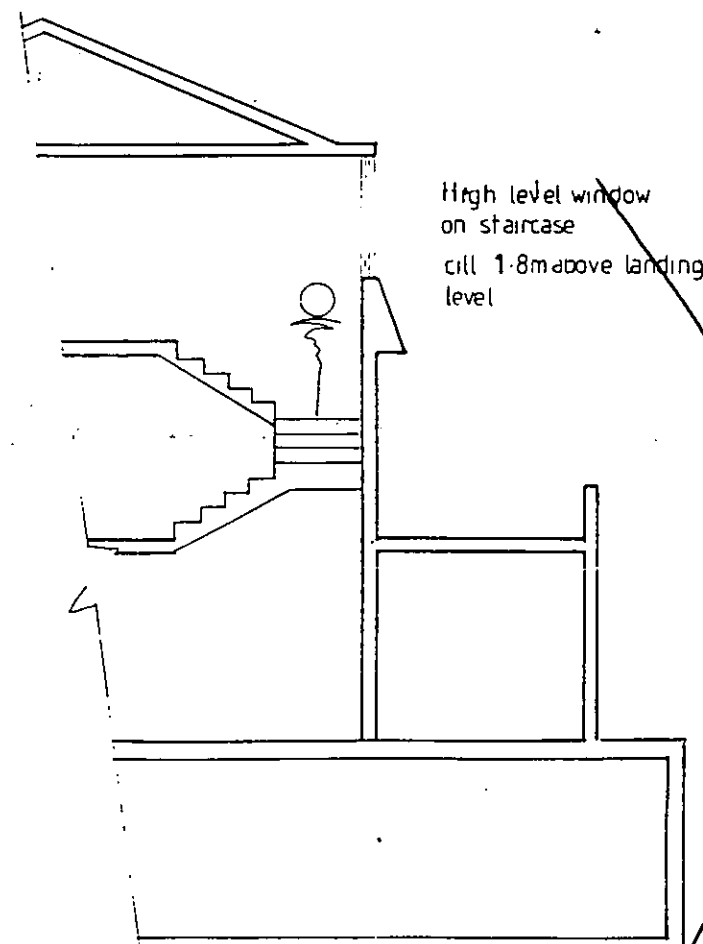
SECOND FLOOR



SECTION A-A



SECTION B-B



SECTION THROUGH UPPER STAIRCASE

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.

Notes

Revisions

no	date	details
A	09-04-90	Rear windows reduced
B	19-04-90	Rear window removed & section added
C	19-04-90	Mansard lines & Dormer added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale
 1:100

drawn

date
 APRIL 90

No HTN 4 01 127C

CF&P

Colwyn Foulkes and Partners

Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay
 0492 532735

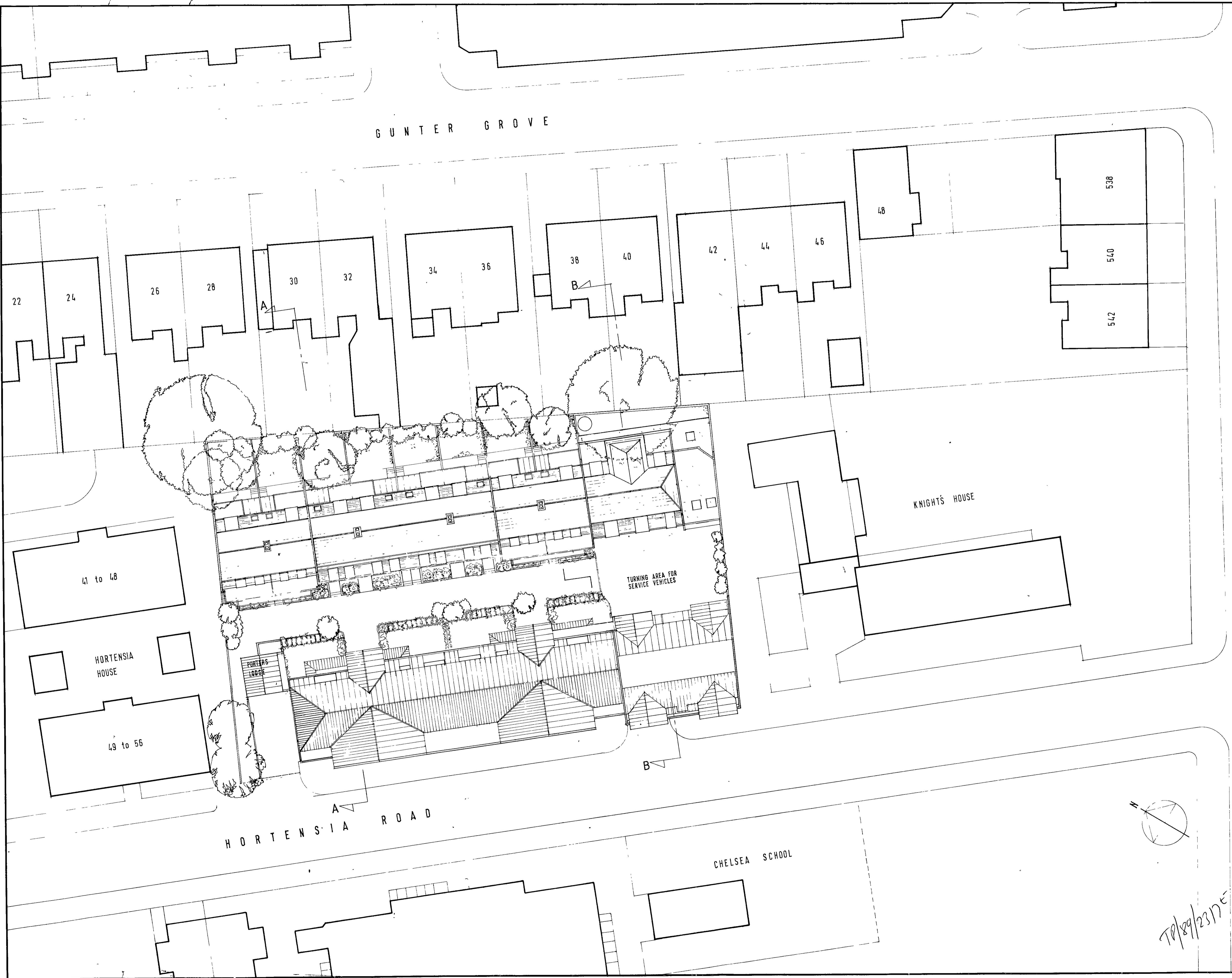
London
 01-938 2464

Knutsford
 0565 52126

TP/89/237
100

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
A	SEP 88	SECTIONS A-B SHOWN
B	NOV 88	
C	NOV 88	FRONT PORCH - FRONT + REAR OFFICES, R. DE-PLAN
D	NOV 88	FRONT OFFICE - R. DE-PLAN
E	NOV 88	FRONT OFFICE - R. DE-PLAN
F	NOV 88	PORTERS LODGE amended, spiral escape stair omitted, flats roof amended.
G	NOV 89	REVISED REAR OFFICE PLAN TO SUIT GEORGE FACADE
H	JAN 90	GROUND FLOOR OFFICE UNIT 2 REDUCED IN AREA
J	JUNE 89	SETTING OUT OF NORTH ANGLESTONE + KNIGHTS HOUSE CORRECTED



SECTION LINES REFER TO
DRAWING NO HTN/07/95

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0482 532735 01 938 2464

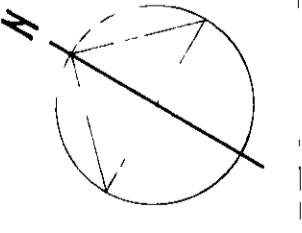
Job
HORTENSIA RD.

Title
SITE PLAN

Drawn
Date
MAY 88

Drawing No
HTN / 017/105 J

Scale
1:200



TP/89/237E

CHELSEA COLLEGE SITE, HORTENSIA ROAD

TP/89/2137

Drawing no. HTN/01/105H ✓
" HTN/01/101P ✓
" HTN4/L(1-)011A ✓
" HTN/L(1-)04 ✓
" HTN/01/122A ✓
" HTN/01/120A ✓
" HTN/01/119A ✓
" HTN/01/115B ✓
" HTN/01/114 (REV F) ✓
" HTN/01/113 (REV F) ✓
" HTN/01/107 ✓
" HTN/01/106B ✓

nos 04

x need Δ
x need E

12/2/90

TP/88/0633

Drawing no. HTN/01/113 ✓
" HNT/01/114 ✓
" HTN/01/106 ✓
" HTN/01/101 ✓
" HTN/01/102 ✓
" HTN/01/103 ✓
" HTN/01/104A ✓
" HTN/01/107 ✓
" HTN/01/108 ✓
" HTN/01/110 ✓
" HTN/01/111 ✓
" HTN/01/112 ✓
" HTN/L(1-)01A ✓
" HTN/01/105A ✓

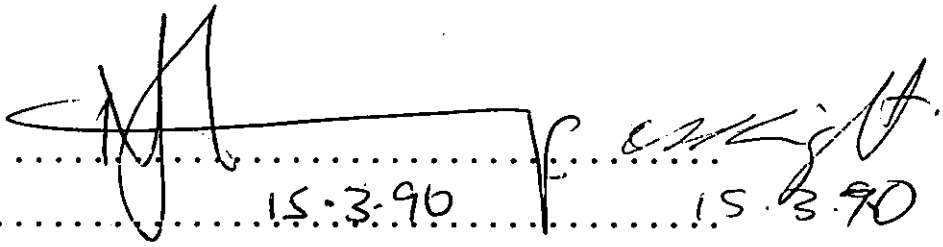
need

104, 105

(Tippexed) (01/60E)

13/10/88

The above drawings have been collected for copying and will be returned to the Council's Planning Department no later than 11 a.m. on Friday, 16th March 1990.

Signed 
Dated 15.3.90 15.3.90

CHELSEA COLLEGE SITE, HORTENSIA ROAD

TP/89/2137

Drawing no. HTN/01/105H ✓
" HTN/01/101P ✓
" HTN4/L(1-)011A ✓
" HTN/L(1-)004 ✓
" HTN/01/122A ✓
" HTN/01/120A ✓
" HTN/01/119A ✓
" HTN/01/115B ✓
" HTN/01/114 (REV F) ✓
" HTN/01/113 (REV F) ✓
" HTN/01/107 ✓
" HTN/01/106B ✓

TP/88/0633

Drawing no. HTN/01/113 ✓
" HNT/01/114 ✓
" HTN/01/106 ✓
" HTN/01/101 ✓
" HTN/01/102 ✓
" HTN/01/103 ✓
" HTN/01/104A ✓
" HTN/01/107 ✓
" HTN/01/108 ✓
" HTN/01/110 ✓
" HTN/01/111 ✓
" HTN/01/112 ✓
" HTN/L(1-)01A ✓
" HTN/01/105A ✓

The above drawings have been collected for copying and will be returned to the Council's Planning Department no later than 11 a.m. on Friday, 16th March 1990.

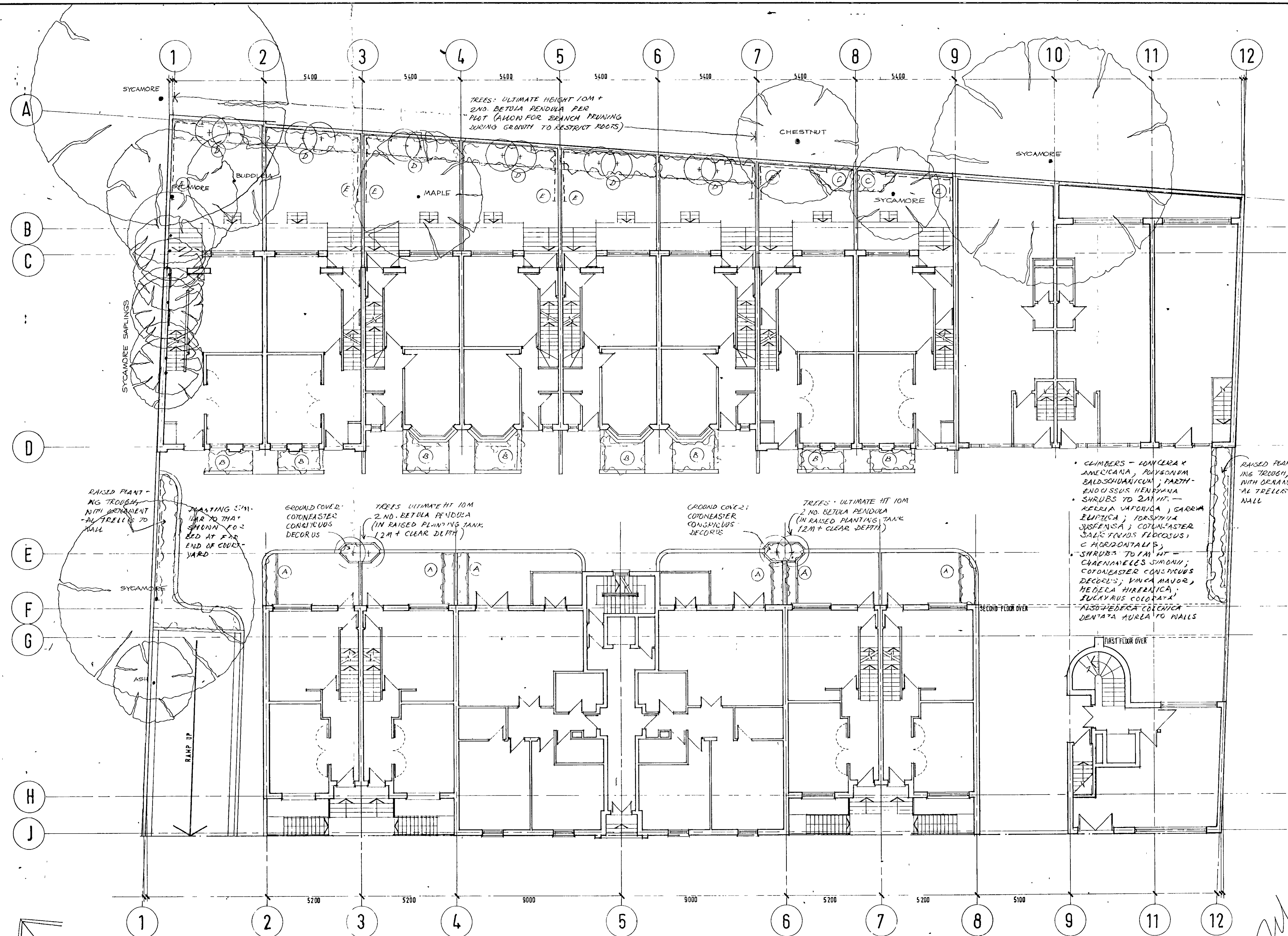
Signed

Dated

- ①. 694 sq m. obtained for annual exp in Feb 1988
- ② Amended decision ~~letter~~ 22/12/88.
- ③ ~~dated~~ exp of Sept 1988.
- ④ Temporary licence for Council for scaffolding in Kyoto House.
- ⑤

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



RAISED PLANTING TROUGH WITH ORNAMENTAL TRELLIS TO WALL

PLANTING SYSTEM TO BE SHOWN TO END AT END OF COURTYARD

GROUND COVER: COTONEASTER, CONSISTENS, DECORUS

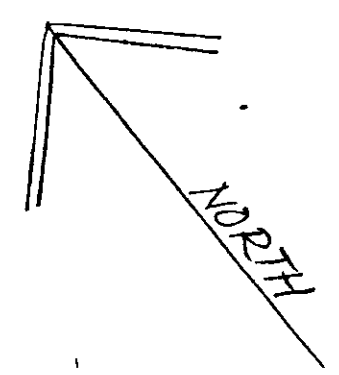
TREES: ULTIMATE HT 10M 2 NO. BETULA PENDULA (IN RAISED PLANTING TANK 12M + CLEAR DEPTH)

GROUND COVER: COTONEASTER, CONSISTENS, DECORUS

TREES: ULTIMATE HT 10M 2 NO. BETULA PENDULA (IN RAISED PLANTING TANK 12M + CLEAR DEPTH)

- CLIMBERS - LONICERA AMERICANA, POLYGONUM BALDSCHEANICUM, PARTHENOSSUS HENRYANA
- SHRUBS TO 2M HT - KERRIA VAPORICA, GABRIA ELIPICA, FORSYTHIA SUSPENSUS, COTONEASTER SALICIFOLIUS, C. HORIZONTALIS
- SHRUBS TO 1M HT - CHAENANELES SIMONII, COTONEASTER CONSISTENS, DECORUS, VINCA MAJOR, HEDERA HIRENICA, LUCYANUS COLONATA, ASSYMEDESA COLENTICA, DENTATA AURCA TO WALLS

RAISED PLANTING TROUGH WITH ORNAMENTAL TRELLIS TO WALL



- KEY:
- (A) PLANTING TO RAISED TROUGH AGAINST SCREEN WALLS.
 - CLIMBERS - HEDERA COLCHICA DENTATA
 - TREES - PARTHENOSSUS HENRYANA
 - WALL SHRUBS TO 2M HT - CHAENANELES SIMONII, COTONEASTER LACTEUS, C. HORIZONTALIS, FORSYTHIA SUSPENSUS, GABRIA HIRENICA, EUCALYPTUS PUNICATA
 - SHRUBS TO 1M HT - BERBERIS VARS

- (B) PLANTING TO RAISED BEDS AT ENTRANCES.
 - EUNYMIUS VARS, YUCCA FRAMENTOSA
 - GROUND COVER - VINCA VARS, COTONEASTER VARS

- (C) WALL SHRUBS TO CORNER LOCATIONS.
 - C. HORIZONTALIS, YUCCA VARS, VINCA MAJOR, HEBE PINGUIFOLIA, FAGI + VARS.

- (D) PLANTING TO REAR SCREEN WALLS:
 - CLIMBERS - HEDERA COLCHICA DENTATA; PARTHENOSSUS HENRYANA, HYDRANGEA PETIOLATA (TO SIDE WALLS)
 - WALL SHRUBS TO 2M HT - CEANOTHUS VARS, ESCALLONIA VARS, VIBURNUM BURKWOODII, CHAENANELES VARS, FORSYTHIA SUSPENSUS, COTONEASTER LACTEUS, BERBERIS VARS

- (E) CLIMBERS TO WALL TRELLIS, PLANTED IN PORTABLE PLANTERS.
 - CLEMATIS VARS, WITH SERFVIA CORNIFOLIA AS GROUND COVER
- TRELLIS SYSTEM AND WALL DECORATION SYSTEM BY THWAITES + PITT, OR SIMILAR

RECEIVED BY D. P. T.

6 NOV 1989

DC	DC	DC	DC
W	C	S	L
WB	D PLAN	PLAN	PLAN
DEPT	LC	TC	TC

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay | London
 0492 932758 | 01 938 2444

Job
HORTENSIA ROAD
 Title
LANDSCAPING

Drawn
 COY
 Date
 MAY 1988
 Drawing No
HTN/L(1)-04
 Scale
 1:100

Tp/89/2137 (17)

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
A	11/11/87	THIS DRAWING OF PLATS A AND B
B	NOV 88	PLATS A AND B amended.

LAND OWNERSHIP:
 TO BE BUILT IN ACCORDANCE WITH PLANNING PERMISSION DATED 22.12.88
 APPLICATION SITE

A 9.3.89 UPDATED.

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

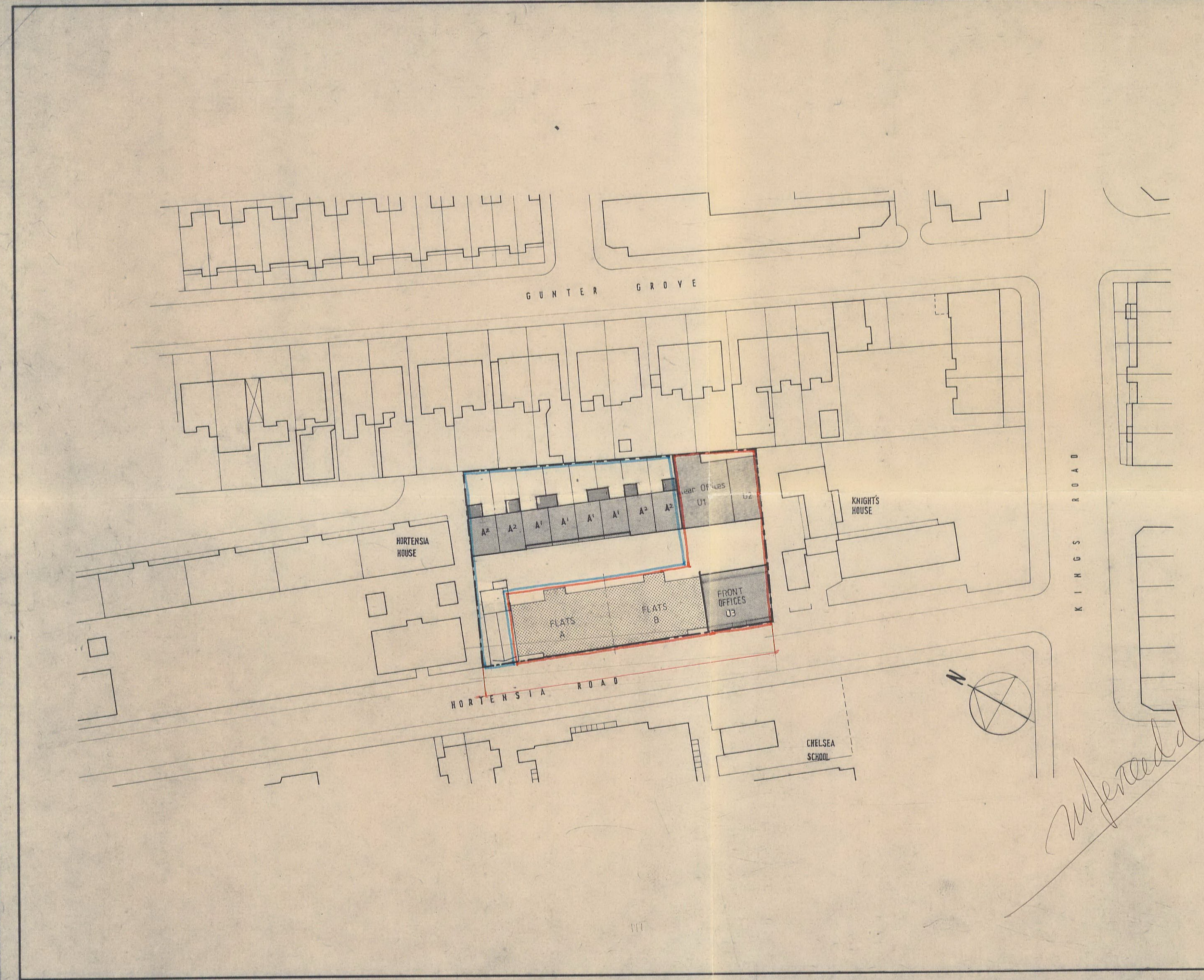
Job
HORTENSIA RD.

Title
LOCATION PLAN
LOC. PLAN 27 NOV 88

Drawn	By	Date
AFS	AFS	8 88

Drawing No
HTN/01/106 B

Scale
1:500



referred

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.

Notes

Revisions		
no	date	details
A	09-04-90	Adjoining property numbers and notes on windows added

Project
HORTENSIA ROAD

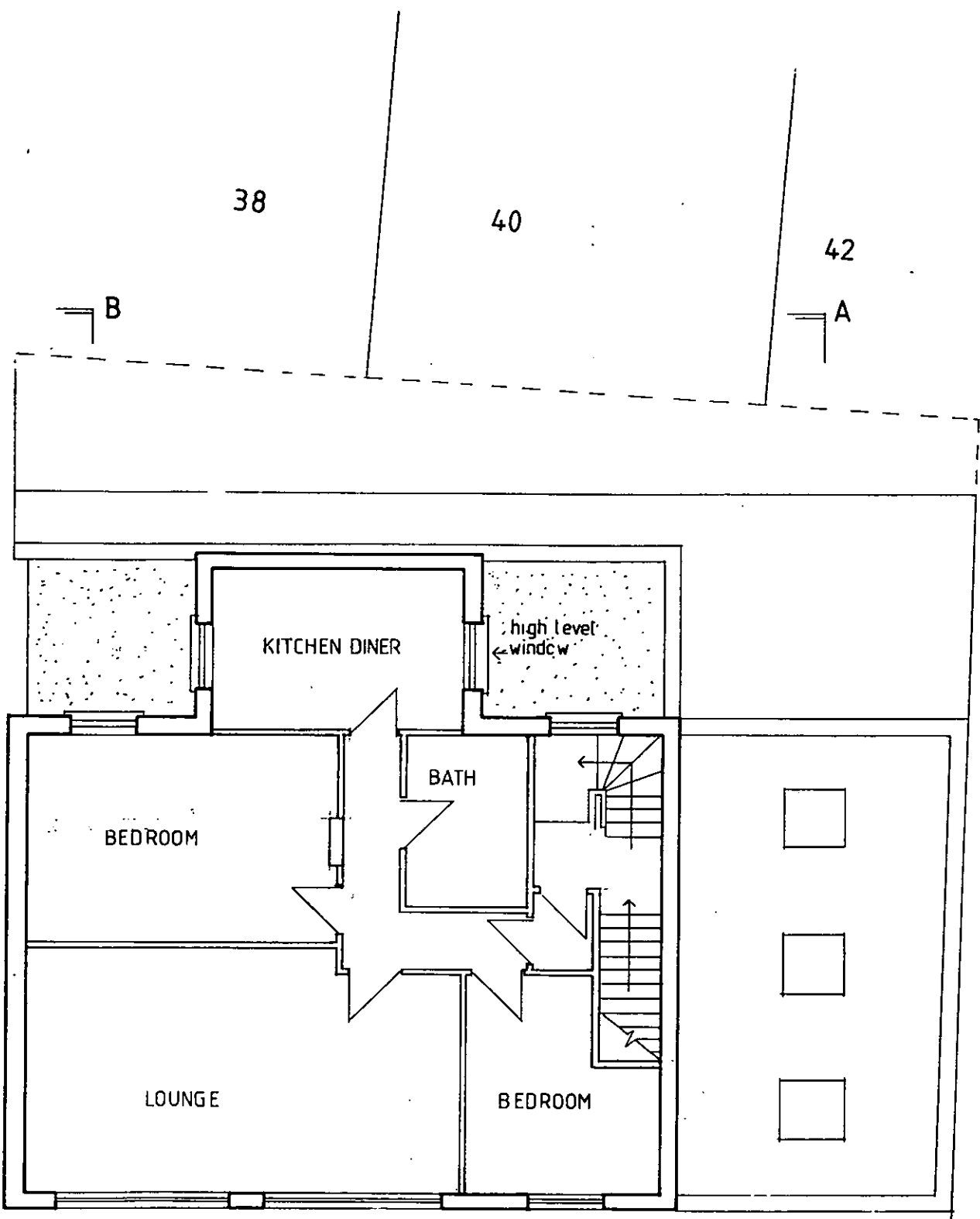
Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 FIRST AND SECOND FLOOR PLANS

scale 1:100 drawn date APRIL 90

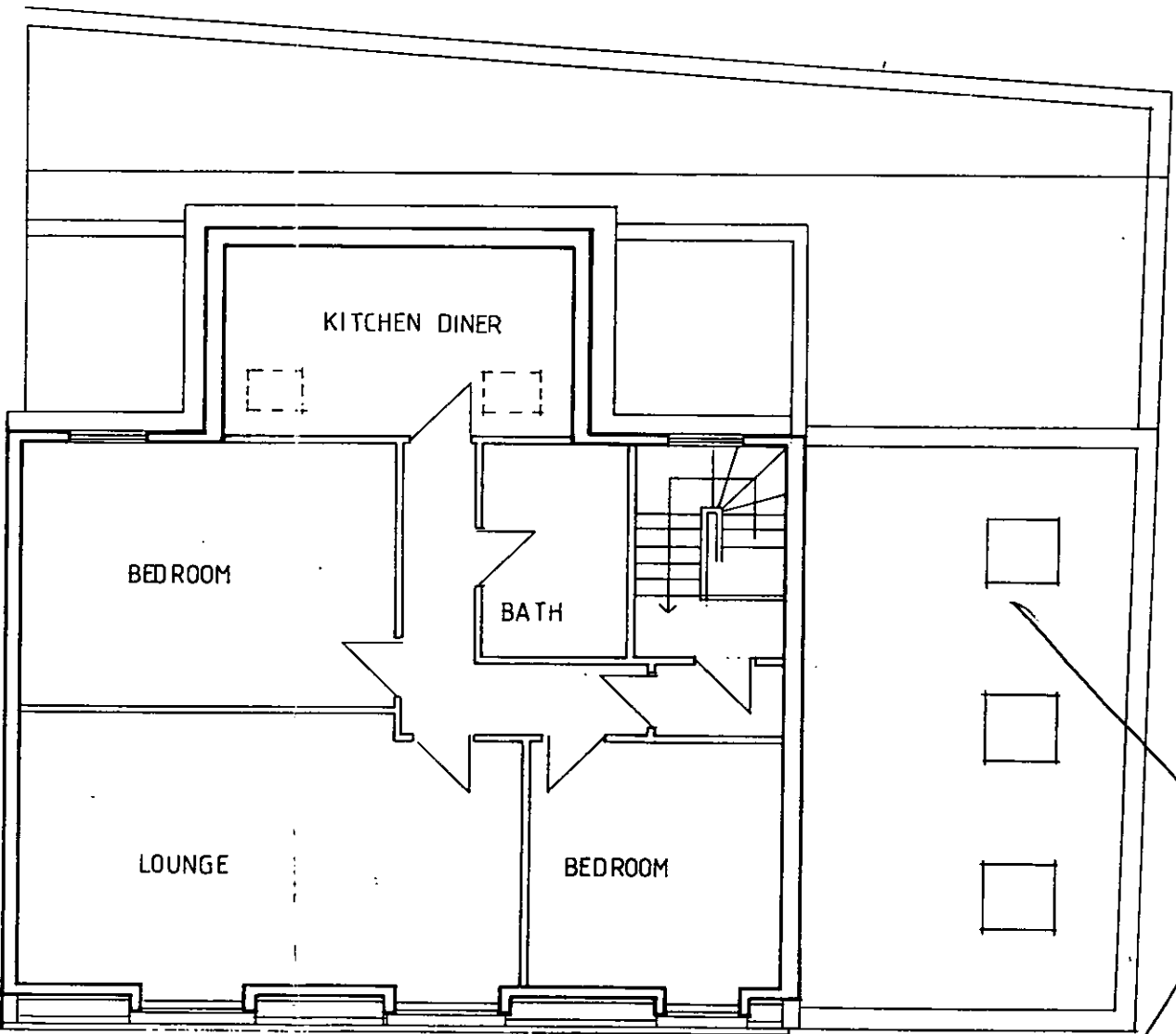
No HTN4 01.126 A

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay London Knutsford
 0492 532735 01-938 2464 0565 52126



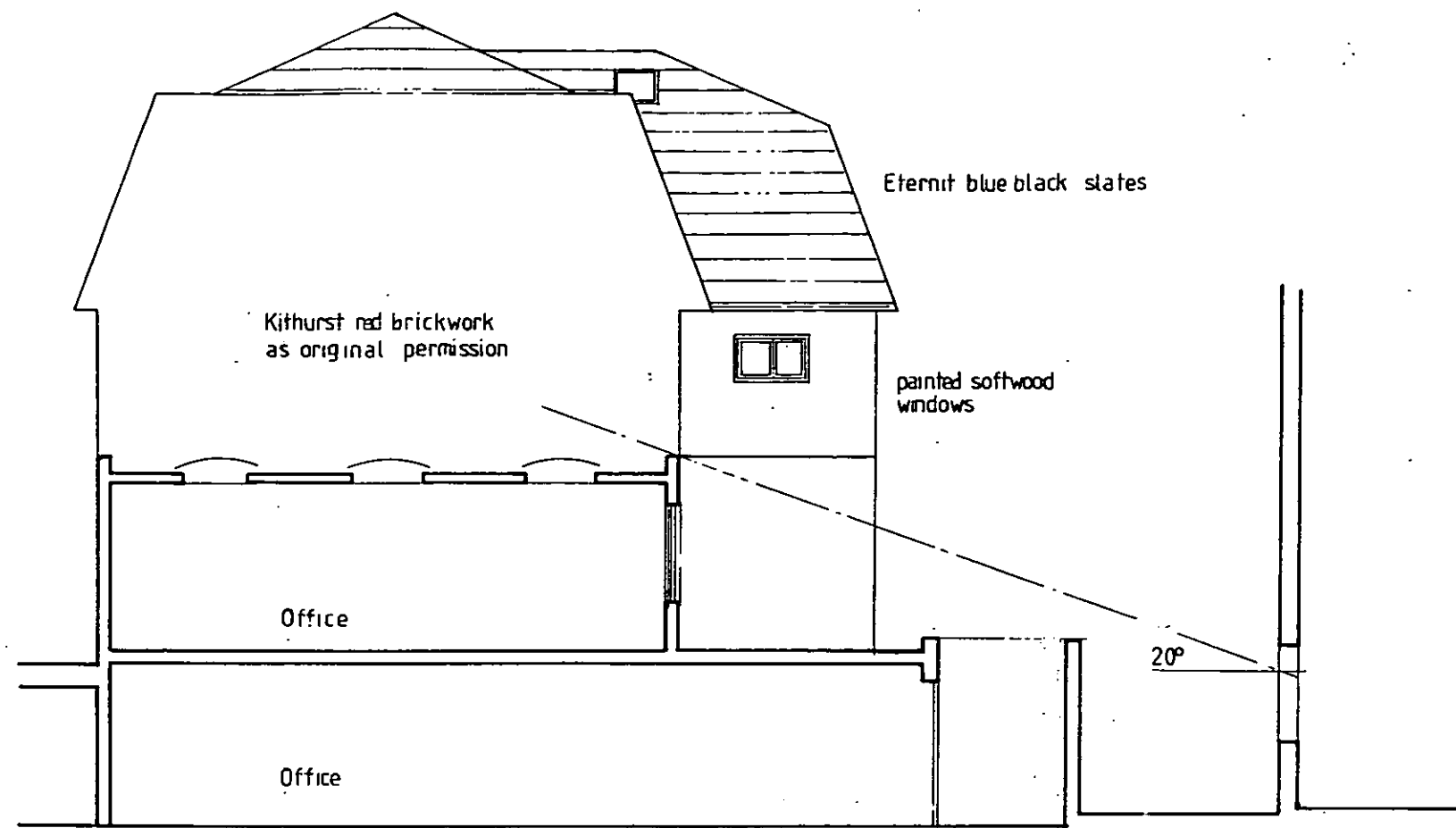
FIRST FLOOR



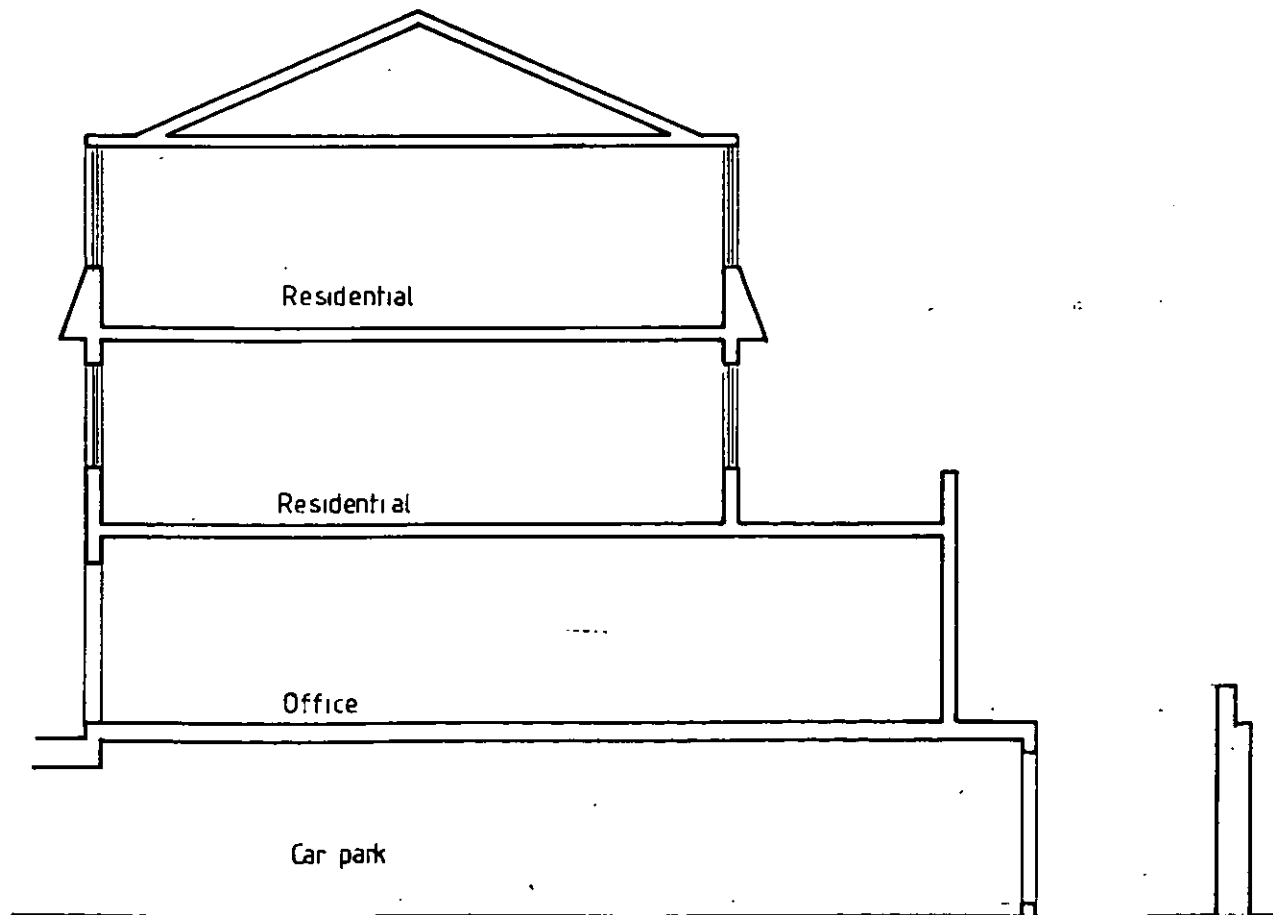
SECOND FLOOR

RECEIVED BY D. P. T.
 On 17 APR 1990

DC N	DC C	DC D	DS E	DS
ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
CDPT	LO	TRANS.	B/D CONTROL	AS ARCH



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details
A	09-04-90	Rear windows reduced

Project
HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale
 1:100

drawn

date
 APRIL 90

No HTN 4 01 127 A

RECEIVED BY D. P. T. 17 APR 1990				
DC N	DC C	DC S	DC E	DC
ARB	D. PLAN	RECORDS	DPT	ENV. PLAN
DEPT	LO	TRANS.	BUILD CONTROL	AD RES

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay London Knutsford
 0492 532735 01-938 2464 0565 52126

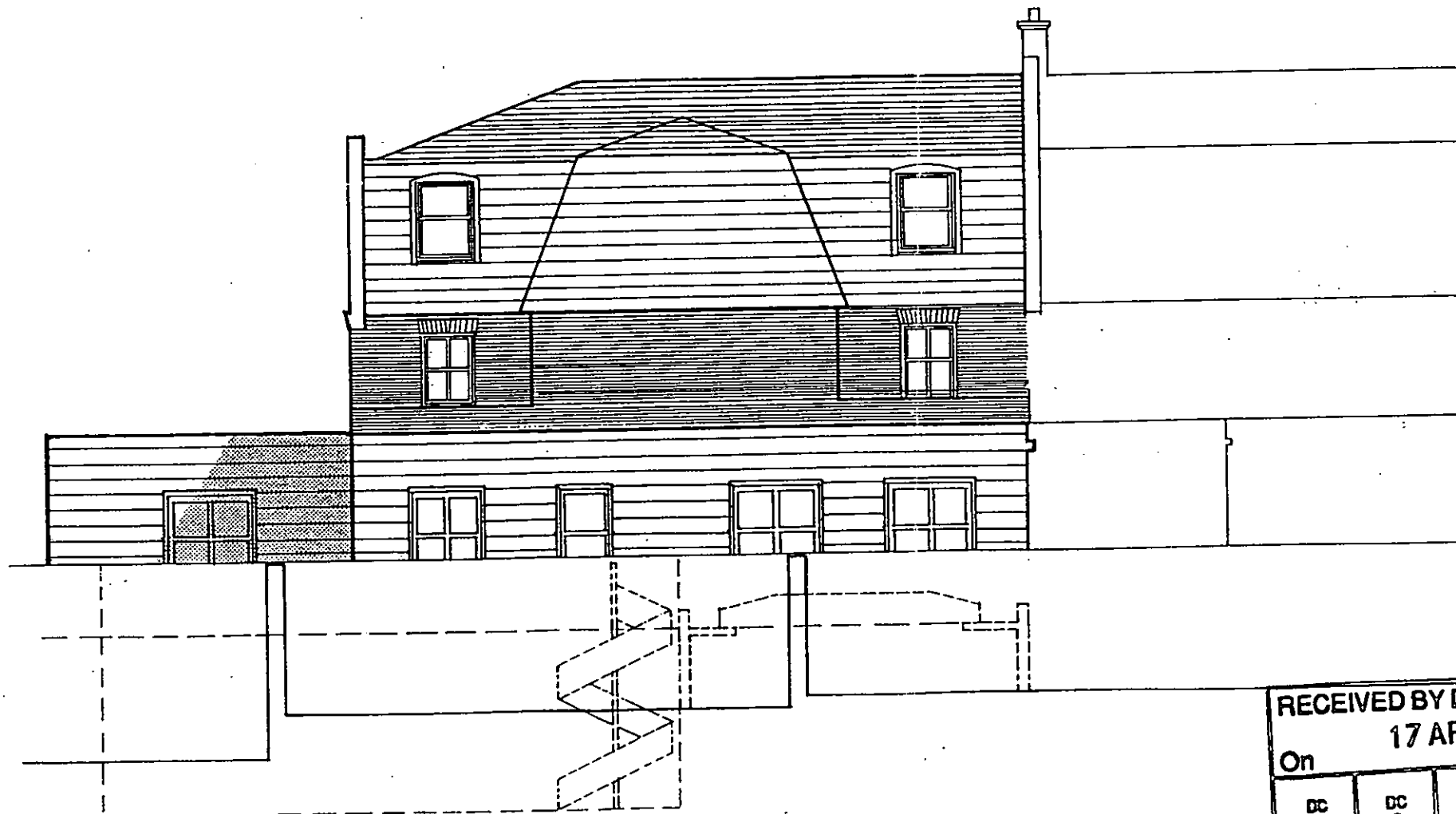


ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood

FRONT ELEVATION



REAR ELEVATION

RECEIVED BY D.P.T.
17 APR 1990

On

DC S	DC C	DC B	DC E	OS
ASB	D.F.L.C.	RECORDS	DM	ENV. PLAN
DCPT	I.O.	TRANS.	BUILD CONTROL	39 UR

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.

Notes

Revisions

no	date	details
A	9-04-90	Rear window added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale

1:100

drawn

date

APRIL 90

No HTN 4 01 128 A

CF&P

Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay
0492 532735

London
01-938 2464

Knutsford
0565 52126

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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers added

Project

HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

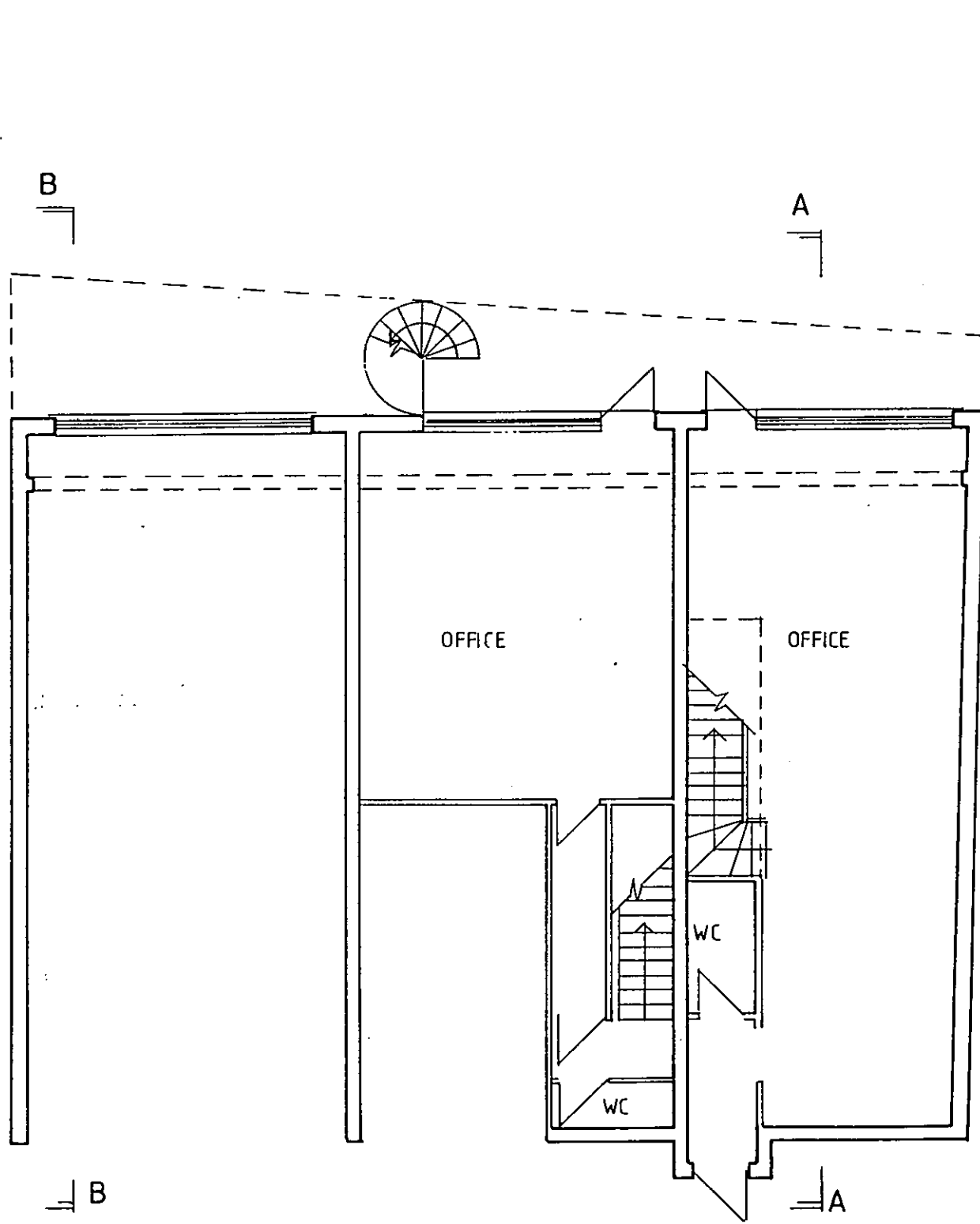
scale 1:100
drawn
date APRIL 90

No HTN /4 /01 125 A

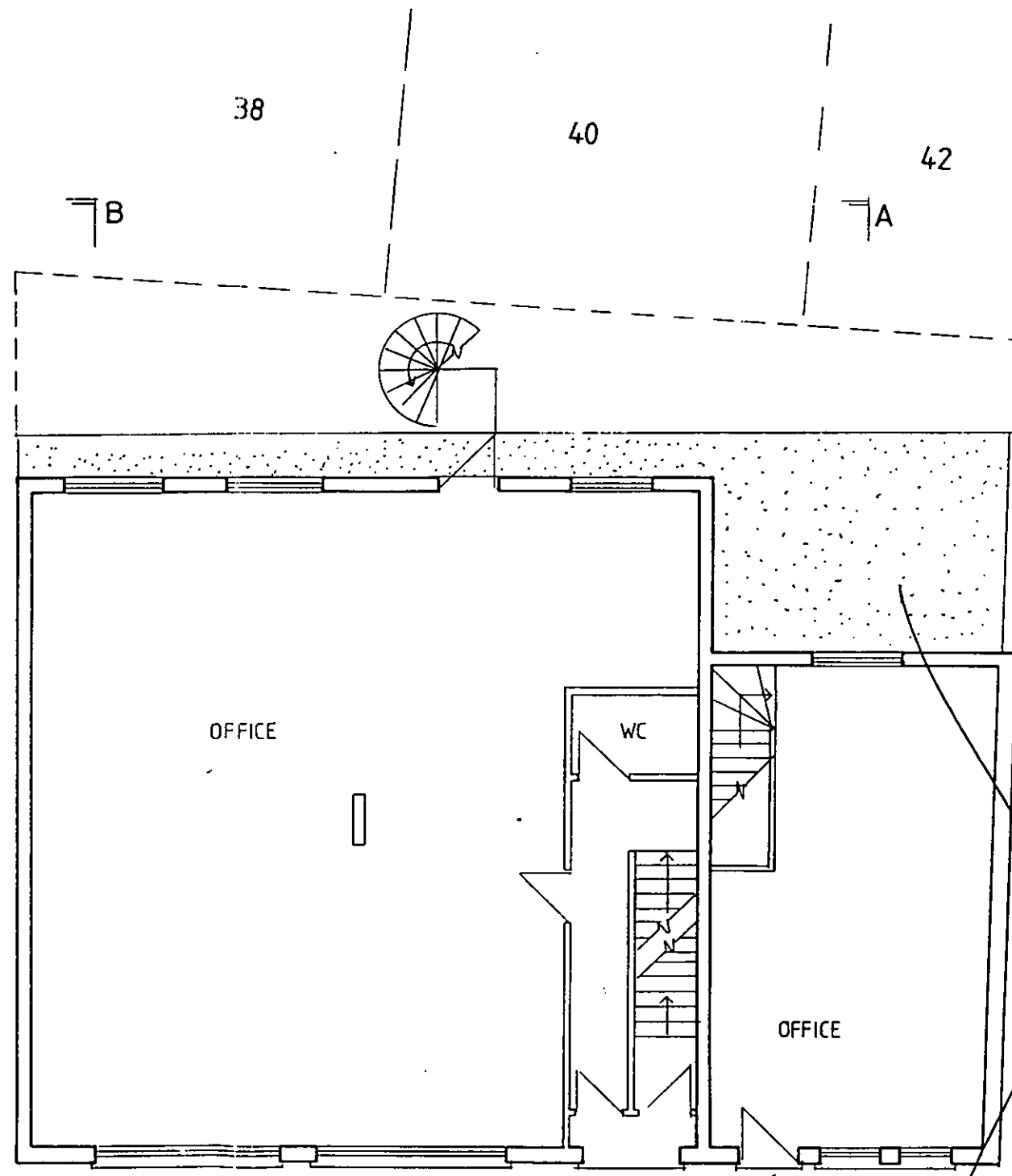


Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735
London 01-938 2464
Knutsford 0565 52126



BASEMENT



GROUND FLOOR

RECEIVED BY D.P.T. 17 APR 1990

DC N	DC C	DC S	DC E	DC
AS	D. PLAN	RECORDS	OPT	SEV. PLAN
	LO	TRANG		

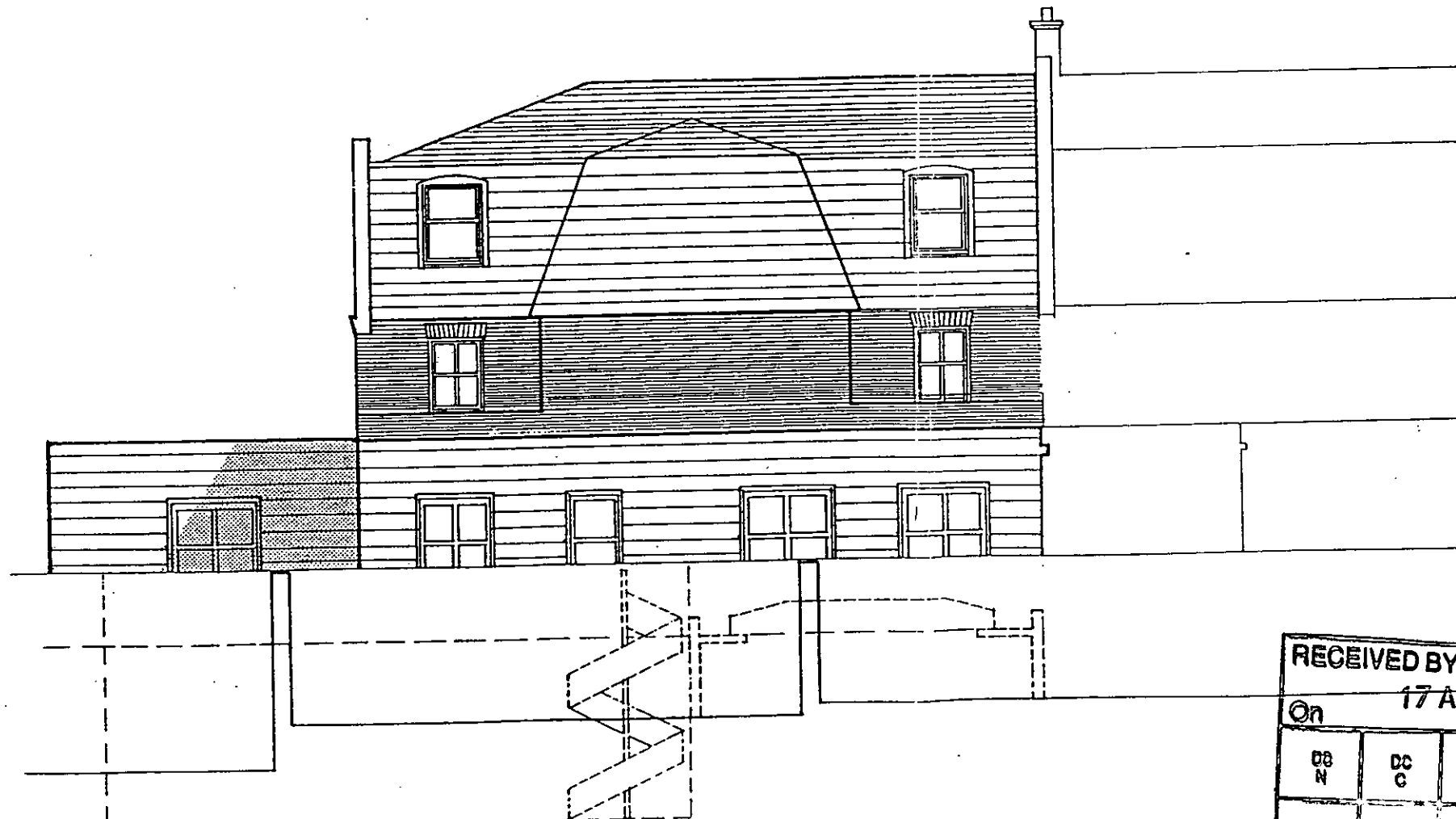


ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood

FRONT ELEVATION



REAR ELEVATION

RECEIVED BY D. P. T.
On 17 APR 1990

DB N	DC C	DC S	DC E	DC
AR3				

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.

Notes

Revisions

no	date	details
A	9-04-90	Rear window added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale

1:100

drawn

date

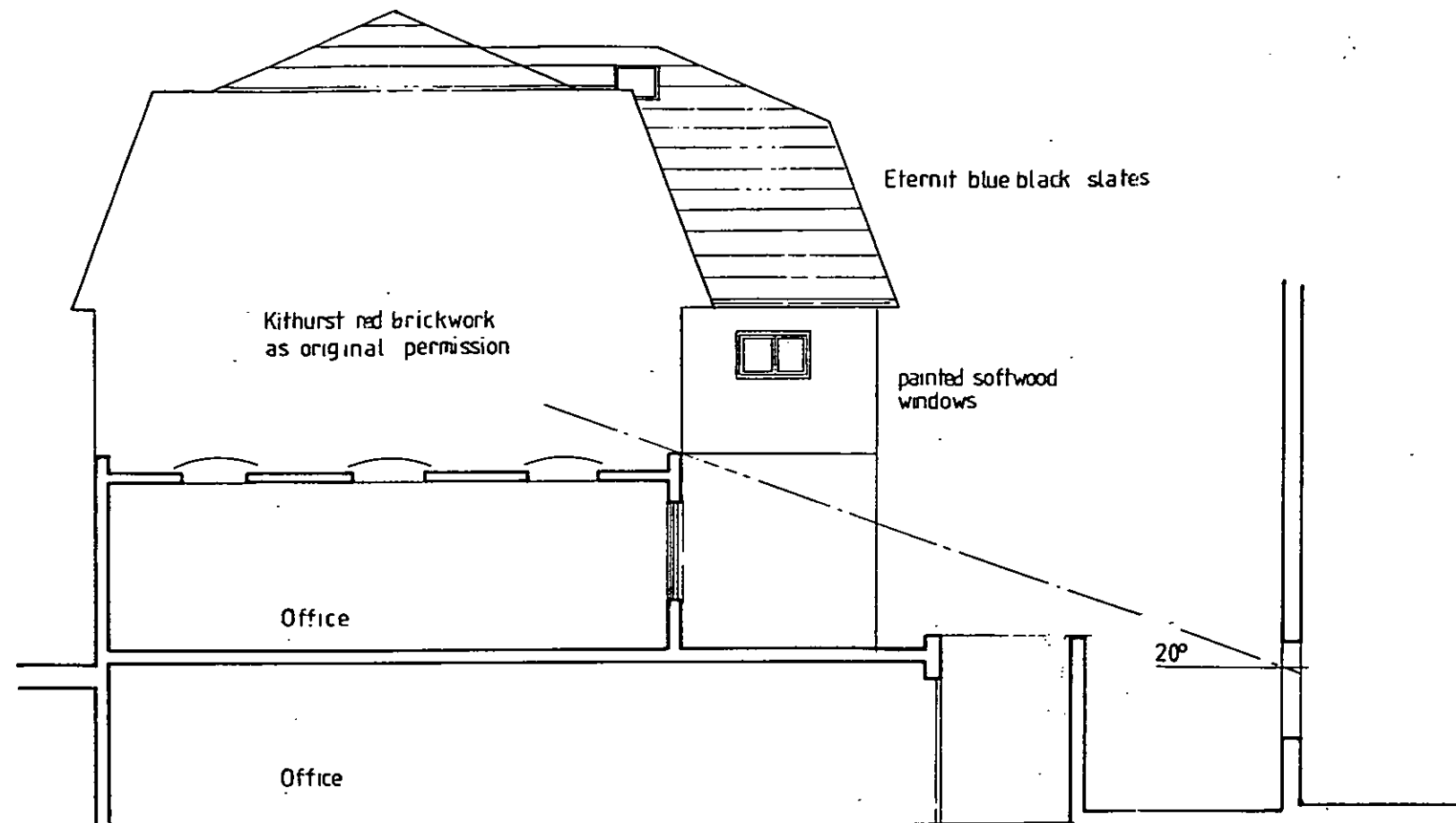
APRIL 90

No HTN 4 01 128 A

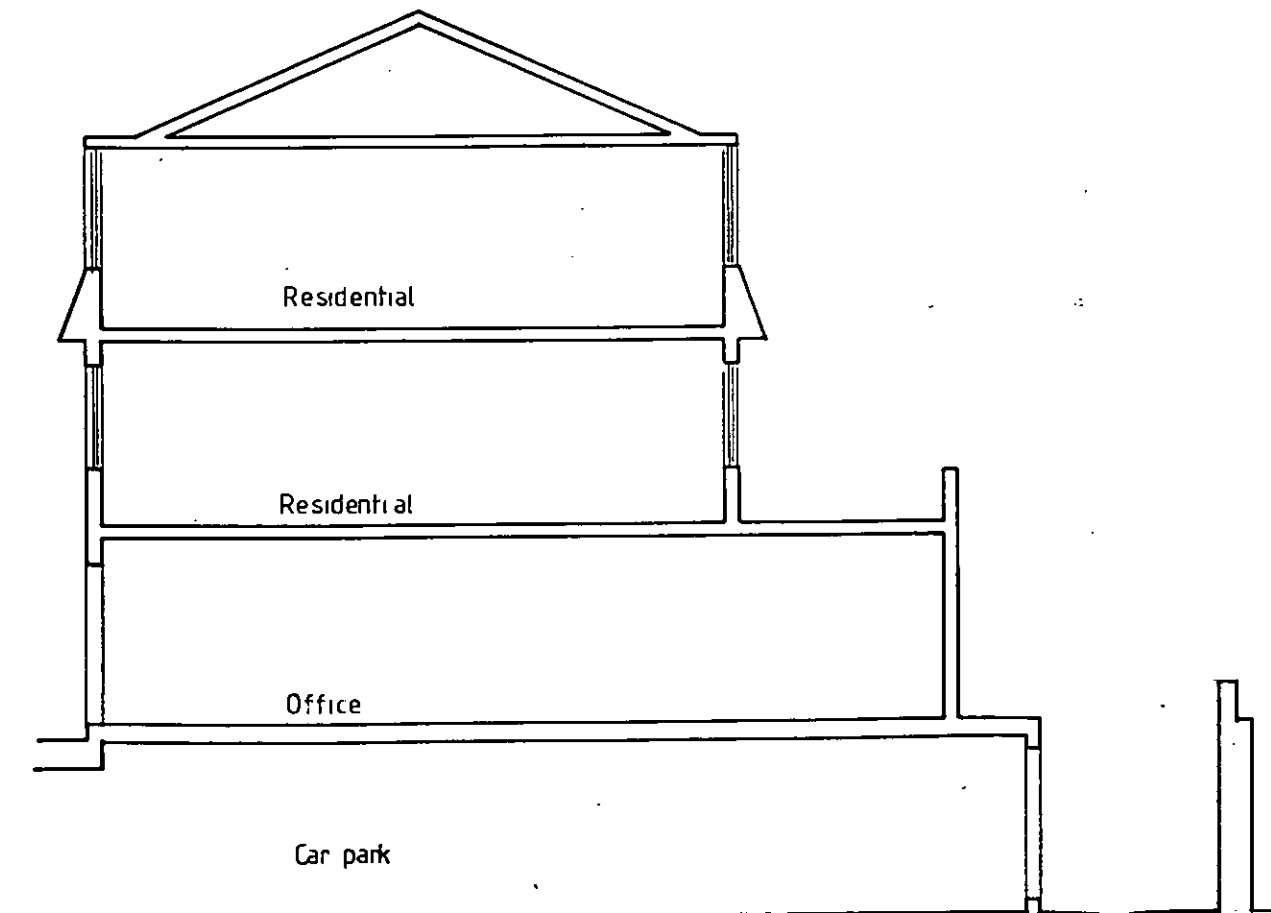
CF&P

Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details
A	09-04-90	Rear windows reduced

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1&2
INCORPORATING RESIDENTIAL
ACCOMMODATION
SECTIONS

scale 1:100 drawn date APRIL 90

No HTN 4 01 127 A

RECEIVED BY D. P. T.
17 APR 1990

DC N	DC C	DC B	DC E	DC
ARB	D. PLAN	RECORDS	C-T	NO PLAN
DDPT	LO	TRANS.	BY D CONTROL	NO TICK

CF&P

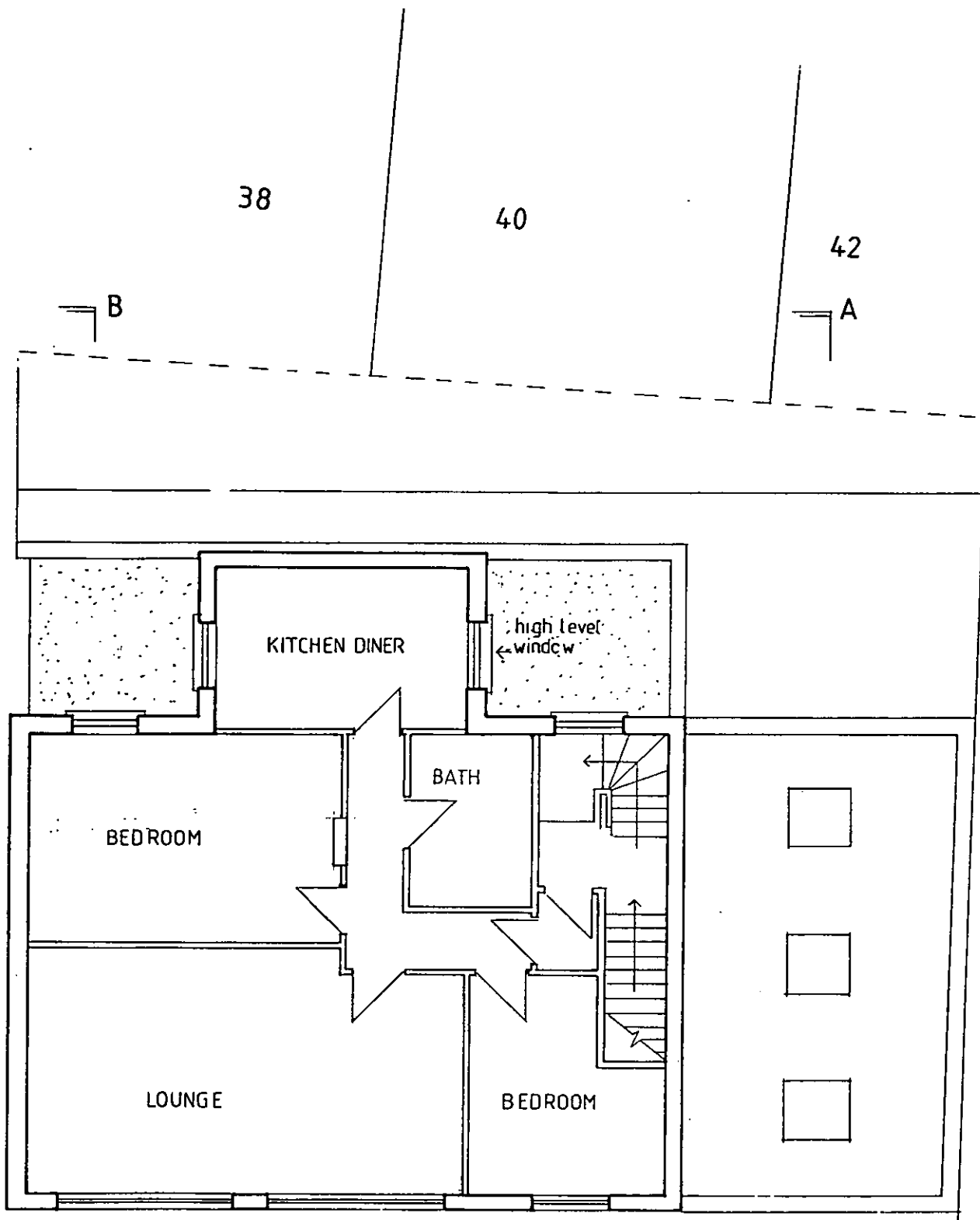
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735 London 01-938 2464 Knutsford 0565 52126

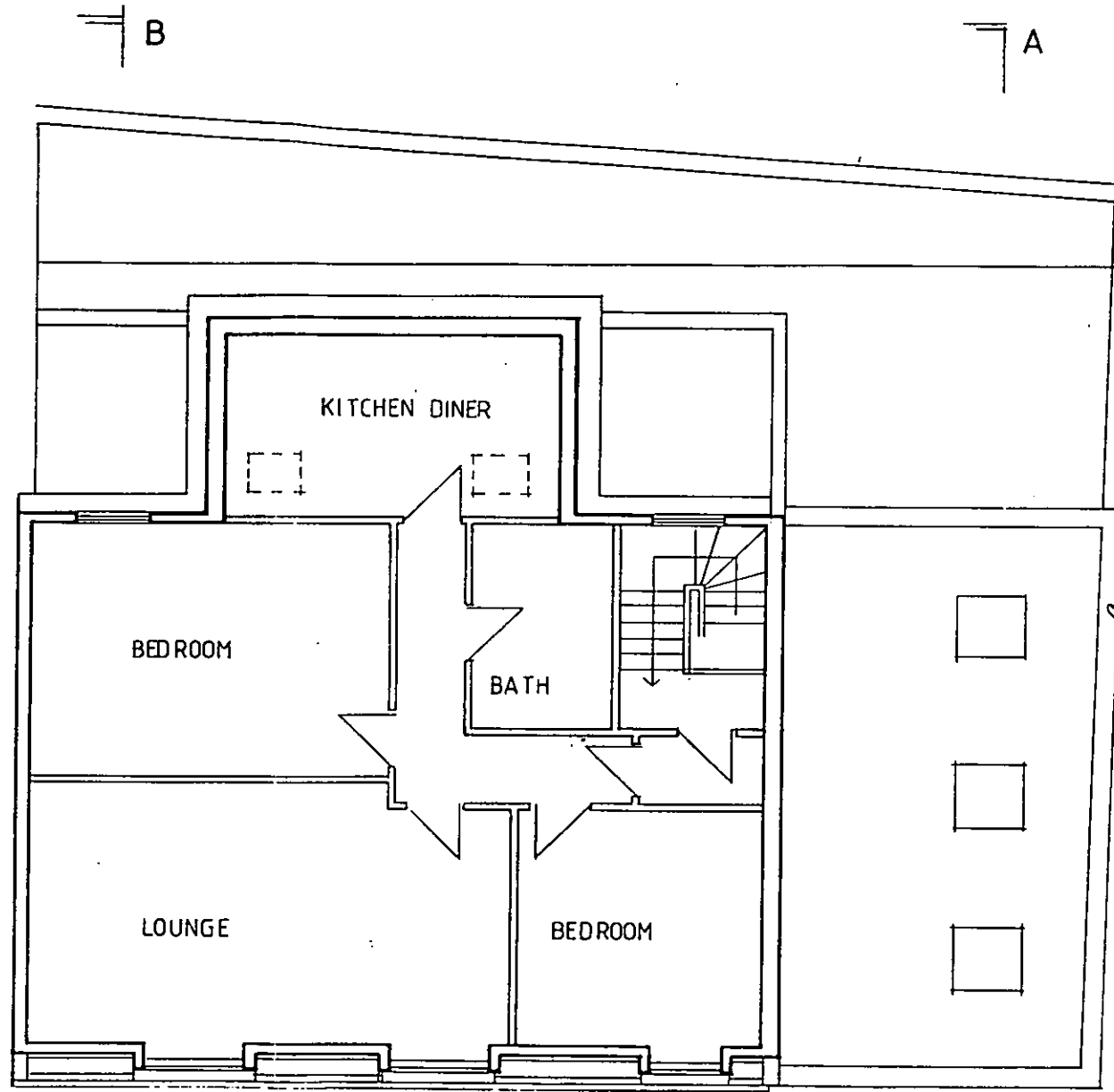
38

40

42



FIRST FLOOR



SECOND 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.

Notes

Revisions

no	date	details
A	09-04-90	Adjoining property numbers and notes on windows added

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
INCORPORATING RESIDENTIAL
ACCOMMODATION

FIRST AND SECOND FLOOR PLANS

scale	drawn	date
1/100		APRIL 90

No HTN4 01-126 A

RECEIVED BY D.F.T.
On 17 APR 1990

DC N	DC C	DC S	DC T	DC U
ARB	D. PLAN	RECORDS	DRY	PLAN
CDPT	LO	TRANS.	BYLD CONTROL	AD ACK

CF&P

Colwyn Foulkes and Partners

Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

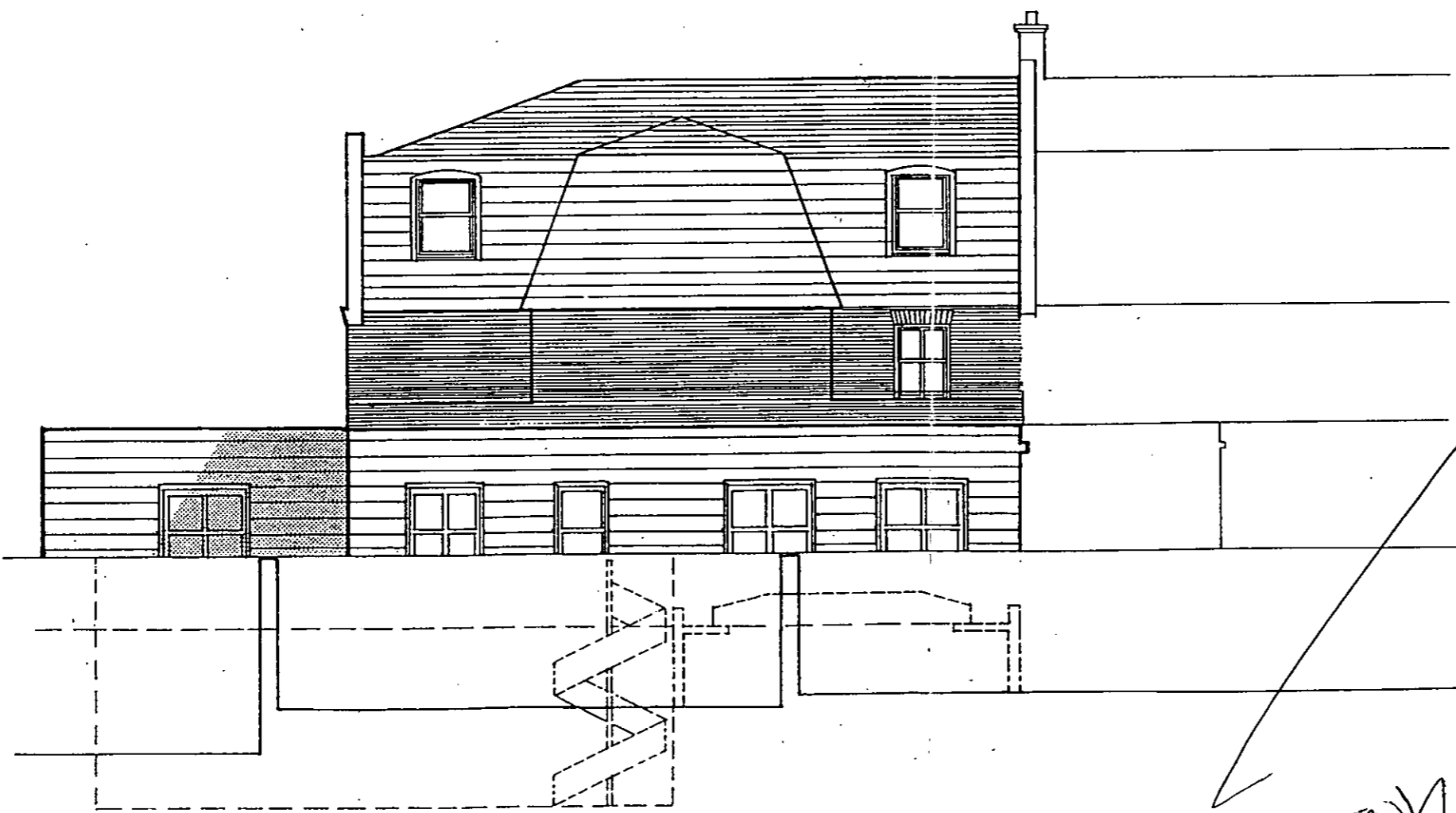


FRONT ELEVATION

ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood



REAR ELEVATION

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.

Notes

Revisions		
no	date	details

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

scale 1:100	drawn	date APRIL 90
-----------------------	--------------	-------------------------

No HTN 4 01 128

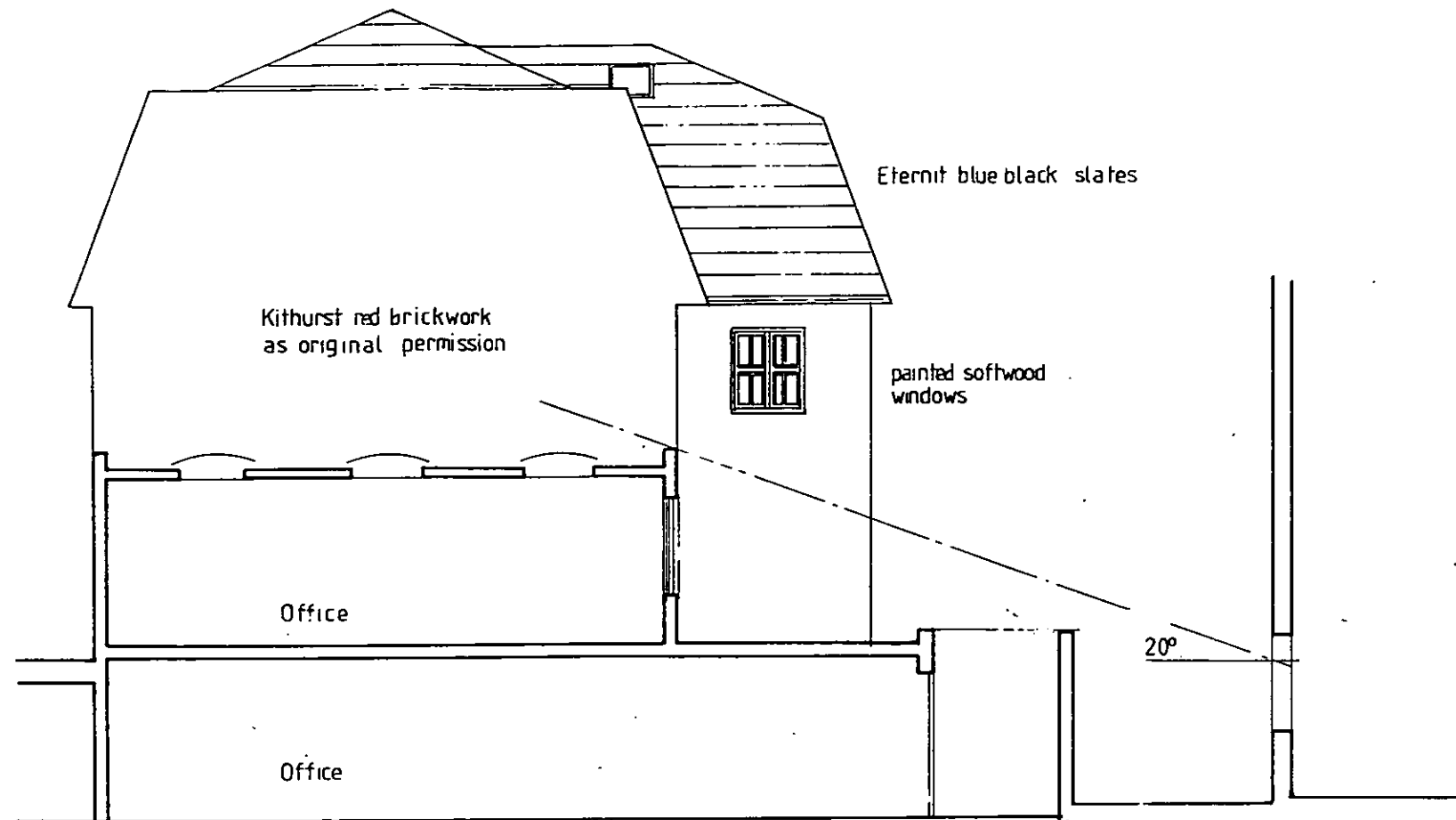
[Handwritten signature]

RECEIVED BY	DC	DC
On	11	11
	ARB	DDPT

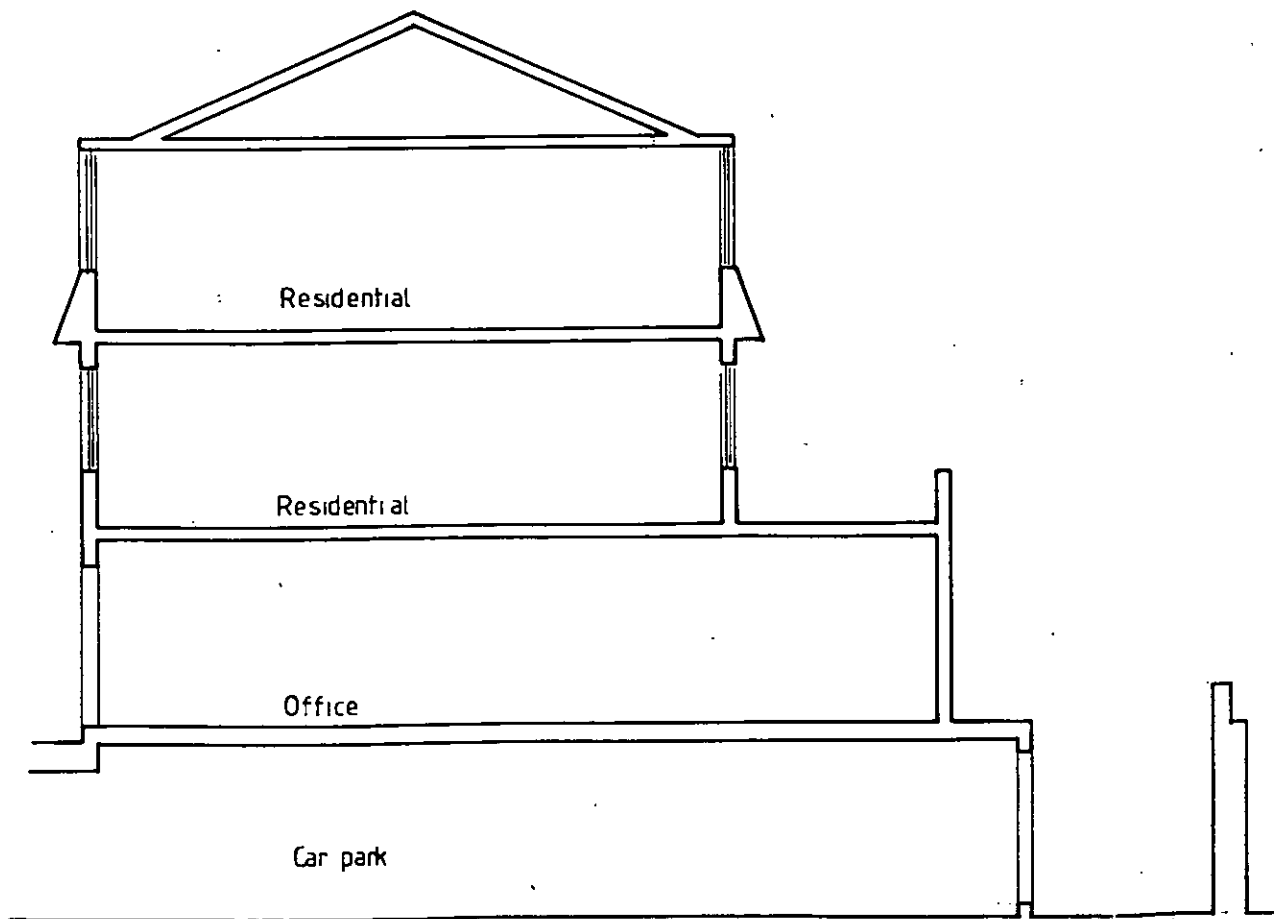
APR 1990

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London Knutsford
0492 532735 01-938 2464 0565 52126

LT A3589



SECTION A - A



SECTION B - B

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.

Notes

Revisions

no	date	details

Project

HORTENSIA ROAD

Title

REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale
 1:100

drawn

date
 APRIL 90

No HTN 4 01 127



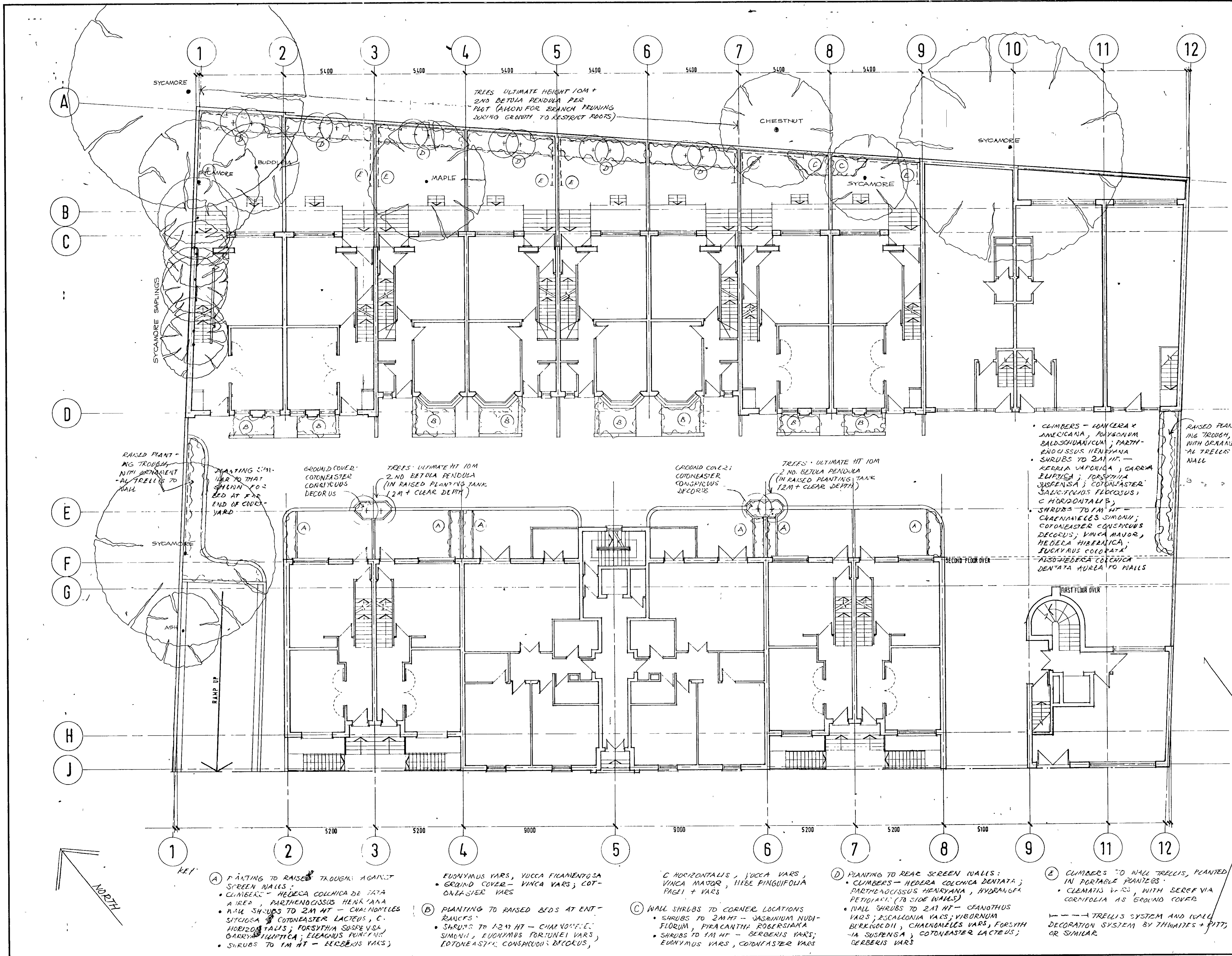
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

Handwritten signature and date: 20/04/2020

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



RAISED PLANTING TROUGH WITH ORNAMENTAL TRELLIS TO WALL

PLANTING SYSTEM TO THAT SHOWN FOR BED AT FAR END OF COURTYARD

GROUND COVER: COTONEASTER CONSPICUUS DECORUS

TREES: ULTIMATE HT 10M 2ND BETULA PENDULA (IN RAISED PLANTING TANK 12M + CLEAR DEPTH)

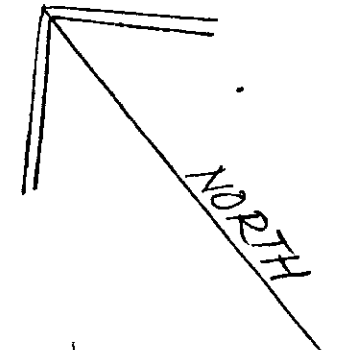
GROUND COVER: COTONEASTER CONSPICUUS DECORUS

TREES: ULTIMATE HT 10M 2ND BETULA PENDULA (IN RAISED PLANTING TANK 12M + CLEAR DEPTH)

CLIMBERS - LONICERA AMERICANA, POLYGONUM BALDSCHEANICUM, PARTHENOCISSUS HENRYANA

SHRUBS TO 2M HT - KERRIA VAPORICA, GARDEN EUPHRA, FORSYTHIA SUSPENSIVA, COTONEASTER SALICIFOLIUS FLOCCOSUS, C. HORIZONTALIS

SHRUBS TO 1M HT - CHAENAMELIS LINDAU, COTONEASTER CONSPICUUS DECORUS, VINCA MAJOR, HEDERA HIBERNICA, JUCCYSSUS COLOPATA, ALSO HEDERA COLCHICA DENTATA HURDA TO WALLS



KEY

A PLANTING TO RAISED TROUGH AGAINST SCREEN WALLS:

- CLIMBERS - HEDERA COLCHICA DENTATA
- AIRER, PARTHENOCISSUS HENRYANA
- RAISED SHRUBS TO 2M HT - CHAENOMELES SITICUSA, COTONEASTER LACTEUS, C. HORIZONTALIS, FORSYTHIA SUSPENSIVA, GARRYIA QUINQUE, ELEGNUS PUNIFOLIUS
- SHRUBS TO 1M HT - BERBERIS VARS

B PLANTING TO RAISED BEDS AT ENT- RANCES:

- EUONYMUS VARS, YUCCA FILAMENTOSA
- GROUND COVER - VINCA VARS, COTONEASTER VARS
- SHRUBS TO 1.2M HT - CHAENOMELES SITICUSA, EUONYMUS FORTUNEI VARS, ELEGNUS PUNIFOLIUS

C WALL SHRUBS TO CORNER LOCATIONS:

- SHRUBS TO 2M HT - VASINUM NUDI-FLORUM, PIRACANTHA ROSSIANA
- SHRUBS TO 1M HT - BERBERIS VARS, EUONYMUS VARS, COTONEASTER VARS

D PLANTING TO REAR SCREEN WALLS:

- CLIMBERS - HEDERA COLCHICA DENTATA; PARTHENOCISSUS HENRYANA, HYDRANGEA PETIOLATA (TO SIDE WALLS)
- WALL SHRUBS TO 2M HT - CEANOTHUS VARS; ESCALLONIA VARS; VIBURNUM BURKWOODII, CHAENAMELIS VARS, FORSYTHIA SUSPENSIVA, COTONEASTER LACTEUS; BERBERIS VARS

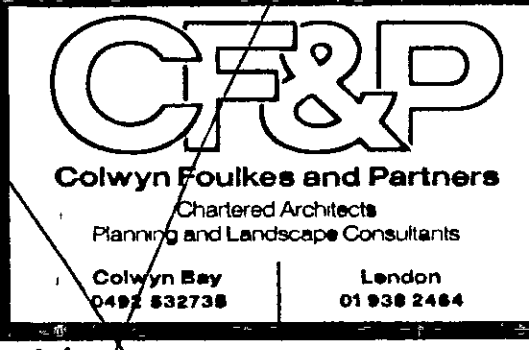
E CLIMBERS TO WALL TRELLIS, PLANTED IN PORTABLE PLANTERS:

- CLEMATIS VARS, WITH BERBERIS VARS CORNIFOLIA AS GROUND COVER
- TRELLIS SYSTEM AND WALL DECORATION SYSTEM BY THWAITES + PITT, OR SIMILAR

RECEIVED BY D. P. T.

On 6 NOV 1989

DC	DC	DC	DC	DC



Job

HORTENSIA ROAD

Title

LANDSCAPING

Drawn

COY

Date

MAY 1988

Drawing No

HTN/L(1-1)04

Scale

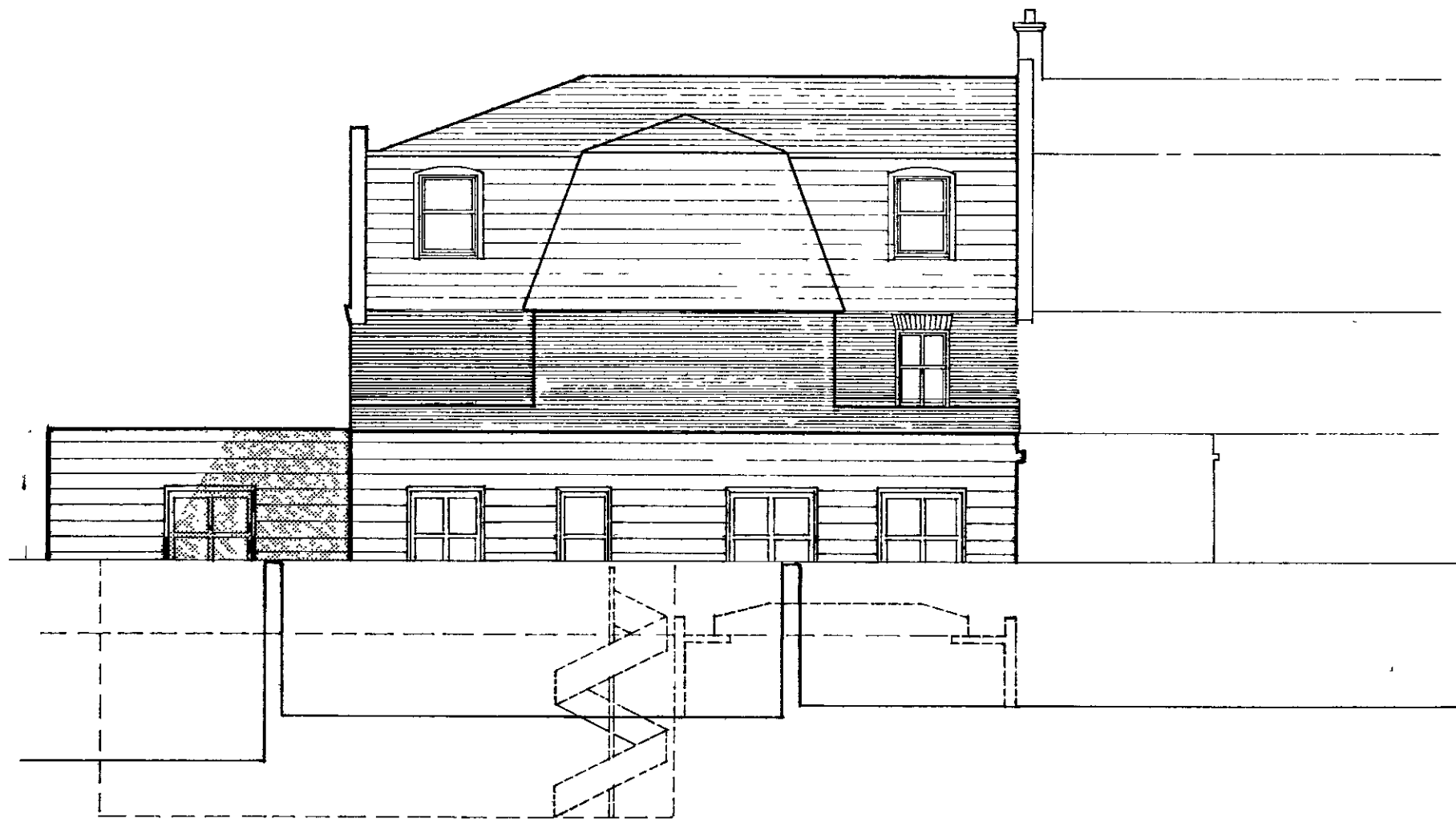
1:100

This drawing must not be scaled
 Figured dimensions, levels, etc, only
 are to be used. TP89/2137
 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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED



FRONT ELEVATION



REAR ELEVATION

TP89/2137

**COLWYN FOULKES
 & PARTNERS**
 Chartered Architects, Planning
 & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

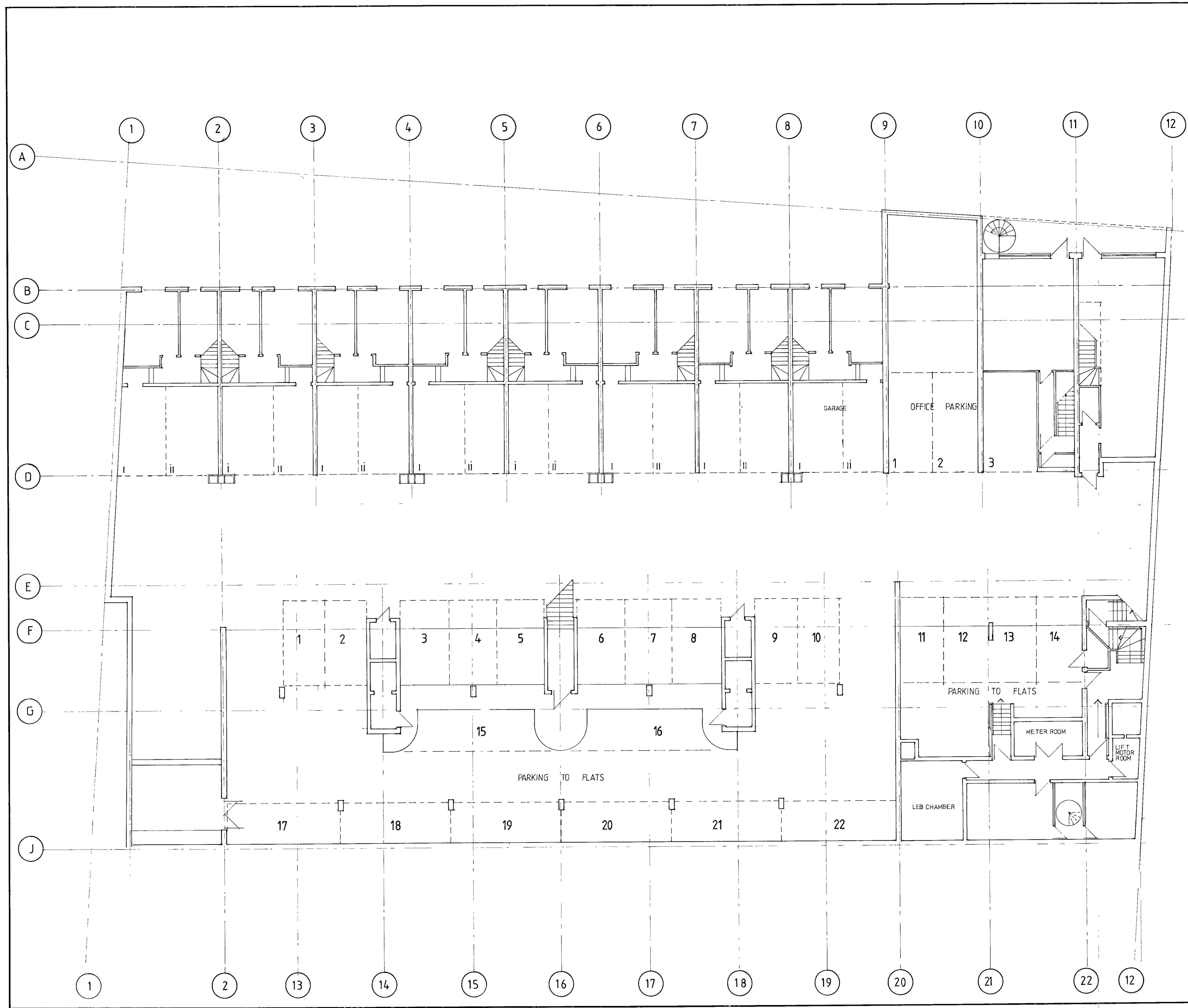
Drawn
 RECEIVED BY D.P.T.
 Date
 DEC 89

Drawing No FEB 1990
 HTN/01/115

Scale	D PLAN	RECORDS	OPT	ENV PLAN
1:100				
DUP	LD	TRANS.	BUILD.	AO

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



2/90 HOUSE PARKING BAYS

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

Job
 HORTENSIA ROAD

Title
 BASEMENT PLAN
 PLANNING

Drawn Date
 11.89

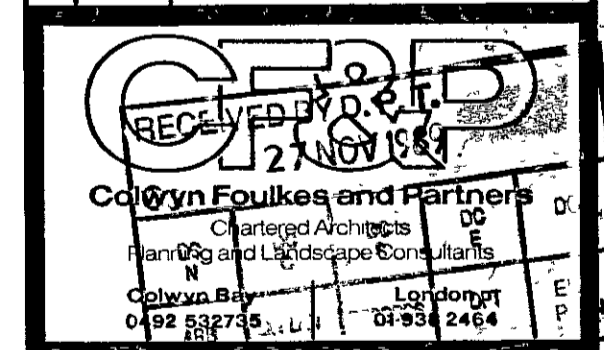
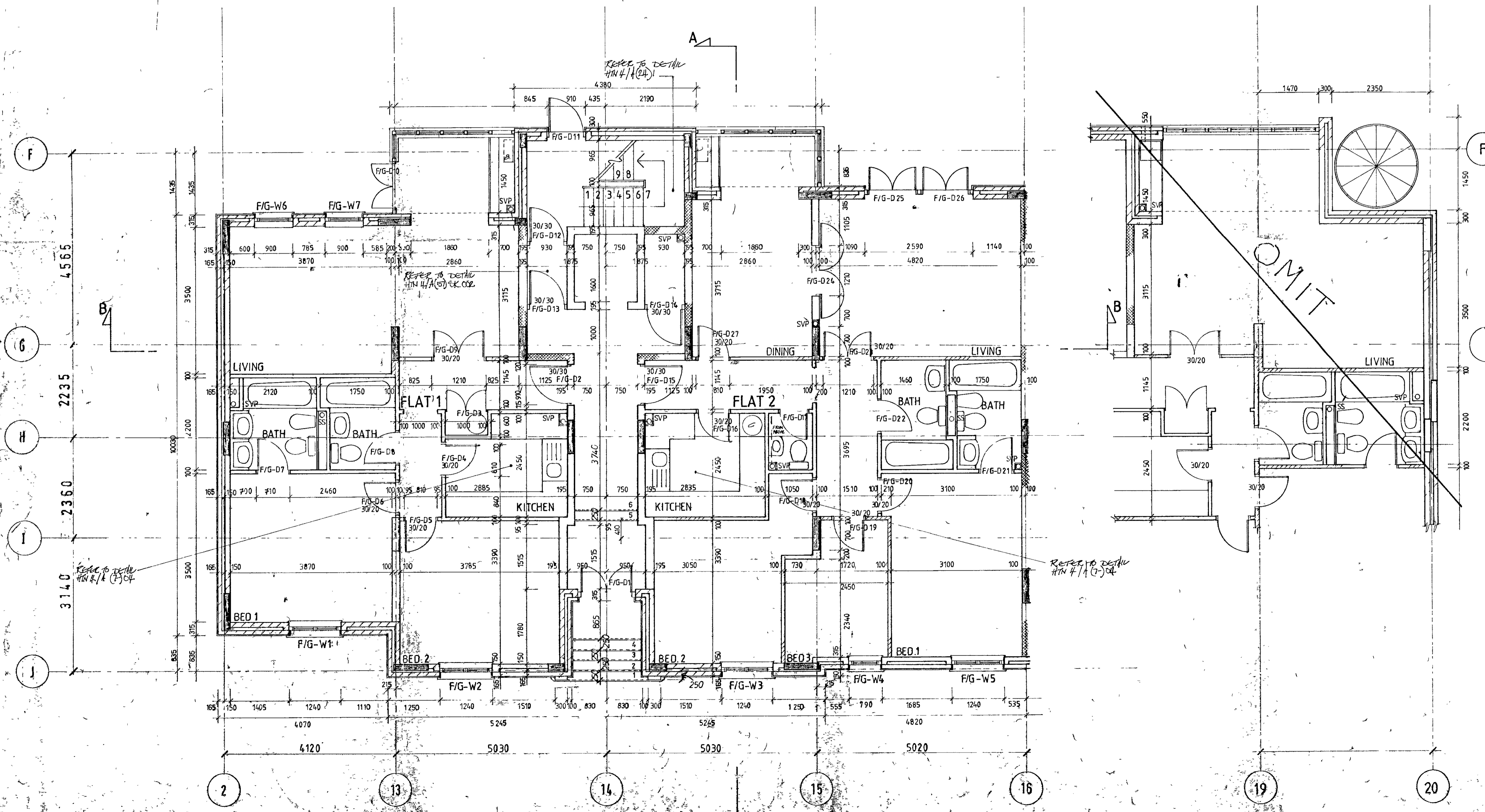
Drawing No
 HTN 01 119 A

Scale
 1 100

TP189/2137/B
 10/2/90

This drawing must not be scaled
 Figure 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
A	3/87	DRAWING INKED, DIMENSIONS ADDED / CORRECTED
B	2/4/87	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BOTH AND WITHIN LIMITS ADDED.
C	4/5/87	FLOOR NUMBERS ADDED.
D	10/6/87	COLUMNS ON GRID LINE 'H' AMENDED
E	17/1/88	GRID LINE 'G' ADDED
F	3/1/88	GRID LINES 'F' & 'H' ADDED
G	16/4/88	FURNISHED TO EACH ROOM CAN BE READ FROM EXG HTN 4 3 (42) II
D	1/10/88	AMENDED KITCHEN LAYOUT
E	1/10/88	FLOOR LEVELS ADJUSTED DIMENSIONS ADJUSTED NOMINAL 305 CM WALL THICKNESS TO ENTIRE STEPS CHANGED FROM 240.50 TO 250.00. ADDED



Job
HORTENSIA ROAD

Title
**FLATS
 GROUND FLOOR PLAN**

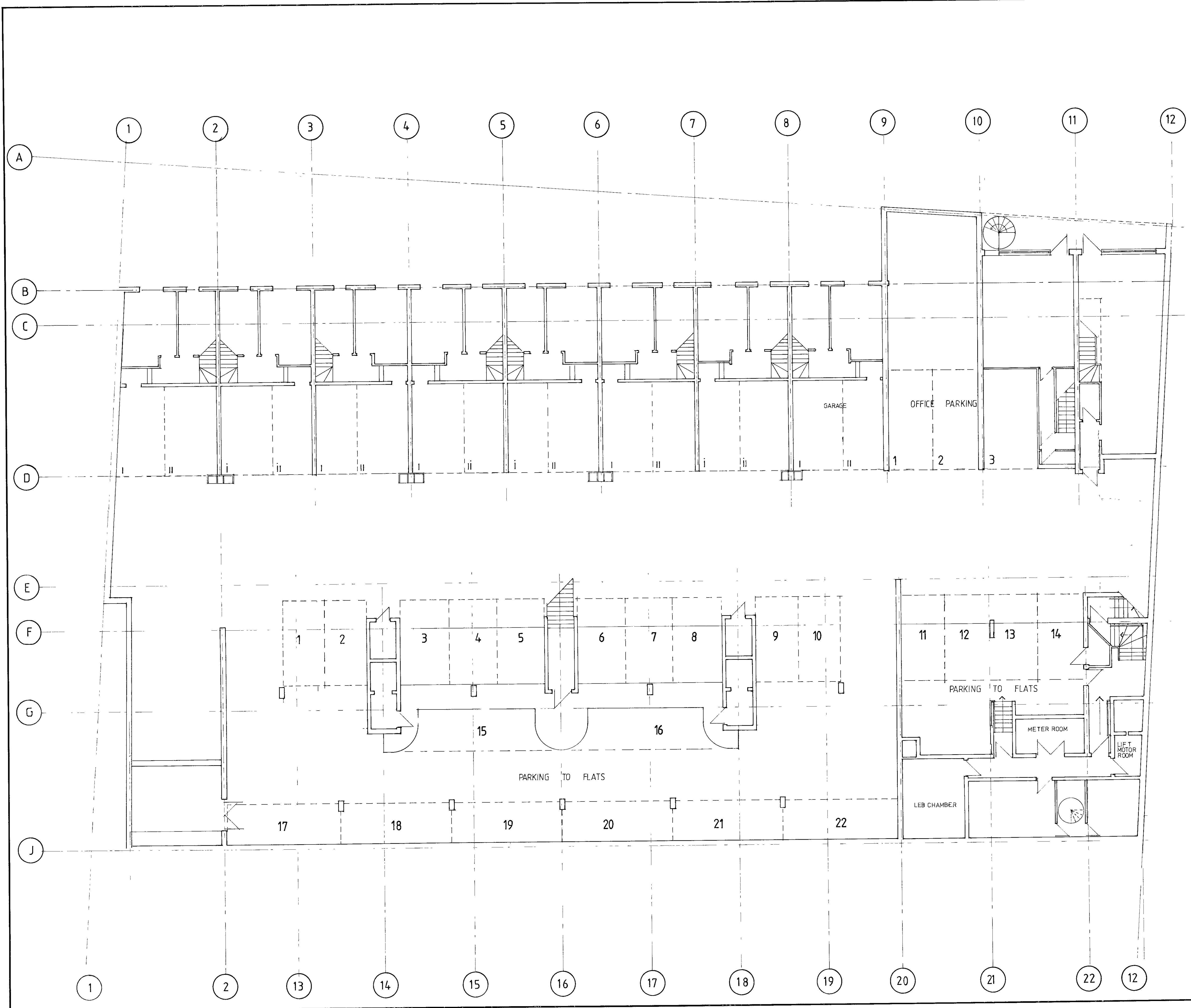
Drawn
 Date
FEB 89

Drawing No
HTN L (2)-011

Scale
1:50

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



TP892137/B

A 2/10 REVISION: METERS BAYS

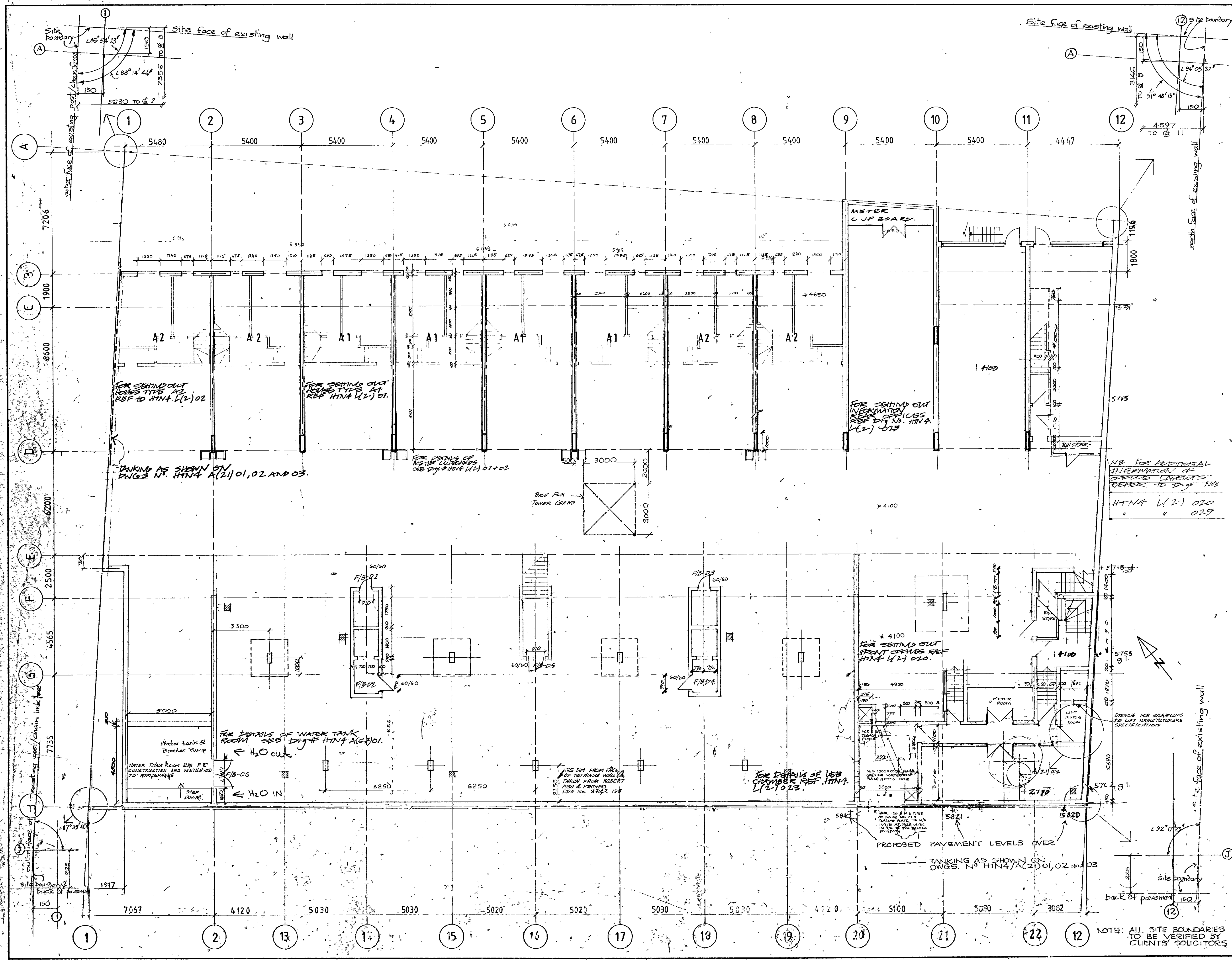
CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 482 532735 01 938 2464

Job
 HORTENSIA ROAD
 Title
 BASEMENT PLAN
 PLANNING

Drawn Date
 11 89

Drawing No
 HTN 01 119 A

Scale
 1 100



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
A	16/87	Show to Post office site re-positioned + dimensions added
B	2/88	...
C	14/87	Full setting out A/B, 12, 21-22 22-12, and grid following new site survey. Retaining wall only to GL 1 re-positioned.
D	7/88	SETTING OUT OF CORNERS ADDED
E	4/89	INTERNAL ARRANGEMENT TO FRONT OFFICES REVISED. DIMENSIONS ALTERED. GRIDLINE DIMENSIONS UNALTERED
F	10/89	TOWER CRANE BASE POSITION ADDED
G	2/90	Pump Room Amended
H	5/89	serviced Tanking added
I	17/88	Lift dims revised, staircase added in grid 10/A well omitted in grid 10/C staircase to Post office revised retaining walls amended
J	12/88	BASEMENT STAIR AMENDED. METER CUPBOARDS ADDED
K	6/88	COLUMNS AND GRID LINES ADDED TO PLATS AREA TRENCH IN SUBSTATION DIMS DROPPED TO WATER TANK ROOM NOTES 2/88
L	2/89	DIMENSION BETWEEN G.L. 14-15 & 17-18 CORRECTED
M	1/89	ROOF REF TO PLATS ADDED DIM HTN/A (L2) 012
N	20/88	ADDED GRID LINES TO PLATS ALTERED COLUMNING ON EXPOSURE D, ADDED SERIAL STAIRS, ADDED DIMS TO FRONT OFFICES ADDED
O	18/88	HOUSE TYPES ADDED DIMS ADDED. METER CUPBOARDS ADDED
P	19/88	GRIDLINE J AMENDED IN ALLOCATED DIMS. HOUSES TANKING ADDED. BASEMENT SERIAL STAIRS AMENDED.
Q	19/88	DIMENSION TO TANK ROOM ADDED
R	2/89	EACH PIT LOCATIONS INDICATED.
S	1/89	DIMS REDRAWN ON G.L. 3 TO ACCORD WITH 45' BUILT COLUMN POSITIONS ACC.

RECEIVED IN THE OFFICE OF THE ARCHITECT

Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay, Gwynedd, North Wales
 0487 533231

Job: HORTENSIA ROAD

Title: BASEMENT PLAN SETTING OUT

Drawn: Date: Jan 82

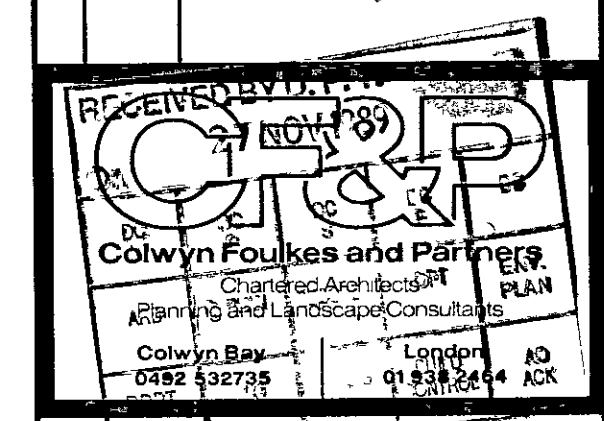
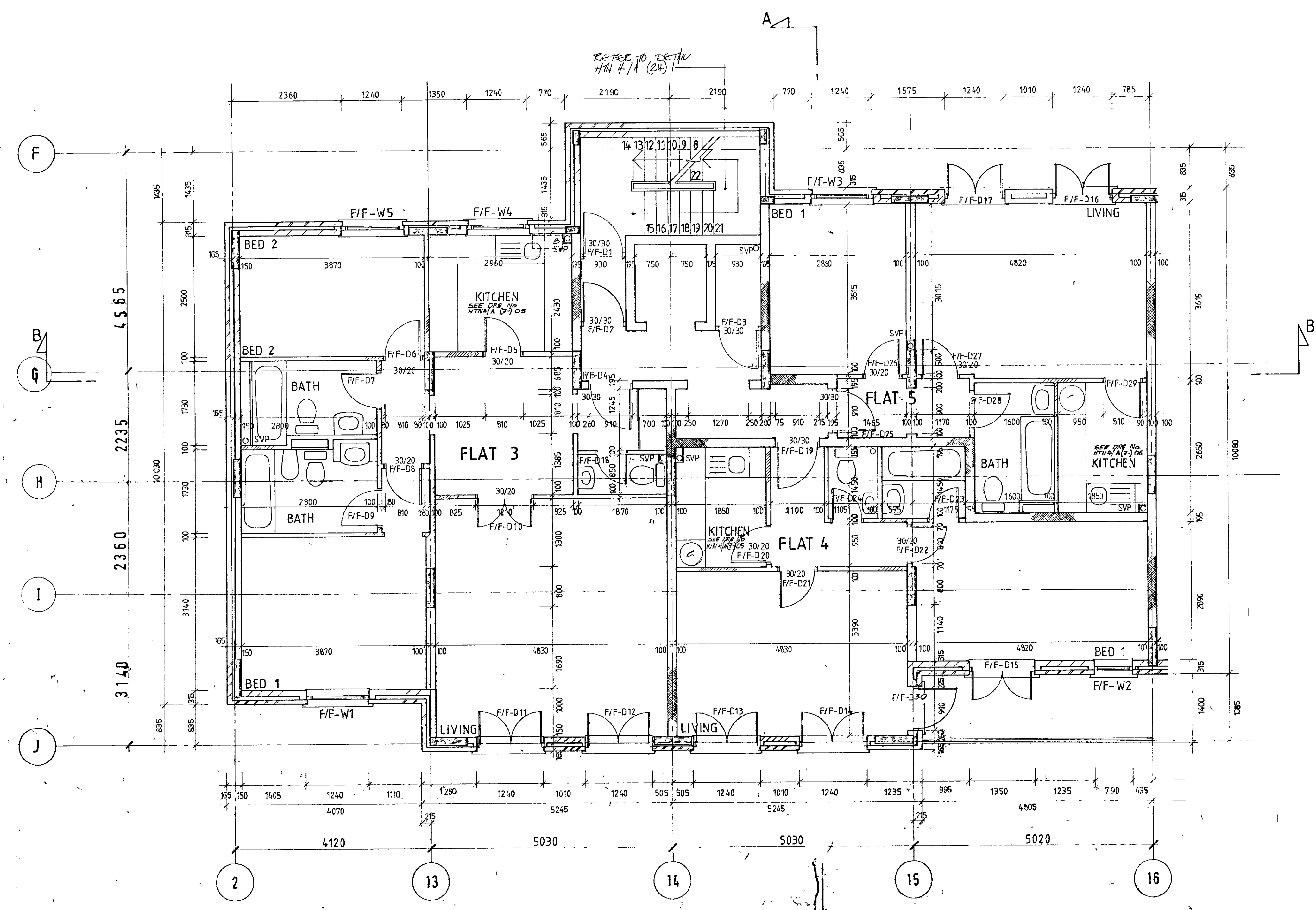
Drawing No: HTN 4/L(1)-01 V

Scale: 1-100

NOTE: ALL SITE BOUNDARIES TO BE VERIFIED BY CLIENTS' SOLICITORS

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
A	12/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BOTH BED AND KITCHEN LAYOUTS ADDED
B	9/5/89	DOOR NUMBERS ADDED
C	1/5/89	COLUMNS ON GRID LINE "H" AMENDED.
D	17/7/89	GRID LINE "D" ADDED.
E	21/7/89	GRID LINES "H" & "I" ADDED.
F	21/7/89	COLUMNS ADDED ON GRID LINES "G" & "J"
G	15/9/89	FINISHES TO EACH ROOM CAN BE READ FROM DRAWING 4 (2) 12
H	1/10/89	AMEND KITCHEN LAYOUT
		DIMENSIONS AMENDED TO SHOW THE NORMAL 305 UNIT WALL.
J	9/11/89	COLUMNS BETWEEN G & I 13 14 AND 14-15 OMITTED COLUMNS NOT STAIRS ADDED



Job
HORTENSIA ROAD

Title
**FLATS
FIRST-FLOOR PLAN**

Drawn _____ Date
FEB 89

Drawing No
HTN L(2)-1012 J^x

Scale
1:50

BUILDING REGULATIONS NOTES
This drawing to be read in conjunction with all other relevant Architectural and Structural Engineers drawings.
All works to be to the approval of the District Surveyor and Statutory Inspectors.

A STRUCTURE
A 1/2 LOADING & GROUND MOVEMENT
Refer to Structural Engineer's drawings and calculations.

TREATMENT OF STRUCTURAL STEEL
All steel to be double vacuum treated with organic solvent preservative. All timber cut on site to be treated with 2 coats brush applied preservative.

RAPINGS
To all upper slopes to main roofs. 20 degree pitch double vacuum treated rafters @ 600 c/c spaced to BS 5268. Details and calculations to be submitted to District Surveyor prior to commencement of the work.

RAPINGS
To all lower roof slopes to main roofs. 49 degree pitch double vacuum treated rafters @ 600 c/c. Rafters 600 c/c.

STRUCTURAL BRACING
All rafters to be braced in accordance with BS 5268 Pt 3 1985. Rafters to be secured to steel plates with 8m truss clips hot dipped galvanized to BS 2989 2m plates secured to steel purlins.

NOTES & NOTES FOR SERVICES
to be strictly in accordance with the specification.

UPPER FLOORS
18 mm T&G decking quality chipboard on 100 mm x 200 thick in situ MC slabs to BS design. 15mm H&P 750 ply decking to kitchens and bathrooms.

BASEMENT & GROUND FLOORS
Reinforced concrete in situ construction to BS's details. Basement slab topped finished

In garage area. In other areas trowel finish to receive screed or asphalt as indicated in drawings.

FOUNDATIONS
Refer to SE's drawings.

GENERAL WALLS
ground floors 20mm render on 100mm medium density concrete blockwork. Min av. compressive strength 7N/m sq.

1ST FLOOR
75mm cavity with 25mm cavity insulation see Note 1.

INNER LEAF
140mm medium density concrete blockwork min av. compressive strength 7N/m sq.

First Second & third floors
above but outer leaf 100mm clay stock brick facing to BS 3921, min compressive strength 27 N/m sq. inner leaf to second & third floors and rear extensions 100 mm medium density concrete to blockwork min average compressive strength 3.5 N/m sq.

OPENINGS IN EXTERNAL WALLS
Where applicable to have precast lintols to BS 5977 1800 Pt 2 galvanneal to BS 2989 1500 grade 21 or insitu reinforced concrete lintols 150mm wide with 28 angles bolted on. Refer to schedule for type.

Lintols
to have min 150 mm bearing either end and to be secured with plaster to U/S see Note 1B.

INTERNAL OPENINGS
to have precast lintols to BS 5977 Part 2, 100/140/190 x 65mm to suit openings.

Notes & notes for services
to be strictly in accordance with the specification.

UPPER FLOORS
18 mm T&G decking quality chipboard on 100 mm x 200 thick in situ MC slabs to BS design. 15mm H&P 750 ply decking to kitchens and bathrooms.

BASEMENT & GROUND FLOORS
Reinforced concrete in situ construction to BS's details. Basement slab topped finished

100/m sq as indicated on drawings.

CAVITY WALL TIPS
For external cavity walls 5/8 to BS 1241; vertical test type.

max. horizontal spacing 900mm
max. vertical spacing 450mm

Additional ties
to be provided outside of openings in accordance with the specification.

PARAPET WALLS
max parapet height from level of junction of walls with structural roof to be 600mm.

First Second & third floors
above but outer leaf 100mm clay stock brick facing to BS 3921, min compressive strength 27 N/m sq. inner leaf to second & third floors and rear extensions 100 mm medium density concrete to blockwork min average compressive strength 3.5 N/m sq.

OPENINGS IN EXTERNAL WALLS
Where applicable to have precast lintols to BS 5977 1800 Pt 2 galvanneal to BS 2989 1500 grade 21 or insitu reinforced concrete lintols 150mm wide with 28 angles bolted on. Refer to schedule for type.

Lintols
to have min 150 mm bearing either end and to be secured with plaster to U/S see Note 1B.

INTERNAL OPENINGS
to have precast lintols to BS 5977 Part 2, 100/140/190 x 65mm to suit openings.

Notes & notes for services
to be strictly in accordance with the specification.

UPPER FLOORS
18 mm T&G decking quality chipboard on 100 mm x 200 thick in situ MC slabs to BS design. 15mm H&P 750 ply decking to kitchens and bathrooms.

BASEMENT & GROUND FLOORS
Reinforced concrete in situ construction to BS's details. Basement slab topped finished

SEWERING UNITS
to be constructed of materials of limited combustibility as described in note 11/2 to give a 1 hour 1/2 fire PR as described above.

COMPARTMENT UNITS & FLOORS
Ground floor to houses and flats to be 200 mm thick units BS 688 minimum 35mm cover to reinforcement to give 4 hour fire PR.

PROTECTED SHUTS TO FLATS
vertical ducts and risers to be constructed in 100mm medium density blockwork or plasterboard to give 1 hour fire PR. Doors and access panels to ducts to be 30/30 fire locked shut.

CONTROLLED GIBBS & FIRESTOPPING
All external cavity walls to be closed at top of walls with cavity closing/coupling at top of all openings with galvanneal steel lintol. Cavities to be closed at junction of external and party wall.

FIRESTOPPING
At horizontal & vertical penetrations of compartment walls & floors to be sealed as follows:-
All SVTs to be fitted with galvanneal steel sleeve with insulated liner at floor penetrations. All other services penetrations to be sealed with firestop sealant compound.
INTERNAL SERVICES
Internal surfaces to all circulation spaces and protected shafts to be class '0' and class '1' to other areas 1 hour fire PR.

COMMON STAIRS TO FLATS AND OFFICES
to be constructed of precast concrete flights and MS balustrade/guarding to satisfy requirements for limited combustibility. Stairways to be protected by blockwork enclosure to thickness indicated on drawings with 15mm plaster both sides to give minimum 1 hour fire PR.

PROTECTED RISER WALLS TO FLATS
All flats to have a protected inner wall enclosed by 100mm blockwork partitions and 15mm plaster giving a minimum 1 hour fire PR in accordance with BS 5268; Chap 10 Part 1.

FLOORS
TO FLATS AND OFFICES: All floors to be finished to 30/20 rating; all floor ducts to flats and all doors to protected inner walls (and locksets to office except stairs and bathrooms) to be 30/20 rating. All fire doors to be fitted with concealed door closers.

JUNCTION OF SEWERING & DOWNPIPE DUCTS WITH ROOF
Where parapet is not carried through roof covering u/s of roof covering to be lined with 9mm solumite and wall to be brought up to u/s and sealed with minimum 25mm mineral wool firestopping to ducts to detail.

JUNCTION OF SEWERING/SWASTIC WALLS WITH EXTERNAL WALLS
Where parapet is not carried through roof covering u/s of roof covering to be lined with 9mm solumite and wall to be brought up to u/s and sealed with minimum 25mm mineral wool firestopping to ducts to detail.

VENTILATION
PROTECTED DOWNPIPE TO FLATS AND OFFICES: stair to be ventilated at each level by opening window.
VENTILATION
PROTECTED DOWNPIPE TO FLATS AND OFFICES: stair to be ventilated at each level by opening window.

FIRE DOORS TO LIFT
All lift doors to be 1/2 hour fire PR.

VENTILATION
LIFT SHAFT protected to lift as to be ventilated to the outside air by means of an opening at the top of the shaft vented at roof level with a minimum clear area of 0.1m sq.

PROTECTED SHUTS TO GAS RISER SERVICES
to be 1 hour fire PR with 1/2 hour fire PR panels/doors. Gas riser to be ventilated at high and low level by means of air bricks.

ON RESISTANCE TO HEAT
BASEMENTS TO OFFICE AREAS AND HOUSES AS INDICATED ON DRAWINGS. Waterproofing to consist of Substrate 1000 with minimum 150mm laps laid on a 50mm concrete binding with 40 x 40 mm perforated fabric 200mm with 1000 reinforcement strips, service hole protection to vertical resistance. All vertical concrete faces to be primed

with Servisol 8 primer chases sealed with Servisolite 96. Gutters to be waterproofed to be taken up vertical face and lagged with horizontal lockcore dpc to cavity wall minimum 150mm above adjoining finished ground levels. Refer to details. Vapour 1200 elsewhere.

COMMON AREAS TO FLATS
Flats stairs to be ventilated at each level by operable light to have an area of at least 1/20th floor area of room. Refer to window schedule. Part of opening vent to be at least 1.75m above FFL.

FRANCH WINDOWS
Habitable rooms with french windows only to be fitted with 70mm Patio Ventilators giving a minimum opening area of 1500mm sq.

SOUND RESISTING FLOORS BETWEEN FLATS
Floors to be Type 1 concrete base with 100mm reinforced concrete topping. All vertical concrete faces to be primed with Servisol 8 primer chases sealed with Servisolite 96. Gutters to be waterproofed to be taken up vertical face and lagged with horizontal lockcore dpc to cavity wall minimum 150mm above adjoining finished ground levels. Refer to details. Vapour 1200 elsewhere.

INTERNAL VENTILATION
Internal bathrooms to houses and flats and individual extract fan units with delay timers. Extracts to be vented to outside air by means of plumbed flat duct system connecting to a stainless steel roof stack to be capable of 3 air changes per hour. Integral kitchens to flats to have vent area or equal and approved extract for units vented to outside air.

BASEMENTS
Natural ventilation to 5% of floor area of garages and car ports.

ROOF CONSTRUCTION
ROOF VENTILATION: Roof construction to be fibre reinforced cement slates on 38 x 25mm battens on sarking felt on 32 x 25mm counter battens on rafters. Construction constitutes a warm roof therefore Part F2 will not apply.

CILLINGS
Vapour barrier to be provided to ceiling of all top storeys by means of 12.7mm duplex plasterboard.

CEILING
CEILING: Vapour barrier to be provided to ceiling of all top storeys by means of 12.7mm duplex plasterboard.

CEILING
CEILING: Vapour barrier to be provided to ceiling of all top storeys by means of 12.7mm duplex plasterboard.

DISPOSED TRAPS
To washbasins to be 32mm diameter 75mm deep seal oak plated brass bottle traps.
Kitchen/utility room sinks and toilet disposal units to be fitted with 60mm diameter, 75mm deep seal polypropylene tubular traps.

BRANCH DISCHARGE PIPES
All branch discharge pipes to discharge into a 110mm diameter pvc discharge stack or 75mm diameter pvc stub stack as indicated on the drawings. No waste branch to enter stack within 200mm below WC connections - 50mm diameter parallel junction to be employed. Branch pipes to discharge a minimum 75mm above the invert of the tail of the stack. Branch pipes to be sized as indicated on the drawings.

WATER CONNECTIONS
To wash, kitchen and bathroom appliances to be fully ventilated 'float' system as indicated on drawing. Branch pipes to be sized as indicated on the drawings.

URINAL VENT PIPES
To be connected within 300mm of trap and to connect to vent stack above spillover level of highest appliance.

DISCHARGE STACKS
110mm diameter pvc discharge stack to run without offsets and discharge into drain via 1.1 pipe with large radius bend stacks to be vented at top by means of connection to flexible duct terminated with proprietary ridge vents at roof level, or led to 75mm diameter black pvc vent pipe and terminal coil, minimum 300mm above and opening within 2m. Access plates to be provided at base of syp at branch connections and to top of stub stacks.

RAINWATER DISPOSAL
Refer to drawings.

TRAPS
Washbasins and bidets to be fitted with 32mm diameter 75mm deep seal polypropylene tubular traps.

WASHBASINS
Cutters and traps to be constructed in C.I. to BS400 or stainless steel as indicated on the drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

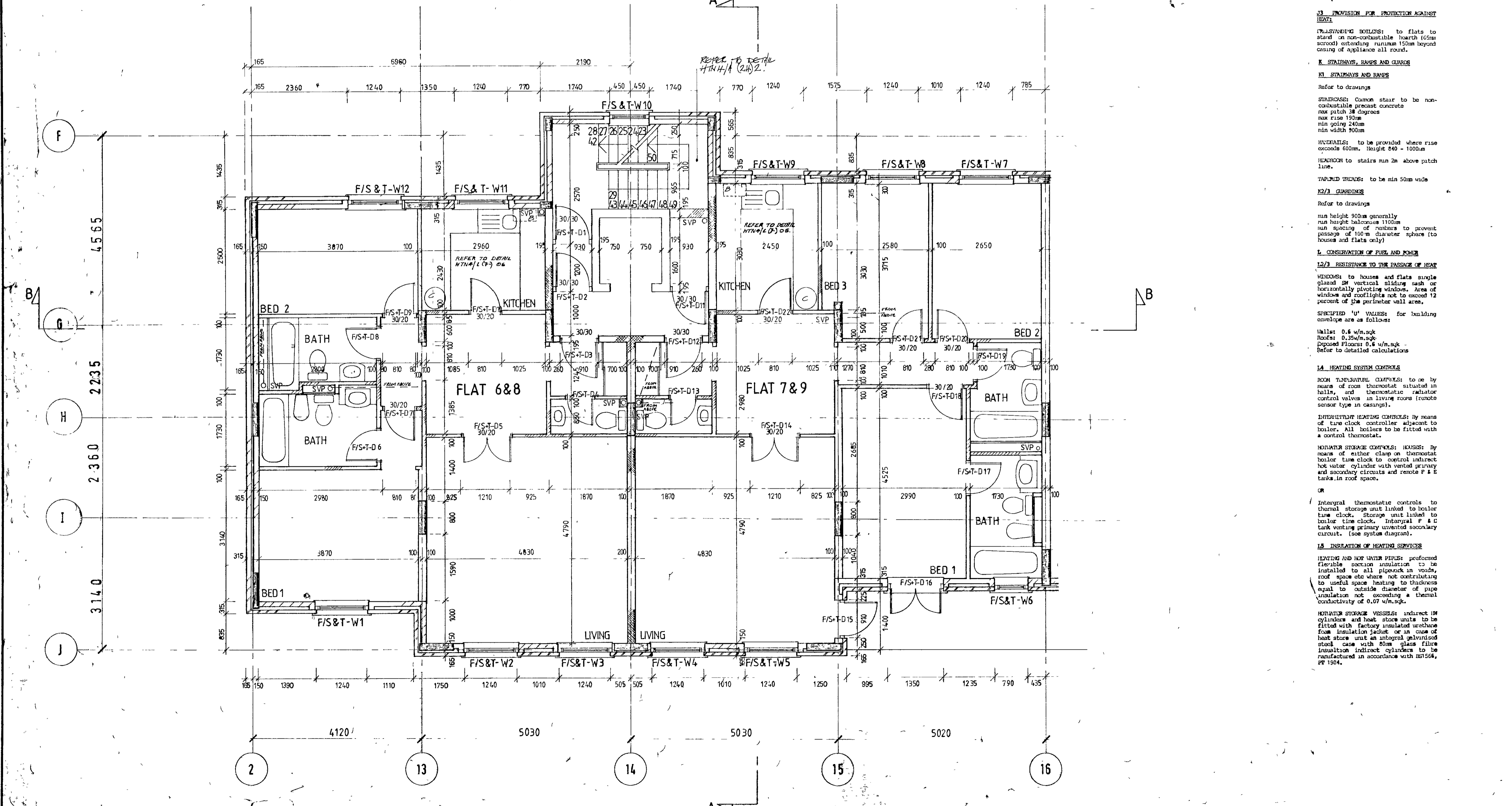
INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.

INTERNAL SOLID ROOF STACKS
FLATS: Daily collection from individual flats by porter, refuse store as indicated on drawings.



no	date	revisions
A	5/8/89	DRAWING UNKED DIMENSIONED DRAINAGE SHOWN
B	2/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT BOTH WIND KITCHEN LIGHTS ADDED BUILDING REG NOTES ADDED
C	1/5/89	DOOR NUMBERS ADDED
D	10/5/89	COLUMNS ON GRID LINE 'H' REMOVED
E	2/1/89	DOOR LING O
F	2/1/89	DOOR LING O
G	2/1/89	DOOR LING O
H	13/9/89	FURNITURE TO EACH ROOM CAN BE READ FROM THIS PLAN
I	1/10/89	AMEND CORNER LIGHT
J	1/10/89	AMEND DRAWINGS TO SHOW FOR NORMAL USE PARTY WALL
K	20/11/89	COLUMNS BETWEEN G.L. 13-14 TO BE OMITTED COLUMNS TO STAIRS ADDED

CERD
Civil Engineering and Related Disciplines
Colwyn Foulkes and Partners
Chartered Architects
Colwyn Bay
0492 52735
0492 52668

Job
HORTENSIA ROAD

Title
FLATS
Second & Third Floors

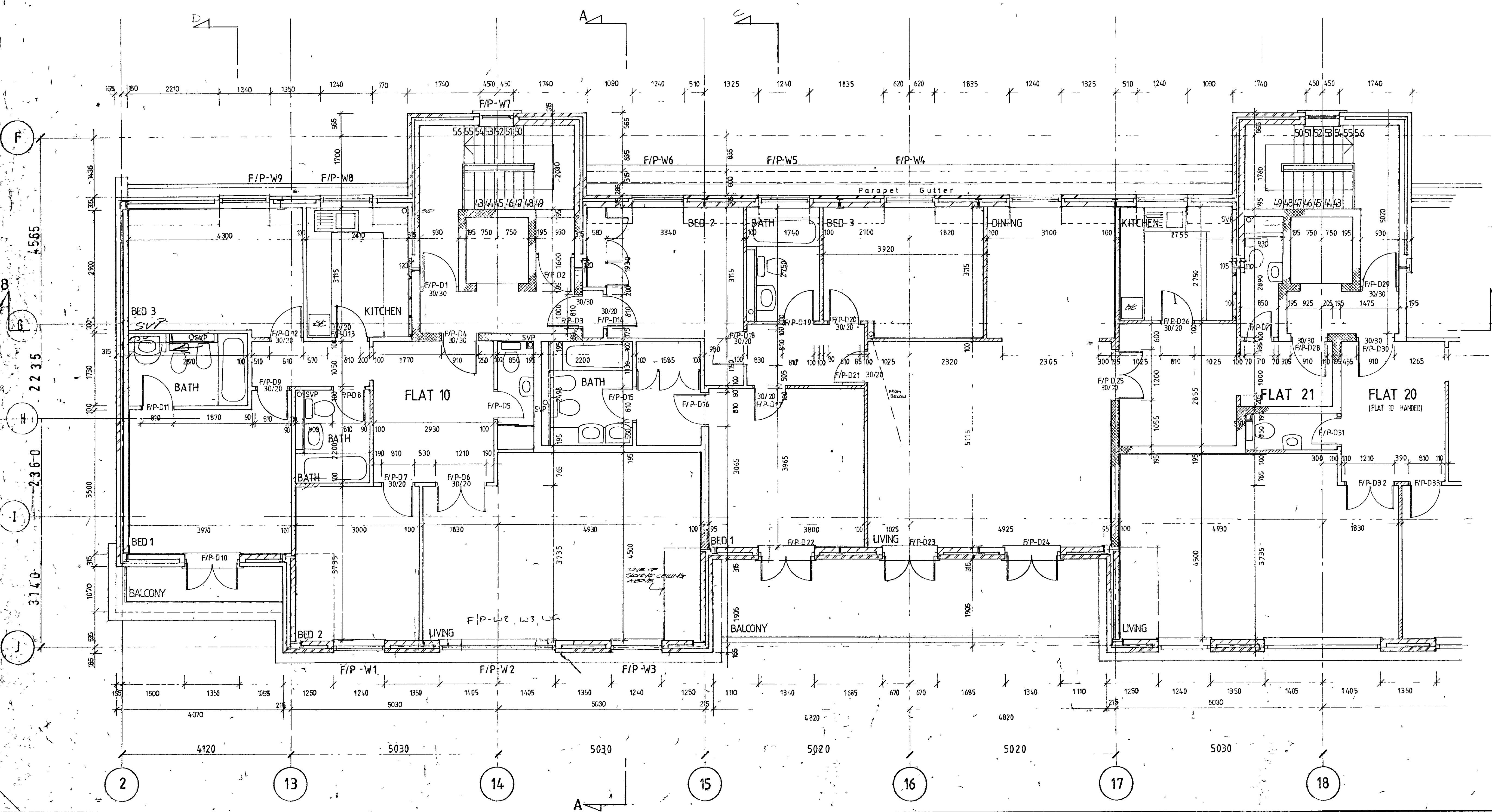
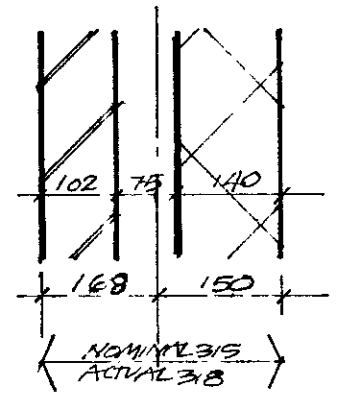
Drawn
Date
FEB 89

Drawing No
HTN L (2-10) K

Scale
1:50

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.

NOTE:
CONCERNING GRID-LINE ② AND GRID-LINE ⑬ AND SETTING OUT OF WALLS THEREOF. DIMENSION 100MM OFF GRID-LINE TO INSIDE FACE OF BLOCKWORK.



no	date	revisions
A	1/15/89	CORNER WINDOWS AMENDED.
B	2/5/89	ALTERATIONS TO FLAT NO 11. DIMENSIONS HIDDEN. DRAWING TAKEN UP.
C	12/4/89	ALTERATIONS TO PLAN AS REQUESTED BY CLIENT. BOTH OF KITCHEN LAYOUTS HIDDEN & W.P.A. INDICATED.
D	2/15/89	DOOR NUMBERS HIDDEN.
E	3/17/89	GRID LINES CO. ADDED.
F	3/17/89	GRID LINES W.P. ADDED.
G		
H	7/9/89	AMEND W.P. - P.L. LIGHT-FIT POSITION OF FRONT BALCONY. WALL AMENDED, REPAIR WALL POSITION AMENDED.
I	12/1/89	FINISHES TO EACH ROOM CAN BE READ FROM EXISTING PLAN & D(42) IS.
J	1/12/89	AMEND KITCHEN LAYOUT 249 TO BEDS. FLAT 10. AND STEEL COLUMNS. AMEND DIMENSIONS TO ALLOW FOR FINISH. S.P. FINISH - P.L.
K	9/10/89	AMEND LOCATION OF MANGING F.P.W. #102.



Job No. HORTENSA - ROAD
BUILD CONTROL AND ASK

Title
PENTHOUSE

Drawn Date
FEB 89

Drawing No
HTN L (2)-015

Scale
1:50

CHELSEA COLLEGE SITE, HORTENSIA ROAD - SUBMISSION FROM RESIDENTS

24TH MAY 1990

Contents:

Covering letter

- Appendix 1: Petition of Objection.
- Appendix 2: Planning Report from E.A. Powdrill and Associates.
- Appendix 3: Letters from Amenity Groups.
- Appendix 4: Outline Chronology of Events.
- Appendix 5: Legal Opinion from Planning QC.
- Appendix 6: Comments on Sunlight from John Anstey.
- Appendix 7: Land Survey Reports.
- Appendix 8: Photographs.

DEVELOPMENT AT CHELSEA COLLEGE SITE, HORTENSIA ROAD, CHELSEA

Objectors Submissions for placement before Town Planning Committee on

30th May 1990

Attached are detailed submissions on behalf of Mr. N. Stoop and the other affected residents (See Appendix 1) in respect of the current application by the Developers for a revised scheme of development at the above site.

The proposals are wholly unacceptable to the residents constituting as they do an over-intensive use of the site in conflict with the Council's own environmental policies (See Appendix 2), creating adverse affects on adjoining properties in terms of sunlight/daylight overlooking and privacy. The proposals have also caused concern to local amenity bodies (Appendix 3).

There has been a singularly unfortunate planning history to this site which has led the residents to believe that their interests have not to date been adequately considered or protected (Appendix 4).

To the extent that the Committee should have regard to the existing consent dated the 24th October 1988 it should be borne in mind that this was for "demolition of existing building and erection of 12 houses 9 flats and 600 square metres of office floor space" (subsequently revised to 675 square metres and fresh Decision Notice dated the 22nd December 1988). To the extent that the "approved" plans showed further buildings these were highly misleading.

The residents have received the Opinion of leading Counsel (Appendix 5) which confirms what is understood to be the Council's own advice as the extent to which the existing consents are relevant to the present application.

It is submitted that the Committee have a completely free hand to consider this matter anew and to reach a decision based upon all the

evidence having regard to the planning merits alone (Section 3 Appendix 2). In particular the Committee should have regard to the advice obtained from an acknowledged light expert (Appendix 6) in conjunction with the discrepancies upon the plans (Appendix 7).

The Committee have a unique opportunity to consider the application in the knowledge of the resultant effects and the impact of such a development upon the locality bearing in mind that the developers have continued to build "at risk" notwithstanding the lack of consent for their current proposals. Those of the Committee who have not seen the impact are therefore urged to inspect the site and relevant photographs are also attached for their convenience (Appendix 8).

The Objectors have no wish to be obstructive for its own sake and would accept a scheme which retained the front block at its original height (See Appendix 7) and the rear eight houses and which stipulated that there should be no other development on the site and in particular that the structures at the rear adjoining 38-42 Gunter Grove should be demolished and that no other buildings be erected (Paragraph 4.2 Appendix 2). In view of the unfortunate history it is submitted that any such arrangements should be enforced by means of a binding planning agreement.

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously diminish the residential nature of the area.

NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P. J. FINCH	45 HORTENSIA	P Finch
TIM WYATT	54 Hortensia Rd	T Wyatt
MICHAEL	53 HORTENSIA	M Ed. Larrie
DENNIS	" "	E J. Dennis
F J DENNIS		
S.R. Cross	55 HORTENSIA HOUSE	S. Cross
R Cross	55 HORTENSIA HSE	R Cross
J Skiffington	52 Hortensia Hse	J Skiffington
Meresa Georgian	48 HORTENSIA HSE	Meresa Georgian
E GEORGIOU	→ →	E Georgiou
P Hyiano	46 HORTENSIA	P Hyiano
M. Kelleher	44 HORTENSIA HSE	M Kelleher
S. GILLEN	41 " "	S. Gillen
M. Fernandez	49 " "	Maria Fernandez
A FERNANDEZ	49 " "	A Fernandez
M. Dainty	51 " "	M. Dainty
M. Wyatt	54 Hortensia Hse	Mary Wyatt

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

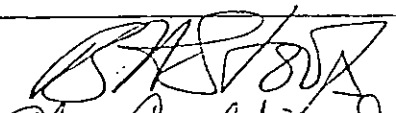
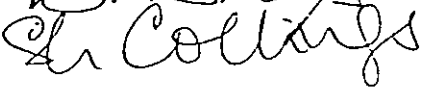
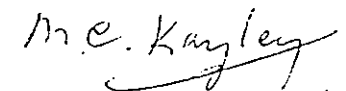




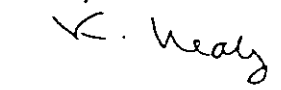


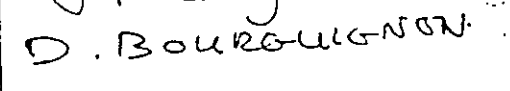
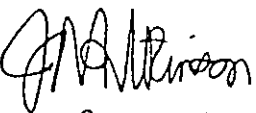
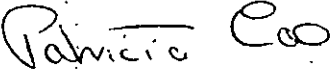
1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously deminish the residential nature of the area.

NAME	ADDRESS	SIGNATURE
C O'CONNOR	56 Hortensia HSE RD	<i>[Signature]</i>
G. G. ORGILL	56 HORTENSIA	<i>[Signature]</i>

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
MRS. B.A. STOOPE	42A GUNTER GROVE	
MRS S.H. COLLINGS	42/1 " "	
MRS M.C. KAYLEY	38A " "	
	36A Gunter Grove	
	36C GUNTER GROVE	
K. Healy	36C GUNTER GROVE	
J. Healy	36C Gunter Grove	
	36C Gunter Grove	
	10 GUNTER GROVE	ROBERT ATKINSON
VERONICA HALL	40A GUNTER GROVE	Veronica Hall
	40B GUNTER GROVE	PATRICIA COIE
ELIZABETH HIGGINSON	40B GUNTER GROVE	Elizabeth Higginson
NICK STOOPE	42A GUNTER GROVE	Nick Stooppe

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
Kathleen Crosse-Kelly	30 Gunter Grove SW 10	Kathleen Crosse-Kelly
Prudence Maxwell	30 Gunter Grove SW10	Prudence Maxwell
JB. Thomas	30 Gunter Grove SW10	JB Thomas
Jeremy Jones	30 Gunter Grove SW10	Jeremy Jones
JOHN PATERSON	28 GUNTER GROVE SW10	John Paterson
Jo Copping	24 Gunter Grove SW10	Jo Copping
Kirsty Saint	3 Edith Terrace SW10	Kirsty Saint
Samantha Cuzome	304 Fulham Rd, SW10	Samantha Cuzome
Arabella Barton	3 Edith Terrace	Arabella Barton
CAREY SCOTT	304 Fulham Rd.	Carey Scott
G. Williams	24 GUNTER GROVE	G. WILLIAMS
P MOTT	26 GUNTER GROVE	P Mott

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1, Knights Home Hortensia Rd. SW10	H.I. Ribbons
S. Wysocka	Studio 2, Knights Home Hortensia Rd. SW10	S. Wysocka
C. Sharp	10 Knights House Hortensia Road SW10	C. Sharp
Mr. Mrs Stretton	9 KNIGHTS HSE HORTENSIA RD SW10	R. Stretton L. Stretton
MR R. Barratt	1 Knights House Hortensia Rd Kubham SW10	R. Barratt
Mrs Lawless	5 Knights Hse	Mrs Lawless
A. Howler	15 Knights House	A. Howler
M. Fowler	15 Knights House	M. Fowler
Jean Kohler	16. Knights Hse	Jean Kohler
D. Buxbridge	13 Knights House	D. Buxbridge
S. Baxter	19 Knights House	S. Baxter
L. Baxter	19 Knights House	L. Baxter
Mr & Mrs R.L. Barrett	11, Knights House S.W.	R.L. Barrett F.J.M. Barrett
Edgar Kohler	16 Knight's House	E. Kohler

APRIL 7, 1990

RE: PROPOSAL FOR THE REDEVELOPMENT OF THE CHELSEA COLLEGE SITE.

We the undersigned hereby authorise Mr Nick Stoop to make representations on our behalf to the Royal Borough of Kensington and Chelsea in order to resist this unacceptable development. HORTENSIA HOUSE

NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P J FINCH	45 HORTENSIA RD	P J Finch
J M WYATT	54 HORTENSIA RD	J M Wyatt
M DENNIS	53 HORTENSIA RD	M Dennis
E J DENNIS	" "	E J Dennis
S.R. CROSS	55 HORTENSIA HOUSE	S. Cross
R. Cross	" " "	R. Cross
T. GEORGIOU	48 HORTENSIA HSE	Teresa Georgiou
E GEORGIOU	" "	E Georgiou
P. Lyland	46 HORTENSIA HSE	P. Lyland
M. KELLEHER	44 HORTENSIA HSE	M. Kelleher
S. Allen	41 " "	S. Allen
M. FERNANDEZ	49 " "	Marie Fernandez
A FERNANDEZ	49 " "	A Fernandez
M Dainty	51; " "	M. Dainty
M Wyatt	54 HORTENSIA HSE	Mary Wyatt
C O'CONNOR	56 " " "	C O'Connor
G E ORGILL	56 " " "	G E Orgill

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.

KNIGHTS HOUSE,
HORTENSIA ROAD

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1. Knight's House Hortensia Rd. London SW10.	H.I. Ribbons
S. Wysocka	Studio 2. Knight's House Hortensia Rd SW10	S. Wysocka
C Sharp	10 Knights House Hortensia Rd, SW10	C Sharp
MR. MARK STRUTTON	9 KNIGHTS HSE HORTENSIA RD SW10	R Stratton
G.R. BARRATT (MRS)	1 Knights House Hortensia Road Fulham London SW10	L. Stratton
M. LAWLESS	5 Knights HSE	Gladys Barrett
R. FOWLER	15 Knights House	M. Lawless
M.E. Fowler	15 Knights House	R. Fowler
Jean Kohler	16. Knight's House	M. Fowler
J. Barbidge	13 Knights House	Jean Kohler
S. Baxter	19 Knights House	J. Barbidge
L. Baxter	19 Knights House	S. Baxter
Mr & Mrs R.L. Barrett	11, Knight's House Hortensia Rd S.W.10	Laura Baxter
Edgar Kohler	16 Knight's House	R.L. Barrett
		F.L.M. Barrett
		E. Kohler

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.

GUNTER GROVE

NAME	ADDRESS	SIGNATURE
Mrs. B.A. Stoop	44A GUNTER GROVE	
Mr Collins	Flat 1 42 " "	
Mrs M.C. Kayley	38A " "	M.C. Kayley
Naime Kelly	38A " "	
D. Bourguignon	8A Gunter Grove	
JOHN PATERSON	28 GUNTER GROVE SW10	
VICTORIA SALT	3, Edith Terrace SW10	
Sawada Kazuo	304 Fulham Rd, SW10	
	3 Edith Terrace SW10	
CAREY SCOTT	304 Fulham Rd. SW10	
P MOTT	26 Gunter Grove	

APPENDIX 2

THE CHELSEA COLLEGE SITE (FORMER HUDSON' DEPOSITORY-CARLYLE PLACE) HORTENSIA ROAD, CHELSEA

REPORT FOR THE CONSIDERATION OF THE PLANNING COMMITTEE

1. NATURE OF OBJECTION

1.1 The buildings now in course of erection are in breach of current planning standards, and are contrary to the environmental and conservation aims of the Borough Council's District Plan. Insofar as there are any sustainable permissions in respect of these buildings, they have been obtained against a background of confusion of details, errors of judgement and technical analysis, errors of fact, misinterpretations, and deliberate breaches of planning control. The Objection sets out these matters in detail, and the Objectors recommend that the two current planning applications (TP/89/2137/A/03 and TP/90/0296/A) be refused, and that the two enforcement notices of 31 October 1989 be revised to accord to the present circumstances, and to be re-issued forthwith.

2. PLANNING HISTORY

2.1 A schedule of planning applications, together with some brief details is attached.

2.2 The original applications submitted in March 1988 (632/A/20 and 633/A/21 and 633/A/27). They comprised 12 houses, 9 flats and 694 sq metres of office space. The residential accommodation comprised two blocks, one fronting Hortensia Road, with the other block of 8 houses immediately behind along the boundary with Gunter Grove houses. The office development was at the southern end of each block.

2.3 Applications 1410 and 1410A were submitted as duplicates in June 1988, and were virtually identical to 0632/A/20 except that the rear block of houses was one storey lower, while the office development was larger at 767 sq metres. The overall density was much the same.

2.4 The planning applications were properly and comprehensively criticised by the council's planning officers, and they were recommended for refusal in the reports to Committee. The section of the Committee Reports headed "REASONS FOR REFUSAL" cited the excessive density, which would lead to a bulky, intrusive and cliff-like overdevelopment of the site. Also mentioned was the infringement of council policies and standards, particularly with regard to loss of sunlight and privacy.

2.5 The Committee Reports regarding 1410 and 1410A were almost identical to those for 632/A/20. The report to the Committee of 30 August 1988, relating to 1410A, reads as follows:

"This proposal should be treated in a similar way to the duplicate applications submitted in March 1988 because the overall density of the development proposed is similar."

The reduction of part of the site by one storey was considered to reduce the extent to which the proposals contravened Council standards and policies.

2.6 Against this background, it was quite extraordinary that permission was recommended for the 633/A/37 proposals. This scheme was similar to 1410 in that it comprised the reduced rear block. However, council standards and policies were still infringed, a point that was made clear in the 1410 reports, wherein the changes were not considered sufficient to alter the recommendation for refusal.

2.7 The 633/A/37 scheme incorporated an increase in density over the previous proposals, both in terms of the residential density and the size of the proposed office development. The residential density was increased from 570 to 670 habitable rooms per hectare, while the size of the proposed office development (although stipulated in the application as 694 metres) was shown on the drawings as 1180 sq metres. However, the officer's report recommended permission for the 633/A/37 scheme on the basis of there being only 600 sq metres of office floorspace, and planning permission was duly granted by the Sub-Committee on 13 October 1988. The decision letter of 24 October 1988 specified the size of the permitted office development as being 600 sq metres. However, the plans listed in the letter were not the same as those listed in the Report to the Committee; the office drawings had been subsequently amended.

2.8 Application 1410, with 767 sq metres of office space, was then re-submitted, but was again recommended for refusal. The report to the Committee of 22 November 1988 gave exactly the same reasons for refusal as had been given earlier. The Report recognised that permission had been granted for a similar scheme (633/A/37), but pointed out that this 1410 application was for a larger office development (767 sq metres) - larger, that is, than the 694 sq metres, with no reference to the 1180 sq metres.

2.9 Shortly after the failure of 1410, a new Decision letter was sent out with respect to Application 633/A/37. This new letter "amended" the permitted office floorspace from 600 to 675 sq metres. This decision does not appear to have been taken by the Planning Committee.

2.10 On 31 October 1989, two enforcement notices were served on the developers. One concerned a breach of planning control by carrying out building operations consisting of the erection of 12 houses, 9 flats and 675 sq metres of office floorspace otherwise than in accordance with the planning permission dated

22 December 1989 (633/A/37). The breach of planning control occurred by erecting a structure adjoining the boundary wall of residential properties in Gunter Grove higher than that permitted, and on Hortensia Road the building was moved further forward than that which was permitted; and by building in breach of Condition 8 of the permission. The other, dealing with the same application (633), alleged a breach of planning control by the developers not building in accordance with Conditions 2 (facing materials), 5 (landscaping) and 10 (access ramp).

2.11 These two enforcement notices were withdrawn by the officers (not the Committee) under Standing Order 47, although the breaches of planning control have not been remedied. This procedure was adopted because of the unexplained "urgency" for withdrawal, and in the knowledge that there was a sub-committee meeting the following day or day after. Moreover, although some of the matters referred to in the Notices were subsequently thought to be unenforceable, other matters were, but they are all now withdrawn without proper comment.

3. MATTERS OF CONCERN IN RESPECT OF CURRENT APPLICATIONS

(a) Office Floorspace

3.1 The Objections relate to the two current applications 89/2137 and 90/0296/A.

3.2 It is to be noted that 694 sq metres of office floorspace in applications 632/A/20 and 633/A/21 were refused on matters of environmental policy, and that 767 sq metres of office floorspace in applications 1410 and 1410A were refused for the same reasons. Although 694 sq metres were specifically applied for in application 633/A/37, the report to the Committee only specified 600 sq metres by reference to the architect's revisions to the drawings; it was then changed without Committee approval to 675 sq metres, both 600 and 675 sq metres being permitted on separate dates (24.10.88 and 22.12.88).

3.3 The present position is that the December 1988 permission (633/A/37) specifically limited the office content of the proposals to 675 sq metres. How this application came to be permitted in defiance of the borough council's own environmental policies is a mystery, particularly as the special benefits claimed in respect of the application were insufficient in themselves to overrule adopted and otherwise firmly-held environmental policies, as made manifest in the several comprehensive refusals and breaches of planning control.

3.4 It is now being claimed at para.8.6 of the March Committee report that although the December 1988 notice of permission specifically referred to 675 sq metres that can only be used for office purposes by reference to the nature of the permission, the larger envelope was also permitted even though its use was excluded from the permission. This reasoning appears to be incorrect. This is unfortunate, because the

report that was placed before the Committee on 24 April 1990, and which seemingly still holds good, clearly gave the impression to the Committee that 1110 sq metres of office floorspace had previously been permitted, when the Committee itself had only permitted 600 sq metres. The grounds for contesting this reasoning area as follows.

3.5 The question of 675 sq metres did not appear in the planning officer's report of 23 September 1988, which report determined the October 1988 permission; the figure in that report was 600 sq metres, although the application proposed 694sq metres. The decision notice was subsequently amended to 675 sq metres in the December 1988, and the applicants must have been aware that the figure actually proposed by them was of the order they had meant to be the case for the whole site in the application (stated to be 694 sq metres). The Committee could have been in no doubt, therefore, that at its 13 October 1988 meeting, it was permitting 600 sq metres as shown on revised drawings; the increase to 675 sq metres was made by officers, and was not the subject of a committee decision. The figure of 600 was the subject of measurement by a planning officer, but the fact that the officer's measurements were incorrect in relation to the larger area shown on the plans (but not the application) cannot discount the basis on which the Committee unwittingly granted permission. It is now misleading for the Committee to be led to believe that in October 1988 it was really permitting almost twice the amount (1180 sq metres) for the reason that the plans showed a greater area.

3.6 In this context, Section 33(2) of the 1971 Act states that if no purpose for a building is specified in the application, the permission shall be construed as including permission to use the building for the purpose for which it was designed. Prima facie, this would appear to support the "envelope" theory, because, the drawing, showed the envelope to be larger than the permitted 675 sq metres of December 1988, namely, 1110 sq metres. But that is not so.

3.7 The purpose and size of the office building in application 633/A/37 was specified - 694 sq metres of B1, in the application but 600 sq metres in the officer's report to Committee. It was subsequently amended to a final 675 sq metres without, so far as I am aware, Committee approval. The act of designating the proposed office floorspace by a specific quantum thereby excluded any consideration of any additional unspecified floorspace shown on the drawings. The "envelope" theory can only hold good if no quantum had been specified in the application, but the amended permission made it absolutely clear that only 675 sq metres was the limit for such consideration. This important point was confirmed in the analysis of the 1410 application which was refused because, inter alia, the 767 sq metres was larger than that permitted by the committee of 600 sq metres. The larger envelope shown on the drawing therefore has no permission by reference to the circumstance of the case, and the drawings cannot be put superior to the notice of decision. Furthermore, the minutes of the Committee meeting of 13 March 1990 reveal the borough

council's seeking of Counsel's Opinion which was reported verbally to the Committee by the borough solicitor on the validity of there being only 675 sq metres office floorspace in the 1988 permission (633/A/37), but there was no reference in that opinion (so far as can be deduced) to the "envelope" being permitted; yet that incorrect approach is still being maintained.

3.8 What the Committee is now being asked to consider in 2137 is the granting of permission to a large-scale office development (1180 sq metres) ("large-scale", by reference to the approved District Plan - 1000 sq metres), contrary to its own adopted policies of restraint, and in a location which cannot benefit from any planning advantage the scheme might be said to offer; indeed parts of the scheme still involve a material breach of planning standards of overlooking, loss of privacy, and amenity (as was stated in the refusal for the earlier scheme in applications 632/A/20 and 633/A/21, in the later applications of 1410 and 1410/A and which were implicit in one of the enforcement notices of 31 October 1989).

(b) Density of Residential Development

3.9 The density guidelines are laid down by the District Plan at para. 5.6.4, and by the Greater London Development Plan. The former sets a standard of 500 to 600 habitable rooms per hectare (200 to 243 habitable rooms per acre), and the latter set a standard ranging from 175 habitable rooms per hectare to 210 (70 to 85 habitable rooms per acre).

3.10 In determining applications - 632/A/20, 633/A/21 which were recommended for refusal, and 633/A/37 which was permitted, the residential content was the same, namely, 12 houses and 9 flats (or 48 bedrooms and 34 bedrooms respectively). It is deduced from the drawings that the permitted application (633/A/37), with a residential site cover (including half the road width) of 2001 sq metres (0.2 hectares), was to accommodate 134 habitable rooms. Expressed as habitable rooms per hectare, the permitted development represents 670 habitable rooms per hectare, which is 70 higher than the highest standard (600), or 170 rooms higher than the lower standard (500). Moreover, it was reported to the Committee that the permitted 633/A/37 proposals were in excess of 500 h.r.p.h compared with an excess of 550 h.r.p.h in the original 633/A/20 and 21 proposals. In the Committee report of 13 October 1988, these matters were not disclosed (its para. 5); thus, the Committee unwittingly gave permission for a density 12 per cent higher than its adopted higher density figure (600 h.r.p.h), or 34 per cent higher than its adopted lower standard (500 h.r.p.h).

3.11 This unsatisfactory position is worsened by the present application 2137. The residential site cover is the same at 2001 sq metres (0.2 hectares) as for 633/A/37, but the number of habitable rooms is increased to 150, or 750 habitable rooms per hectare. The percentage increases over the higher and lower adopted standards are 25 and 50 respectively.

3.12 The Committee is therefore being asked to perpetuate an increased deviation from its own adopted density standards, of

12 to 34 per cent in 633/A/37, to an increased deviation of 25 to 50 per cent in 2137, and in the knowledge that the proposals as a whole offend most of the adopted environmental standards in the District Plan, and have four times been recommended for refusal for the these reasons (632/A/20 and 633/A/21 and 1410 and 1410A).

(c) Office Plot Ratio

3.13 There is no reference to this matter in the October 1988 committee reports. The following information is therefore produced for consideration.

3.14 In respect of application 2137, the office site cover is 613.35 sq metres, and the measured office floorspace, as by reference to Fig. 4.1 of the R.B.K and C District Plan, parts of the basement (excluding car spaces) rank for measurement, produces an office plot ratio of 2.28:1.

3.15 Thus, in addition to the varying interpretations of density, the office plot ratio in application 2137 (together with the actual amount for which permission is being sought) give rise to concern by reference to the adopted standards of 2:1 in para. 4.8.6 of the District Plan.

(d) Building Heights

3.16 A comparison can be made between the permitted application 633/A/37 and the proposed application 2137. The front block on Hortensia Road has been increased in height by two metres. Drawing HTN/01/114 showed a height of 17 metres from basement to fourth floor ceiling, whereas the revised drawing 114F showed a height of 19 metres. Other heights were corresponding by increase. On site, however, the front block building is 0.5 metres higher than that shown on the new plan. For example, the height above street level of the apex of the top window of the fourth floor is 16 metres by actual measurement, as opposed to 15.5 metres shown on Drawing No. 101P in 2137. That means that the proposed structure is 2 metres higher by reference to the plan, but it is being built at a height of 2.5 metres higher than that permitted in 1988 (633/A/27).

3.17 Reference to the first sentence on p.7 of the Committee report on 633/A/37 (Agenda Item 4421) notes that the design of the front office block was unsatisfactory, and a set back from Hortensia Road with a reduction of one storey would be preferred.

(e) Sunlighting

3.18 In respect of application 2137, the following Table shows a "before and after" effect of developing the site in the manner proposed:

House Number	Sunlight			
	Before Proposed Development	After Proposed Development (Application 2137)	Change	
			Time	%
<u>Gunter Grove</u>				
28	4 hrs 05 mins	3 hrs 55 mins	- 0 hrs 10 mins	- 4.1
30	2 hrs 25 mins	2 hrs 45 mins	+ 0 hrs 20 mins	+ 13.8
32	1 hr 25 mins	0 hrs 10 mins	- 1 hr 15 mins	- 88.2
34	2 hrs 15 mins	4 hrs 30 mins	+ 2 hrs 15 mins	+100.0
36	3 hrs 00 mins	3 hrs 25 mins	+ 0 hrs 25 mins	+ 13.9
38	3 hrs 55 mins	2 hrs 15 mins	- 1 hr 40 mins	- 42.6
40	3 hrs 42 mins	2 hrs 20 mins	- 1 hr 22 mins	- 36.9
42a	3 hrs 40 mins	3 hrs 15 mins	- 0 hrs 25 mins	- 11.4
<u>Hortensia House</u>				
41-48	3 hrs 45 mins	2 hrs 40 mins	-01 hr 05 mins	- 28.9
49-56	6 hrs 00 min	3 hrs 55 mins	-02 hrs 05 mins	- 34.2

In respect of 42a, an independent analyst, by a more scientific approach than that of the sunlight indicators, deduces that the loss of sunlight will be in the order of two hours.

3.19 This Table clearly reveals the difference the proposed development will have on adjoining properties. Overall there will be cumulative loss of sunlight of 5 hrs and 02 minutes, while only three properties, 30, 34 and 36 Gunter Grove, will benefit. The properties with the worst effects will be 38 and 40 and 42a Gunter Grove, and 41-56 Hortensia House. Six of the properties, 30, 32, 38 and 40 Gunter Grove and 41-48/49-56 Hortensia House, will have sunlight of less than three hours. It was not correct for the planning officer to report to the committee at its 13 March meeting that Nos 28 (4% loss) and 32 (88% loss) will have "substantial improvements in sunlight" (para. 8.1).

3.20 While the original 633/A/21 report stated that the proposal contravened Council standards of sunlight and daylight, the corresponding paragraph in the 633/A/37 report claimed that the amended proposal complied with council standards. This statement is not correct, as the borough council's standards were dramatically infringed by the amended scheme.

3.21 It is probable that these claims were not based on the new plans. There were entirely different plans for the 633/A/37 scheme, compared to the 633/A/21 scheme which had been recommended for refusal the previous month. The full new set of drawings was not submitted to the council until September 22, and the officers' report was approved the following day.

(f) Matters Concerning Objections

3.22 There was strong opposition to the proposals right from the beginning from residents in Hortensia Road, on the grounds of loss of light and privacy, the excessive size and density of the scheme, the detrimental effect the proposals would have on the area, the loss of the trees, and the unreasonable increase to the already unacceptable traffic and parking problems that would be suffered by residents. (The residents of Gunter Grove did not receive notification of the proposal). This opposition took the form of a petition signed by 40 residents of Hortensia Road, the receipt of which was formally acknowledged; written assurance was given that it would be brought to the attention of the Committee. However, in presenting the proposals to the Committee, no mention was made of the petition, either in the presentation to the Committee or in the Committee report.

3.23 Prominent coverage was, however, given to a document produced by the developers, entitled "Canvas of Gunter Grove Residents". The document was extraordinary because it alleged "overwhelming support for the proposals among local residents". That was not so. Every one of the residents allegedly interviewed has written to complain that they never expressed the views attributed to them. In fact, they were all strongly opposed to the proposals.

3.24 It may not have been known by the Officers that the people in Gunter Grove had not been officially notified by the council, but it must have known of the effects the proposed development would have on those properties from other adverse reports presented to it.

3.25 Given these facts, and the strong opposition to the proposals already received from Hortensia Road, the failure to check the alleged findings is a source of concern. The prominence given to the developer's claims of support was compounded by the withholding from the Committee of the true objections of local residents, as expressed in the petition from Hortensia Road. The net result was that the Committee was misled into believing that the proposals enjoyed strong support.

4. CONCLUSIONS

4.1 It cannot now be denied that this project has been beset from the outset by confusion, errors of judgement, errors of fact, misinterpretations, and breaches of planning control. The four comprehensive recommendations for refusal of the

earlier schemes (632/A/20, 633/A/21 and the two 1410s), the reasons for which are equally applicable to the present two applications (0296 and 2137), and the serving of two enforcement notices, makes it incredible to suppose that the present schemes are now held to surmount all those obstacles and somehow to become both acceptable and appropriate, without any convincing explanation, and in defiance of the borough council's adopted planning policies and of good planning standards.

4.2 The project should now be re-examined in its entirety. It is the Objector's opinion that the likely outcome of such a review would seek to regularise in a proper manner, and by references to the council's adopted environmental policies, the development on Hortensia Road and behind 28-38 Gunter Grove, to omit the rear block entirely because of its adverse environmental consequences on adjoining residential properties, and to reduce the front block by one storey. Action of this nature would not only seem to bring the building back to what was permitted in 1988 (633/A/37), but would still be in excess of what was permitted by reason of increased office floorspace and residential density.

4.3 The Committee should now have become aware of all that has transpired, and should look at what is happening with fresh eyes. Not to do so will imperil the environmental standards of adjoining residents, and would run counter to the aims clearly expressed in the R.B. of K.C.'s Approved District Plan at para. 2.1.4 which supports the aims of the Greater London Development Plan at Section 2.1, which state that:-

"The essential purpose of the Greater London Development Plan is to create a physical environment ... which will conserve and improve the standards of life in London ..."

and which, in more detailed form, are to be found in the Committee reports dealing with the four refused applications. The development at Hortensia Road that is now proceeding does not accord with these aims as is evidenced by the Committee's decisions to comprehensively refuse earlier attempts to produce an unacceptable development, and then to have served two enforcement notices.

4.4 The Committee is therefore invited to take all these matters into account as being matters of material consideration, and to take the appropriate action.

9018
14 May 1990

HORRENSIA ROAD: PLANNING HISTORY

Application No.	Date Submitted	Proposal and Drawing Number	Objectors Comments
TP/88/632/A/20	4. 3.88 (Agenda Item 4422)	Demolition of existing building and erection of 12 houses, 9 flats and 694 sq metres office floorspace (B1). Dwg Nos: HTN/O/54D, 57D, 78F, 59B, 60E, 61C, 64C, 65A, 66B, 67B, 69B, 69D, 71D.	<p>Planning officer's report dated 23.9.88, to Committee on 13.10.88. Recommended for refusal for reasons of being bulky, intrusive, cliff-like, out of scale and character; prejudicial to amenities of neighbouring occupiers by loss of light, privacy, and fall in environmental standards; and contrary to policies 4.1.5, 4.6.6, 4.9.2, 4.19.1, 4.10.2, 4.10.3 and 5.6.4.</p> <p>Applicants lodged an appeal on 8.9.88, but was subsequently withdrawn. The appeal was to be heard with some earlier appeal, and the inquiry date was to be 8.11.88.</p>
TP/88/0633/A/21	4. 3.88 Completed 24.3.88. Revised 16.5.88. (Agenda item 4376)	Erection of 12 houses, 9 flats and 694 sq metres of office floorspace (B1). Dwg Nos: HTN/O1/54D, 57D, 58F, 59B, 60E, 61C, 64C, 65A, 66B, 67B, 68B, 69D, 71D.	<p>Officer's report dated 12.8.88. Committee date 30.8.88. Aims of the District Plan clearly set out, ie, to maintain and enhance the status of the Borough as an attractive place in which to live. Seeks a better physical environment. In this context, environmental aims were set out - design, scale and character, light, sunlight, privacy. Not a preferred office location, but revised proposals sub-standard, but considered to be acceptable.</p> <p>Objection from West London Architectural Society, and four letters of objection. Officer's recommendation to refuse because proposals are bulky, intrusive, cliff-like, out of scale and character, prejudicial to amenities of neighbouring properties (light and privacy), and the environmental policies are not satisfied.</p>

HORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal and Drawing Number	Objectors Comments
TP/88/633/A/37	4. 3.88 (Agenda Item 4421)	<p>Demolition of existing building and erection of 12 houses, 9 flats and 694 sq m of office floorspace (B1).</p> <p>Dwg Nos: HTN/01/101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114.</p> <p>This was an amendment of the 632 proposals in respect of the 5-storey block fronting Hortensia Rd, and by taking off a floor of the rear block to reduce it to 3 storeys. Other revisions were dated 14.9.88 and 22.9.88.</p> <p>2 enforcement notices were served in respect of this appeal, but were subsequently withdrawn.</p>	<p>Planning officers report was also dated 23.9.88 for a committee of 13.10.88. The report contained all the objections set against 632 (see above), but without further explanation it was recommended for permission. This permission enabled the appeal on 632 to be withdrawn. Notice of decision was issued on 24.10.88 which, inter alia, referred only to 600 sq m of office floorspace.</p> <p>On 22.12.88, seemingly without committee approval, a fresh notice of decision was issued which increased the permitted office floorspace from 600 (as reported to committee when the application was first considered) to 675 sq metres.</p> <p>The accompanying drawings showed 1180 sq metres of office floorspace, but these can have no relevance since only 600/675 sq metres were specified in the revised application.</p>

HOXTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal & Drawing Number	Objectors Comments
TP/88/1410, duplicated by TP/88/1410/A/26	23.6.88 (30.6.88) (Agenda Item 4375)	12 houses, 10 flats and 767 sq metres of office floor- space (B1). Dwg Nos: HTN/01/54D, 57E, 58H, 59C, 60E, 61F, 64E, 67E, 69E, 71F, 96C, 99B and HTN/L(1-102A).	Application 1410/A/26 brought to the Committee on 30.8.88 on a report by the planning officer dated 12.8.88. The report contained all the objections referred to in the 632 and 633/A/21 applications (see above) and the application was refused for the same reasons. Objection from West London Architectural Society Application 1410/A/26 then came back to a Committee on 22.11.88, but was again recommended for refusal for the same reasons. (Agenda Item 4486).
TP/89/2137/A/03	13.11.89 (Agenda Item 4043)	21 Flats, 8 houses and 1110 sq m of office floorspace. Deferred from Committee on 13.3.90. Dwg Nos: HTN/01/1018/105H/ 107/113F/114F/115B/119A/ 120A/122A/.04/011A.	Agenda report makes no recommendation of decision, but asks the Committee to consider the amended scheme and to refer its comments to the Planning Application Committee on 30 May 1990. The Report states at para 3.3 that the "overall bulk and scale of the proposed development remains as approved". However, a notice of decision had been before the Committee of 13 March 1990 to grant conditional permission. The rear block behind 40-42 Gunter Gr is especially conditioned (1) in respect of a Section 52 Agreement to develop the rear block as shown on HTN/01/113E and 115B (noting that the submitted drawing was 113F and not 113E).
		Rear block behind 40-42 Gunter Grove is to be two separate offices on basement and ground floors, with two residential units of 2-beds each, on 1st & 2nd floors, with 880 sq m instead of 1110 sq m of offices "as previously sought". Further amendments to rear block are yet to be provided. Rear block not reduced in size, but office content now only 260 sq m, with 620 sq m on front block, totalling 800 sq metres.	The application is currently deferred for further consideration.

HORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal & Drawing Number	Objectors Comments
TP/90/0296/A	5. 2.90	<p>21 Self-contained flats as an amendment to permission 0633 of 22.12.88.</p> <p>Dwg Nos: HTN101/101P, 105H, 106B, 107/119A/120A/122A.</p>	<p>Permission 0633 was for 12 houses, 9 flats and 675 sq m of office floorspace disposed as to 8 3-storey houses to rear behind 28-38 Gunter Gr, 9 flats and 4 houses fronting Hortensia Road, a 3-storey and basement office building behind 40-42 Gunter Gr, and further office block at Southern and adjoining Knights House.</p>
		<p>Development will comprise 8 2-bedroom, 9 3 bedroom, and 4 1 bedroom flats, together with further revisions to the front facade.</p>	<p>Recommended for conditional permission, but is currently deferred for further consideration.</p>



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

Sir Anthony Coates, Bt., B.Sc., M.B.B.S., M.D.,
M.R.C.P.

The Town Hall
Hornton Street
London W8 7NX

13th March, 1990

Dear Sir Anthony

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

I write to you in respect of this application which is to be considered by your Committee this evening as it is one that seeks an increase in office accommodation in an area where your aim of enhancing the Royal Borough as a predominantly high quality residential area needs to be constantly borne in mind. I would therefore urge The Town Planning Committee not to accept their officers advice and to refuse this application. Furthermore, I consider that if your Officer's recommendation were adopted and approval granted, this would have the following unfortunate consequences:-

- a) A precedent would have been set for the granting of a high proportion of office accommodation on a site that was previously in educational use. This is particularly relevant bearing in mind the further sites currently in educational use to the West of the application site, including the Kings College site at 552 Kings Road for which an application has already been submitted.
- b) The Council will have allowed itself to fall prey to a devious and dishonest device on the part of the applicants.

It was, of course, highly negligent of your officers not to have checked that the area of office accommodation which was applied for in 1988 accorded with that shown on the application drawings (such checking is surely almost the first procedure that is carried out when processing a planning application). In these circumstances, it would be better for the Council to admit it had made a mistake especially as, in law, descriptions and quantities usually take precedence over drawings. We consider that the enforcement action which was instigated in October 1989 should be pursued and that the only circumstances under which it could be withdrawn would be for the applicants to remove the proposed office building amounting to 490m² at the Southern end of the East block which would have the effect of reinstating the amount of office accommodation on this site to that which appeared in both the application and permission notices of 1988.

There are two matters mentioned in your officers report which I would respectfully suggest are irrelevant to a proper consideration of this

/over

application; these are as follows:-

- a) Now that the Hudsons Depository building which formerly stood on this site has been demolished, its size, appearance and height are of no consequence.
- b) The only relevant factor relating to the buildings which formerly occupied this site is that they were entirely in educational use and any office accommodation that existed was office accommodation that was ancilliary to that educational use and could not by any stretch of the imagination be considered as office use in its own right.

Yours Sincerely



David Le Lay

Copy to: Director of Planning & Transportation
Members of the Town Planning 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

Councillor Andrew Fane, Esq. M.A., F.C.A.
Deputy Chairman
Town Planning Committee
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX.

24th April, 1990

Dear Councillor Fane


Re: Chelsea College Site, Hortensia Road, SW10
Application reference nos. 90/0296 and 89/2137

I was most surprised to note that these applications are to be considered by the Town Planning Applications Sub-Committee this evening. As both of these applications had previously been referred to the Town Planning Committee by the Sub-Committee and the main Committee asked that Officers carry out further negotiations with the applicants, it would surely be highly irregular and inappropriate for the Sub-Committee to make a decision other than to recommend that both applications be referred to the main Committee for determination; especially as the result of the negotiations that have taken place concede far too much to the applicants and if approval were granted (as recommended in respect of one of the applications) the Council will have effectively sanctioned the dishonest practises employed by the applicants which would make a nonsense of the whole Planning process.

These applications still seek a greater amount of office accommodation than that which planning permission was granted in 1988 and also to retain a partially constructed building which is of substantially greater bulk than that for which permission was granted.

We fail to understand why the enforcement action proceedings which were instigated in October 1989 are not being rigorously pursued; these prevarications will not help the Council's case if these proceedings were to result in an Appeal heard by a Department of Environment Inspector.

Yours faithfully


David Le Lay

Copy to: Director of Planning and Transportation

APPENDIX 4

CHELSEA COLLEGE SITE, HORTENSIA ROAD - PLANNING HISTORY (SYNOPSIS) 21.5.90

London and Edinburgh Trust (L.E.T.) first approached the Royal Borough of Kensington & Chelsea early in 1988 with their development proposals for the site. The original applications were comprehensively rejected by the Council because of excessive density, unacceptable adverse effects on nearby homes, and violation of the Council's environmental policies. The reasons for refusal were set out in the Report to the Committee of 30th August 1988, after which L.E.T. agreed to submit modified proposals.

The revised application was presented to the Committee of 13th October 1988 as a significant improvement over the rejected scheme, particularly in terms of a reduced office content and a lower residential density. The Committee were told that the revised scheme complied with sunlight standards, and were shown a "scale model" to demonstrate that the new buildings related well to the existing ones; a "Canvas of Gunter Grove Residents" was produced claiming overwhelming support for the proposals.

The Committee unwittingly approved the revised application on that basis, unaware that far from representing a reduction, the latest plans showed a near-doubling of the office floorspace coupled with a sharp increase in the residential density; sunlight standards were dramatically infringed and the model was seriously misleading because the surrounding houses were on a much larger scale than the proposed new buildings. The "Canvas" has been discredited; all of those allegedly interviewed have written to complain that their views were misrepresented. In addition, the local petition of objection was withheld from the Committee.

In 1989, L.E.T. embarked upon unauthorised development materially in excess of that permitted in 1988. In October 1989 the Council served Enforcement Notices on the basis that the proposed increases would cause loss of light and amenity to neighbouring residents, but Stop Notices were held back on receipt of the developers' letter agreeing to build out their revised proposals "at risk".

The 1990 applications represent a dramatic increase in the extent to which the scheme violates Council policies and the amenities of existing residents over and above the scheme permitted in 1988. The residential density and the office floorspace are both significantly increased, as is the height and plan of the block fronting Hortensia Road. The local community is strongly opposed to the new proposals, and a large number of objections have been received by the Council.

Against this background it is unfortunate that the planning officers appear to have erroneously represented aspects of the scheme to the Committee on a number of occasions over recent months. Mr French, who handled the revised 1988 application, has consistently recommended the scheme notwithstanding the serious reservations expressed not only by residents but also amenity groups and members of the planning committee.

The Committee refused each time to adopt the officer's recommendation, and at the Main Committee meeting of 2nd April 1990 concern was expressed about the delay in taking effective enforcement action against the deliberate breach of planning control; the Vice-Chairman reserved the right of the 24th April Sub-Committee to authorise Stop Notices, if necessary. In an extraordinary move, the planning officer withdrew the Enforcement Notices just before the 24th April meeting, using emergency delegated powers.

A brief chronological outline of these events is set out below.

CHELSEA COLLEGE SITE - BRIEF CHRONOLOGICAL OUTLINE OF EVENTS
1988

- Feb The Council's policy objectives for the site (density, office policy etc) were explained to the developers.
- Mar Duplicate Applications were submitted (0632 and 0633) for the erection of two blocks comprising 12 houses, 9 flats and 694 sq.m of offices.
- To Jun There were various meetings at which Council officers expressed objections to the proposals (excessive density, office content, contravention of standards regarding sunlight, daylight, privacy and overlooking).
- Jun A second Application (1410) was submitted, the same as the previous applications except that the rear block of houses was reduced by a storey, and the offices were expanded to 767 sq.m.
- To Aug There were further objections from Council Officers, including the Director of Planning and Transportation. There was also a petition of objection from Hortensia Road residents.
- Aug 30th Applications 0633 and 1410 on Committee Agenda. The Officer's Report recommended comprehensive refusal of both (excessive density at 550 hrh, bulky, intrusive, cliff-like, contravention of Council policies and sunlight standards re Gunter Grove).
- Aug 31st The Developers produced the "Canvass of Gunter Grove Residents" alleging "overwhelming support for the proposals", but since discredited. Every person allegedly interviewed has written to deny that they expressed the views attributed to them.
- Sep 14th Cllr Orr-Ewing wrote supporting the "revised 0633" scheme.
- Sep 22nd The drawings of the "revised 0633" scheme were submitted.
- Oct 13th Applications 0632 and the "revised 0633" to Committee. The Officer's Report dated September 23rd recommended approval for revised 0633 scheme on basis of reduced density (550 down to 500 hrh), office content down from 694 to 600 sq.m, compliance with sunlight standards, and the evidence (the "Canvass") of support for the scheme from local residents and the Ward Councillor. The misleadingly-scaled Site Model was also produced.
- The Committee approved the revised scheme on the officer's recommendation. However, the drawings in the Decision Letter showed an increase in density to 670 hrh (GDLP standard 200), offices increased to 1,180 sq.m, sunlight standards contravened etc. The Committee had been told of only 5 objectors; the petition was withheld from them. The Committee were recommended to oppose the Appeal relating to 0632, which was withdrawn when 0633 was approved.
- Oct 24th The Decision Letter (0633) specified the approved office area as 600 sq.m. The drawing numbers had been changed and were not the same as those listed in the October 13th Committee Report.
- Nov 22nd Application 1410 was re-submitted to the Committee. The Officer's Report recommended comprehensive refusal as in August, notwithstanding the October decision relating to the similar "revised 0633" scheme. The increased office space (767 sq.m) was cited as an important factor. The application was withdrawn.

1988

Dec 22nd A new Decision Letter for the revised 0633 scheme was written, "amending" the office area from 600 to 675 sq.m, supposedly to correct a previous error. There was no apparent reference to the Committee.

1989

Oct The developers started building in excess of the 1988 permission. The block fronting Hortensia Road was expanded as was the rear block facing Gunter Grove properties.

Oct 31st Enforcement Notices were served by the Council. One of the two notices was against breach of conditions, while the other was headed "Operational Development", and was against breach of planning control, requiring that the buildings be reduced in height, and the building line be set back, in accordance with the 1988 permission. The stated reasons for the action were the loss of light and amenity, particularly to residents in Gunter Grove. The developers were ordered to cease work in the disputed areas until the issue had been resolved.

The developers appealed against the Enforcement action, and a Public Inquiry was set for 26th June 1990. They agreed to submit a new planning application and wrote to the Council stating that they would continue to build out the proposed scheme "at risk".

Nov 3rd An application was submitted relating only to the front block.

Nov 10th The Council wrote back insisting on a full application.

Nov 14th A public meeting was held at which the Council Officer reiterated to the developers that a fresh application for the whole site was required. (The site model was also on display and measurements were taken showing that it was out of scale by about 2:1. Neighbouring residential properties were represented at double their true height with respect to the new buildings).

Nov 24th A new application (2137) was submitted, this time relating to both the front and the rear blocks.

1990

Jan 17th Revised drawings were submitted. The developers wrote stating that the office area was 1,110 sq.m.

Jan 26th The Original Committee Report for Application 2137. This was the first of several misleading 1990 Officer's Reports. It was circulated to the members of the Sub-Committee meeting of 12th February. The report contained the following information:

i. Objections. The nature and number of the objections was understated in the Report. There were more than 30 letters from neighbouring occupiers, but the Report claimed only 17. A letter from the Chelsea Society was also not mentioned.

Jan 26th

The Original Committee Report (cont'd):

ii. Additional Office Area. The Report stated that the 1988 permission had been for 1,110 sq.m of offices, and argued that the 675 sq.m in the December 1988 Decision Letter had referred only to "rear office space". No evidence to support this extraordinary interpretation can be found in any of the 1988 application forms, supporting documents, planning officers' analysis, statutory consultation, Committee Reports or Decision Letters.

iii. Unauthorised development. The Report stated that what was being built was different from the permitted scheme, and that the alterations were being carried out without the benefit of planning permission, and were the subject of Enforcement action. Condition 08, which ruled the 1988 permission "null and void" was considered superfluous since a new application was required anyway. However, the Committee were told that they must consider the new proposal "in the light of the 1988 permission".

iv. Alterations. Para 7.2 of the report read as follows: "*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.*"

v. Recommendation. The recommendation was to approve Application 2137, in spite of the loss of light and amenity referred to in the Enforcement Notices, the increase in the office development, and the numerous other objections (excessive density, loss of privacy and outlook, traffic and parking problems etc).

Feb 12th

Application 2137 to Sub-Committee. The planning officer presented the Application and recommended the Committee to approve it as an improvement over the 1988 permission. Regarding the office floorspace, the officer told the Committee that "whilst the documentation did indicate a wrong figure the 1988 permission related to 1,110 sq.m". He also made the misleading claim that the submissions put forward by Grimley J.R. Eve with respect to sunlight were wrong and that the scheme represented a substantial improvement in terms of sunlight to Gunter Grove compared to the greenhouse that had previously been at that end of the site.

The officer accepted that there had been 37 letters of objection, and some of the objectors addressed the Committee. The Chairman interrupted them, and indicated that he was not prepared to consider objections based on the assumption that this was a new application, because in his view there was a valid existing permission.

Submissions were made that the original permission was dead in view of Condition 08 and was in any event fatally flawed when one had regard to the other aspects of misleading information, lack of notification and the discrepancies in the plans, particularly with regard to the office development. It was pointed out that the Council supported the residents' objections regarding the proposed rear office block, to which the developers had made only a "token modification".

The Sub-Committee did not adopt the officer's recommendation, but deferred the matter to the main Committee.

Feb 15th

The Duplicated Committee Report. The planning officer then re-drafted the original Report, which was unaccountably given the same date. Furthermore, the junior officer whose initials appeared at the end of the Report denied having prepared it, or even having read it, and said that he was unaware that it had been credited to him, since he did not attend the main Committee. He said: *"I've never at any stage prepared any reports on this application, and I'd like to make that very clear."*

The Duplicated Report had the apparent intention of removing any doubt from the Committee's mind about the recommendation for approval:

i. Objections. In the Duplicated Report the number of objections was cut to 8, compared to the 17 in the original Report and the 37 acknowledged in front of the Committee.

ii. Additional Office Area. The Original Report claimed that the 675 sq.m permitted in the 1988 Decision Letter referred only to "rear office space". In the Duplicated Report the officer claimed that it referred only to "new office space" and *"...did not include any figure for office space in the original buildings used by the University of London."* This is a misleading statement; there was no office space in the original building, and the developers never claimed there was any.

iii. Unauthorised development. The Duplicated Report was amended to imply that the alterations were uncontroversial. In para.3.1, *"the scheme has been changed"* became *"the scheme has been slightly changed"* while in para.5.1, *"not in accordance (with the approved plans)"* became *"not fully in accordance.."*. The impression is created that the changes were slight, whereas in fact they were sufficiently material to have attracted enforcement proceedings and a fresh application.

iv. Alterations. Page 7 of the 1988 Report recommending approval opened with the sentence: *"The design of the commercial element of the front block is not considered satisfactory and a set back from the Hortensia Road frontage along with a reduction by one storey would be preferred."*

The revised 1990 front block incorporates a significant increase in height and considerable stepping forward onto Hortensia Road. Yet in para.7.1 of the Duplicated Report the claim is made that *"...the proposed elevation to Hortensia Road is a positive improvement over the approved scheme."*

Furthermore, in para.7.2 of the Duplicated Report, the word "token" was deleted where previously it was a material qualification of the modifications involved.

v. Recommendation. The Duplicated Report recommended planning permission for 21 flats, 1110 sq.m of offices and 8 houses, whereas the application had made no mention of the 8 houses.

Feb 16th

The Solicitors' Letter. In the light of the misleading information in the Reports, the reluctance of the Council to consider objections, the uncertainty over the validity of the 1988 permission and the extent of the approved office content, as well as the inaccurate drawings and the misleading statements from the officer with regard to sunlighting, the residents' solicitors wrote to the Council.

Feb 16th

The Solicitor's Letter (cont'd):

It was pointed out that there were material differences between the evidence submitted on behalf of the residents, and the evidence submitted to the Council by the developers and by the planning officers. These discrepancies raised significant planning issues, which required further and detailed consideration before a decision was taken by the Main Committee, and it was suggested that a delay would be the most appropriate course.

Feb 19th

The Council would not grant the request for a delay and so the residents were forced to seek a High Court Injunction restraining the Council from making a decision on the application until accurate information on the material planning aspects was available. The Council agreed, at the eleventh hour, to defer the application and the proceedings were adjourned on that basis.

Mar 3rd

The Planning Consultants, E.A. Powdrill and Associates, prepared a Report for the Council setting out the planning facts relevant to the case, and discussing in detail the current (2137) application. The Report highlighted the important planning considerations and provided a thorough planning analysis and recommendations. (see Powdrill Report of 3rd March 1990).

Mar 5th

The March Committee Report. This Report was based on the two earlier 1990 Reports, and the pattern was the same; the number of objectors was understated and the grounds for objection undermined by misleading statements. New statements were inserted in an attempt to highlight the virtues of the proposals.

i. Objections. The Report claimed only 17 objectors, even though the officer had accepted a month previously that there were 37.

ii. Additional Office Area. The officer continued to maintain that the office space approved in 1988 represented "new office space" in addition to that in the previous building. This time he claimed that the 1988 permission was for 694 sq.m. The figure of 694 sq.m can be found on neither 1988 Decision Letter, but was, however, on the application that the same officer had recommended for comprehensive refusal in August 1988.

iii. Alterations. The 1990 Reports all mentioned the residents' concern about the height and close proximity of the rear block. The Original Report stated "*These concerns are supported*" and added that in response to the requests for revisions the developers had made only a "*token modification*". In the Duplicated Report the adjective "*token*" had been deleted. In the March Report, the sentence "*These concerns are supported*" had also been expunged.

iv. Comment on Local Consultation. A new section was inserted into the Report in response to the objections, containing at least a dozen untrue and misleading statements, too many to go into here, with regard to sunlight, overlooking, density, and the office area.

iv. Recommendation. Unlike the two previous 1990 Reports, which had advised the Committee to consider the proposals "*in the light of the 1988 permission*", the March Report instructed Members in para.6.1 to "*consider this as a new application....bearing in mind the large five storey building which previously existed on the site.*" This sudden change was apparently the result of legal advice.

Mar 5th

The March Committee Report (cont'd):

v. Recommendation (cont'd):

However, the Report failed to consider the proposals in this light, and instead contained statements like "positive improvement over the approved scheme", "there will be no increase in overlooking...beyond that approved in 1988", "the windows are set back a further 3.5m from the approved scheme", and "the proposed density...is slightly lower than that on the previous scheme", and many more.

Apart from the fact that many of the statements are untrue (for example the new proposed density is much higher at 750 h.r.h), the new proposals were still being compared with the old ones, rather than with the previous building.

It should be borne in mind that the same officer recommended refusal on at least four occasions in 1988. The schemes which were rejected in 1988 had lower densities and smaller office contents than the present proposals. The section headed "REASONS FOR REFUSAL" in the officer's 1988 Reports read as follows:

"The proposal, by virtue of its number of storeys, height, massing and siting in relation to neighbouring residential properties, is considered to be an overdevelopment of the site and thereby likely to lead to the following:

1. *A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in Hortensia Road;*
2. *Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.*

The proposal would therefore be contrary to the policies set out in the Council's adopted District Plan, in particular Paragraphs 4.1.5, 4.6.6, 4.9.2, 4.10.1, 4.10.2, 4.10.3 and 5.6.4."

These reasons for refusal are just as valid in 1990, as they were in 1988. In fact the 2137 proposals are significantly more offensive to the Council's adopted policies and to good planning standards; the density of 2137 is 750 hrh compared to 550 hrh for the original 0633 proposals, the office element has been increased from 694 to 1304 sq.m, and the blocks have been increased in both height and plan.

Given the advice to treat this as a fresh application, the recommendation to approve the 2137 proposal is extraordinary.

Mar 13th

Application 2137 to Main Committee. At the beginning of the meeting, the Borough Solicitor advised the Committee that, in the opinion of Counsel, the 1988 permission was for 675 sq.m only. Members said they saw no reason to grant any more. The Chairman instructed the Committee to treat this as a fresh application and highlighted the 100% residential gain to the Borough if the recommendation to approve was adopted. A letter from the Chelsea Society was read out by Miss Dent, the Director of Planning and Transportation; the letter urged the Committee not to accept the planning officer's advice and criticised the "devious and dishonest" behaviour of the developers and the "highly negligent" performance of the planning officer. The Council was urged to pursue the October 1989 enforcement action until the unauthorised rear block had been removed. The Chelsea Society also took issue with the officer's contentions regarding the original building.

Mar 13th

Application 2137 to the Main Committee (cont'd): Several members expressed their concern about the lack of effective enforcement action to date. In response to a question from a member, the planning officer further misled the Committee with regard to sunlight when he stated that the block fronting Hortensia Road was too far away to effect the sunlight to Gunter Grove properties.

The matter was transferred to Part B of the agenda, and the application was deferred.

April 2nd

Meeting of ^{the} Main Committee. The application was not on the agenda, and members once again expressed their concern over the lack of effective enforcement action. The officer said that it would be pointless to serve Stop Notices since the development was virtually complete. In response to a question from the Vice-Chairman, it was established that the Sub-Committee of 24th April would be empowered to serve Stop Notices if necessary.

April 5th

A Local Community Petition of Objection collected 60 signatures from residents whose homes adjoined the development site.

April 24th

Application 2137 and New Application 0296 to Sub-Committee. The new application (0296) was introduced at a late stage. Residents only became aware of the proposals on April 17th, a week before the Sub-Committee meeting. Similarly, 2137 had been deferred from the Main Committee and it was a surprising late addition to the Sub-Committee agenda.

Application 0296. A partial application relating only to the front block, rejected by the Council in December 1989. The proposed new block (virtually a "fait accompli") was higher by 2.5 metres than that approved in 1988 and encroached further onto Hortensia Road. The residential density was increased to 750 h.r.h. Also implicit was an increase in the office floorspace. In spite of these problems the Officer's Report recommended approval for the increase. However, the Sub-Committee were unanimous in their opposition to the piecemeal approach, and refused to adopt the officer's recommendation.

Application 2137. The March Committee Report had not been updated to take account of the legal advice from the borough solicitor that the 1988 decision permitted 675 sq.m of office space. The Report continued to imply the figure was 1,110 sq.m. The other misleading statements had not been corrected.

Cllr Andrew Fane, the Chairman of the meeting, quizzed the developers regarding incorrect figures. The developers admitted that they had supplied incorrect office floorspace and density figures, but blamed the planning officers for failing to spot the discrepancy, and insisted that the revised drawings showing the increased envelope took precedence over the specifications in the Committee Report and the Notice of Decision.

The Chairman pointed out that the Committee members were not always able to examine the drawings, but they studied *with care* the figures placed before them. He reminded them that the size of the office floorspace and the density were crucial considerations, and told the developers that the onus was on them to ensure that the information before the Committee was correct. The matter was then deferred to the Main Committee for decision.

Enforcement. The Sub-Committee's ability to serve Stop Notices, as discussed on 2nd April, was pre-empted by the fact that the Enforcement Notices had been withdrawn by the officer using emergency powers. The withdrawal was announced by the developers and confirmed by the officer in response to a question from the Chairman. He said he had withdrawn the enforcement notices under Standing Order 47, which delegates special powers to an officer in the event of an urgent matter that could not wait until the next meeting.

It would appear to be an extraordinary use of the delegated power, since the Sub-Committee had already reserved the right to deal with the Enforcement question, yet the officer withdrew the notices just before the meeting.

STOOP v. R. BOROUGH OF KENSINGTON AND CHELSEA

OPINION

1. I am asked to advise on the area of office floor space permitted on the true construction and effect of two planning permissions granted by the Council to Colwyn Foulkes & Partners, a firm of architects acting for developers:-

a. The permission (No. 0633) of 24 October 1988 issued pursuant to a resolution of the Council's Town Planning (Applications) Sub-Committee on 13 October 1988;

b. The amended permission (No. 0633) of 22 December, 1988, which superseded that of October 1988.

2. It is convenient to start by stating the general principle applicable to the interpretation of a planning permission. It is permissible only to look at the terms of the permission itself, including both the definition of the permitted development and the conditions and reasons given for them. Further, it is permissible to look at any plans incorporated in the permission in order to define its scope and assist in interpreting it. See generally Slough Estates Ltd. v. Slough Borough Council (No. 2) 1969 Ch. 305. A planning permission is not to be construed in favour of the developer and against the planning authority.

3. The development was described in the Schedule to the October permission as -

"DEVELOPMENT

Erection of 12 houses, 9 flats and 600 square metres of office floor space (Use Class B1), at CHELSEA COLLEGE SITE, HORTENSIA ROAD, KENSINGTON, S.W.10, as shown on submitted drawings Nos. TP/88/0633/B, Applicant's drawings Nos. HTN/01/101, /102, /103, /104A, /105A, /106, /107, /108, /110, /111, /112, /113, /114 and HTN/L (1-)01H, in accordance with your application dated 04/03/88, completed 24/03/88, revised 14/09/88 and 22/09/88."

In the December permission the same description appeared with the substitution of "675 square metres of office floor space" for "600 square metres of office floor space".

4. In my opinion the terms of both the October and December permissions are perfectly clear and define and limit the office content of the approved scheme to 600 square metres and 675 square metres respectively. In these circumstances it is, in my opinion, not permissible to have regard to the plans to extend the area of office floorspace, because there is no ambiguity to be resolved. The same point may be put the other way round - if there is any ambiguity in the permission it can only arise because the plans referred are interpreted as including twice the area of office floorspace as that stated in the description of the development. In

my opinion that ambiguity must be resolved by giving preference to the measurement of the area expressly stated in the definition of the development, that is 600 square metres or 675 square metres.

5. The plans referred to are the basis of the contention by the developer that the permissions should be interpreted as an effective grant of approximately twice the area of floor space as the 600 square metres or 675 square metres stated in the description. I am also asked to advise on the validity of this contention in so far as the alleged effect of the December 1988 permission is relied on in support of the new application for what is said to be the true measurement of the plans in 1988, namely 1,110 square metres of offices. In principle this contention seems to me to be wrong for the reasons already given. The plans have been amended since December 1988.

6. It appears that the developers are supported in the new application by the Council's planning officer, so that it is desirable to consider his reasons. The report to the Town Planning (Applications) Sub-Committee of 12 February 1990 states-

"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".

The report to the Town Planning Main Committee of 13 March 1990 altered that statement, to refer wrongly to 694 square metres, which was not in fact the area stated in either of the permissions of 1988. I am unable to give any clear meaning to this statement, except that it accepts the measurement in the description in the December 1988 permission. It certainly does not mean that permission had been granted in October 1988 or December 1988 for 1,110 square metres. At the meeting of the Sub-Committee on 12 February 1990 the planning officer asserted that, because in his opinion the plans referred to the December 1988 permission showed 1,110 square metres of office space, the permission took effect for that area and not only the 675 square metres referred to in the description of the development. Once again this contention is, in my view, wrong in principle.

7. The implications of the contentions by the developers and the planning officer are plain - that in 1988 both parties expressly represented to the Council that the permission sought for, and accepted, was for between 50% and 65% less office content than they intended to obtain and did obtain. The discrepancy, it seems to be suggested, arises because although the developers' architects and the Council's planners made a proper measurement of the plans they wrongly described the development. The error₃ of measurement or description involve a very striking degree of incompetence on the part of professional experts,

particularly when measurement of office content was clearly a matter to which thought had been given, and the measured area in the description had been increased from 600 square metres in October to 675 square metres in December 1988.

8. In these circumstances it seems to me that the developers' and planners' contentions destroy any case either for deciding in favour of an interpretation based on a difference between the description and the plans, or for granting a new permission for 1,110 square metres of offices B1 either by reference to the original plans, or to other plans which appear to have been revised more than once since December 1988.

9. Finally, I am asked to consider the further fact that the developers have continued their building operations in reliance on their interpretation of the 1988 permissions. This fact is irrelevant to the question of construction of the 1988 permission. In my view the building operations carried on since the Council raised the question of construction should be disregarded. In my view the developers acted at the risk of being wrong. If they are wrong they should not be permitted to rely on their own errors in the expectation that the Council will give in to them because they have chosen to take a risk; particularly when the Council has clearly decided on the planning merits that a limit of 675 square metres should be imposed on the office content of the scheme.

G.E. Moriarty

**ANSTEY,
HORNE
& CO. Chartered Surveyors**

Founded 1795

John Anstey BA FRICS FCI Arb
Lance Harris ARICS

N Stoop Esq
28a Edith Grove
LONDON SW10 0NJ

11, Newbury Street,
St. Barnabas's,
London, EC1A 7NN

Rights of Light and
Party Wall Consultants

telegrams 01-906 2886

fax: 01-900 1225

Senior Building Surveyor
Mike Bailey

Our ref JA/MD'S/ROL3637
Your ref

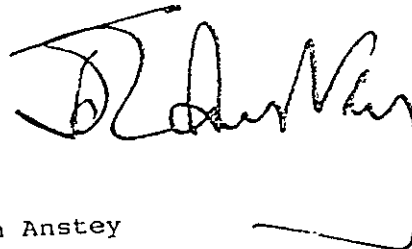
23 March 1990

Dear Mr Stoop,

42a Gunter Grove SW10

I enclose herewith a sunpath diagram, doing the best we can with the conflated drawings, information, etc., from which you will see that both your and my instinctive feeling was right and the Planning Officer was wrong, in that more than 2 hours of valuable afternoon sunlight will be lost throughout the year by the proposed building, and that from April to August the loss will be additional to anything which might have been caused by the greenhouse, through which, after all, some sun would have shone, whereas it will not shine through what is now proposed.

Yours sincerely



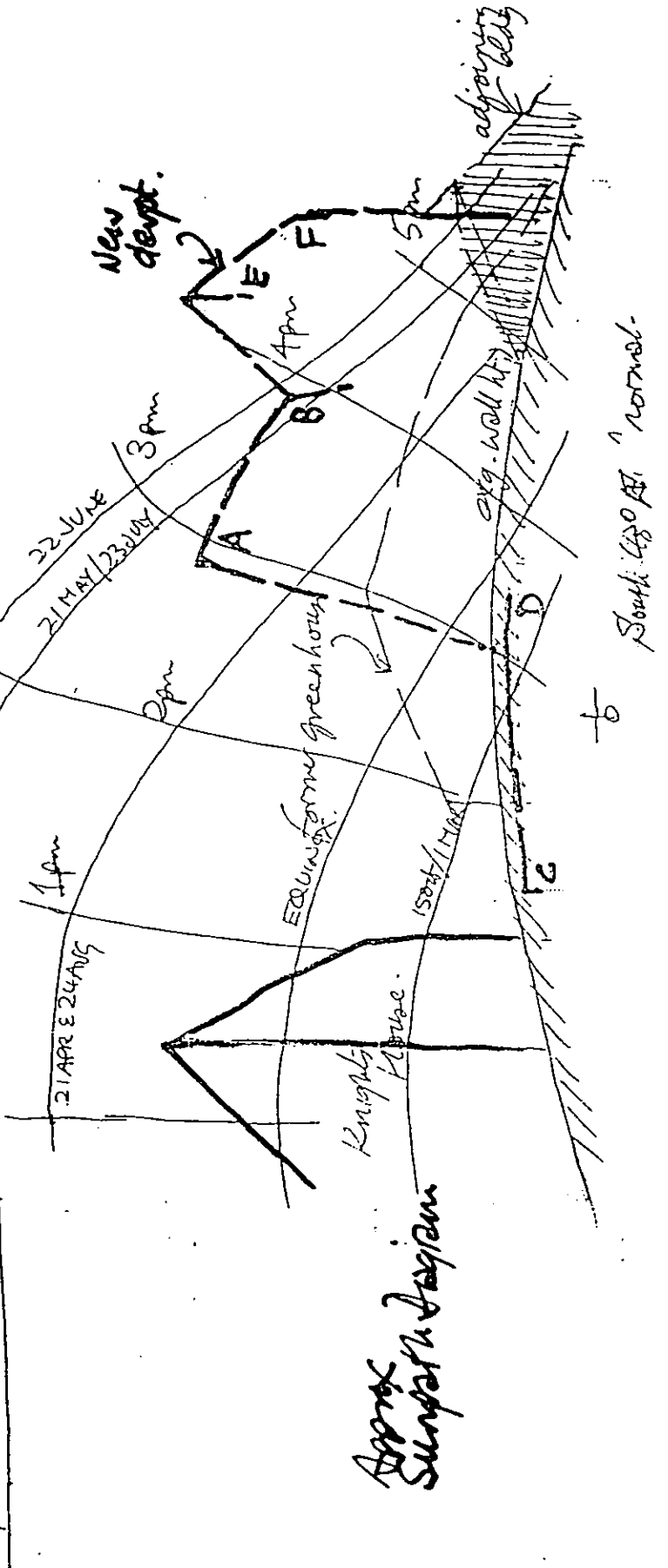
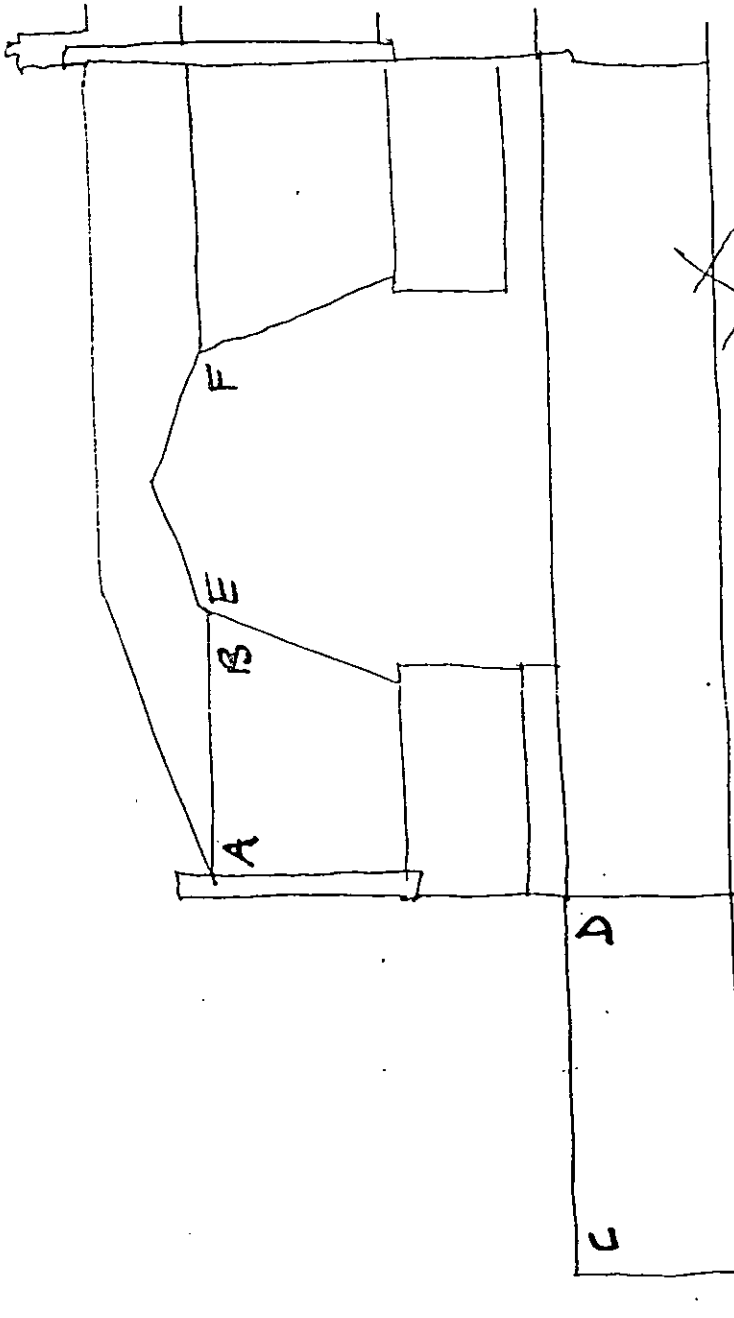
John Anstey

enc

JA/3637/1
22 MARCH 1990

JOHN ANSTEY BA FRICS FIAB
Chartered Surveyor & Daylight Consultant
31, Howbery Street,
St. Bartholemew's
London, EC1 telephone 01-506 2388

Rear Elevation 1:100



Approx
Sunset in Diagram

Warner Land Surveys

Land and Engineering Surveyors

Ptolemy House,
Lower Wharf,
Reading Road,
Wallingford,
Oxon. OX10 9AP

Wallingford (0491) 34275
Fax No: (0491) 32468

N Stoop Esq.
28 Edith Grove
London
SW10

21st May 1990

Dear Sir

Re: Hortensia Road, SW10

We have been requested to carry out elements of survey to determine whether or not the above mentioned development is being carried out in accordance with the architects drawings.

According to our survey, it would appear that the development taking place has encroached by approximately 1 metre further south than shown on the architects submitted drawing HTN/01/105 rev H. This discrepancy is highlighted by a copy of that plan and a negative overlay, which clearly demonstrate the errors of positioning of the new buildings.

The front block is also being built higher than shown on the Architects drawings. In particular, the height of the apex of the 4th floor windows has been measured at 16m on site, compared to 15.5m as scaled on the Elevation Drawing No. HTN/01/101P.

The Architects drawings for application 89/2137 and 90/0296 show an increase in height of 2 metres over the approved scheme (88/0632). This can be clearly seen with reference to the 1988 section drawing HTN/01/114 which shows the height of the 4th floor ceiling above basement level at 17 metres, while the corresponding drawing in the new application HTN/01/114 rev F which shows a dimension of 19 metres.

If we can be of further assistance please do not hesitate to contact us.

Yours faithfully



P G SCHINDLER

427

GUNTER GROVE

42A GUNTER-GROVE GROVE

RIDGE LEVEL - APPROX 55.8m

EAVE LEVEL - APPROX 54.1m

105mm BRICK WALL

PAVING SLABS

250mm BRICK WALL (1300mm HIGH)

105mm BRICK WALL

▲ STA 001 50.000m

300mm BLOCK WALL (4000mm HIGH)

KNIGHT'S HOUSE
ROOF LEVEL - APPROX 60.9m

UNDER CONSTRUCTION

K. KNIGHTS

TURNING AREA FOR SERVICE VEHICLES

KNIGHT'S HOUSE

ROOF LEVEL - APPROX 63.3m

BRICK SHEDS (PARTLY DEMOLISHED)

EXISTING LEVEL TO APEX OF TOP WINDOW - APPROX. 66m

UNDER CONSTRUCTION

B

HORTENSIA ROAD

▲ STA 002

Winkworth Surveyors



Chartered Surveyors
65 Kensington Church Street, London W8 4BA

071-937 0959/071-938 1933

Fax: 071-937 0151

N. Stoop Esq
28a Edith Grove
London
SW10

Our ref: 90/255
Date: 30/3/90

Dear Nick,

RE: 42A GUNTER GROVE/DEVELOPMENT ON HORTENSIA ROAD, LONDON SW10

Further to my inspection carried out on Wednesday 28th March, I write to advise you that I am of the opinion that the southernmost boundary of the new development on Hortensia Road is closer to Knight's House by between 2'8" and 4'4" than originally envisaged on drawing No. HTN/01/105. I enclose a photocopy of the relevant section of the plan showing the scaled off measurements and, in brackets, the actual measurements on site.

Whilst it is always possible that the copy of the original has expanded/contracted in the copying process and, of course, the scale of 1:200 is such that it is easy to be 12" out, it seems to me that those measurements marked A, B & C on the plan of Knight's House are sufficiently accurate for the inaccuracies between the new southern boundary and Knight's House to be regarded as clear evidence that the southern boundary has been moved further south. Obviously, this will have an effect on the south-westerly sunlight to the window of your maisonette at 42a Gunter Grove.

I trust this is of assistance to you and if I can help further then do please call me at the office. In the meantime, our accounts department will be sending you an invoice for this work in due course and perhaps you would settle with them direct.

Yours sincerely,

Mark Lanyon FRICS
for WINKWORTH SURVEYORS
(Chartered Surveyors)

42A COUNTER
CROSE

16'8"
(12'4")

17'10" (16'5")

17'10" (17'7") (A)

14'6" (12'5") (B)

16'6"
(13'9")

28'10" (28'7") (C)

28'4"
(25'8")

42"
(4'6")

KNIGHTS HOUSE

TURNING AREA FOR
SERVICE
VEHICLES



B

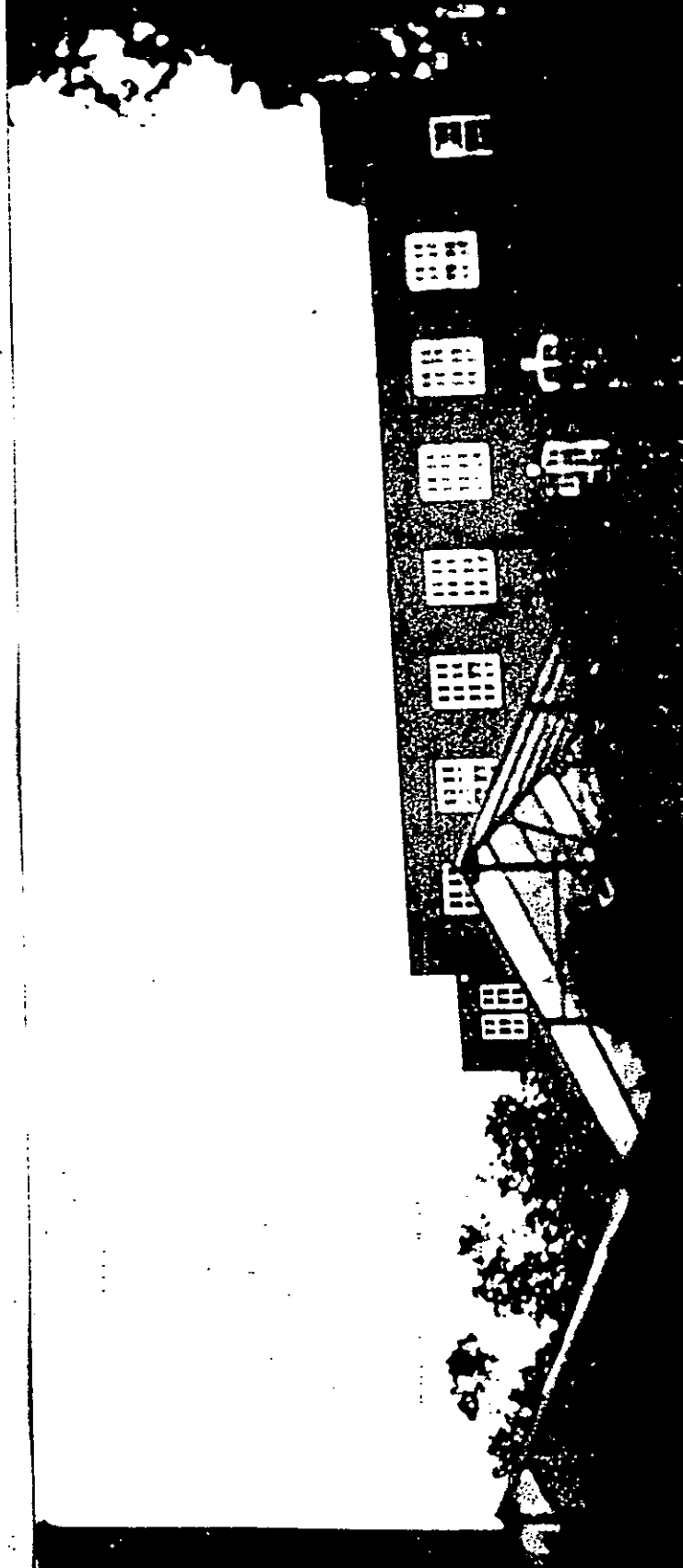
APPENDIX 8

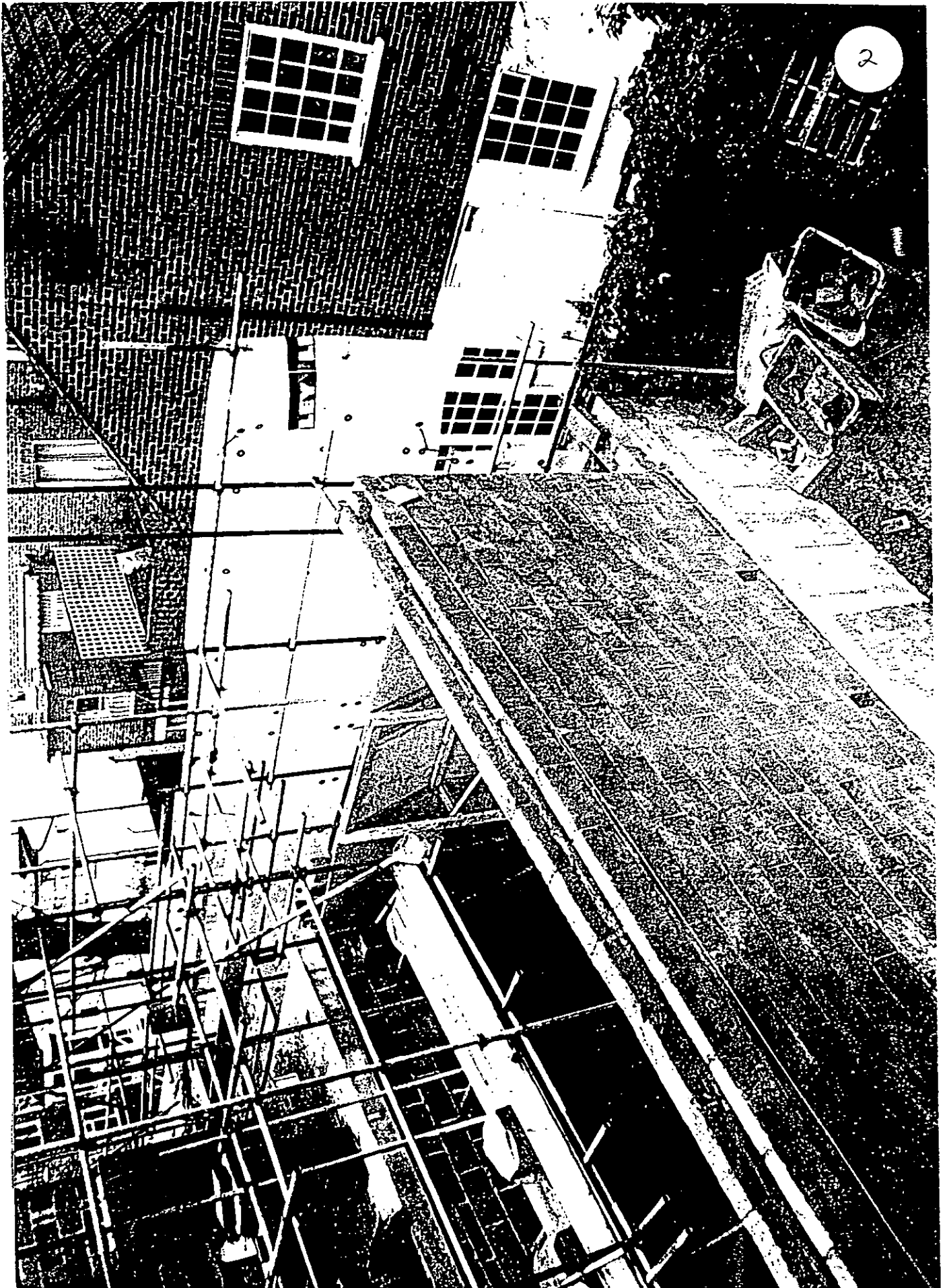
Photographs

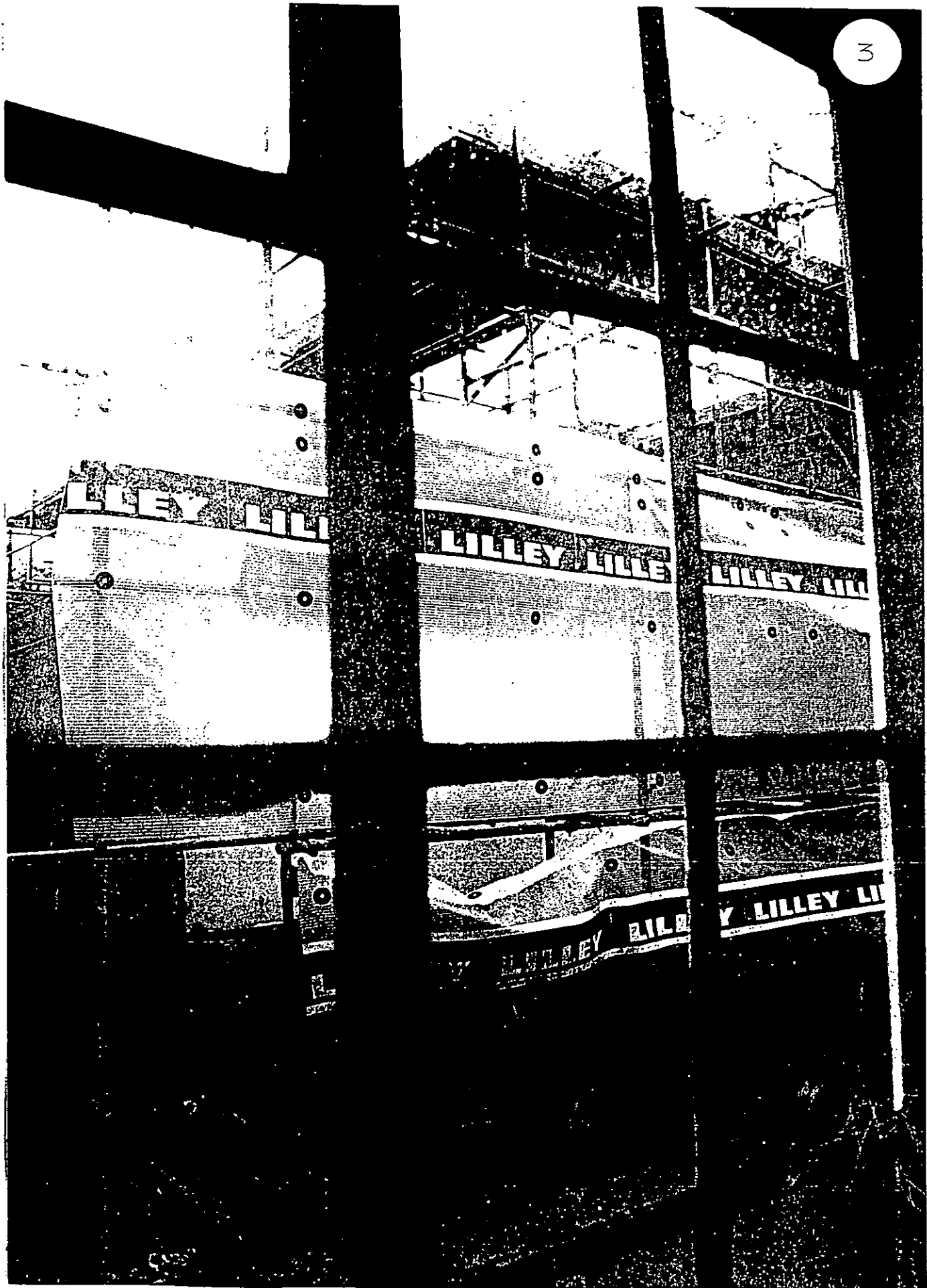
1. Previous view from the garden of 40 Gunter Grove (42 is to the left as you look at the picture). The building to the extreme left of the picture is Knight's House. The peaks of the glass-house were just visible over the garden wall. The building in the background is the Chelsea School, 60 yards away on the far side of Hortensia Road.

Contrast this picture with Number 5, showing the new office blocks which have been built "at risk".

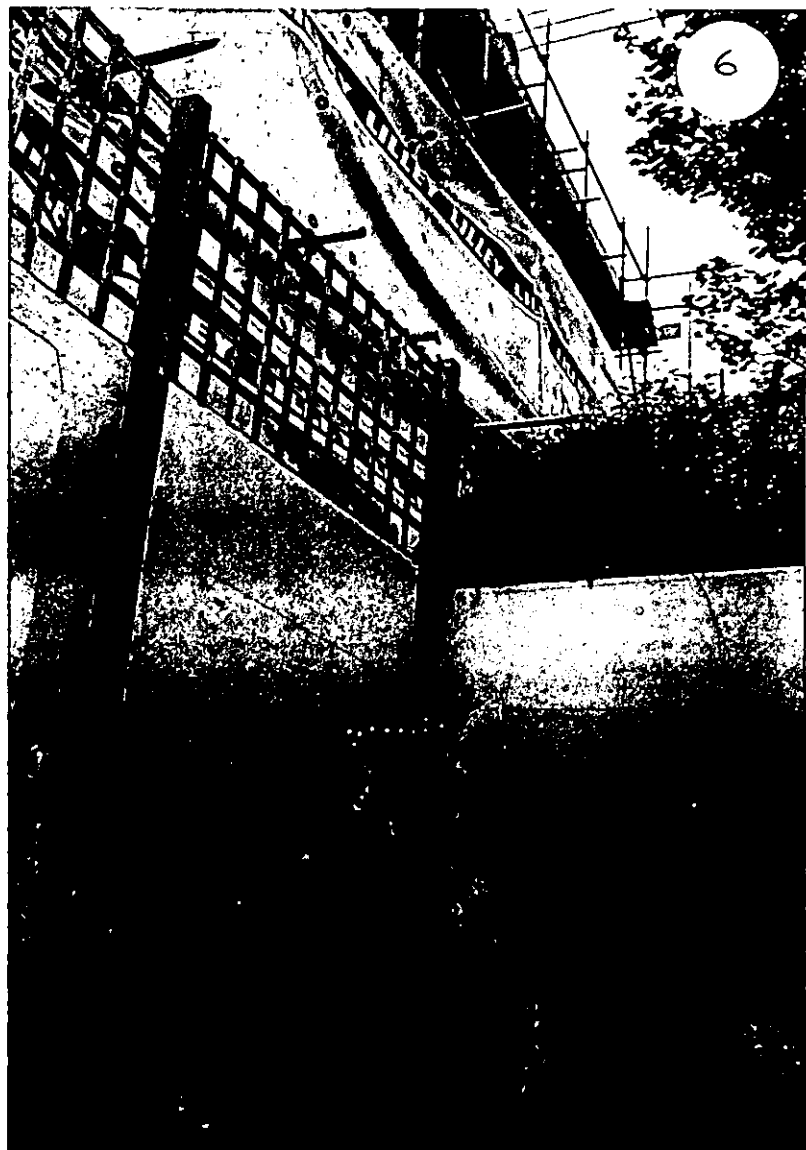
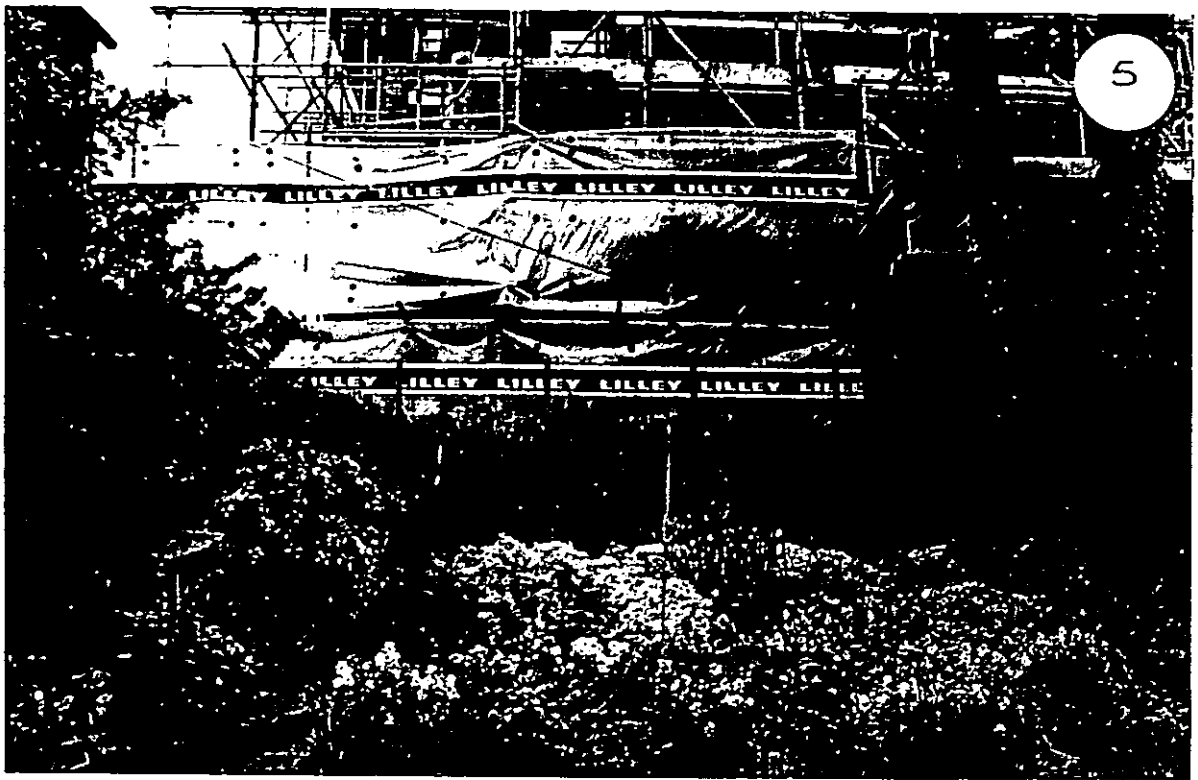
2. View from Knight's House of the unfinished rear office blocks which shows their impact on Gunter Grove properties. To the right of the picture is the Cottage, 42a Gunter Grove. It will be noted that the side wall of the office building lines up with the apex of the roof of the cottage i.e. it comes across further than shown upon the developers plans.
3. View from the bedroom window at 42a Gunter Grove of the rear office buildings, which, if approved, will take sunlight from rooms and gardens.
4. This picture demonstrates the extreme proximity of the proposed rear office blocks to Gunter Grove homes and gardens. The degree by which the Cottage will be overlooked (even if the developers modification is implemented) is self evident.
5. View from the garden at 40 Gunter Grove of the proposed rear office block.
6. This picture, taken from the garden of 42a Gunter Grove, shows the cliff-like effect of the new proposed offices, which are to the south and west of peoples homes and gardens, depriving them of sunlight and privacy.

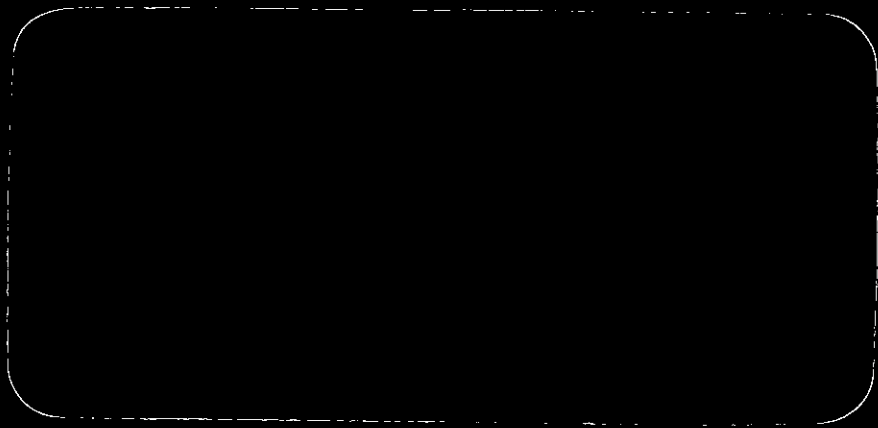












Grimley J R Eve
CHARTERED SURVEYORS

Grimley J R Eve

CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

REPRESENTATIONS OF BEHALF OF N. STOOP

HORTENSIA ROAD

NDL/SM/2891885
8 February 1990

Marwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Eve MSc FRICS
Alistair H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Oliver J. N. Ogborn FRICS
Michael R. Corbett FRICS
Stephen H. Robinson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vick BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Malcolm C. Gloster FRICS
Robert J. Bould FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Oates BSc FRICS
Allan D. Mukumey MA FRICS
Malcolm J. Whetstone BSc FRICS
Nicholas P. F. Whipp FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hether BA ARICS MRTPI
David J. Vale BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACI Arb
J. Don Smith FRICS ACI Arb
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairlie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbinière BSc MPhil ARICS
Norton B. Asbury FRICS
Mary M. Mark MA ARICS
Ian M. Stringer BSc ARICS
Anthony J. Williams BSc ARICS

Associates
Colin S. Bell BA MRTPI
Mark Bingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trollope BA ARICS
Mark R. Brunsdon BSc ARICS
Paul N. Bullman ARICS
Michael A. Chapman BSc ARICS
Graham Fairhurst BSc ARICS
Graham Gatland FRICS
Matthew H. Hardy ASVA

David A. Heatherington BSc ARICS
H. Sian Käiner MA MPhil MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS

Plant and Machinery
Lary G. Burrows CEng MI MechE

Consultant
Norman More FRICS

Group Administrator
William Wood MBIM



CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

NDL/SM/2891885

Director of Planning & Transportation
The Royal Borough of Kensington & Chelsea
Hornton Street
London
W8 7NX

8 February 1990

For the attention of: Miss M Dent

Dear Sir

LAND AT HORTENSIA ROAD, LONDON, SW9 10

We are instructed by Mr Stoop of 42 Gunter Grove, to make representations on his behalf on the current planning application on the above mentioned site.

We have inspected the various application drawings, the model and the background papers. We have also attended several meetings with the developers and their architects.

Before considering the details of the scheme, and in particular its impact on 42 Gunter Grove, there are a number of general observations which need to be made.

A) General Points

i) Planning principles

It is a well established principle of planning law that every planning application must be treated on its individual merits. The fact that a previous scheme "may" have consent, for what on proper planning grounds is unacceptable, does not justify granting consent for a further unacceptable scheme.

The Government advises that consent should only be refused if 'demonstrable harm would be caused to interest of acknowledged importance'. In this instance interests of acknowledged importance would include:

- a) the protection of residential amenity
b) compliance with approved local plan policy and planning standards.

- continued -

Marwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Evc MSc FRICS
Alistar H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Oliver J. N. Ogborn FRICS
Michael R. Corbett FRICS
Stephen H. Robinson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vich BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Macom C. Gloster FRICS
Robert J. Boud FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Gales BSc FRICS
Alan D. Mulgoney MA FRICS
Macom J. Whetstone BSc FRICS
Nicholas P. F. Whipp FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hepher BA ARICS MRTPI
David J. Yae BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACIARB
J. Don Smith FRICS ACIARB
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbiniere BSc MPhd ARICS
Norton B. Ashbury FRICS
Mary M. Mark MA ARICS
Ian M. Stringer BSc ARICS
Anthony J. Williams BSc ARICS
Associates
Colin S. Bell BA MRTPI
Mark Bingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trolope BA ARICS
Mark R. Brunson BSc ARICS
Paul N. Bulman ARICS
Michael A. Chapman BSc ARICS
Graham Fairhurst BSc ARICS
Graham Gatland FRICS
Matthew H. Hardy ASVA

David A. Heatherington BSc ARICS
H. Susan Kiner MA MPhd MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS
Plant and Machinery
Larry G. Burrows CEng MI MecE
Consultant
Norman More FRICS
Group Administrator
William Wood MBIM

In order to depart from approved policy and standards it is beholden upon the developers to show that there are convincing and justifiable reasons to warrant such a departure.

ii) Previous Application

Whilst we do not oppose the principle of redevelopment on this site, part of the previous scheme (ie. the rear offices) had a very severe affect, and by any reasonable planning standards, an unacceptable affect, on 42 Gunter Grove. The photographs provided by Mr Stoop in his letter speak for themselves. A further photograph of the position of the development relative to 42 Gunter Grove and its garden is contained in Appendix 1 to this letter.

iii) Condition 8

The previous consent contained a condition which indicated that if the scheme was not implemented in accordance with the drawings then the permission would become null and void. The architects have acknowledged that the scheme has not been implemented in accordance with the drawings. Therefore on the wording of the condition, the existing planning permission must be construed as being dead.

iv) Residential Amenity

It has been argued by the developers and their architects that since the amenity of some of the adjoining residents may have been improved somewhat, then, the scheme should be granted though other residents suffer a loss of amenity. This is, in our view, a disingenuous argument. It cannot be right to sanction a scheme where some residents gain at the expense of a lesser number, particularly where the latter suffer a very severe loss of amenity as in the case in this instance.

v) Site Area

Given a site of this size it should be possible to abide by normal standards for the protection of residential amenity. This might contrast, for example, with small infill developments in urban situations, where compliance with standards may be impossible or impracticable.

B) Specific Points

i) Accuracy of Drawings

On 21 December 1989 we wrote to the architects requesting confirmation that the application drawings were accurate and based on detailed site survey work. No reply has yet been received. From our own measurements, we estimate that the drawings are still inaccurate. For example we calculate that the development site abuts the rear garden wall of number 42 for 3.3m: in contrast to the developer's measurement of 3m. Such inaccuracies may not seem significant in overall terms. They are significant however at the very critical distances in this particular case between the rear offices and the adjoining residential properties in Gunter Grove.

ii) Overlooking

We attach a sectional plan (Appendix 2) which shows the exceptional close proximity of the proposed development with 42 Gunter Grove. The windows of the new scheme are only 8m from the living room of number 42.

Most boroughs adopt a minimum overlooking standards of 21m. Some boroughs also distinguish between overlooking between residential to residential and commercial to residential. A higher standard is adopted in the latter case. For example the London Borough of Hillingdon require 30m compared to 24.5m for residential to residential.

It is manifest that on overlooking grounds only the scheme is unacceptable. We would support the Council's view that the windows should be of obscured glazing. However this will not in itself go far enough. It is likely, for example, in the summer months that the windows will be opened, thus resulting in overlooking and possibly noise disturbance.

Without prejudice to our view that the rear elevation should be moved backwards we would suggest that the condition relating to the windows should require: a minimum cill height of 1.5m for each window, that the windows are on non-openable, and that obscured glazing should be used as well.

- continued -

iii) Sunlight

The DoE guidelines contained in their publication 'Sunlight and Daylight' require that buildings facing due south or east or west of south should have 3 hours sunlight on 1st March. Based on the developers plan we estimate (see Appendix 3) that 42 Gunter Grove enjoyed 3 hours 55 minutes sunlight before the development compared to the 2 hours 0 mins it will have once the now proposed development completed. The proposal thus fails to meet accepted planning standards for sunlight.

iv) Outlook

Loss of outlook is not normally sufficient to justify a reason for refusal in itself. In this case the loss of outlook is extremely severe. The new office buildings are only 8m away from number 42, ie. the length of a large sitting room.

The distances between the new residential properties and those in Gunter Grove (see Plan in Appendix 4) are designed in part to prevent serious problems of loss of outlook. We cannot therefore understand why a lesser distance should be deemed appropriate for commercial buildings relative to 42 Gunter Grove.

v) Housing Density

The Borough Plan advocates densities up to 247 habitable rooms per hectare. The previous scheme proposed a density of 500 habitable rooms per hectare. If anything this density may have been increased by the latest scheme. No reasons are advanced by the developers to justify such a high level of density. The drawbacks of developing at this density are manifest by the problems of overlooking and loss of outlook etc.

vi) Office Policy

The previous scheme as reported to and approved by the Committee specified an office floorspace of 674 sq m. The revised scheme increases this to 1,100 sq m. The reason for the difference seems to be, from reading the Planning Officer's report, that some of the commercial floor space was to be occupied by the University of London and thus was not recorded as office space.

- continued -

The Borough's policy on B1 Offices is that over 465 sq m takes office proposals outside the B1 use category, ie. they are no longer suitable to be located within a residential area. The developers have advanced no case to justify a departure from Borough policy in this respect.

Conclusions

1. In our view the proposed juxtaposition of the new office block in 42 Gunter Grove is wholly unacceptable on planning grounds.
2. The rear office block will result in a serious loss of outlook, privacy, quiet and light. It manifestly fails to satisfy reasonable and acceptable planning standards.
3. In the Planning Officer's report it is stated that the concerns of residents are supported in relation to the previous approved scheme. The officers then stated that the revisions which have been made constitute a "token modification". As a matter of logic if something is unacceptable and the modification to it is only 'token' one cannot reach the conclusion that it is now acceptable.
4. This is a large site where there is scope to comply with normal planning standards in contrast to more restricted urban infill developments.
5. The scheme conflicts with housing density and office policy. No special circumstances are advanced to justify an exception being made. In the absence of this justification this scheme will set a precedent for similar development elsewhere.
6. In our view planning permission should be refused.
7. Alternatively, the application should be held in abeyance and the developers asked to further amend the rear office block as shown on the attached plan - Appendix 5.

Yours faithfully



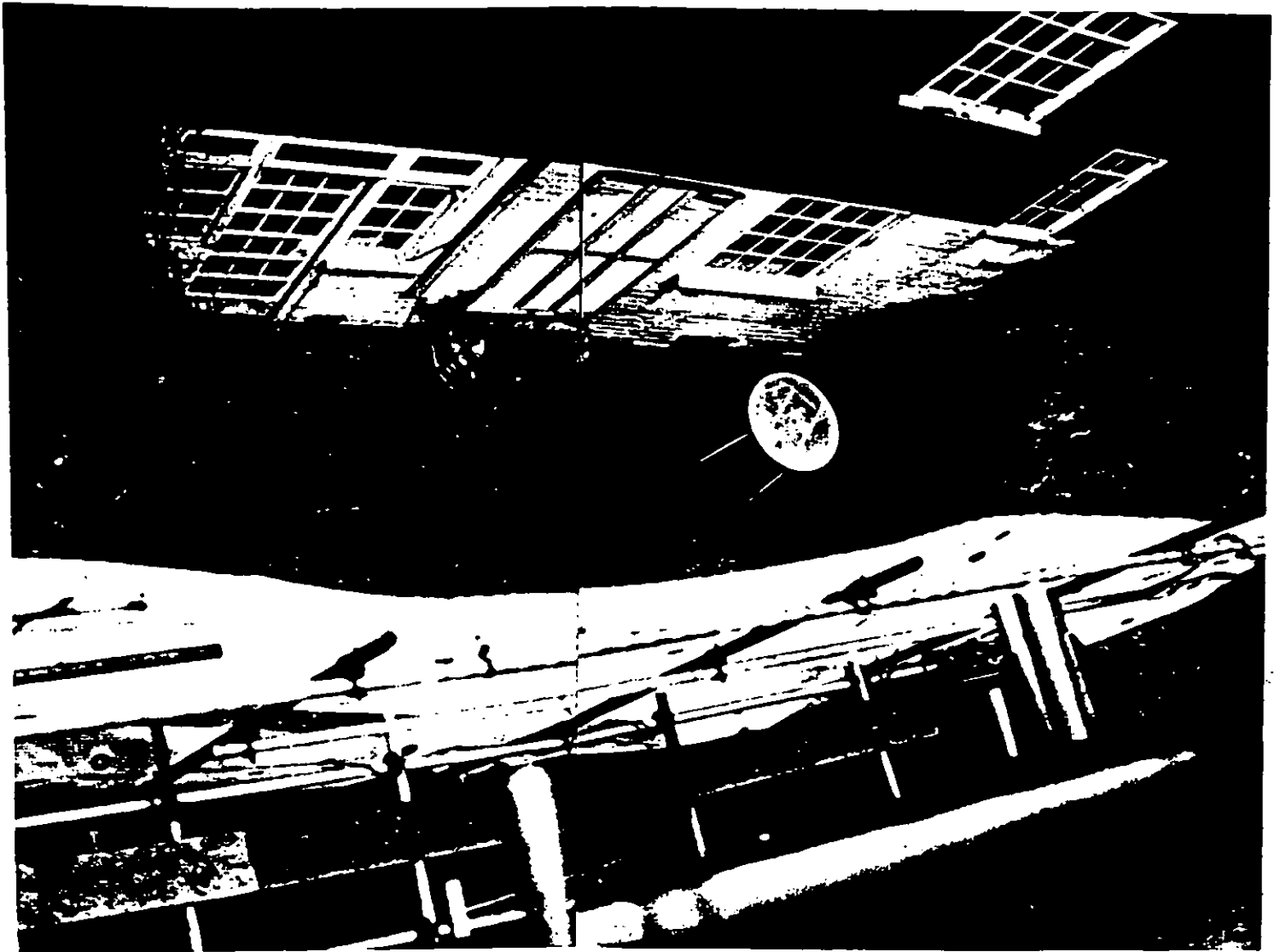
MESSRS GRIMLEY J R EVE
CHARTERED SURVEYORS

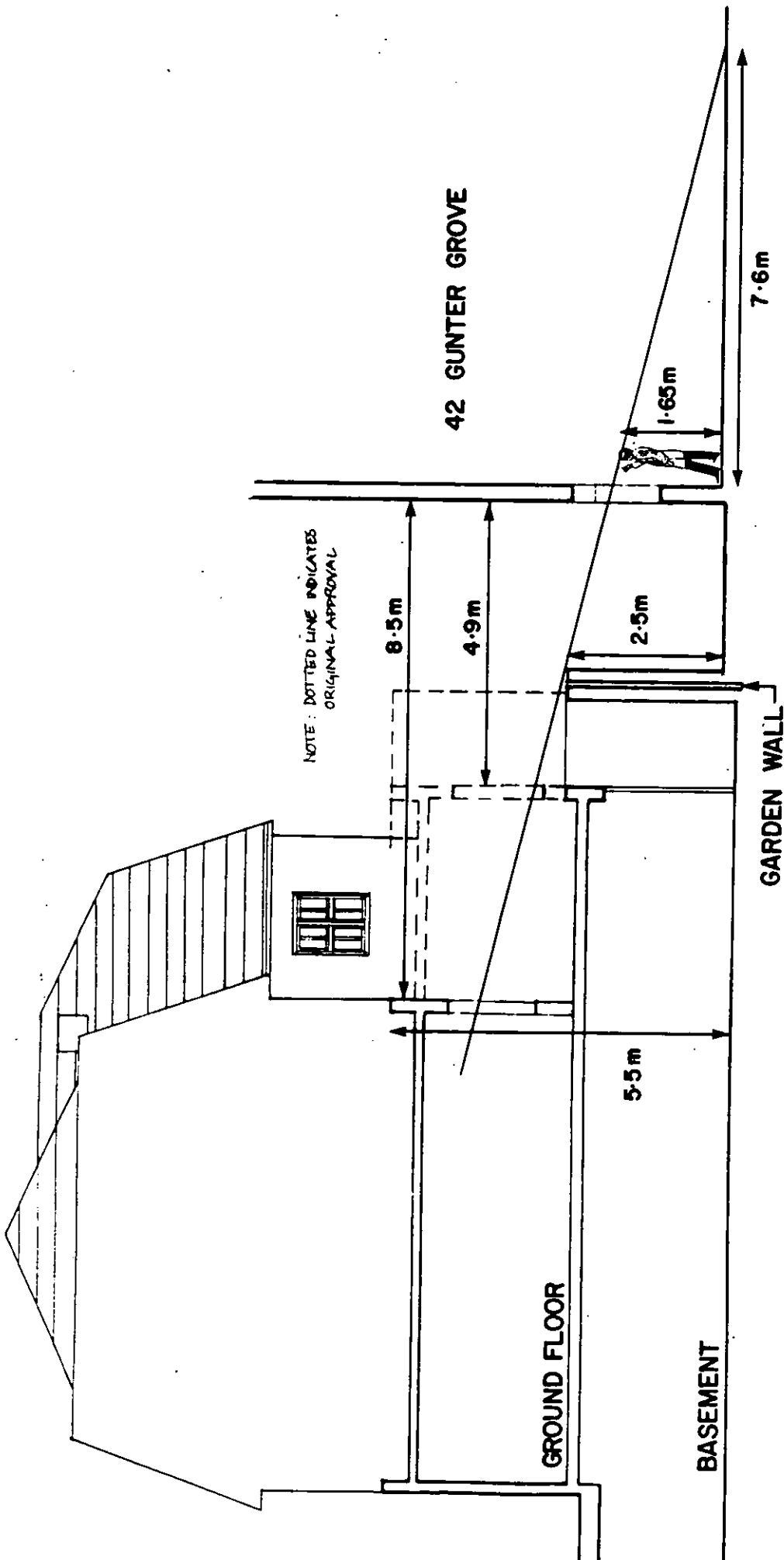
APPENDICES

- APPENDIX 1 : OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE
- APPENDIX 2 : OVERLOOKING FROM 42 GUNTER GROVE TO
PROPOSED DEVELOPMENT
- APPENDIX 3 : SUNLIGHT
- APPENDIX 4 : DISTANCES BETWEEN PROPOSED AND EXISTING
BUILDINGS
- APPENDIX 5 : PROPOSED MODIFICATIONS TO REAR OFFICE BLOCK

APPENDIX 1

OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE





APPENDIX 2

OVERLOOKING FROM

42 GUNTER GROVE

TO PROPOSED DEVELOPMENT



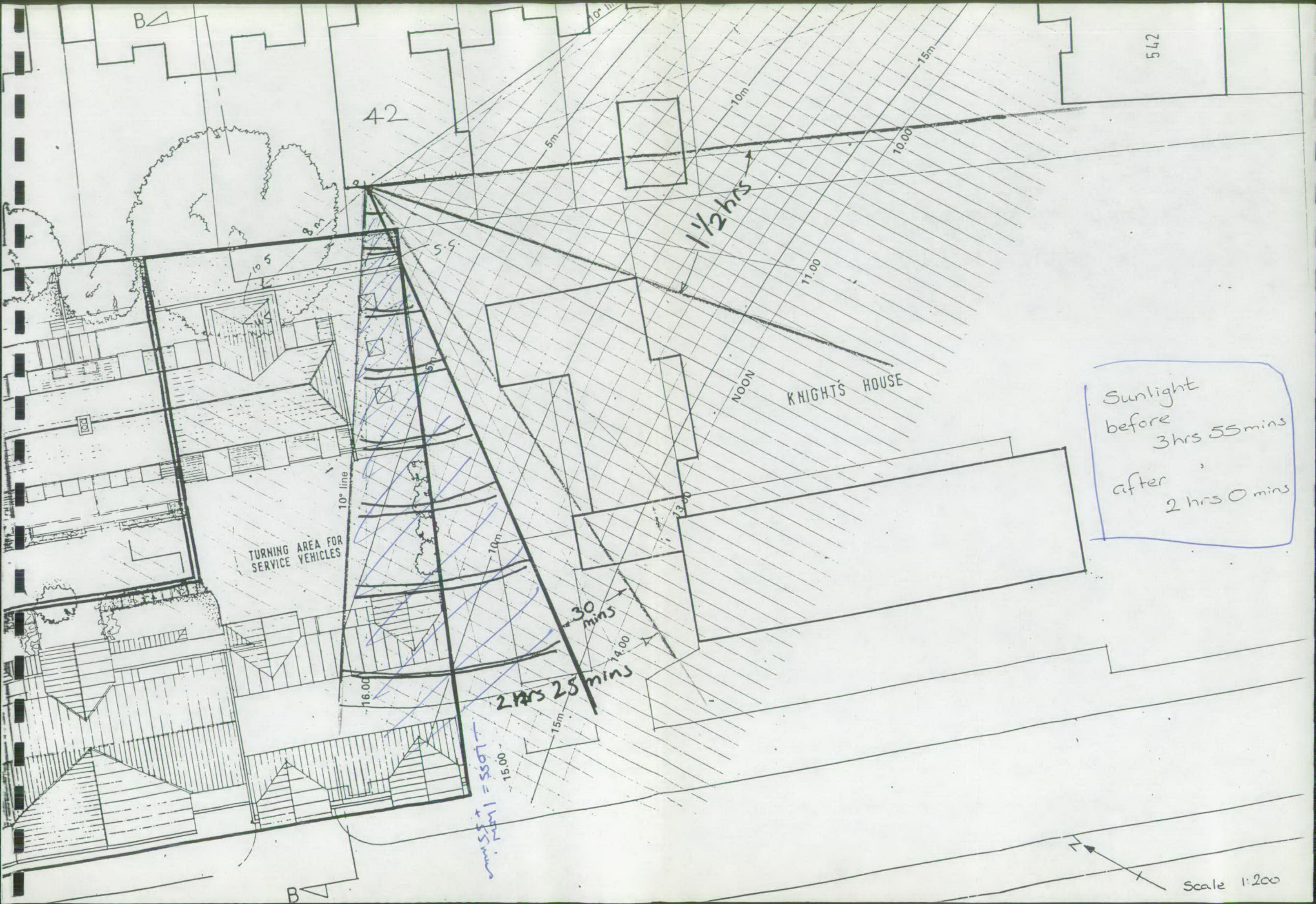
CHARTERED SURVEYORS

11 Hill Street, London, W1X 7FB

Mellier House, 26a Albemarle Street, London, W1X 3FA

Tel: 01 895 1515

SCALE	1:100	DATE	FEBRUARY 1990
JOB NO		DRAWN BY	



542

42

1 1/2 hrs

NOON
KNIGHTS HOUSE

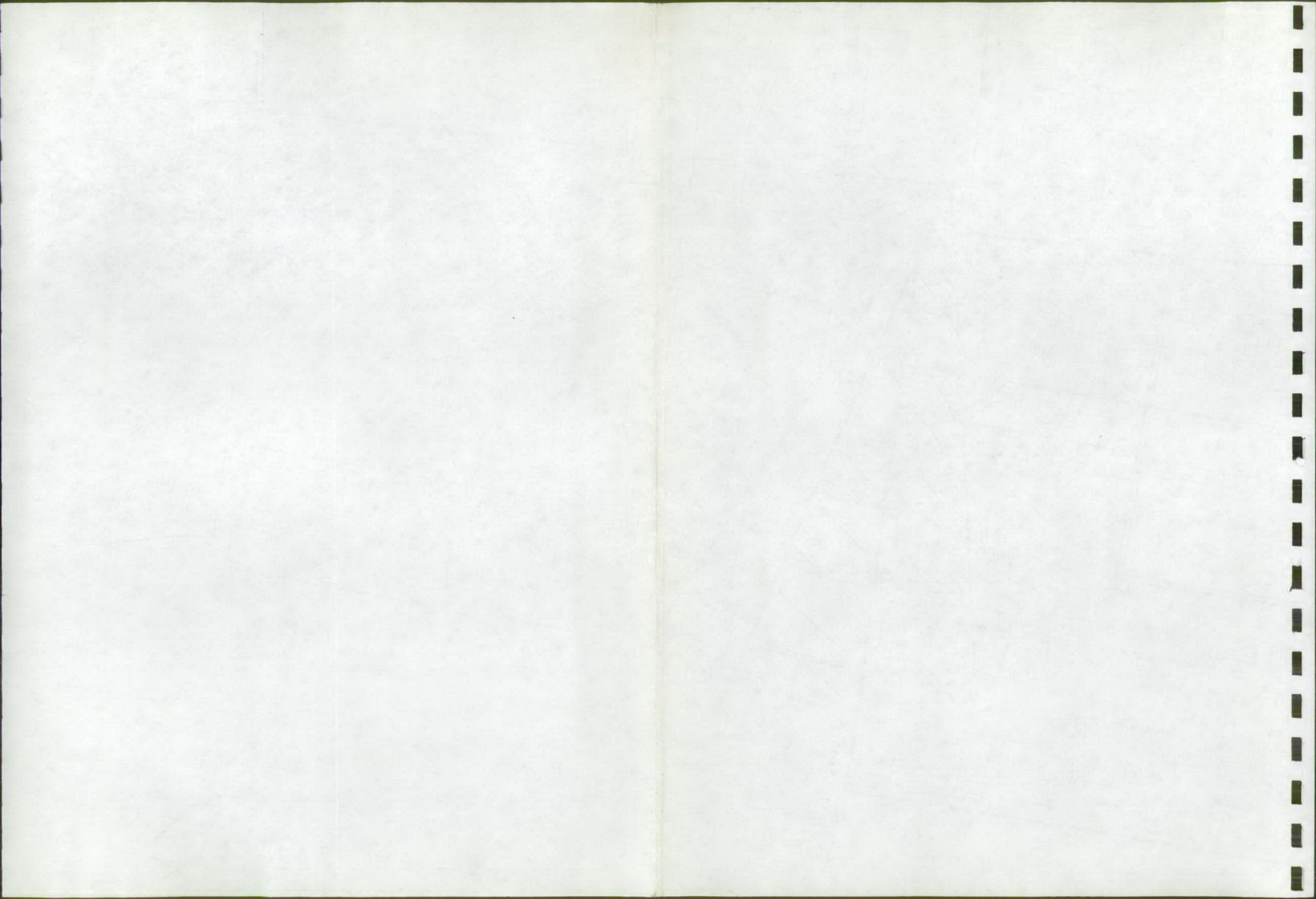
TURNING AREA FOR SERVICE VEHICLES

Sunlight
before
3 hrs 55 mins
after
2 hrs 0 mins

30 mins
2 hrs 25 mins

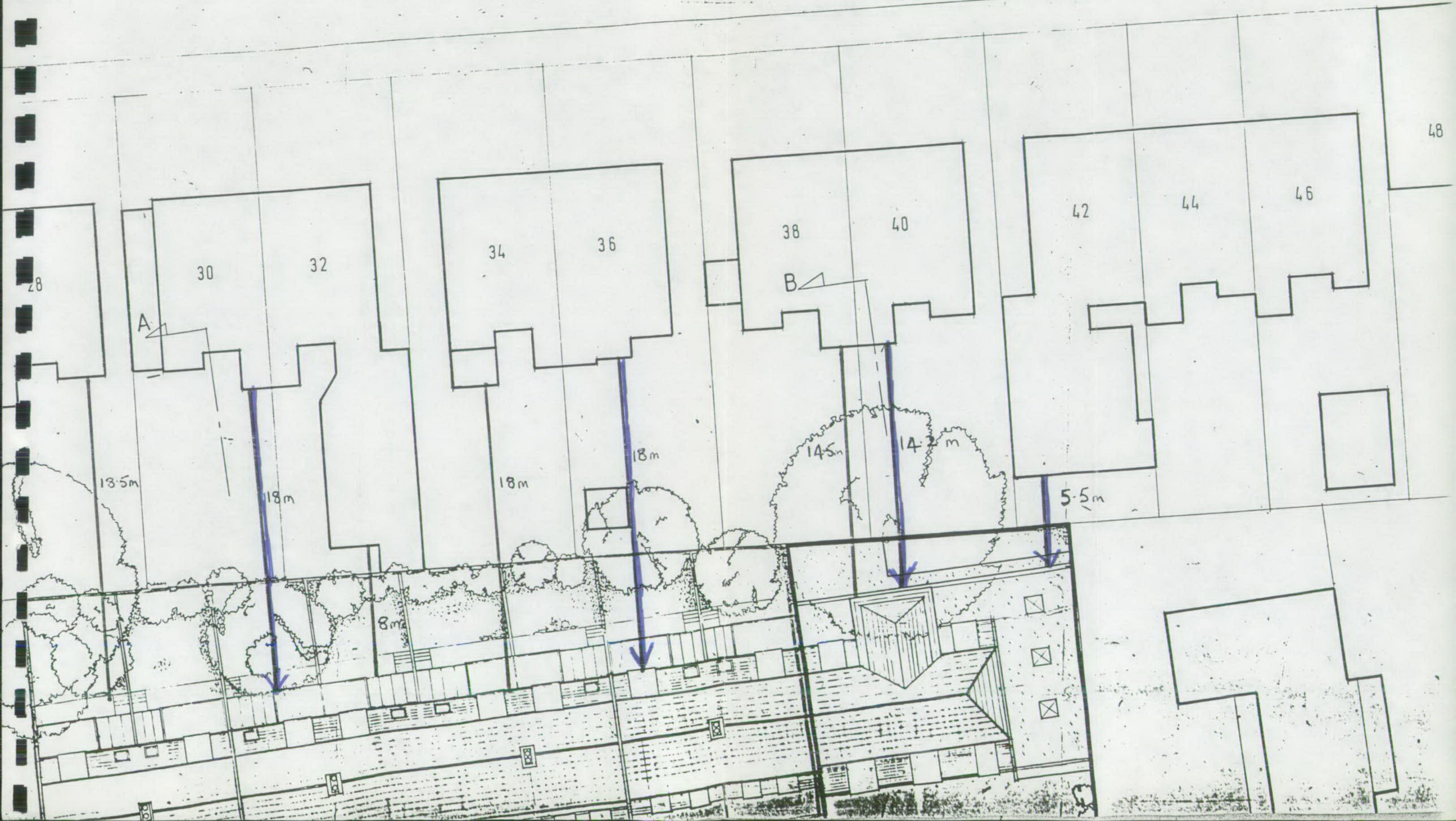
sum 5.5 * 1.5 = 8.25
min 1.5

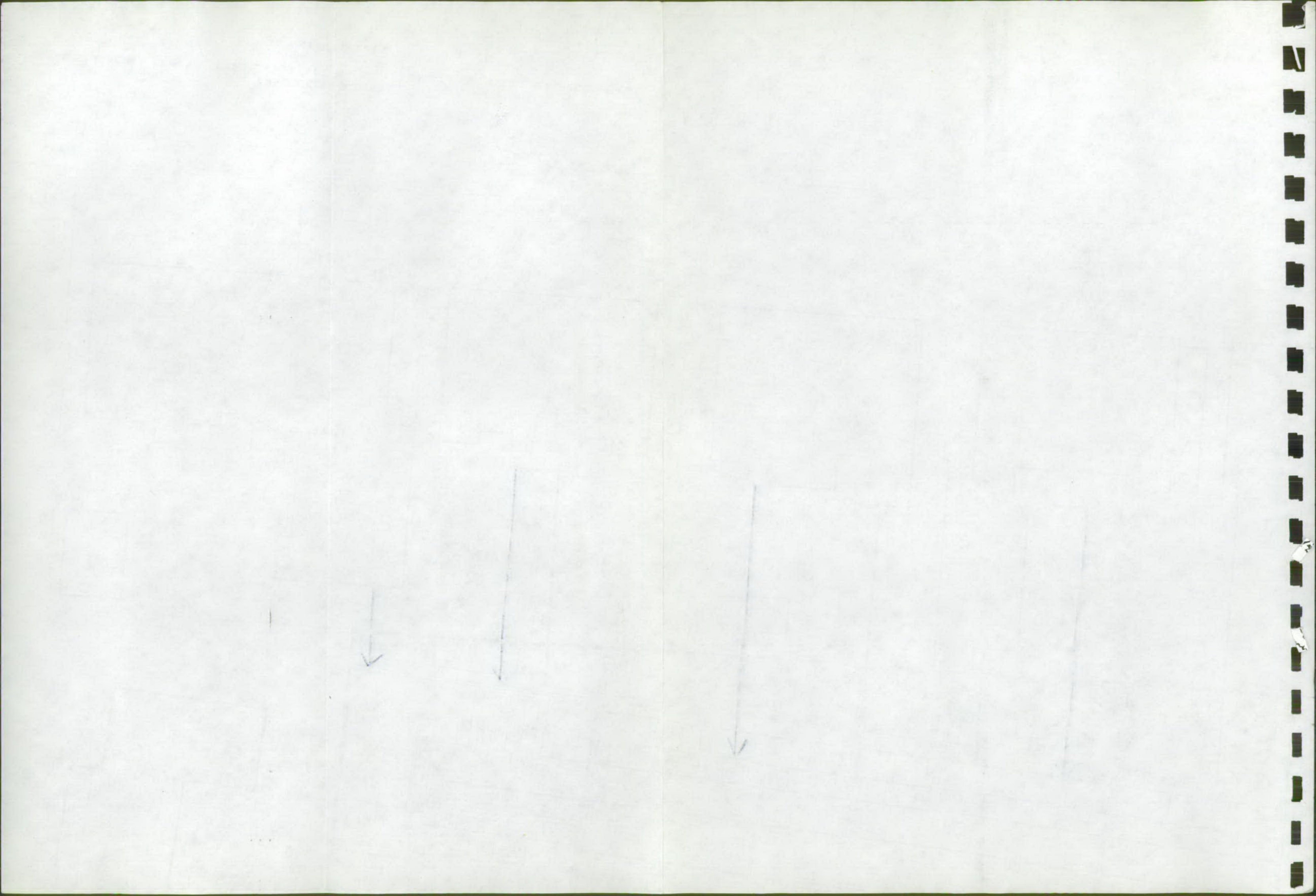
Scale 1:200



APPENDIX 4
DISTANCES BETWEEN PROPOSED AND EXISTING
BUILDINGS

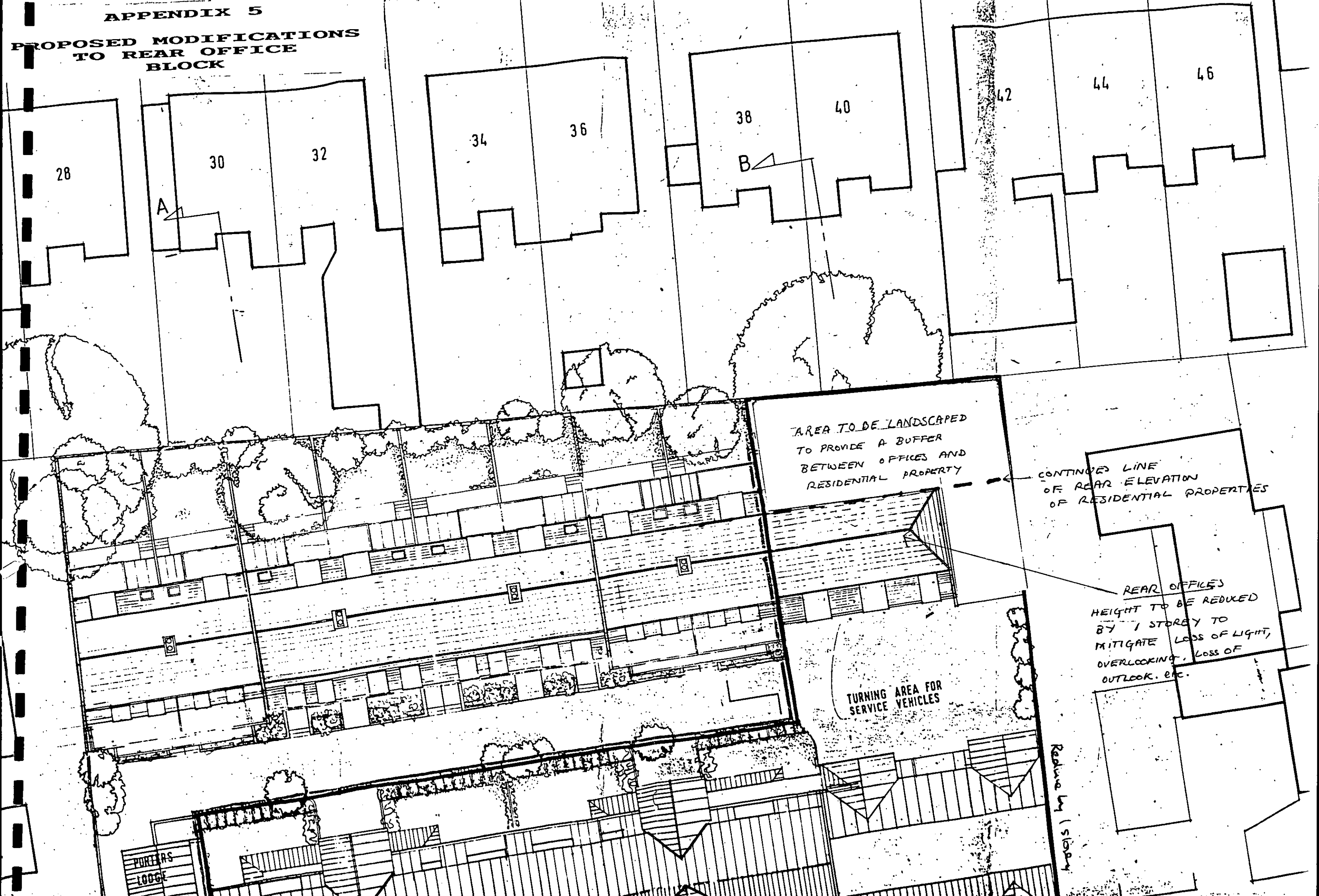
G U N T E R G R O V E





APPENDIX 5

PROPOSED MODIFICATIONS
TO REAR OFFICE
BLOCK



28

30

32

34

36

38

40

42

44

46

A

B

AREA TO BE LANDSCAPED
TO PROVIDE A BUFFER
BETWEEN OFFICES AND
RESIDENTIAL PROPERTY

CONTINUED LINE
OF REAR ELEVATION
OF RESIDENTIAL PROPERTIES

REAR OFFICES
HEIGHT TO BE REDUCED
BY 1 STOREY TO
MITIGATE LOSS OF LIGHT,
OVERLOOKING, LOSS OF
OUTLOOK, E.C.

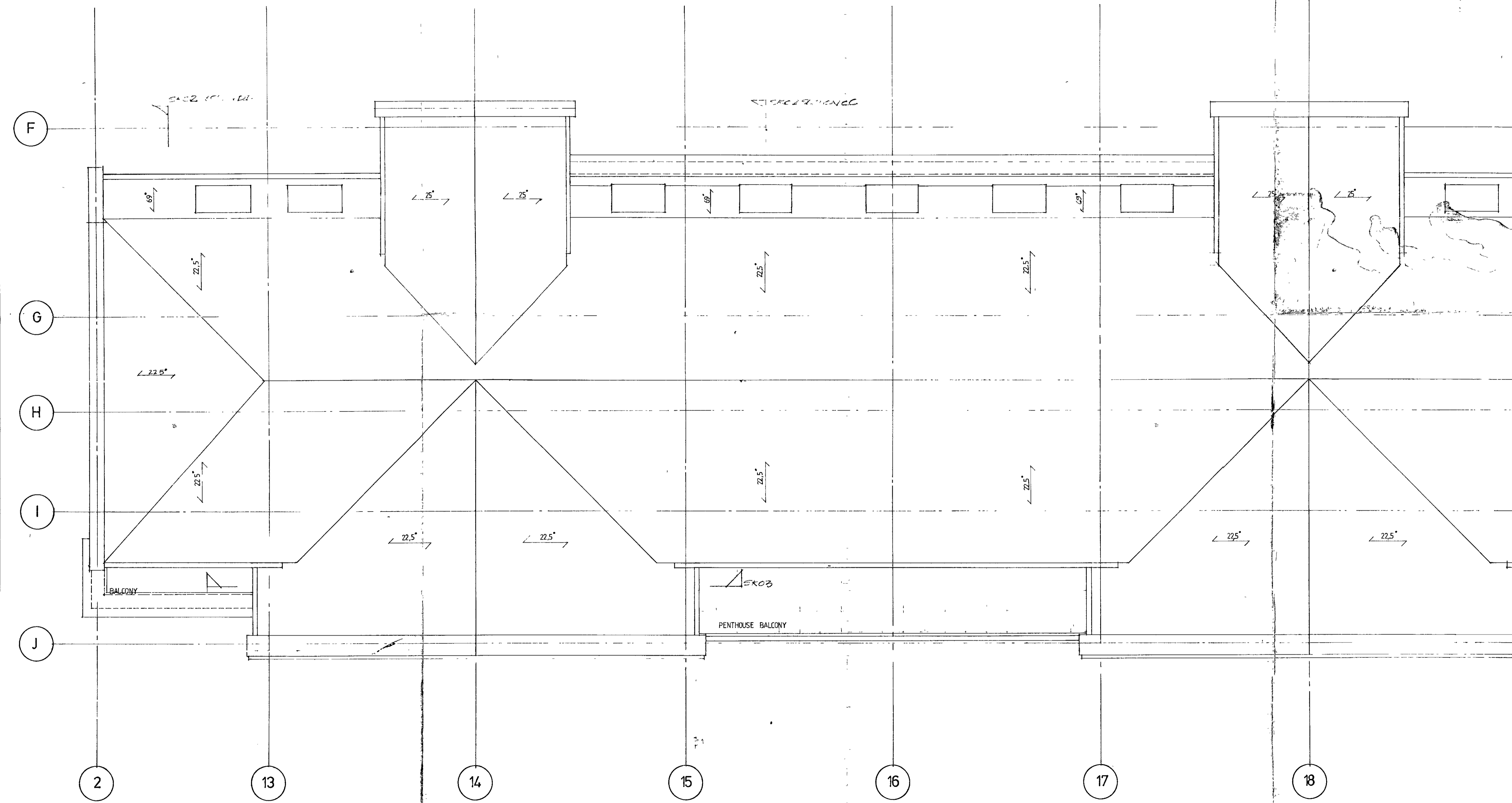
TURNING AREA FOR
SERVICE VEHICLES

PORTERS
LODGE

Reduce by 1 storey

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	30/09	AMEND GABLE END TO BE A NEW RED WOOD TRIMMERS & GARD LINE @



Job: HORTENSIAL ROAD

Title: FLATS ROOF PLAN

Drawn: [Signature] Date: 8.8.83

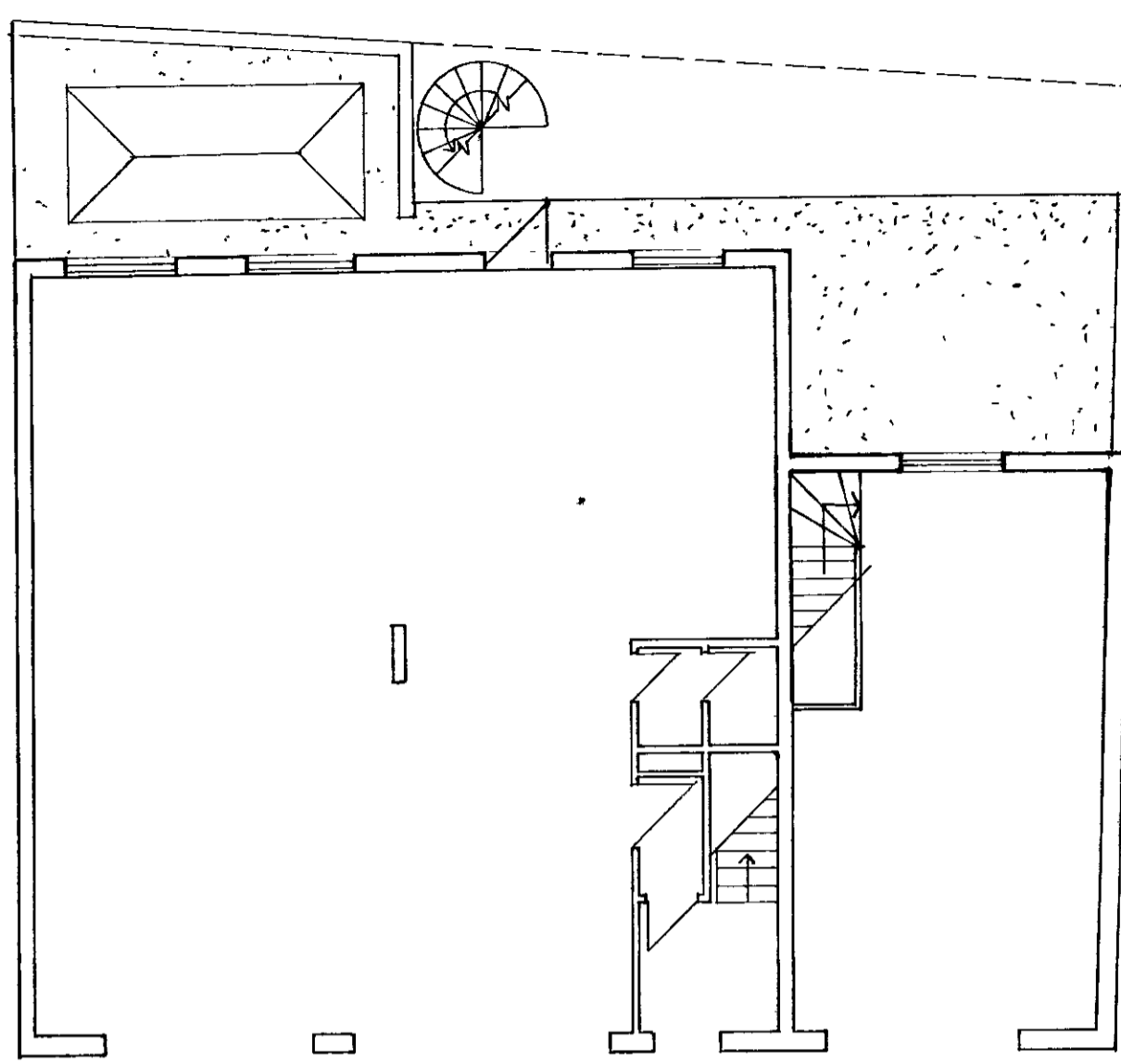
Drawing No: HTN 4/L(2)-17 A

Scale: 1:50

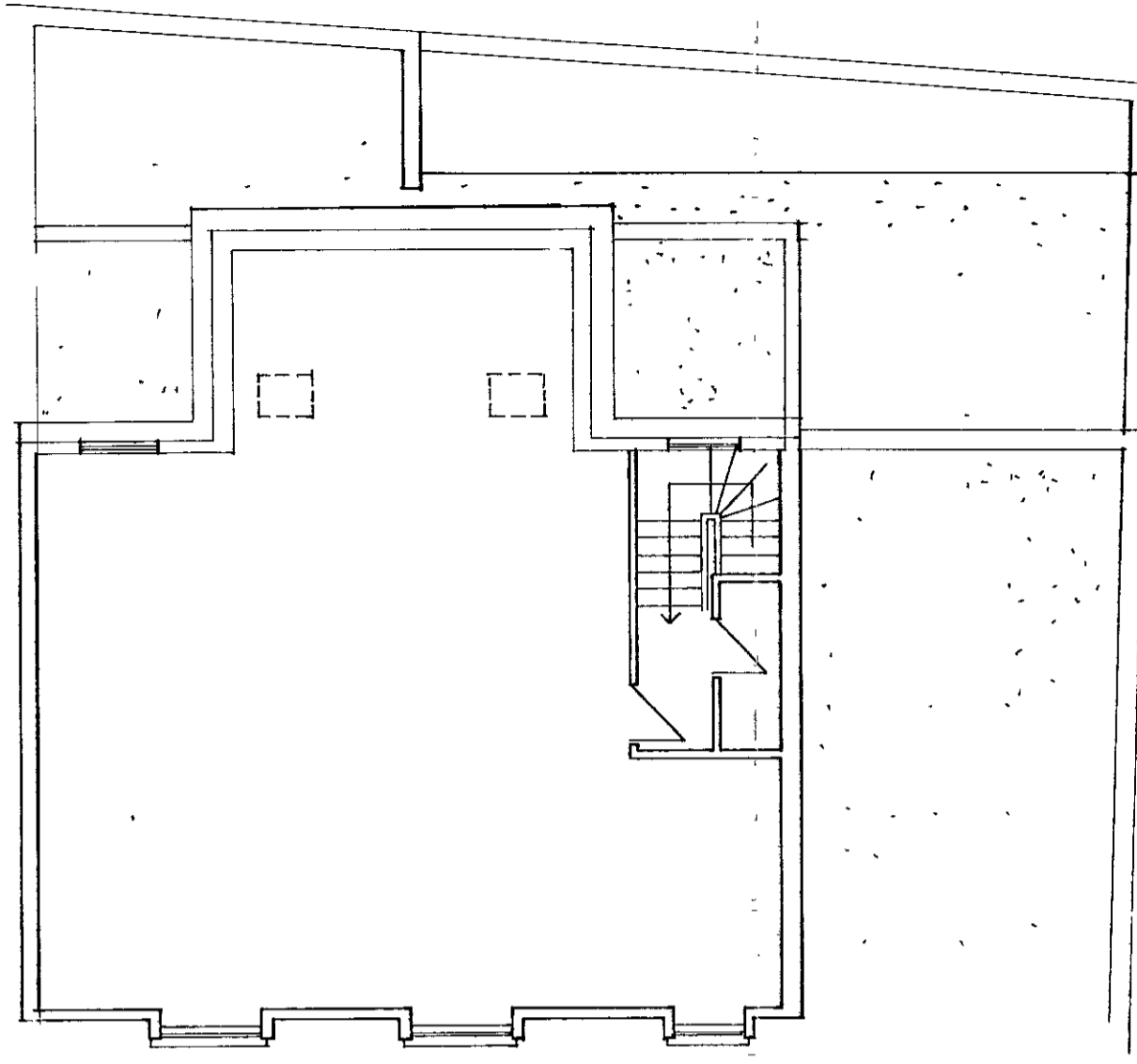
TP/89/2137 (112)

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

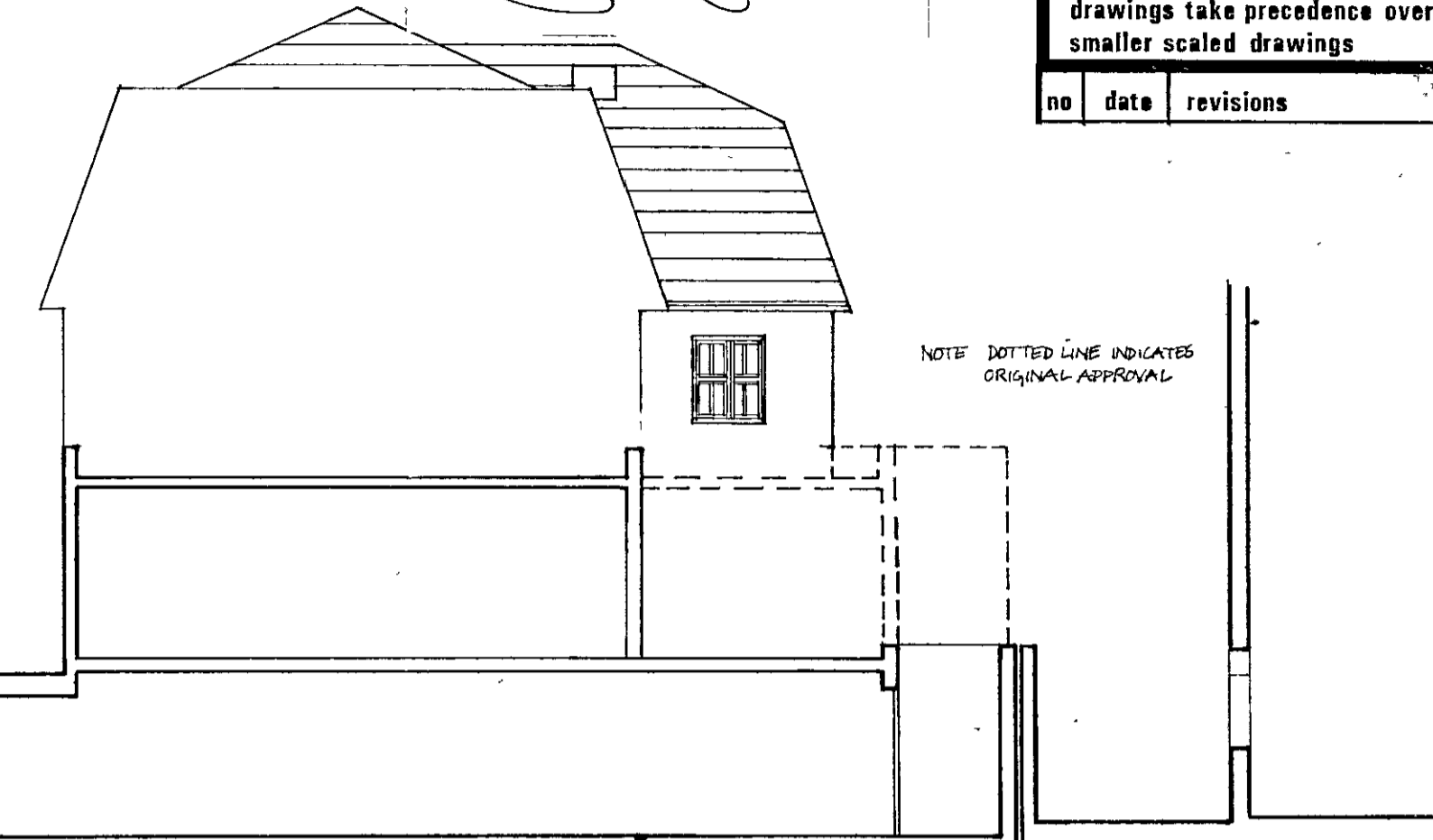
no	date	revisions



GROUND FLOOR unit 1+2



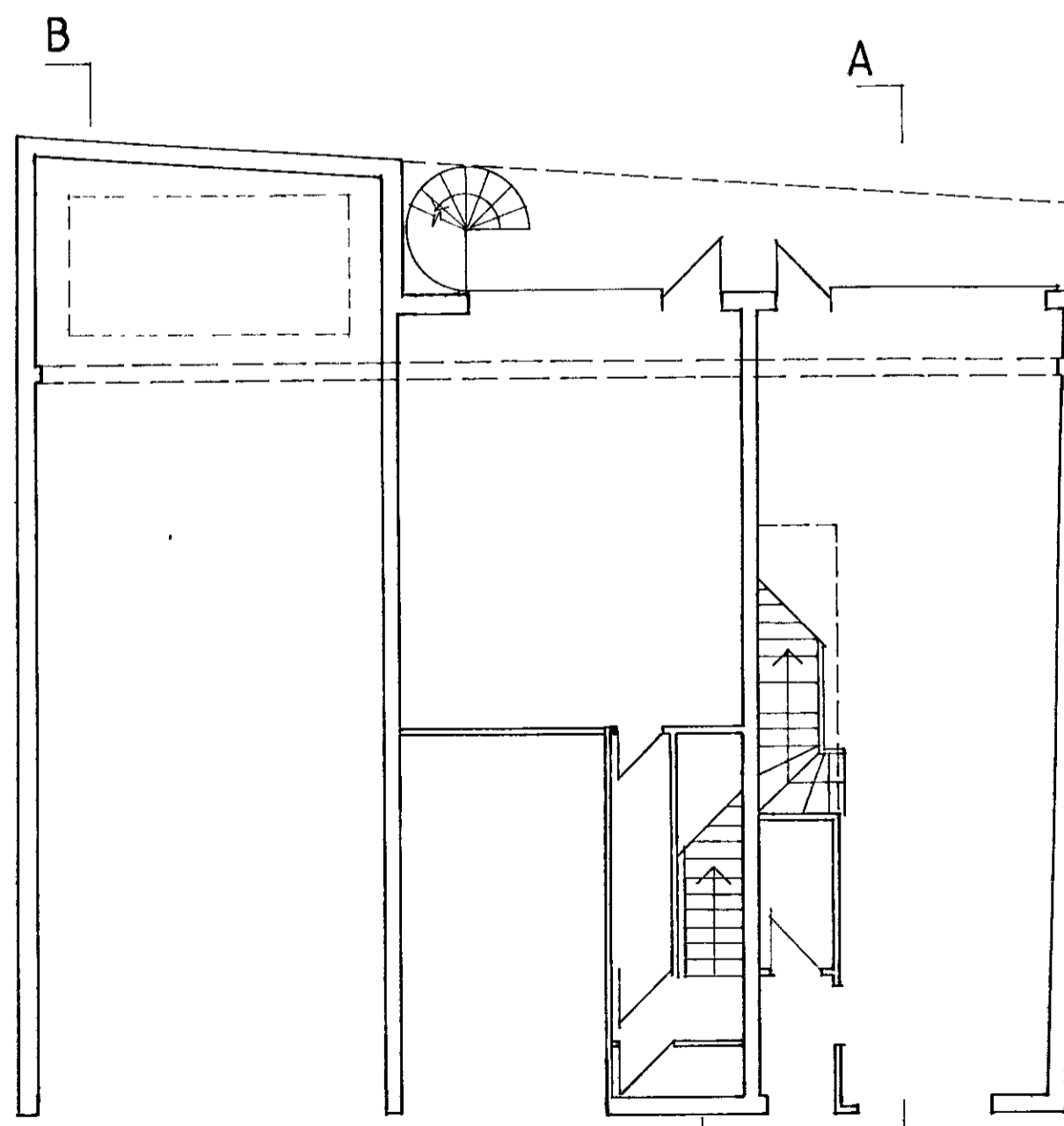
SECOND FLOOR unit 1



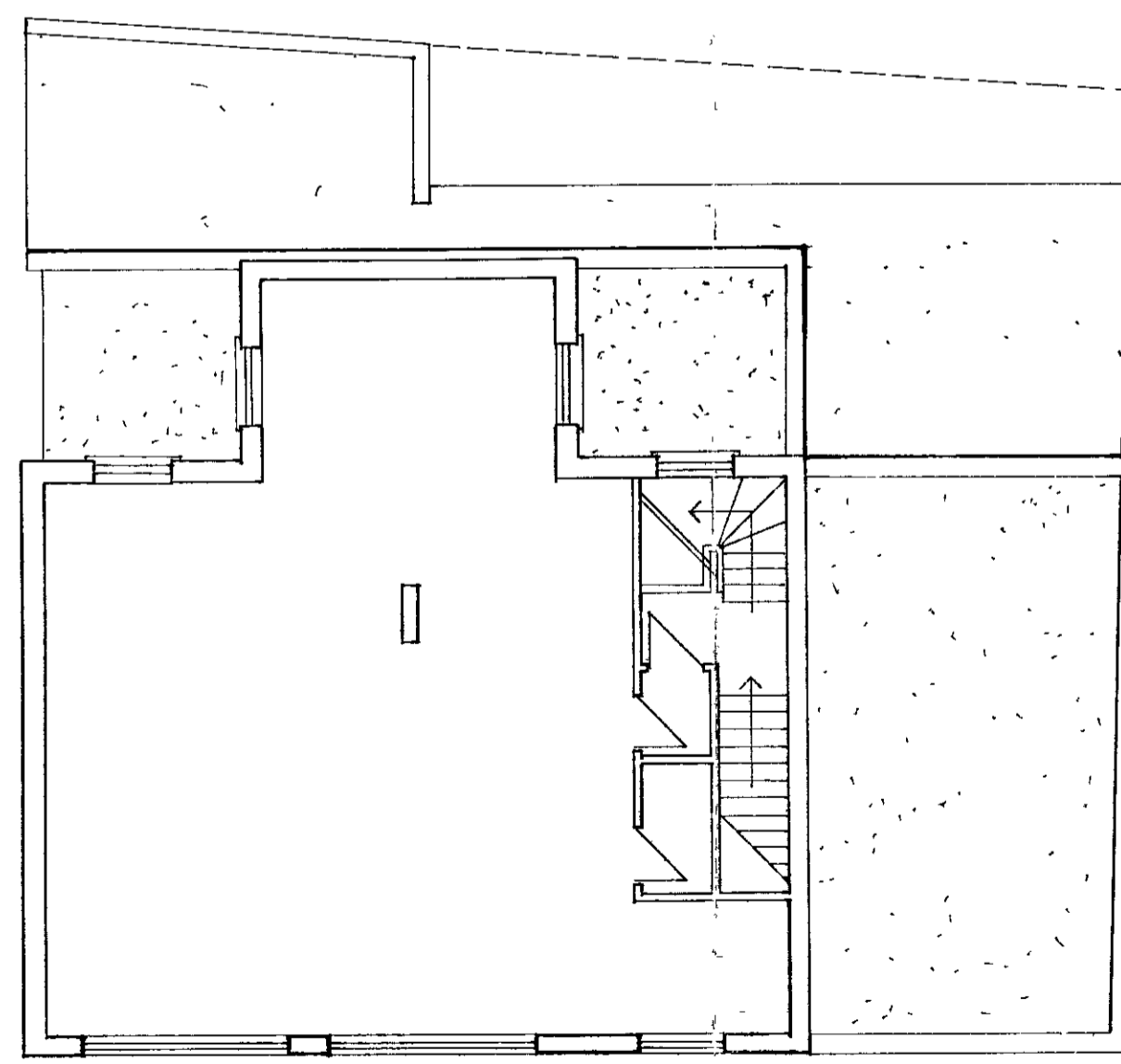
SECTION A-A

NOTE: DOTTED LINE INDICATES ORIGINAL APPROVAL

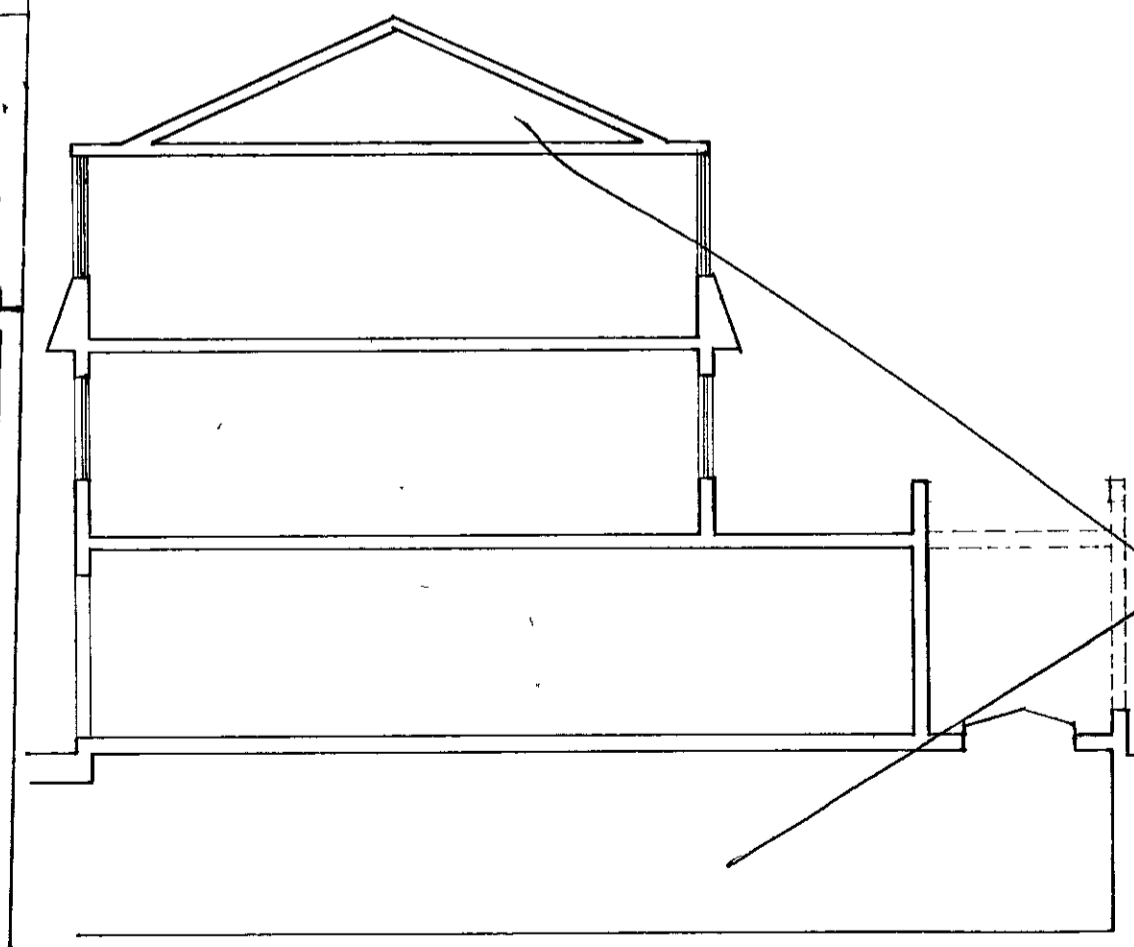
substandard



BASEMENT unit 2



FIRST FLOOR unit 1



SECTION B-B

TP89/2137/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

COLWYN FOULKES & PARTNERS
 Chartered Architects, Planning & Landscape Consultants
 Colwyn Bay 0492 2735
 Cardiff 0222 31833
 London 01 937 1444

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

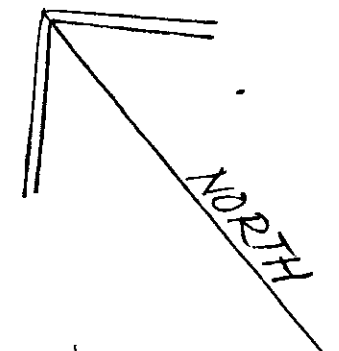
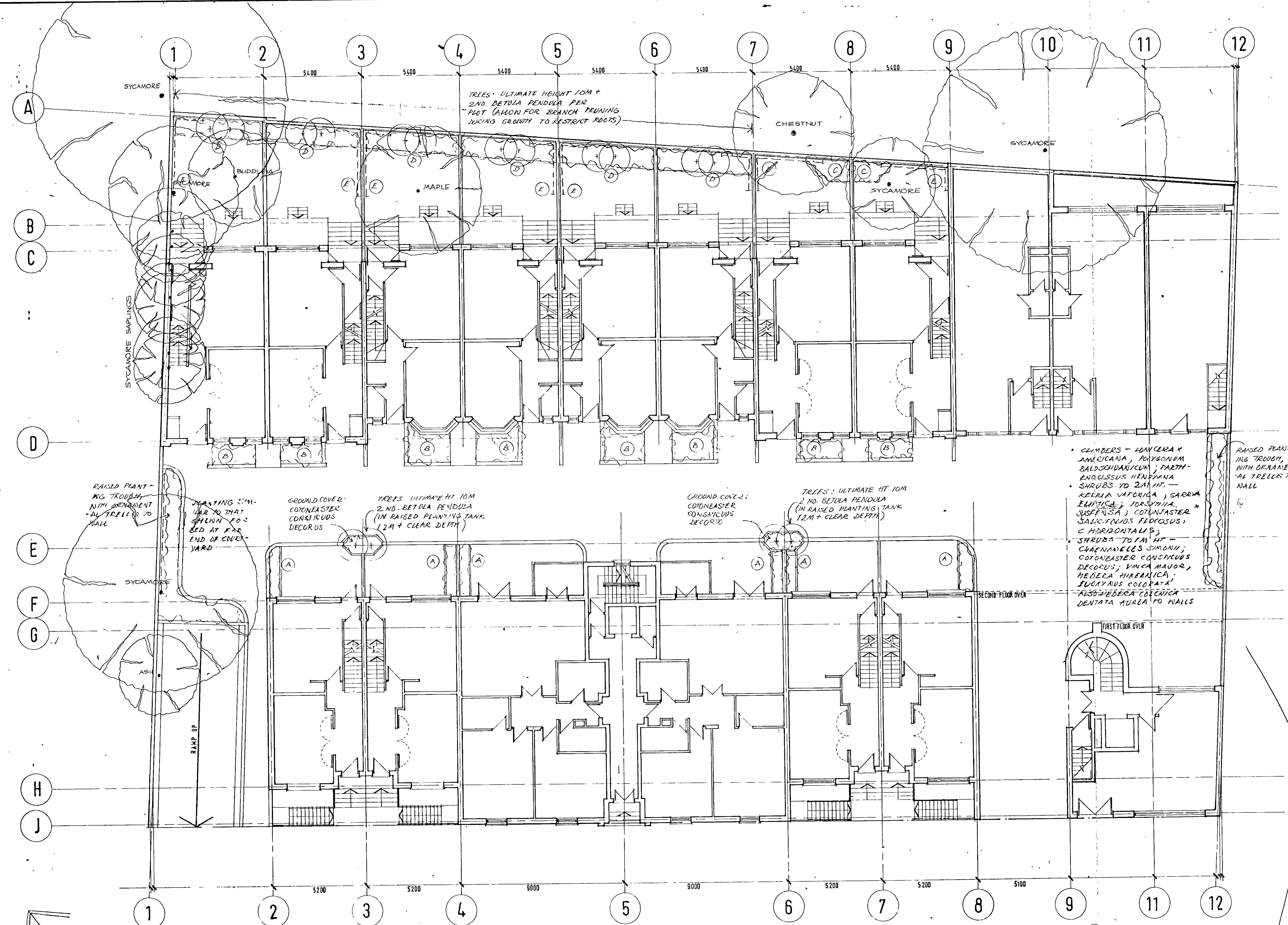
Drawn By
 On 18 DEC 89

Drawing No
 HTN/01/113 rev E

Scale
 1:100

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



KEY:

- (A) PLANTING TO RAISED TROUGH AGAINST SCREEN WALLS:
 - CLIMBERS - HEDERA COLCHICA DENTATA AUREA; PARTHENOCISSUS HENRYANA
 - WALL SHRUBS TO 2M HT - CHAENOMELES LACTEUS; COTONEASTER LACTEUS; C. HORIZONTALIS; FORSYTHIA SUSPENSIVA; GARRYA TILIFFICA; EUCALYPTUS PUNICATA
 - SHRUBS TO 1M HT - BERBERIS VARS
- (B) PLANTING TO RAISED BEDS AT ENT- RANCES:
 - EUCALYPTUS VARS, YUCCA FILAMENTOSA
 - GROUND COVER - VINCA VARS; COT- ONEASTER VARS
 - SHRUBS TO 1-2M HT - CHAENOMELES SIMONII; EUCALYPTUS TORUNJAI VARS; EUCALYPTUS CONSPICUUS BICOLOR;
- (C) WALL SHRUBS TO CORNER LOCATIONS:
 - SHRUBS TO 2M HT - JASMINUM NUDI- FLORUM; PIRACANTHA ROBERTSIANA
 - SHRUBS TO 1M HT - BERBERIS VARS; EUCALYPTUS VARS, COTONEASTER VARS
- (D) PLANTING TO REAR SCREEN WALLS:
 - CLIMBERS - HEDERA COLCHICA DENTATA; PARTHENOCISSUS HENRYANA; HYDRANGEA PETIOLATA (TO SIDE WALLS)
 - WALL SHRUBS TO 2M HT - CHAENOMELES VARS; ESCALLONIA VARS; FORSYTHIA SUSPENSIVA; COTONEASTER LACTEUS; BERBERIS VARS
- (E) CLIMBERS TO WALL TRELLIS, PLANTED IN PORTABLE PLANTERS:
 - CLEMATIS VARS, WITH SEREF VIA CORNFOLIA AS GROUND COVER
 - --- TRELLIS SYSTEM AND WALL DECORATION SYSTEM BY THWAITES + PITT, OR SIMILAR

CLIMBERS - LONICERA X AMERICANA, POLYGONUM BALDSCHEANICUM; PARTH- ENOCISSUS HENRYANA

SHRUBS TO 2M HT - KERRIA VAFORICA; GARRYA TILIFFICA; FORSYTHIA SUSPENSIVA; COTONEASTER SALICIFOLIUS FLOCCOSUS; C. HORIZONTALIS

SHRUBS TO 1M HT - CHAENOMELES SIMONII; COTONEASTER CONSPICUUS DECORUS; VINCA MAJOR; HEDERA HIREANICA; EUCALYPTUS COLOPATA

ALSO HEDERA COLCHICA DENTATA AUREA TO WALLS

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

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0492 53738 01 938 2484

Job: HORTENSIA ROAD

Title: LANDSCAPING

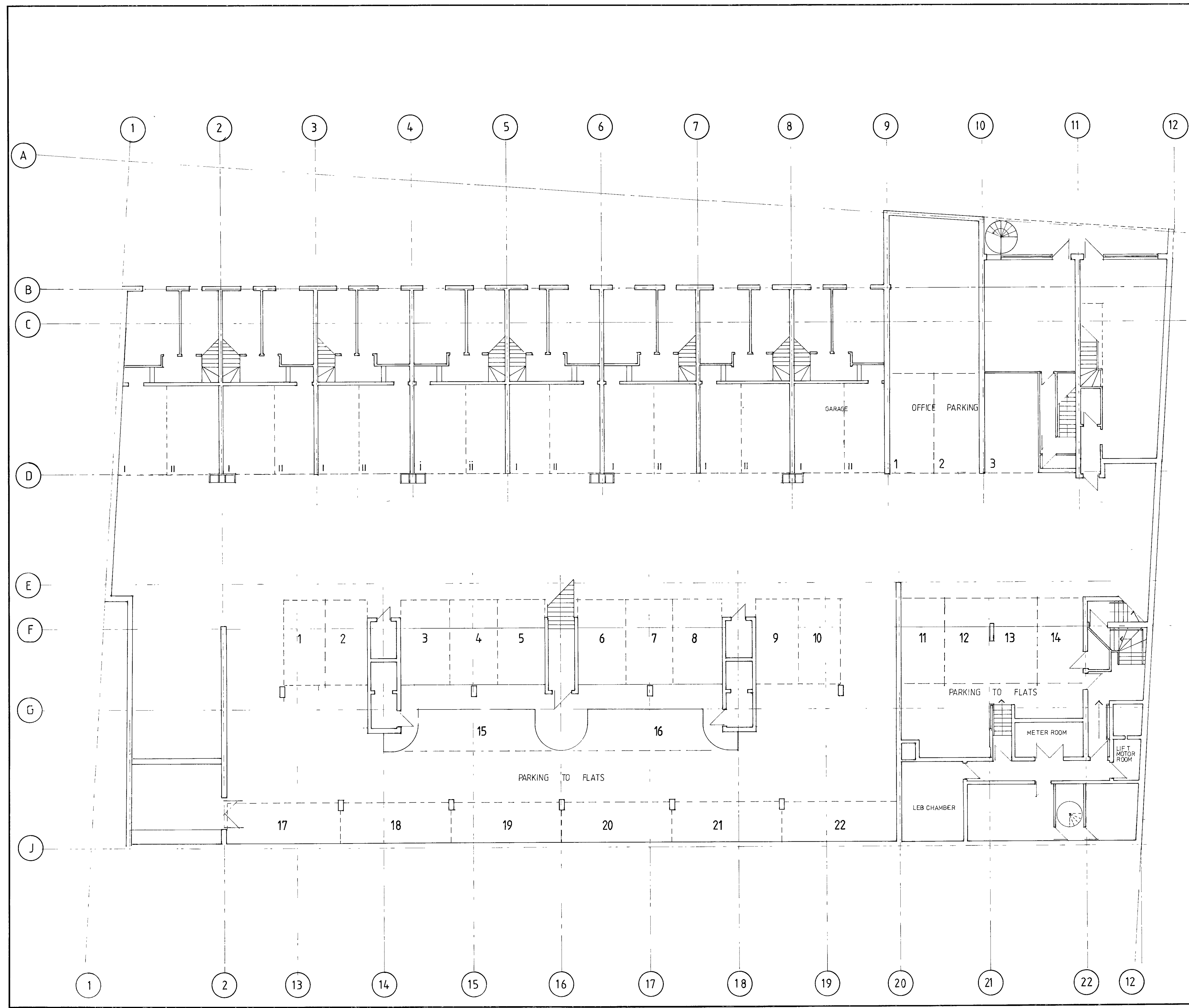
Drawn: COY Date: MAY 1988

Drawing No: HTN/L(1)-04

Scale: 1:100

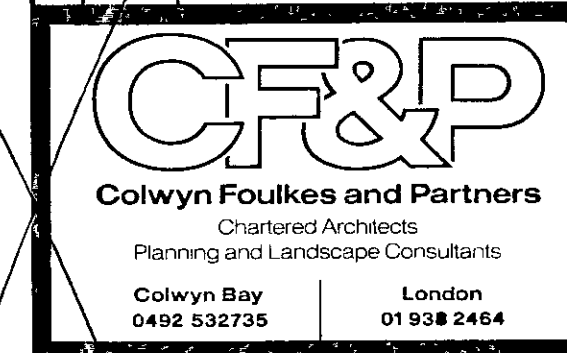
This drawing must not be scaled
 Figured dimensions, levels, etc., only
 are to be used
 Any inaccuracies, etc must be
 notified to the Architect
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings

no	date	revisions



TP/29/2137/B.
 19/2/90

A 2/90 REVISIONS



Job
 HORTENSIA ROAD

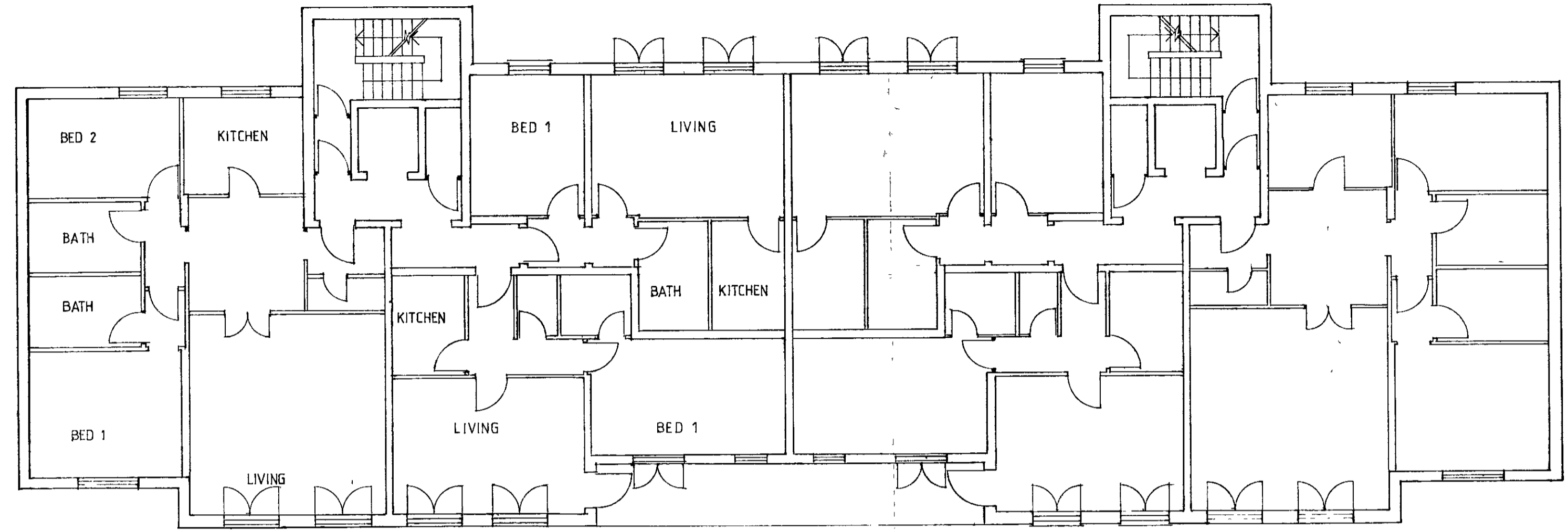
Title
 BASEMENT PLAN
 PLANNING

Drawn	Date
	11.89

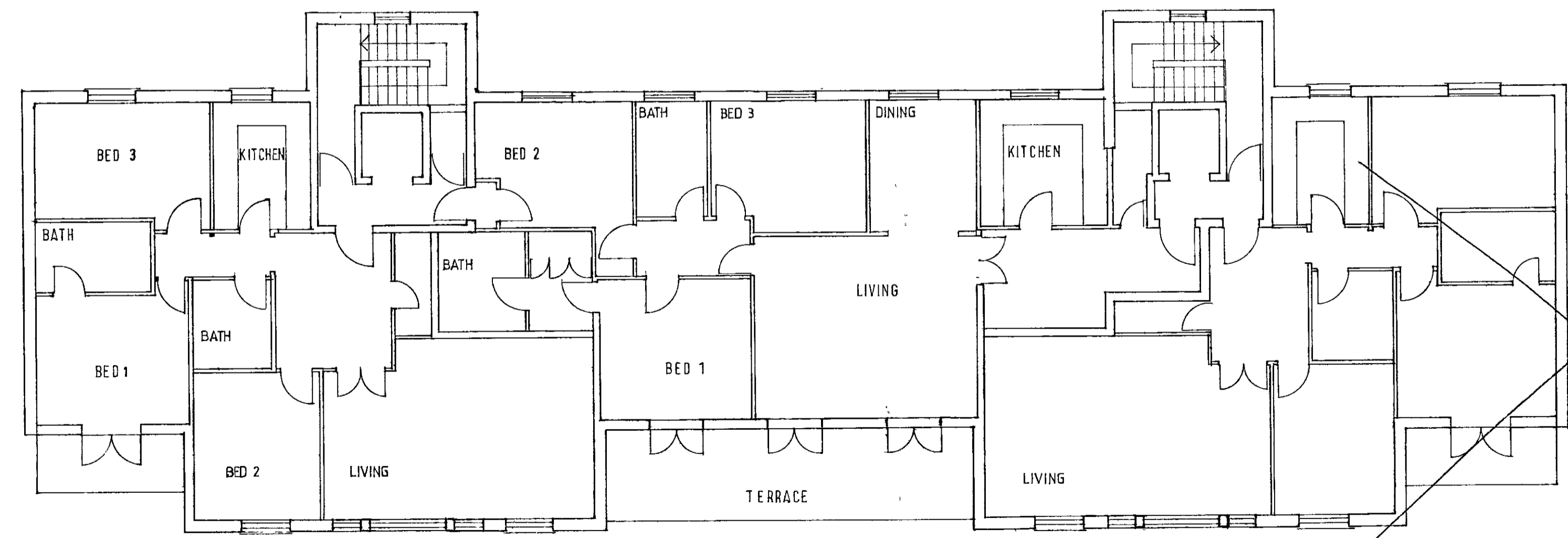
Drawing No	
HTN	01 119 A

Scale	
1	100

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.



FIRST FLOOR ALTERNATE PLAN WITH ONE BED FLATS



PENTHOUSE PLAN ALTERNATE PLAN WITH THREE x THREE BED FLATS

no	date	revisions
A	DEC 89	PLANNING DRAWINGS UPDATED TO CORRELATE WITH WORKING DRAWINGS

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

Job
 HORTENSIA ROAD
 LONDON

Title
 ALTERNATE FLAT PLANS

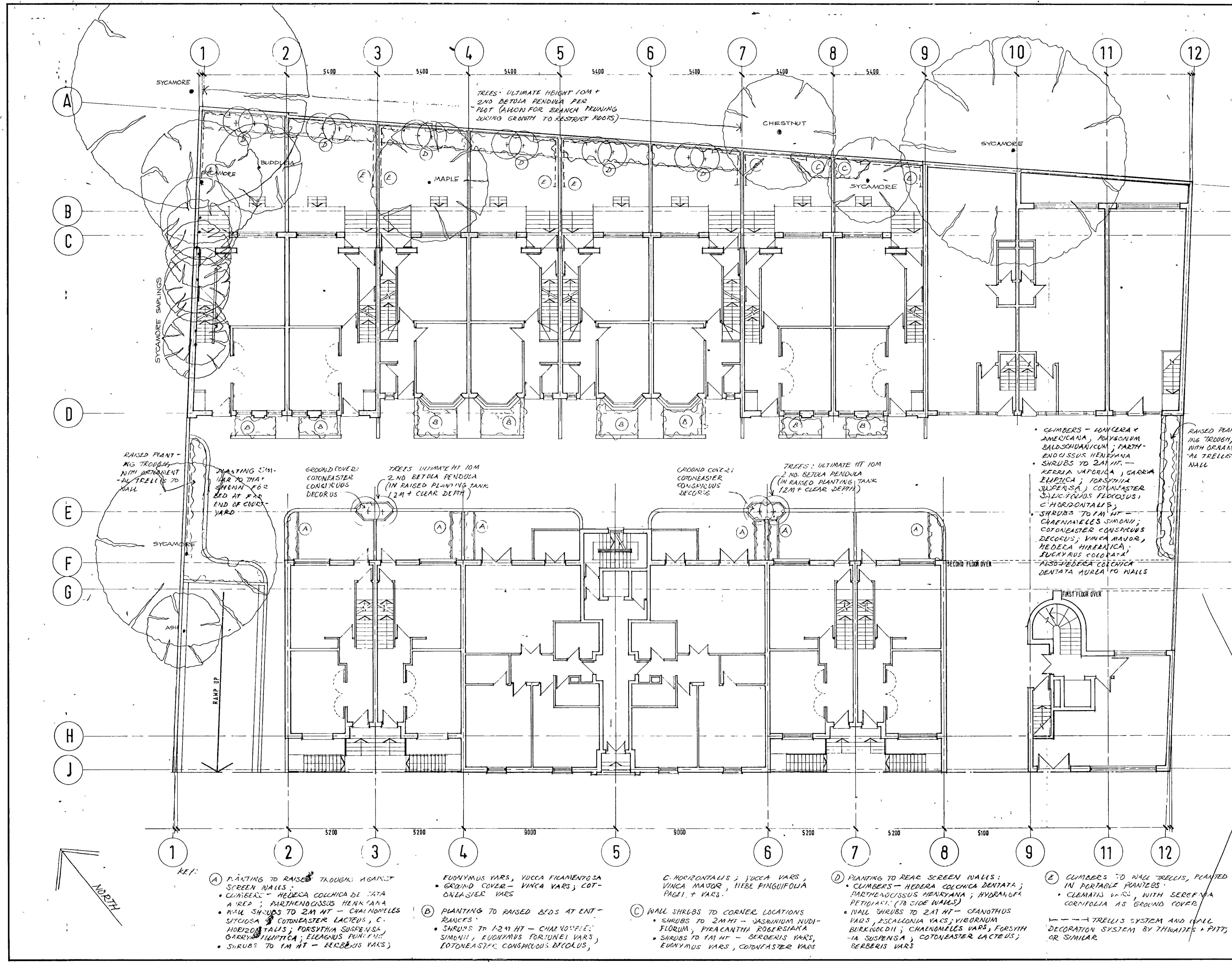
Drawn | **Date**
 | DEC 88

Drawing No
 HTN / 01 / 122

Scale
 1/100

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



RECEIVED BY D. P. T.
 6 NOV 1989

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay G48 8ZT58 London 01 938 2464

Job
HORTENSIA ROAD

Title
LANDSCAPING

Drawn
 COY Date
MAY 1988

Drawing No
HTN/L(1)-04

Scale
1:100

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.

Notes

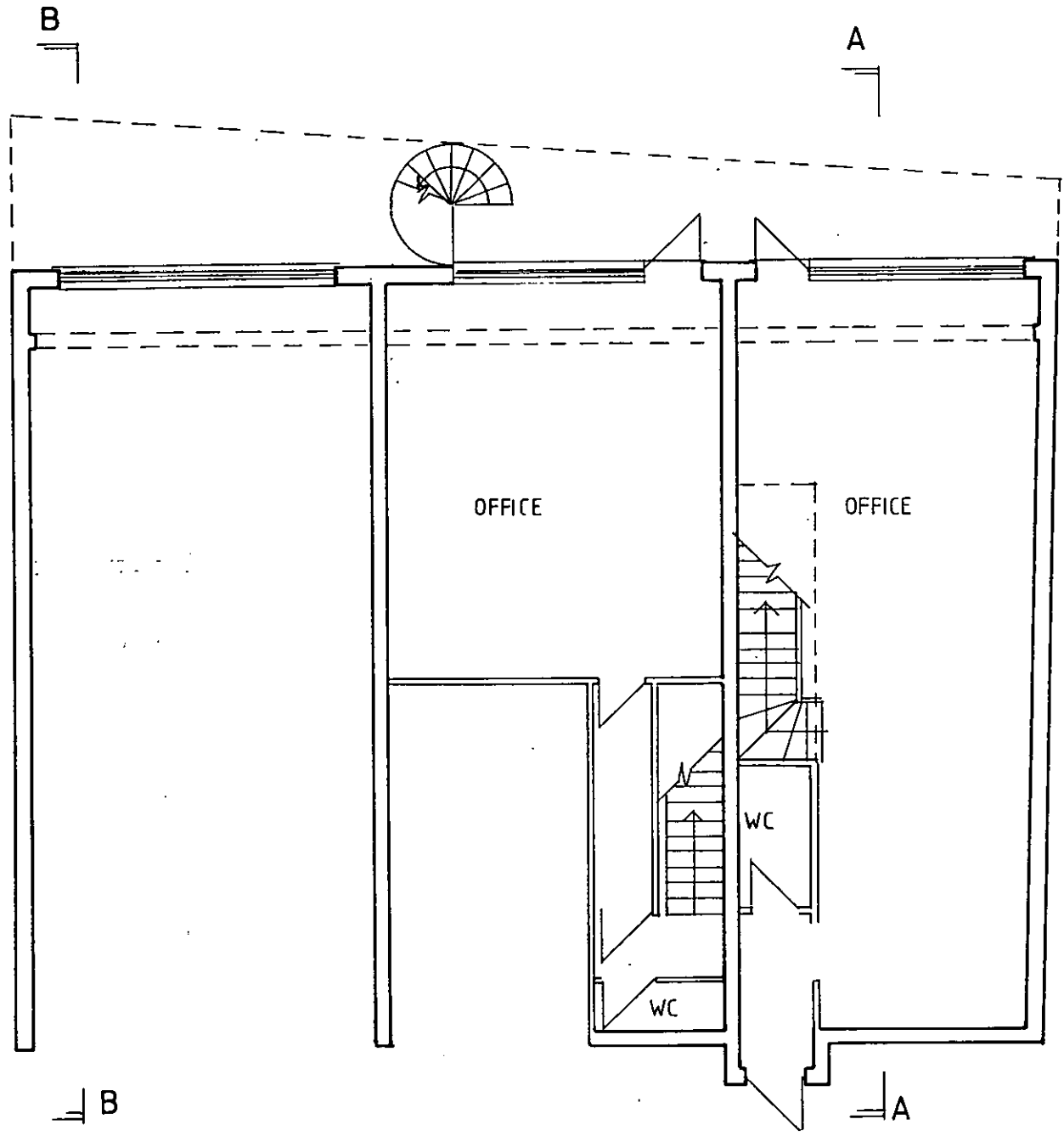
Revisions		
no	date	details

Project
HORTENSIA ROAD

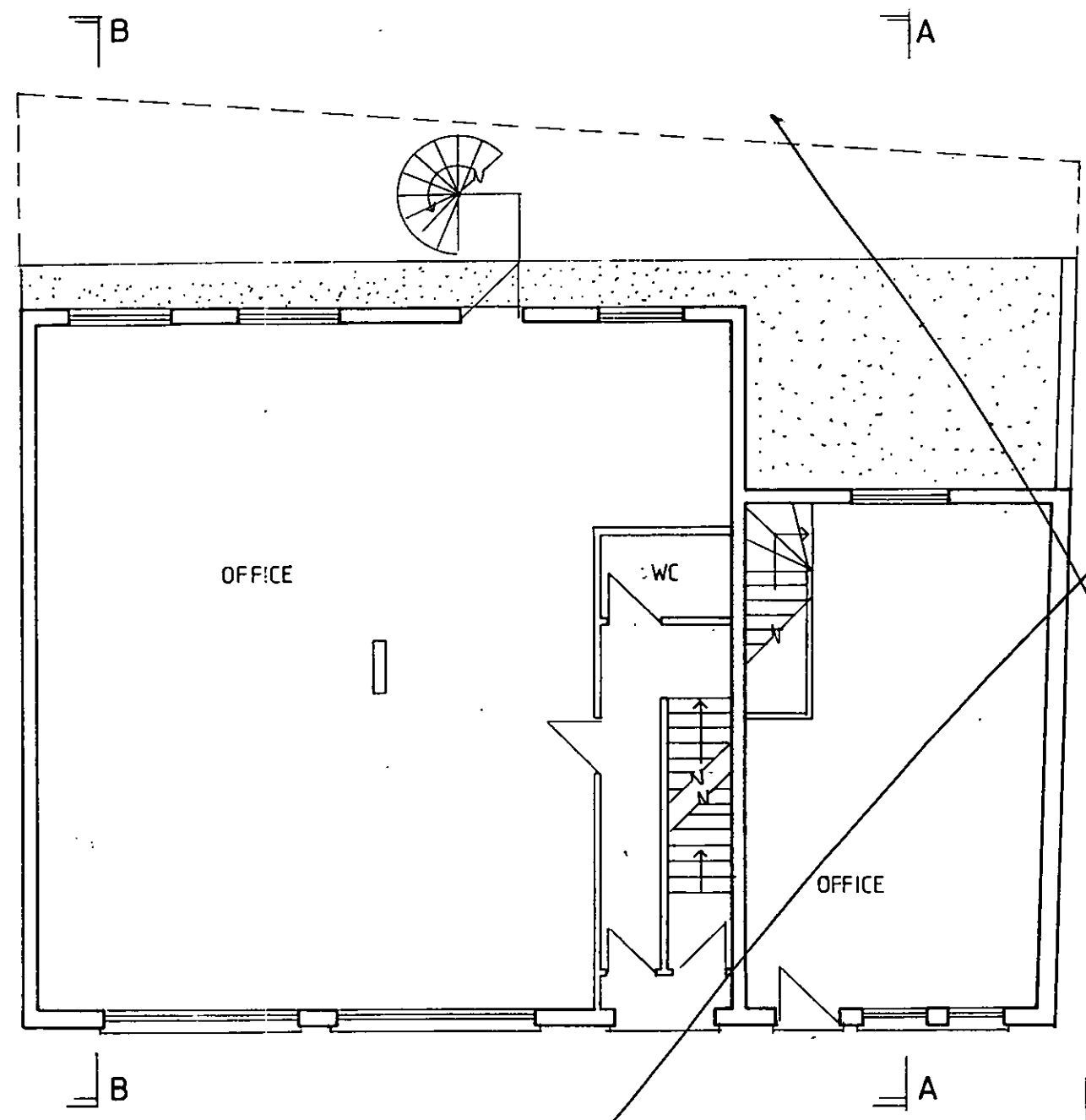
Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 BASEMENT & GROUND FLOOR PLANS

scale	drawn	date
1:100		APRIL 90

No HTN / 4 / 01 125



BASEMENT



GROUND FLOOR

Handwritten signature and date: 18/04/2001

RECEIVED

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay	London	Knutsford
0492 532735	01-938 2464	0565 52126

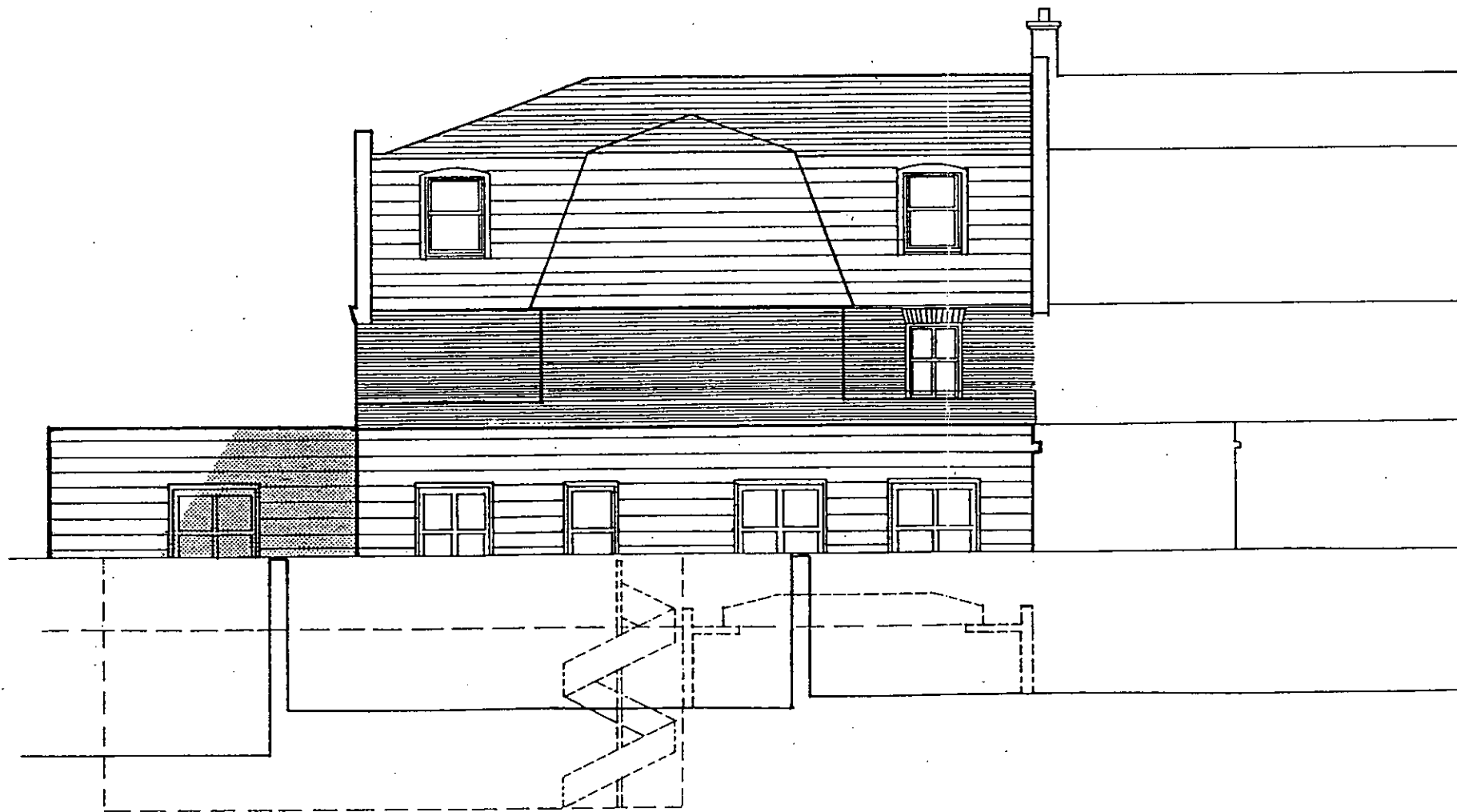


FRONT ELEVATION

ROOF
Blue black eternit slate

WALLS
Kithurst red brick
Painted render

WINDOWS
painted softwood



REAR ELEVATION

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.

Notes

Revisions

no	date	details

Project
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1 & 2
INCORPORATING RESIDENTIAL
ACCOMMODATION
ELEVATIONS

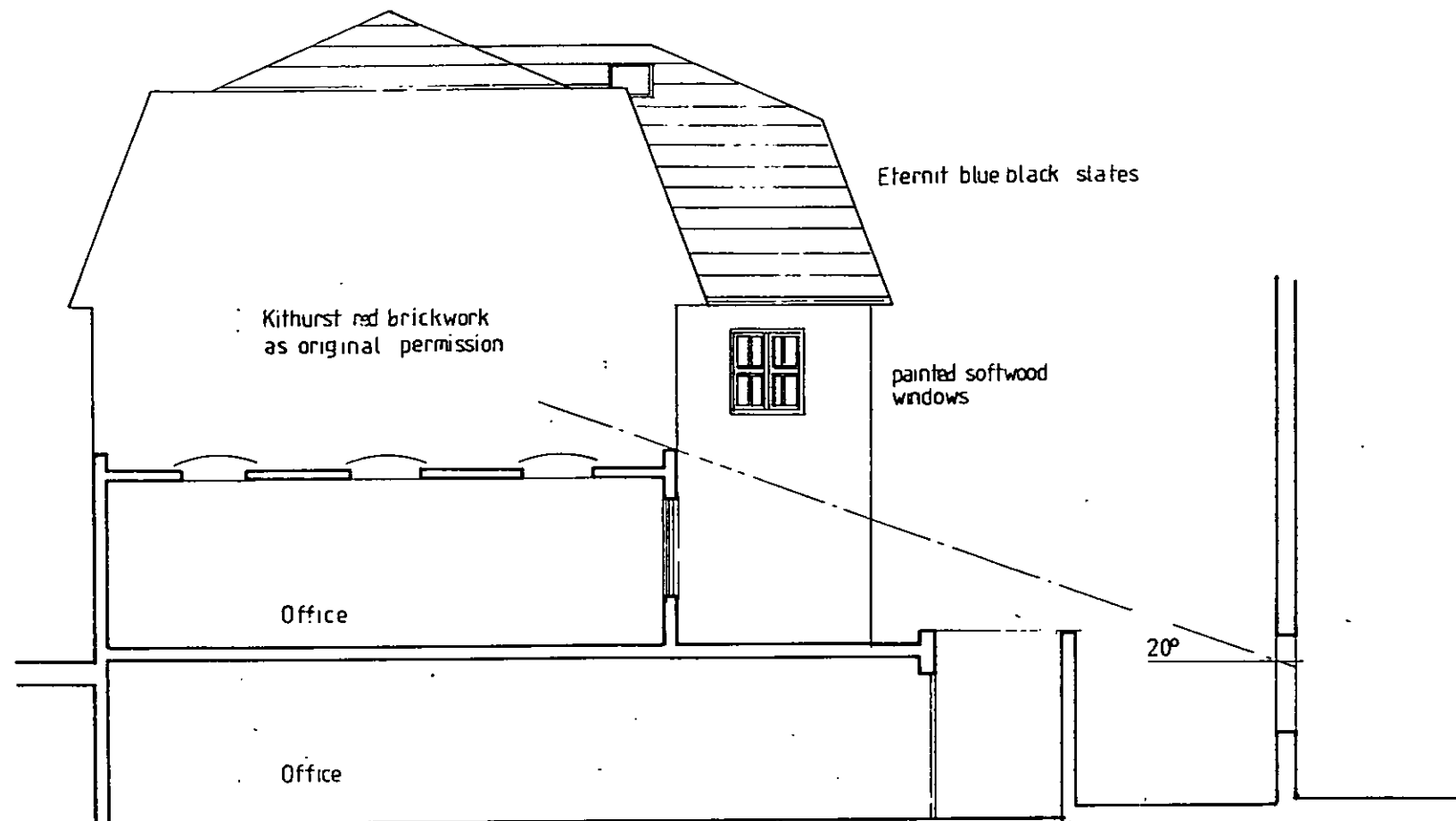
scale 1:100	drawn	date APRIL 90
----------------	-------	------------------

No HTN 4 01 128

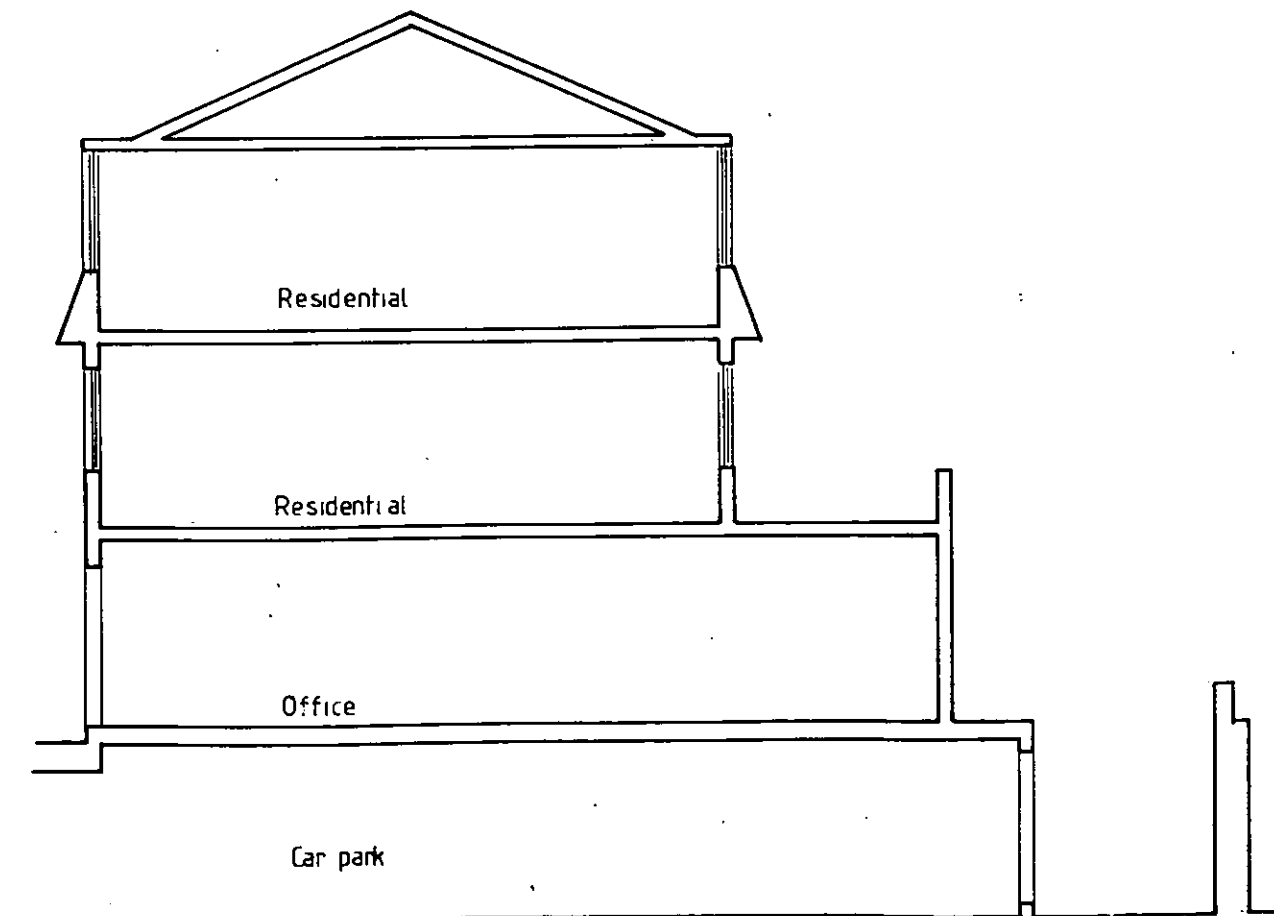
12/89/2/375

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



SECTION A-A



SECTION B-B

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.

Notes

Revisions

no	date	details

Project
HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 SECTIONS

scale 1:100	drawn	date APRIL 90
----------------	-------	------------------

No HTN 4 01 127

TC/89/2137E

CF&P

Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

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.

Notes

Revisions

no	date	details

Project
 HORTENSIA ROAD

Title
 REAR OFFICE UNITS 1&2
 INCORPORATING RESIDENTIAL
 ACCOMMODATION
 FIRST AND SECOND FLOOR PLANS

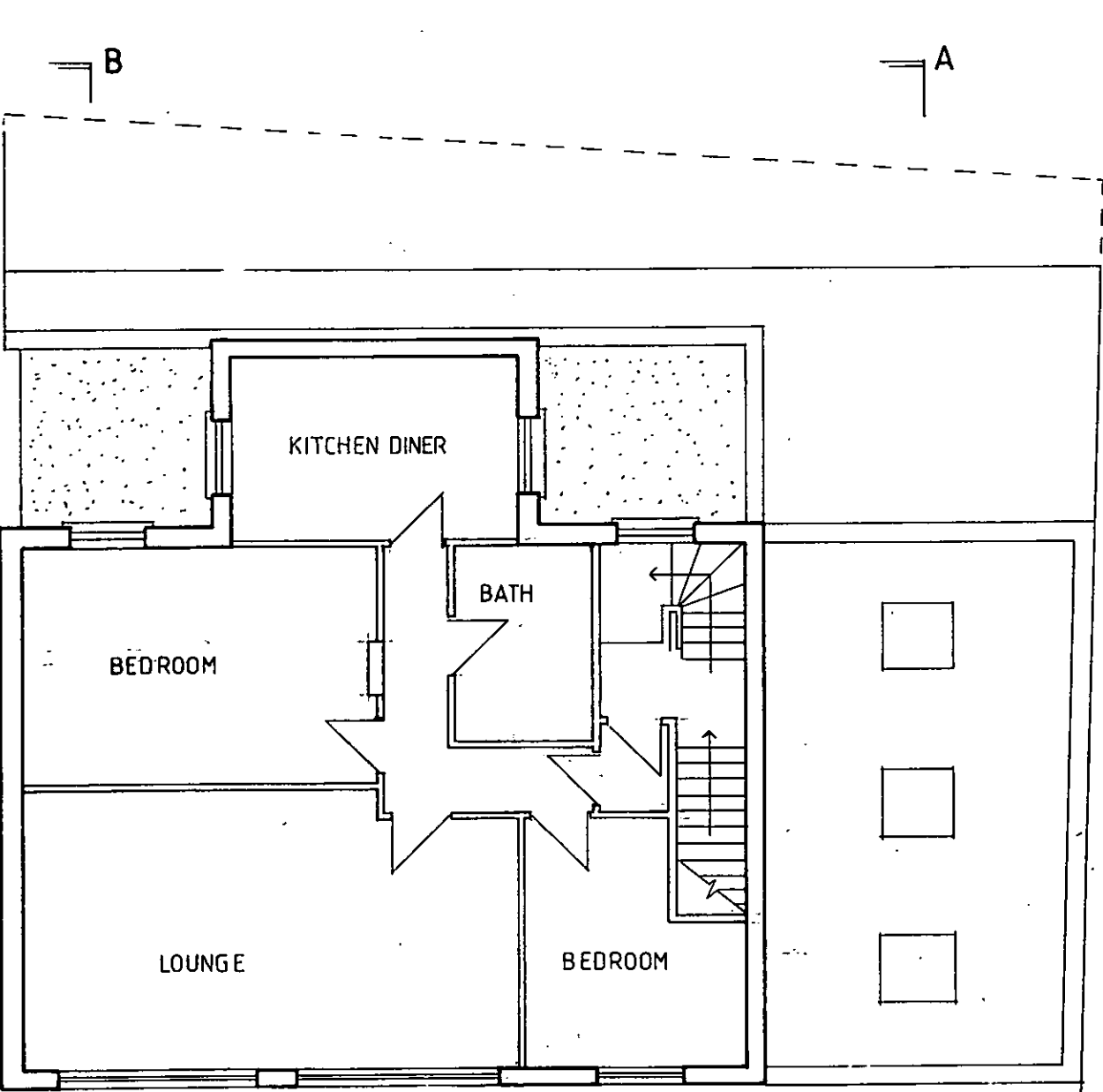
scale 1:100 drawn date APRIL 90

No HTN4 01.126

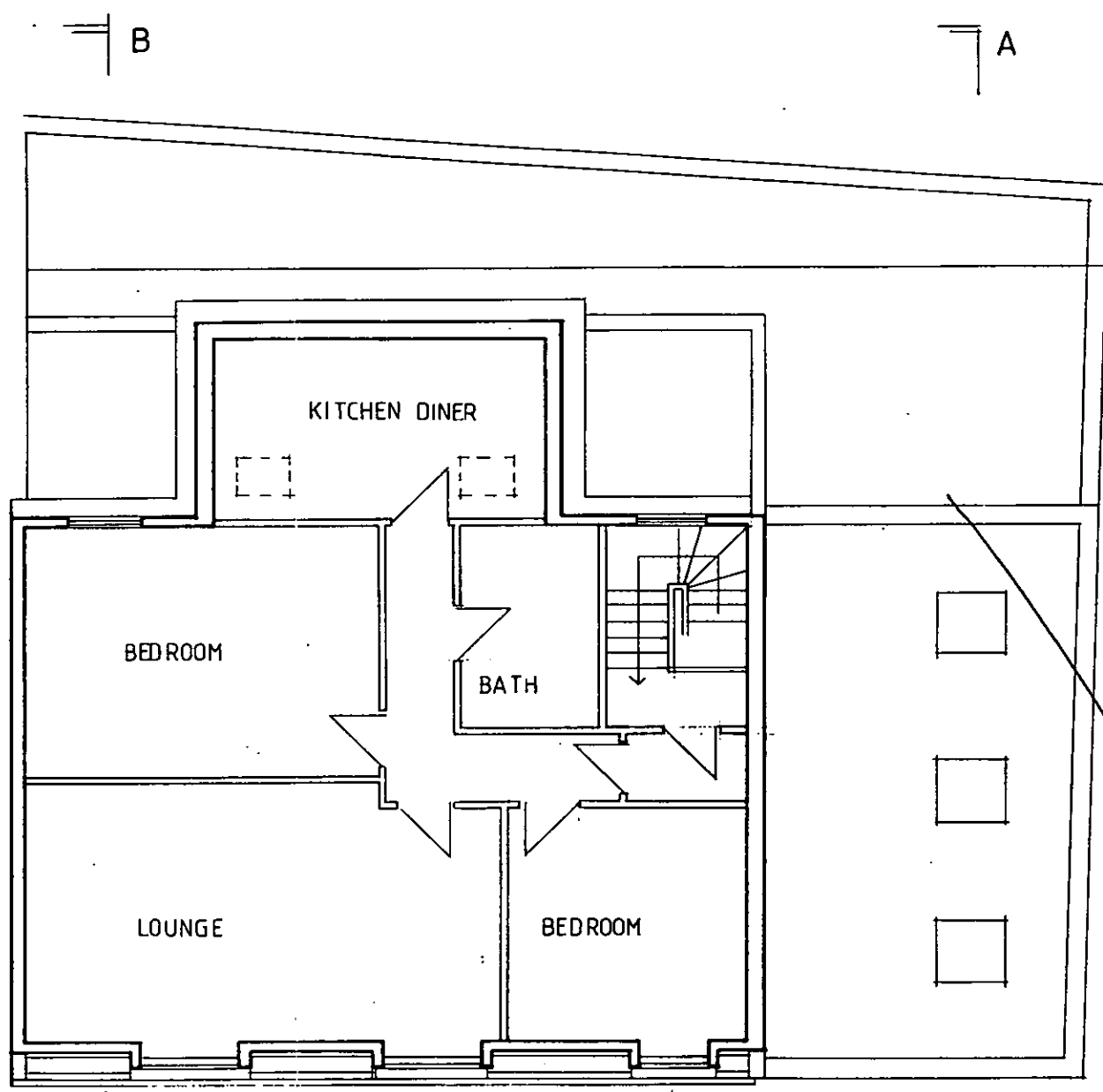
CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------

TE/89/2157E



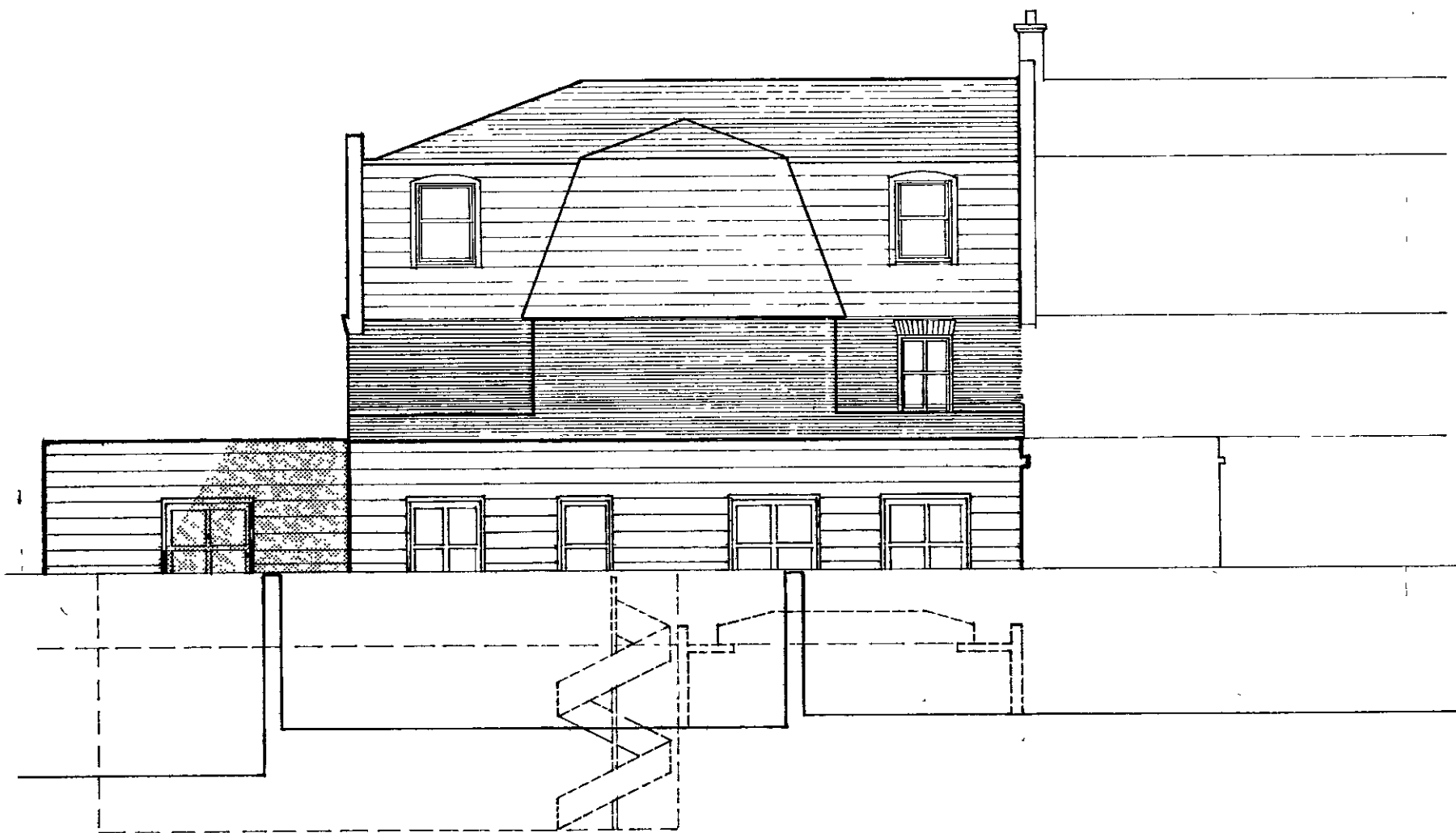
FIRST FLOOR



SECOND FLOOR



FRONT ELEVATION



REAR ELEVATION

This drawing must not be scaled
 Figured dimensions, levels, etc, only
 are to be used TP89/2137
 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
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED

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

Job
 HORTENSIA ROAD

Title
 REAR OFFICE
 units 1+2

Drawn Date
 RECEIVED BY G.P.T. DEC 89

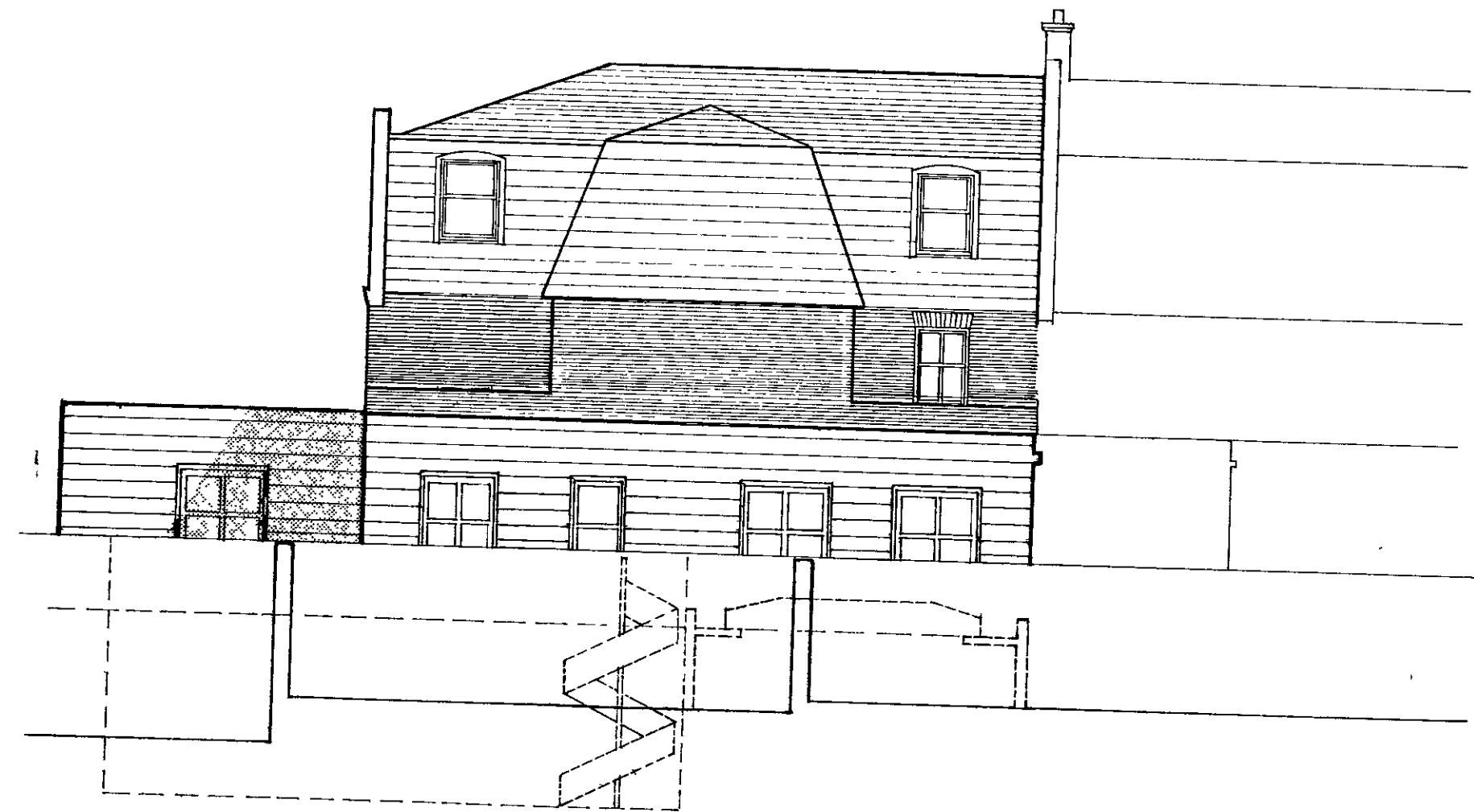
Drawing No 9 FEB 1990

HTN/01/115	DC			
Scale	D PLAN	REC-DC	CPT	ENV PLAN
1:100	LD	TRANS	BLD	AD

TP89/2137



FRONT ELEVATION



REAR ELEVATION

This drawing must not be scaled.
 Figured dimensions, levels, etc, only
 are to be used: TP/89/2137
 Any inaccuracies, etc, must be
 notified to the Architect. (118)
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings

no	date	revisions
A	DEC 89	OFFICE ROOF HIPPED AT GABLE END
B	JAN 90	GROUND FLOOR UNIT 2 REDUCED

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

Job
 HORTENSIA ROAD

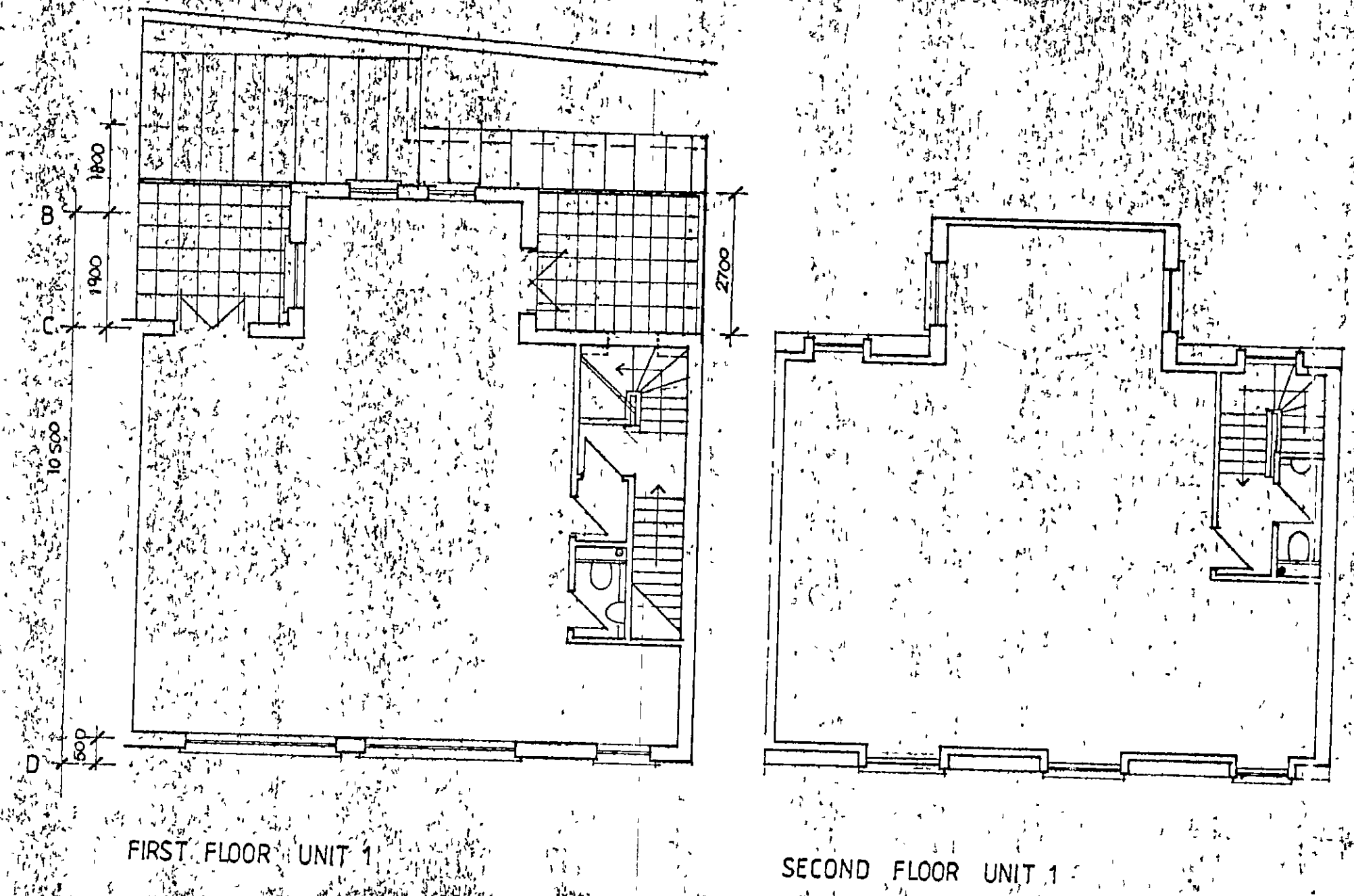
Title
 REAR OFFICE
 units 1+2

Drawn Date
 RECEIVED BY D. F. T. DEC 89

Drawing FEB 1990
 HFN/01/115 DS DC

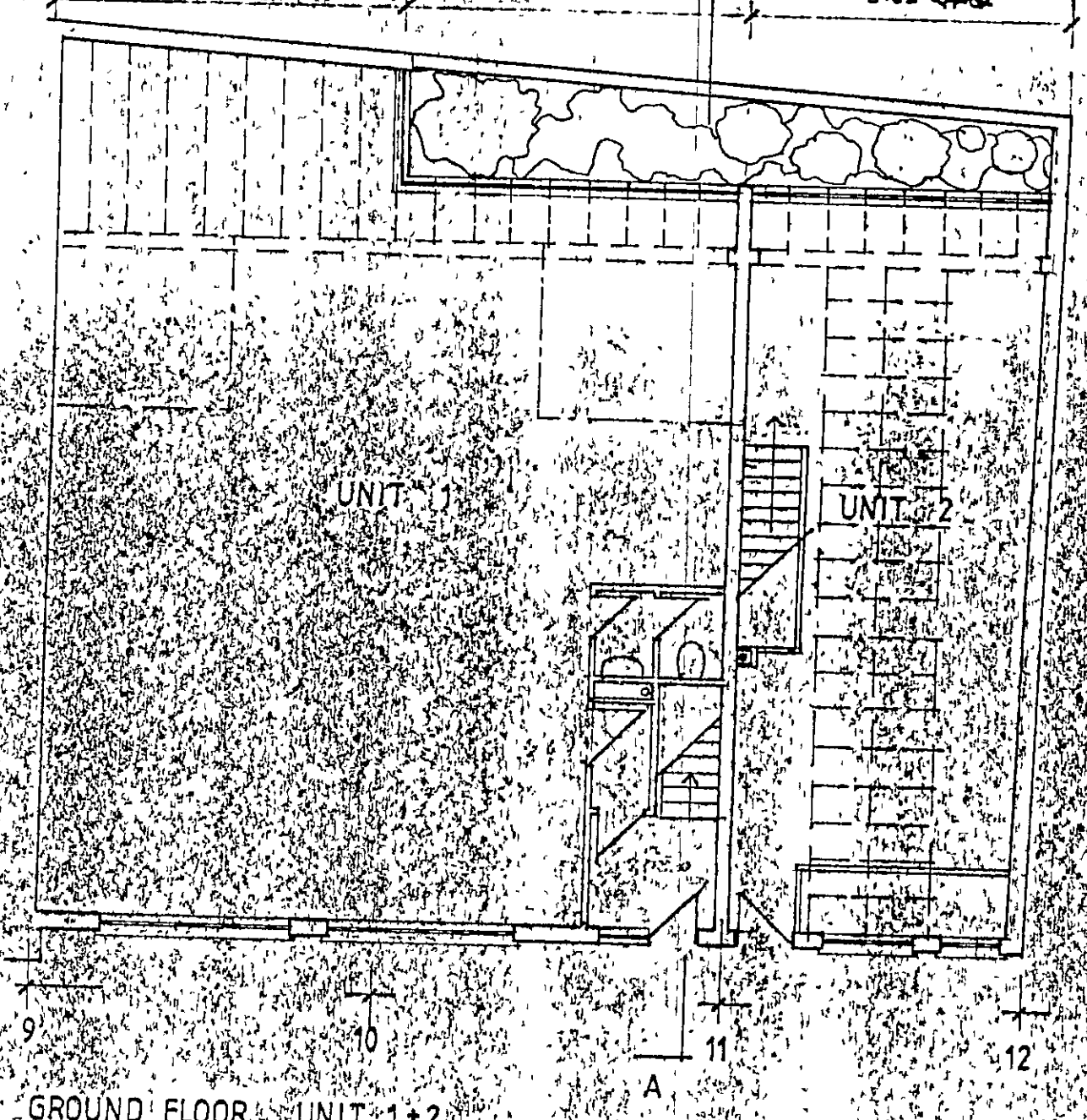
Scale	D PLAN	RECORDS	DPI	ENV PLAN
1:100	LO	TRANS	BUILD	AD

TP89 2137

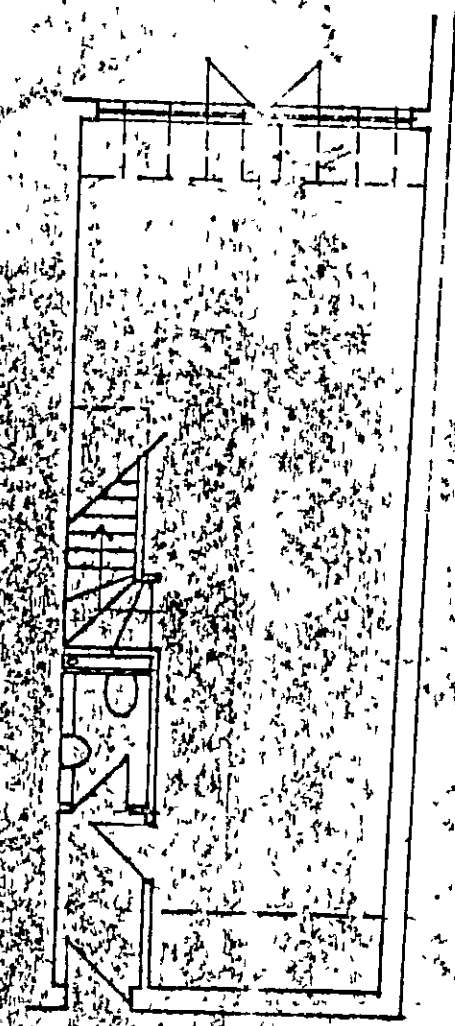


FIRST FLOOR UNIT 1

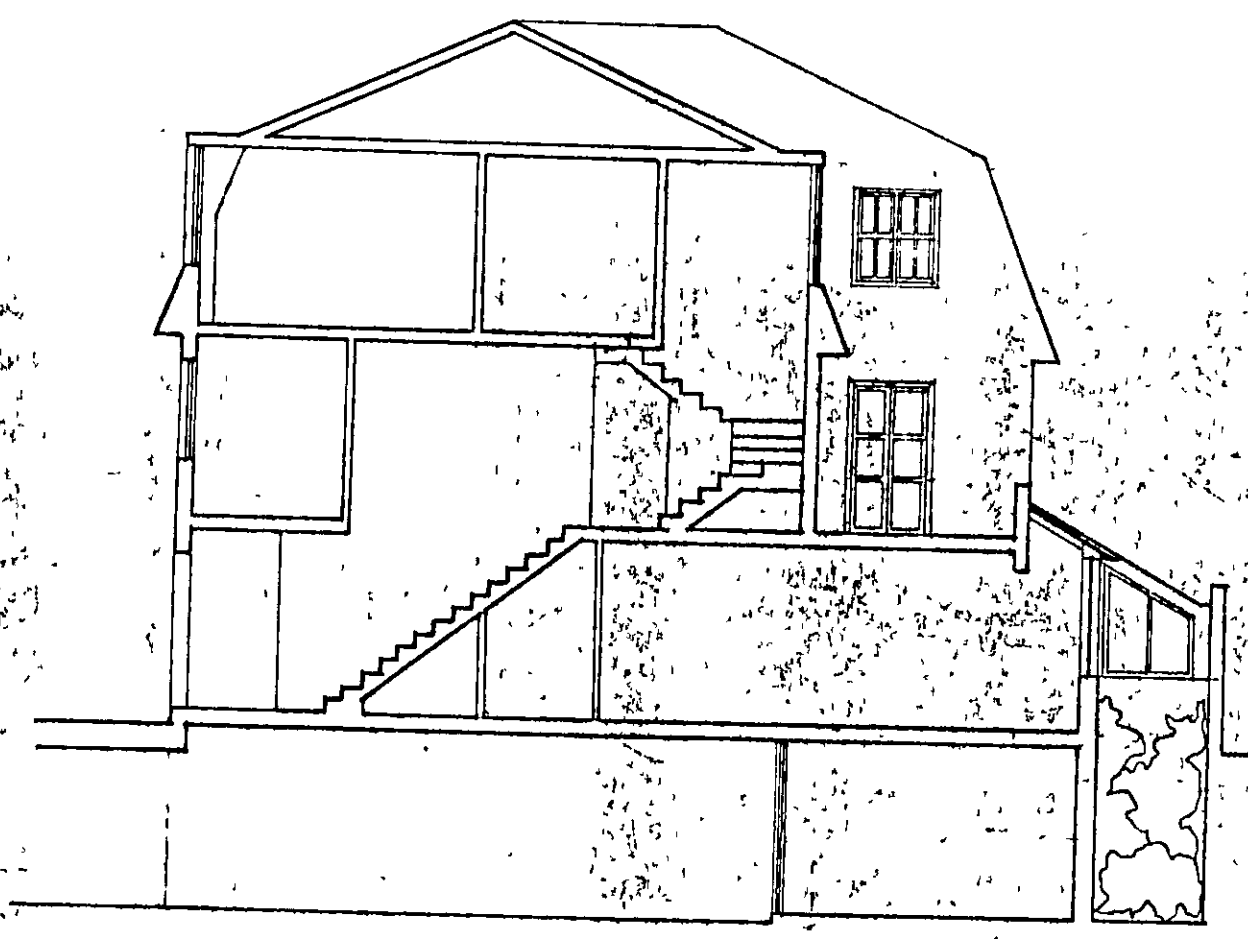
SECOND FLOOR UNIT 1



GROUND FLOOR UNIT 1+2



BASEMENT UNIT 2



SECTION A-A

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
A		
B	22.12.99	Internal planning amended P.G. added

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0482 532725 01 938 2484

Job
HORTENSIA ROAD

Title
REAR OFFICE UNITS 1+2

Drawn. Date
DEC 88

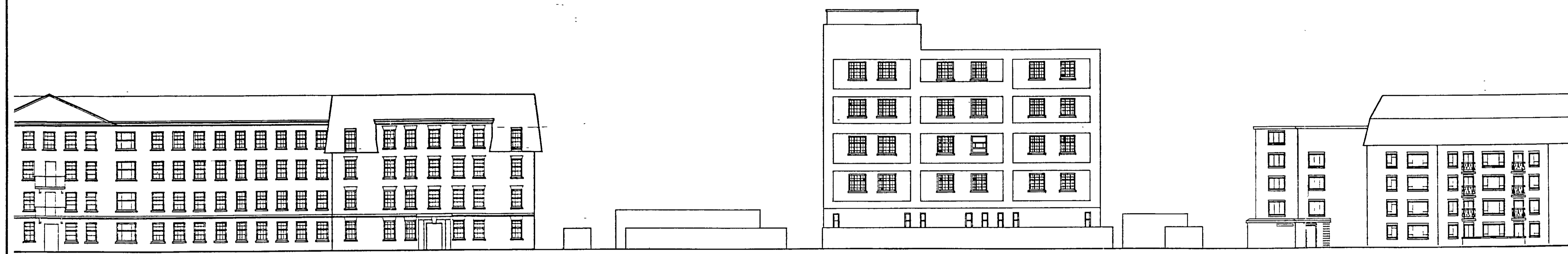
Drawing No
H.TN/01/113 re/BC

Scale
1:100

NCF's Letter of 18 Jan 89

This drawing must not be scaled
Figured dimensions, unless otherwise
stated, are to be used.
Any measurements, etc must be
referred to the Architect.
This drawing is copyright.
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings.

no data revisions



TP880633/B

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 832735 London 01 838 2464

Job
HORTENSIA ROAD

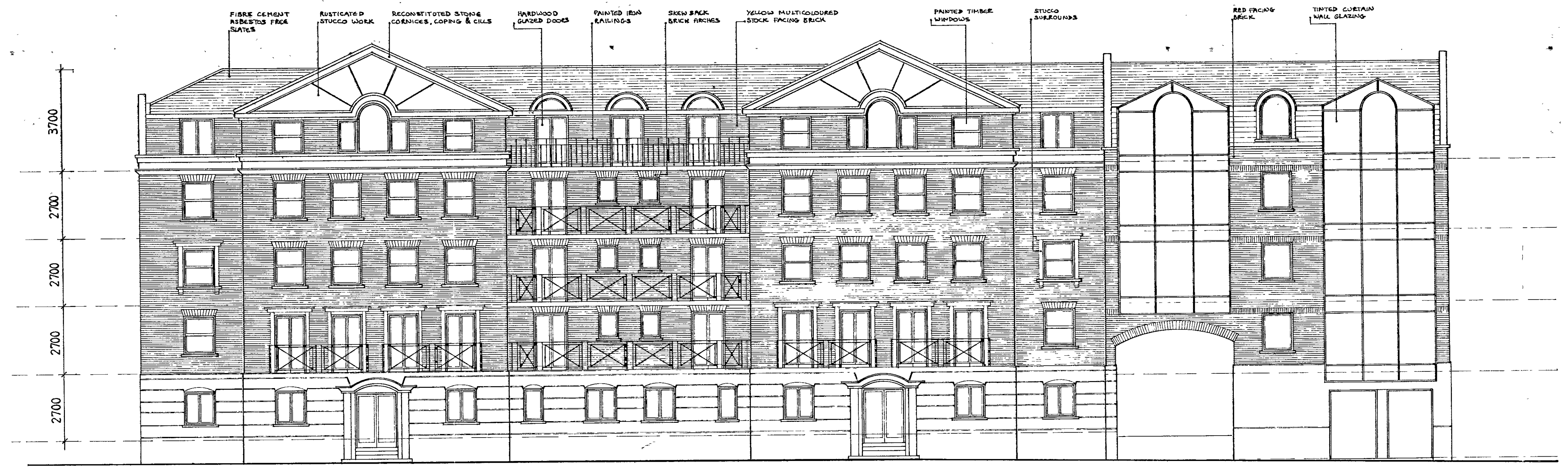
Title
**EXISTING AND PROPOSED
SOUTH WEST ELEVATIONS.**

Drawn Date

Drawing No
HTN/01/108

Scale
1:200

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	9-3-89	FIXES, PLUMBING, FINISH WORK, WINDOWS, RAISED DRAWING, MARKED UP

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

Job
 HORTENSIA ROAD

Title
 ELEVATIONS

Drawn Date
 MAR 89

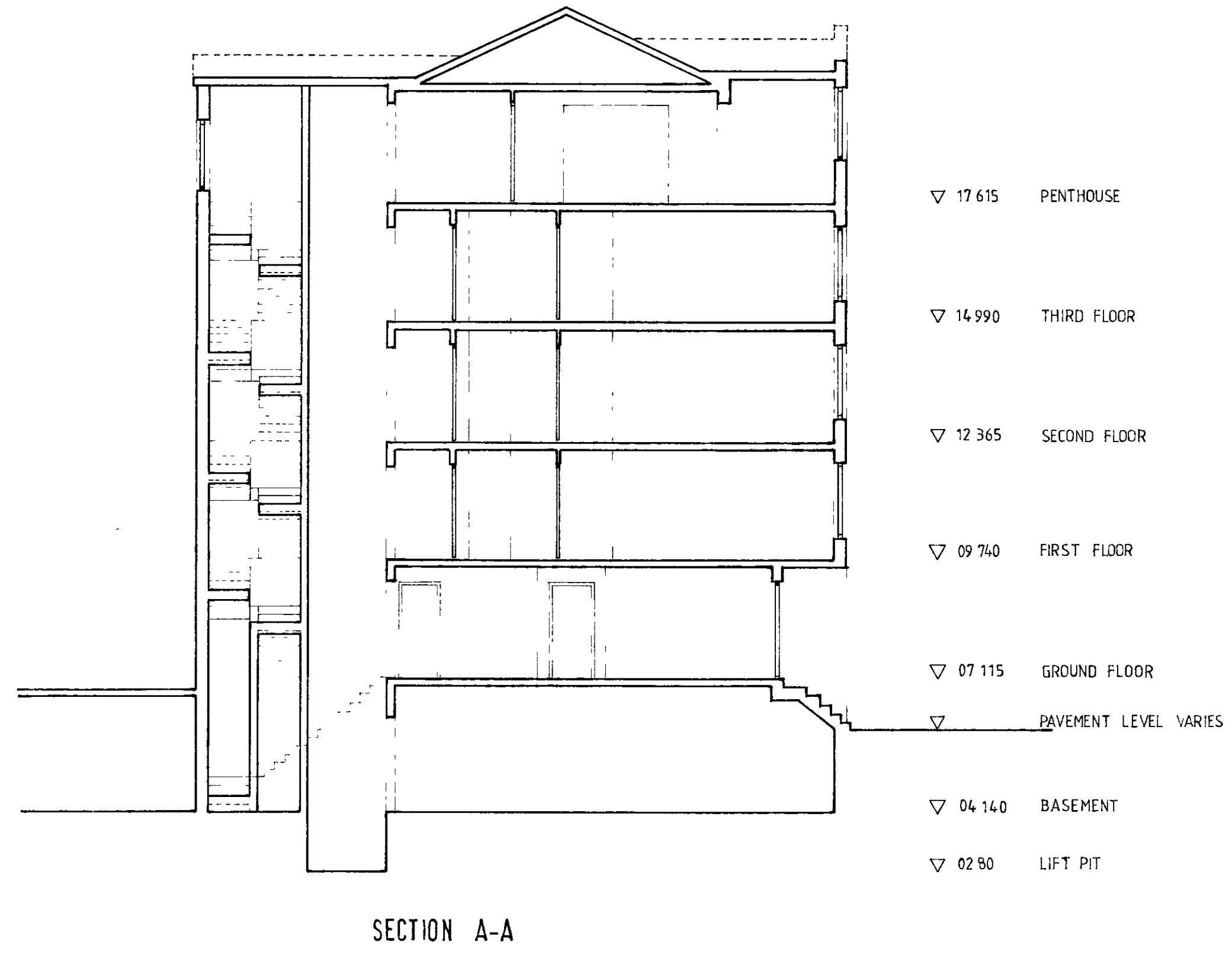
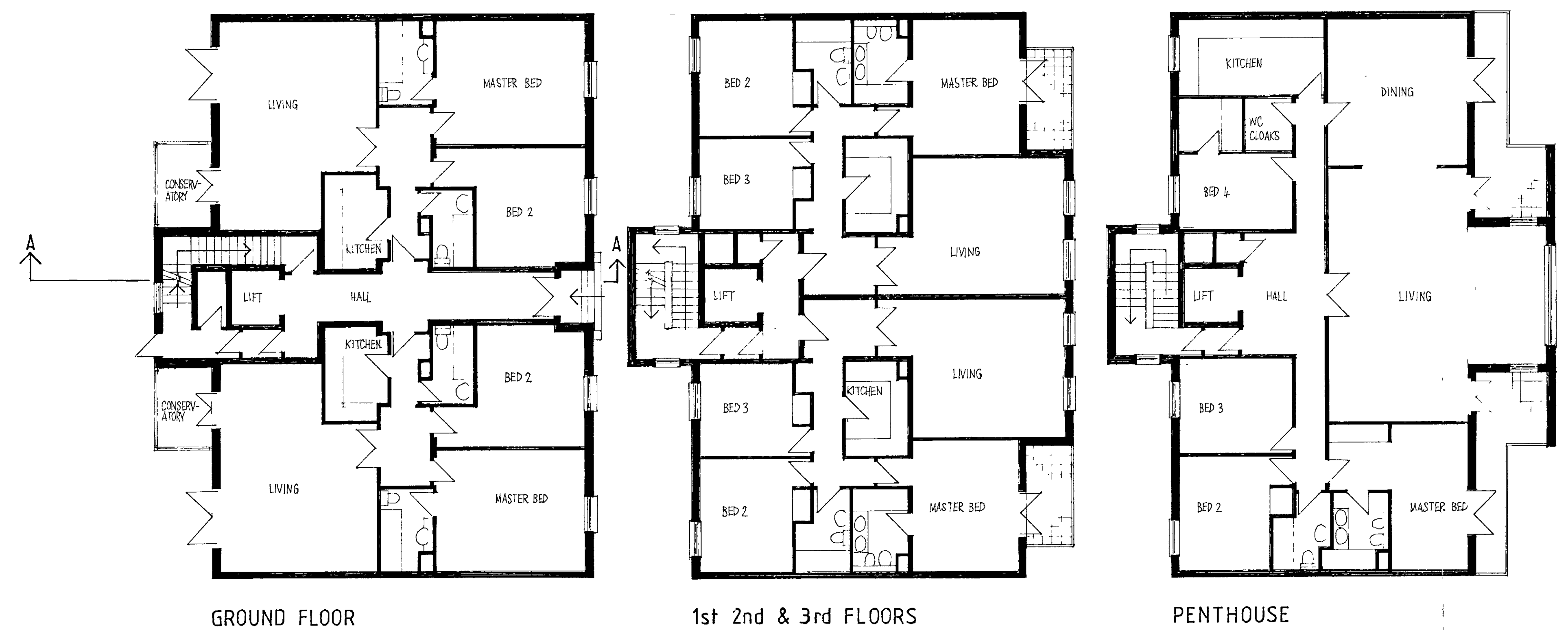
Drawing No
 HTN/01/101

Scale
 1:100

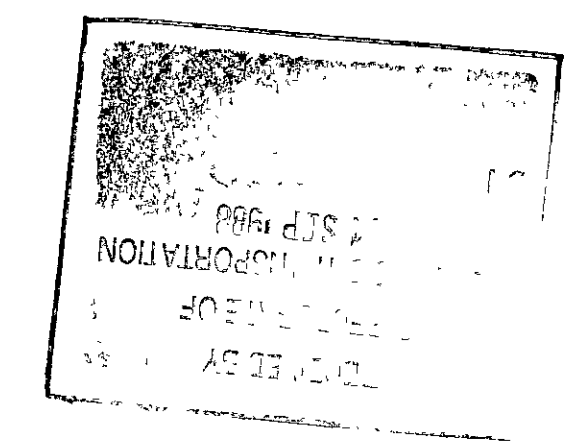
RECEIVED BY D. P. T.
 17 MAR 1989

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



TP080633/B



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay | London
 0482 552735 | 01 938 2484

Job
HORTENSIA ROAD

Title
FLATS: FLOOR PLANS
& SECTION

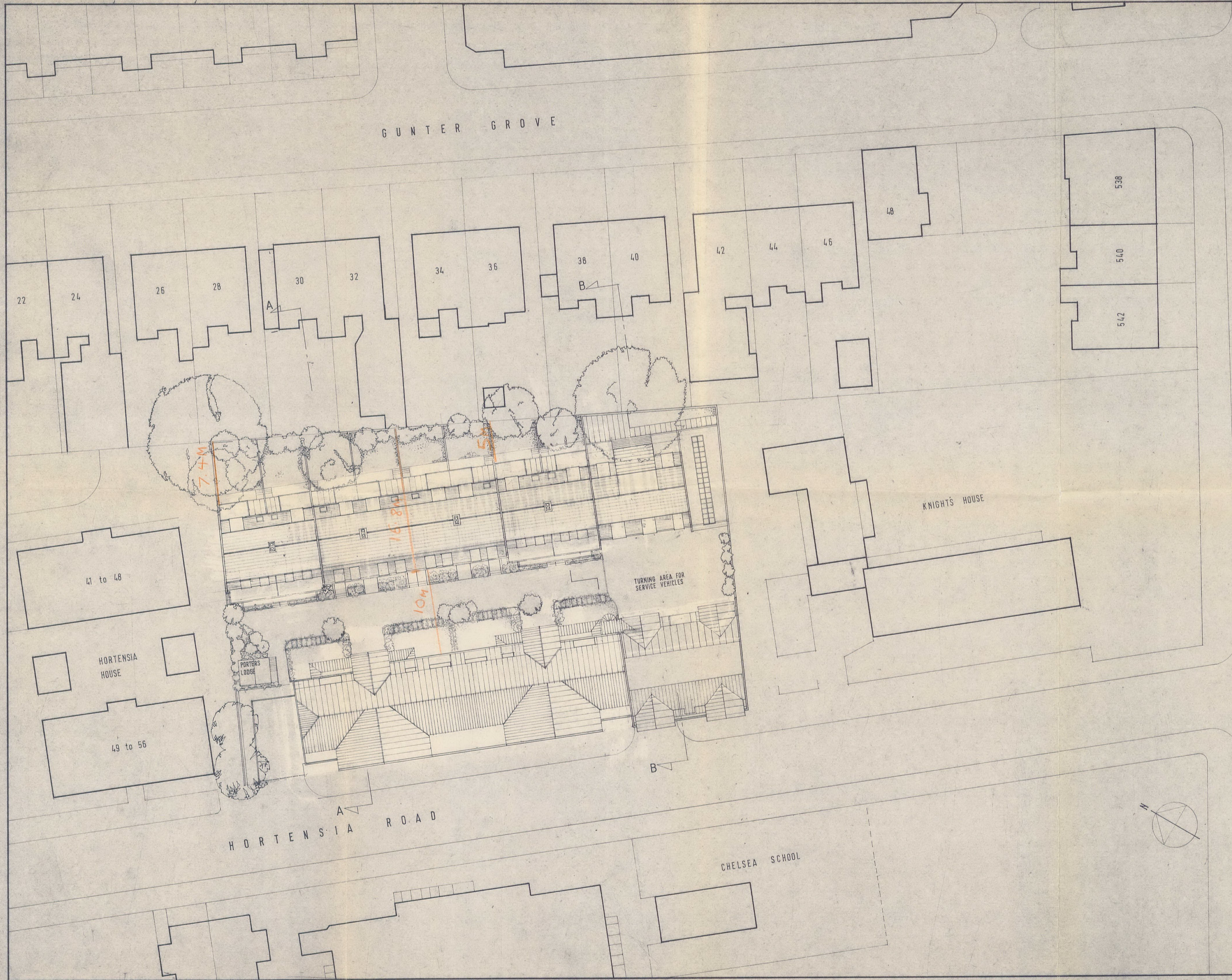
Drawn
Date
8-88

Drawing No
HTN/01/102

Scale
1:100

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
A	SEP 88	DECISIONS A-B SHOWN
B	MAY 88	CORRECTIONS MADE TO REAR TERRACE
C	NOV 88	FRONT REDRAWN AS TWO BLOCKS OF FLATS
D		FRONT BLOCK + REAR + REAR OFFICES RE DRAWN



SECTION LINES REFER TO DRAWING NO HTN/01/96

CF&P
Colwyn Foulkes and Partners
 Chartered Architects,
 Planning and Landscape Consultants
 Colwyn Bay 0482 532735 London 01-938 2464

Job
HORTENSIA RD.

Title
SITE PLAN

RECEIVED BY D.P.T.
20 JAN 1989

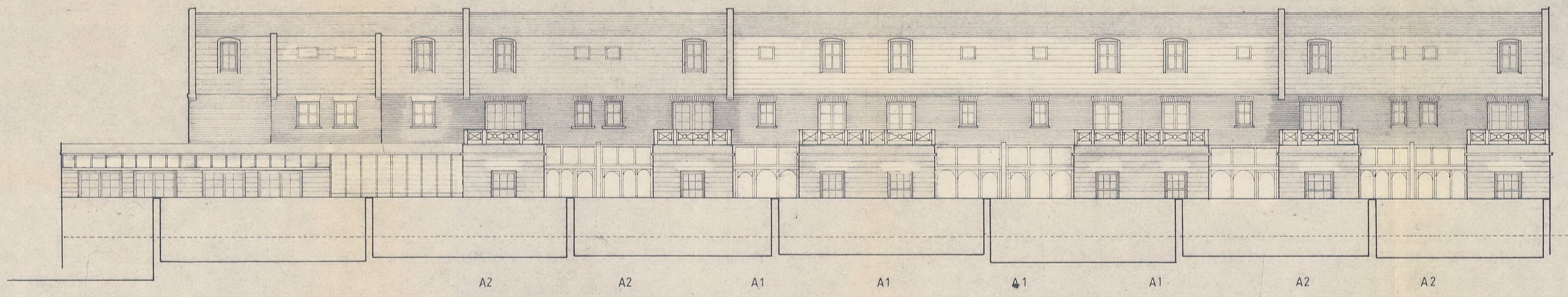
Drawn
Date
MAY 88

Drawing No
HTN / 01 / 105

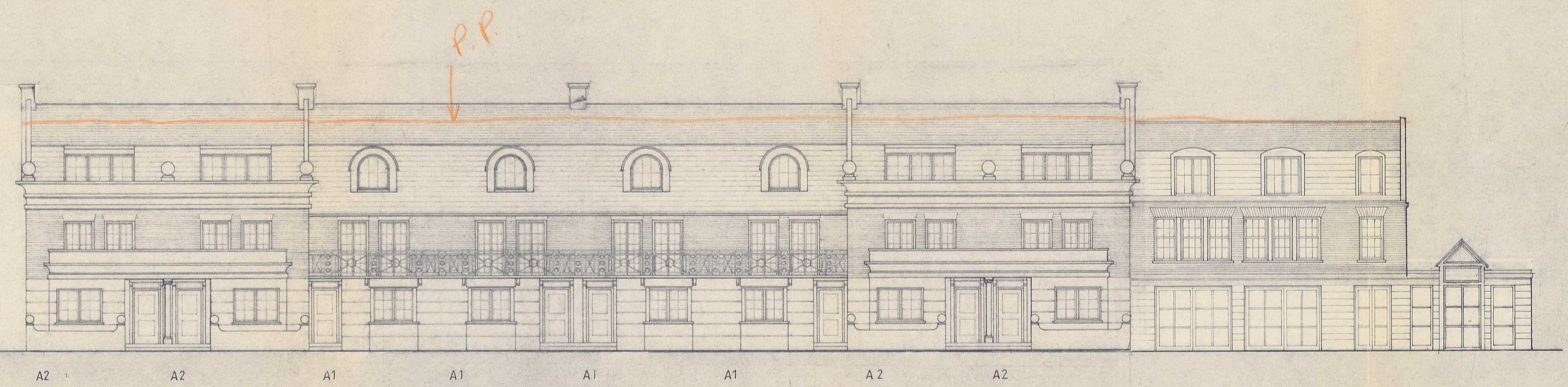
Scale
1:200

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
A	NOV 88	OFFICE ELEVATIONS CHANGED. COURTYARD TERRACES PUT ON PLANS ELEVATIONS AND LANDSCAPE APPROVED. DOORS AND MARKING ALTERED ON FRONT ELEVATION
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHES BUT ON HOUSES UNBUILT + NEW BALCONIES ALTERED



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

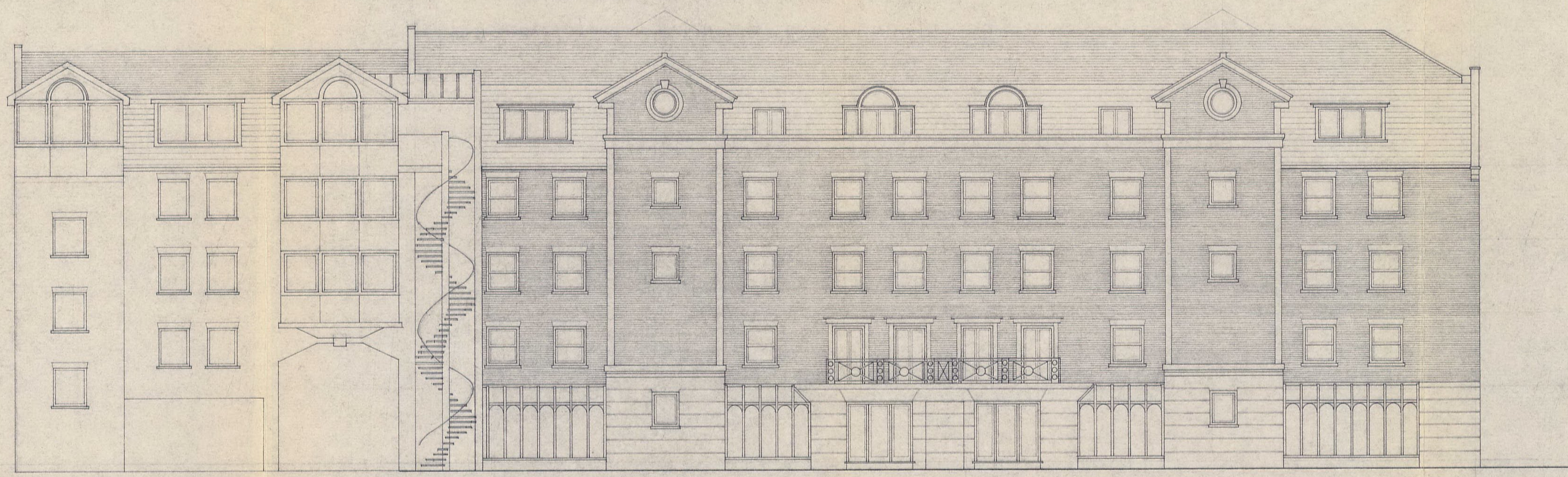
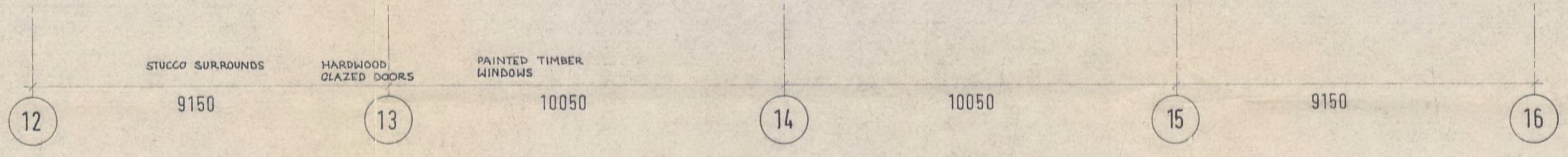
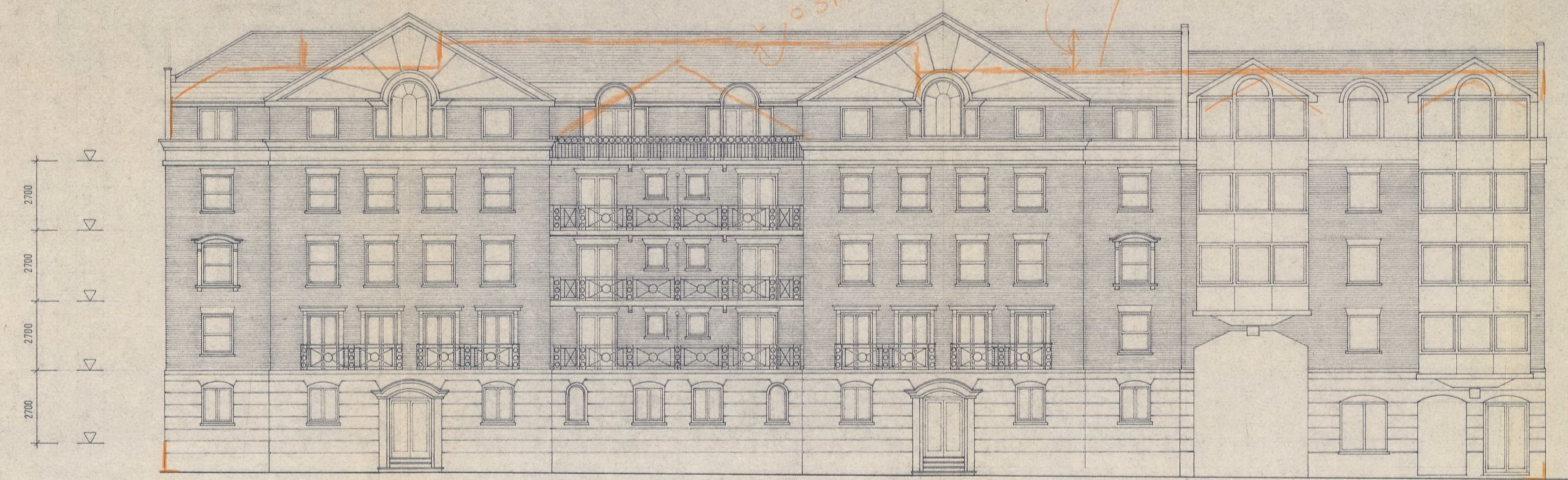
CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532735 London 01-938 2464

Job
HORTENSIA RD.
 Title
MEWS ELEVATIONS

Drawn **DM** Date **14 9 88**
 Drawing No
HTN/017103^B
 Scale
1:100

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.

FIBRE CEMENT ASBESTOS FREE SLATES
 RUSTICATED STUCCO WORK
 RECONSTITUTED STONE CORNICES, COPINGS, CILLS
 PAINTED IRON RAILINGS
 YELLOW MULTICOLOURED STOCK FACING BRICK
 SKEW BACK BRICK ARCHES
 RED FACING BRICK



no	date	revisions
J	5/89	REVISED

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532735 London 01938 2464

Job RECEIVED BY D.P.T.
 HORTENSIA ROAD JAN 1989
 On
 Title ELEVATIONS
 Drawn
 Date JAN 89

Drawing No HTN/01/101 J
 Scale 1:100

Further details

The premises

The premises, which are situated on the northeast side of Hortensia Road, adjacent to Hortensia House, comprise a 5 storey building and a single storey annexe, which are occupied by the Biological Sciences Group of Chelsea College.

History

The five storey building, which was formerly known as 'Hudsons Depository' was originally used for the storage of furniture by John Lewis & Co. On 4th December 1966 planning permission was granted to Chelsea College for use of the building for educational purposes for 10 years. The permission was renewed in July 1976 for a further limited period and is due to expire on 23rd June 1987.

In March 1973 planning permission was granted for the construction of a single storey prefabricated building and for its retention and use for educational purposes for a period of three years. This permission was renewed in December 1976, also for a limited period, which is due to expire on 23rd June 1987.

The proposal

Chelsea College now seek permanent planning permission for educational purposes.

Considerations

The primary reason for imposing time limits on the previous permissions was the residential zoning of the site in the Initial Development Plan for Greater London and, in the case of the annexe, its nature and construction. Now that the I.D.P. is no longer valid, that reason needs to be reassessed. The annexe will have a limited life anyway, governed by the permission for its retention under the London Building Acts.

Chelsea College have a current consolidation programme on the adjacent site of the former College of St. Mark and St. John and a permanent consent in respect of the Depository building will aid this programme. The District Plan, in Chapter 8, para. 4.49 states "The Council recognises the needs of Chelsea College, University of London, to consolidate and improve its accommodation within the Chelsea area." It is considered that a permanent consent would, therefore, be consistent with the aims of the Plan.

Public participation

One resident in Gunter Grove objects to the loss of the buildings, which he mistakenly believes are to be demolished.

No other objections have been received and approval is recommended.

E.A. SANDERS
BOROUGH PLANNING OFFICER





ELEVATION TO MEWS

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.

Notes

*Received
 18.10.89.*

Revisions

no	date	details

Project

HORTENSIA ROAD

Title

PROPOSED REVISED
 FRONT OFFICE
 ELEVATIONS

scale

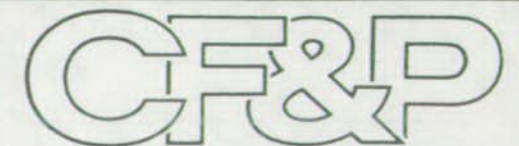
1:100

drawn

date

OCT 89

No HW SK 051

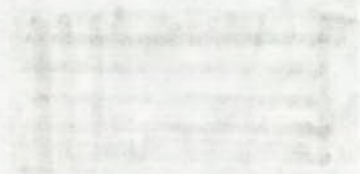
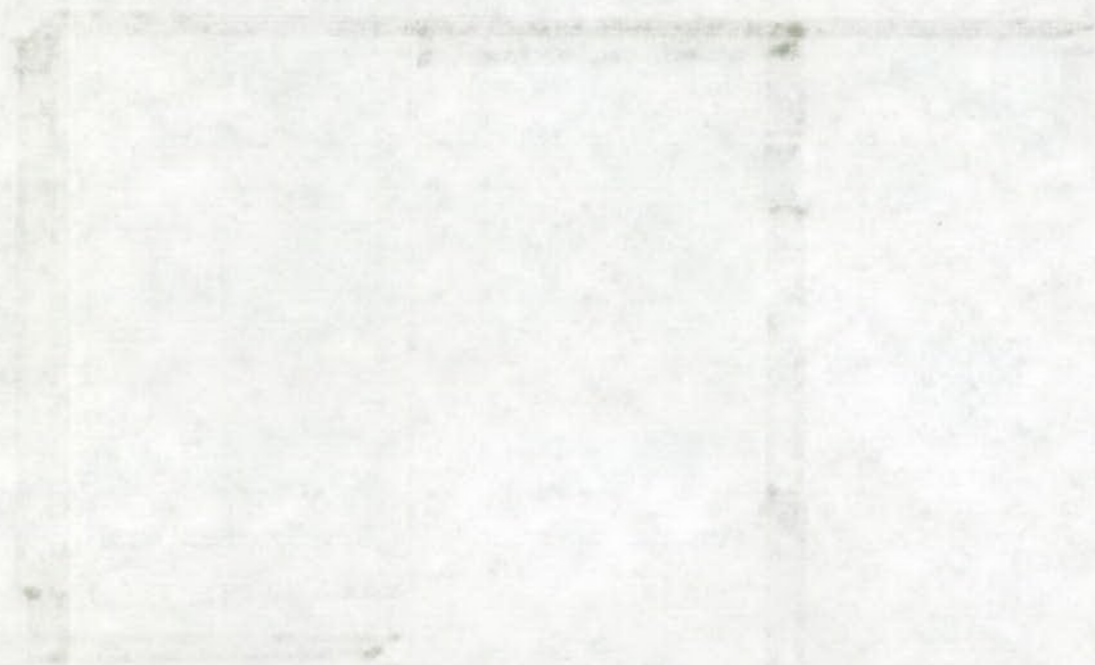


Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay
 0492 532735

London
 01-938 2464

Knutsford
 0565 52126



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.

Notes

Received
18.10.09

Revisions

no	date	details

Project
 HORTENSIA ROAD

Title
 PROPOSED REVISED
 FRONT OFFICE
 ELEVATIONS.

scale 1:100 drawn date 02/08/09

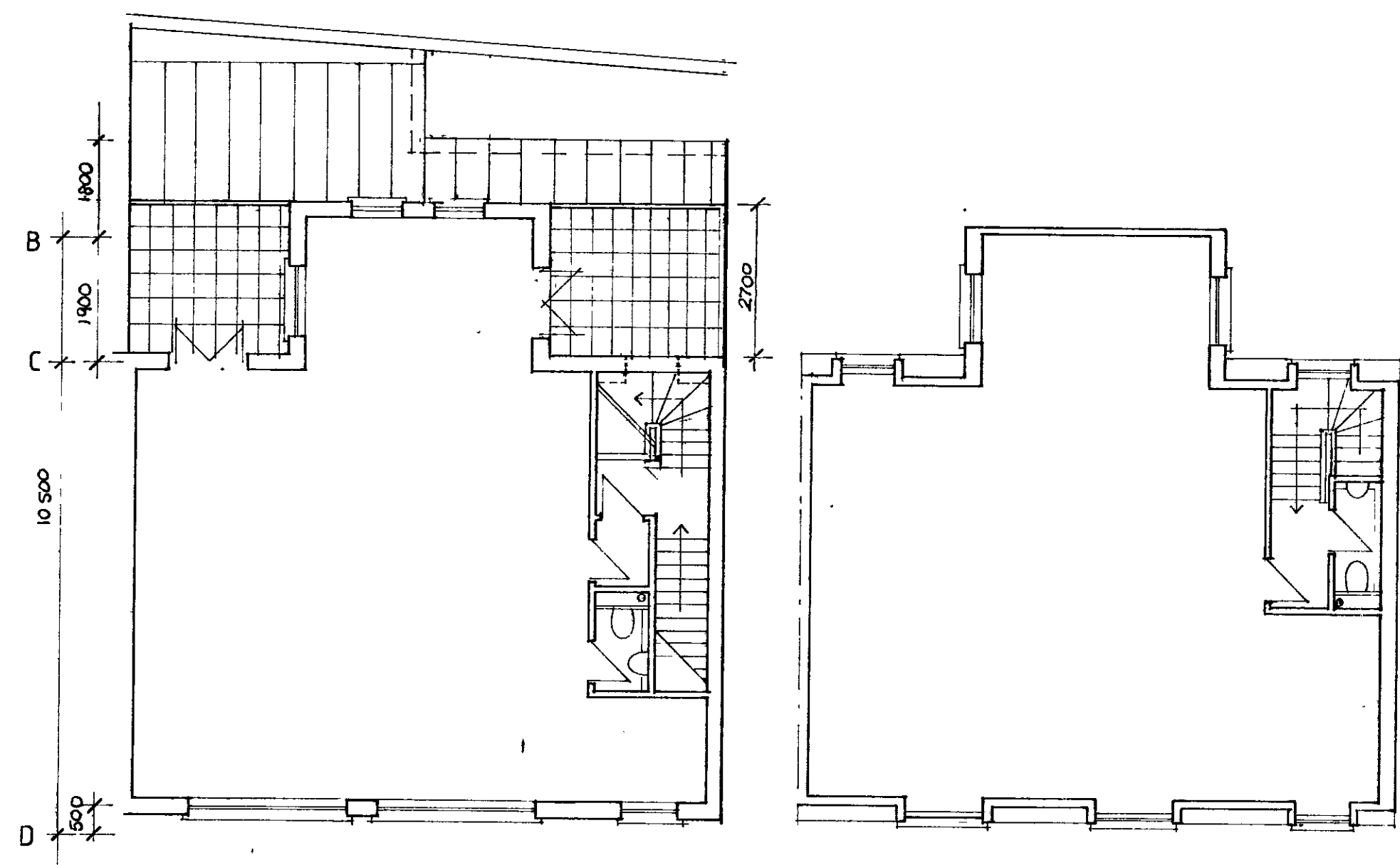
No HTN SK 050



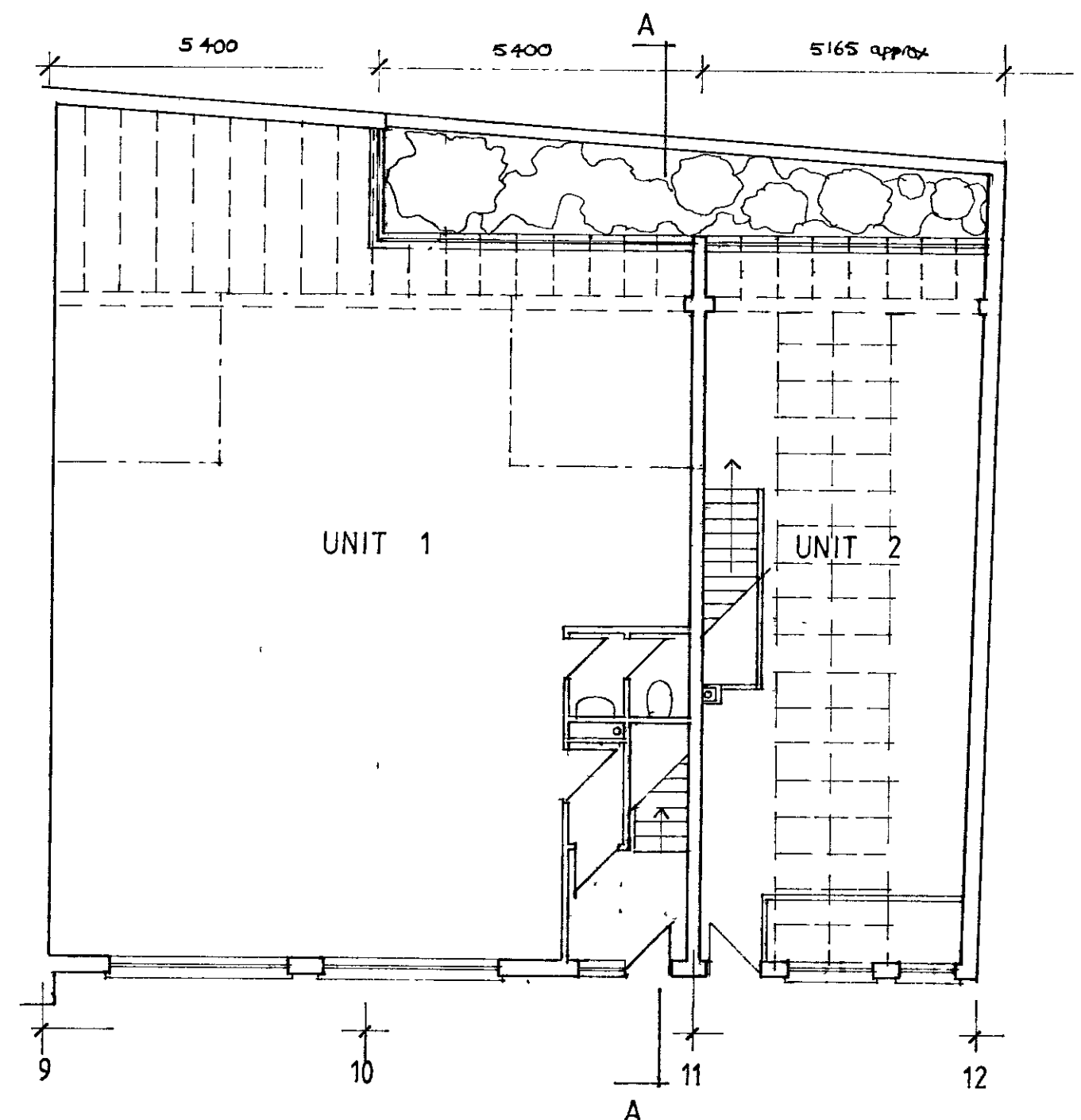
ELEVATION TO HORTENSIA
 ROAD

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

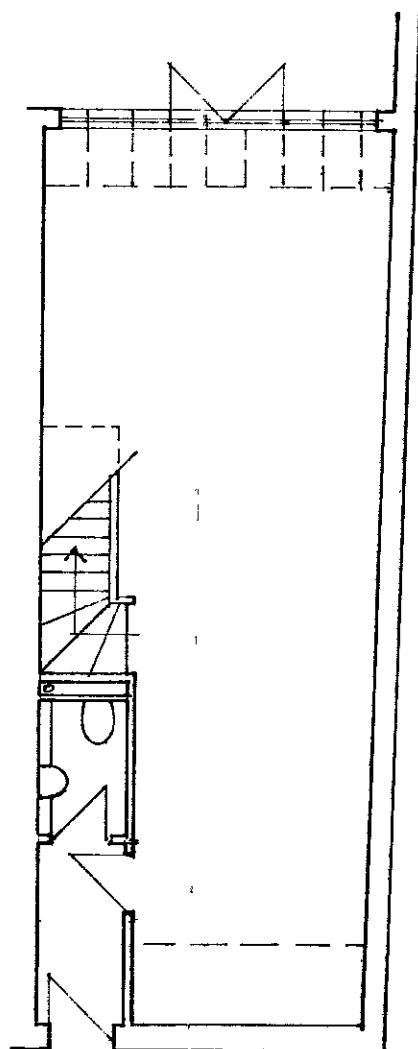
Colwyn Bay 0492 532735	London 01-938 2464	Knutsford 0565 52126
---------------------------	-----------------------	-------------------------



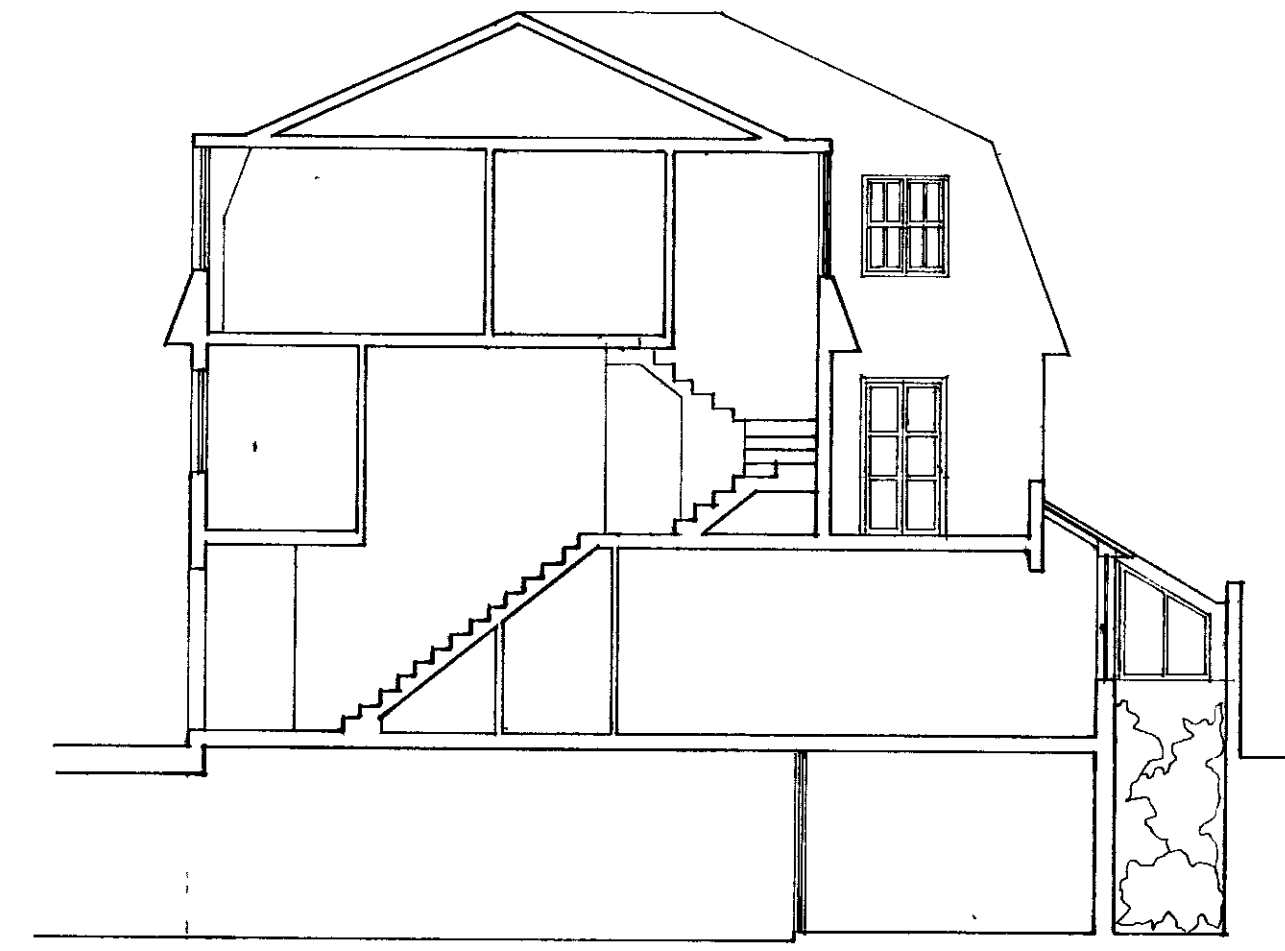
FIRST FLOOR UNIT 1 SECOND FLOOR UNIT 1



GROUND FLOOR UNIT 1+2



BASEMENT UNIT 2



SECTION A-A

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
A		
B	22.12.88	Internal planning amended P 9 added

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

RECEIVED BY D. P. T. LONDON
 6482 532735 A 11 1988 01 538 2464

Job	HORTENSIA ROAD	DC
H	C	DC
ARB	D PLAN	REC'D
		DPT
		ENV PLAN
		AD
		CENTRAL
		AD

REAR OFFICE UNITS 1+2

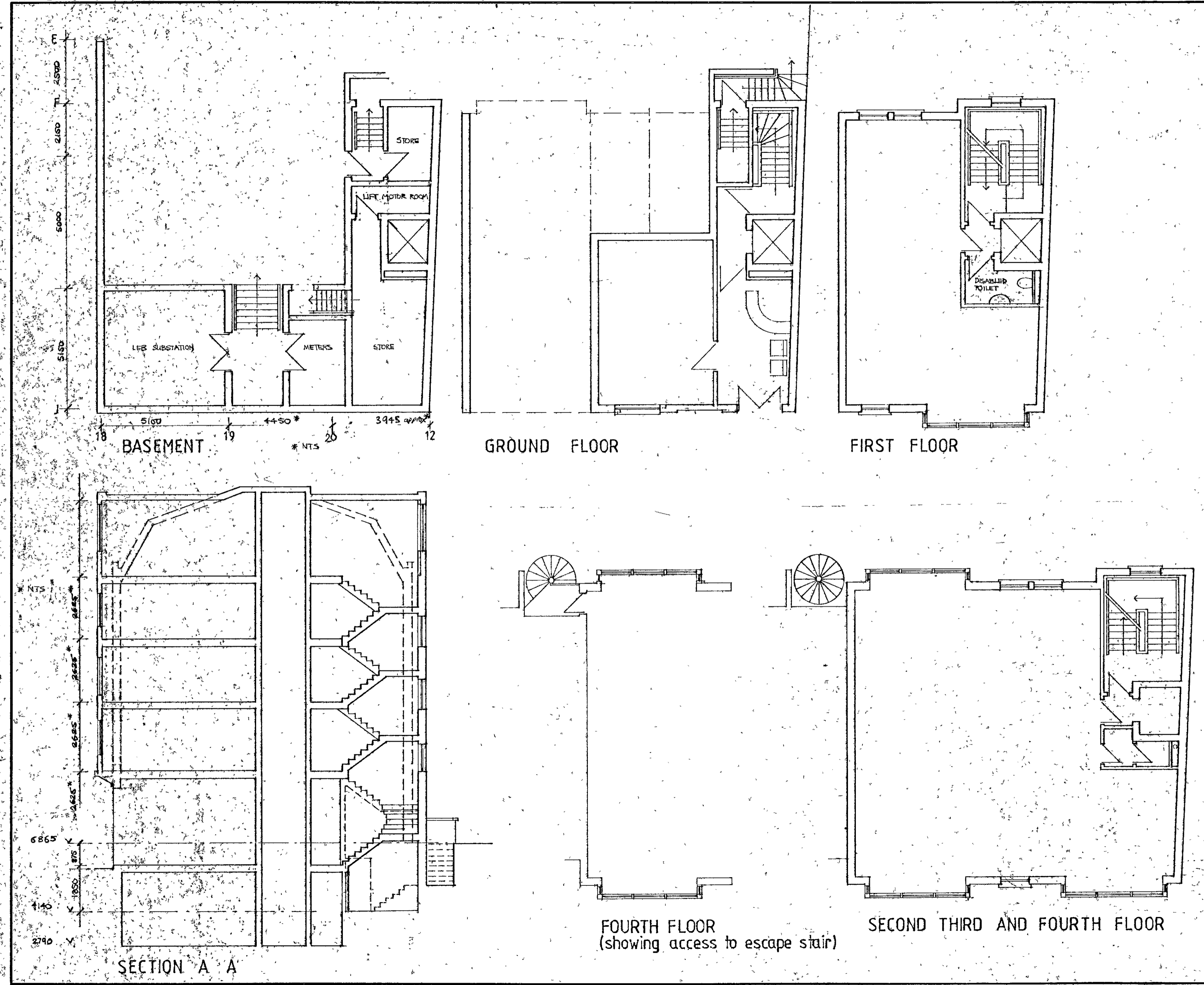
Drawn Date
 DEC 88

Drawing No
 HTN/01/113 rev B/C

Scale
 1:100

TP/81/2137 (124)

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
A	28/88	Minor revisions to internal planning
B	13/88	Grid location in boiler plan corrected, stair from top to store relocated
C	11/89	First floor front bay window escape stair added, Disabled toilet added, First floor front bay window relocated

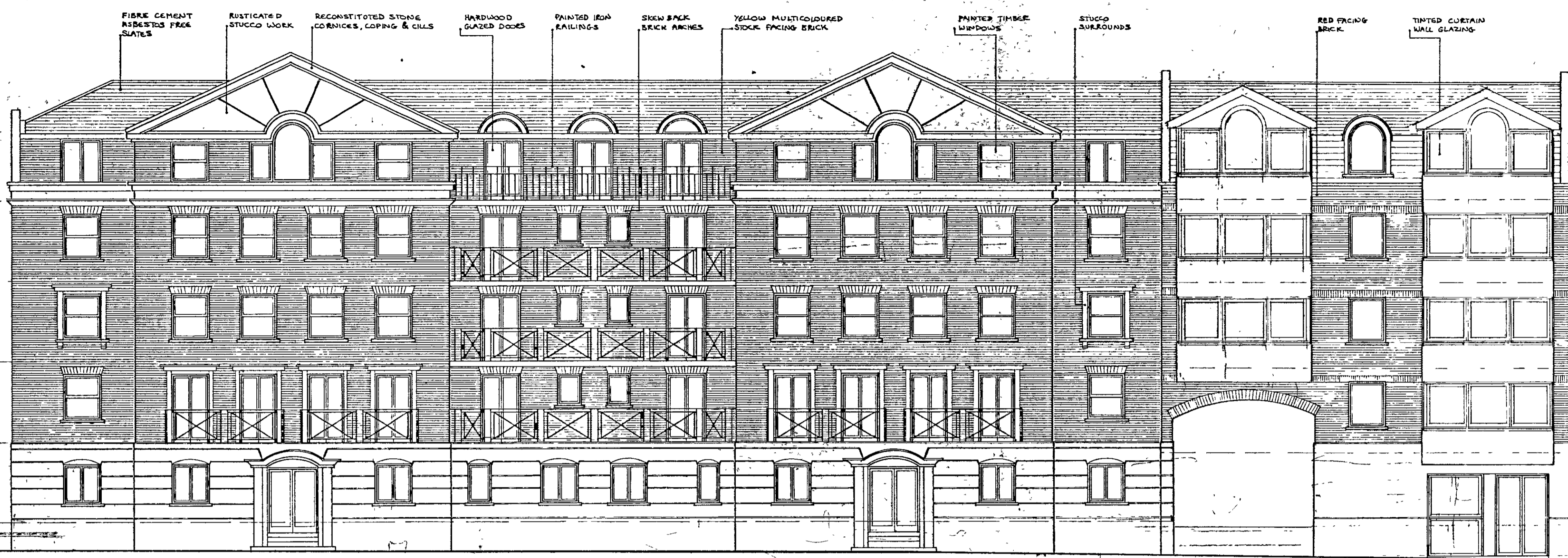
CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 RECEIVED BY J. P. T. London
 Colwyn Bay, Gwynedd, 01 938 2484
 01 492 532735

Job	HTN/01/114
HORTENSIA ROAD	
FRONT OFFICES	
Title	AD. ADK

Drawn	Date
	dec 88

Drawing No
 HTN/01/114 rev C

Scale
 1:100



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
L	9/3/89	PLANS, SECTION ELEVATION TO BE REVISED DRAWING IN ACC. TO
M	26/6/89	REVISED TO NEW OFFICE BAY DETAIL

RECEIVED BY D. P. T.
 26 JUN 1989
 On

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532725 | London 01 928 2484

Job
 HORTENSIA ROAD

Title
 ELEVATIONS

Drawn
 Date
 MAR 89

Drawing No
 HTN/01/101 M

Scale
 1:100

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.

Notes

*Received.
 18.10.89.*

Revisions

no	date	details

Project
HORTENSIA ROAD

Title
**PROPOSED REVISED
 FRONT OFFICE
 ELEVATIONS.**

scale
1:100

drawn
COTBA

date
COTBA

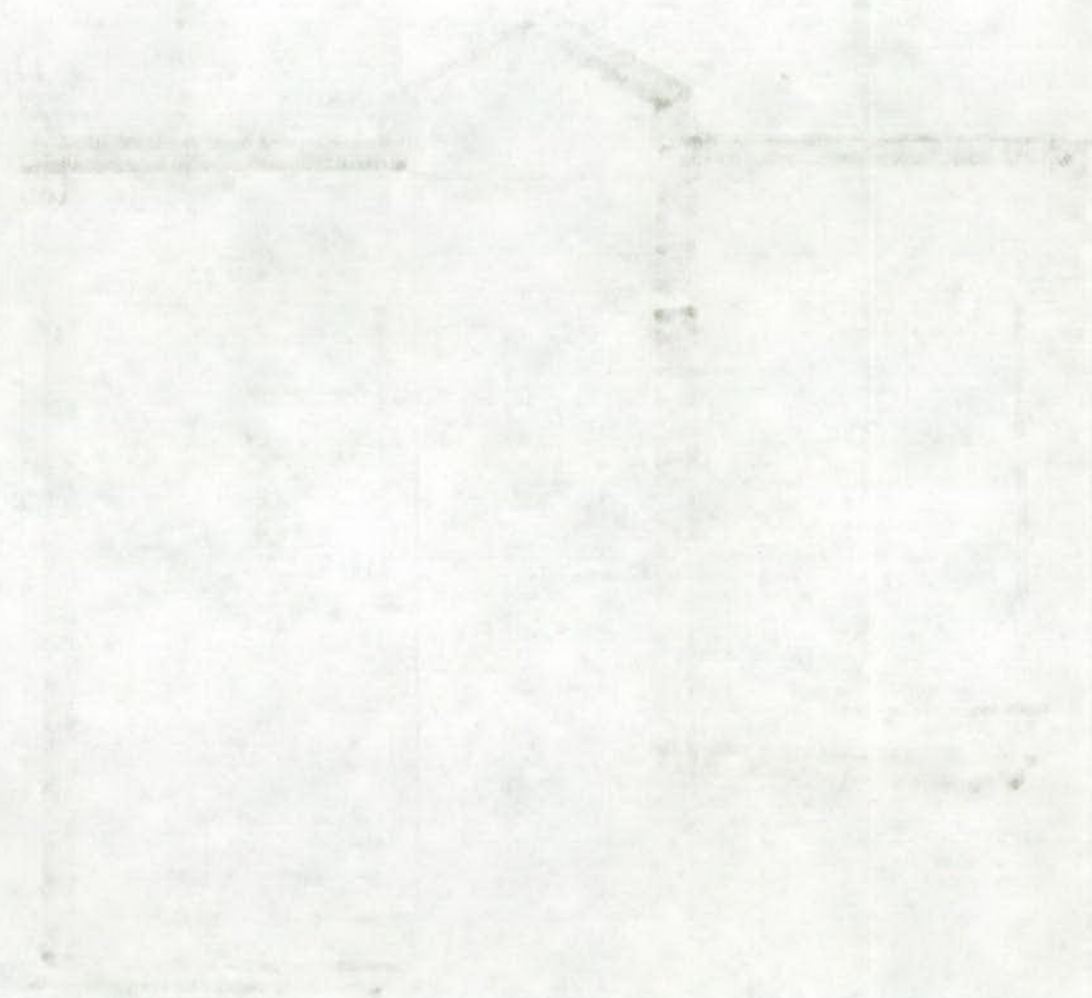
No **HTN SK 050**

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants

Colwyn Bay 0492 532735 | London 01-938 2464 | Knutsford 0565 52126

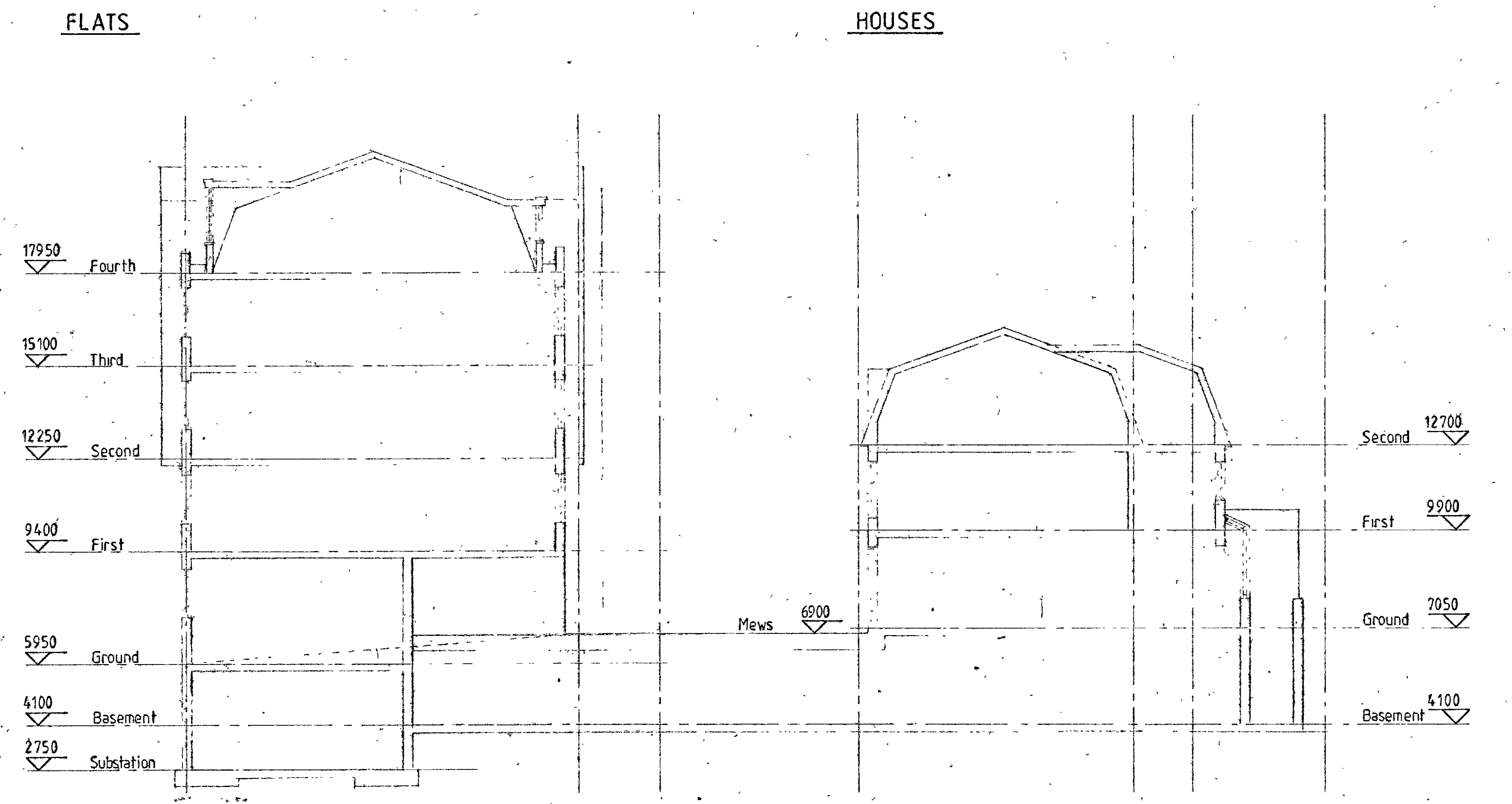
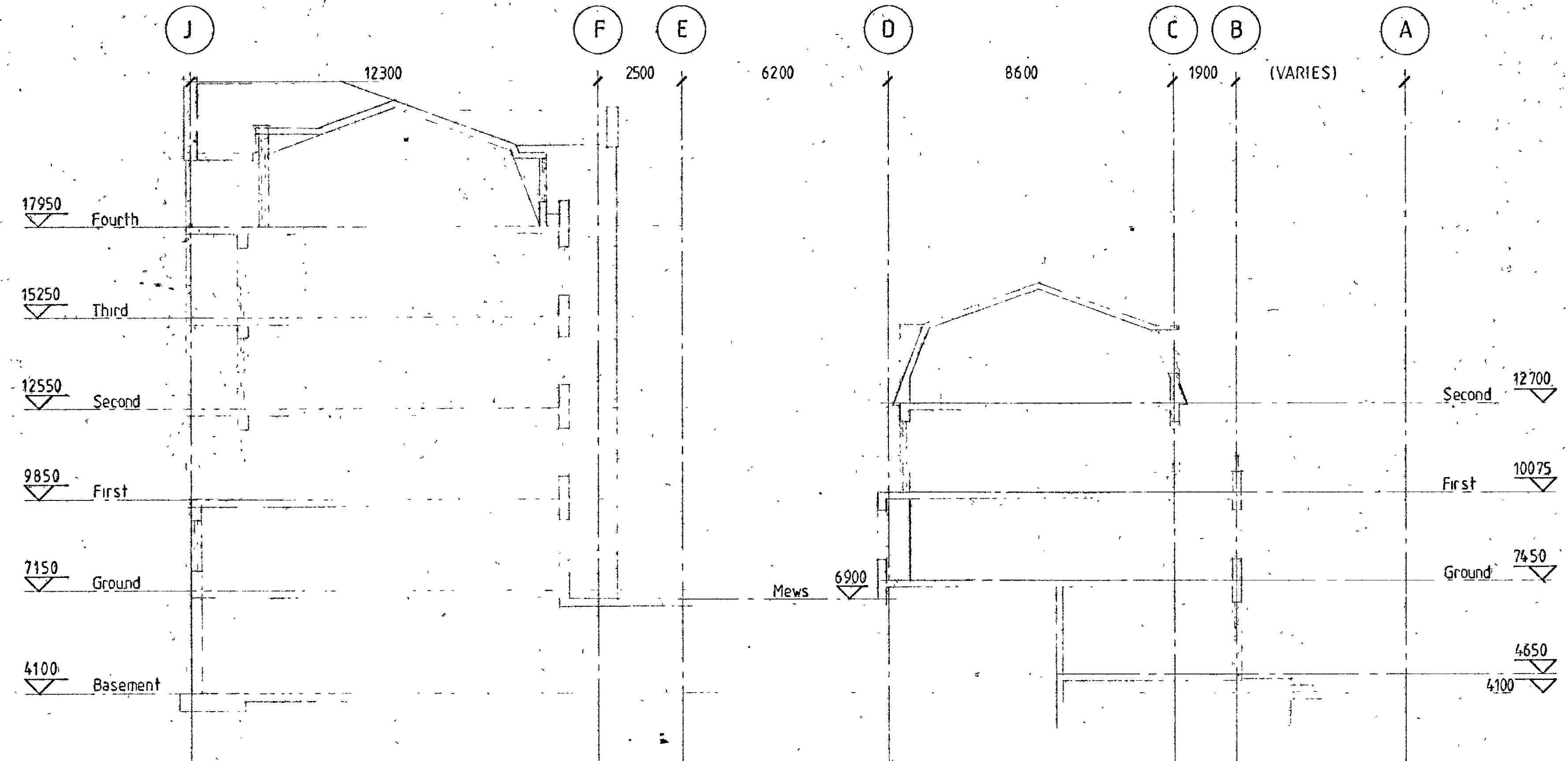


ELEVATION TO HORTENSIA ROAD



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
A	4.2.89	Re DRAWN.
B	4.2.89	OFFICE 1st FLOOR LEVEL CHANGED 10075 TO 9900.
C	03.7.88	OFFICE LEVELS AND LEVEL OF EXTERNAL WALLS IN PLANS CORRECTED.



Job: HORTENSIA ROAD

Title: TYPICAL SITE SECTIONS

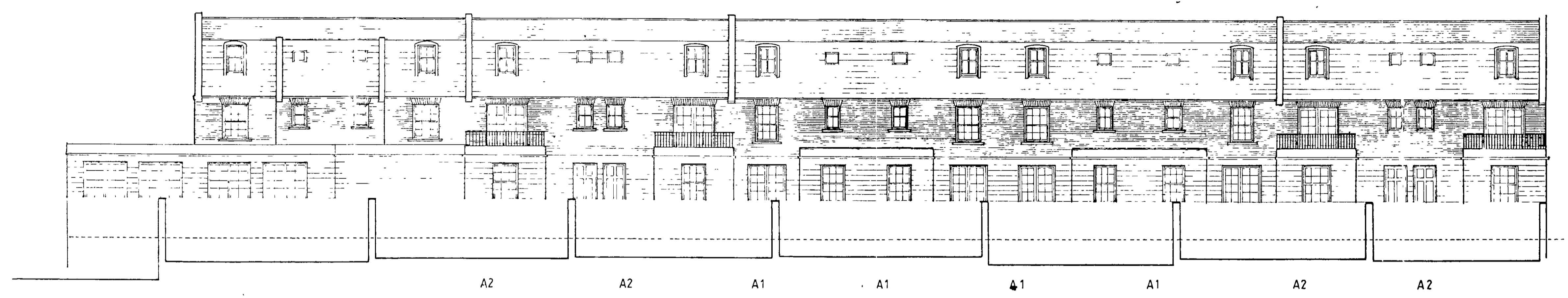
Drawn: R. Foulkes Date: 6/2/89

Drawing No: HTN 4/L(1-110)

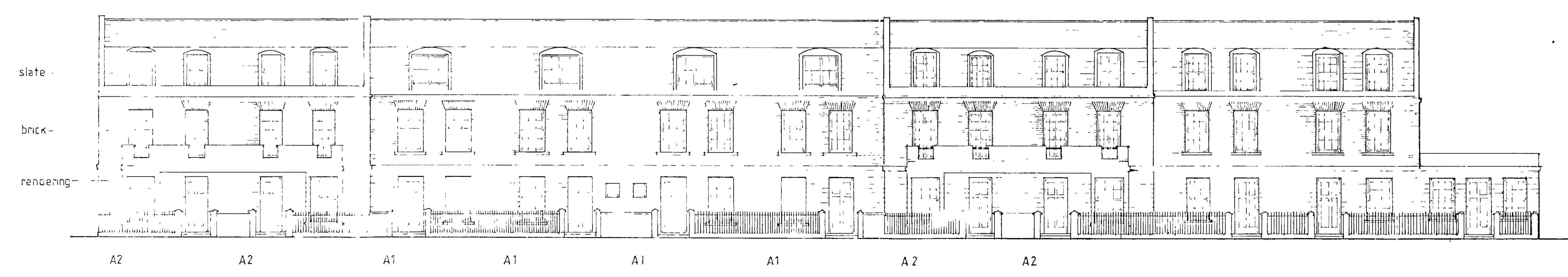
Scale: 1:100

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



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

CFPL
 RECEIVED
 31 OCT 1988

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

Job
 HORTENSIA. RD.

Title *APPROVED*
 MEWS ELEVATIONS
 Jane Z PL

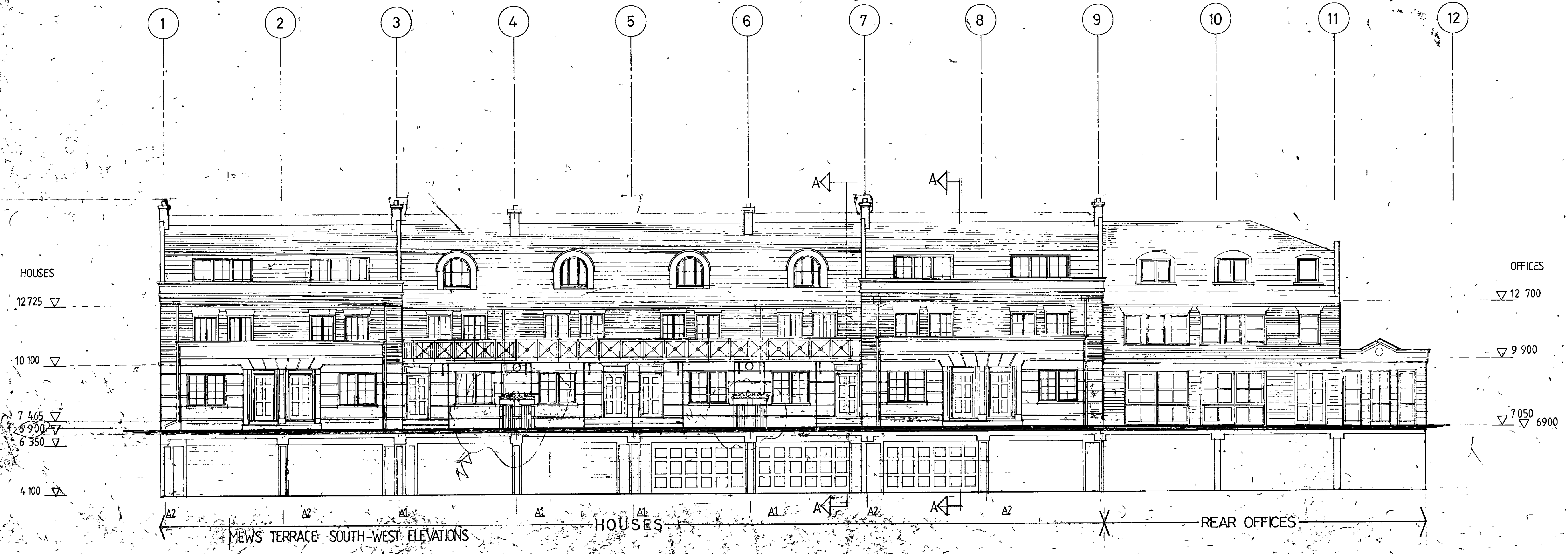
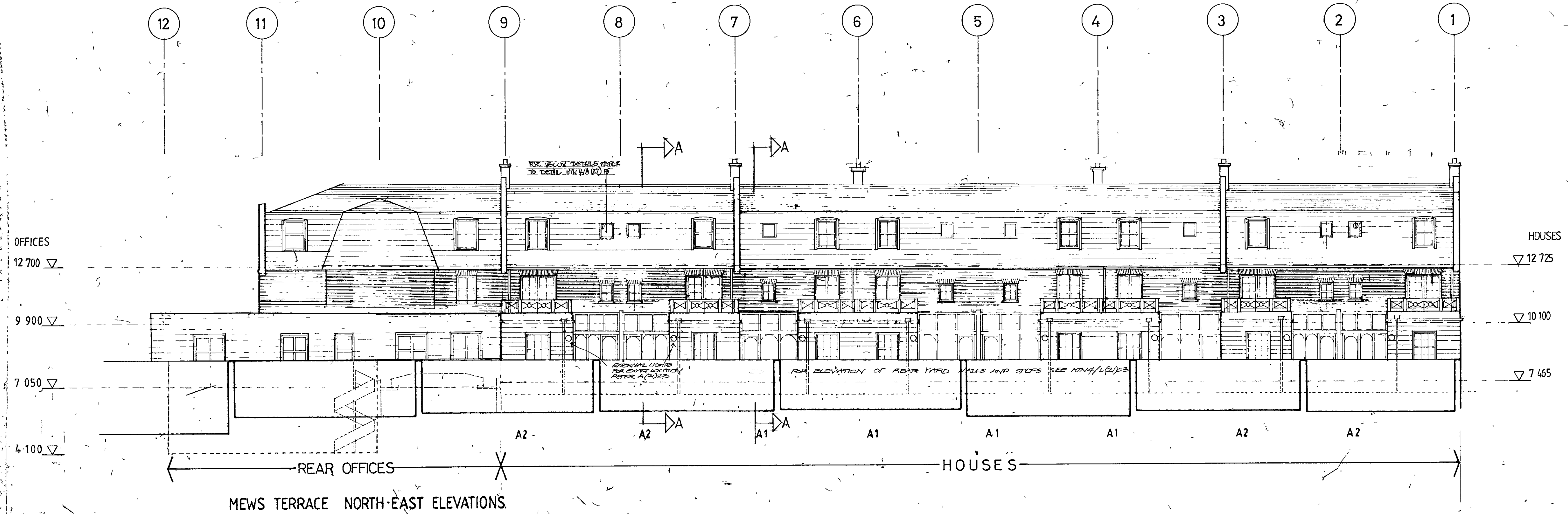
Drawn Date
 DM 14.9.88

Drawing No
 HTN/01/103

Scale
 1/100

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
A	NOV 78	OFFICE ELEVATIONS CHANGED DOWN ELEVATIONS NOT ON REAR ELEVATION AND UP HOUSE ELEVATION, DOORS AND RAILING ALTERED ON FRONT ELEVATION
B	DEC 80	NEW FRONT ELEVATIONS TO HOUSES INSERTED ARCHES PUT ON REAR ELEVATION REAR RAILING ALTERED
C	FEB 81	DOORS ADJUSTED TO SUIT SECTION OFFICE STAIRS ADDED TO REAR ELEVATION CORNER LEVEL ADJUSTED HOUSE DOORS
D	MAR 81	LEVELS ADDED
E	AUG 81	GRID REFERENCES ADDED SW ELEV CORNICE AMENDED COPING DECS REDUCED SW ELEV DORNERS AMENDED SW BALUSTRADE ALTERED, ADDITIONAL RAILINGS TO A2
F	AUG 81	ELEV TO S.W. AMENDED BETWEEN GL 9-12
G	DEC 81	GENERAL AMENDMENTS TO HOUSE FRONT ELEVATION
H	22/10/82	THE A2 CHIMNEY POT POSITIONS AMENDED
I	22/11/82	FRONT AND REAR ELEVATIONS TO OFFICES AMENDED
J	31/1/83	HOUSE GRID, FULC ELEVATIONS AMENDED
K	20/3/83	GARAGE & METER COUPONS ELEVATIONS AMENDED
L	19/4/83	ADDITIONAL WINDOW COUPONS AMENDED AND LOCATED ON GRID LINE 4 SW ELEVATION
M	11/5/83	BY STAIRS TO A1 HOUSES AMENDED
N	2/7/83	EXTERNAL COUPONS ADDED



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay | Llandudno
 0482 532738 | 01928 2464

Job
HORTENSIA. RD.

Title
Proposed
MEWS ELEVATIONS

Drawn
 DM

Date
 14.9.88

Drawing No
 HTN/011103

Scale
 1:100

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
A	SEP 88	SECTION LINES P.B. SUDWIT
B	NOV 88	REVISIONS MADE TO DRIVE TERRACE
C	NOV 88	FRONT ELEVATION AS TWO BLOCKS OF FLATS
D		FRONT BLOCK + FRONT + REAR OFFICES RE DRAWN

SECTION LINES REFER TO
DRAWING NO HTN/01/95

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay 0492 327238 London 01-938 2464

Job
HORTENSIA RD.

Title
SITE PLAN

Drawn Date
MAY 88

Drawing No
HTN / 01 / 105 E.

Scale
1:200

N.C.F.S. letter 10 Jan 89



FIBRE CEMENT ALABASTRA FREE SMITES
 RUSTICATED STUCCO WORK
 RECONSTITUTED STONE CORNICES, COPINGS, GILLS
 PAINTED IRON RAILINGS
 YELLOW MULTICOLOURED STUCCO FACING BRICK
 SKEN BACK BRICK ARCHES
 RED FACING BRICK



STUCCO SURROUNDS 9150
 HARDWOOD GLAZED DOORS
 PAINTED TIMBER WINDOWS 10050
 12 13 14 15 16



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		

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0442 532725
 London 01 938 2464

Job
 HORTENSIA ROAD

Title
 ELEVATIONS

Drawn
 Date
 JAN 89

Drawing No
 HTN/01/101 J

Scale
 1:100

NCF's letter of 18 Jan 89

OMBUDSMAN COMPLAINT

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

Paragraph 4

Amend "decided" to "determined" (Committee Report).

Paragraph 11

I would disagree with the site boundaries shown on figure 1-4 incl. I attach a 1/1250 O.S. extract. On this calculation, Mr. Powell's rear boundary is 26ft. long of which only 12ft. abuts the application site and 14ft. is abutted by Knights House. Similarly, the large greenhouses which existed previously on the site were at the southern end of the site.

It is to be noted that the 5 storey education building built as a Depository had a sheer height to Acorn Grove of 18.2m. (60ft.) above ground level with a tank roof on the roof 3.6m. (12ft.) high, 3.8m. (12'6") from the rear garden walls on Acorn Grove. The front block of the built scheme (the highest element) is 16.5m. (55ft.) above ground level set back 22m. (72ft.) from the rear gardens.

Paragraph 16

Basement of development is 1m. (3ft.) below garden level of Acorn Grove.

Ground floor of development is 1.8m. (5ft.) above garden level.

Also, see comments on paragraph 11.

Paragraph 17

Application B2 was amended such that it showed an overall reduction in height of 2.7m. It was set back a further 800mm. and the second floor was fully mansarded further reducing the visual impact. In this connection, figure 5 shows a sunlighting angle - the correct daylighting angle should be shown as 30 degrees (building to building), measured 2m. from ground level.

Sunlighting is a recommended standard only and is applicable to south facing buildings - the relationship of Acorn Grove to the development site is west south west. The complainant has separate glazing on the rear ground floor elevation to a single room and any loss occasioned to the northern-most window is provided for by the southern-most window.

In considering the application in 1988, it must be noted that the repository building which previously existed on the site caused a substantial loss of sunlight to Nos. 30, 34 and 36 Acorn Grove; No. 32 is already infringed by its own rear extension.

It can be seen from the section drawing no. HTN/01/104A that daylighting to Nos. 26/42 Acorn Grove was fully complied with in the amended scheme (application B2); daylighting being calculated for residential to residential building to building at 30 degrees, 2m. from ground level.

Paragraph 18

The new building extends across less than half of Mr. Powell's property. It should read some loss of sunlight in the evening as the sun sets in the west, but that the southern-most window would be unaffected. There is a difference in site levels, but of less than 2m. between garden level of No. 42 and basement level of the development.

Paragraph 23

It was with the agreement of the Committee that the decision letter was not issued until the applicants withdrew their outstanding appeal.

Paragraph 30

This is solely the personal opinion of an officer; she had not been in the Council's service when the original application was considered and had not been a party to any of the discussions which had taken place, either before the permission was granted or after until 1990. There are no Council policies relating to developments, either of less than 5m. or more than 5m. (the development in effect was of 4.6m. - the built scheme is set back 8m. from Mr. Powell's rear wall).

Paragraph 36

The Committee's decision was that no decision be issued until the independent expert on daylighting and sunlighting had responded fully in writing. His report had to be made available to the Chairman, and only after he was satisfied with its contents was the decision to be issued.

Paragraph 39

The petition relating to Application C was withdrawn by the petitioners on 14th September 1988. Committee consideration of Application B2 took place in October 1988 and there was thus no petition which could have been reported. Application C was materially different to Application B2 and was in terms of height and proximity to Acorn Grove the worst of the three options. Had the petitioners wished to petition Application B2 they could have done so. They had been reconsulted on 22nd September 1988, a week after they had withdrawn their petition to Application C.

Paragraph 40

(a) The site had previously been in wholly commercial use and the amount of office space sought was not large given the amount of new net residential they provided. Also, the previous buildings on the site appear to have enjoyed use rights for educational purposes and were of size and bulk that dwarfed its neighbours.

Paragraph 46

As a point of fact, the case officer did visit the site but did not enter into Mr. Powell's property. Figure 5 is considered incorrect; it is a sunlighting angle which should be at 2m. above ground level, designed for south west buildings.

Paragraph 47

The Committee in July 1990 were advised that the proposed density was 593 h.r.h. which was higher than the approved density in scheme B2, but still below the average density for this area which is 600 h.r.h. The increase in density had occurred not only from redesign of houses to flats, but also as a result of the Committee's wishes to increase residential at the expense of offices. The overall floor area of the building had reduced slightly.

Summary

In conclusion, I would stress that both applications B2 and D were acceptable in planning terms, and there were no sustainable grounds upon which either could have been recommended for refusal.

Application D does contain certain additional benefits over application B2, namely more residential accommodation and a reduced effect on the outlook of Mr. Powell. In my opinion, had application D been submitted in 1988, there would have been no reason not to recommend it for permission.

The scheme, as built, complies generally with the Council's planning standards, and in the Council's opinion, does not cause any significant harm to interests of acknowledged importance. On the contrary, it has secured the removal of a local eyesore and non-conforming user, and secured much needed residential accommodation.

The Inspector's attention is drawn to photographs attached to this report showing a "before and after" situation. This illustrates the detrimental effect to residential amenities which the previous Depository had on the townscape and the improvement effected by the development.

19 JUN 1993

Commission for Local Administration in England *CE/DLS*

21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396
DX 2376 Victoria 1

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

J. J. Bash, OBE
Director

Solicitor to the Commission
CONFIDENTIAL

Your ref dls/ag/pw2
My ref 90/A/1263/LH/
mlr

•
A Taylor Esq
Town Clerk & Chief Executive
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

8 June 1993

Dear Mr Taylor

Following the investigation of the complaint by Mr N Stoop of 42a Gunter Grove, SW10 OIJ, a draft has been prepared setting out the relevant facts.

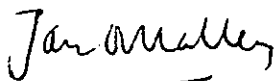
I enclose two copies of the draft without conclusions to give you the opportunity of drawing attention to any inaccuracies. Will you please return one copy showing any changes you propose within the next 15 working days.

I shall be grateful if you will ensure that the draft is seen by current officers of your Council who have been involved, or are referred to in the text. However, they should be told that, in accordance with Section 32 of the Local Government Act 1974, the draft must be treated in confidence.

If you also wish to make any general comments, the Local Government Ombudsman will take them into account before reaching his conclusions and making his findings known.

I am sending copies of the draft to Councillor Miss Doreen Weatherhead and to other former Members and officers of the Council who are referred to in the text asking separately for their comments.

Yours sincerely



JAN O'MALLEY (MS)
Assistant Director

enc(2)

INVESTIGATION INTO COMPLAINT NO. 90/A/1263
AGAINST
ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Table of Contents

Introduction	Page 1
Investigation	Page 2
Legal & administrative background	Page 2
The application site and Mr Powell's house	Page 4
Background to the complaint	Page 4
Grant of planning permission in 1988	Page 4
Enforcement action	Page 11
1989	Page 11
1990	Page 13
Allegations of maladministration	Page 17
i) Inadequate consultation on the planning application	Page 17
ii) The decision was based on inaccurate information	Page 18
iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application	Page 22
The Planning Sub-Committee's decision	Page 24
Appendix	
Figures 1-5.	

Key to Names Used

Mr Stoop	Mr Powell
Ms M Dent	Director of Planning
Mr M French	Deputy Director of Planning
Mr J Wells	Case Officer (until February 1989)
Ms C Zacharia	Case Officer (from May 1989 to May 1990)
Mr B Coey	Area Planner
Mr I Parry	Conservation and Design Officer
Mr M Walsh	Enforcement Officer
Mr A Phillips	Borough Solicitor
Councillor the Hon Simon Orr-Ewing	Councillor Brown
Councillor Gerald Gordon	Councillor X
Councillor Miss Doreen Weatherhead	Councillor Y
Councillor Stuart Shapro	Councillor Z
Application TP88/0632	Application A
Application TP88/0633	Application B (B2, as amended)
Application TP88/1410	Application C
Application TP89/2137	Application D
Gunter Grove	Acorn Road
Hortensia Road	Limes Grove
Hortensia House	Willow House
Knights House	Elm House
The Developers	London & Edinburgh Trust
The Applicants	Colwyn Foulkes & Partners

INTRODUCTION

1. The complainant, for the purposes of this report called Mr Powell, alleges that there was maladministration in the way the Council granted planning permission in October 1988 for a residential and office development adjacent to his house. In particular:-

- 1) there was inadequate consultation on the planning application,
- 2) the decision was based on inaccurate information, and
- 3) a ward councillor (Councillor "Brown") exerted an improper influence on the Planning Committee to approve the planning application.

Mr Powell also complains that the Council failed to take effective enforcement action when the developers breached the planning permission.

2. Mr Powell feels that he has sustained injustice because the development as built has an overbearing effect on his property and has reduced sunlighting, daylighting and privacy. He feels that his property has been devalued.
3. One of the Commission's officers has interviewed Mr Powell at his home, viewed the development, and examined the Council's files. She has also interviewed Councillor Brown, three members of the Planning Sub-Committee who took the decision to grant planning permission, and the Councillor who referred Mr Powell's complaint to me. Relevant existing and former planning officers of the Council have also been interviewed.

/....

INVESTIGATION

Legal and administrative background

4. The relevant planning policies are set out in the Council's District Plan (adopted in 1982). The major aim of the Plan is to maintain the residential function of the borough, and priority is given to protecting and increasing the supply of housing. The office strategy is one of restraint, and large scale developments are discouraged away from major transport interchanges. The application site is not a preferred office location. The District Plan did not define 'large scale', but in January 1989 the Council decided to treat office developments with more than 1,000 square metres (sq.m.) of floorspace as large scale.
5. The Greater London Development Plan (GLDP) (approved in 1976) recommends that housing for families should be in the range of 175 to 210 habitable rooms per hectare (h.r.h.) and for small households within the range of 210 to 250 h.r.h. A maximum density of 350 h.r.h. is recommended. The Council support these standards but consider that there are circumstances which warrant a departure from them.
6. The District Plan does not contain guidelines for distances between dwellings. The Plan seeks to ensure that new development allows sufficient light to existing buildings and does not have a 'cliff like' effect on them. The Council use sunlighting and daylighting standards produced by the Department of the Environment as approximate guidelines (see Appendix to this report). The Plan also states that direct overlooking from windows and gardens should be avoided to protect the privacy of existing occupiers. However the Council recognise that buildings in

/....

the borough are often close together with a consequent loss of privacy.

7. The application site is not in a conservation area and does not contain any listed buildings. The Council's general policies aim to achieve a high standard of development throughout the borough compatible with the scale and character of the surrounding area.
8. Planning applicants can appeal to the Secretary of State for the Environment against a Council's failure to determine a planning application within the statutory eight week period, a refusal of planning permission, the imposition of unacceptable conditions, and the service of an enforcement notice.
9. The Council's Code of Conduct for Members (based on the National Code of Conduct) advises councillors not to allow private or personal interests to influence a Council decision. The Code points out that non-pecuniary interests such as kinship, friendship, membership of an association, society or trades union, and other relationships are just as important as pecuniary interests, and should be disclosed both at formal meetings of the Council and at informal meetings.
10. The Council's Standing Order 47 authorises Chief Officers (or their deputies) to take action on urgent matters which arise between Committee meetings with the written consent of the Chairman of the appropriate Committee.

/.....

The application site and Mr Powell's house

11. Figure 1 shows the relationship between the application site and the surrounding properties. Prior to redevelopment the site was occupied by three buildings: a five storey warehouse building (used for educational purposes), a single storey building and a greenhouse. Mr Powell's property is situated to the south-east of the application site. It is a two storey house built as a rear addition to one of the substantial properties on Acorn Road. The rear elevation is 2.8 m. from the boundary with the application site and separated from it by a 2.4 m. wall. There are two living room windows at ground floor level (one is a french door), one staircase window at mezzanine level, and one bedroom window at the first floor.

Background to the complaint

Grant of planning permission

1988

12. In March the Developer's agents (the Applicants) submitted two identical planning applications (Applications 'A' and 'B') for the redevelopment of the application site. The proposals involved the demolition of the existing buildings and the construction of 12 houses, 9 flats and 694 sq.m. of office floorspace, with basement car parking. The development proposed a five storey block to the front and a four storey block to the rear, each containing a mixture of residential and office accommodation. The office blocks were situated at the southern end of the site. Figure 2 shows the layout of the proposed development.

/....

-
13. In May the Applicants appealed against the Council's failure to determine Application A. In June they submitted a new planning application (Application 'C') for the redevelopment of the site to provide 12 houses, 10 flats and 767 sq.m. of office floorspace. Part of the rear block was reduced from four to three storeys, and part of the front block was increased from five to six storeys. The Applicants said these proposals took account of concerns which officers had expressed during discussions on Applications A and B about the impact of the rear block on properties in Acorn Road.
14. Applications B and C were due for consideration by the Town Planning Applications Sub-Committee (the Sub-Committee) on 30 August, but were withdrawn at the Applicants' request in the light of officer reports recommending refusals of planning permission. The report on Application B advised that there was no objection to the removal of the existing buildings, and the principle of residential and office use was acceptable (although the site was not a preferred office location). However it stressed the importance of development in keeping with the surrounding area and the need to respect the residential amenity of neighbouring properties. The report noted the high density of the scheme with 550 h.r.h., and commented that the acceptability of such a high density scheme was dependent upon the architectural character and scale of the surrounding area. The Conservation and Design Officer was critical of the height of the blocks, their siting and their architectural design. He commented:-

"6.... The rear block will adversely affect the amenity of (Acorn Road). A four storey block, however well detailed, introduces a "wall like" element across the full width of the site, reducing views out of the site and any existing feeling of openness.

/....

7....

8.... The proposal, in particular the rear block in terms of properties in (Acorn Road) is considered to contravene Council standards of daylight and sunlight as set out in Figure 17.2 of the District Plan. In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens"

The Director of Planning recommended refusal because the development would lead to:-

"1. A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in (Limes Grove);

2. Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.

..... contrary to the policies set out in the Council's adopted District Plan"

Application C was recommended for refusal for the same reasons.

15. In September the Applicants submitted revised plans in respect of Application B (Application 'B2') following discussions with Council officers. The height of the rear office and residential blocks was reduced from four to three storeys, the residential element was set back further from properties in Acorn Road and the design was modified. There were minor modifications to the front block. The Applicants also appealed against the Council's failure to determine Application C.

16. Figure 3 shows the relationship between Mr Powell's property and the rear office block as shown on the plans. The basement and ground floors extend almost half way

/....

across the frontage of Mr Powell's property, and the rear elevation is 1.6 m. from the rear boundary, a distance of approximately 4.5 m. from Mr Powell's house. The first and second storeys are set in and set back. The plans do not reveal the difference in site levels of approximately 2 m. between the application site and Mr Powell's property. In effect the basement of the proposed development is not much lower than the ground floor of Mr Powell's property.

17. The Case Officer, who had recommended refusal of Application B, told the Commission's officer that the reduction in the height of the rear residential and office blocks addressed the main objections to the original scheme, and officers felt able to recommend approval of Application B2. He says he had been most concerned about the impact of the original proposals on properties further along Acorn Road which were more 'hemmed in' and which would suffer loss of light from shadows cast by the new development. He felt the reduction in the height of the rear block satisfied the Council's standards on sunlighting and made the development acceptable. His senior officers, the Area Planner and Deputy Director of Planning agreed that planning permission should be granted.

18. The Case Officer says he was aware from the plans that the distance between Mr Powell's house and the proposed development was only 4.5 m. However the new development extended only across half of Mr Powell's property and the building immediately facing him would be constructed at basement and ground floor level only. He would have been more concerned if the development facing Mr Powell's property was higher. He says the daylighting to Mr Powell's property was already affected by the close proximity of the 2.4 m. boundary wall. He accepted that

/....

there might be some loss of light in the evening but did not think this was significant. He was aware that there was a difference in site levels between the application site and properties in Acorn Road (although he did not appreciate that they were as significant as indicated in paragraph 16). He did not recall asking the Applicants for any amendments to reduce the impact of the development on Mr Powell's property.

19. A report recommending that Application B2 should be granted planning permission was submitted to the Sub-Committee in October. The Committee were informed of the changes to the original scheme, which included a reduction in the amount of office floorspace from 694 sq.m. to 600 sq.m. A model of the development produced by the Applicants was available for inspection by the Committee. The report indicated that the residential density of the scheme was still in excess of 500 h.r.h. and referred the Committee to the Conservation and Design Officer's comments which were still critical. He welcomed the simplification of the rear block and acknowledged that its reduction by one storey would reduce the effect on the amenities of properties in Acorn Road. However he considered that the relationship between the proposed front and rear blocks was unacceptable, and the bulk along the rear site boundary excessive. He advocated a different design approach involving the omission of the rear block, thereby preserving and enhancing the amenity of properties in Acorn Road. Notwithstanding these comments, the report stated that the Council's standards of daylighting and sunlighting were met in respect of the properties in Acorn Road, and the degree of overlooking was considered acceptable on balance.
20. The consultations on the application were reported to the

/....

Sub-Committee. The report indicated that 60 adjoining occupiers had been consulted and there were five letters (including one from an amenity society) objecting to the development on grounds of its density, the layout, design and height of the development, loss of trees, loss of light, and noise and fumes from the car park. The Applicants had held a public meeting (attended by eight local residents), and canvassed the residents of Acorn Road for their views. The findings were not set out in the committee report but were available for reference on the application file. The Committee were advised that "Residents supported the principle of redevelopment".

21. A letter in support of the modified scheme from a ward councillor, Councillor Brown, was appended to the report at his request. He argued that the existing buildings were unattractive and the proposed development would enhance the area. He had inspected a model of the scheme and considered that the reduced height of the rear block resulted in an acceptable form of development.
22. The Sub-Committee agreed to grant planning permission in respect of Application B2. There is no record of dissent and it is assumed that the decision was unanimous. A decision notice was issued later that month granting planning permission for 12 houses, 9 flats and 600 sq.m. of office floorspace. One of the conditions attached to the grant of planning permission stated:-

"8. The new buildings hereby approved shall relate to the adjoining premises, (Willow) House and (Elm) 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."

/....

23. The Applicants withdrew their appeals in respect of Applications A and C, following the grant of planning permission for Application B2.

24. In December the Applicants asked the Deputy Director to increase the amount of permitted office floorspace to 675sq.m. He says he agreed to this under the Director's delegated powers because the amount was below the 694 sq.m. specified in Application B2. A revised notice was issued on 22 December. This crossed with a letter from the Developers advising the Deputy Director that they wished to alter the dwelling mix of the front block to provide more flats instead of houses and to amend the elevations. The letter concluded:-

"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 1038 m.sq. and the approval document shows 600 m.sq.

Hopefully we can sort this out at the same time."

25. The Deputy Director says he has no recollection of this letter. He would have referred it to the Case Officer but he has no recollection of it either. He left the Council in February 1989 and a new case officer was not appointed until May.

Enforcement Action1989

26. Mr Powell says he first learnt of the development in the middle of 1989 when the existing buildings were cleared; he asked the builders what was happening and was told that there were no plans to build at his end of the site. However building continued, and he and other neighbours telephoned the Council at the end of September to complain that development was proceeding without planning permission. An Enforcement Officer inspected the site on 6 and 17 October; by this stage development was proceeding at basement and ground floor levels. He says it was difficult to establish whether the building conformed with the plans, because of differences in site levels both between the application site and Mr Powell's property, and between Mr Powell's and the next door property (through which the relevant section is drawn) which was 500-600mm higher. He initially concluded that the structure was only 350-400mm higher than shown on the approved drawings and that no further action was warranted, but Mr Powell was insistent that something should be done.
27. The Deputy Director, Conservation and Design Officer and new Case Officer met the Applicants on 19 October to discuss the alleged breach of planning control. They discovered that the developers had amended the dwelling mix of the front block and altered the front elevation. In addition the discrepancy over the amount of permitted office floorspace (see paragraph 24) had not been resolved and several planning conditions had not been met. The Applicants agreed to submit proposals to correct the deviations. The Director of Planning wrote to them the following day asking them to stop works in the vicinity of

/....

Mr Powell's property until the matter had been resolved, threatening enforcement action and stop notices if they did not. Their attention was drawn to Condition 8 which rendered the planning permission null and void (see paragraph 22). The Applicants did not reply by 23 October, as requested, and the Director of Planning asked the Chairman of the Planning Committee on 24 October for approval to serve enforcement notices. She wrote:-

"The structure is currently being constructed at raised ground floor level and concrete is being poured daily. The contractors are moving quickly and "time is of the essence". The residents of (Acorn Road) have suffered loss of light and of amenity, and if the structure is raised any higher will suffer a corresponding loss."

The Chairman of the Planning Committee gave his consent.

28. The Council served two enforcement notices on 31 October. The first notice alleged that the rear office block was being built higher, and the elevation of the front block was further forward, than approved. By virtue of Condition 8 the planning permission was null and void. The notice required a reduction in the height of the rear office structure and alterations to the front block. The reasons given included loss of light and amenity to residents of adjoining properties in Acorn Road. The second notice dealt with the failure to comply with planning conditions. The Applicants agreed to stop works in the vicinity of Mr Powell's property. Council officers say a stop notice would have halted works on the entire site, rendering the Council liable for substantial compensation if an appeal was successful. They were satisfied that such action was not necessary in view of the voluntary agreement to stop works. (The Applicants appealed against the enforcement notices on 14 November.)

/....

29. In November the Applicants submitted a planning application (Application 'D') for 21 flats in the front block and associated design alterations. They argued that the rear office block complied with the approved plans, and any alterations could be dealt with by way of an amendment to the original consent. However the Council insisted on a full application incorporating changes to the rear office block. The Applicants submitted a revised application and details required by the planning conditions later in the month. The proposed modifications included setting back the ground floor of the rear office block to 8 m. from Mr Powell's property.

1990

30. The Case Officer says the proposals were not ideal but she felt the development was the best officers could achieve in the light of the 1988 permission. She was critical of the permitted scheme and its impact on Mr Powell's property. She told the Commission's officer she would have tried to persuade the Applicants to omit the rear office block or, at least, to negotiate a lower block further away from the rear boundary. She would not have supported a development which was less than 5 m. from an existing building. She says she saw the discrepancy over the amount of permitted office floorspace as an opportunity to secure some improvements for the residents in Acorn Road. She felt that Application D was an improvement on the approved scheme and resulted in less overlooking. She was satisfied that the Council's standards on daylighting were met. The Case Officer agreed that planning permission should be recommended.
31. A report on Application D was presented to the Planning

/....

Sub-Committee in February. The Committee were advised that the proposals sought to regularise the alterations to the front block which were the subject of enforcement action. The report stated that the rear office block was being built in accordance with the approved plans (despite the outstanding enforcement notice (see paragraph 28)). However:-

"The rear office block has been the subject of concern..... 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 (Mr Powell's property), originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in (Acorn Road)"

The Sub-Committee were also advised that the total office floorspace approved in 1988 should have been 1,100 sq.m. (as shown on the approved plans), not 675 sq.m. as referred to on the decision notice. Planning permission was recommended subject to a legal agreement requiring the completion of the rear office block within three months. The Sub-Committee agreed that Application D was an improvement on the permitted rear office scheme, and they had no objections to the front residential block. However they decided to refer the application to the main Planning Committee for determination, with the benefit of legal advice on the status of the 1988 permission.

32. Application D was considered by the main Planning Committee in March. The Committee were concerned about the confusion over the amount of office floorspace granted in 1988, and the impact of the rear office development on Mr Powell's property. The Borough Solicitor informed the Committee that Counsel had advised that the 1988 permission allowed

/.....

675 sq.m. of office floorspace, as shown on the decision notice, and not 1,100 sq.m. In the light of this opinion the Committee asked the Director of Planning to negotiate a further setting back of the rear office block from Acorn Road and the replacement of office with residential floorspace.

33. Mr Powell was disappointed that the Committee did not refuse planning permission, and he urged the Council to proceed with enforcement action and issue stop notices. Several councillors raised this at Planning Committee on 2 April, but they were advised that stop notices could be issued between committees with the Chairman's consent, if necessary. However on 11 April the Deputy Director sought the Chairman's approval to withdraw the two enforcement notices, following discussion with the Director of Planning and Borough Solicitor. The Chairman agreed and the enforcement notices were withdrawn on 24 April.
34. The Deputy Director told the Commission's officer that the enforcement action was suspended because the Applicants had submitted a satisfactory scheme for the front block and amendments to the rear office block were being negotiated. Counsel (for the Applicants) had advised that Condition 8 was invalid and could not be enforced against, and the Council's legal advisers agreed. The Applicants had also submitted details required by the planning conditions. In the circumstances senior officers felt that the enforcement notices should be withdrawn, although this did not prevent the Council from taking further enforcement action if necessary. The Deputy Director says the action was taken under emergency powers because the public inquiry was due to take place on 26 June, and the Council's pre-inquiry statement was due six weeks beforehand. He said the

/....

Council's negotiating position would have been weakened once the statement was issued. The Planning Sub-Committee were informed that the enforcement notices had been withdrawn at their meeting on 24 April. Mr Powell questions why the decision was not left to the Committee.

35. The amended Application D was reported to the Planning Sub-Committee on 24 April, and to the Planning Applications Committee on 30 May and 12 June, but a decision was deferred on each occasion.

36. The Planning and Conservation Committee considered the application at their meeting on 9 July. The scheme had been amended to provide six residential flats in the rear office block, leaving 49 sq.m. office floorspace and reducing the total amount of office floorspace in the scheme to 752 sq.m. There had been no changes in the overall bulk of the block (other than those outlined in paragraph 31) but the window to the ground floor unit facing Mr Powell's property had been set at an angle to reduce overlooking (see figure 4). The only window above ground floor level facing Mr Powell's property was a high level window lighting a staircase. After considerable debate the Committee expressed the view that they were minded to refuse planning permission by seven votes to three. The application was then referred to the confidential part of the agenda. The Borough Solicitor and Director of Planning advised the Committee that the chances of success on appeal were remote and that substantial costs could be awarded against the Council. The Committee were advised that the proposed 752 sq.m. of office floorspace was not significantly higher than that previously granted of 675 sq.m. and the Applicants could argue on appeal that 1100 sq.m. had been permitted. Concerns about density,

/....

daylight/sunlight and the height of the development were arguable, and did not constitute a strong case for refusing planning permission. Following further discussion the Committee voted to approve the application by eight votes to four. A decision notice was issued in August, after the Council had received an independent report on sunlighting which supported the Council's view that sunlighting grounds could not have been sustained as a reason for refusing planning permission.

Allegations of maladministration

i) Inadequate consultation on the planning application

37. Mr Powell and some other residents in Acorn Road say that the Council never notified them about Applications A and B. The report to Sub-Committee in October 1988 indicates that there were only five objectors out of 60 consultees (see paragraph 20), and they feel that the lack of objections was a significant factor in the Sub-Committee's decision to grant planning permission. Mr Powell also complains that a petition from residents in Willow House, collected in response to the Council's consultation on Application C, was not presented to the Sub-Committee when they determined Application B, although the objections were relevant.
38. The Council say that they complied with their usual consultation procedures and cannot explain why many residents apparently did not receive notification letters. The Area Planning Officer identified which households should be consulted from the ordnance survey map (see Figure 1) and notification letters were sent out on 31 March. One letter was sent per property. A notice was also posted in the press and interested bodies were

/.....

notified. The Area Planner says the Case Officer was surprised at the time by the low response rate and thought that some households might not have received letters because some houses were subdivided into flats. They took the unusual step of identifying individual households from the electoral register (compiled in October 1987) and sent additional notification letters to them on 26 May. (Mr Powell was not on the register and did not receive a letter.) However this exercise did not give rise to any further letters of objection. The Council consulted on Application B2 on 22 September 1988 but no further letters of objection were received. The representations received were reported to the Sub-Committee at their meeting in October 1988.

39. The Council consulted the same neighbours on Application C on 4 July 1988. A petition objecting to Application C signed by 30 households in Willow House was sent to the Council on 14 August, but withdrawn on 14 September after the developers had met the petitioners to discuss modifications to the scheme. Application C was withdrawn in October 1988 (after planning permission had been granted for Application B2), and neither it nor the petition was considered by the Committee. The Deputy Director says it is questionable in any case whether objections to one scheme should be reported for consideration when a separate and alternative scheme is being determined.

ii) The decision was based on inaccurate information

40. Mr Powell complains that the report on Application B2 submitted to the Planning Sub-Committee in October 1988 was wrong in the following respects:-

/....

a) Amount of office floorspace

The report stated incorrectly that the scheme incorporated 600 sq.m. of office floorspace. It was subsequently discovered that the approved drawings showed 1100 sq.m. The Council acknowledge that a mistake occurred in measuring the plans and this was unfortunate, but they point out that the amount of office floorspace (which came to 767 sq.m. in Application C) was never considered to justify a refusal of planning permission. The Deputy Director says there would have been no real policy objection to a larger amount of office floorspace, as the decision to treat office schemes above 1,000 sq.m. floorspace as major developments was not taken until January 1989. The first Case Officer did not think this amount of office floorspace could be resisted, given the previous commercial use of the site and bearing in mind that the offices were capable of subdivision to small units. However he acknowledged that an opportunity to negotiate more residential accommodation on the site was not appreciated at the time.

b) Misleading consultation exercise by Applicants

41. Mr Powell complains that the Applicants undertook a misleading consultation exercise and claimed that residents supported the scheme when they did not. He alleges that the Council gave prominent coverage to the Applicants' findings in the committee report without checking the authenticity of their claims. Mr Powell feels that these failings compounded the inadequacy of the Council's own consultation exercise.

/....

42. The Council deny that prominent coverage was given to the consultation exercise. The Sub-Committee were informed of the consultations (at the Applicants' request), together with the objections received as a result of the Council's own consultations, and Councillor Brown's letter (see paragraphs 20 and 21). The Case Officer says that his recommendation was not 'consultation led' but based on his own assessment of the acceptability of the scheme on planning grounds.

c) Misleading model

43. Mr Powell and other residents allege that the Applicants' model of the proposed development was misleading. They say it gave the impression that the rear blocks were two, not three, storeys and understated the effect on the surrounding buildings. The model was presented to the Sub-Committee and to residents who attended a public meeting held by the Applicants on 1 June. (The Council were not invited to this meeting and were not represented at it.) Residents who saw the model said they would have objected strongly had they been aware of the extent of the development. Councillor Brown says the model he saw was "very seductive" and different from what has been built. Mr Powell feels the Committee should have been warned that the model was misleading.

44. The Deputy Director says the model did not form part of the planning application and would not have been checked by officers. He first saw it at the Sub-Committee meeting and was not aware if the Case Officer had ever seen it. He commented that the Sub-Committee would not have been taken in by a model.

/....

d) Daylighting and Sunlighting

45. Mr Powell complains that the Council were misinformed that the scheme complied with the Council's standards of daylighting/sunlighting in respect of properties in Acorn Road (see paragraph 19). He said the proposals constituted a dramatic infringement of the Council's daylighting standards. The Applicants submitted drawings in support of Application D which demonstrated that this scheme, unlike Application B2, complied with the Council's daylighting standards in so far as Mr Powell's property was concerned (see figure 5). However Mr Powell and his advisers allege that these proposals still reduce the amount of sunlight to his property to below the recommended standard of three hours. The impact of Application B2 on his property would have been greater.
46. The Case Officer says he applied the Council's daylighting standards and was satisfied that they were met; his views and concerns are set out in paragraphs 17 and 18 of this report. He acknowledges that the drawings reproduced in figure 5 suggest that the Council's standards were not met in respect of Mr Powell's property. However he does not consider that this, in itself, necessarily pointed to a refusal of planning permission, but that the situation should have been clarified in the committee report. He points out that the development only extends across half of Mr Powell's property and that windows to the south are not obstructed. The Area Planner says he visited Mr Powell's house in the course of construction and was satisfied that the daylighting was entirely satisfactory. The Council had taken

/....

independent advice on Application D (see paragraph 36) and been advised that there were no grounds for refusing planning permission on grounds of sunlighting.

e) Residential of Density

47. Mr Powell says the committee report indicated that the density of the scheme was in excess of 500 h.r.h., whereas it was actually 650/660 h.r.h. He argues that officers recommended a refusal of Application B partly on the grounds that the density of 550 h.r.h. was excessive. The Council have not revised their calculations, but say the acceptability of high density schemes is dependent upon the architectural scale and character of the surrounding area. The Conservation and Design Officer's (critical) comments were clearly set out in the committee report (see paragraph 19).

iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application

48. Mr Powell considers that Councillor Brown, the ward councillor, was wrong to write a letter in support of the scheme for circulation to the Sub-Committee (see paragraph 21). He believes that his views were influential because he was a former Chairman of the Planning Committee (although he was not a member of the Planning Committee at the time). Councillor Brown is a chartered surveyor, and was at school with the Chairman of the Development Company. Mr Powell believes that these associations may have taken priority over his obligations as a ward Councillor.

49. Councillor Brown refutes any allegations of improper

/....

conduct. He says he had a vague recollection of the Chairman of the Development Company from school days, but there were several years' age difference between them and they had only met occasionally at school functions since leaving school. He denies any personal, professional or social associations with the Chairman of the Development Company which would have required him to disclose an interest.

50. Councillor Brown says he supported the scheme because the existing non-conforming use was an eyesore, and the proposed scheme resulted in a gain of residential dwellings. He believes he learnt of the proposal from the regular listings of planning applications, and asked the Director of Planning to keep him informed of progress. He says he cannot recall being introduced to the Developer's Architects by the Chairman of the Development Company (as has been alleged), but acknowledges that he may have visited the Architect's offices to view the model. He could not recall the details of this visit or whether he was accompanied by a Council officer.
51. Councillor Brown says he received a number of representations on the scheme, including some from residents in Acorn Road. He formed the view that residents were generally in favour of the development and asked the Director of Planning to write a letter in support of the scheme on his behalf. He says he had written in support of, or against, other significant schemes although he could not recall which. The scheme was not contentious and did not give rise to many objections. He says the Planning Sub-Committee would have deferred the application or referred it to the main Committee if they had any doubts about it.

The Planning Sub-Committee's decision

52. The Commission's officer has interviewed three of the four Councillors who took the decision to grant planning permission in October 1988. Councillor X was the Chairman of the Sub-Committee; he could not recall the application and was not familiar with the site, either before or after development. Councillor Y had no recollection of the Sub-Committee meeting either; however she had visited Mr Powell's property after development had started and was familiar with the site. Councillor Z had only a vague recollection of the meeting. The three councillors commented that the pressure for redevelopment at this time was intense, and the Sub-Committee were determining 80 to 120 planning applications each meeting.
53. Councillor X says he is not surprised that the Sub-Committee granted planning permission in the light of the information contained in the committee report. He noted that there were few letters of objection and the proposals seemed uncontentious. He said he would not have attached any great importance to the Applicants' own consultation exercise as its purpose (and that of the model) was to elicit support for the scheme. Councillor Y agreed. She says she would have accepted the Applicants' consultation exercise at face value and expected any objections to be revealed through the Council's own consultation process. Neither Councillor would have expected a petition relating to a different scheme to be brought to their attention. Councillor Z commented that controversial applications gave rise to many objections and lobbying, but that did not happen in this case. He said the general feeling was that the application was uncontentious and there were no reasons for withholding planning permission. The Councillors said

/....

they would have taken account of Councillor Brown's letter in support of the scheme but it would not have been overriding.

54. Councillor X could not say whether he would have taken a different view had the Committee been told the true amount of office floorspace. He said he would have asked officers for their views about this, but he and Councillor Y both said the Committee would have been in favour of the residential gain, and the increase in office floorspace would have been balanced against this. They also noted that the scheme was replacing an employment use and the existing ugly building. Councillor Z thought that officers might have made a different recommendation had they been aware of the amount of office floorspace, and the Sub-Committee would then have looked at the matter closely. He commented that once the mistake came to light there was a general feeling that the Council would not have permitted that amount of office floorspace.
55. Councillors X and Y said they would have expected officers to tell them if the application contravened Council's daylighting standards. They would want to know how significant any breaches were so that they could decide whether to ask officers to negotiate amendments. Neither they nor Councillor Z were convinced that the Committee should have been told about the difference in site levels, although with hindsight it may have been helpful to know the distance to Mr Powell's property. Councillor Z commented that the Committee receive copies of the block plans now, enabling them to assess such distances.
56. Councillor X noted the Conservation and Design Officer's criticisms of the proposal set out in the report and

/....

thought he would have asked why planning permission was being recommended in the light of them. However he commented that the site was not within a conservation area and the Sub-Committee would have found it difficult to justify a refusal of planning permission if advised that it could not be defended on appeal. Councillors Y and Z agreed.

17.5 LIGHT AND PRIVACY

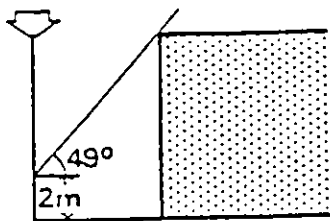
(For policy see "Conservation and Development", Section 4.10)

17.5.1 New buildings, and new accommodation provided in existing ones, should have adequate sunlight and daylight, not only in living rooms and main bedrooms but also in gardens and amenity spaces.

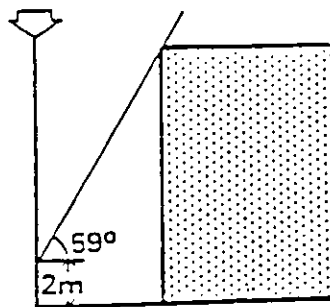
17.5.2 Figure 17.2 shows standards based on those produced by the Department of the Environment in 1971 [1], which are useful as approximate guidelines.

17.5.3 Direct overlooking from a balcony into a private garden immediately below should be avoided. Where windows are to be inserted into existing walls, they should be designed to avoid new problems of overlooking by, for example, careful positioning or the use of obscured glass.

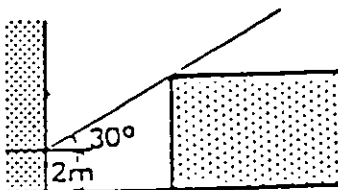
Figure 17.2 Sunlight and Daylight Angles



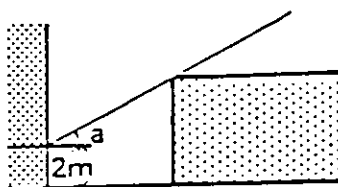
Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, residential purposes.



Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, non-residential purposes.



Daylight angles applicable between residential buildings.



Sunlight diagrams must be applied to ensure 3 hours of sunshine a day to neighbouring south facing existing residential buildings. As a general guide:

- a = 28° for south facing buildings; and
- a = 20° for south-east and south-west facing buildings.

NB. These diagrams are based on standards produced by the Department of the Environment in 1971, but are only approximate guidelines; the Council's officers should be consulted for further details.

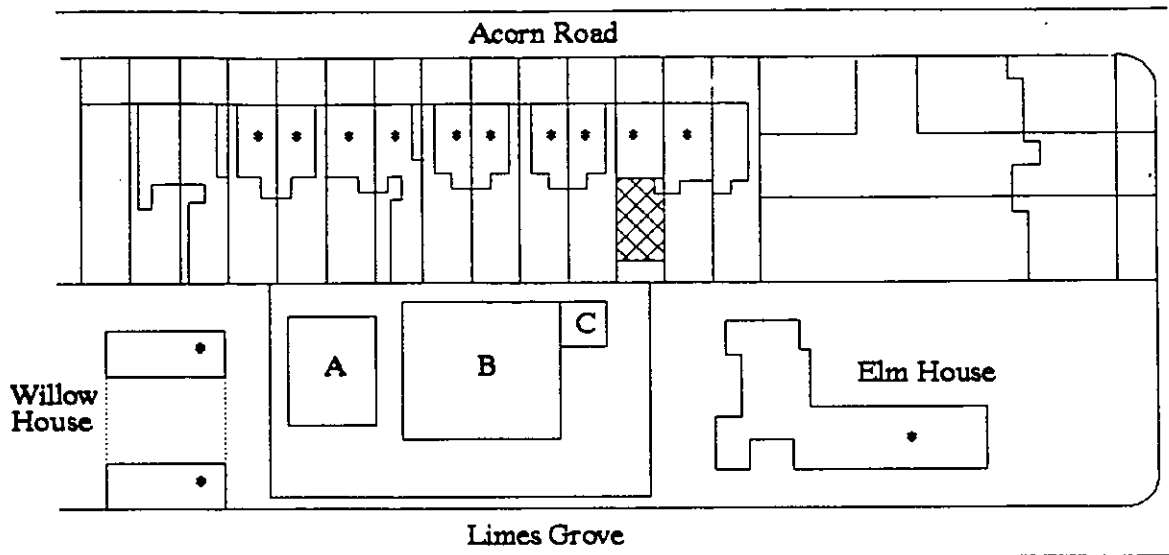


Site boundary or street centre

Edge of existing building

Figure 1: Relationship between application site and surrounding buildings

Not to Scale



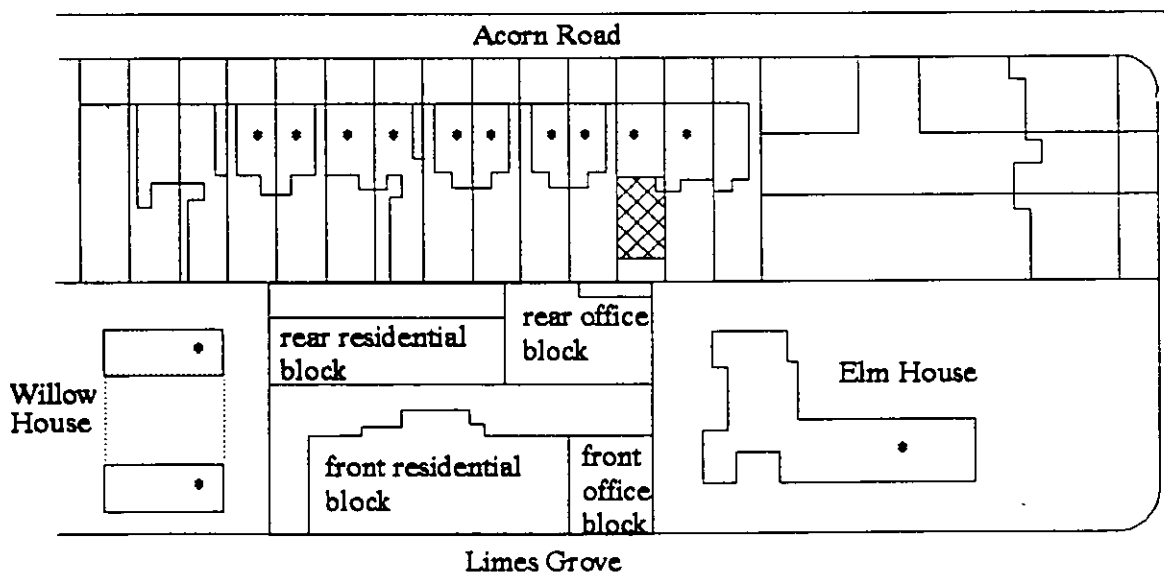
Original buildings

- A: Single storey building
- B: 5 storey warehouse
- C: Greenhouse

* Properties notified of planning applications

 Mr Powell's house

Figure 2: Application B2 - proposed layout of buildings



 Mr Powell's house

Figure 3: Relationship between Application B2 and Mr Powell's property

Not to Scale

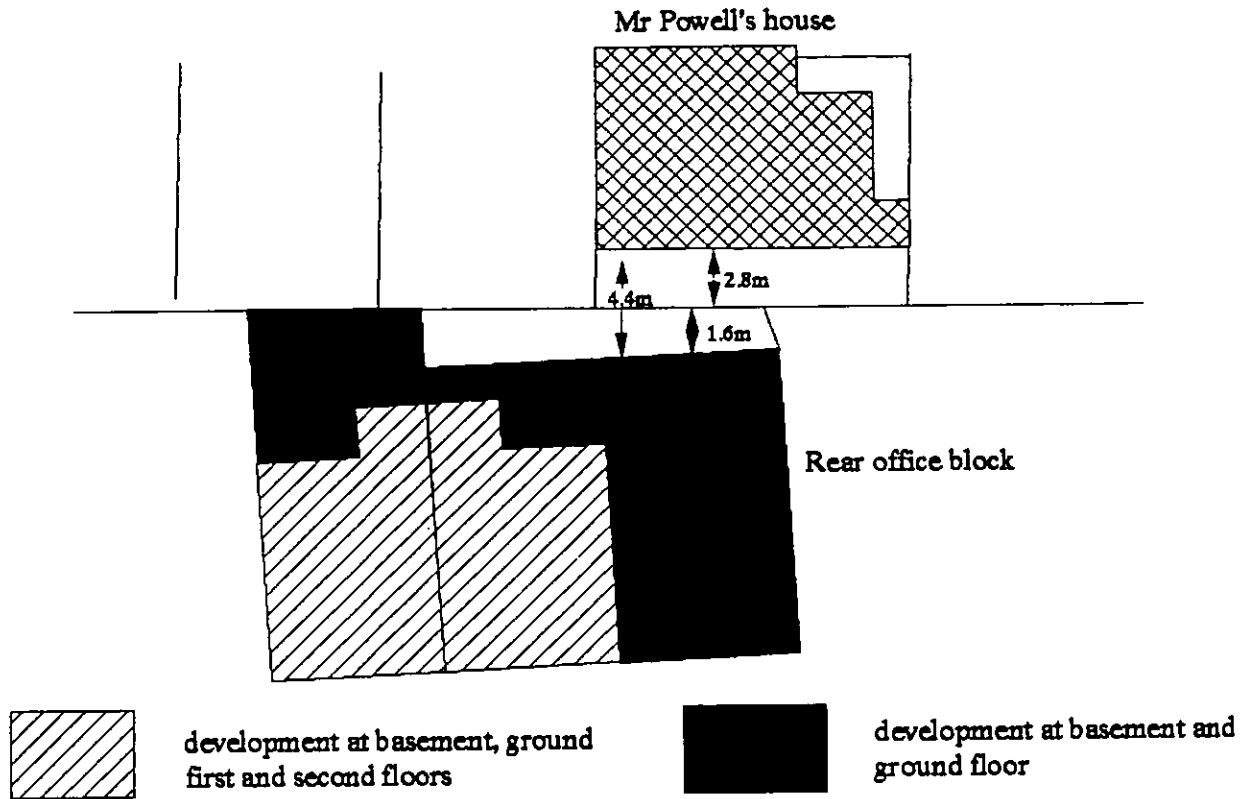
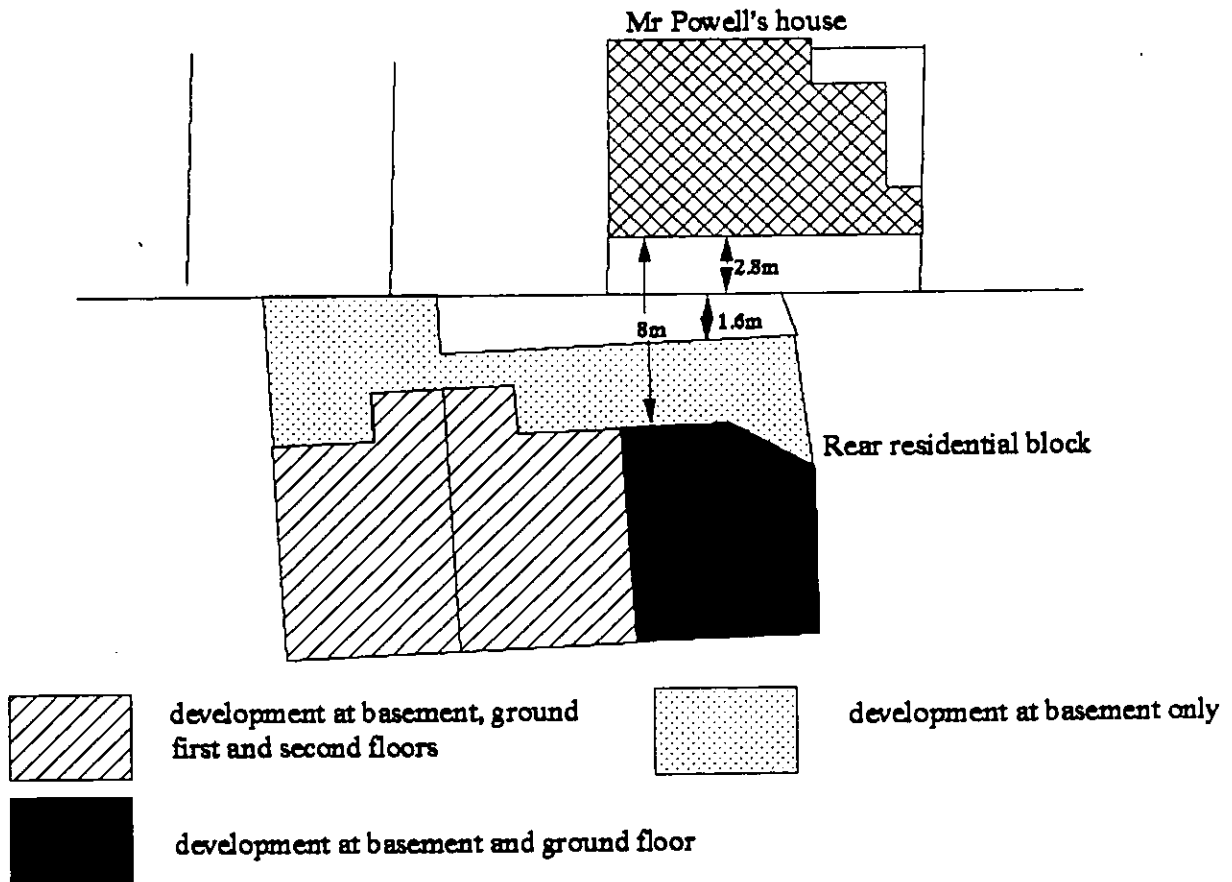
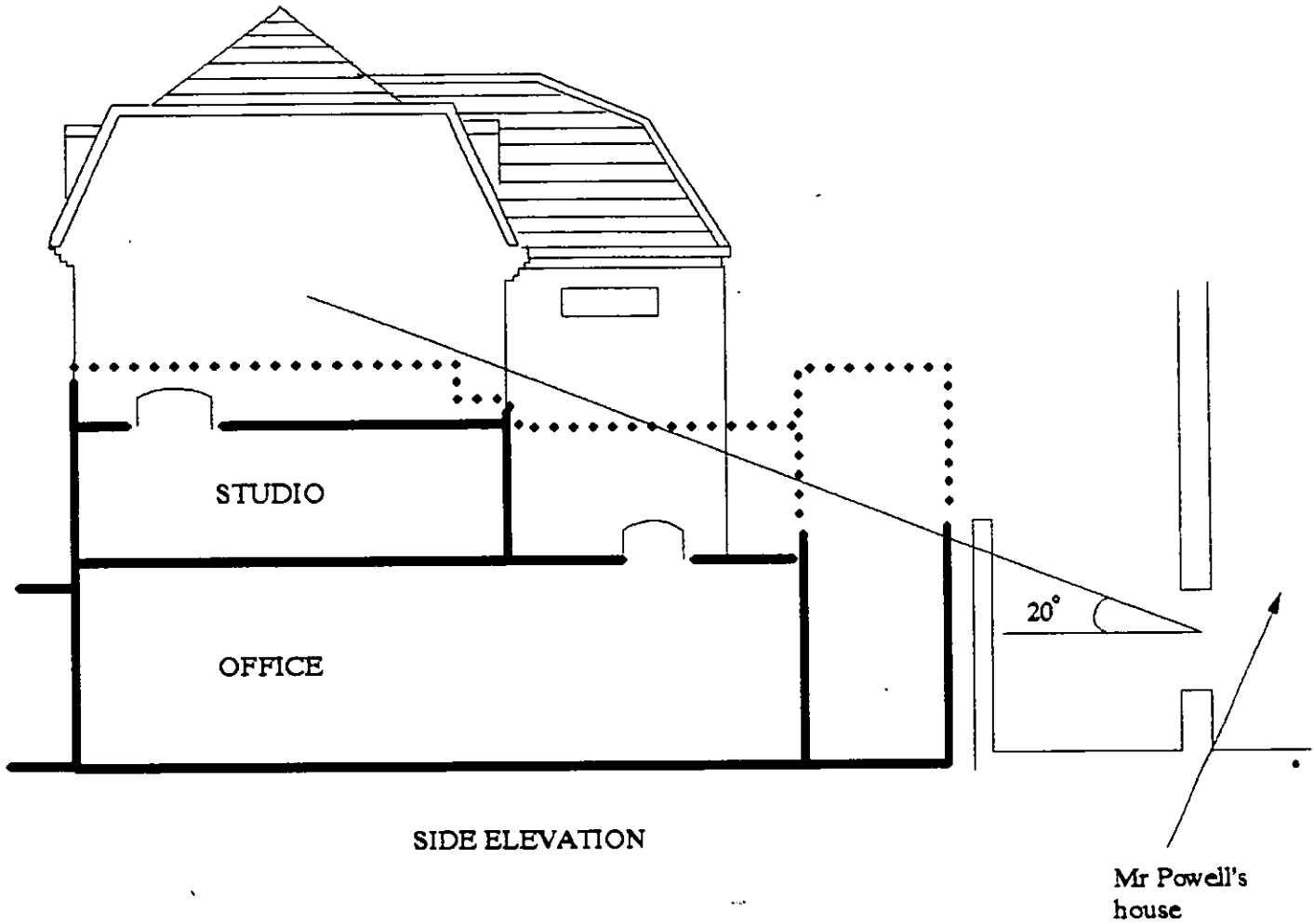


Figure 4: Relationship between Application D and Mr Powell's property



sunlight

Figure 5: Side elevation: Application of Council's daylighting standards in respect of Applications B2 and D



SIDE ELEVATION

- Application B2
- Application D

Not to scale

AKR:JS

PLAN

FIG 5A

KNIGHT

46

44

42

40

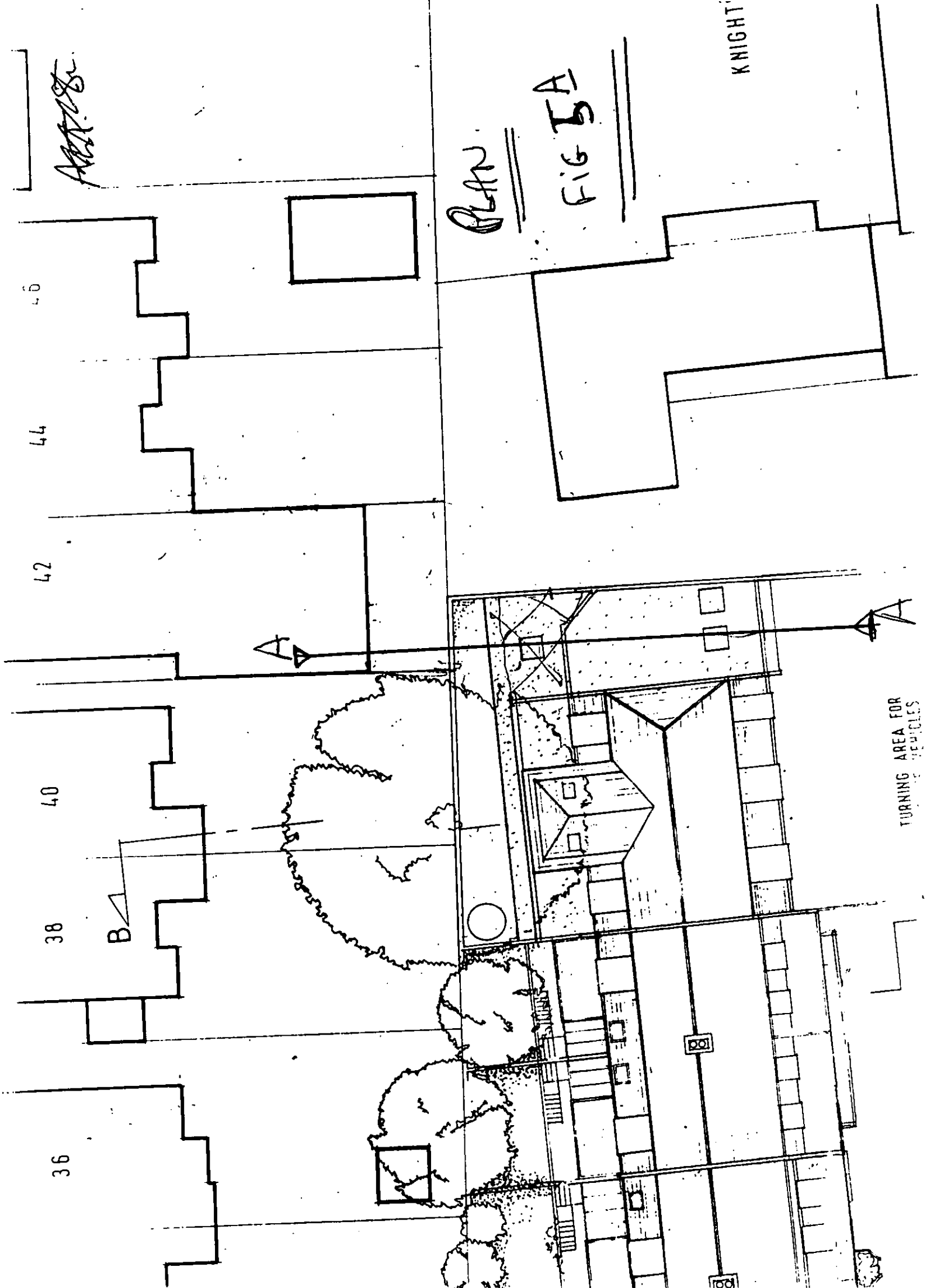
38

36

A

B

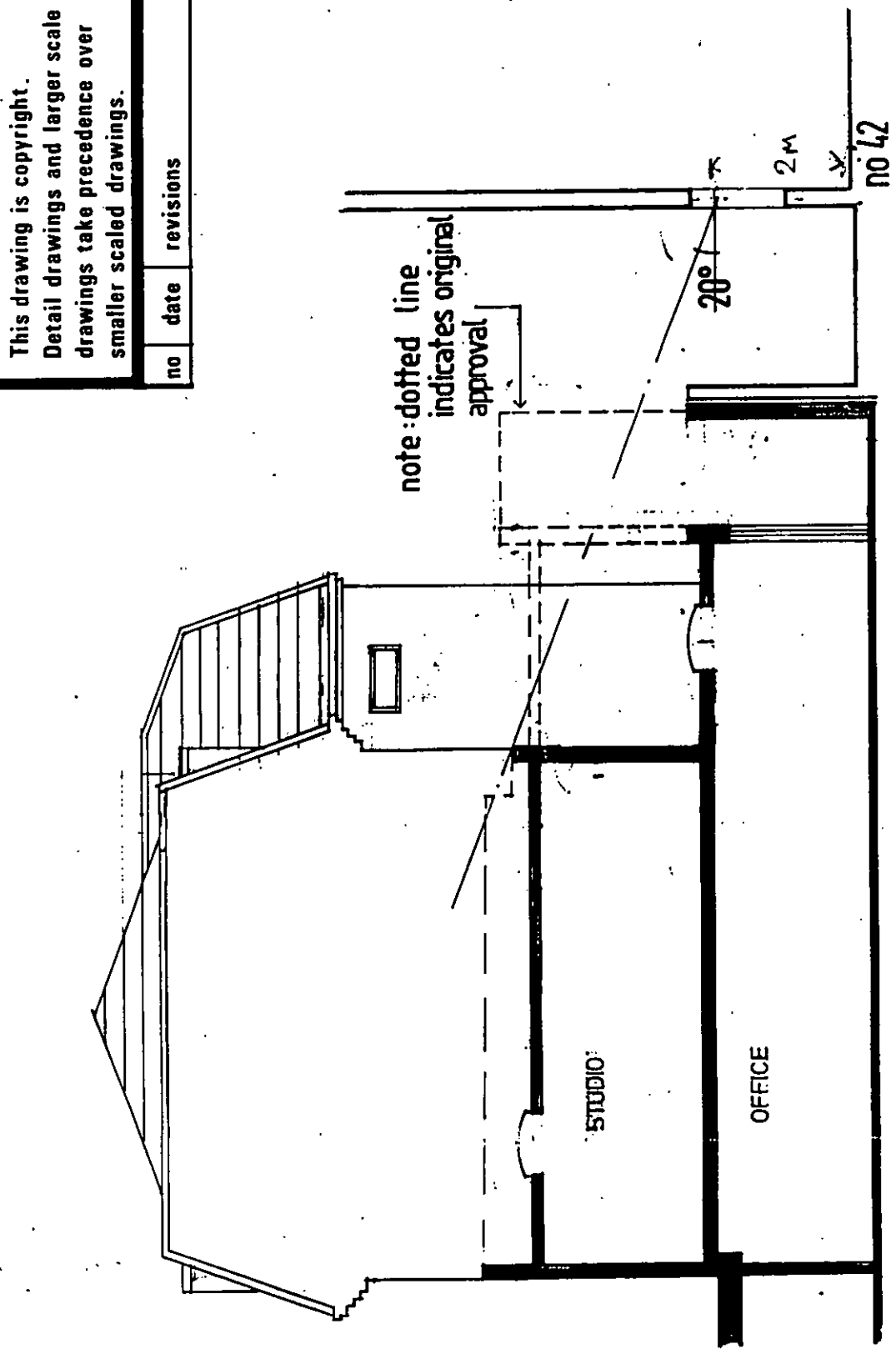
TURNING AREA FOR VEHICLES



ABC FIG 5 B

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.

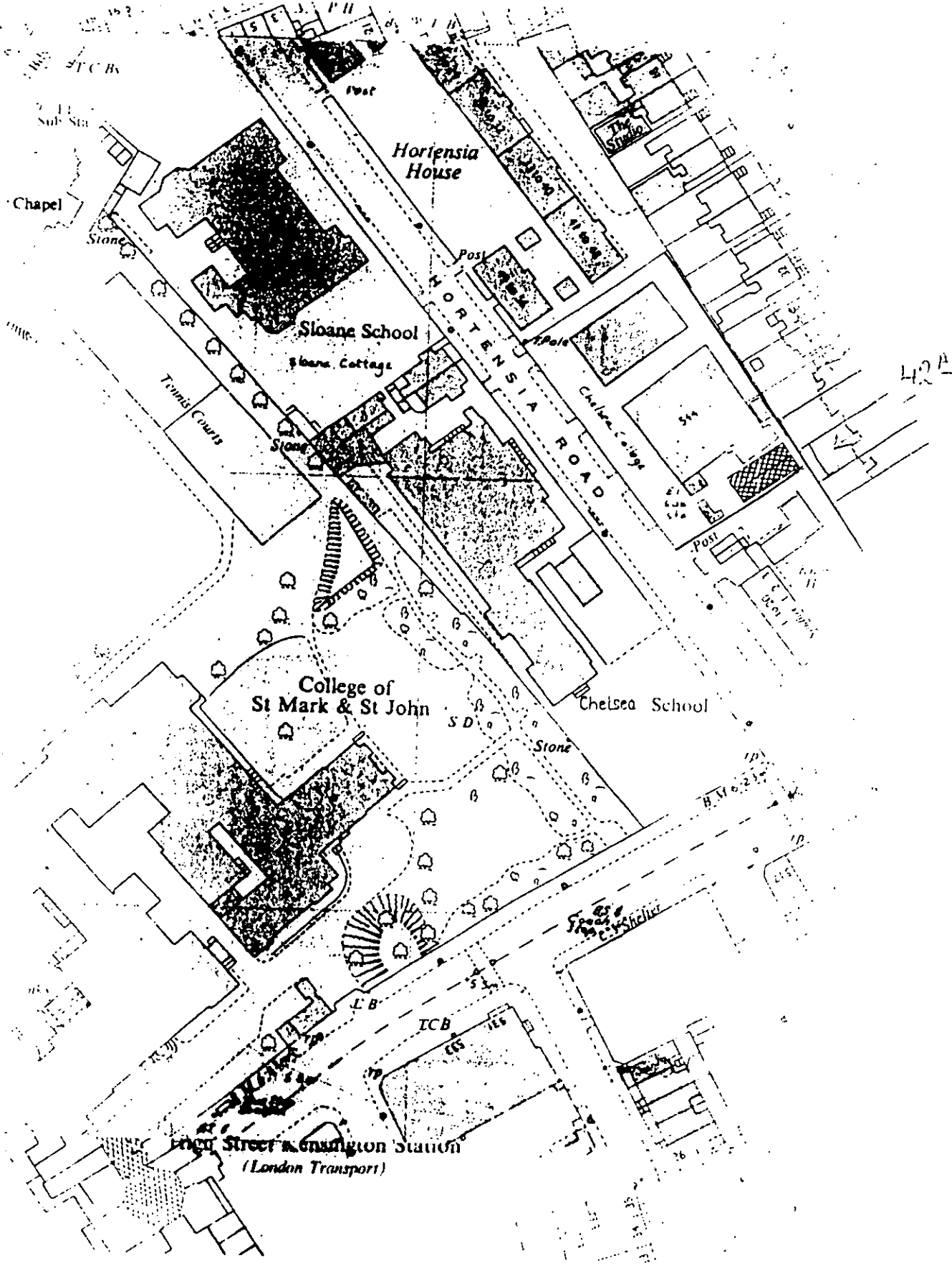
no	date	revisions



~~SECTION A-A~~ SUGGESTIVE DIAGRAM

SECTION A-A

1/100



1/1250 OS EXTRACT

MEMORANDUM

To: Director of Legal Services

From: Director of Planning
Services

C.C:

My Ref: DPS/MJF/PYD
Room No. 324B

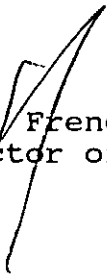
Your Ref:

Ext. 2078

Date: 22 July 1993

Re: Chelsea College, Hortensia Road, S.W.10.

I herewith enclose my comments on the Ombudsman's report into the above complaint.



M. J. French,
Director of Planning Services.





MEMORANDUM

To: Executive Director
- Planning and Conservation

From: Director of Legal Services

PRIVATE AND CONFIDENTIAL

My Ref: dls/ajg/st
Room No. 251/2

Your Ref:

Ext. 2257

Date: 10 June 1993

Alun, can you advise me on the file

HORTENSIA ROAD - OMBUDSMAN COMPLAINT

I enclose a copy of a letter that I have had from the Ombudsman together with five copies of the draft report. Could the report be checked for accuracy. I have the following minor observations:-

- i) Paragraph 6 - does that paragraph set out the Council's position regarding daylighting and sunlighting standards. I presume it does. It would be useful to know by way of additional information whether applications B2 and D would have been affected by the daylighting/sunlighting standards contained in the UDP. If, for instance, the standards in the UDP are less stringent-it would be useful to point this out-in any response.
- ii) Paragraph 16 - the last two sentences refer to the difference in site levels. Can these specific statements be checked for accuracy. It would be useful to know how much lower the basement of the development was to the ground floor of Mr Stoop's property.
- iii) Paragraph 17 - the penultimate sentence says that the reduction in height of the rear block satisfied the Council's standards on sunlighting. Perhaps that needs "beefing up" with a statement saying exactly how it meets those standards. Presumably this would justify the comment in the report referred to paragraph 19.
- iv) Please comment on paragraph 30 where Ms Zacharia casts doubts on the decision that was taken on the 1988 permission. I think it is important to stress that that is a particular officer's view and to put it into context regarding the likelihood of an appeal being resisted. Perhaps you would be good enough to comment on paragraph 46.

As a general observation, I consider that we must be emphasising that had the application of 1990 been before Committee in 1988 it would, in our view, have been uncontroversial and would have been passed. Perhaps you can comment on this.

Alun Phillips

Alun Phillips
Director of Legal Services

INVESTIGATION INTO COMPLAINT NO. 90/A/1263
AGAINST
ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Table of Contents

Introduction	Page 1
Investigation	Page 2
Legal & administrative background	Page 2
The application site and Mr Powell's house	Page 4
Background to the complaint	Page 4
Grant of planning permission in 1988	Page 4
Enforcement action	Page 11
1989	Page 11
1990	Page 13
Allegations of maladministration	Page 17
i) Inadequate consultation on the planning application	Page 17
ii) The decision was based on inaccurate information	Page 18
iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application	Page 22
The Planning Sub-Committee's decision	Page 24
Appendix	
Figures 1-5	

Key to Names Used

Mr Stoop	Mr Powell
Ms M Dent	Director of Planning
Mr M French	Deputy Director of Planning
Mr J Wells	Case Officer (until February 1989)
Ms C Zacharia	Case Officer (from May 1989 to May 1990)
Mr B Coey	Area Planner
Mr I Parry	Conservation and Design Officer
Mr M Walsh	Enforcement Officer
Mr A Phillips	Borough Solicitor
Councillor the Hon Simon Orr-Ewing	Councillor Brown
Councillor Gerald Gordon	Councillor X
Councillor Miss Doreen Weatherhead	Councillor Y
Councillor Stuart Shapro	Councillor Z
Application TP88/0632	Application A
Application TP88/0633	Application B (B2, as amended)
Application TP88/1410	Application C
Application TP89/2137	Application D
Gunter Grove	Acorn Road
Hortensia Road	Limes Grove
Hortensia House	Willow House
Knights House	Elm House
The Developers	London & Edinburgh Trust
The Applicants	Colwyn Foulkes & Partners

INTRODUCTION

1. The complainant, for the purposes of this report called Mr Powell, alleges that there was maladministration in the way the Council granted planning permission in October 1988 for a residential and office development adjacent to his house. In particular:-

- 1) there was inadequate consultation on the planning application,
- 2) the decision was based on inaccurate information, and
- 3) a ward councillor (Councillor "Brown") exerted an improper influence on the Planning Committee to approve the planning application.

Mr Powell also complains that the Council failed to take effective enforcement action when the developers breached the planning permission.

2. Mr Powell feels that he has sustained injustice because the development as built has an overbearing effect on his property and has reduced sunlighting, daylighting and privacy. He feels that his property has been devalued.
3. One of the Commission's officers has interviewed Mr Powell at his home, viewed the development, and examined the Council's files. She has also interviewed Councillor Brown, three members of the Planning Sub-Committee who took the decision to grant planning permission, and the Councillor who referred Mr Powell's complaint to me. Relevant existing and former planning officers of the Council have also been interviewed.

/....

INVESTIGATION

Legal and administrative background

4. The relevant planning policies are set out in the Council's District Plan (adopted in 1982). The major aim of the Plan is to maintain the residential function of the borough, and priority is given to protecting and increasing the supply of housing. The office strategy is one of restraint, and large scale developments are discouraged away from major transport interchanges. The application site is not a preferred office location. The District Plan did not define 'large scale', but in January 1989 the Council decided to treat office developments with more than 1,000 square metres (sq.m.) of floorspace as large scale.
5. The Greater London Development Plan (GLDP) (approved in 1976) recommends that housing for families should be in the range of 175 to 210 habitable rooms per hectare (h.r.h.) and for small households within the range of 210 to 250 h.r.h. A maximum density of 350 h.r.h. is recommended. The Council support these standards but consider that there are circumstances which warrant a departure from them.
6. The District Plan does not contain guidelines for distances between dwellings. The Plan seeks to ensure that new development allows sufficient light to existing buildings and does not have a 'cliff like' effect on them. The Council use sunlighting and daylighting standards produced by the Department of the Environment as approximate guidelines (see Appendix to this report). The Plan also states that direct overlooking from windows and gardens should be avoided to protect the privacy of existing occupiers. However the Council recognise that buildings in

/....

the borough are often close together with a consequent loss of privacy.

7. The application site is not in a conservation area and does not contain any listed buildings. The Council's general policies aim to achieve a high standard of development throughout the borough compatible with the scale and character of the surrounding area.
8. Planning applicants can appeal to the Secretary of State for the Environment against a Council's failure to determine a planning application within the statutory eight week period, a refusal of planning permission, the imposition of unacceptable conditions, and the service of an enforcement notice.
9. The Council's Code of Conduct for Members (based on the National Code of Conduct) advises councillors not to allow private or personal interests to influence a Council decision. The Code points out that non-pecuniary interests such as kinship, friendship, membership of an association, society or trades union, and other relationships are just as important as pecuniary interests, and should be disclosed both at formal meetings of the Council and at informal meetings.
10. The Council's Standing Order 47 authorises Chief Officers (or their deputies) to take action on urgent matters which arise between Committee meetings with the written consent of the Chairman of the appropriate Committee.

The application site and Mr Powell's house

11. Figure 1 shows the relationship between the application site and the surrounding properties. Prior to redevelopment the site was occupied by three buildings: a five storey warehouse building (used for educational purposes), a single storey building and a greenhouse. Mr Powell's property is situated to the south-east of the application site. It is a two storey house built as a rear addition to one of the substantial properties on Acorn Road. The rear elevation is 2.8 m. from the boundary with the application site and separated from it by a 2.4 m. wall. There are two living room windows at ground floor level (one is a french door), one staircase window at mezzanine level, and one bedroom window at the first floor.

Background to the complaint

Grant of planning permission

1988

12. In March the Developer's agents (the Applicants) submitted two identical planning applications (Applications 'A' and 'B') for the redevelopment of the application site. The proposals involved the demolition of the existing buildings and the construction of 12 houses, 9 flats and 694 sq.m. of office floorspace, with basement car parking. The development proposed a five storey block to the front and a four storey block to the rear, each containing a mixture of residential and office accommodation. The office blocks were situated at the southern end of the site. Figure 2 shows the layout of the proposed development.

/.....

13. In May the Applicants appealed against the Council's failure to determine Application A. In June they submitted a new planning application (Application 'C') for the redevelopment of the site to provide 12 houses, 10 flats and 767 sq.m. of office floorspace. Part of the rear block was reduced from four to three storeys, and part of the front block was increased from five to six storeys. The Applicants said these proposals took account of concerns which officers had expressed during discussions on Applications A and B about the impact of the rear block on properties in Acorn Road.
14. Applications B and C were due for consideration by the Town Planning Applications Sub-Committee (the Sub-Committee) on 30 August, but were withdrawn at the Applicants' request in the light of officer reports recommending refusals of planning permission. The report on Application B advised that there was no objection to the removal of the existing buildings, and the principle of residential and office use was acceptable (although the site was not a preferred office location). However it stressed the importance of development in keeping with the surrounding area and the need to respect the residential amenity of neighbouring properties. The report noted the high density of the scheme with 550 h.r.h., and commented that the acceptability of such a high density scheme was dependent upon the architectural character and scale of the surrounding area. The Conservation and Design Officer was critical of the height of the blocks, their siting and their architectural design. He commented:-

"6.... The rear block will adversely affect the amenity of (Acorn Road). A four storey block, however well detailed, introduces a "wall like" element across the full width of the site, reducing views out of the site and any existing feeling of openness.

/....

7....

8.... The proposal, in particular the rear block in terms of properties in (Acorn Road) is considered to contravene Council standards of daylight and sunlight as set out in Figure 17.2 of the District Plan. In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens"

The Director of Planning recommended refusal because the development would lead to:-

"1. A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in (Limes Grove);

2. Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.

..... contrary to the policies set out in the Council's adopted District Plan"

Application C was recommended for refusal for the same reasons.

15. In September the Applicants submitted revised plans in respect of Application B (Application 'B2') following discussions with Council officers. The height of the rear office and residential blocks was reduced from four to three storeys, the residential element was set back further from properties in Acorn Road and the design was modified. There were minor modifications to the front block. The Applicants also appealed against the Council's failure to determine Application C.

16. Figure 3 shows the relationship between Mr Powell's property and the rear office block as shown on the plans. The basement and ground floors extend almost half way

/....

across the frontage of Mr Powell's property, and the rear elevation is 1.6 m. from the rear boundary, a distance of approximately 4.5 m. from Mr Powell's house. The first and second storeys are set in and set back. The plans do not reveal the difference in site levels of approximately 2 m. between the application site and Mr Powell's property. In effect the basement of the proposed development is not much lower than the ground floor of Mr Powell's property.

17. The Case Officer, who had recommended refusal of Application B, told the Commission's officer that the reduction in the height of the rear residential and office blocks addressed the main objections to the original scheme, and officers felt able to recommend approval of Application B2. He says he had been most concerned about the impact of the original proposals on properties further along Acorn Road which were more 'hemmed in' and which would suffer loss of light from shadows cast by the new development. He felt the reduction in the height of the rear block satisfied the Council's standards on sunlighting and made the development acceptable. His senior officers, the Area Planner and Deputy Director of Planning agreed that planning permission should be granted.
18. The Case Officer says he was aware from the plans that the distance between Mr Powell's house and the proposed development was only 4.5 m. However the new development extended only across half of Mr Powell's property and the building immediately facing him would be constructed at basement and ground floor level only. He would have been more concerned if the development facing Mr Powell's property was higher. He says the daylighting to Mr Powell's property was already affected by the close proximity of the 2.4 m. boundary wall. He accepted that

/....

there might be some loss of light in the evening but did not think this was significant. He was aware that there was a difference in site levels between the application site and properties in Acorn Road (although he did not appreciate that they were as significant as indicated in paragraph 16). He did not recall asking the Applicants for any amendments to reduce the impact of the development on Mr Powell's property.

19. A report recommending that Application B2 should be granted planning permission was submitted to the Sub-Committee in October. The Committee were informed of the changes to the original scheme, which included a reduction in the amount of office floorspace from 694 sq.m. to 600 sq.m. A model of the development produced by the Applicants was available for inspection by the Committee. The report indicated that the residential density of the scheme was still in excess of 500 h.r.h. and referred the Committee to the Conservation and Design Officer's comments which were still critical. He welcomed the simplification of the rear block and acknowledged that its reduction by one storey would reduce the effect on the amenities of properties in Acorn Road. However he considered that the relationship between the proposed front and rear blocks was unacceptable, and the bulk along the rear site boundary excessive. He advocated a different design approach involving the omission of the rear block, thereby preserving and enhancing the amenity of properties in Acorn Road. Notwithstanding these comments, the report stated that the Council's standards of daylighting and sunlighting were met in respect of the properties in Acorn Road, and the degree of overlooking was considered acceptable on balance.
20. The consultations on the application were reported to the

/....

Sub-Committee. The report indicated that 60 adjoining occupiers had been consulted and there were five letters (including one from an amenity society) objecting to the development on grounds of its density, the layout, design and height of the development, loss of trees, loss of light, and noise and fumes from the car park. The Applicants had held a public meeting (attended by eight local residents), and canvassed the residents of Acorn Road for their views. The findings were not set out in the committee report but were available for reference on the application file. The Committee were advised that "Residents supported the principle of redevelopment".

21. A letter in support of the modified scheme from a ward councillor, Councillor Brown, was appended to the report at his request. He argued that the existing buildings were unattractive and the proposed development would enhance the area. He had inspected a model of the scheme and considered that the reduced height of the rear block resulted in an acceptable form of development.
22. The Sub-Committee agreed to grant planning permission in respect of Application B2. There is no record of dissent and it is assumed that the decision was unanimous. A decision notice was issued later that month granting planning permission for 12 houses, 9 flats and 600 sq.m. of office floorspace. One of the conditions attached to the grant of planning permission stated:-

"8. The new buildings hereby approved shall relate to the adjoining premises, (Willow) House and (Elm) 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."

/....

-
23. The Applicants withdrew their appeals in respect of Applications A and C, following the grant of planning permission for Application B2.
24. In December the Applicants asked the Deputy Director to increase the amount of permitted office floorspace to 675sq.m. He says he agreed to this under the Director's delegated powers because the amount was below the 694 sq.m. specified in Application B2. A revised notice was issued on 22 December. This crossed with a letter from the Developers advising the Deputy Director that they wished to alter the dwelling mix of the front block to provide more flats instead of houses and to amend the elevations. The letter concluded:-

"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 1038 m.sq. and the approval document shows 600 m.sq.

Hopefully we can sort this out at the same time."

25. The Deputy Director says he has no recollection of this letter. He would have referred it to the Case Officer but he has no recollection of it either. He left the Council in February 1989 and a new case officer was not appointed until May.

Enforcement Action1989

26. Mr Powell says he first learnt of the development in the middle of 1989 when the existing buildings were cleared; he asked the builders what was happening and was told that there were no plans to build at his end of the site. However building continued, and he and other neighbours telephoned the Council at the end of September to complain that development was proceeding without planning permission. An Enforcement Officer inspected the site on 6 and 17 October; by this stage development was proceeding at basement and ground floor levels. He says it was difficult to establish whether the building conformed with the plans, because of differences in site levels both between the application site and Mr Powell's property, and between Mr Powell's and the next door property (through which the relevant section is drawn) which was 500-600mm higher. He initially concluded that the structure was only 350-400mm higher than shown on the approved drawings and that no further action was warranted, but Mr Powell was insistent that something should be done.
27. The Deputy Director, Conservation and Design Officer and new Case Officer met the Applicants on 19 October to discuss the alleged breach of planning control. They discovered that the developers had amended the dwelling mix of the front block and altered the front elevation. In addition the discrepancy over the amount of permitted office floorspace (see paragraph 24) had not been resolved and several planning conditions had not been met. The Applicants agreed to submit proposals to correct the deviations. The Director of Planning wrote to them the following day asking them to stop works in the vicinity of

/....

Mr Powell's property until the matter had been resolved, threatening enforcement action and stop notices if they did not. Their attention was drawn to Condition 8 which rendered the planning permission null and void (see paragraph 22). The Applicants did not reply by 23 October, as requested, and the Director of Planning asked the Chairman of the Planning Committee on 24 October for approval to serve enforcement notices. She wrote:-

"The structure is currently being constructed at raised ground floor level and concrete is being poured daily. The contractors are moving quickly and "time is of the essence". The residents of (Acorn Road) have suffered loss of light and of amenity, and if the structure is raised any higher will suffer a corresponding loss."

The Chairman of the Planning Committee gave his consent.

28. The Council served two enforcement notices on 31 October. The first notice alleged that the rear office block was being built higher, and the elevation of the front block was further forward, than approved. By virtue of Condition 8 the planning permission was null and void. The notice required a reduction in the height of the rear office structure and alterations to the front block. The reasons given included loss of light and amenity to residents of adjoining properties in Acorn Road. The second notice dealt with the failure to comply with planning conditions. The Applicants agreed to stop works in the vicinity of Mr Powell's property. Council officers say a stop notice would have halted works on the entire site, rendering the Council liable for substantial compensation if an appeal was successful. They were satisfied that such action was not necessary in view of the voluntary agreement to stop works. (The Applicants appealed against the enforcement notices on 14 November.)

/....

29. In November the Applicants submitted a planning application (Application 'D') for 21 flats in the front block and associated design alterations. They argued that the rear office block complied with the approved plans, and any alterations could be dealt with by way of an amendment to the original consent. However the Council insisted on a full application incorporating changes to the rear office block. The Applicants submitted a revised application and details required by the planning conditions later in the month. The proposed modifications included setting back the ground floor of the rear office block to 8 m. from Mr Powell's property.

1990

30. The Case Officer says the proposals were not ideal but she felt the development was the best officers could achieve in the light of the 1988 permission. She was critical of the permitted scheme and its impact on Mr Powell's property. She told the Commission's officer she would have tried to persuade the Applicants to omit the rear office block or, at least, to negotiate a lower block further away from the rear boundary. She would not have supported a development which was less than 5 m. from an existing building. She says she saw the discrepancy over the amount of permitted office floorspace as an opportunity to secure some improvements for the residents in Acorn Road. She felt that Application D was an improvement on the approved scheme and resulted in less overlooking. She was satisfied that the Council's standards on daylighting were met. The Case Officer agreed that planning permission should be recommended.
31. A report on Application D was presented to the Planning

/.....

Sub-Committee in February. The Committee were advised that the proposals sought to regularise the alterations to the front block which were the subject of enforcement action. The report stated that the rear office block was being built in accordance with the approved plans (despite the outstanding enforcement notice (see paragraph 28)). However:-

"The rear office block has been the subject of concern..... 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 (Mr Powell's property), originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in (Acorn Road)"

The Sub-Committee were also advised that the total office floorspace approved in 1988 should have been 1,100 sq.m. (as shown on the approved plans), not 675 sq.m. as referred to on the decision notice. Planning permission was recommended subject to a legal agreement requiring the completion of the rear office block within three months. The Sub-Committee agreed that Application D was an improvement on the permitted rear office scheme, and they had no objections to the front residential block. However they decided to refer the application to the main Planning Committee for determination, with the benefit of legal advice on the status of the 1988 permission.

32. Application D was considered by the main Planning Committee in March. The Committee were concerned about the confusion over the amount of office floorspace granted in 1988, and the impact of the rear office development on Mr Powell's property. The Borough Solicitor informed the Committee that Counsel had advised that the 1988 permission allowed

/....

675 sq.m. of office floorspace, as shown on the decision notice, and not 1,100 sq.m. In the light of this opinion the Committee asked the Director of Planning to negotiate a further setting back of the rear office block from Acorn Road and the replacement of office with residential floorspace.

33. Mr Powell was disappointed that the Committee did not refuse planning permission, and he urged the Council to proceed with enforcement action and issue stop notices. Several councillors raised this at Planning Committee on 2 April, but they were advised that stop notices could be issued between committees with the Chairman's consent, if necessary. However on 11 April the Deputy Director sought the Chairman's approval to withdraw the two enforcement notices, following discussion with the Director of Planning and Borough Solicitor. The Chairman agreed and the enforcement notices were withdrawn on 24 April.
34. The Deputy Director told the Commission's officer that the enforcement action was suspended because the Applicants had submitted a satisfactory scheme for the front block and amendments to the rear office block were being negotiated. Counsel (for the Applicants) had advised that Condition 8 was invalid and could not be enforced against, and the Council's legal advisers agreed. The Applicants had also submitted details required by the planning conditions. In the circumstances senior officers felt that the enforcement notices should be withdrawn, although this did not prevent the Council from taking further enforcement action if necessary. The Deputy Director says the action was taken under emergency powers because the public inquiry was due to take place on 26 June, and the Council's pre-inquiry statement was due six weeks beforehand. He said the

/.....

Council's negotiating position would have been weakened once the statement was issued. The Planning Sub-Committee were informed that the enforcement notices had been withdrawn at their meeting on 24 April. Mr Powell questions why the decision was not left to the Committee.

35. The amended Application D was reported to the Planning Sub-Committee on 24 April, and to the Planning Applications Committee on 30 May and 12 June, but a decision was deferred on each occasion.
36. The Planning and Conservation Committee considered the application at their meeting on 9 July. The scheme had been amended to provide six residential flats in the rear office block, leaving 49 sq.m. office floorspace and reducing the total amount of office floorspace in the scheme to 752 sq.m. There had been no changes in the overall bulk of the block (other than those outlined in paragraph 31) but the window to the ground floor unit facing Mr Powell's property had been set at an angle to reduce overlooking (see figure 4). The only window above ground floor level facing Mr Powell's property was a high level window lighting a staircase. After considerable debate the Committee expressed the view that they were minded to refuse planning permission by seven votes to three. The application was then referred to the confidential part of the agenda. The Borough Solicitor and Director of Planning advised the Committee that the chances of success on appeal were remote and that substantial costs could be awarded against the Council. The Committee were advised that the proposed 752 sq.m. of office floorspace was not significantly higher than that previously granted of 675 sq.m. and the Applicants could argue on appeal that 1100 sq.m. had been permitted. Concerns about density,

/....

daylight/sunlight and the height of the development were arguable, and did not constitute a strong case for refusing planning permission. Following further discussion the Committee voted to approve the application by eight votes to four. A decision notice was issued in August, after the Council had received an independent report on sunlighting which supported the Council's view that sunlighting grounds could not have been sustained as a reason for refusing planning permission.

Allegations of maladministration

i) Inadequate consultation on the planning application

37. Mr Powell and some other residents in Acorn Road say that the Council never notified them about Applications A and B. The report to Sub-Committee in October 1988 indicates that there were only five objectors out of 60 consultees (see paragraph 20), and they feel that the lack of objections was a significant factor in the Sub-Committee's decision to grant planning permission. Mr Powell also complains that a petition from residents in Willow House, collected in response to the Council's consultation on Application C, was not presented to the Sub-Committee when they determined Application B, although the objections were relevant.
38. The Council say that they complied with their usual consultation procedures and cannot explain why many residents apparently did not receive notification letters. The Area Planning Officer identified which households should be consulted from the ordnance survey map (see Figure 1) and notification letters were sent out on 31 March. One letter was sent per property. A notice was also posted in the press and interested bodies were

/.....

notified. The Area Planner says the Case Officer was surprised at the time by the low response rate and thought that some households might not have received letters because some houses were subdivided into flats. They took the unusual step of identifying individual households from the electoral register (compiled in October 1987) and sent additional notification letters to them on 26 May. (Mr Powell was not on the register and did not receive a letter.) However this exercise did not give rise to any further letters of objection. The Council consulted on Application B2 on 22 September 1988 but no further letters of objection were received. The representations received were reported to the Sub-Committee at their meeting in October 1988.

39. The Council consulted the same neighbours on Application C on 4 July 1988. A petition objecting to Application C signed by 30 households in Willow House was sent to the Council on 14 August, but withdrawn on 14 September after the developers had met the petitioners to discuss modifications to the scheme. Application C was withdrawn in October 1988 (after planning permission had been granted for Application B2), and neither it nor the petition was considered by the Committee. The Deputy Director says it is questionable in any case whether objections to one scheme should be reported for consideration when a separate and alternative scheme is being determined.

ii) The decision was based on inaccurate information

40. Mr Powell complains that the report on Application B2 submitted to the Planning Sub-Committee in October 1988 was wrong in the following respects:-

/....

a) Amount of office floorspace

The report stated incorrectly that the scheme incorporated 600 sq.m. of office floorspace. It was subsequently discovered that the approved drawings showed 1100 sq.m. The Council acknowledge that a mistake occurred in measuring the plans and this was unfortunate, but they point out that the amount of office floorspace (which came to 767 sq.m. in Application C) was never considered to justify a refusal of planning permission. The Deputy Director says there would have been no real policy objection to a larger amount of office floorspace, as the decision to treat office schemes above 1,000 sq.m. floorspace as major developments was not taken until January 1989. The first Case Officer did not think this amount of office floorspace could be resisted, given the previous commercial use of the site and bearing in mind that the offices were capable of subdivision to small units. However he acknowledged that an opportunity to negotiate more residential accommodation on the site was not appreciated at the time.

b) Misleading consultation exercise by Applicants

41. Mr Powell complains that the Applicants undertook a misleading consultation exercise and claimed that residents supported the scheme when they did not. He alleges that the Council gave prominent coverage to the Applicants' findings in the committee report without checking the authenticity of their claims. Mr Powell feels that these failings compounded the inadequacy of the Council's own consultation exercise.

/....

42. The Council deny that prominent coverage was given to the consultation exercise. The Sub-Committee were informed of the consultations (at the Applicants' request), together with the objections received as a result of the Council's own consultations, and Councillor Brown's letter (see paragraphs 20 and 21). The Case Officer says that his recommendation was not 'consultation led' but based on his own assessment of the acceptability of the scheme on planning grounds.

c) Misleading model

43. Mr Powell and other residents allege that the Applicants' model of the proposed development was misleading. They say it gave the impression that the rear blocks were two, not three, storeys and understated the effect on the surrounding buildings. The model was presented to the Sub-Committee and to residents who attended a public meeting held by the Applicants on 1 June. (The Council were not invited to this meeting and were not represented at it.) Residents who saw the model said they would have objected strongly had they been aware of the extent of the development. Councillor Brown says the model he saw was "very seductive" and different from what has been built. Mr Powell feels the Committee should have been warned that the model was misleading.

44. The Deputy Director says the model did not form part of the planning application and would not have been checked by officers. He first saw it at the Sub-Committee meeting and was not aware if the Case Officer had ever seen it. He commented that the Sub-Committee would not have been taken in by a model.

/....

d) Daylighting and Sunlighting

45. Mr Powell complains that the Council were misinformed that the scheme complied with the Council's standards of daylighting/sunlighting in respect of properties in Acorn Road (see paragraph 19). He said the proposals constituted a dramatic infringement of the Council's daylighting standards. The Applicants submitted drawings in support of Application D which demonstrated that this scheme, unlike Application B2, complied with the Council's daylighting standards in so far as Mr Powell's property was concerned (see figure 5). However Mr Powell and his advisers allege that these proposals still reduce the amount of sunlight to his property to below the recommended standard of three hours. The impact of Application B2 on his property would have been greater.
46. The Case Officer says he applied the Council's daylighting standards and was satisfied that they were met; his views and concerns are set out in paragraphs 17 and 18 of this report. He acknowledges that the drawings reproduced in figure 5 suggest that the Council's standards were not met in respect of Mr Powell's property. However he does not consider that this, in itself, necessarily pointed to a refusal of planning permission, but that the situation should have been clarified in the committee report. He points out that the development only extends across half of Mr Powell's property and that windows to the south are not obstructed. The Area Planner says he visited Mr Powell's house in the course of construction and was satisfied that the daylighting was entirely satisfactory. The Council had taken

/....

independent advice on Application D (see paragraph 36) and been advised that there were no grounds for refusing planning permission on grounds of sunlighting.

e) Residential of Density

47. Mr Powell says the committee report indicated that the density of the scheme was in excess of 500 h.r.h., whereas it was actually 650/660 h.r.h. He argues that officers recommended a refusal of Application B partly on the grounds that the density of 550 h.r.h. was excessive. The Council have not revised their calculations, but say the acceptability of high density schemes is dependent upon the architectural scale and character of the surrounding area. The Conservation and Design Officer's (critical) comments were clearly set out in the committee report (see paragraph 19).

iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application

48. Mr Powell considers that Councillor Brown, the ward councillor, was wrong to write a letter in support of the scheme for circulation to the Sub-Committee (see paragraph 21). He believes that his views were influential because he was a former Chairman of the Planning Committee (although he was not a member of the Planning Committee at the time). Councillor Brown is a chartered surveyor, and was at school with the Chairman of the Development Company. Mr Powell believes that these associations may have taken priority over his obligations as a ward Councillor.

49. Councillor Brown refutes any allegations of improper

/....

conduct. He says he had a vague recollection of the Chairman of the Development Company from school days, but there were several years' age difference between them and they had only met occasionally at school functions since leaving school. He denies any personal, professional or social associations with the Chairman of the Development Company which would have required him to disclose an interest.

50. Councillor Brown says he supported the scheme because the existing non-conforming use was an eyesore, and the proposed scheme resulted in a gain of residential dwellings. He believes he learnt of the proposal from the regular listings of planning applications, and asked the Director of Planning to keep him informed of progress. He says he cannot recall being introduced to the Developer's Architects by the Chairman of the Development Company (as has been alleged), but acknowledges that he may have visited the Architect's offices to view the model. He could not recall the details of this visit or whether he was accompanied by a Council officer.
51. Councillor Brown says he received a number of representations on the scheme, including some from residents in Acorn Road. He formed the view that residents were generally in favour of the development and asked the Director of Planning to write a letter in support of the scheme on his behalf. He says he had written in support of, or against, other significant schemes although he could not recall which. The scheme was not contentious and did not give rise to many objections. He says the Planning Sub-Committee would have deferred the application or referred it to the main Committee if they had any doubts about it.

/....

The Planning Sub-Committee's decision

52. The Commission's officer has interviewed three of the four Councillors who took the decision to grant planning permission in October 1988. Councillor X was the Chairman of the Sub-Committee; he could not recall the application and was not familiar with the site, either before or after development. Councillor Y had no recollection of the Sub-Committee meeting either; however she had visited Mr Powell's property after development had started and was familiar with the site. Councillor Z had only a vague recollection of the meeting. The three councillors commented that the pressure for redevelopment at this time was intense, and the Sub-Committee were determining 80 to 120 planning applications each meeting.
53. Councillor X says he is not surprised that the Sub-Committee granted planning permission in the light of the information contained in the committee report. He noted that there were few letters of objection and the proposals seemed uncontentious. He said he would not have attached any great importance to the Applicants' own consultation exercise as its purpose (and that of the model) was to elicit support for the scheme. Councillor Y agreed. She says she would have accepted the Applicants' consultation exercise at face value and expected any objections to be revealed through the Council's own consultation process. Neither Councillor would have expected a petition relating to a different scheme to be brought to their attention. Councillor Z commented that controversial applications gave rise to many objections and lobbying, but that did not happen in this case. He said the general feeling was that the application was uncontentious and there were no reasons for withholding planning permission. The Councillors said

/....

-
- they would have taken account of Councillor Brown's letter in support of the scheme but it would not have been overriding.
54. Councillor X could not say whether he would have taken a different view had the Committee been told the true amount of office floorspace. He said he would have asked officers for their views about this, but he and Councillor Y both said the Committee would have been in favour of the residential gain, and the increase in office floorspace would have been balanced against this. They also noted that the scheme was replacing an employment use and the existing ugly building. Councillor Z thought that officers might have made a different recommendation had they been aware of the amount of office floorspace, and the Sub-Committee would then have looked at the matter closely. He commented that once the mistake came to light there was a general feeling that the Council would not have permitted that amount of office floorspace.
55. Councillors X and Y said they would have expected officers to tell them if the application contravened Council's daylighting standards. They would want to know how significant any breaches were so that they could decide whether to ask officers to negotiate amendments. Neither they nor Councillor Z were convinced that the Committee should have been told about the difference in site levels, although with hindsight it may have been helpful to know the distance to Mr Powell's property. Councillor Z commented that the Committee receive copies of the block plans now, enabling them to assess such distances.
56. Councillor X noted the Conservation and Design Officer's criticisms of the proposal set out in the report and

/....

thought he would have asked why planning permission was being recommended in the light of them. However he commented that the site was not within a conservation area and the Sub-Committee would have found it difficult to justify a refusal of planning permission if advised that it could not be defended on appeal. Councillors Y and Z agreed.

APPENDIX

17.5 LIGHT AND PRIVACY

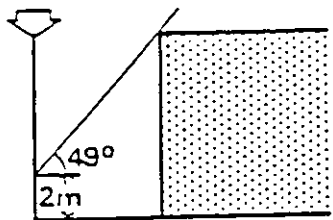
(For policy see "Conservation and Development", Section 4.10)

17.5.1 New buildings, and new accommodation provided in existing ones, should have adequate sunlight and daylight, not only in living rooms and main bedrooms but also in gardens and amenity spaces.

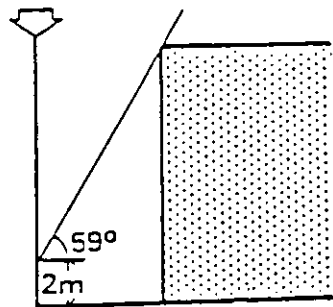
17.5.2 Figure 17.2 shows standards based on those produced by the Department of the Environment in 1971 [1], which are useful as approximate guidelines.

17.5.3 Direct overlooking from a balcony into a private garden immediately below should be avoided. Where windows are to be inserted into existing walls, they should be designed to avoid new problems of overlooking by, for example, careful positioning or the use of obscured glass.

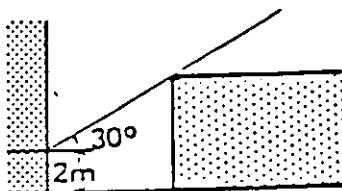
Figure 17.2 Sunlight and Daylight Angles



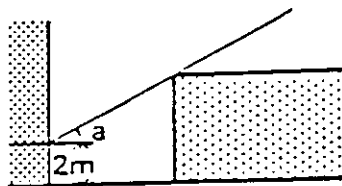
Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, residential purposes.



Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, non-residential purposes.



Daylight angles applicable between residential buildings.



Sunlight diagrams must be applied to ensure 3 hours of sunshine a day to neighbouring south facing existing residential buildings. As a general guide:

- a = 28° for south facing buildings; and
- a = 20° for south-east and south-west facing buildings.

NB. These diagrams are based on standards produced by the Department of the Environment in 1971, but are only approximate guidelines; the Council's officers should be consulted for further details.



Site boundary or street centre

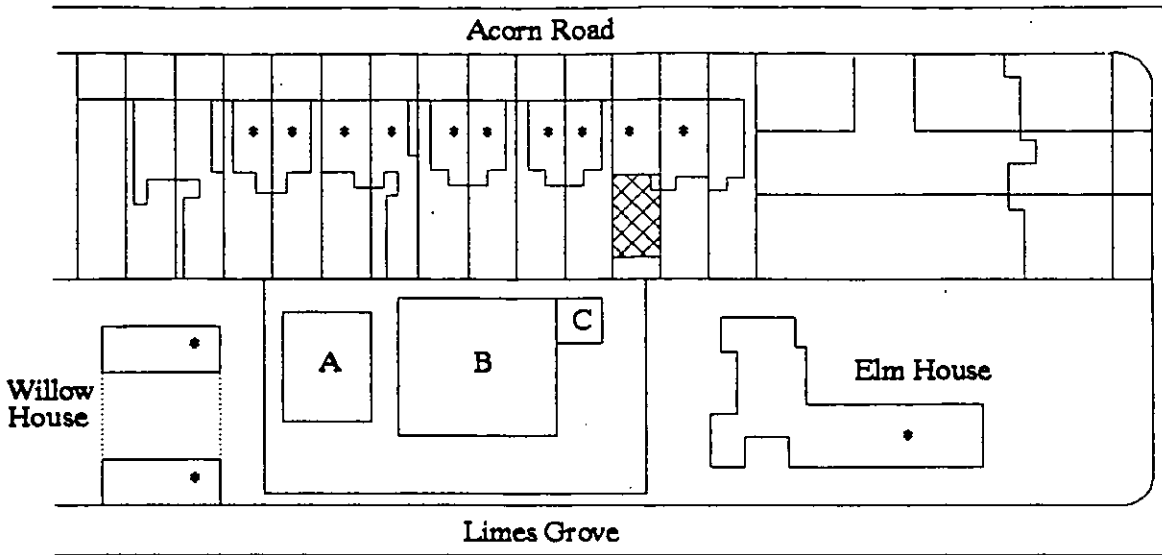


Edge of existing building



Figure 1: Relationship between application site and surrounding buildings

Not to Scale



Original buildings

A: Single storey building

B: 5 storey warehouse

C: Greenhouse

* Properties notified of planning applications

 Mr Powell's house

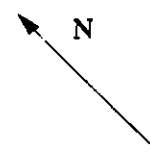
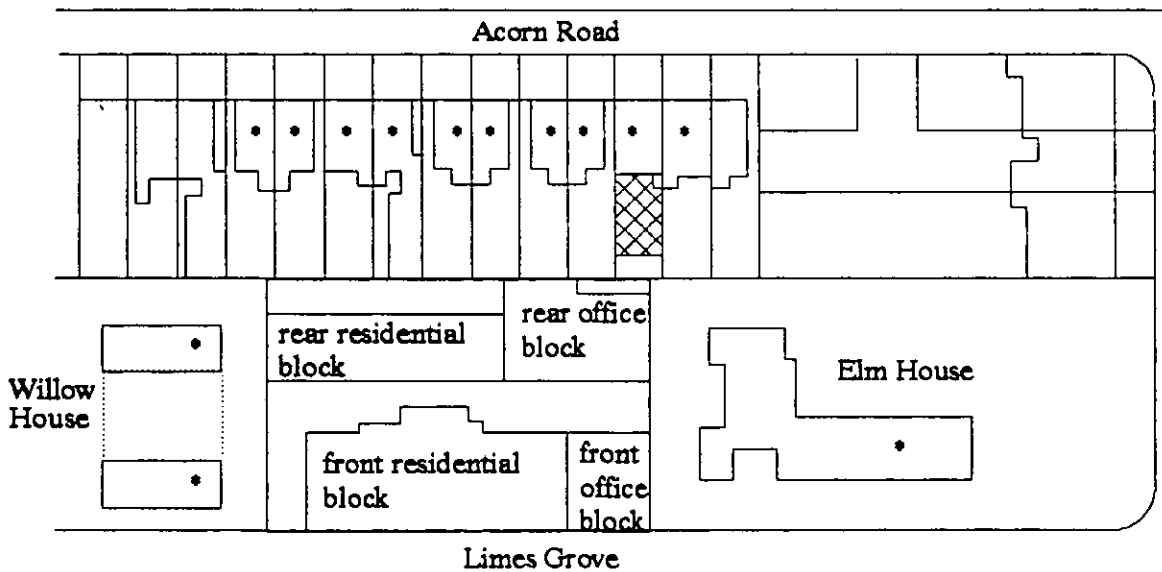


Figure 2: Application B2 - proposed layout of buildings



 Mr Powell's house

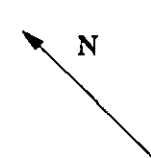


Figure 3: Relationship between Application B2 and Mr Powell's property

Not to Scale

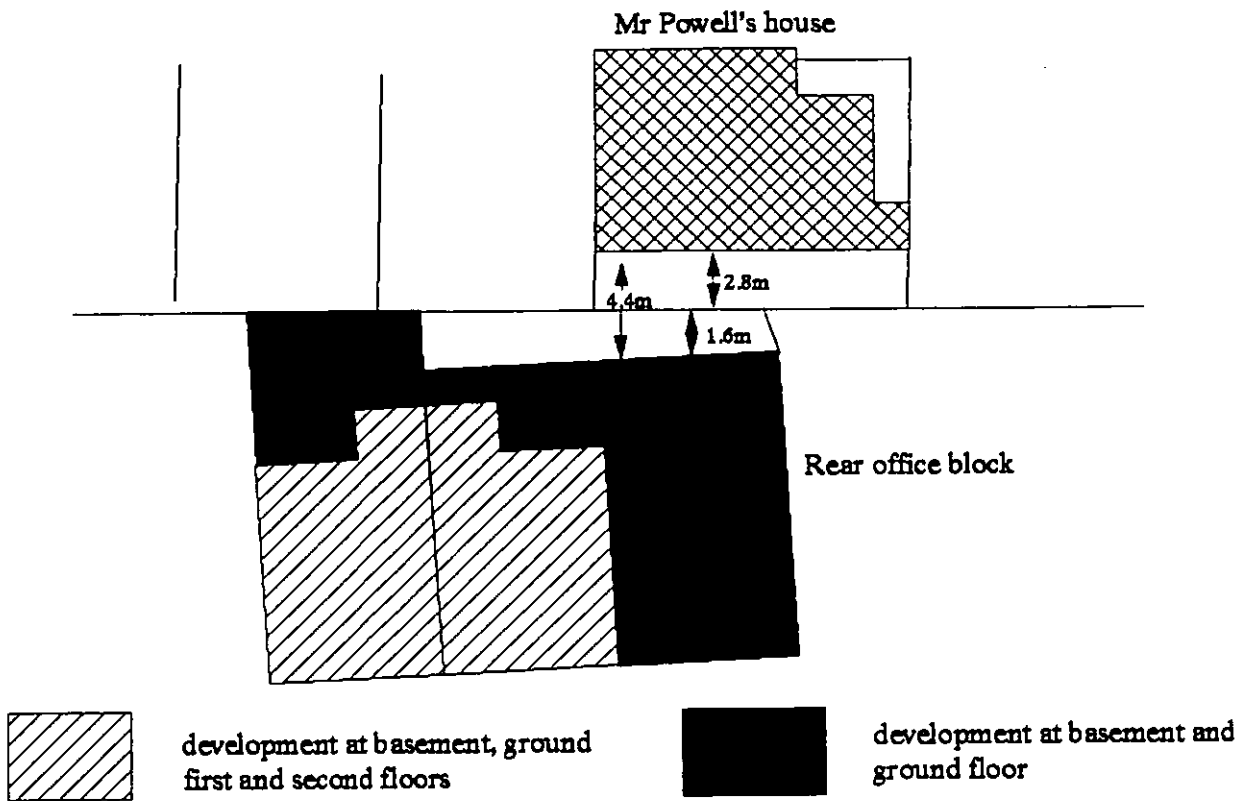


Figure 4: Relationship between Application D and Mr Powell's property

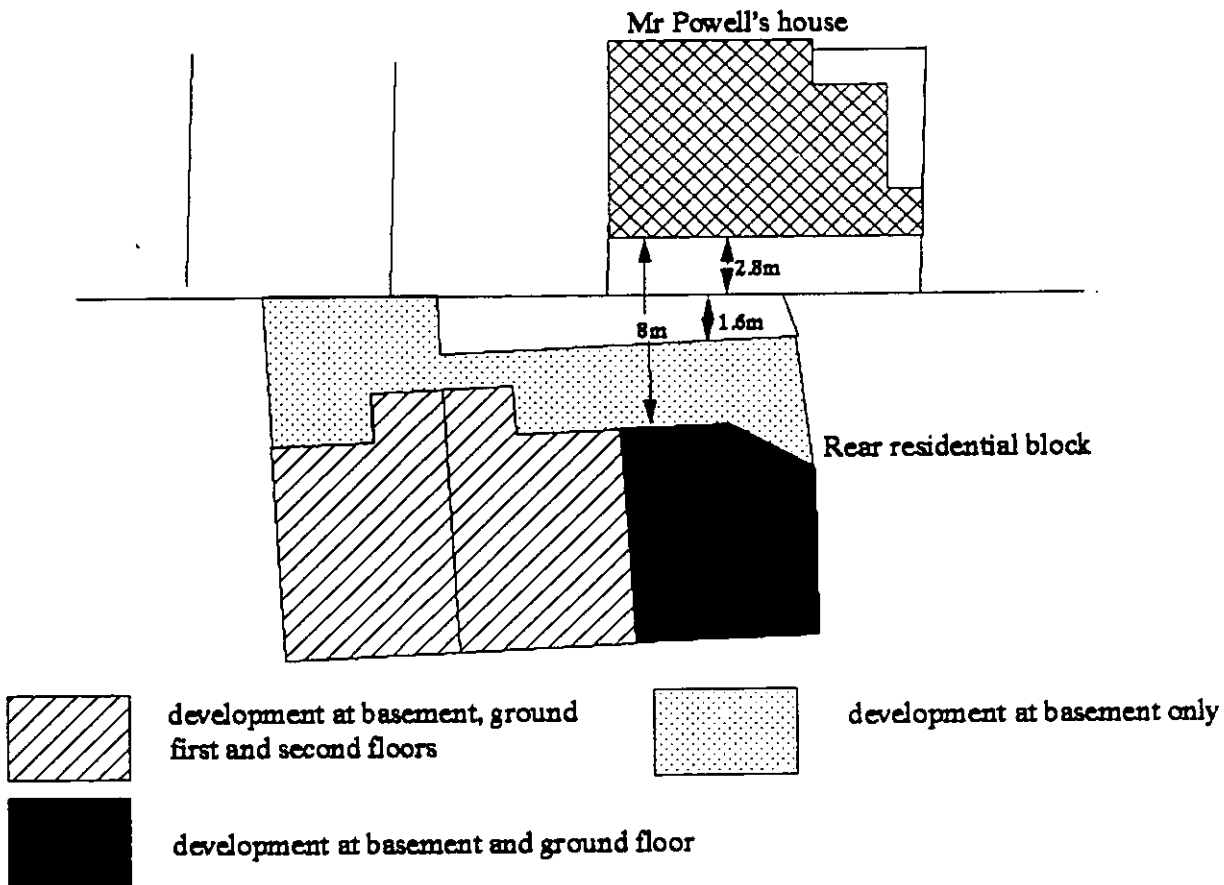
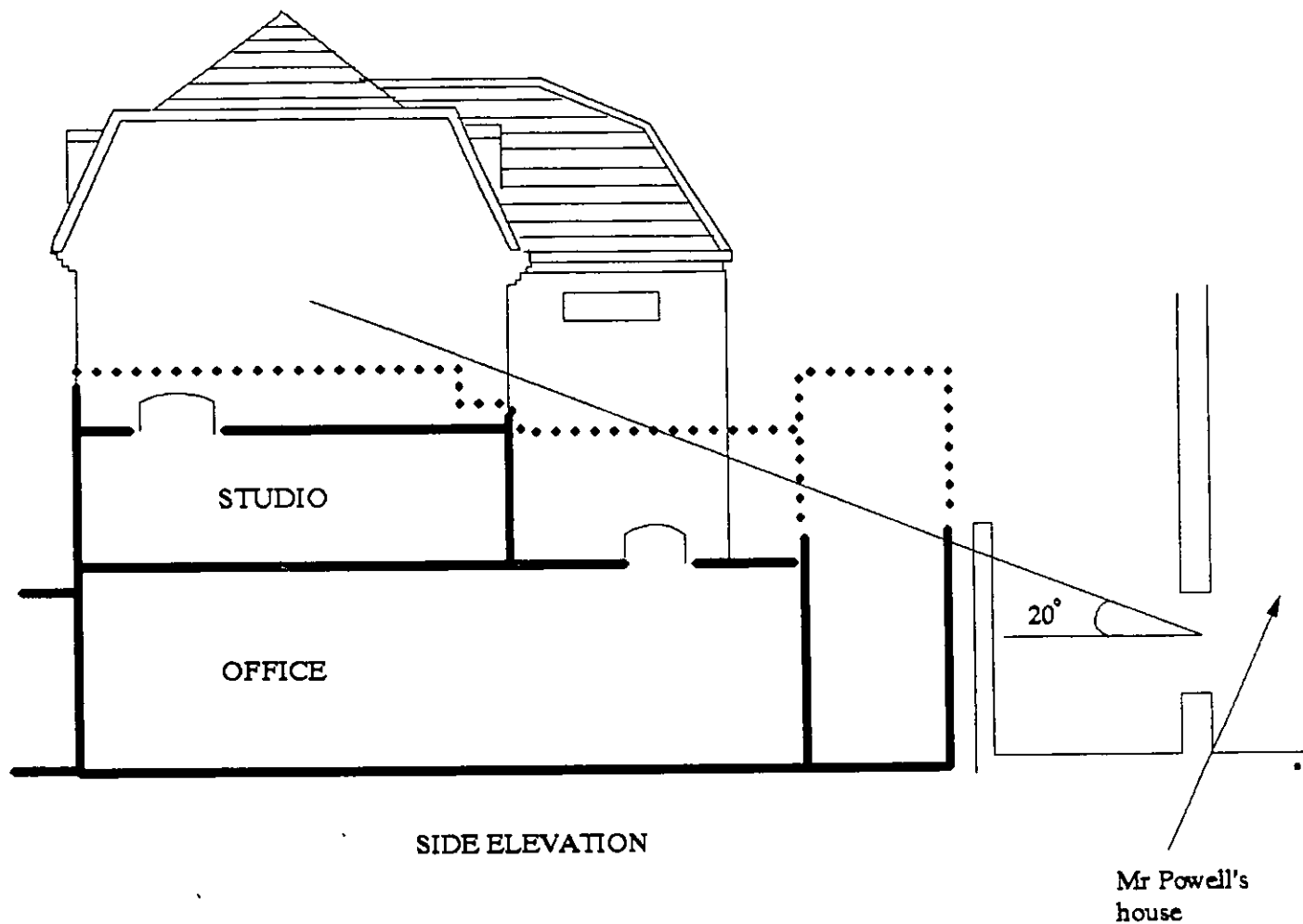


Figure 5: Side elevation: Application of Council's daylighting standards in respect of Applications B2 and D



- Application B2
- Application D

Not to scale

19 JUN 1993

Commission for Local Administration in England *CE/DLS*

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

J. J. Bash, OBE
Director
Solicitor to the Commission
CONFIDENTIAL

21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396
DX 2376 Victoria 1

Your ref dls/ag/pw2
My ref 90/A/1263/LH/
mlr

A Taylor Esq
Town Clerk & Chief Executive
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

8 June 1993

Dear Mr Taylor

Following the investigation of the complaint by Mr N Stoop of 42a Gunter Grove, SW10 OIJ, a draft has been prepared setting out the relevant facts.

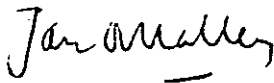
I enclose two copies of the draft without conclusions to give you the opportunity of drawing attention to any inaccuracies. Will you please return one copy showing any changes you propose within the next 15 working days.

I shall be grateful if you will ensure that the draft is seen by current officers of your Council who have been involved, or are referred to in the text. However, they should be told that, in accordance with Section 32 of the Local Government Act 1974, the draft must be treated in confidence.

If you also wish to make any general comments, the Local Government Ombudsman will take them into account before reaching his conclusions and making his findings known.

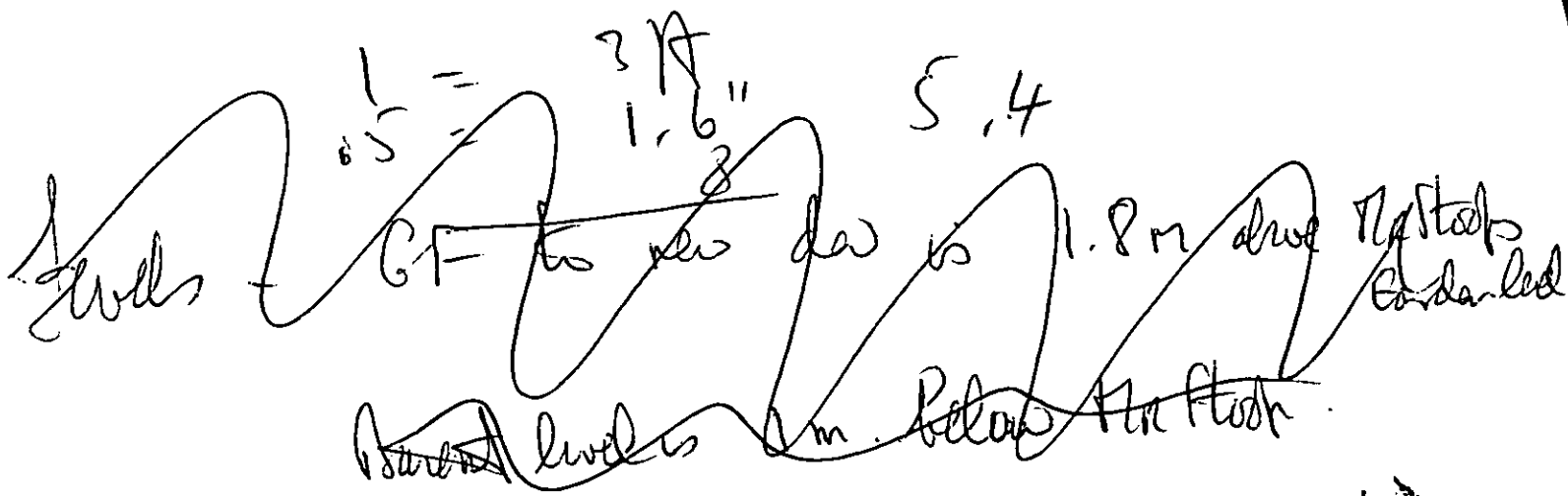
I am sending copies of the draft to Councillor Miss Doreen Weatherhead and to other former Members and officers of the Council who are referred to in the text asking separately for their comments.

Yours sincerely



JAN O'MALLEY (MS)
Assistant Director

enc(2)



Paragraph 11 I would disagree with the site boundaries shown on Fig T-4 (incl). I attach a 1/1250 O.S. extract. ~~In ~~the~~ On this~~ calculation Mr. Powell's rear boundary is 26 ft long of which ^{only} 12 ft abuts the affluence site, and 14 ft is abutted by Knight House, similarly the large greenhouses which existed ~~previously~~ on the site were at the northern end of the site.

At the beginning of Para 11 correct please the value "A is to be noted ... (72 ft) from the rear gardens."

19 JUN 1993

Commission for Local Administration in England *CE/DLS*

21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396
DX 2376 Victoria 1

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

J. J. Bash, OBE
Director
Solicitor to the Commission
CONFIDENTIAL

Your ref dls/ag/pw2
My ref 90/A/1263/LH/
mlr

A Taylor Esq
Town Clerk & Chief Executive
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

8 June 1993

Dear Mr Taylor

Following the investigation of the complaint by Mr N Stoop of 42a Gunter Grove, SW10 0UJ, a draft has been prepared setting out the relevant facts.

I enclose two copies of the draft without conclusions to give you the opportunity of drawing attention to any inaccuracies. Will you please return one copy showing any changes you propose within the next 15 working days.

I shall be grateful if you will ensure that the draft is seen by current officers of your Council who have been involved, or are referred to in the text. However, they should be told that, in accordance with Section 32 of the Local Government Act 1974, the draft must be treated in confidence.

If you also wish to make any general comments, the Local Government Ombudsman will take them into account before reaching his conclusions and making his findings known.

I am sending copies of the draft to Councillor Miss Doreen Weatherhead and to other former Members and officers of the Council who are referred to in the text asking separately for their comments.

Yours sincerely

JAN O'MALLEY (MS)
Assistant Director

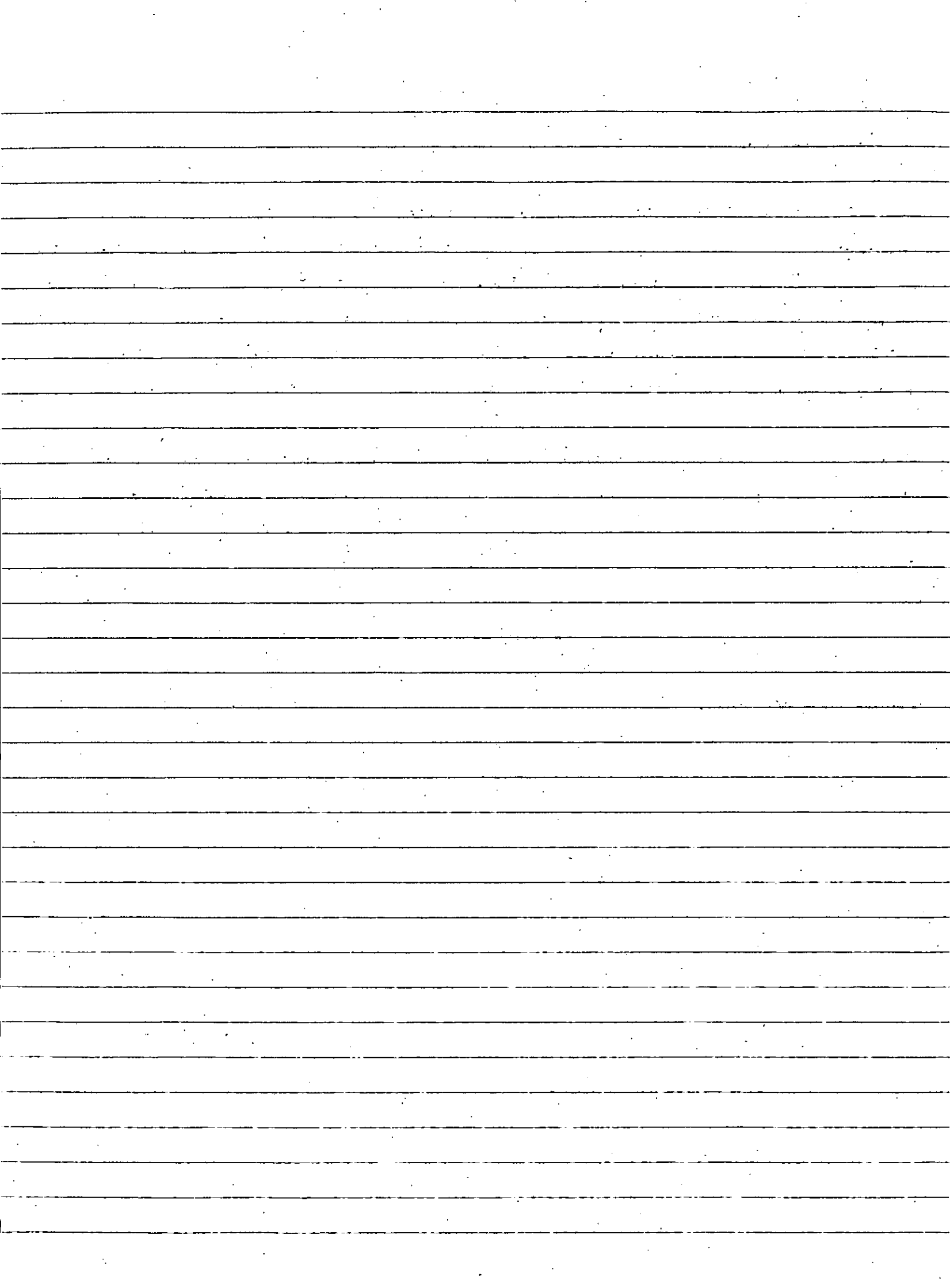
enc(2)

My Comments are:-

Para 30. Christine wanted to recommend application D for refusal. I had to make it clear to her that there was no way that I would agree this, as the Councils position on appeal would be indefensible - even if she, as a witness was critical of the approved scheme, the fact that planning permission was granted for it could not be ignored.

Para 46. I told the ombudsman that I inspected "Mr. Dowells" house. I did not visit it. In fact my inspection was carried out from over the wall at the end of the service area at the rear of "Elm House".

B 23/6



MEMORANDUM

To: Executive Director
- Planning and Conservation

From: Director of Legal Services

PRIVATE AND CONFIDENTIAL

My Ref: dls/ajg/st
Room No. 251/2

Your Ref:

Ext. 2257

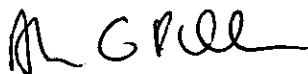
Date: 10 June 1993

HORTENSIA ROAD - OMBUDSMAN COMPLAINT

I enclose a copy of a letter that I have had from the Ombudsman together with five copies of the draft report. Could the report be checked for accuracy. I have the following minor observations:-

- i) Paragraph 6 - does that paragraph set out the Council's position regarding daylighting and sunlighting standards. I presume it does. It would be useful to know by way of additional information whether applications B2 and D would have been affected by the daylighting/sunlighting standards contained in the UDP. If, for instance, the standards in the UDP are less stringent it would be useful to point this out in any response.
- ii) Paragraph 16 - the last two sentences refer to the difference in site levels. Can these specific statements be checked for accuracy. It would be useful to know how much lower the basement of the development was to the ground floor of Mr Stoop's property.
- iii) Paragraph 17 - the penultimate sentence says that the reduction in height of the rear block satisfied the Council's standards on sunlighting. Perhaps that needs "beefing up" with a statement saying exactly how it meets those standards. Presumably this would justify the comment in the report referred to paragraph 19.
- iv) Please comment on paragraph 30 where Ms Zacharia casts doubts on the decision that was taken on the 1988 permission. I think it is important to stress that that is a particular officer's view and to put it into context regarding the likelihood of an appeal being resisted. Perhaps you would be good enough to comment on paragraph 46.

As a general observation, I consider that we must be emphasising that had the application of 1990 been before Committee in 1988 it would, in our view, have been uncontroversial and would have been passed. Perhaps you can comment on this.



Alun Phillips
Director of Legal Services

INVESTIGATION INTO COMPLAINT NO. 90/A/1263
AGAINST
ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Table of Contents

Introduction	Page 1
Investigation	Page 2
Legal & administrative background	Page 2
The application site and Mr Powell's house	Page 4
Background to the complaint	Page 4
Grant of planning permission in 1988	Page 4
Enforcement action	Page 11
1989	Page 11
1990	Page 13
Allegations of maladministration	Page 17
i) Inadequate consultation on the planning application	Page 17
ii) The decision was based on inaccurate information	Page 18
iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application	Page 22
The Planning Sub-Committee's decision	Page 24
Appendix	
Figures 1-5	

Key to Names Used

Mr Stoop	Mr Powell
Ms M Dent	Director of Planning
Mr M French	Deputy Director of Planning
Mr J Wells	Case Officer (until February 1989)
Ms C Zacharia	Case Officer (from May 1989 to May 1990)
Mr B Coey	Area Planner
Mr I Parry	Conservation and Design Officer
Mr M Walsh	Enforcement Officer
Mr A Phillips	Borough Solicitor
Councillor the Hon Simon Orr-Ewing	Councillor Brown
Councillor Gerald Gordon	Councillor X
Councillor Miss Doreen Weatherhead	Councillor Y
Councillor Stuart Shapro	Councillor Z
Application TP88/0632	Application A
Application TP88/0633	Application B (B2, as amended)
Application TP88/1410	Application C
Application TP89/2137	Application D
Gunter Grove	Acorn Road
Hortensia Road	Limes Grove
Hortensia House	Willow House
Knights House	Elm House
The Developers	London & Edinburgh Trust
The Applicants	Colwyn Foulkes & Partners

INTRODUCTION

1. The complainant, for the purposes of this report called Mr Powell, alleges that there was maladministration in the way the Council granted planning permission in October 1988 for a residential and office development adjacent to his house. In particular:-

- 1) there was inadequate consultation on the planning application,
- 2) the decision was based on inaccurate information, and
- 3) a ward councillor (Councillor "Brown") exerted an improper influence on the Planning Committee to approve the planning application.

Mr Powell also complains that the Council failed to take effective enforcement action when the developers breached the planning permission.

2. Mr Powell feels that he has sustained injustice because the development as built has an overbearing effect on his property and has reduced sunlighting, daylighting and privacy. He feels that his property has been devalued.
3. One of the Commission's officers has interviewed Mr Powell at his home, viewed the development, and examined the Council's files. She has also interviewed Councillor Brown, three members of the Planning Sub-Committee who took the decision to grant planning permission, and the Councillor who referred Mr Powell's complaint to me. Relevant existing and former planning officers of the Council have also been interviewed.

/.....

INVESTIGATION

Legal and administrative background

4. The relevant planning policies are set out in the Council's District Plan (adopted in 1982). The major aim of the Plan is to maintain the residential function of the borough, and priority is given to protecting and increasing the supply of housing. The office strategy is one of restraint, and large scale developments are discouraged away from major transport interchanges. The application site is not a preferred office location. The District Plan did not define 'large scale', but in January 1989 the Council decided to treat office developments with more than 1,000 square metres (sq.m.) of floorspace as large scale.
5. The Greater London Development Plan (GLDP) (approved in 1976) recommends that housing for families should be in the range of 175 to 210 habitable rooms per hectare (h.r.h.) and for small households within the range of 210 to 250 h.r.h. A maximum density of 350 h.r.h. is recommended. The Council support these standards but consider that there are circumstances which warrant a departure from them.
6. The District Plan does not contain guidelines for distances between dwellings. The Plan seeks to ensure that new development allows sufficient light to existing buildings, and does not have a 'cliff like' effect on them. The Council use sunlighting and daylighting standards produced by the Department of the Environment as approximate guidelines (see Appendix to this report). The Plan also states that direct overlooking from windows and gardens should be avoided to protect the privacy of existing occupiers. However the Council recognise that buildings in

/....

the borough are often close together with a consequent loss of privacy.

7. The application site is not in a conservation area and does not contain any listed buildings. The Council's general policies aim to achieve a high standard of development throughout the borough compatible with the scale and character of the surrounding area.
8. Planning applicants can appeal to the Secretary of State for the Environment against a Council's failure to determine a planning application within the statutory eight week period, a refusal of planning permission, the imposition of unacceptable conditions, and the service of an enforcement notice.
9. The Council's Code of Conduct for Members (based on the National Code of Conduct) advises councillors not to allow private or personal interests to influence a Council decision. The Code points out that non-pecuniary interests such as kinship, friendship, membership of an association, society or trades union, and other relationships are just as important as pecuniary interests, and should be disclosed both at formal meetings of the Council and at informal meetings.
10. The Council's Standing Order 47 authorises Chief Officers (or their deputies) to take action on urgent matters which arise between Committee meetings with the written consent of the Chairman of the appropriate Committee.

/.....

The application site and Mr Powell's house

11. Figure 1 shows the relationship between the application site and the surrounding properties. Prior to redevelopment the site was occupied by three buildings: a five storey warehouse building (used for educational purposes), a single storey building and a greenhouse. Mr Powell's property is situated to the south-east of the application site. It is a two storey house built as a rear addition to one of the substantial properties on Acorn Road. The rear elevation is 2.8 m. from the boundary with the application site and separated from it by a 2.4 m. wall. There are two living room windows at ground floor level (one is a french door), one staircase window at mezzanine level, and one bedroom window at the first floor.

Background to the complaint

Grant of planning permission

1988

12. In March the Developer's agents (the Applicants) submitted two identical planning applications (Applications 'A' and 'B') for the redevelopment of the application site. The proposals involved the demolition of the existing buildings and the construction of 12 houses, 9 flats and 694 sq.m. of office floorspace, with basement car parking. The development proposed a five storey block to the front and a four storey block to the rear, each containing a mixture of residential and office accommodation. The office blocks were situated at the southern end of the site. Figure 2 shows the layout of the proposed development.

/.....

-
13. In May the Applicants, appealed against the Council's failure to determine Application A. In June they submitted a new planning application (Application 'C') for the redevelopment of the site to provide 12 houses, 10 flats and 767 sq.m. of office floorspace. Part of the rear block was reduced from four to three storeys, and part of the front block was increased from five to six storeys. The Applicants said these proposals took account of concerns which officers had expressed during discussions on Applications A and B about the impact of the rear block on properties in Acorn Road.
14. Applications B and C were due for consideration by the Town Planning Applications Sub-Committee (the Sub-Committee) on 30 August, but were withdrawn at the Applicants' request in the light of officer reports recommending refusals of planning permission. The report on Application B advised that there was no objection to the removal of the existing buildings, and the principle of residential and office use was acceptable (although the site was not a preferred office location). However it stressed the importance of development in keeping with the surrounding area and the need to respect the residential amenity of neighbouring properties. The report noted the high density of the scheme with 550 h.r.h., and commented that the acceptability of such a high density scheme was dependent upon the architectural character and scale of the surrounding area. The Conservation and Design Officer was critical of the height of the blocks, their siting and their architectural design. He commented:-

"6.... The rear block will adversely affect the amenity of (Acorn Road). A four storey block, however well detailed, introduces a "wall like" element across the full width of the site, reducing views out of the site and any existing feeling of openness.

/....

7....

8.... The proposal, in particular the rear block in terms of properties in (Acorn Road) is considered to contravene Council standards of daylight and sunlight as set out in Figure 17.2 of the District Plan. In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens"

The Director of Planning recommended refusal because the development would lead to:-

"1. A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in (Limes Grove);

2. Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.

..... contrary to the policies set out in the Council's adopted District Plan"

Application C was recommended for refusal for the same reasons.

15. In September the Applicants submitted revised plans in respect of Application B (Application 'B2') following discussions with Council officers. The height of the rear office and residential blocks was reduced from four to three storeys, the residential element was set back further from properties in Acorn Road and the design was modified. There were minor modifications to the front block. The Applicants also appealed against the Council's failure to determine Application C.
16. Figure 3 shows the relationship between Mr Powell's property and the rear office block as shown on the plans. The basement and ground floors extend almost half way

/....

across the frontage of Mr Powell's property, and the rear elevation is 1.6 m. from the rear boundary, a distance of approximately 4.5 m. from Mr Powell's house. The first and second storeys are set in and set back. The plans do not reveal the difference in site levels of approximately 2 m. between the application site and Mr Powell's property. In effect the basement of the proposed development is not much lower than the ground floor of Mr Powell's property.

17. The Case Officer, who had recommended refusal of Application B, told the Commission's officer that the reduction in the height of the rear residential and office blocks addressed the main objections to the original scheme, and officers felt able to recommend approval of Application B2. He says he had been most concerned about the impact of the original proposals on properties further along Acorn Road which were more 'hemmed in' and which would suffer loss of light from shadows cast by the new development. He felt the reduction in the height of the rear block satisfied the Council's standards on sunlighting and made the development acceptable. His senior officers, the Area Planner and Deputy Director of Planning agreed that planning permission should be granted.
18. The Case Officer says he was aware from the plans that the distance between Mr Powell's house and the proposed development was only 4.5 m. However the new development extended only across half of Mr Powell's property and the building immediately facing him would be constructed at basement and ground floor level only. He would have been more concerned if the development facing Mr Powell's property was higher. He says the daylighting to Mr Powell's property was already affected by the close proximity of the 2.4 m. boundary wall. He accepted that

/....

there might be some loss of light in the evening but did not think this was significant. He was aware that there was a difference in site levels between the application site and properties in Acorn Road (although he did not appreciate that they were as significant as indicated in paragraph 16). He did not recall asking the Applicants for any amendments to reduce the impact of the development on Mr Powell's property.

19. A report recommending that Application B2 should be granted planning permission was submitted to the Sub-Committee in October. The Committee were informed of the changes to the original scheme, which included a reduction in the amount of office floorspace from 694 sq.m. to 600 sq.m. A model of the development produced by the Applicants was available for inspection by the Committee. The report indicated that the residential density of the scheme was still in excess of 500 h.r.h. and referred the Committee to the Conservation and Design Officer's comments which were still critical. He welcomed the simplification of the rear block and acknowledged that its reduction by one storey would reduce the effect on the amenities of properties in Acorn Road. However he considered that the relationship between the proposed front and rear blocks was unacceptable, and the bulk along the rear site boundary excessive. He advocated a different design approach involving the omission of the rear block, thereby preserving and enhancing the amenity of properties in Acorn Road. Notwithstanding these comments, the report stated that the Council's standards of daylighting and sunlighting were met in respect of the properties in Acorn Road, and the degree of overlooking was considered acceptable on balance.
20. The consultations on the application were reported to the

/....

Sub-Committee. The report indicated that 60 adjoining occupiers had been consulted and there were five letters (including one from an amenity society) objecting to the development on grounds of its density, the layout, design and height of the development, loss of trees, loss of light, and noise and fumes from the car park. The Applicants had held a public meeting (attended by eight local residents), and canvassed the residents of Acorn Road for their views. The findings were not set out in the committee report but were available for reference on the application file. The Committee were advised that "Residents supported the principle of redevelopment".

21. A letter in support of the modified scheme from a ward councillor, Councillor Brown, was appended to the report at his request. He argued that the existing buildings were unattractive and the proposed development would enhance the area. He had inspected a model of the scheme and considered that the reduced height of the rear block resulted in an acceptable form of development.
22. The Sub-Committee agreed to grant planning permission in respect of Application B2. There is no record of dissent and it is assumed that the decision was unanimous. A decision notice was issued later that month granting planning permission for 12 houses, 9 flats and 600 sq.m. of office floorspace. One of the conditions attached to the grant of planning permission stated:-

"8. The new buildings hereby approved shall relate to the adjoining premises, (Willow) House and (Elm) 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."

/.....

23. The Applicants withdrew their appeals in respect of Applications A and C, following the grant of planning permission for Application B2.

24. In December the Applicants asked the Deputy Director to increase the amount of permitted office floorspace to 675sq.m. He says he agreed to this under the Director's delegated powers because the amount was below the 694 sq.m. specified in Application B2. A revised notice was issued on 22 December. This crossed with a letter from the Developers advising the Deputy Director that they wished to alter the dwelling mix of the front block to provide more flats instead of houses and to amend the elevations. The letter concluded:-

"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 1038 m.sq. and the approval document shows 600 m.sq.

Hopefully we can sort this out at the same time."

25. The Deputy Director says he has no recollection of this letter. He would have referred it to the Case Officer but he has no recollection of it either. He left the Council in February 1989 and a new case officer was not appointed until May.

Enforcement Action1989

26. Mr Powell says he first learnt of the development in the middle of 1989 when the existing buildings were cleared; he asked the builders what was happening and was told that there were no plans to build at his end of the site. However building continued, and he and other neighbours telephoned the Council at the end of September to complain that development was proceeding without planning permission. An Enforcement Officer inspected the site on 6 and 17 October; by this stage development was proceeding at basement and ground floor levels. He says it was difficult to establish whether the building conformed with the plans, because of differences in site levels both between the application site and Mr Powell's property, and between Mr Powell's and the next door property (through which the relevant section is drawn) which was 500-600mm higher. He initially concluded that the structure was only 350-400mm higher than shown on the approved drawings and that no further action was warranted, but Mr Powell was insistent that something should be done.
27. The Deputy Director, Conservation and Design Officer and new Case Officer met the Applicants on 19 October to discuss the alleged breach of planning control. They discovered that the developers had amended the dwelling mix of the front block and altered the front elevation. In addition the discrepancy over the amount of permitted office floorspace (see paragraph 24) had not been resolved and several planning conditions had not been met. The Applicants agreed to submit proposals to correct the deviations. The Director of Planning wrote to them the following day asking them to stop works in the vicinity of

/....

Mr Powell's property until the matter had been resolved, threatening enforcement action and stop notices if they did not. Their attention was drawn to Condition 8 which rendered the planning permission null and void (see paragraph 22). The Applicants did not reply by 23 October, as requested, and the Director of Planning asked the Chairman of the Planning Committee on 24 October for approval to serve enforcement notices. She wrote:-

"The structure is currently being constructed at raised ground floor level and concrete is being poured daily. The contractors are moving quickly and "time is of the essence". The residents of (Acorn Road) have suffered loss of light and of amenity, and if the structure is raised any higher will suffer a corresponding loss."

The Chairman of the Planning Committee gave his consent.

28. The Council served two enforcement notices on 31 October. The first notice alleged that the rear office block was being built higher, and the elevation of the front block was further forward, than approved. By virtue of Condition 8 the planning permission was null and void. The notice required a reduction in the height of the rear office structure and alterations to the front block. The reasons given included loss of light and amenity to residents of adjoining properties in Acorn Road. The second notice dealt with the failure to comply with planning conditions. The Applicants agreed to stop works in the vicinity of Mr Powell's property. Council officers say a stop notice would have halted works on the entire site, rendering the Council liable for substantial compensation if an appeal was successful. They were satisfied that such action was not necessary in view of the voluntary agreement to stop works. (The Applicants appealed against the enforcement notices on 14 November.)

/....

29. In November the Applicants submitted a planning application (Application 'D') for 21 flats in the front block and associated design alterations. They argued that the rear office block complied with the approved plans, and any alterations could be dealt with by way of an amendment to the original consent. However the Council insisted on a full application incorporating changes to the rear office block. The Applicants submitted a revised application and details required by the planning conditions later in the month. The proposed modifications included setting back the ground floor of the rear office block to 8 m. from Mr Powell's property.

1990

30. The Case Officer says the proposals were not ideal but she felt the development was the best officers could achieve in the light of the 1988 permission. She was critical of the permitted scheme and its impact on Mr Powell's property. She told the Commission's officer she would have tried to persuade the Applicants to omit the rear office block or, at least, to negotiate a lower block further away from the rear boundary. She would not have supported a development which was less than 5 m. from an existing building. She says she saw the discrepancy over the amount of permitted office floorspace as an opportunity to secure some improvements for the residents in Acorn Road. She felt that Application D was an improvement on the approved scheme and resulted in less overlooking. She was satisfied that the Council's standards on daylighting were met. The Case Officer agreed that planning permission should be recommended.
31. A report on Application D was presented to the Planning

/....

Sub-Committee in February. The Committee were advised that the proposals sought to regularise the alterations to the front block which were the subject of enforcement action. The report stated that the rear office block was being built in accordance with the approved plans (despite the outstanding enforcement notice (see paragraph 28)). However:-

"The rear office block has been the subject of concern..... 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 (Mr Powell's property), originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in (Acorn Road)"

The Sub-Committee were also advised that the total office floorspace approved in 1988 should have been 1,100 sq.m. (as shown on the approved plans), not 675 sq.m. as referred to on the decision notice. Planning permission was recommended subject to a legal agreement requiring the completion of the rear office block within three months. The Sub-Committee agreed that Application D was an improvement on the permitted rear office scheme, and they had no objections to the front residential block. However they decided to refer the application to the main Planning Committee for determination, with the benefit of legal advice on the status of the 1988 permission.

32. Application D was considered by the main Planning Committee in March. The Committee were concerned about the confusion over the amount of office floorspace granted in 1988, and the impact of the rear office development on Mr Powell's property. The Borough Solicitor informed the Committee that Counsel had advised that the 1988 permission allowed

/.....

675 sq.m. of office floorspace, as shown on the decision notice, and not 1,100 sq.m. In the light of this opinion the Committee asked the Director of Planning to negotiate a further setting back of the rear office block from Acorn Road and the replacement of office with residential floorspace.

33. Mr Powell was disappointed that the Committee did not refuse planning permission, and he urged the Council to proceed with enforcement action and issue stop notices. Several councillors raised this at Planning Committee on 2 April, but they were advised that stop notices could be issued between committees with the Chairman's consent, if necessary. However on 11 April the Deputy Director sought the Chairman's approval to withdraw the two enforcement notices, following discussion with the Director of Planning and Borough Solicitor. The Chairman agreed and the enforcement notices were withdrawn on 24 April.
34. The Deputy Director told the Commission's officer that the enforcement action was suspended because the Applicants had submitted a satisfactory scheme for the front block and amendments to the rear office block were being negotiated. Counsel (for the Applicants) had advised that Condition 8 was invalid and could not be enforced against, and the Council's legal advisers agreed. The Applicants had also submitted details required by the planning conditions. In the circumstances senior officers felt that the enforcement notices should be withdrawn, although this did not prevent the Council from taking further enforcement action if necessary. The Deputy Director says the action was taken under emergency powers because the public inquiry was due to take place on 26 June, and the Council's pre-inquiry statement was due six weeks beforehand. He said the

/....

Council's negotiating position would have been weakened once the statement was issued. The Planning Sub-Committee were informed that the enforcement notices had been withdrawn at their meeting on 24 April. Mr Powell questions why the decision was not left to the Committee.

35. The amended Application D was reported to the Planning Sub-Committee on 24 April, and to the Planning Applications Committee on 30 May and 12 June, but a decision was deferred on each occasion.

36. The Planning and Conservation Committee considered the application at their meeting on 9 July. The scheme had been amended to provide six residential flats in the rear office block, leaving 49 sq.m. office floorspace and reducing the total amount of office floorspace in the scheme to 752 sq.m. There had been no changes in the overall bulk of the block (other than those outlined in paragraph 31) but the window to the ground floor unit facing Mr Powell's property had been set at an angle to reduce overlooking (see figure 4). The only window above ground floor level facing Mr Powell's property was a high level window lighting a staircase. After considerable debate the Committee expressed the view that they were minded to refuse planning permission by seven votes to three. The application was then referred to the confidential part of the agenda. The Borough Solicitor and Director of Planning advised the Committee that the chances of success on appeal were remote and that substantial costs could be awarded against the Council. The Committee were advised that the proposed 752 sq.m. of office floorspace was not significantly higher than that previously granted of 675 sq.m. and the Applicants could argue on appeal that 1100 sq.m. had been permitted. Concerns about density,

/....

daylight/sunlight and the height of the development were arguable, and did not constitute a strong case for refusing planning permission. Following further discussion the Committee voted to approve the application by eight votes to four. A decision notice was issued in August, after the Council had received an independent report on sunlighting which supported the Council's view that sunlighting grounds could not have been sustained as a reason for refusing planning permission.

Allegations of maladministration

i) Inadequate consultation on the planning application

37. Mr Powell and some other residents in Acorn Road say that the Council never notified them about Applications A and B. The report to Sub-Committee in October 1988 indicates that there were only five objectors out of 60 consultees (see paragraph 20), and they feel that the lack of objections was a significant factor in the Sub-Committee's decision to grant planning permission. Mr Powell also complains that a petition from residents in Willow House, collected in response to the Council's consultation on Application C, was not presented to the Sub-Committee when they determined Application B, although the objections were relevant.
38. The Council say that they complied with their usual consultation procedures and cannot explain why many residents apparently did not receive notification letters. The Area Planning Officer identified which households should be consulted from the ordnance survey map (see Figure 1) and notification letters were sent out on 31 March. One letter was sent per property. A notice was also posted in the press and interested bodies were

/....

notified. The Area Planner says the Case Officer was surprised at the time by the low response rate and thought that some households might not have received letters because some houses were subdivided into flats. They took the unusual step of identifying individual households from the electoral register (compiled in October 1987) and sent additional notification letters to them on 26 May. (Mr Powell was not on the register and did not receive a letter.) However this exercise did not give rise to any further letters of objection. The Council consulted on Application B2 on 22 September 1988 but no further letters of objection were received. The representations received were reported to the Sub-Committee at their meeting in October 1988.

39. The Council consulted the same neighbours on Application C on 4 July 1988. A petition objecting to Application C signed by 30 households in Willow House was sent to the Council on 14 August, but withdrawn on 14 September after the developers had met the petitioners to discuss modifications to the scheme. Application C was withdrawn in October 1988 (after planning permission had been granted for Application B2), and neither it nor the petition was considered by the Committee. The Deputy Director says it is questionable in any case whether objections to one scheme should be reported for consideration when a separate and alternative scheme is being determined.

ii) The decision was based on inaccurate information

40. Mr Powell complains that the report on Application B2 submitted to the Planning Sub-Committee in October 1988 was wrong in the following respects:-

a) Amount of office floorspace

The report stated incorrectly that the scheme incorporated 600 sq.m. of office floorspace. It was subsequently discovered that the approved drawings showed 1100 sq.m. The Council acknowledge that a mistake occurred in measuring the plans and this was unfortunate, but they point out that the amount of office floorspace (which came to 767 sq.m. in Application C) was never considered to justify a refusal of planning permission. The Deputy Director says there would have been no real policy objection to a larger amount of office floorspace, as the decision to treat office schemes above 1,000 sq.m. floorspace as major developments was not taken until January 1989. The first Case Officer did not think this amount of office floorspace could be resisted, given the previous commercial use of the site and bearing in mind that the offices were capable of subdivision to small units. However he acknowledged that an opportunity to negotiate more residential accommodation on the site was not appreciated at the time.

b) Misleading consultation exercise by Applicants

41. Mr Powell complains that the Applicants undertook a misleading consultation exercise and claimed that residents supported the scheme when they did not. He alleges that the Council gave prominent coverage to the Applicants' findings in the committee report without checking the authenticity of their claims. Mr Powell feels that these failings compounded the inadequacy of the Council's own consultation exercise.

/.....

42. The Council deny that prominent coverage was given to the consultation exercise. The Sub-Committee were informed of the consultations (at the Applicants' request), together with the objections received as a result of the Council's own consultations, and Councillor Brown's letter (see paragraphs 20 and 21). The Case Officer says that his recommendation was not 'consultation led' but based on his own assessment of the acceptability of the scheme on planning grounds.

c) Misleading model

43. Mr Powell and other residents allege that the Applicants' model of the proposed development was misleading. They say it gave the impression that the rear blocks were two, not three, storeys and understated the effect on the surrounding buildings. The model was presented to the Sub-Committee and to residents who attended a public meeting held by the Applicants on 1 June. (The Council were not invited to this meeting and were not represented at it.) Residents who saw the model said they would have objected strongly had they been aware of the extent of the development. Councillor Brown says the model he saw was "very seductive" and different from what has been built. Mr Powell feels the Committee should have been warned that the model was misleading.

44. The Deputy Director says the model did not form part of the planning application and would not have been checked by officers. He first saw it at the Sub-Committee meeting and was not aware if the Case Officer had ever seen it. He commented that the Sub-Committee would not have been taken in by a model.

d) Daylighting and Sunlighting

45. Mr Powell complains that the Council were misinformed that the scheme complied with the Council's standards of daylighting/sunlighting in respect of properties in Acorn Road (see paragraph 19). He said the proposals constituted a dramatic infringement of the Council's daylighting standards. The Applicants submitted drawings in support of Application D which demonstrated that this scheme, unlike Application B2, complied with the Council's daylighting standards in so far as Mr Powell's property was concerned (see figure 5). However Mr Powell and his advisers allege that these proposals still reduce the amount of sunlight to his property to below the recommended standard of three hours. The impact of Application B2 on his property would have been greater.
46. The Case Officer says he applied the Council's daylighting standards and was satisfied that they were met; his views and concerns are set out in paragraphs 17 and 18 of this report. He acknowledges that the drawings reproduced in figure 5 suggest that the Council's standards were not met in respect of Mr Powell's property. However he does not consider that this, in itself, necessarily pointed to a refusal of planning permission, but that the situation should have been clarified in the committee report. He points out that the development only extends across half of Mr Powell's property and that windows to the south are not obstructed. The Area Planner says he visited Mr Powell's house in the course of construction and was satisfied that the daylighting was entirely satisfactory. The Council had taken

/.....

independent advice on Application D (see paragraph 36) and been advised that there were no grounds for refusing planning permission on grounds of sunlighting.

e) Residential of Density

47 Mr Powell says the committee report indicated that the density of the scheme was in excess of 500 h.r.h., whereas it was actually 650/660 h.r.h. He argues that officers recommended a refusal of Application B partly on the grounds that the density of 550 h.r.h. was excessive. The Council have not revised their calculations, but say the acceptability of high density schemes is dependent upon the architectural scale and character of the surrounding area. The Conservation and Design Officer's (critical) comments were clearly set out in the committee report (see paragraph 19).

iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application

48. Mr Powell considers that Councillor Brown, the ward councillor, was wrong to write a letter in support of the scheme for circulation to the Sub-Committee (see paragraph 21). He believes that his views were influential because he was a former Chairman of the Planning Committee (although he was not a member of the Planning Committee at the time). Councillor Brown is a chartered surveyor, and was at school with the Chairman of the Development Company. Mr Powell believes that these associations may have taken priority over his obligations as a ward Councillor.

49. Councillor Brown refutes any allegations of improper

/.....

- conduct. He says he had a vague recollection of the Chairman of the Development Company from school days, but there were several years' age difference between them and they had only met occasionally at school functions since leaving school. He denies any personal, professional or social associations with the Chairman of the Development Company which would have required him to disclose an interest.
50. Councillor Brown says he supported the scheme because the existing non-conforming use was an eyesore, and the proposed scheme resulted in a gain of residential dwellings. He believes he learnt of the proposal from the regular listings of planning applications, and asked the Director of Planning to keep him informed of progress. He says he cannot recall being introduced to the Developer's Architects by the Chairman of the Development Company (as has been alleged), but acknowledges that he may have visited the Architect's offices to view the model. He could not recall the details of this visit or whether he was accompanied by a Council officer.
51. Councillor Brown says he received a number of representations on the scheme, including some from residents in Acorn Road. He formed the view that residents were generally in favour of the development and asked the Director of Planning to write a letter in support of the scheme on his behalf. He says he had written in support of, or against, other significant schemes although he could not recall which. The scheme was not contentious and did not give rise to many objections. He says the Planning Sub-Committee would have deferred the application or referred it to the main Committee if they had any doubts about it.

The Planning Sub-Committee's decision

52. The Commission's officer has interviewed three of the four Councillors who took the decision to grant planning permission in October 1988. Councillor X was the Chairman of the Sub-Committee; he could not recall the application and was not familiar with the site, either before or after development. Councillor Y had no recollection of the Sub-Committee meeting either; however she had visited Mr Powell's property after development had started and was familiar with the site. Councillor Z had only a vague recollection of the meeting. The three councillors commented that the pressure for redevelopment at this time was intense, and the Sub-Committee were determining 80 to 120 planning applications each meeting.
53. Councillor X says he is not surprised that the Sub-Committee granted planning permission in the light of the information contained in the committee report. He noted that there were few letters of objection and the proposals seemed uncontentious. He said he would not have attached any great importance to the Applicants' own consultation exercise as its purpose (and that of the model) was to elicit support for the scheme. Councillor Y agreed. She says she would have accepted the Applicants' consultation exercise at face value and expected any objections to be revealed through the Council's own consultation process. Neither Councillor would have expected a petition relating to a different scheme to be brought to their attention. Councillor Z commented that controversial applications gave rise to many objections and lobbying, but that did not happen in this case. He said the general feeling was that the application was uncontentious and there were no reasons for withholding planning permission. The Councillors said

/....

they would have taken account of Councillor Brown's letter in support of the scheme but it would not have been overriding.

54. Councillor X could not say whether he would have taken a different view had the Committee been told the true amount of office floorspace. He said he would have asked officers for their views about this, but he and Councillor Y both said the Committee would have been in favour of the residential gain, and the increase in office floorspace would have been balanced against this. They also noted that the scheme was replacing an employment use and the existing ugly building. Councillor Z thought that officers might have made a different recommendation had they been aware of the amount of office floorspace, and the Sub-Committee would then have looked at the matter closely. He commented that once the mistake came to light there was a general feeling that the Council would not have permitted that amount of office floorspace.
55. Councillors X and Y said they would have expected officers to tell them if the application contravened Council's daylighting standards. They would want to know how significant any breaches were so that they could decide whether to ask officers to negotiate amendments. Neither they nor Councillor Z were convinced that the Committee should have been told about the difference in site levels, although with hindsight it may have been helpful to know the distance to Mr Powell's property. Councillor Z commented that the Committee receive copies of the block plans now, enabling them to assess such distances.
56. Councillor X noted the Conservation and Design Officer's criticisms of the proposal set out in the report and

/....

thought he would have asked why planning permission was being recommended in the light of them. However he commented that the site was not within a conservation area and the Sub-Committee would have found it difficult to justify a refusal of planning permission if advised that it could not be defended on appeal. Councillors Y and Z agreed.

APPENDIX

17.5 LIGHT AND PRIVACY

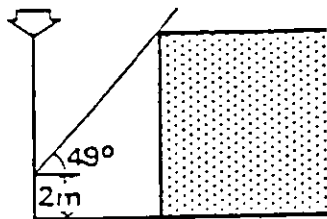
(For policy see "Conservation and Development", Section 4.10)

17.5.1 New buildings, and new accommodation provided in existing ones, should have adequate sunlight and daylight, not only in living rooms and main bedrooms but also in gardens and amenity spaces.

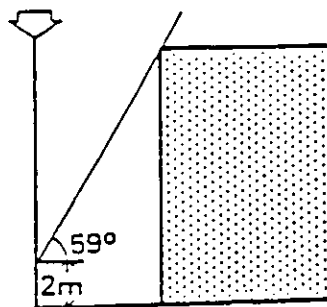
17.5.2 Figure 17.2 shows standards based on those produced by the Department of the Environment in 1971 [1], which are useful as approximate guidelines.

17.5.3 Direct overlooking from a balcony into a private garden immediately below should be avoided. Where windows are to be inserted into existing walls, they should be designed to avoid new problems of overlooking by, for example, careful positioning or the use of obscured glass.

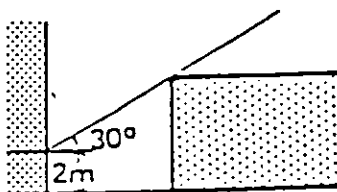
Figure 17.2 Sunlight and Daylight Angles



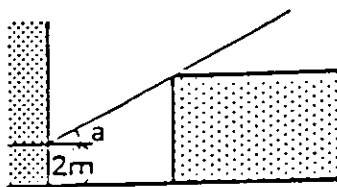
Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, residential purposes.



Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, non-residential purposes.



Daylight angles applicable between residential buildings.



Sunlight diagrams must be applied to ensure 3 hours of sunshine a day to neighbouring south facing existing residential buildings. As a general guide:

- a = 28° for south facing buildings; and
- a = 20° for south-east and south-west facing buildings.

NB. These diagrams are based on standards produced by the Department of the Environment in 1971, but are only approximate guidelines; the Council's officers should be consulted for further details.



Site boundary or street centre

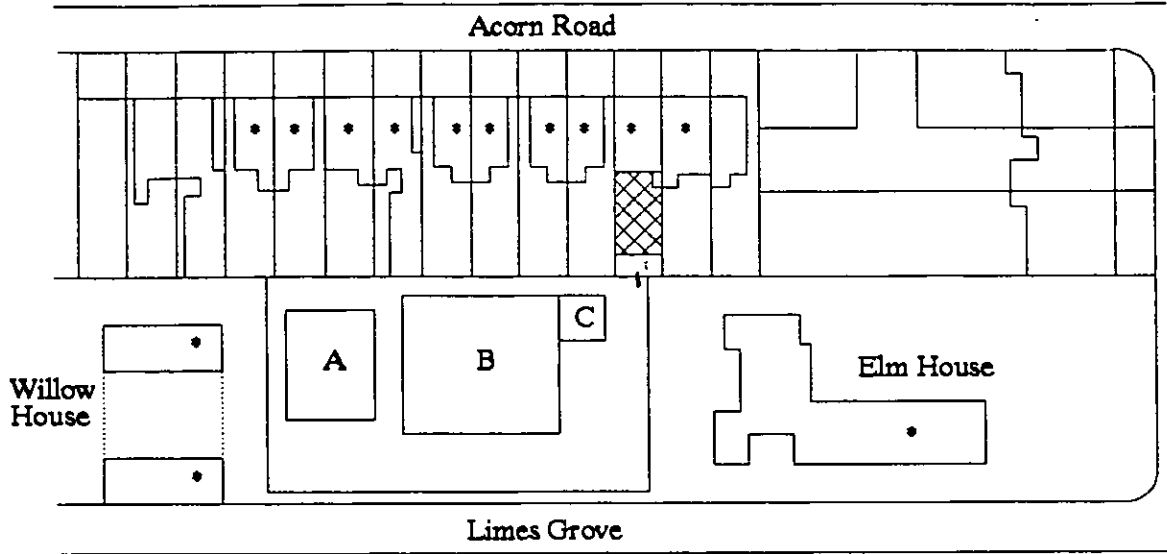


Edge of existing building



Figure 1: Relationship between application site and surrounding buildings

Not to Scale



Original buildings

- A: Single storey building
- B: 5 storey warehouse
- C: Greenhouse

• Properties notified of planning applications

 Mr Powell's house

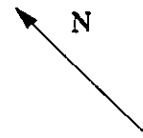
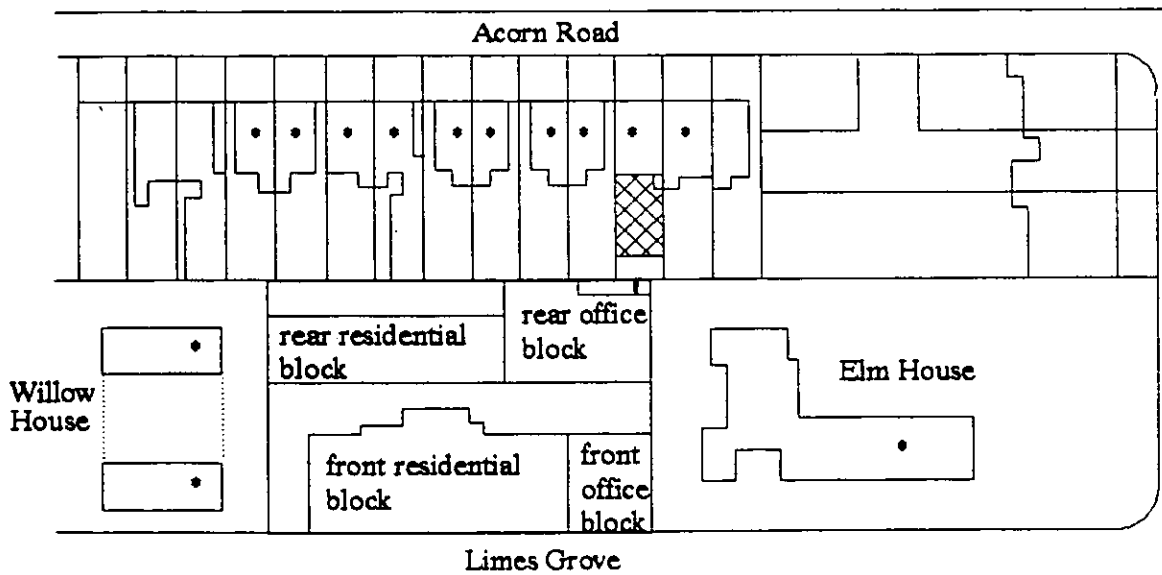


Figure 2: Application B2 - proposed layout of buildings



 Mr Powell's house

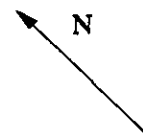


Figure 3: Relationship between Application B2 and Mr Powell's property

Not to Scale

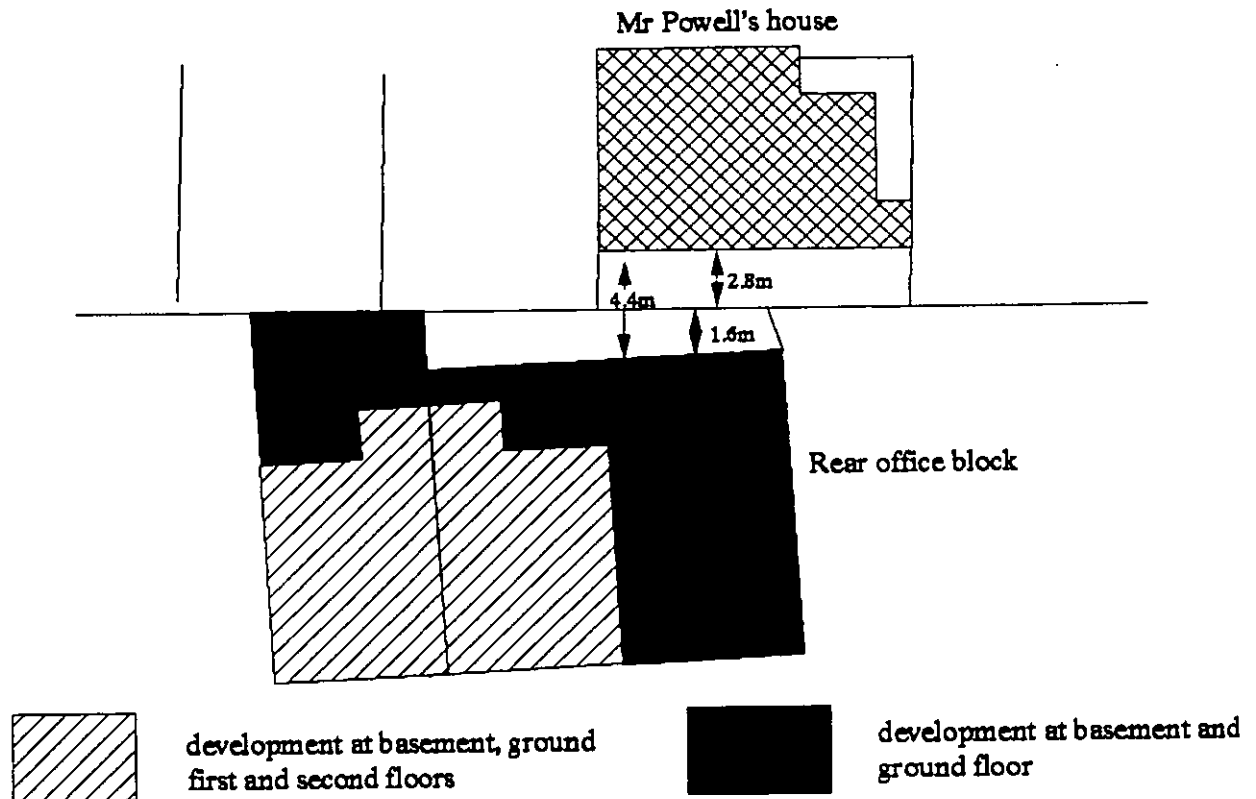


Figure 4: Relationship between Application D and Mr Powell's property

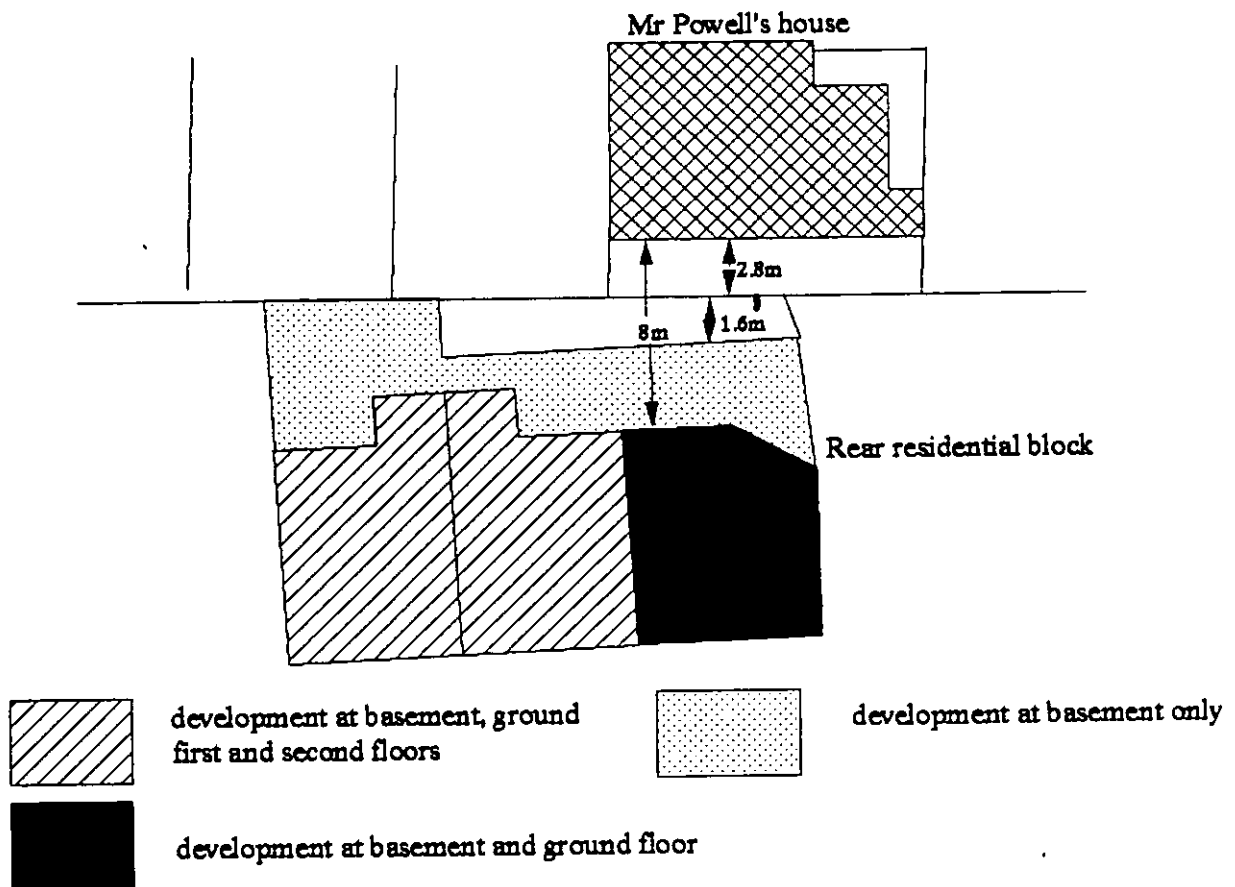
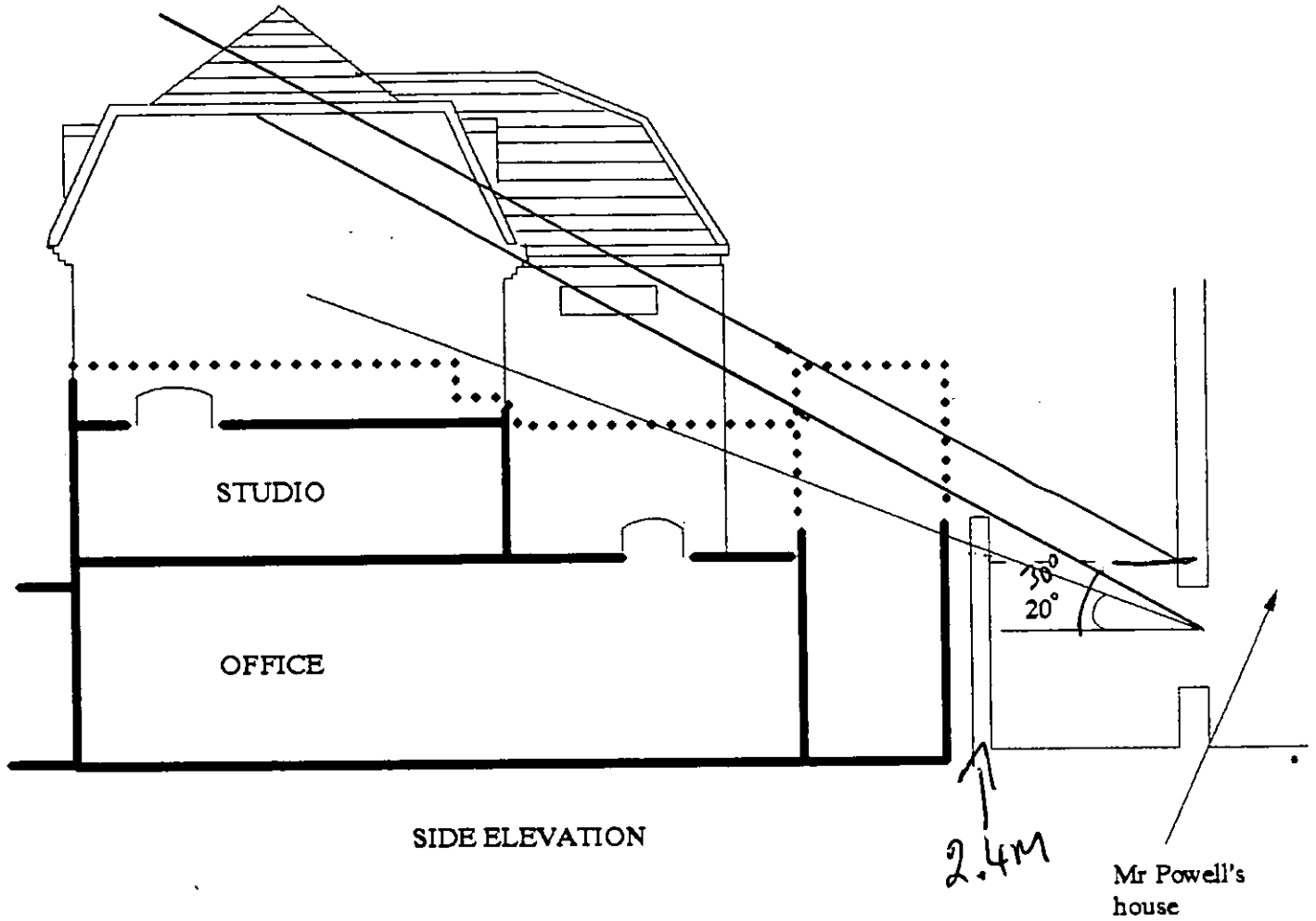


Figure 5: Side elevation: Application of Council's daylighting standards in respect of Applications B2 and D



..... Application B2

————— Application D

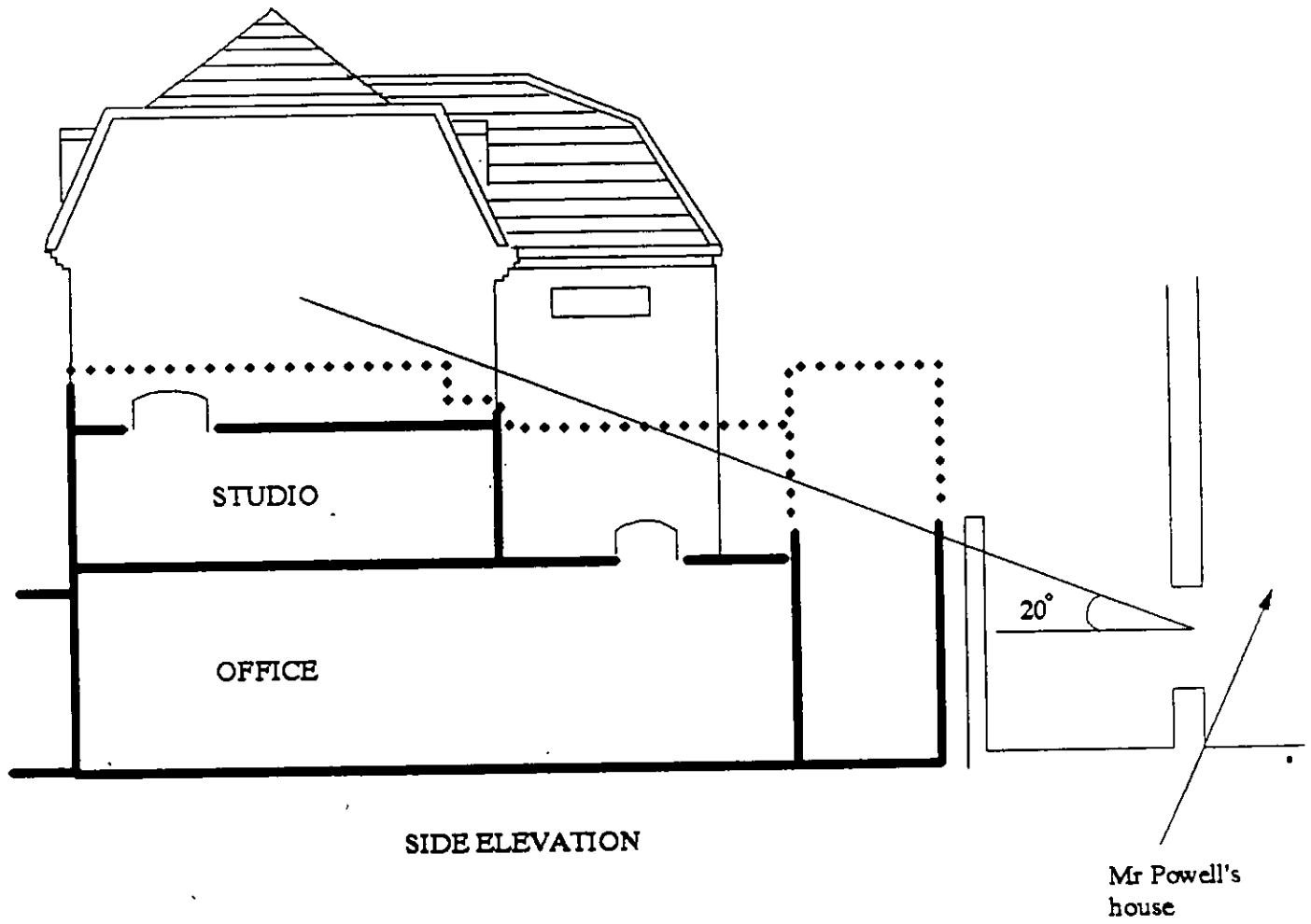
Not to scale



05032075040

PLATE 1

Figure 5: Side elevation: Application of Council's daylighting standards in respect of Applications B2 and D



SIDE ELEVATION

- Application B2
- Application D

Not to scale

29 JUN 1993

Commission for Local Administration in England CE/DLS

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

J. J. Bash, OBE
Director
Solicitor to the Commission
CONFIDENTIAL

21 Queen Anne's Gate
London SW1H 9BU
Tel 071-222 5622
Fax 071-233 0396
DX 2376 Victoria 1

Your ref dls/ag/pw2
My ref 90/A/1263/LH/
mlr

•
A Taylor Esq
Town Clerk & Chief Executive
Royal Borough of Kensington & Chelsea
The Town Hall
Hornton Street
London
W8 7NX

8 June 1993

Dear Mr Taylor

Following the investigation of the complaint by Mr N Stoop of 42a Gunter Grove, SW10 OIJ, a draft has been prepared setting out the relevant facts.

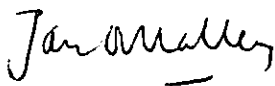
I enclose two copies of the draft without conclusions to give you the opportunity of drawing attention to any inaccuracies. Will you please return one copy showing any changes you propose within the next 15 working days.

I shall be grateful if you will ensure that the draft is seen by current officers of your Council who have been involved, or are referred to in the text. However, they should be told that, in accordance with Section 32 of the Local Government Act 1974, the draft must be treated in confidence.

If you also wish to make any general comments, the Local Government Ombudsman will take them into account before reaching his conclusions and making his findings known.

I am sending copies of the draft to Councillor Miss Doreen Weatherhead and to other former Members and officers of the Council who are referred to in the text asking separately for their comments.

Yours sincerely



JAN O'MALLEY (MS)
Assistant Director

enc(2)

INVESTIGATION INTO COMPLAINT NO. 90/A/1263
AGAINST
ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Table of Contents

Introduction	Page 1
Investigation	Page 2
Legal & administrative background	Page 2
The application site and Mr Powell's house	Page 4
Background to the complaint	Page 4
Grant of planning permission in 1988	Page 4
Enforcement action	Page 11
1989	Page 11
1990	Page 13
Allegations of maladministration	Page 17
i) Inadequate consultation on the planning application	Page 17
ii) The decision was based on inaccurate information	Page 18
iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application	Page 22
The Planning Sub-Committee's decision	Page 24
Appendix	
Figures 1-5	

Key to Names Used

Mr Stoop	Mr Powell
Ms M Dent	Director of Planning
Mr M French	Deputy Director of Planning
Mr J Wells	Case Officer (until February 1989)
Ms C Zacharia	Case Officer (from May 1989 to May 1990)
Mr B Coey	Area Planner
Mr I Parry	Conservation and Design Officer
Mr M Walsh	Enforcement Officer
Mr A Phillips	Borough Solicitor
Councillor the Hon Simon Orr-Ewing	Councillor Brown
Councillor Gerald Gordon	Councillor X
Councillor Miss Doreen Weatherhead	Councillor Y
Councillor Stuart Shapro	Councillor Z
Application TP88/0632	Application A
Application TP88/0633	Application B (B2, as amended)
Application TP88/1410	Application C
Application TP89/2137	Application D
Gunter Grove	Acorn Road
Hortensia Road	Limes Grove
Hortensia House	Willow House
Knights House	Elm House
The Developers	London & Edinburgh Trust
The Applicants	Colwyn Foulkes & Partners

INTRODUCTION

1. The complainant, for the purposes of this report called Mr Powell, alleges that there was maladministration in the way the Council granted planning permission in October 1988 for a residential and office development adjacent to his house. In particular:-

- 1) there was inadequate consultation on the planning application,
- 2) the decision was based on inaccurate information, and
- 3) a ward councillor (Councillor "Brown") exerted an improper influence on the Planning Committee to approve the planning application.

Mr Powell also complains that the Council failed to take effective enforcement action when the developers breached the planning permission.

2. Mr Powell feels that he has sustained injustice because the development as built has an overbearing effect on his property and has reduced sunlighting, daylighting and privacy. He feels that his property has been devalued.
3. One of the Commission's officers has interviewed Mr Powell at his home, viewed the development, and examined the Council's files. She has also interviewed Councillor Brown, three members of the Planning Subcommittee who took the decision to grant planning permission, and the Councillor who referred Mr Powell's complaint to me. Relevant existing and former planning officers of the Council have also been interviewed.

/....

INVESTIGATION

Legal and administrative background

4. The relevant planning policies are set out in the Council's District Plan (adopted in 1982). The major aim of the Plan is to maintain the residential function of the borough, and priority is given to protecting and increasing the supply of housing. The office strategy is one of restraint, and large scale developments are discouraged away from major transport interchanges. The application site is not a preferred office location. The District Plan did not define 'large scale', but in January 1989 the Council decided to treat office developments with more than 1,000 square metres (sq.m.) of floorspace as large scale.
5. The Greater London Development Plan (GLDP) (approved in 1976) recommends that housing for families should be in the range of 175 to 210 habitable rooms per hectare (h.r.h.) and for small households within the range of 210 to 250 h.r.h. A maximum density of 350 h.r.h. is recommended. The Council support these standards but consider that there are circumstances which warrant a departure from them.
6. The District Plan does not contain guidelines for distances between dwellings. The Plan seeks to ensure that new development allows sufficient light to existing buildings and does not have a 'cliff like' effect on them. The Council use sunlighting and daylighting standards produced by the Department of the Environment as approximate guidelines (see Appendix to this report). The Plan also states that direct overlooking from windows and gardens should be avoided to protect the privacy of existing occupiers. However the Council recognise that buildings in

/....

the borough are often close together with a consequent loss of privacy.

7. The application site is not in a conservation area and does not contain any listed buildings. The Council's general policies aim to achieve a high standard of development throughout the borough compatible with the scale and character of the surrounding area.
8. Planning applicants can appeal to the Secretary of State for the Environment against a Council's failure to determine a planning application within the statutory eight week period, a refusal of planning permission, the imposition of unacceptable conditions, and the service of an enforcement notice.
9. The Council's Code of Conduct for Members (based on the National Code of Conduct) advises councillors not to allow private or personal interests to influence a Council decision. The Code points out that non-pecuniary interests such as kinship, friendship, membership of an association, society or trades union, and other relationships are just as important as pecuniary interests, and should be disclosed both at formal meetings of the Council and at informal meetings.
10. The Council's Standing Order 47 authorises Chief Officers (or their deputies) to take action on urgent matters which arise between Committee meetings with the written consent of the Chairman of the appropriate Committee.

/....

The application site and Mr Powell's house

11. Figure 1 shows the relationship between the application site and the surrounding properties. Prior to redevelopment the site was occupied by three buildings: a five storey warehouse building (used for educational purposes), a single storey building and a greenhouse. Mr Powell's property is situated to the south-east of the application site. It is a two storey house built as a rear addition to one of the substantial properties on Acorn Road. The rear elevation is 2.8 m. from the boundary with the application site and separated from it by a 2.4 m. wall. There are two living room windows at ground floor level (one is a french door), one staircase window at mezzanine level, and one bedroom window at the first floor.

Background to the complaint

Grant of planning permission

1988

12. In March the Developer's agents (the Applicants) submitted two identical planning applications (Applications 'A' and 'B') for the redevelopment of the application site. The proposals involved the demolition of the existing buildings and the construction of 12 houses, 9 flats and 694 sq.m. of office floorspace, with basement car parking. The development proposed a five storey block to the front and a four storey block to the rear, each containing a mixture of residential and office accommodation. The office blocks were situated at the southern end of the site. Figure 2 shows the layout of the proposed development.

/....

-
13. In May the Applicants appealed against the Council's failure to determine Application A. In June they submitted a new planning application (Application 'C') for the redevelopment of the site to provide 12 houses, 10 flats and 767 sq.m. of office floorspace. Part of the rear block was reduced from four to three storeys, and part of the front block was increased from five to six storeys. The Applicants said these proposals took account of concerns which officers had expressed during discussions on Applications A and B about the impact of the rear block on properties in Acorn Road.
14. Applications B and C were due for consideration by the Town Planning Applications Sub-Committee (the Sub-Committee) on 30 August, but were withdrawn at the Applicants' request in the light of officer reports recommending refusals of planning permission. The report on Application B advised that there was no objection to the removal of the existing buildings, and the principle of residential and office use was acceptable (although the site was not a preferred office location). However it stressed the importance of development in keeping with the surrounding area and the need to respect the residential amenity of neighbouring properties. The report noted the high density of the scheme with 550 h.r.h., and commented that the acceptability of such a high density scheme was dependent upon the architectural character and scale of the surrounding area. The Conservation and Design Officer was critical of the height of the blocks, their siting and their architectural design. He commented:-

"6.... The rear block will adversely affect the amenity of (Acorn Road). A four storey block, however well detailed, introduces a "wall like" element across the full width of the site, reducing views out of the site and any existing feeling of openness.

/....

7....

8.... The proposal, in particular the rear block in terms of properties in (Acorn Road) is considered to contravene Council standards of daylight and sunlight as set out in Figure 17.2 of the District Plan. In addition there would be direct overlooking from proposed windows and balconies into nearby private gardens"

The Director of Planning recommended refusal because the development would lead to:-

"1. A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in (Limes Grove);

2. Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.

..... contrary to the policies set out in the Council's adopted District Plan"

Application C was recommended for refusal for the same reasons.

15. In September the Applicants submitted revised plans in respect of Application B (Application 'B2') following discussions with Council officers. The height of the rear office and residential blocks was reduced from four to three storeys, the residential element was set back further from properties in Acorn Road and the design was modified. There were minor modifications to the front block. The Applicants also appealed against the Council's failure to determine Application C.

16. Figure 3 shows the relationship between Mr Powell's property and the rear office block as shown on the plans. The basement and ground floors extend almost half way

/....

across the frontage of Mr Powell's property, and the rear elevation is 1.6 m. from the rear boundary, a distance of approximately 4.5 m. from Mr Powell's house. The first and second storeys are set in and set back. The plans do not reveal the difference in site levels of approximately 2 m. between the application site and Mr Powell's property. In effect the basement of the proposed development is not much lower than the ground floor of Mr Powell's property.

17. The Case Officer, who had recommended refusal of Application B, told the Commission's officer that the reduction in the height of the rear residential and office blocks addressed the main objections to the original scheme, and officers felt able to recommend approval of Application B2. He says he had been most concerned about the impact of the original proposals on properties further along Acorn Road which were more 'hemmed in' and which would suffer loss of light from shadows cast by the new development. He felt the reduction in the height of the rear block satisfied the Council's standards on sunlighting and made the development acceptable. His senior officers, the Area Planner and Deputy Director of Planning agreed that planning permission should be granted.

18. The Case Officer says he was aware from the plans that the distance between Mr Powell's house and the proposed development was only 4.5 m. However the new development extended only across half of Mr Powell's property and the building immediately facing him would be constructed at basement and ground floor level only. He would have been more concerned if the development facing Mr Powell's property was higher. He says the daylighting to Mr Powell's property was already affected by the close proximity of the 2.4 m. boundary wall. He accepted that

/....

there might be some loss of light in the evening but did not think this was significant. He was aware that there was a difference in site levels between the application site and properties in Acorn Road (although he did not appreciate that they were as significant as indicated in paragraph 16). He did not recall asking the Applicants for any amendments to reduce the impact of the development on Mr Powell's property.

19. A report recommending that Application B2 should be granted planning permission was submitted to the Sub-Committee in October. The Committee were informed of the changes to the original scheme, which included a reduction in the amount of office floorspace from 694 sq.m. to 600 sq.m. A model of the development produced by the Applicants was available for inspection by the Committee. The report indicated that the residential density of the scheme was still in excess of 500 h.r.h. and referred the Committee to the Conservation and Design Officer's comments which were still critical. He welcomed the simplification of the rear block and acknowledged that its reduction by one storey would reduce the effect on the amenities of properties in Acorn Road. However he considered that the relationship between the proposed front and rear blocks was unacceptable, and the bulk along the rear site boundary excessive. He advocated a different design approach involving the omission of the rear block, thereby preserving and enhancing the amenity of properties in Acorn Road. Notwithstanding these comments, the report stated that the Council's standards of daylighting and sunlighting were met in respect of the properties in Acorn Road, and the degree of overlooking was considered acceptable on balance.

20. The consultations on the application were reported to the

/....

Sub-Committee. The report indicated that 60 adjoining occupiers had been consulted and there were five letters (including one from an amenity society) objecting to the development on grounds of its density, the layout, design and height of the development, loss of trees, loss of light, and noise and fumes from the car park. The Applicants had held a public meeting (attended by eight local residents), and canvassed the residents of Acorn Road for their views. The findings were not set out in the committee report but were available for reference on the application file. The Committee were advised that "Residents supported the principle of redevelopment".

21. A letter in support of the modified scheme from a ward councillor, Councillor Brown, was appended to the report at his request. He argued that the existing buildings were unattractive and the proposed development would enhance the area. He had inspected a model of the scheme and considered that the reduced height of the rear block resulted in an acceptable form of development.
22. The Sub-Committee agreed to grant planning permission in respect of Application B2. There is no record of dissent and it is assumed that the decision was unanimous. A decision notice was issued later that month granting planning permission for 12 houses, 9 flats and 600 sq.m. of office floorspace. One of the conditions attached to the grant of planning permission stated:-

"8. The new buildings hereby approved shall relate to the adjoining premises, (Willow) House and (Elm) 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."

/....

-
23. The Applicants withdrew their appeals in respect of Applications A and C, following the grant of planning permission for Application B2.
24. In December the Applicants asked the Deputy Director to increase the amount of permitted office floorspace to 675sq.m. He says he agreed to this under the Director's delegated powers because the amount was below the 694 sq.m. specified in Application B2. A revised notice was issued on 22 December. This crossed with a letter from the Developers advising the Deputy Director that they wished to alter the dwelling mix of the front block to provide more flats instead of houses and to amend the elevations. The letter concluded:-

"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 1038 m.sq. and the approval document shows 600 m.sq.

Hopefully we can sort this out at the same time."

25. The Deputy Director says he has no recollection of this letter. He would have referred it to the Case Officer but he has no recollection of it either. He left the Council in February 1989 and a new case officer was not appointed until May.

Enforcement Action1989

26. Mr Powell says he first learnt of the development in the middle of 1989 when the existing buildings were cleared; he asked the builders what was happening and was told that there were no plans to build at his end of the site. However building continued, and he and other neighbours telephoned the Council at the end of September to complain that development was proceeding without planning permission. An Enforcement Officer inspected the site on 6 and 17 October; by this stage development was proceeding at basement and ground floor levels. He says it was difficult to establish whether the building conformed with the plans, because of differences in site levels both between the application site and Mr Powell's property, and between Mr Powell's and the next door property (through which the relevant section is drawn) which was 500-600mm higher. He initially concluded that the structure was only 350-400mm higher than shown on the approved drawings and that no further action was warranted, but Mr Powell was insistent that something should be done.
27. The Deputy Director, Conservation and Design Officer and new Case Officer met the Applicants on 19 October to discuss the alleged breach of planning control. They discovered that the developers had amended the dwelling mix of the front block and altered the front elevation. In addition the discrepancy over the amount of permitted office floorspace (see paragraph 24) had not been resolved and several planning conditions had not been met. The Applicants agreed to submit proposals to correct the deviations. The Director of Planning wrote to them the following day asking them to stop works in the vicinity of

/.....

Mr Powell's property until the matter had been resolved, threatening enforcement action and stop notices if they did not. Their attention was drawn to Condition 8 which rendered the planning permission null and void (see paragraph 22). The Applicants did not reply by 23 October, as requested, and the Director of Planning asked the Chairman of the Planning Committee on 24 October for approval to serve enforcement notices. She wrote:-

"The structure is currently being constructed at raised ground floor level and concrete is being poured daily. The contractors are moving quickly and "time is of the essence". The residents of (Acorn Road) have suffered loss of light and of amenity, and if the structure is raised any higher will suffer a corresponding loss."

The Chairman of the Planning Committee gave his consent.

28. The Council served two enforcement notices on 31 October. The first notice alleged that the rear office block was being built higher, and the elevation of the front block was further forward, than approved. By virtue of Condition 8 the planning permission was null and void. The notice required a reduction in the height of the rear office structure and alterations to the front block. The reasons given included loss of light and amenity to residents of adjoining properties in Acorn Road. The second notice dealt with the failure to comply with planning conditions. The Applicants agreed to stop works in the vicinity of Mr Powell's property. Council officers say a stop notice would have halted works on the entire site, rendering the Council liable for substantial compensation if an appeal was successful. They were satisfied that such action was not necessary in view of the voluntary agreement to stop works. (The Applicants appealed against the enforcement notices on 14 November.)

29. In November the Applicants submitted a planning application (Application 'D') for 21 flats in the front block and associated design alterations. They argued that the rear office block complied with the approved plans, and any alterations could be dealt with by way of an amendment to the original consent. However the Council insisted on a full application incorporating changes to the rear office block. The Applicants submitted a revised application and details required by the planning conditions later in the month. The proposed modifications included setting back the ground floor of the rear office block to 8 m. from Mr Powell's property.

1990

30. The Case Officer says the proposals were not ideal but she felt the development was the best officers could achieve in the light of the 1988 permission. She was critical of the permitted scheme and its impact on Mr Powell's property. She told the Commission's officer she would have tried to persuade the Applicants to omit the rear office block or, at least, to negotiate a lower block further away from the rear boundary. She would not have supported a development which was less than 5 m. from an existing building. She says she saw the discrepancy over the amount of permitted office floorspace as an opportunity to secure some improvements for the residents in Acorn Road. She felt that Application D was an improvement on the approved scheme and resulted in less overlooking. She was satisfied that the Council's standards on daylighting were met. The Case Officer agreed that planning permission should be recommended.
31. A report on Application D was presented to the Planning

/.....

Sub-Committee in February. The Committee were advised that the proposals sought to regularise the alterations to the front block which were the subject of enforcement action. The report stated that the rear office block was being built in accordance with the approved plans (despite the outstanding enforcement notice (see paragraph 28)). However:-

"The rear office block has been the subject of concern..... 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 (Mr Powell's property), originally approximately 4.5 square metres. The revision is welcomed but still not acceptable to residents in (Acorn Road)"

The Sub-Committee were also advised that the total office floorspace approved in 1988 should have been 1,100 sq.m. (as shown on the approved plans), not 675 sq.m. as referred to on the decision notice. Planning permission was recommended subject to a legal agreement requiring the completion of the rear office block within three months. The Sub-Committee agreed that Application D was an improvement on the permitted rear office scheme, and they had no objections to the front residential block. However they decided to refer the application to the main Planning Committee for determination, with the benefit of legal advice on the status of the 1988 permission.

32. Application D was considered by the main Planning Committee in March. The Committee were concerned about the confusion over the amount of office floorspace granted in 1988, and the impact of the rear office development on Mr Powell's property. The Borough Solicitor informed the Committee that Counsel had advised that the 1988 permission allowed

/.....

675 sq.m. of office floorspace, as shown on the decision notice, and not 1,100 sq.m. In the light of this opinion the Committee asked the Director of Planning to negotiate a further setting back of the rear office block from Acorn Road and the replacement of office with residential floorspace.

33. Mr Powell was disappointed that the Committee did not refuse planning permission, and he urged the Council to proceed with enforcement action and issue stop notices. Several councillors raised this at Planning Committee on 2 April, but they were advised that stop notices could be issued between committees with the Chairman's consent, if necessary. However on 11 April the Deputy Director sought the Chairman's approval to withdraw the two enforcement notices, following discussion with the Director of Planning and Borough Solicitor. The Chairman agreed and the enforcement notices were withdrawn on 24 April.
34. The Deputy Director told the Commission's officer that the enforcement action was suspended because the Applicants had submitted a satisfactory scheme for the front block and amendments to the rear office block were being negotiated. Counsel (for the Applicants) had advised that Condition 8 was invalid and could not be enforced against, and the Council's legal advisers agreed. The Applicants had also submitted details required by the planning conditions. In the circumstances senior officers felt that the enforcement notices should be withdrawn, although this did not prevent the Council from taking further enforcement action if necessary. The Deputy Director says the action was taken under emergency powers because the public inquiry was due to take place on 26 June, and the Council's pre-inquiry statement was due six weeks beforehand. He said the

/....

Council's negotiating position would have been weakened once the statement was issued. The Planning Sub-Committee were informed that the enforcement notices had been withdrawn at their meeting on 24 April. Mr Powell questions why the decision was not left to the Committee.

35. The amended Application D was reported to the Planning Sub-Committee on 24 April, and to the Planning Applications Committee on 30 May and 12 June, but a decision was deferred on each occasion.
36. The Planning and Conservation Committee considered the application at their meeting on 9 July. The scheme had been amended to provide six residential flats in the rear office block, leaving 49 sq.m. office floorspace and reducing the total amount of office floorspace in the scheme to 752 sq.m. There had been no changes in the overall bulk of the block (other than those outlined in paragraph 31) but the window to the ground floor unit facing Mr Powell's property had been set at an angle to reduce overlooking (see figure 4). The only window above ground floor level facing Mr Powell's property was a high level window lighting a staircase. After considerable debate the Committee expressed the view that they were minded to refuse planning permission by seven votes to three. The application was then referred to the confidential part of the agenda. The Borough Solicitor and Director of Planning advised the Committee that the chances of success on appeal were remote and that substantial costs could be awarded against the Council. The Committee were advised that the proposed 752 sq.m. of office floorspace was not significantly higher than that previously granted of 675 sq.m. and the Applicants could argue on appeal that 1100 sq.m. had been permitted. Concerns about density,

/....

daylight/sunlight and the height of the development were arguable, and did not constitute a strong case for refusing planning permission. Following further discussion the Committee voted to approve the application by eight votes to four. A decision notice was issued in August, after the Council had received an independent report on sunlighting which supported the Council's view that sunlighting grounds could not have been sustained as a reason for refusing planning permission.

Allegations of maladministration

i) Inadequate consultation on the planning application

37. Mr Powell and some other residents in Acorn Road say that the Council never notified them about Applications A and B. The report to Sub-Committee in October 1988 indicates that there were only five objectors out of 60 consultees (see paragraph 20), and they feel that the lack of objections was a significant factor in the Sub-Committee's decision to grant planning permission. Mr Powell also complains that a petition from residents in Willow House, collected in response to the Council's consultation on Application C, was not presented to the Sub-Committee when they determined Application B, although the objections were relevant.
38. The Council say that they complied with their usual consultation procedures and cannot explain why many residents apparently did not receive notification letters. The Area Planning Officer identified which households should be consulted from the ordnance survey map (see Figure 1) and notification letters were sent out on 31 March. One letter was sent per property. A notice was also posted in the press and interested bodies were

/....

notified. The Area Planner says the Case Officer was surprised at the time by the low response rate and thought that some households might not have received letters because some houses were subdivided into flats. They took the unusual step of identifying individual households from the electoral register (compiled in October 1987) and sent additional notification letters to them on 26 May. (Mr Powell was not on the register and did not receive a letter.) However this exercise did not give rise to any further letters of objection. The Council consulted on Application B2 on 22 September 1988 but no further letters of objection were received. The representations received were reported to the Sub-Committee at their meeting in October 1988.

39. The Council consulted the same neighbours on Application C on 4 July 1988. A petition objecting to Application C signed by 30 households in Willow House was sent to the Council on 14 August, but withdrawn on 14 September after the developers had met the petitioners to discuss modifications to the scheme. Application C was withdrawn in October 1988 (after planning permission had been granted for Application B2), and neither it nor the petition was considered by the Committee. The Deputy Director says it is questionable in any case whether objections to one scheme should be reported for consideration when a separate and alternative scheme is being determined.

ii) The decision was based on inaccurate information

40. Mr Powell complains that the report on Application B2 submitted to the Planning Sub-Committee in October 1988 was wrong in the following respects:-

a) Amount of office floorspace

The report stated incorrectly that the scheme incorporated 600 sq.m. of office floorspace. It was subsequently discovered that the approved drawings showed 1100 sq.m. The Council acknowledge that a mistake occurred in measuring the plans and this was unfortunate, but they point out that the amount of office floorspace (which came to 767 sq.m. in Application C) was never considered to justify a refusal of planning permission. The Deputy Director says there would have been no real policy objection to a larger amount of office floorspace, as the decision to treat office schemes above 1,000 sq.m. floorspace as major developments was not taken until January 1989. The first Case Officer did not think this amount of office floorspace could be resisted, given the previous commercial use of the site and bearing in mind that the offices were capable of subdivision to small units. However he acknowledged that an opportunity to negotiate more residential accommodation on the site was not appreciated at the time.

b) Misleading consultation exercise by Applicants

41. Mr Powell complains that the Applicants undertook a misleading consultation exercise and claimed that residents supported the scheme when they did not. He alleges that the Council gave prominent coverage to the Applicants' findings in the committee report without checking the authenticity of their claims. Mr Powell feels that these failings compounded the inadequacy of the Council's own consultation exercise.

/....

42. The Council deny that prominent coverage was given to the consultation exercise. The Sub-Committee were informed of the consultations (at the Applicants' request), together with the objections received as a result of the Council's own consultations, and Councillor Brown's letter (see paragraphs 20 and 21). The Case Officer says that his recommendation was not 'consultation led' but based on his own assessment of the acceptability of the scheme on planning grounds.

c) Misleading model

43. Mr Powell and other residents allege that the Applicants' model of the proposed development was misleading. They say it gave the impression that the rear blocks were two, not three, storeys and understated the effect on the surrounding buildings. The model was presented to the Sub-Committee and to residents who attended a public meeting held by the Applicants on 1 June. (The Council were not invited to this meeting and were not represented at it.) Residents who saw the model said they would have objected strongly had they been aware of the extent of the development. Councillor Brown says the model he saw was "very seductive" and different from what has been built. Mr Powell feels the Committee should have been warned that the model was misleading.

44. The Deputy Director says the model did not form part of the planning application and would not have been checked by officers. He first saw it at the Sub-Committee meeting and was not aware if the Case Officer had ever seen it. He commented that the Sub-Committee would not have been taken in by a model.

/....

d) Daylighting and Sunlighting

45. Mr Powell complains that the Council were misinformed that the scheme complied with the Council's standards of daylighting/sunlighting in respect of properties in Acorn Road (see paragraph 19). He said the proposals constituted a dramatic infringement of the Council's daylighting standards. The Applicants submitted drawings in support of Application D which demonstrated that this scheme, unlike Application B2, complied with the Council's daylighting standards in so far as Mr Powell's property was concerned (see figure 5). However Mr Powell and his advisers allege that these proposals still reduce the amount of sunlight to his property to below the recommended standard of three hours. The impact of Application B2 on his property would have been greater.
46. The Case Officer says he applied the Council's daylighting standards and was satisfied that they were met; his views and concerns are set out in paragraphs 17 and 18 of this report. He acknowledges that the drawings reproduced in figure 5 suggest that the Council's standards were not met in respect of Mr Powell's property. However he does not consider that this, in itself, necessarily pointed to a refusal of planning permission, but that the situation should have been clarified in the committee report. He points out that the development only extends across half of Mr Powell's property and that windows to the south are not obstructed. The Area Planner says he visited Mr Powell's house in the course of construction and was satisfied that the daylighting was entirely satisfactory. The Council had taken

/....

independent advice on Application D (see paragraph 36) and been advised that there were no grounds for refusing planning permission on grounds of sunlighting.

e) Residential of Density

47. Mr Powell says the committee report indicated that the density of the scheme was in excess of 500 h.r.h., whereas it was actually 650/660 h.r.h. He argues that officers recommended a refusal of Application B partly on the grounds that the density of 550 h.r.h. was excessive. The Council have not revised their calculations, but say the acceptability of high density schemes is dependent upon the architectural scale and character of the surrounding area. The Conservation and Design Officer's (critical) comments were clearly set out in the committee report (see paragraph 19).

iii) Councillor Brown exerted an improper influence on the Sub-Committee to approve the application

48. Mr Powell considers that Councillor Brown, the ward councillor, was wrong to write a letter in support of the scheme for circulation to the Sub-Committee (see paragraph 21). He believes that his views were influential because he was a former Chairman of the Planning Committee (although he was not a member of the Planning Committee at the time). Councillor Brown is a chartered surveyor, and was at school with the Chairman of the Development Company. Mr Powell believes that these associations may have taken priority over his obligations as a ward Councillor.

49. Councillor Brown refutes any allegations of improper

/....

conduct. He says he had a vague recollection of the Chairman of the Development Company from school days, but there were several years' age difference between them and they had only met occasionally at school functions since leaving school. He denies any personal, professional or social associations with the Chairman of the Development Company which would have required him to disclose an interest.

50. Councillor Brown says he supported the scheme because the existing non-conforming use was an eyesore, and the proposed scheme resulted in a gain of residential dwellings. He believes he learnt of the proposal from the regular listings of planning applications, and asked the Director of Planning to keep him informed of progress. He says he cannot recall being introduced to the Developer's Architects by the Chairman of the Development Company (as has been alleged), but acknowledges that he may have visited the Architect's offices to view the model. He could not recall the details of this visit or whether he was accompanied by a Council officer.
51. Councillor Brown says he received a number of representations on the scheme, including some from residents in Acorn Road. He formed the view that residents were generally in favour of the development and asked the Director of Planning to write a letter in support of the scheme on his behalf. He says he had written in support of, or against, other significant schemes although he could not recall which. The scheme was not contentious and did not give rise to many objections. He says the Planning Sub-Committee would have deferred the application or referred it to the main Committee if they had any doubts about it.

/.....

The Planning Sub-Committee's decision

52. The Commission's officer has interviewed three of the four Councillors who took the decision to grant planning permission in October 1988. Councillor X was the Chairman of the Sub-Committee; he could not recall the application and was not familiar with the site, either before or after development. Councillor Y had no recollection of the Sub-Committee meeting either; however she had visited Mr Powell's property after development had started and was familiar with the site. Councillor Z had only a vague recollection of the meeting. The three councillors commented that the pressure for redevelopment at this time was intense, and the Sub-Committee were determining 80 to 120 planning applications each meeting.
53. Councillor X says he is not surprised that the Sub-Committee granted planning permission in the light of the information contained in the committee report. He noted that there were few letters of objection and the proposals seemed uncontentious. He said he would not have attached any great importance to the Applicants' own consultation exercise as its purpose (and that of the model) was to elicit support for the scheme. Councillor Y agreed. She says she would have accepted the Applicants' consultation exercise at face value and expected any objections to be revealed through the Council's own consultation process. Neither Councillor would have expected a petition relating to a different scheme to be brought to their attention. Councillor Z commented that controversial applications gave rise to many objections and lobbying, but that did not happen in this case. He said the general feeling was that the application was uncontentious and there were no reasons for withholding planning permission. The Councillors said

/....

they would have taken account of Councillor Brown's letter in support of the scheme but it would not have been overriding.

54. Councillor X could not say whether he would have taken a different view had the Committee been told the true amount of office floorspace. He said he would have asked officers for their views about this, but he and Councillor Y both said the Committee would have been in favour of the residential gain, and the increase in office floorspace would have been balanced against this. They also noted that the scheme was replacing an employment use and the existing ugly building. Councillor Z thought that officers might have made a different recommendation had they been aware of the amount of office floorspace, and the Sub-Committee would then have looked at the matter closely. He commented that once the mistake came to light there was a general feeling that the Council would not have permitted that amount of office floorspace.
55. Councillors X and Y said they would have expected officers to tell them if the application contravened Council's daylighting standards. They would want to know how significant any breaches were so that they could decide whether to ask officers to negotiate amendments. Neither they nor Councillor Z were convinced that the Committee should have been told about the difference in site levels, although with hindsight it may have been helpful to know the distance to Mr Powell's property. Councillor Z commented that the Committee receive copies of the block plans now, enabling them to assess such distances.
56. Councillor X noted the Conservation and Design Officer's criticisms of the proposal set out in the report and

/....

thought he would have asked why planning permission was being recommended in the light of them. However he commented that the site was not within a conservation area and the Sub-Committee would have found it difficult to justify a refusal of planning permission if advised that it could not be defended on appeal. Councillors Y and Z agreed.

APPENDIX

17.5 LIGHT AND PRIVACY

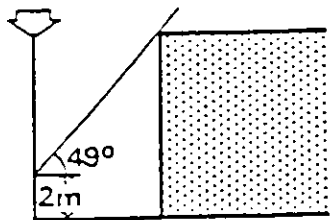
(For policy see "Conservation and Development", Section 4.10)

17.5.1 New buildings, and new accommodation provided in existing ones, should have adequate sunlight and daylight, not only in living rooms and main bedrooms but also in gardens and amenity spaces.

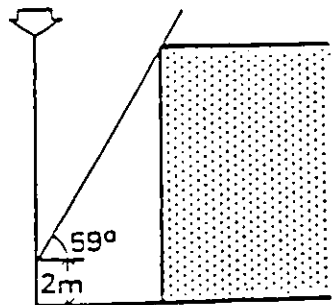
17.5.2 Figure 17.2 shows standards based on those produced by the Department of the Environment in 1971 [1], which are useful as approximate guidelines.

17.5.3 Direct overlooking from a balcony into a private garden immediately below should be avoided. Where windows are to be inserted into existing walls, they should be designed to avoid new problems of overlooking by, for example, careful positioning or the use of obscured glass.

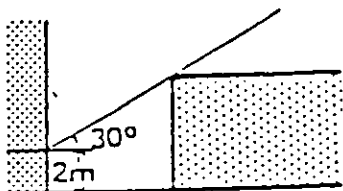
Figure 17.2 Sunlight and Daylight Angles



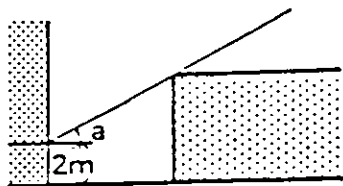
Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, residential purposes.



Daylight angles applicable when adjoining sites are used for, or are to be redeveloped for, non-residential purposes.



Daylight angles applicable between residential buildings.



Sunlight diagrams must be applied to ensure 3 hours of sunshine a day to neighbouring south facing existing residential buildings. As a general guide:

- a = 28° for south facing buildings; and
- a = 20° for south-east and south-west facing buildings.

NB. These diagrams are based on standards produced by the Department of the Environment in 1971, but are only approximate guidelines; the Council's officers should be consulted for further details.



Site boundary or street centre

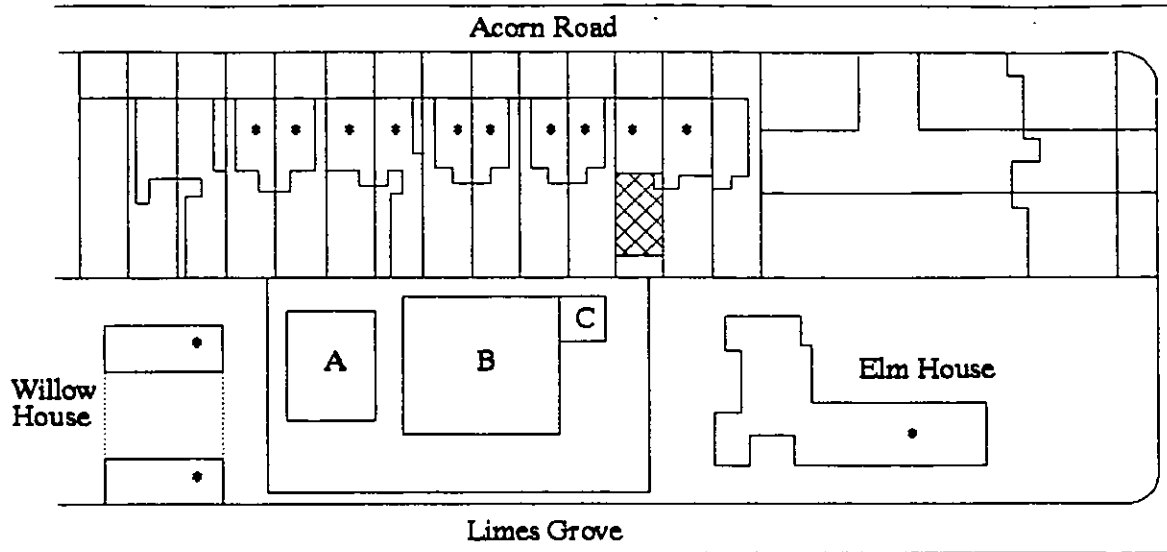


Edge of existing building



Figure 1: Relationship between application site and surrounding buildings

Not to Scale



Original buildings

A: Single storey building

B: 5 storey warehouse

C: Greenhouse

• Properties notified of planning applications

 Mr Powell's house

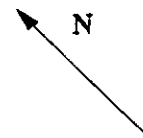
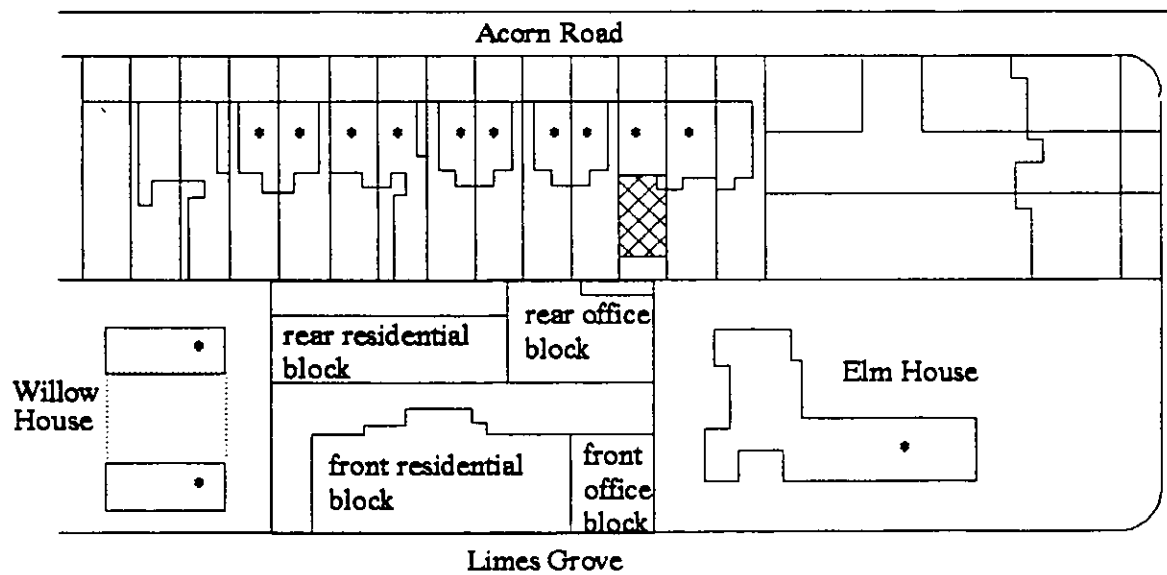


Figure 2: Application B2 - proposed layout of buildings



 Mr Powell's house

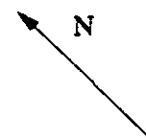


Figure 3: Relationship between Application B2 and Mr Powell's property

Not to Scale

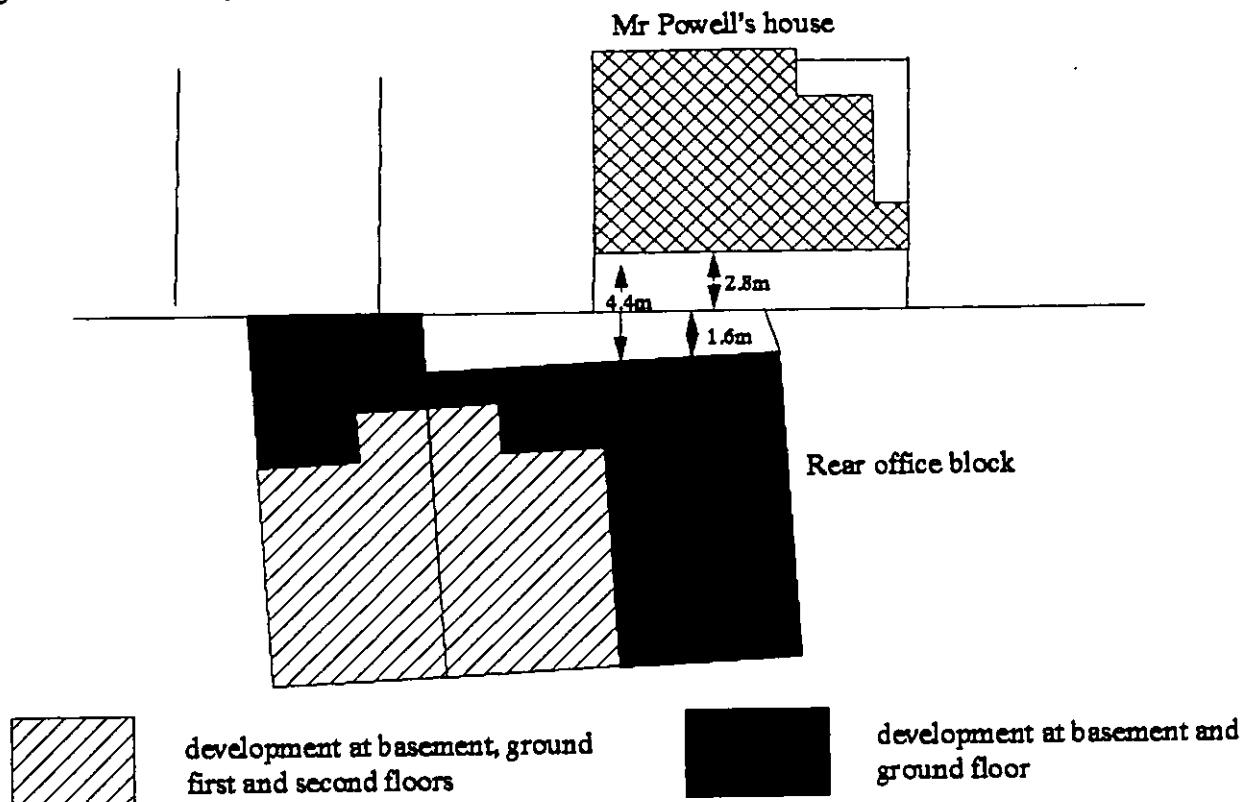


Figure 4: Relationship between Application D and Mr Powell's property

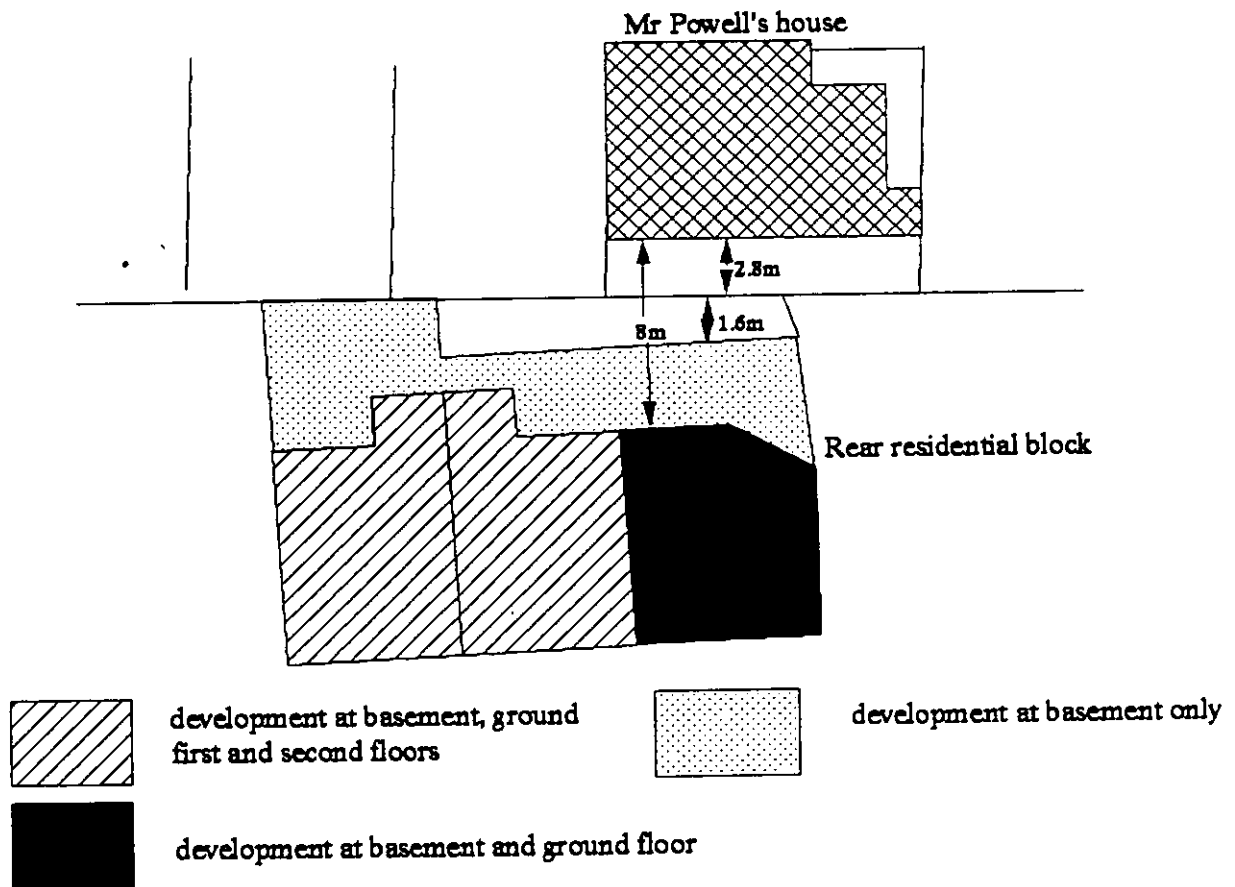
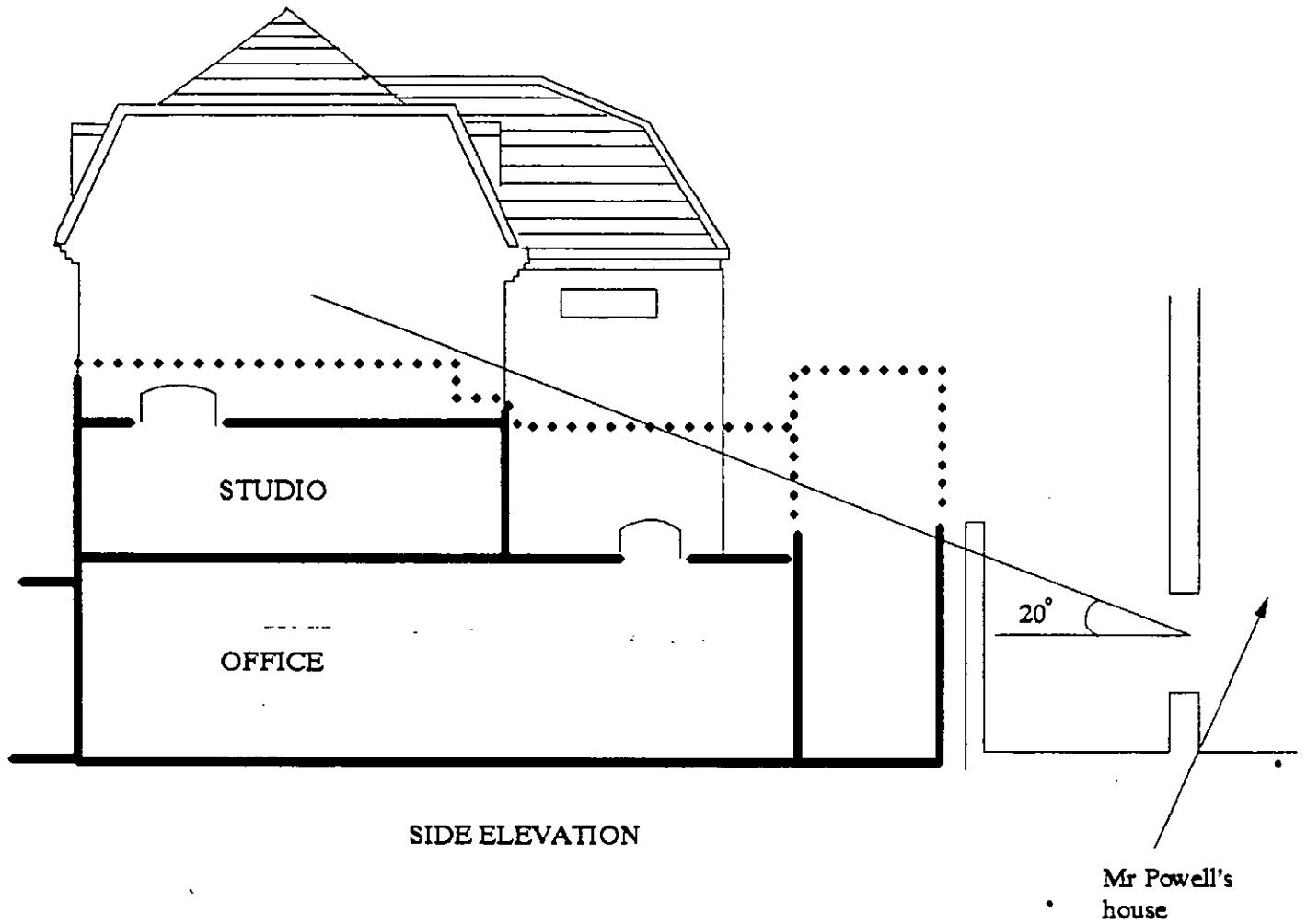


Figure 5: Side elevation: Application of Council's daylighting standards in respect of Applications B2 and D



..... Application B2

———— Application D

Not to scale

MEMORANDUM

From: Director of Planning Services To: Director of Legal Services

My Ref: DPS/MJF/TP/88/0632/
 TP/88/0633/TP/88/1410 Your Ref: A. Phillips

Room No. 324B Room No. 251/1

PAX No. 2078 11th March 1991

Ombudsman Complaint - Chelsea College, Hortensia Road.

I herewith attach my comments on the complaint in which you will see that I have prepared a introduction followed by relevant planning history. I have dealt with the three separate planning applications and would remind you that only amended planning application, TP/88/0633, has planning permission. The Council has made no formal decision on applications TP/88/0632 and TP/88/1410, as amended. Both these applications were withdrawn by the applicants and whilst both were appealed against, they were both withdrawn from appeal by the appellants.

You will see from my report that substantial consultation was carried out by Officers and TP/88/0632 gave rise to very few objections. With regard to application TP/88/1410 this did give rise to two letters of objection and a petition signed by residents in Hortensia House and Knights House. You will note from the correspondence that the petition on application TP/88/1410 was received in my Department after the report on TP/88/0633 had been prepared. Also in the correspondence you will note that the parties responsible for the petition, namely Mary and Teresea Wyatt, subsequently withdrew their objections following discussions with the applicants. Other parties who signed that earlier petition were, I have assumed, at the meeting with the applicants and therefore by withdrawing their objections I think we must conclude that the other signatories endorsed this action. Indeed, when the revised drawings on TP/88/0633 were notified to local residents, the Council received no response.

Throughout the Council's discussions on the development of this site, it was the Council's view that the building which previously existed on this site was not one which the Council would wish to see retained nor emulated in any redevelopment scheme. The Officers welcomed its removal and also the creation of new residential accommodation on a site which had previously been solely commercial.

I am enclosing a photocopy of the various sections through the different developments indicating where the primary differences lay. You will see from this that application TP/88/0632 was not only a storey higher, but also slightly closer to the Gunter Grove properties, and application TP/88/1410 was even higher and intruded on its western flank with the ridge line of Hortensia House. Thus, it can be seen that the Council was at all times consistent in its approach in that it wished to ensure that the development at the rear of Hortensia Road block, which was designed to line through with the rear blocks of Hortensia House and Knights House, was kept to a height limitation which would minimise its effect on the rear of Gunter Grove. Whilst there is in part some worsening of sunlighting, the overall development provides for a considerable improvement both to daylighting and sunlighting over that which previously existed on the site.

Much play has been made of the office content within the development, but you will note from the reports which recommended refusal that the office content forms no part of the recommended reasons for refusal. The site is not within a preferred office zone, but nor was the approved development considered to be a major office development, being well below the 1,000 sq.m. identified in the Draft Plan as a major office. The application sought approval for 694 sq.m. of office accommodation, but designed to provide B1 office accommodation in small office suites. Whilst the original permission in October referred to 600 sq.m. of office space, the issue of a superceded decision in December which raised this to 675 sq.m. was still below that which had been sought and upon which consultation had taken place, and in this connection, I would draw your attention to two decisions, *Wheatcroft Ltd. v. Secretary of State, 1982*, and *Wessex Regional Health Authority v. Salisbury District Council, 1984*, which set out what constitutes a substantial alteration as being a matter within the discretion of a local planning authority which must be exercised reasonably.

Both these decisions were reviewed by Malcolm Spence, Q.C. Sitting as a Deputy Judge in *Carelink v. Secretary of State, 1989*, he stated that those who should have been consulted will already have objected either at the inquiry or by letter to the whole scheme and their views will already be known. Thus it will make little difference whether they were consulted again or not. In addition, a local planning authority has no power to grant planning permission for a development which has not been applied for; its power is governed by the making of a planning application. No formal amendments to the office content were made by the applicants and rightfully, the permission should have been for office accommodation upto 694 sq.m.

In his letter to the Ombudsman, Mr. Stoop attaches a letter from Councillor Boulton which states that if he had known of the objections, he would not have been in favour of granting the planning permission. As can be seen from my attached report, all known objections were reported to the Committee and whilst a petition was received this was

received after the report was written on TP/88/0633 and the objections contained within the report were withdrawn by the petitioners prior to the decision being made by the Committee on the application TP/88/0633. Whilst not relevant in these circumstances, it is indeed questionable as to whether the objections relating to a materially different scheme should be reported for consideration on an alternative and independent scheme, the subject of a separate planning application.

Should you require any further information, I would, of course, be happy to supply you with this.

A handwritten signature in black ink, appearing to read 'M. J. French', written in a cursive style.

M. J. French,
Director of Planning Services.

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

1. Introduction

- 1.1 The site is located on the eastern side of Hortensia Road, 55m. north of its junction with Kings Road. The site is 60m. wide and between 40m. and 36m. deep. To the north, south and east of the site are Hortensia House, Knights House and Nos. 28-42 Gunter Grove which comprise residential accommodation. To the western side of Hortensia Road are Chelsea School and Sloane School. Hortensia Road links Kings Road with Fulham Road and allows a two-way flow of traffic between two of the Borough's major east-west routes.
- 1.2 The site was previously occupied by three buildings, namely the former Hudson's Depository, a prefabricated classroom unit and a greenhouse. The main building was the depository, a large five storey structure with a plant room occupying part of the flat roof at fifth floor level which was used by the University of London as research laboratories. To the north of the main building was a single storey classroom and a greenhouse to the south.
- 1.3 The main building was used for storage purposes until May 1966 when limited period permission was granted to use for educational purposes. This permission was renewed in July 1976 for a further limited period. Renewal was again granted for educational purposes in November 1982, this time for permanent permission. The use of the site therefore fell within an educational Use Class which, with the consolidation of the 1987 Use Classes Order, came within Class D1. None of the buildings on the site were listed and no part of the site fell within a designated Conservation Area or was abutted by a Conservation Area (attached: (i) Site plan pre-redevelopment; (ii) two photographs of Hudson building).

2. Relevant Planning History

- 2.1 On 6th March 1988 duplicate planning applications were made, reference TP/88/0632 and TP/88/0633, which sought the demolition of the existing buildings and the erection of 12 houses, 9 flats and 694 sq.m. of office accommodation (Class B1) (attached: copies of TP1, Part I, Part II, Part III and applicants' schedule for both applications together with notice under Section 27 of the 1971 Town and Country Planning Act).
- 2.2 By letter dated 31st March 1988 adjoining owners were notified of the planning applications (attached: Copy of letter to adjoining owners/occupiers; copy of list of properties notified of application; extract from Electoral Register for February 1988-February 1989).
- 2.3 By letter dated 19th May 1988, the applicants gave notice of an appeal against the failure of the Council to determine the application within eight weeks (TP/88/0632) (attached: Copy of appeal documents dated 19th May 1988).

- 2.4 By letter dated 23rd June 1988, a new planning application was made which sought planning permission for the redevelopment of the site by the demolition of the existing buildings and the erection of 12 houses, 10 flats and 767 sq.m. of offices (Class B1), TP/88/1410 (attached: Copies of TP1, Part I, Part II, Part III).
- 2.5 By letter dated 4th July 1988 adjoining owners/occupiers were notified of the application (Attached: Copy of letter and schedule of addresses).

3.0 Planning Applications

3.1 TP/88/0632

- 3.1.1 Submitted 6th March 1988, and subject to notification. The notification gave rise to 4 letters of objection and concern. The Council's failure to determine was appealed against on 19th May 1988. A local public inquiry was fixed for 8th November 1988 and the Council's Rule 7 Statement was dispatched in accordance with Department of Environment guidelines.
- 3.1.2 On 13th October 1988 the application was reported to the Sub-Committee for information and they agreed that they were minded to refuse permission (copy attached, and written replies). The scheme considered by the Sub-Committee comprised of a front block to Hortensia Road having a basement, ground and four floors over, and a rear block comprising basement, ground and three floors over.
- 3.1.3 By letter dated 24th October 1988 the appeal was withdrawn (copy attached).

3.2 TP/88/1410

- 3.2.1 Submitted 23rd June 1988 and subject to notification (see attachment 2.4). The notification gave rise to 1 letter of objection from a local resident and a letter of objection from West London Architectural Society. Two further letters were received which commented on the application (attached).
- 3.2.2 The report was prepared and agreed for Committee on 12th August 1988 recommending refusal and the two letters of objection were reported together with a proviso that any further letters would be reported verbally (attached).
- 3.2.3 On 17th August 1988 a petition was sent in by Teresa and Mary Wyatt (which had been collected at a meeting in Hortensia House signed by 27 people in Hortensia House and 6 people in Knights House. Teresa and Mary Wyatt had already written in only making comments) (attached).

- 3.2.4 By letter dated 26th August 1988 the applicants wrote in requesting that the application be deferred from Committee. It was received in the Department on 30th August 1988 and whilst the report was included in the papers sent to the Members, no consideration of the report was given and it was withdrawn by the applicants (attached).
- 3.2.5 By letter dated 8th September 1988, the applicants appealed to the Secretary of State on the Council's failure to determine the application within 8 weeks (attached).
- 3.2.6 By letter dated 22nd September 1988 the Council received a letter from Mary and Teresa Wyatt which stated that they, together with a number of other residents, had attended a meeting with the architects and the proposed developer and as a result of that meeting the general opinion was that no further objections would be raised to the proposed redevelopment if the promised amendments were implemented (attached).
- 3.2.7 By letter dated 20th September 1988 the Council received amendments to the scheme which had been carried out primarily to meet the concerns of residents of Hortensia House (attached).
- 3.2.8 A new report was prepared on 26th October 1988 again recommending refusal to be considered by the Planning Sub-Committee on 22nd November 1988. The application was withdrawn by the applicants before the meeting and no consideration was given (copy of report attached).
- 3.2.9 The outstanding appeal had already been withdrawn (attachment 3.1.3).
- 3.2.10 The scheme which was to be considered by the Committee on 22nd November 1988 provided for a basement, ground and four storey building to Hortensia Road and a basement, ground and part three storey building at the rear.
- 3.3 TP/88/0633
- 3.3.1 Submitted 6th March 1988 and subject to notification as for TP/88/0632. The notification gave rise to 4 letters of objection and concern (1 letter was incorrectly reported as an objection to this scheme, but related to application TP/88/1410) (attached).
- 3.3.2 Consultants acting on behalf of the architects held a public meeting on 1st June 1988 for local residents. The Council were not invited nor did they attend (attached as Appendix 3 to supporting statement).
- 3.3.3 A report was prepared on 12th August 1988 for consideration by the Planning Sub-Committee at their meeting on 30th August 1988 recommending refusal (attached).

- 3.3.4 This report was withdrawn from the Sub-Committee at the applicants' request and was not considered (attached).
- 3.3.5 The withdrawal of the application from consideration on 30th August 1988 was done by the applicants to allow them the opportunity to carry out a canvass of Gunter Grove residents; this was done on 30th August 1988.
- 3.3.6 On 12th September 1988 a copy of the meeting of 1st June 1988 was received by the Council (paragraph 3.2.2) and on 20th September 1988 a copy of the canvass of 30th August 1988 was received by the Council (attached).
- 3.3.7 On 13th September 1988 the applicants wrote to the Council submitting amended drawings based on discussions with the Council's Officers and via correspondence with the neighbours (attached).
- 3.3.8 On 14th September 1988 a letter of support for the amended scheme was submitted from one of the Ward Councillors, Councillor The Hon. Simon Orr-Ewing.
- 3.3.9 By letter dated 22nd September 1988 local residents were advised of the receipt of revised drawings (attached). Same notification list as in paragraph 2.2. No further replies were received.
- 3.3.10 By letter dated 21st September 1988 the sections were amended and corrected (attached).
- 3.3.11 A report recommending the grant of conditional planning permission was prepared for submission to the Planning Sub-Committee on 13th October 1988. This report included those objections received to the original proposal, together with details of the developer's meeting, the Gunter Grove canvass and the letter from the Ward Councillor (attached).
- 3.3.12 No further representations were received and the application was considered by the Sub-Committee on 13th October 1988. The report was presented in the normal way by the Area Planner who also had a model of the proposal (since shown to be slightly inaccurate).
- 3.3.13 The proposal, as considered, comprised of a building of basement, ground and four floors on Hortensia Road and a building of basement, ground and two floors over at the rear.
- 3.3.14 Conditional planning permission was subsequently granted and a decision letter was dispatched on 24th October 1988 (Minutes of meeting attached).
- 3.3.15 The outstanding appeals were withdrawn by letter dated 24th October 1988 as requested by Committee before the decision was issued (attached).

- 3.3.16 Following discussion with the architects, it was agreed that the figure of 600 sq.m. in the decision was not correct and that it should have read 675 sq.m. As this figure was still below the figure sought in the details accompanying the application (see schedule - 694 sq.m.), it was agreed that a superseded letter could be issued under the Director's delegated powers for the figure to be amended to 675 sq.m. as that figure was below that which had been applied for and upon which consultation had been carried out (attached).
4. The report, TP/88/1410, was withdrawn from the Planning Applications Committee at their meeting on 22nd November 1988 and no further action was taken on it (attached).
5. As all other matters, apart from enforcement action, are the subject of an outstanding Judicial Review, I do not propose to deal further with them (as agreed with your office). I shall, however, deal with the complaint regarding the enforcement action separately.

MJF
28/2/91

OMBUDSMAN COMPLAINT BY MR. N. STOOP RELATING TO
CHELSEA COLLEGE, HORTENSIA ROAD, S.W.10

ATTACHMENTS CROSSREFERENCED BY PARAGRAPH AND SUB-PARAGRAPH

MEMORANDUM

To: Director of Planning
Services

From: Director of Legal Services

My Ref: dls/ag/ns
Room No. 251/2

Your Ref:

Ext. 2257

Date: 14 January 1991

COMPLAINT BY MR N STOOP

Further to the above matter I enclose a copy of a letter that I have had from the Ombudsman with a copy of the enclosures. I look forward to hearing from you in due course.



Director of Legal Services

enc.

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

The Royal
Borough of



KENSINGTON
and CHELSEA

D. C. M. Yardley Esq.,
Local Ombudsman,
Commission for Local Administration
in England,
21 Queen Anne's Gate,
LONDON SW1H 9BU.

Telephone: 071-937 5464

Extension: 2944

Facsimile: 071-376 1130

2nd January 1991

My reference:

Your reference:

Please ask for:

DPS/MJF/PYD

AH/90/A/1263/em

Mr. French

Dear Mr. Yardley,

I write with reference to your letter of 17th December which I have now received after the Christmas break relating to a complaint from Mr. N. Stoop regarding developments at the old Chelsea College site in Hortensia Road.

This complaint relates not just to one planning application, but to a whole series of applications and decisions made by and on behalf of the Council dating from 4th March 1988 upto August 1990. Mr. Stoop's complaint covers some eight pages of close typewritten script and apparently is to be followed by four appendices (copies of which I have not so far received).

Having discussed briefly the complaint with the Director of Legal Services, it is clear that given our respective workloads that it will not be possible to respond properly within the fifteen working days stated in your letter. In order to give the Council a proper and reasonable time in which to respond and to reply to all the matters and allegations which have been made by Mr. Stoop, I would ask your agreement for the Council's response to be sent back to you within thirty working days. Perhaps in responding to my request you would also advise me as to the whereabouts of Appendices 1-4 as without these it does not appear that I would be able to deal with all the matters complained of.

Should you or your Inspector wish to discuss the contents of this letter, I would be grateful if you would contact me direct so that these can be discussed, but I would hope that, given the nature of the complaint, the number of cases which it refers to, and the length of time over which the complaint relates to, you would be prepared to agree to my request for a longer period for response.

Yours sincerely,

M. J. French,
Director of Planning Services.

D4/1949

MEMORANDUM

To: Director of Planning Services

From: Director of Legal Services

My Ref: dls/ah
Room No. 251/2

Your Ref:

Ext. 2257

Date: 20 December 1990

CHELSEA COLLEGE SITE, HORTENSIA ROAD

I enclose copies of correspondence that I have received from the Local Ombudsman. Perhaps you would be good enough to read the documentation carefully and provide me with the appropriate information to respond. Many of the comments will be familiar to you but I think it important that the Council is in a position to respond especially to the points made about consultation.

Al. G. Pull

Director of Legal Services

enc

RECEIVED BY PLANNING SERVICES				
On 28 DEC 1990 122				
DC N	DC	DC S	DC E	HEAD D.C.
EXEC DIR	DIRECTOR PLANNING SERVICES	RECORDS	ARB	ENV. PLAN
APPEALS OFFICER	LO	FEE OFFICER	FORWARD PLAN	AO ACK

Commission for Local Administration in England

CE/DLS

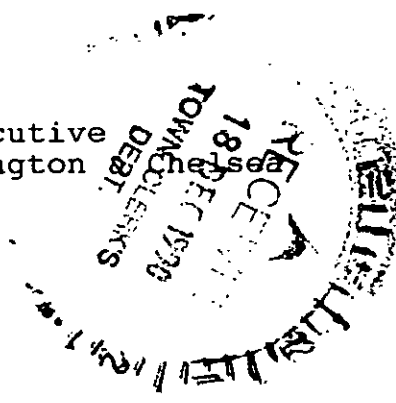
D. C. M. Yardley, LL.D., D.Phil.
Local Ombudsman

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

Your ref

My ref AH/90/A/1263/em

A Taylor Esq
Town Clerk & Chief Executive
Royal Borough of Kensington
The Town Hall
Horton Street
London W8 7NX



17 December 1990

Dear Mr Taylor

The Local Ombudsman has received a complaint from Mr N Stoop of 42A Gunter Grove, London SW10. Details of the complaint are enclosed.

To help the Local Ombudsman decide on the next step please send your comments on the complaint within 15 working days of receiving this letter.

Please bear in mind that your comments and any accompanying documents may be shown to the complainant.

Please let me know if there is any possibility of settling the complaint locally.

If it is decided to pursue the complaint I will ask you whether your Council have any comments to add to those you have already submitted.

Yours sincerely

A handwritten signature in cursive script that reads 'Angela Hickey'.

Angela Hickey
Investigator

42a Gunter Grove,
London SW10 0UJ.

17th August 1990.

TELEPHONE (071) 376 3272.

COMMISSION FOR
LOCAL GOVERNMENT ADMINISTRATION

RECEIVED

21 AUG 1990

Dr D.C.M. Yardley, the Local Ombudsman,
21 Queen Anne's Gate, London SW1H 9BU.

Dear Sir,

I am writing to complain against my local council. I do not have a blank copy of the standard complaint form but I shall answer the questions in the same order. My name (q.1) is Nicholas Stoop and my address (q.2) and contact telephone number (q.3) are printed above. The council concerned (q.4) is the council of the Royal Borough of Kensington and Chelsea.

The complaint (q.5) concerns the council's handling of a planning matter, the redevelopment of the Chelsea College site in Hortensia Road. A brief list of complaints is enclosed on the attached submission, and includes the failure to follow the council's policies and procedures, the failure to have proper procedures, and the provision of inaccurate and misleading reports with the developer, through the council's officers, to find a development that would fit the site.

As a result of the maladministration (q.6), I and my neighbours have suffered injustice in terms of a development that unfairly and adversely affects our homes and area: the buildings infringe the council's policies, good planning standards and natural justice. Residents' objections were withheld from the council and otherwise misrepresented in a number of ways. In addition, seriously misleading information relating to crucial planning considerations was placed before the Planning Committee. A great deal of distress has been caused by the maladministration, and residents have been put to a lot of trouble and expense in the attempt to rectify the matter.

To put things right (q.7) the council should undertake a full investigation into the affair, revoke the planning permission or pay compensation for the loss of value to my home and the expenses incurred, and take appropriate action against the officer involved, all without further unreasonable delay.

I was first aware of the problem (q.8) in September 1989, when it became clear that the developers were building significantly in excess of what had been originally proposed. I complained to the council immediately (q.9), as did several of my neighbours. In October 1989 the council took enforcement action and declared the original permission null and void. In January 1990, residents became aware of a new planning application which attracted written objections from at least 75 people. A number of councillors (q.10) have been informed of the complaint since September 1989, including the chairman and the other members of the planning committee, the ward councillors, and the leader of the council. In May 1990, I wrote on behalf of residents to the chief executive of the council. Both the leader and the chief executive wrote back declining to take action.

It is less than 12 months (q.11) since I first became aware of the matter I am complaining about. I was advised (q.12) by councillors that this was an appropriate matter for the Local Ombudsman Service.

I look forward to hearing from you soon.

Yours sincerely,

Nicholas Stoop

Nicholas Stoop, Gunter Grove Residents Association.

LIST OF COMPLAINTS
COUNCILLOR TIMOTHY BOULTON
36 LENNOX GARDENS
LONDON S.W. 1
TEL. 01-589 2743

August 11th 1990

Dear Dr Yardley,

Hortensia Road, S.W.10.
Ombudsman Complaint - Planning
Royal Borough of Kensington & Chelsea

I sit on the Planning Committee of the Royal Borough of Kensington & Chelsea and was present at some of the committee and sub-committee meetings when the matter was considered.

If I had known of the objections originally (i.e. in October 1988) I would not have been in favour of the planning application about which complaint is now being made, and I doubt if my colleagues would have been either, although I cannot speak for them. This was a case where there was every opportunity for negotiation with the Developer, through the Council's Officers, to find a development that would fit the site and would not devalue adjoining residential property. Such negotiations are commonplace when the Planning Committee say that they are not happy with an application.

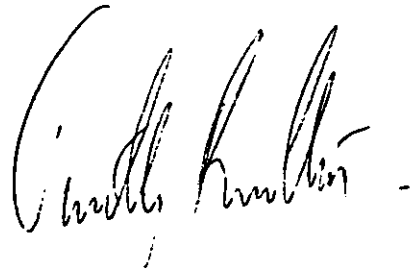
It was the almost complete lack of objections reported that allowed me to be persuaded into granting planning permission in October 1988. That seems to me to be the critical date of no return, because having granted a permission then, it would have been difficult and expensive to revoke it later.

You may have difficulty in reconciling the dates here. The planning permission was dated 22nd December 1988 but according to my diary there was no meeting on that date of the committee or the sub-committee. The Councillors may perhaps be excused in retrospect for not remembering what they dealt with and when, but there were a large number of applications by the Developer for this particular site and some of them were later amended.

There have been so many irregularities here that I think an investigation should be made and I hope that you will be able to do so.

yours sincerely,

Dr D.C.M. Yardley, Local Ombudsman,
21 Queen Anne Gate,
S.W.1.



LIST OF COMPLAINTS

Introduction.

The redevelopment of the Chelsea College site has caused many problems and a great deal of distress to local residents. An exceptionally dense and cliff-like form of development, it towers over neighbouring residential properties, depriving them of sunlight, daylight, peace and privacy. The amenity and character of the area has been destroyed, and residents have suffered a sharp reduction in the value and enjoyment of their homes.

My home, The Cottage, 42a Gunter Grove, has been particularly badly affected, losing light to the main windows as a result of the new blocks, which are up to six storeys high. Because of their height and close proximity (one of the new blocks is only 20 feet from my drawing room and bedroom windows, with my small patio in between), my home suffers a dramatic loss of outlook and privacy.

The developers of the site are London and Edinburgh Trust (LET); their planning application had a singularly unfortunate history. LET's proposals were first submitted in March 1988, rejected in August 1988, but then approved in dubious circumstances in October 1988. An application to increase the permission was rejected in November 1988, but the permission was then increased by a planning officer in December 1988, apparently without reference to the Planning Committee.

Along with other residents in Gunter Grove, I never received notification from the council about the application, and was not aware of the redevelopment until building started in 1989. In October 1989 council officers investigating complaints from residents discovered that building was taking place materially in excess of the 1988 permission. As a result, the council instigated enforcement proceedings against the developers, declared the 1988 permission null and void, and ordered a new planning application for the site.

LET's 1990 application, originally submitted in November 1989, sought substantial increases compared to the dubious 1988 permission: the October 1988 decision allowed for 12 houses, 9 flats and 600 sq.m of offices. The new application reduced the number of houses from 12 to 8, but increased the number of flats from 9 to 27, and the office development from 600 to over 1,100 sq.m. The heights of the buildings were substantially increased, and they were expanded to accommodate the increases, causing increased problems in terms of loss of outlook, privacy and light.

In spite of the planning officer's support for the 1990 application, the Members of the Planning Committee made it clear that they were opposed to the proposals. The application went to Committee on a number of occasions between February and July 1990, each time carrying the planning officer's recommendation to approve. Each time the Committee refused to adopt the officer's recommendation, and indeed voted 7:3 to refuse the application on July 9th 1990. However, the Members were immediately called into private session by the officers and advised that their decision was likely to have adverse financial implications for the council: the officers claimed that there was a distinct possibility of substantial costs being awarded against the council if they refused the application. The officers' advice was questionable, as was much of the other information provided in the various Committee reports, but the effect was that three members were persuaded to alter their vote, and planning permission was granted.

Since the original application was first rejected in August 1988, up

until the eventual decision of July 1990, there have been a number of instances of maladministration which residents would wish the Ombudsman to investigate. For convenience, these have been subdivided into 4 categories, with accompanying appendices setting out the facts in more detail: further information and copies of the relevant documents are available if required.

The categories include:

- (1) the circumstances surrounding the 1988 decision
- (2) the failure to enforce the 1988 decision
- (3) procedural irregularities relating to the 1990 application, and
- (4) the misleading information of the Committee in 1990.

A brief summary of the complaints relating to each of the 4 categories is listed below: the complaints are set out in more detail in the Appendices.

1. The circumstances surrounding the 1988 decision.

The original applications were severely criticised by a number of planning officers, and were eventually recommended for comprehensive refusal in August 1988. The Committee reports described the proposals as: "an overdevelopment of the site ... bulky, intrusive and cliff-like ... out of scale and character ... prejudicial to the amenities of neighbouring residential properties by reason of loss of light and privacy ... which would cause a fall in the environmental standards of the immediate locality ... contrary to the policies set out in the Council's adopted District Plan, in particular paragraphs 4.1.5, 4.6.6, 4.9.2, 4.10.1, 4.10.2, 4.10.3 and 5.6.4." The applications were withdrawn.

Then in September 1988 the developers submitted revised drawings. The revised plans were substantially the same as the original ones: a storey had been removed from part of the rear block, but otherwise the scheme had been expanded: the revised plans showed a scheme with a residential density of over 650 habitable rooms per hectare (the original scheme had been reported as being 550 h.r.n.): the new plans incorporated an office development of over 1,100 square metres, compared to the 694 square metres in the original application. The revised scheme infringed council policies and standards, especially with regard to sunlighting.

The planning officer, Mr French, produced a revised version of the Committee Report for the Sub-Committee of 13th October 1988. The recommendation to refuse planning permission was reversed, and the new report contained several misleading claims relating to crucial planning considerations: the report claimed that the residential density had been reduced to 500 h.r.n. (from 550 h.r.n.). The report also claimed that the office content had been reduced from 694 to 500 square metres, whereas in fact the new plans showed an office content of over 1,100 sq.m. In addition, whereas the original report had alerted Members to the fact that the proposals infringed council standards of daylight and sunlight, the revised report made the inaccurate and misleading claim that the revised scheme now complied with sunlighting standards. It would appear that these claims were made without properly checking the plans.

Mr French has since written to acknowledge that the officer responsible for the report (presumably himself) "did not go into sufficient detail with regard to the relevant plans". Mr French added in the same letter, addressed to the Chairman of the Chelsea Society, that the council had now instituted a much stricter policy for the checking of planning applications. These statements confirm the fact that there was a

failure at the time to follow proper procedures, which is an example of bad administration. The result was that Members of the Sub-Committee were misled into believing that the revised scheme comprised a significant improvement compared to the original application that had been rejected.

In addition to the misleading claims in the planning officer's report, the Members of the Sub-Committee were also misled in a number of other ways: the developers produced a scale model which purported to demonstrate how well the proposed new structures related to existing buildings. However, the scale was grotesquely distorted so that the new structures were represented at half of their true height compared to existing homes. Mr French, who presented the application, did not point out to the Members that the model was inaccurate and misleading.

Gunter Grove residents did not receive notification from the council about the application, and were thus denied the opportunity to object to the proposals, even though it had been recognised by the planning officers that they would be severely affected. It is understood that the council's files indicate that notifications were sent out, but the fact remains that these were not received by me or by other residents in Gunter Grove. The Sub-Committee of 24th April would be authorised to take any action, if necessary.

The failure to notify was compounded by the fact that the developers presented a "Canvas of Gunter Grove Residents" which alleged that Gunter Grove residents were overwhelmingly in favour of the scheme, and that there were no objectors. This canvas has since been discredited as inaccurate and misleading: all of the residents listed in it have written to protest either that they were never interviewed, or that they never expressed the opinions attributed to them by the developers. Far from showing "overwhelming support" as claimed in the Canvas, the residents listed were in fact unanimously opposed to the proposed development. It was unfortunate that the council failed to check the highly dubious findings of this misleading document before it was presented to the Committee. Given the highly controversial nature of the application, and the surprising and dubious findings of the "Canvas", residents would expect that the council should check its accuracy.

The Committee were seriously misled about the local response to the proposals in other ways, notably by the withholding of the petition of objection from Hortensia Road residents. The application was presented to the Committee as attracting only 5 objectors. In fact more than 40 residents of Hortensia Road had signed a petition of objection to the proposals, and had received written assurance from the Director of Planning and Transportation that the petition would be brought to the attention of the Committee. However, Mr French, then Deputy Director of Planning and Transportation, withheld the petition from the Committee, claiming in his report that there were only 5 objectors to the scheme.

Members of the Planning Committee have since stated that had they been aware that this was a highly controversial application with a large number of objectors, the application would not have been approved by the Sub-Committee, but would have been deferred to the Main Committee.

Several complaints about the circumstances surrounding the 1988 decision are detailed in Appendix I.

2. The failure to enforce the decision.

When, in October 1989, it became clear that construction was taking place materially in excess of the 1988 permission, the council served

Enforcement Notices on the developers. One of the Notices, entitled "Operational Development", ordered the builders to reduce the height of the buildings and to set the building line back to that approved. The stated reasons for the Enforcement Notice were that the unauthorised development caused loss of light and amenity to neighbouring residential properties. Councillors wrote to residents assuring them that Stop Notices would be served promptly if the builders failed to observe the Enforcement Notices.

Nonetheless, the developers ignored the Enforcement Notices, and carried on building in breach of planning control. Members of the Committee frequently expressed concern that the developers would have completed the building before the Public Inquiry, which had been set for June 1990, and thus effect a fait accompli. In spite of this concern, which had also been expressed by residents, Mr French allowed the unauthorised development to proceed. Residents and Members continued to express concern and on April 2nd a letter signed by half of the Members of the Planning Committee was presented to the Chairman. The letter asked that a Stop Notice be applied and that reassurance be given that the application would not be considered under delegated powers. At the Main Committee meeting of 2nd April, it was established that the Sub-Committee of 24th April would be authorised to issue Stop Notices, if necessary. It was unfair to the residents if Stop Notices were discounted without good reason. Many However, at the Sub-Committee meeting of 24th April, the developers announced that the Enforcement Notices had been withdrawn shortly before the meeting. This was a decision that should have been taken by the Committee, but it later transpired that the planning officer, Mr French, had assumed delegated power and withdrawn the Notices using the emergency Standing Order 47. This would appear to have been an improper use of the Standing Order, which is clearly only for use in emergencies, and when there is a delay before the next Committee meeting. Neither condition applied in this case; there was no urgency, and in any event the imminent Committee of 24th April had already reserved the right to deal with the issue.

It would appear that the planning officer took the action without proper authorisation and in opposition to the clearly expressed wishes of the Members of the Committee. As a result of this maladministration, residents not only suffered loss of light and amenity but were denied the opportunity to air their views at the Public Inquiry.

Further details relating to the failure to enforce can be found in Appendix II.

3. Procedural Irregularities relating to the 1990 application.

Following the discovery of the breach of planning control, the developers were ordered by the council to submit a new planning application. The new application sought significant increases compared to the dubious 1988 permission, in particular a substantial increase to the office content over that stated in the 1988 decision letter, and a number of additional flats. The new plans also showed substantial increases to the heights of the various structures.

In spite of these significant changes, which entailed a material worsening of conditions for neighbouring residents, Mr French supported 1990 applications. The position was made even more difficult for objectors because of the various procedural irregularities relating to the council's handling of the 1990 applications.

The repeated use of Sub-Committees, even after the matter had been

deferred to the Main Committee, ensured that there was no possibility that the applications could be refused. The Sub-Committees were not empowered to overturn the planning officer's recommendation, and since Mr French was recommending approval, the best objectors could hope for was deferral. The application was deferred on 5 occasions in 1990 before the Main Committee meeting of July 9th. Even at that meeting, the Members of the Planning Committee voted 7:3 to refuse the application. Immediately after that vote, however, the Members were called by the officers into private session where some were persuaded to reverse their vote on the basis of financial considerations.

Mr French supported the developers' attempt to split the application site and to submit a partial application relating to one building only. Such a procedure runs contrary to established good planning practices and also to the council's instructions of December 1989, when the developers were not allowed to adopt a piecemeal approach to the application site. The piecemeal application was misleadingly presented to the Committee as uncontroversial (there had in fact been more than 70 objections), and carried Mr French's recommendation to grant planning permission. Objectors were put to extra trouble and expense in order to inform the Committee of the true facts.

The notification procedure employed by the council was unfair in that residents' objections were discounted without good reason. Many residents wrote in to object, mainly on the basis of loss of light and privacy. On occasions the internal layout of the scheme was altered, and new letters of notification were dispatched. Some residents did not reply to the new letters, reasoning that the internal changes did not address the problems of loss of light, and if anything worsened the situation with regard to privacy. These people who failed to reply to each individual notification (and there were at least 5 separate notifications in 1990) were automatically assumed by Mr French to be in favour of the proposals and excluded from further notification. The assumption is unreasonable and the procedure unfair, and led to the wrong number of objections being reported to the Committee.

The council failed to give fair consideration to the submissions presented on behalf of the objectors by reputable experts: these expert reports included sunlight surveys by Grimley J.R. Eve, John Anstey, and Ernest Powdrill, general planning reports from Ernest Powdrill, surveys from Winkworths and Warner Land Surveys, and a legal opinion from Gerald Moriarty QC. Mr French disputed, rejected or ignored all of these reports, and generally sought to discredit them.

In contrast, Mr French accepted the misleading submissions presented by the developers, and even incorporated them into his reports. This was especially true of the proposed increase in the height of the block: although the plans and the expert measurements showed that the increase was of the order of 2.5 metres, the developers misleadingly insisted that the increase was much smaller, only 300mm. Mr French incorporated the inaccurate and misleading measurement in his report, and at a meeting specifically arranged to resolve the problem, Mr French refused to scale the drawings.

LET's initial application sought permission to build an office block with windows directly overlooking the garden of 42a Gunter Grove, at a distance of only 4 metres from the drawing room and bedroom windows. (The block replaced a greenhouse which was lower than the party wall). The block was amended in January so that the top floor was set back by about 3.5 metres. In response to complaints that this constituted an unreasonable degree of overlooking and loss of privacy, Mr French argued that *'the proposed office unit will be less intrusive than a residential use (24 hours a day, 7 days a week)'*. This argument did not address the

objection, and in any event, the previous building was not residential, but a greenhouse which did not show above the garden wall. Before the July 9th Main Committee meeting, the developers decided to amend the application to provide 6 new flats behind 42a Gunter Grove in addition to offices. The windows overlooking the Cottage from such a short distance were now residential, but Mr French continued to support the application. It would appear that the council has no formal policy relating to the minimum distance between dwellings, which in itself is maladministration which has caused injustice in this case.

Finally, important plans and documents were frequently withheld from objectors by the council, even though reasonable requests were made to view them. In addition, the Chairman of the Planning Committee refused to allow Mr Powarill, the residents' consultant, to address the Committee in relation to the scheme considered on July 9th, even though it was a recently amended scheme incorporating 6 extra flats in the south east corner of the site. Even though the amended scheme (which was approved at that meeting) involved different planning considerations, the residents were denied the opportunity to address the Committee in opposition to the new proposals.

See Appendix III for further details about the procedural irregularities.

(4) Misleading the Planning Committee in 1990.

LET's 1990 applications for the site sought planning permission for substantial increases compared to the 1988 decision. The applications were put to the Committees on a number of occasions, and each time a report was distributed to Members. The dates of the relevant Committees are February 12th (Sub-Committee), February 19th, March 13th (both Main Committees), April 24th (Sub-Committee, 2 applications), June 12th (Sub-Committee) and July 9th (Main Committee). The reports contained a number of misleading claims relating to crucial planning considerations, including the area of office floorspace, the extent of the proposed alterations, the new residential density and the effects in terms of sunlighting.

The Committee were also repeatedly misled about the number of objectors, the status of the 1988 permission, and the previous history of the site. Mr French, the council's Director of Planning Services, was the officer who presented the application to the various Committees, and who was also responsible for the reports. One of these reports was credited to a junior officer in the department, Bruce Coey, who strongly denied having had any involvement with that particular report, or with any other reports relating to the Hortensia Road application. Mr Coey added that he had been unaware that the report had been credited to him. The report in question was the report to the Main Committee of 19th February, and was approved by Mr French.

The report was dated 26th January, although it had been written after the 12th February Sub-Committee meeting. The number of objectors had been reduced to 8, even though the report to the 12th February Sub-Committee had recorded 17 objectors, and at that meeting the figure was increased to 37. More had written since. The understating of the true number of objectors was a consistent feature of the 1990 reports. For example the report to the Sub-Committee of 24th April claimed there had been only three objections, when the true number was more than 50.

Similarly, the report was highly misleading about the amount of office

space permitted in 1988, - claiming that the 675-square metres granted in 1988 referred only to "new office space" which "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 ...". This claim was seriously misleading, and even after the council had received legal advice that the 1988 permission was for a maximum of 675 square metres. Mr French continued to present reports to the Committee which made this misleading claim. The 1990 proposals sought a material increase in office floorspace over that specified in the 1988 decision letters, and were in violation of the council's office policies. The Committee could have reasonably refused the new application, but the officers repeatedly gave them misleading advice on the matter.

The 1990 reports also contained a number of highly misleading claims relating to the extent of the proposed alterations, in particular the inaccurate and misleading assertion that the height of the front block would be increased "by not more than 300mm". The new plans for the front office block clearly show an increase of 2 metres compared to the 1988 plans, and expert measurements show that these have been exceeded by a further 500mm. The front office block, which directly faces the Cottage, 42a Gunter Grove, has been increased by 2.5 metres compared to the 1988 permission, and expanded further onto Hortensia Road. It has also been built further to the south (towards Knight's House) than shown on the plans.

These changes cause a dramatic extra loss of sunlight, privacy and amenity, and had the Committee not been misled about them by the developers and by Mr French they would have been quite justified in turning them down. Mr French's support for the increased height is particularly disappointing, since his 1988 report recommending approval (which recommendation was adopted) had been highly critical of the front office block, arguing that a reduction by one storey would have been preferred.

The Planning Committee were also seriously misled by the planning officers about the sunlighting effects of the scheme. In spite of a series of expert reports showing that the proposals caused dramatic infringements of the council's policies with respect to sunlight, the Committee were told at meetings and in the planning officers' reports that sunlight standards were being complied with, and that the development represented an improvement for all neighbouring properties compared to the original buildings on the site. These claims are quite untrue, and were only partially withdrawn when residents produced photographic evidence that the building previously occupying the southern end of the site was a low-level, single-storey greenhouse. It had previously been argued that this greenhouse, which had been surrounded by open ground, had blocked more sunlight than the three office blocks (one of which is six storeys high) that have replaced it! Even when confronted with scientific reports from reputable experts that contradicted his claims, Mr French continued to mislead the Committee with regard to the sunlighting infringements.

1990 reports also contained a number of misleading claims about the residential density of the proposals. The scheme that had been approved in 1988 was already seriously in excess of the council's normal maximum density of 210 habitable rooms per hectare (h.r.n.). Mr French originally presented the proposals as an improvement over the 1988 permission, until residents obtained independent calculations from reputable experts. Mr French continued, however, to mislead the Committee regarding the residential density of the scheme, even supporting the late addition of 6 extra flats at the southern end of the site, an addition which raised the density still further. The latter addition was most unfair, since it was done shortly before the

Main Committee meeting of July 9th, and the objectors' consultant, Mr Ernest Powdrell, was refused permission to address the Committee about the new planning considerations that had been introduced by this late amendment.

Appendix IV contains further details relating to the misleading of the Planning Committee in 1990.

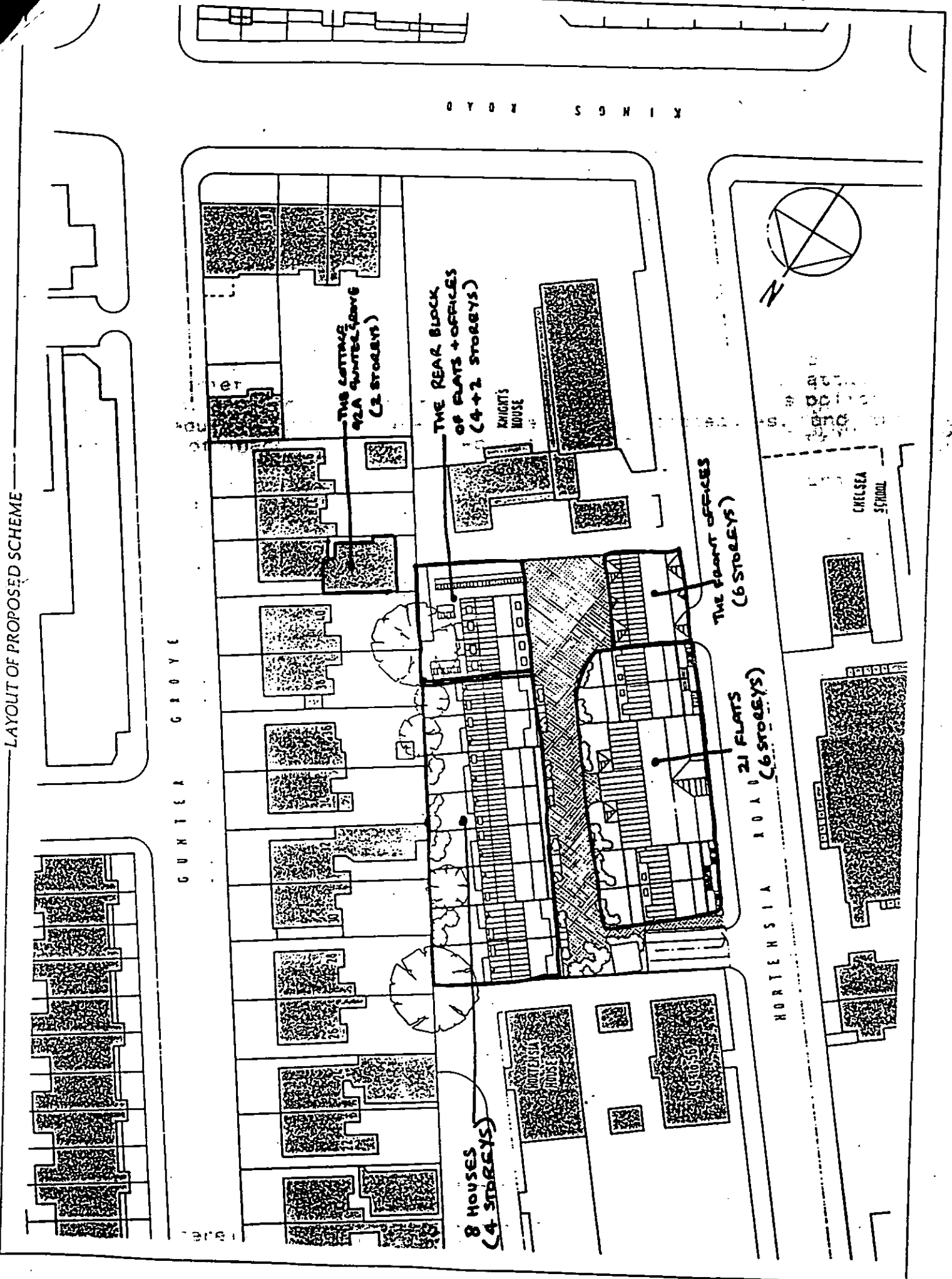
Please find enclosed a map of the development site and some photographs.

Appendices I-IV to follow shortly



MAP OF THE DEVELOPMENT SITE

LAYOUT OF PROPOSED SCHEME



K I N G S R O A D

G U N T E R G R O V E

H O R T E N S I A R O A D

C H E L S E A S C H O O L

8 HOUSES (4 STOREYS)

THE REAR BLOCK OF FLATS + OFFICES (4 + 2 STOREYS)

THE FRONT OFFICES (6 STOREYS)

THE LETTING OFFICE (2 STOREYS)

KNIGHTS HOUSE

Chelsea College -
Hammersia Rd
Chtee 12/6/90

- Applicants
- 1 Council from ^{roof} can build
 - 2 Near block built in accordance
 - 3 App^lic - relates to front block
 - 4 Residents reverse saw the angled stone
 - 5 Office block at rear taller than 5.2m
 - 6 Social consultant ensure due by applicants.
 - 7 Car parking @ 2 spaces to each flat.
 - 8 Plot Ratio - 1.9:1 approved & now request

Objectives

- 1) Home environment
- 2) Daylight / sunlight
- 3) P. P. granted in Dec 1988 could be flawed due to letter 8
- 4) Office content affairs way
- 5) Modd use inconverts.
- 6) Absence of glass no - suggest vertical blinds - New block.

TOWN PLANNING COMMITTEE - 12TH FEBRUARY, 1990

Persons attending:

6.15	4043(S)	Chelsea College Site, Hortensia Road, S.W.10.	Mr. N. Stoop, 42a Gunter Grove	Objector
6.15	4043(S)	Chelsea College Site, Hortensia Road, S.W.10.	Robert Lloyd-Davies, Solicitor	Objector
6.15	4043(S)	Chelsea College Site, Hortensia Road, S.W.10.	Mrs. Kayley, 38 Gunter Grove	Objector
6.15	4043(S)	Chelsea College Site, Hortensia Road, S.W.10.	Mr. James Allen, 42 Gunter Grove	Objector
6.15	4043(S)	Chelsea College Site, Hortensia Road, S.W.10.	Colwyn Foulkes & Partners	Agent
6.30	0041(N)	10 Aubrey Road, W.8.	Sir John Riddell, 49 Campden Hill Square	Objector
6.30	0041(N)	10 Aubrey Road, W.8.	Henry Harrod, 51 Campden Hill Square	Objector
6.45	4038(S)	Pont Street Mews, S.W.3.	Mrs. Lester 22 Pont Street Mews	Objector
6.45	4038(S)	Pont Street Mews, S.W.3.	Mr. Scott Barratt, Cnuttons	Agent
6.45	4038(S)	Pont Street Mews, S.W.3.	Mr. Lyall, Architect	Agent

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

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

TP

Date: 31/03/88

My reference: TP/88/0632/JW

Your reference:

Please ask for: Town Planning
Information Office

Dear Sir/Madam,

THIS LETTER INVITES YOU TO COMMENT ON A PLANNING APPLICATION/
LISTED BUILDING APPLICATION WHICH MAY AFFECT YOUR PROPERTY

I should be pleased to know, in writing, if you as the occupier/owner of neighbouring property have any comments on the following proposal:—

Address of application property

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

Proposal for which permission is sought

Demolition of existing building and erection of 12 houses, 9 flats and 694 sq.m. office floorspace (Use Class B1)

CHELSEA INFORMATION OFFICE

Until further notice opening hours will be:-

Tuesday	11.00 am	-	3.00 pm
Thursday	11.00 am	-	3.00 pm

Yours faithfully

E.A. SANDERS

Director of Planning and Transportation.

PLEASE SEE OVERLEAF.

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

Teresa & Mary Wyatt,
54 Hortensia House,
Hortensia Road,
LONDON, SW10 0QP.

Telephone: 071-937 5464

Extension:

2944

Facsimile: 071-376 1130

16th July 1990



My reference:

Your reference:

Please ask for:

TP/89/2137

Mr. French

Dear Madam,

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.

D4/1949

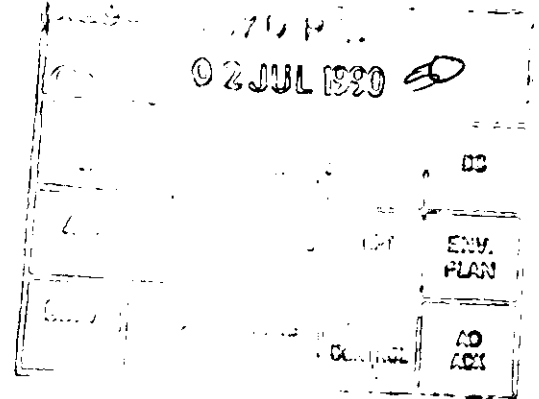
4/4

54, Hortensia House,
Hortensia Road,
Chelsea,
S.W.10 0QP

26th June, 1990

Mr. French, Director of Planning Services,
Planning and Conservation,
The Town Hall,
Hornton Street,
London,
W.8 7NX

Dear Mr. French,



Town and Country Planning Act 1971

Chelsea College Site, Hortensia Road, S.W.10

Thank you for your letter of the 25th June 1990. As you know we have had objections to this development from the start. We cannot help thinking that the developers have been rather devious in this matter from the beginning, by constantly amending their applications and hoping in the confusion to gain more than the Council were originally intending to grant. This we think is evidenced by their conduct up to now, with mistaken plan drawings, action taken, in advance of approval, i.e. destruction of perimeter trees, and promises to Hortensia House residents which have in the main been forgotten.

You already have many letters from us specifying the grounds of our objections. You also had a petition from residents of Hortensia House,

If the Committee intend seriously to take notice of objections raised, then we would be happy to present our objections again in full, personally if necessary. But cynically perhaps, we feel that developers always succeed in encroaching on ordinary peoples circumstances, and very little is done to stop them.

We trust that if there are any plans for future developments in Hortensia Road, that our views will be considered.

Yours sincerely,

Teresa and Mary Wyatt

Teresa and Mary Wyatt.

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

Mrs. J. Ware,
Co-Ordinator,
Earls Court Neighbourhood Assns.,
19A Earls Court Square,
LONDON SW5.

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 Madam,

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.

D4/1949

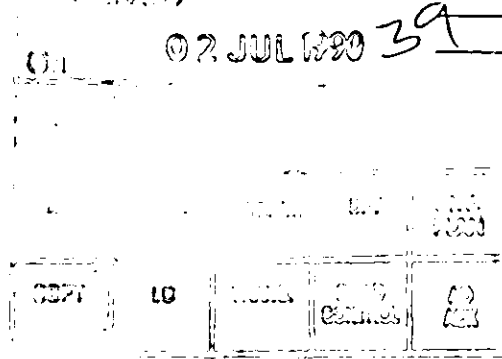
EARL'S COURT NEIGHBOURHOOD ASSOCIATIONS

CO-ORDINATOR

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

PLEASE REPLY TO:

4/7
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 two 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 Mews Association
Earl's Court Square Residents' Association
Earl's Court Village Residents' Association
NeVERN Place Residents' Association
Courtfield Action
Bramhae, Bolton Gardens & Collingham 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

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

C. J. Gold Esq.,
Chairman & Secretary,
Twenty-Two Gunter Grove (Management),
Chelsea House,
22 Gunter Grove,
LONDON SW10 0UJ.

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 Sir,

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.

D4/1949

TWENTY-TWO GUNTER GROVE (MANAGEMENT) LIMITED

CHELSEA HOUSE, 22 GUNTER GROVE, LONDON SW10 0UJ. TEL: 071-351 1420

Ref: TP/89/2137

28th June 1990

4/4

M J French Esq FRICS
Director Of Planning Services
The Town Hall
Hornton Street
London
W8 7NX

RECEIVED BY D. P. T.				
On 29 JUN 1990 27				
CC N	CC C	D	CC E	CS
ARB	D. PLAN	RECORDS	OPT	ENV. PLAN
DDPT	LO	TRANS.	ESD CONTROL	AP

Dear Mr French

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

With reference to your letter of 25th June, we note with alarm that the Planning Applications Committee at its 12th June meeting failed to address the main issue of our complaint, namely the excessive height and bulk of the two blocks. The proposed alterations to the internal arrangements will not in any way resolve this problem, and we cannot see that the revised plan will reduce the number of road vehicles attracted to the area by this development.

We therefore remain opposed to the development even in its revised form. We must request that you consider the significant difference between the original plan of 1988, which we had understood to be for a small news development, and the plan which you now appear ready to accept.

It now seems apparent to us that the developers had no intention of building to the original plans and are now presenting the Council and the community with a fait accompli. They appear to have ignored the views of both the local community and the Council which as our planning authority has the power to protect our environment.

If the Council is not prepared to insist that this unauthorized development must conform to the original plan of 1988, if necessary by demolition, the Company will consider approaching the Secretary of State.

Yours sincerely

C. J. Gold
(Chairman & Secretary)

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

Robert Knight Esq.,
The Studio House,
32 Gunter Grove,
LONDON, S.W.10.

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 Sir,

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.

D4/1949

RECEIVED BY D. P. T.
 On 03 JUL 1990 62

CC	✓
ASB	✓
0371	19

Paul Lamond Games

The Studio House

32 Lynton Grove

London SW10.

Paul Lamond Games Ltd
 PO Box 17 Islington
 London N1 1TS
 Telephone: 01 359 7271
 Telex: 9419165 LAMOND G
 Fax: 01 359 6050

2/7/90.

~~4/8~~

Your Ref - 1P/89/2137

re Chelsea College Str

Dear Sirs,

Regarding your recent letter I reiterate my previous correspondence in that I'm totally against any extension to the original planning permission because of the general intrusion over my property.

Yours sincerely
 Robert Knight.

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



David Le Lay Esq.,
Chairman, The Chelsea Society,
39 Old Church Street,
LONDON SW3 5BS.

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 Sir,

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.

D4/1949



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

9th. July 1990

Director of Planning Services
The Town Hall
Hornton street
London W8 7NX

Dear Sir,

CHELSEA COLLEGE SITE HORTENSIA ROAD SW10
Planning & Conservation Committee 9.7.90, Agenda Item 97

When planning consent was granted for development of this site in December 1988 this Society considered that the density of development permitted was excessive. Permission is now sought for an increase of that density and we therefore consider that this application should be refused.

The increase sought in respect of the offices is from 675m² to 752m², an increase of 12% (In the officer's report reference is made to nett lettable office area; this is most mis-leading as for planning purposes it is gross floor areas that are always used)

The increase in residential density that is sought is from 560 hrh to 593 hrh, an increase of almost 6%.

As stated in our previous letters regarding this controversial matter, we urge that the Council re-instigate the Enforcement Action which Councillors decided to take in October 1989 and which was subsequently withdrawn by officers.

We understand that it is possible that the development of the former College of St. Mark & St. John will be also carried out by the Developers of this site; we would therefore urge that Councillors take a decision to-night that will send a clear message to these Developers that the deceptive and dis-honourable devices which they have employed in respect of this site, will not succeed in the Royal Borough.

Yours faithfully,

David Le Lay

Copies to members of Planning & Conservation Committee

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



Mrs. D. Bourguignon,
8A Gunter Grove,
LONDON, SW10 0UJ.

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 Madam,

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

D4/1949

Mr French
Planning & Conservation
Town Hall
Hornbar St. US 7NY

8A Gunter Groop
Hudson SWCO OUT.
4 July 1990.

Ack
10/7

RECEIVED

Dear Mr French,

05 JUL 1990 90
re. Chelsea College Site. Hudson Red SWCO

I apologise for my letter of 25 June 1990. Yet another application for this site & its holidays are with many people away! The developers are acting like children pestering an adult for something they want, hoping the adult will give in to their wishes through weariness.

I do not believe in giving into children in this way & as this is a very important issue I certainly hope the members of the Planning & Conservation Committee will resist the demands of these developers & not be intimidated by them. The developers show no regard for the residents who already live here. We do not want any offices in this residential district & like many others, not having been notified in the first place about the original planning application which I would certainly have objected to, I feel indignant that these
(over)

Changes should even be considered.

The new application would allow them to put many more people in this concentrated area of the site as 27 flats & 8 houses would house more people than 9 flats & 12 houses in the original application as noted in your letter. And flats would be easy to turn into offices later. I am quite sure that the planned parking facilities on the site will not cope with the number of cars so many flats & offices would have, thus making the streets in our area even more congested. Cars are already all over the footpath in my street necessarily pedestrians having to go on to the road, a really business.

I would be grateful if you would pass on my comments & objections to the Planning & Conservation Committee on 9th July 1990.

Yours sincerely

D. Baynham

(Mrs BOURGEOIS (G.N.W.))

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. A. Powdrill Esq.,
Managing Director,
E. A. Powdrill & Associates,
Ptolemy House,
Lower Wharf, Reading Road,
WALLINGFORD,
Oxon, OX10 9AP.

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 Sir,

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.

D4/1949



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: TP/89/2137

9 July 1990

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

Dear Sir

TOWN 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 its passage through the committee, the figure under application was 600 sq metres. It is exceedingly difficult to understand how 752 sq metre 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

Directors:

E. A. Powdrill · MC · DipTP · FRTPi · FASi · FSS

Mrs R. A. Powdrill · BA(Hons) · MA · MRTPI

P. Lockwood



Associates:

R. Perrin · MRTPI

P. J. Turner · BA(Hons) · MA · MRTPI

D. F. Barton · BSc (Est Man) · ARICS

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 "is 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 conservation 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 1988 permission.

Yours faithfully

E. A. Powell

E A Powdrill
Managing Director

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

Mrs. J. Kohler,
16 Knights House,
Hortensia Road,
LONDON, SW10 0QT.

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 Madam,

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.

D4/1949

03 JUL 79

16, ²⁹ Knight's Horse
Hortensia Road,
Chelsea SW10 0QT.

1st July 1990-

Mr. J. French, Esq.

Director of Planning Services,
The Town Hall, W8 7NX.

Dear Mr. French,

Your Ref: TP/89/2137.

I refer to your letter of the 25th June, and am quite unable to understand why the developers were ^{not} allowed to build 2 blocks. The block facing Hortensia Road is a disaster from a "conservation" point of view — it is too high for a narrow road that has continual traffic flowing both ways; it is the only through road until Dulham Roadway (other Boroughs have been able to close their roads)

Hortensia House was originally built for the Police Force and there is considerable space between their rear block and Bunter Grove.

After construction have bulldozed their way through every inch of their land and boundary brick walls between Knight's House (they have ^{been} replaced by reinforced concrete) and the walls facing Hortensia Road — they have been replaced by the new building.

This end of Bunter Grove appears to be suffocated with I imagine loss of value to the properties.

I do not know what the heating system is to be, but the chimneys are very low on the East Block.

You asked for our comments — I really do not know why I am writing all this — the contractors would seem to have reached a point of no return, with or

● without planning permission.
 Bloomsbury, Chelsea & Hampstead
 used to be London's ARTISTIC
 Boroughs. Maybe any future
 building work be dealt with by
 more sensitive ARCHITECTS?
 Just because Hudson's depository
 was high and ugly — I do not
 understand why it should be
 replaced by an even more
 massive building.

Yours sincerely
Gran Kohler (Mrs)

P.S. I am also wondering what will
 happen to the firms with so much
 underground parking?

I deplore the building of so many
 offices — a grim outlook for future
 generations. They are vacant everywhere!

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

Bruce Miller Esq.,
28 Gunter Grove,
LONDON, SW10 0UJ.

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 Sir,

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

D4/1949

28 Gunter Grove
London
SW10 0UJ

Mr French
Planning and Conservation
RBK&C
The Town Hall
Hornton Street
London
W8 7NX

Your Ref: TP/89/2137

RECEIVED		IG SERVICES	
06 JUL 1990			

4th July 1990

Handwritten notes:
6/4/90
Rk
TR

Dear Mr French,

Thank you for your letter of the 25th June inviting my comments on the amended proposals for the development of the Chelsea College site.

I regret to say that I have not had the time to inspect the drawings for these amendments, but based on the information that I have I would like to make the following points:

- 1) The original development included 9 flats, the amendment is asking for permission for 27 flats. A three fold increase!
- 2) None of my original objections to the proposal have been addressed by these new amendments. There will still be too many people and cars for the size of the development and the capacity of the area in which it is situated.
- 3) Why has there been the need to amend the plans so many times? What has changed since the first application was approved? It seems unlikely that any new information has been uncovered during the construction of the building which leaves one with the impression that the original application was a "foot in the door" approach. If this is the case, what guarantee is there that there will not be a future amendment if this one is granted?

I feel that it is important that residential and business developments do not put unreasonable pressure on this, already very busy and heavily populated, area of London. I feel that the proposals under review do just that.

Yours sincerely,



Bruce Miller

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

Mrs. C. Fairchild,
Flat D,
36 Gunter Grove,
LONDON SW10 0UJ.

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 Madam,

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.

D4/1949

1
Flat D
36 Gunpowder Square
London SW1A 0AT

RECEIVED BY PLANNING SERVICES				
On 09 JUL 1990 53				
DC N	DC	DC S	DC E	HEAD D.C.
EXEC DIR	DIRECTOR PLANNING SERVICES	RECORDS	A&B	ENV PLAN
APPEALS OFFICER	10			

8 July 1990

Dear Mr. French,

Re: Chelsea Garage Site, Holtensia Road

The latest plans for the above site contain no significant changes compared to what has already been built and I would like to register my objection to the revised scheme for the above site.

I understand the decision whether to grant planning permission will be taken on Monday 9th July and I urge you to take local residents' views into account and not grant planning permission.

It is quite 2 extraordinary that so much work has taken place on site in advance of planning permission; the owner/owners of the site must be pretty confident that planning permission will be given. Please, please listen to the people who list here and reject their application.

Yours sincerely

Caroline Fairhead



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

C. Weeden Esq.,
Flat B,
36 Gunter Grove,
LONDON SW10 0UJ.

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 Sir,

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.

D4/1949

FLAT B
36, GUNTER GROVE
LONDON
SW10 0UT
6 JULY 1990.

ACK
RECEIVED BY PLANNING SERVICES

On 09 JUL 1990 14

DC M	DC	DC S	DC E	HEAD D.C
TR/89/2137		RECORDS	ARB	ENV. PLAN
FEES OFFICER	IO	FEES OFFICER	FORWARD PLAN	AO ACK

Your reference:

Dear Sir

RE: CHELSEA COLLEGE SITE, HORTENSIA ROAD SW10.


Thank you for your letter of 25 last.

The revised plans referred to therein make no significant changes to those originally objected to, or to what has been built! (without planning permission).

The closeness of the rear block to the houses on Gunter Grove will (does) cause a loss of light and ~~privacy~~ privacy to residents.

I can see no reason to ~~cancel~~ ^{withdraw} my original objection and, therefore, hope that the committee will reject these plans too.

Yours faithfully


C. W. GEDEN.



Letters sent to attached

F

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



Ms. K. Jonzen,
6A Gunter Grove,
LONDON S.W.10.

Telephone: 071-937 5464
Extension: 2944

Facsimile: 071-376 1130

25th June 1990

My reference:
TP/89/2137

Your reference:

Please ask for:
Mr. French

Dear Madam,

Town and Country Planning Act 1971
Chelsea College Site, Hortensia Road, S.W.10.

I am writing to you in connection with the outstanding planning application on the above site, upon which you have commented. This application was made in November 1989 and sought planning permission for the development of the former Hudson's depository building by the erection of two blocks of buildings, comprising 21 flats, 8 houses and 1,110 sq.m. of offices with associated car parking. The application had been submitted as an amendment to an earlier development which was approved in 1988 and permitted the redevelopment of the site by the erection of two blocks of buildings comprising 12 houses, 9 flats, 675 sq.m. of offices and associated car parking.

The application now under consideration, submitted in November 1989, has given rise to a number of local objections, and Members at the meeting of the Planning Applications Committee on the 12th June 1990 expressed some concern at the proposals, and made no decision except to refer it to the Planning and Conservation Committee on 9th July 1990. However, following this meeting, and as a result of the Members' concern, and the level of local objection, the application has now been formally amended in an effort to overcome some of the matters of concern. The amended application again provides for the erection of two blocks, but comprises 27 flats, 8 houses and 672 sq.m. of office space. The opportunity has also been taken to amend the rear part of the southernmost building of the rear block whereby the spiral stair is moved further north and the ground floor rear has been modified. Car parking is again provided at basement level in accordance with the Council's recommended standards.

I would therefore be grateful to receive your comments on this amended proposal, the drawings for which can be inspected, as indicated over. It is my intention to report this application, as now amended, to the Planning and Conservation Committee at their meeting on 9th July 1990 and I would be grateful to receive your observations within the next 14 days and certainly no later than midday on the 9th so that the Members can be fully informed as to local concerns.

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 ^{B.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 N Dight	1	
38	✓ Mr Lawson	1	
38A	✓ Mrs M Kayley	1	1
36A	✓ Mrs N Kelly	1	1
36B	✓ Mrs Weeden	1	
36C	✓ Mr T Healy	1	1
36C	✓ Mrs Healy	1	1
36D	✓ Mrs Fairchild	1	
34	✓ Mrs 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	✓ Mrs Gold	1	
22A	✓ Mr R Hornsey	1	
10	✓ Mr R Atkinson		1
8A	✓ Mrs B Bourguignon	1	1
6A	MS ✓ Karin Jonzen	1	
1	✓ Mr Norriss	1	
42/1	Miss S.C. Collins		

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

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously deminish the residential nature of the area.



NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P. J. FINCH	45 HORTENSIA	P J Finch
T. M. WYATT	54 Hortensia Rd	T. M. Wyatt
MICHAEL DENNIS	53 HORTENSIA	M. E. Dennis
E J DENNIS	" "	E J Dennis
S. R. Cross	55 HORTENSIA HOUSE	S. Cross
R CROSS	55 HORTENSIA HSE	R Cross
J Skiffington	52 Hortensia Hse	J Skiffington
Meresa Georgiou	48 HORTENSIA HSE	Meresa Georgiou
E GEORGIOU	→ 57	E Georgiou
P Hyland	46 HORTENSIA	P Hyland
M. Kelleher	44 Hortensia Hse	M Kelleher
S. GILLEN	41 " "	S. Gilen
M. Fernandez	49 " "	Maria Fernandez
A FERNANDEZ	49 " "	A Fernandez
M. Dainty	51, " "	M. Dainty
M. Wyatt	54 Hortensia Hse	Mary Wyatt

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously deminish the residential nature of the area.

NAME	ADDRESS	SIGNATURE
C O'CONNOR	56 Martensia HSE RD	
G. G. O'ROGILL	56 HORTENSIA	

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
MRS. B.A. STOOPE	42A GUNTER GROVE	<i>B.A. Stoop</i>
MRS S.L. COLLINGS	42/1 " "	<i>S.L. Collings</i>
MRS M.C. KAYLEY	38a " "	<i>M.C. Kayley</i>
<i>N. Kelly</i>	36 A Gunter Grove	<i>Naima Kelly</i>
<i>J. Healy</i>	36C GUNTER GROVE	<i>J. Healy</i>
<i>K. Healy</i>	36C GUNTER GROVE	<i>K. Healy</i>
<i>J. Healy</i>	36C Gunter Grove	<i>J. Healy</i>
<i>D. Bourguignon</i>	36A Gunter Grove	<i>D. Bourguignon</i>
<i>R. Atkinson</i>	10 GUNTER GROVE	<i>ROBERT ATKINSON</i>
VERONICA HALL	40A GUNTER GROVE	<i>VERONICA HALL</i>
<i>Patricia Coe</i>	40B GUNTER GROVE	<i>PATRICIA COE</i>
ELIZABETH HIGGINS	40B GUNTER GROVE	<i>Elizabeth Higginson</i>
NICK STOOPE	42A GUNTER GROVE	<i>Nick Stoop</i>

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

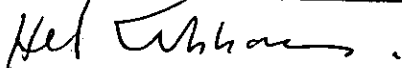
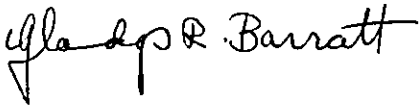
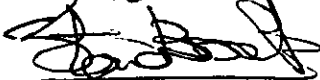
1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
Kathleen Crosse-Kelly	30 Gunter Grove SW 10	Kathleen Crosse-Kelly
Prudence Maxwell	30 Gunter Grove SW 10	Prudence Maxwell
J.B. Thomas	30 GUNTER GROVE SW 10	J.B. Thomas
Jeremy Jones	30 GUNTER GROVE SW 10	Jeremy Jones
JOHN PATERSON	28 GUNTER GROVE SW 10	John Paterson
Jo Copping	24 Gunter Grove SW 10	Jo Copping
Unit Saint	3, Edith Terrace SW 10	Unit Saint
Samantha Cuzome	304 Fulham Rd, SW 10	Samantha Cuzome
Arabella Brown	3 Edith Terrace	Arabella Brown
CAREY SCOTT	304 Fulham Rd.	Carey Scott
G. Williams	24 GUNTER GROVE	G. WILLIAMS
P MOTT	26 GUNTER GROVE	P Mott

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1, Knights Home Hortensia Rd. SW10	
S. Wysocka -	Studio 2, Knights Home Hortensia Rd. SW10	Wysocka
C Sharp	10 Knights House Hortensia Road SW10	ATM C Sharp
Mr. Mrs Stutton	9 KNIGHTS HSE HORTENSIA RD SW10	R Stutton L. Stutton
MR R. Barratt	1 Knights House Hortensia Rd Kulham. SW10	
Mrs Lawless	5 Knights Hse.	R. Lawless
R. Fowler	15 Knights House	M Fowler
M. Fowler	15 Knights House	Jean Kohler
Jean Kohler	16. Knight's Hse	D. Burdidge
D. Burdidge	13 Knights House.	
S. Baxter	19 Knights House.	Laura Baxter
L. Baxter	19 Knights House	
Mr & Mrs R.L. Barrett	11, Knights House. S.W.	R.L. Barrett F.J.M. Barrett
Edgar Kohler	16 Knight's House	D. Kohler

APRIL 7, 1990

RE: PROPOSAL FOR THE REDEVELOPMENT OF THE CHELSEA COLLEGE SITE.

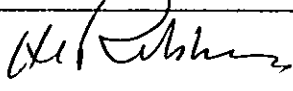
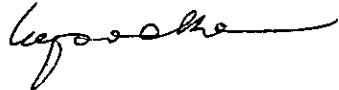



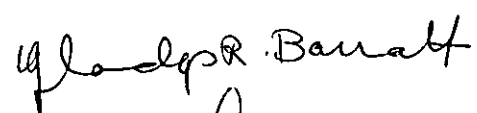


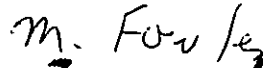







We the undersigned hereby authorise Mr Nick Stoop to make representations on our behalf to the Royal Borough of Kensington and Chelsea in order to resist this unacceptable development. *HORTENSIA HOUSE*

NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P. J. FINCH	45 HORTENSIA RD	P J Finch
J. M. WYATT	54 HORTENSIA RD	J. M. Wyatt
M DENNIS.	53 HORTENSIA RD	M Dennis
E J DENNIS.	" "	E J Dennis
S.R. CROSS	55. HORTENSIA HOUSE	S. Cross
R. CROSS	" " "	R. Cross
T. GEORGIOU	48 HORTENSIA HSE	Teresa Georgiou
E GEORGIOU	55 57	E Georgiou
P. HYLAND	46 HORTENSIA HSE	P. Hyland
M. KELLEHER.	214 HORTENSIA HSE	M. Kelleher.
S. ALLEN	41 " "	S. Allen
M. FERNANDEZ	49 " "	Maria Fernandez
A FERNANDEZ	49 " "	A Fernandez
M. DAUNTY	51, " "	M. Dainty
M. WYATT	54 Hortensia Hse	Mary Wyatt
C O'CONNOR	56 " " "	C O'Connor
G & ORGILL	56 " " "	G & Orgill

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.



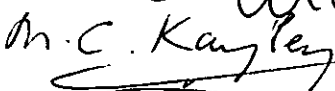
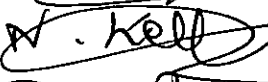





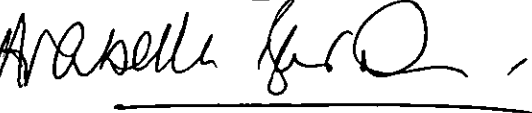


KNIGHT'S HOUSE,
HORTENSIA ROAD

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1. Knight's House Hortensia Rd. London SW10.	
S. Wysocka	Studio 2. Knight's House Hortensia Rd SW10	
C Sharp	10 Knights House Hortensia Rd, SW10	
MR. MAP Strutton	9 KNIGHTS HSE HORTENSIA RD SW10	
G.R. BARRATT (MRS)	1 Knights House Hortensia Road Fulham London S.W.10	 
M. Lawless	5 Knights Hse.	
R. FOWLER	15 Knights House	
M. E Fowler	15 Knights House	
Jean Kohler	16. Knight's House	
J. Burbridge	13 Knights House.	
S. Baxter	19. Knights House.	
L. Baxter	19 Knights House,	
Mr & Mrs R.L. Barrett	11, Knight's House Hortensia Rd S.W.10	 
Edgar Kohler	16 Knight's House	

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.

GUNTER GROVE

NAME	ADDRESS	SIGNATURE
Mrs. B.A. STOOP	42 ^A GUNTER GROVE	
Mr COMMINGS	42 " "	
Mrs M.C. KAYLEY	38A " "	
Naima Kelly	36A " "	
D. Bourguignon	8A Gunter Grove	
JOHN PATERSON	28 GUNTER GROVE SW10	
VICTORIA SAULT	3, Edith Terrace SW10	
Sawanda Kizome	304 Fulham Rd, SW10	
	3 Edith Terrace SW10	
CAREY SCOTT	304 Fulham Rd. SW10	
P MOTT	26 Gunter Grove	

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	^{B.A} ✓ Mrs 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 ^H 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 ^J 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 ^G 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 ^M 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

Knights House

Total Letter Petition
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 A 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

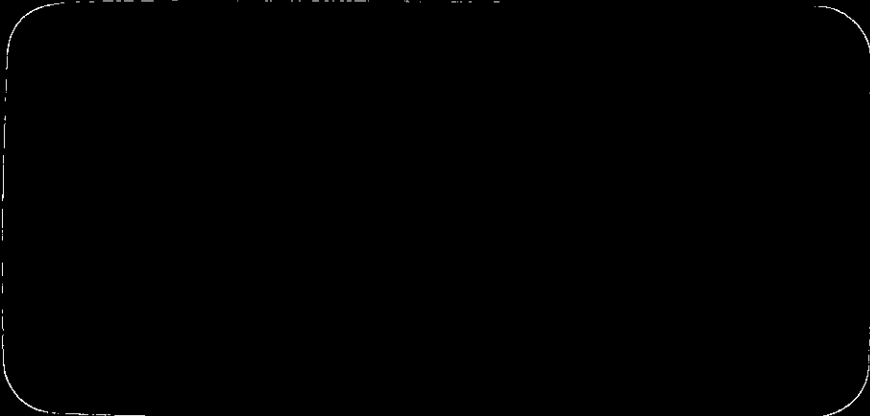
Hortensia House

20 10 18

		Letter	Petition
56	✓ C O'Connor		1
56	✓ C. Orgill		1
55	s. Mr Cross	1	1
55	✓ Mrs Cross		1
✓ 54	✓ Mary Wyatt	1	1
✓ 54	✓ Teresa Wyatt	1	1
53	✓ M. Dennis		1
53	✓ E. Dennis		1
52	✓ o. 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	Misc ✓ M. Labinger	1	1
45	✓ P. Finch	1	1
44	✓ M. Kelleher		1
31	✓ Mrs P. Masters	1	
30	Misc ✓ C. Charles	1	
41	S. Gillan		

General letters of objection.

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



Grimley J R Eve

CHARTERED SURVEYORS

Grimley J R Eve

CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

REPRESENTATIONS OF BEHALF OF N. STOOP

HORTENSIA ROAD

NDL/SM/2891885
8 February 1990

Maxwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Eve MSc FRICS
Alistair H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Michael R. Corbett FRICS
Oliver J. N. Ogborn FRICS
Stephen H. Robinson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vick BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury-Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Malcolm C. Gloster FRICS
Robert J. Bould FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Oates BSc FRICS
Alan D. Mulquiney MA FRICS
Malcolm J. Whetstone BSc FRICS
Nicholas P. F. Whipp FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hephner BA ARICS MRTPI
David J. Yale BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACI/Arb
J. Don Smith FRICS ACI/Arb
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbinière BSc MPhil ARICS
Norton B. Asbury FRICS
Mary M. Mark MA ARICS
Ian M. Stringer BSc ARICS
Anthony J. Williams BSc ARICS

Associates
Colin S. Bell BA MRTPI
Mark Bingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trollope BA ARICS
Mark R. Brunson BSc ARICS
Paul N. Bullman ARICS
Michael A. Chapman BSc ARICS
Graham Fairhurst BSc ARICS
Graham Gatland FRICS
Matthew H. Hardy ASVA

David A. Heatherington BSc ARICS
H. Sian Kainer MA MPhil MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS

Plant and Machinery
Larry G. Burrows CEng MI MechE

Consultant
Norman More FRICS

Group Administrator
William Wood MBIM

Grimley J R Eve

CHARTERED SURVEYORS

11 Hill Street, London W1X 7FB
Telephone: 01-895 1515 Telex: 269155 Facsimile: 01-409 3533

NDL/SM/2891885

Director of Planning & Transportation
The Royal Borough of Kensington & Chelsea
Hornton Street
London
W8 7NX

8 February 1990

For the attention of: Miss M Dent

Dear Sir

LAND AT HORTENSIA ROAD, LONDON, SW3

We are instructed by Mr Stoop of 42 Gunter Grove, to make representations on his behalf on the current planning application on the above mentioned site.

We have inspected the various application drawings, the model and the background papers. We have also attended several meetings with the developers and their architects.

Before considering the details of the scheme, and in particular its impact on 42 Gunter Grove, there are a number of general observations which need to be made.

A) General Points

i) Planning principles

It is a well established principle of planning law that every planning application must be treated on its individual merits. The fact that a previous scheme "may" have consent, for what on proper planning grounds is unacceptable, does not justify granting consent for a further unacceptable scheme.

The Government advises that consent should only be refused if 'demonstrable harm would be caused to interest of acknowledged importance'. In this instance interests of acknowledged importance would include:

- a) the protection of residential amenity
- b) compliance with approved local plan policy and planning standards.

- continued -

Maxwell E. Taylor FRICS
Michael N. W. Wilcox FRICS
John R. Trustram Eve MSc FRICS
Akestar H. C. Voaden FRICS
G. T. Gifford Eccles FRICS
John A. Bradstreet FRICS
Oliver J. N. Ogborn FRICS
Michael R. Corbett FRICS
Stephen H. Robinson MA FRICS
E. Martin Sheard MA FRICS
Michael de Vick BSc FRICS
Robert A. Macey FRICS
A. Robin Brocklehurst FRICS
Peter Craig FRICS
William Hanbury-Bateman FRICS

David Lowe FRICS
Michael K. Beard FRICS
David W. Henson FRICS
Malcolm C. Gloster FRICS
Robert J. Bould FRICS
Edward J. Lambah-Stoate FRICS
John P. Meredith FRICS
Antony R. Taylor FRICS
David J. Room BA FRICS
Jeremy W. Clark-Lowes MA FRICS
Jeremy J. Gates BSc FRICS
Allan D. Mulquiney MA FRICS
Malcolm J. Whetstone BSc FRICS
Nicholas P. F. Whippo FRICS
Paul D. C. Brewer FRICS

Alastair M. Hall BSc ARICS
Roger A. Hether BA ARICS MRTPI
David J. Vale BSc FRICS
Robert A. Barnett ARICS
Graham A. TenBroeke FRICS
Lindsay R. Macdonald FRICS ACIARB
J. Don Smith FRICS ACIARB
David J. Newall ARICS
Beverley G. Abbey FRICS
Neil L. Burton BSc ARICS
Nicholas C. J. Fairie BSc ARICS
Jonathan H. Flowth ARICS
Timothy R. Heatley BSc ARICS
Christopher A. Palmer ARICS
David C. Clarke BSc FRICS

Richard B. Hayward ARICS
Amanda J. Barber BSc ARICS
N. H. J. de Lotbiniere BSc MPhil ARICS
Norton B. Asbury FRICS
Mary M. Mark MA ARICS
Ian M. Stinger BSc ARICS
Anthony J. Williams BSc ARICS

Associates
Colin S. Bell BA MRTPI
Mark Bilingham ARICS
Thomas S. Davis BSc ARICS
Andrew G. B. Forbes BSc ARICS
Vaughan Griffiths BSc ARICS
Robert C. L. Gunn BSc ARICS

Nicholas J. G. Hawkes BSc ARICS
Duncan F. G. Locke BSc ARICS
Robert Macgregor FRICS
Roland S. Morgan BSc ARICS
Jonathan M. Parsons BSc ARICS
David B. Read FRICS
Simon N. Reynolds BA FRGS
Peter Ruben BSc ARICS
Denise E. Trollope BA ARICS
Mark R. Brunson BSc ARICS
Paul N. Bullman ARICS
Michael A. Chapman BSc ARICS
Graham Farhurst BSc ARICS
Graham Gattand FRICS
Matthew H. Hardy ASVA

David A. Heatherington BSc ARICS
H. Sian Kilner MA MPhil MRTPI
Christopher L. Lloyd BSc ARICS
Paul A. Long BSc ARICS
Clifford C. Rance Dip TP MRTPI
Colin Sharp ARICS

Plant and Machinery
Larry G. Burrows CEng MI MechE

Consultant
Norman More FRICS

Group Administrator
William Wood MBIM

In order to depart from approved policy and standards it is beholden upon the developers to show that there are convincing and justifiable reasons to warrant such a departure.

ii) Previous Application

Whilst we do not oppose the principle of redevelopment on this site, part of the previous scheme (ie. the rear offices) had a very severe affect, and by any reasonable planning standards, an unacceptable affect, on 42 Gunter Grove. The photographs provided by Mr Stoop in his letter speak for themselves. A further photograph of the position of the development relative to 42 Gunter Grove and its garden is contained in Appendix 1 to this letter.

iii) Condition 8

The previous consent contained a condition which indicated that if the scheme was not implemented in accordance with the drawings then the permission would become null and void. The architects have acknowledged that the scheme has not been implemented in accordance with the drawings. Therefore on the wording of the condition, the existing planning permission must be construed as being dead.

iv) Residential Amenity

It has been argued by the developers and their architects that since the amenity of some of the adjoining residents may have been improved somewhat, then, the scheme should be granted though other residents suffer a loss of amenity. This is, in our view, a disingenuous argument. It cannot be right to sanction a scheme where some residents gain at the expense of a lesser number, particularly where the latter suffer a very severe loss of amenity as in the case in this instance.

v) Site Area

Given a site of this size it should be possible to abide by normal standards for the protection of residential amenity. This might contrast, for example, with small infill developments in urban situations, where compliance with standards may be impossible or impracticable.

B) Specific Points

i) Accuracy of Drawings

On 21 December 1989 we wrote to the architects requesting confirmation that the application drawings were accurate and based on detailed site survey work. No reply has yet been received. From our own measurements, we estimate that the drawings are still inaccurate. For example we calculate that the development site abuts the rear garden wall of number 42 for 3.3m: in contrast to the developer's measurement of 3m. Such inaccuracies may not seem significant in overall terms. They are significant however at the very critical distances in this particular case between the rear offices and the adjoining residential properties in Gunter Grove.

ii) Overlooking

We attach a sectional plan (Appendix 2) which shows the exceptional close proximity of the proposed development with 42 Gunter Grove. The windows of the new scheme are only 8m from the living room of number 42.

Most boroughs adopt a minimum overlooking standards of 21m. Some boroughs also distinguish between overlooking between residential to residential and commercial to residential. A higher standard is adopted in the latter case. For example the London Borough of Hillingdon require 30m compared to 24.5m for residential to residential.

It is manifest that on overlooking grounds only the scheme is unacceptable. We would support the Council's view that the windows should be of obscured glazing. However this will not in itself go far enough. It is likely, for example, in the summer months that the windows will be opened, thus resulting in overlooking and possibly noise disturbance.

Without prejudice to our view that the rear elevation should be moved backwards we would suggest that the condition relating to the windows should require: a minimum cill height of 1.5m for each window, that the windows are on non-openable, and that obscured glazing should be used as well.

- continued -

iii) Sunlight

The DoE guidelines contained in their publication 'Sunlight and Daylight' require that buildings facing due south or east or west of south should have 3 hours sunlight on 1st March. Based on the developers plan we estimate (see Appendix 3) that 42 Gunter Grove enjoyed 3 hours 55 minutes sunlight before the development compared to the 2 hours 0 mins it will have once the now proposed development completed. The proposal thus fails to meet accepted planning standards for sunlight.

iv) Outlook

Loss of outlook is not normally sufficient to justify a reason for refusal in itself. In this case the loss of outlook is extremely severe. The new office buildings are only 8m away from number 42, ie. the length of a large sitting room.

The distances between the new residential properties and those in Gunter Grove (see Plan in Appendix 4) are designed in part to prevent serious problems of loss of outlook. We cannot therefore understand why a lesser distance should be deemed appropriate for commercial buildings relative to 42 Gunter Grove.

v) Housing Density

The Borough Plan advocates densities up to 247 habitable rooms per hectare. The previous scheme proposed a density of 500 habitable rooms per hectare. If anything this density may have been increased by the latest scheme. No reasons are advanced by the developers to justify such a high level of density. The drawbacks of developing at this density are manifest by the problems of overlooking and loss of outlook etc.

vi) Office Policy

The previous scheme as reported to and approved by the Committee specified an office floorspace of 674 sq m. The revised scheme increases this to 1,100 sq m. The reason for the difference seems to be, from reading the Planning Officer's report, that some of the commercial floor space was to be occupied by the University of London and thus was not recorded as office space.

The Borough's policy on B1 Offices is that over 465 sq m takes office proposals outside the B1 use category, ie. they are no longer suitable to be located within a residential area. The developers have advanced no case to justify a departure from Borough policy in this respect.

Conclusions

1. In our view the proposed juxtaposition of the new office block in 42 Gunter Grove is wholly unacceptable on planning grounds.
2. The rear office block will result in a serious loss of outlook, privacy, quiet and light. It manifestly fails to satisfy reasonable and acceptable planning standards.
3. In the Planning Officer's report it is stated that the concerns of residents are supported in relation to the previous approved scheme. The officers then stated that the revisions which have been made constitute a "token modification". As a matter of logic if something is unacceptable and the modification to it is only 'token' one cannot reach the conclusion that it is now acceptable.
4. This is a large site where there is scope to comply with normal planning standards in contrast to more restricted urban infill developments.
5. The scheme conflicts with housing density and office policy. No special circumstances are advanced to justify an exception being made. In the absence of this justification this scheme will set a precedent for similar development elsewhere.
6. In our view planning permission should be refused.
7. Alternatively, the application should be held in abeyance and the developers asked to further amend the rear office block as shown on the attached plan - Appendix 5.

Yours faithfully



MESSRS GRIMLEY J R EVE
CHARTERED SURVEYORS

APPENDICES

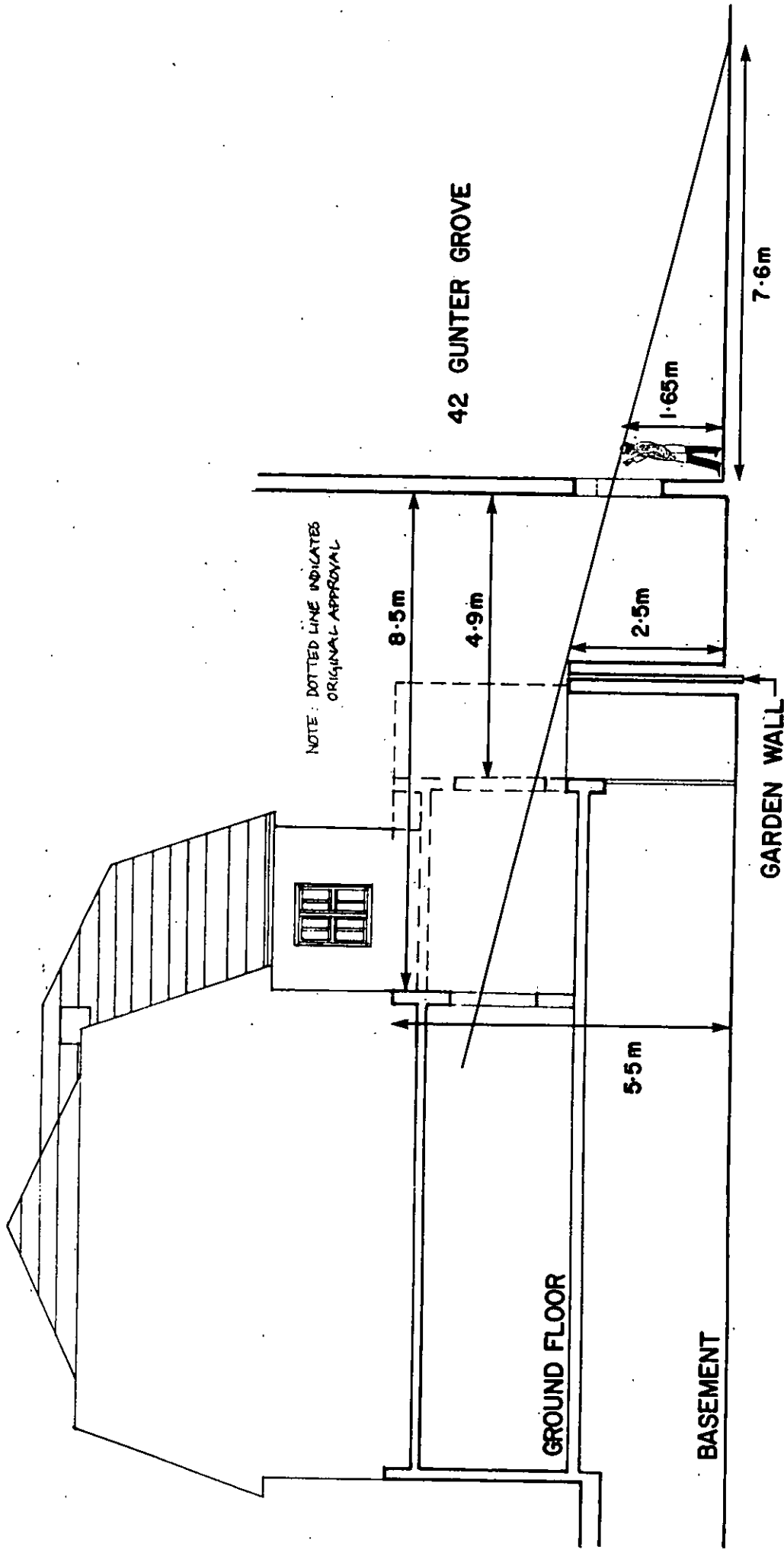
- APPENDIX 1 : OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE
- APPENDIX 2 : OVERLOOKING FROM 42 GUNTER GROVE TO
PROPOSED DEVELOPMENT
- APPENDIX 3 : SUNLIGHT
- APPENDIX 4 : DISTANCES BETWEEN PROPOSED AND EXISTING
BUILDINGS
- APPENDIX 5 : PROPOSED MODIFICATIONS TO REAR OFFICE BLOCK

APPENDIX 1

OVERLOOKING INTO GARDEN OF 42 GUNTER GROVE







APPENDIX 2

OVERLOOKING FROM

42 GUNTER GROVE

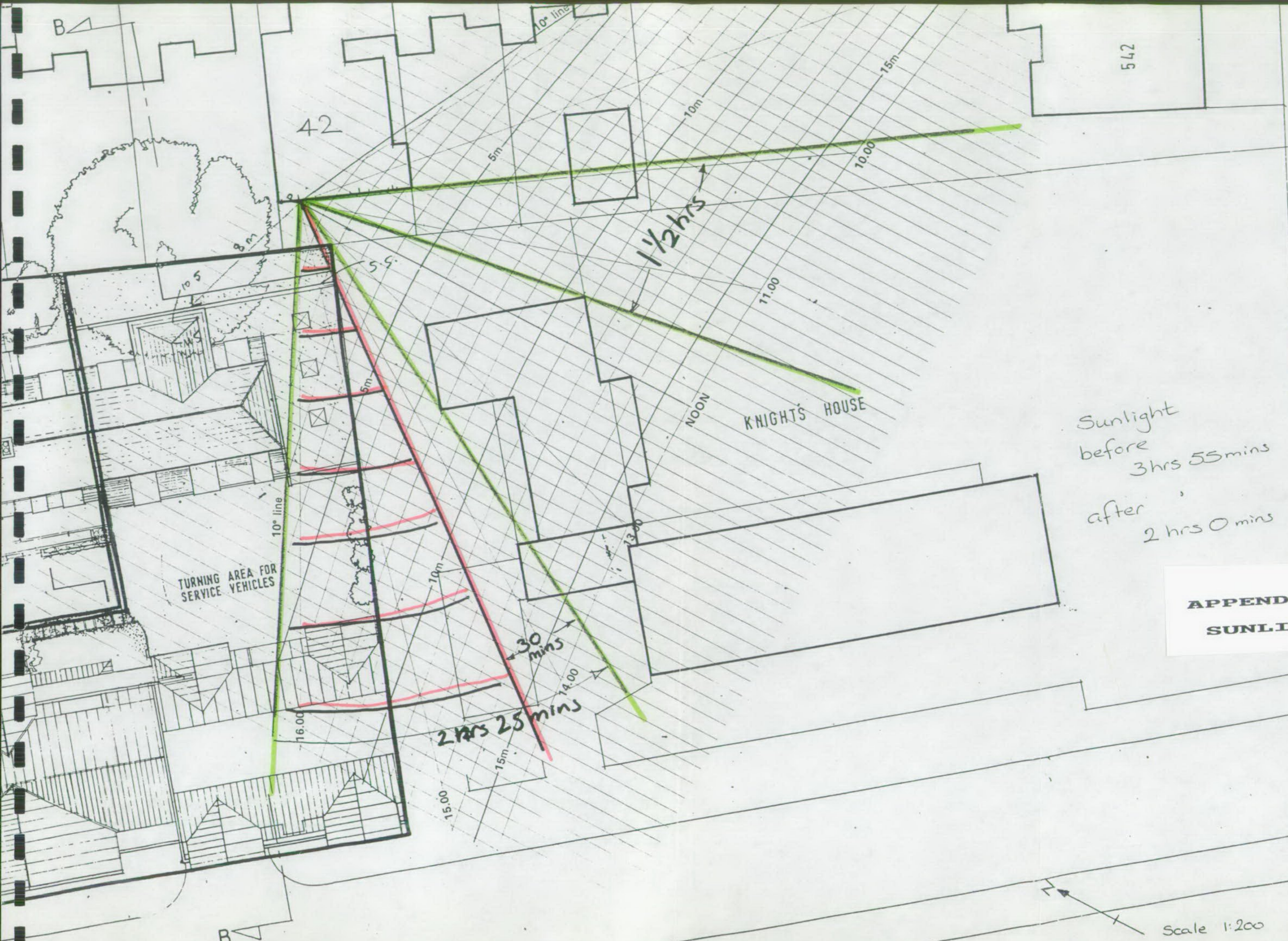
TO PROPOSED DEVELOPMENT



CHARTERED SURVEYORS

11 Hill Street, London, W1X 7FB
 Mellier House, 26a Albemarle Street, London, W1X 3FA
 Tel: 01 895 1515

SCALE	1:100	DATE	FEBRUARY 1990
JOB No		DRAWN BY	



Sunlight
 before
 3 hrs 55 mins
 after
 2 hrs 0 mins

**APPENDIX 3
 SUNLIGHT**

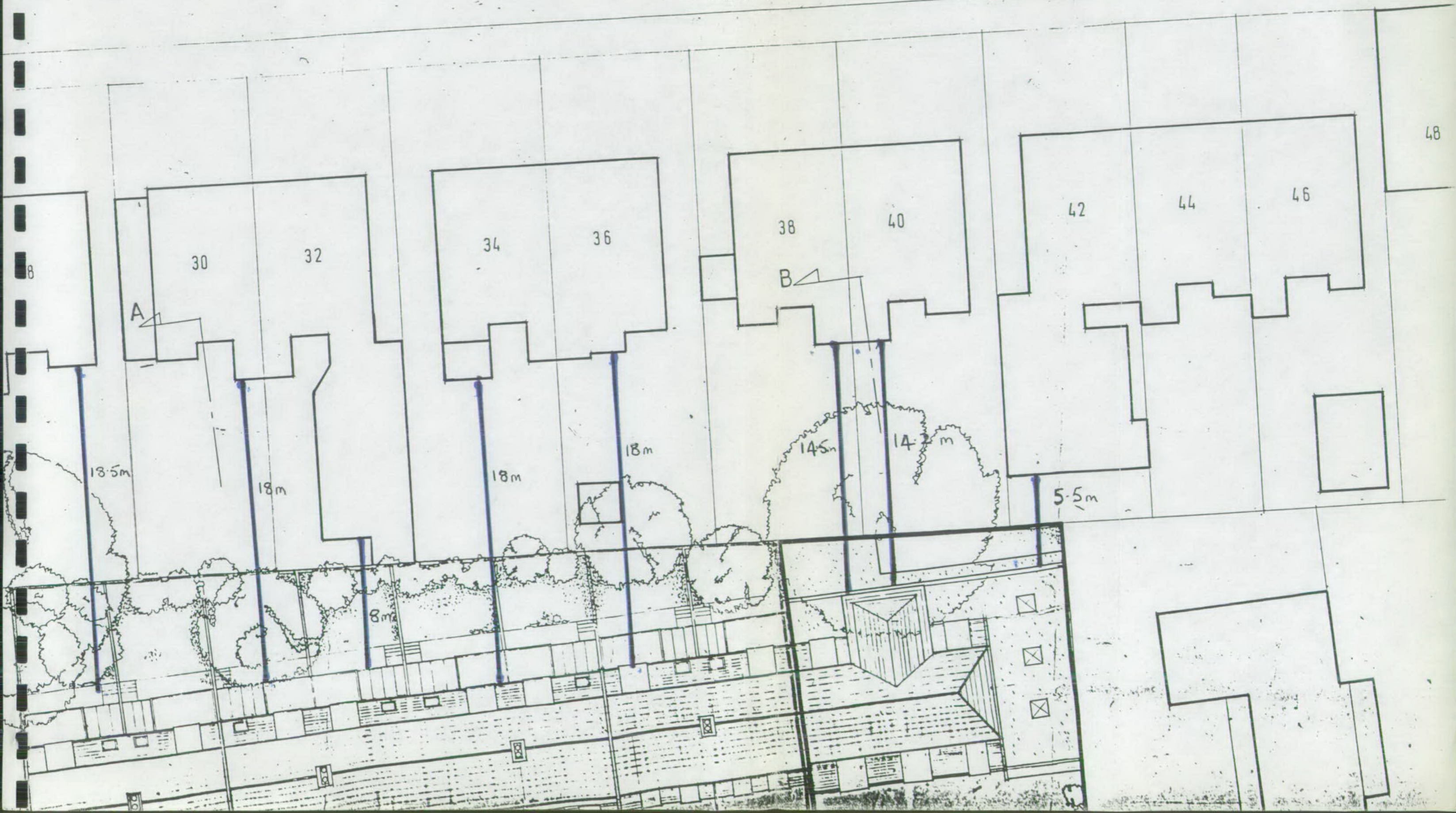
Scale 1:200



APPENDIX 4

DISTANCES BETWEEN PROPOSED AND EXISTING BUILDINGS

GUNTER GROVE



1
2
3

4
5
6
7
8

PROPOSED MODIFICATIONS
TO REAR OFFICE
BLOCK



AREA TO BE LANDSCAPED
TO PROVIDE A BUFFER
BETWEEN OFFICES AND
RESIDENTIAL PROPERTY

CONTINUED LINE
OF REAR ELEVATION
OF RESIDENTIAL PROPERTIES

TURNING AREA FOR
SERVICE VEHICLES

REAR OFFICES
HEIGHT TO BE REDUCED
BY 1 STOREY TO
MITIGATE LOSS OF LIGHT,
OVERLOOKING, LOSS OF
OUTLOOK, ETC.

POWERS
LODGE

Superseded
Plans

Colwyn Foulkes and Partners

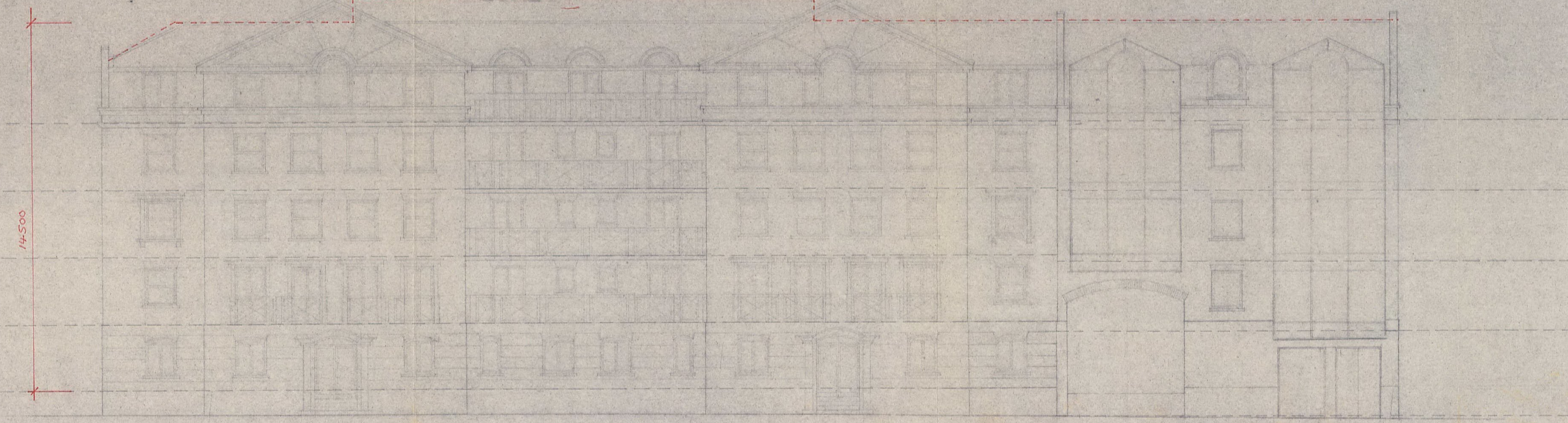
Chartered Architects Planning and Landscape Consultants

Contract	Job No.	Date
	HTN	22.12.88
Copies to	MR FRENCH, PLANNING OFFICER	
	Title	
	PHOTOCOPIES OF:	
	HTN/01/113 } MARKED UP WITH	
	HTN/01/114 } AREAS.	
	HTN/01/105 ^A - SITE PLAN WITH	
	OUTLINE OF PROPOSED	
	AMENDMENT MARKED	
	HTN/01/103 ^B	
	HTN/01/120	
	HTN/01/121	
Remarks		
Queries to		

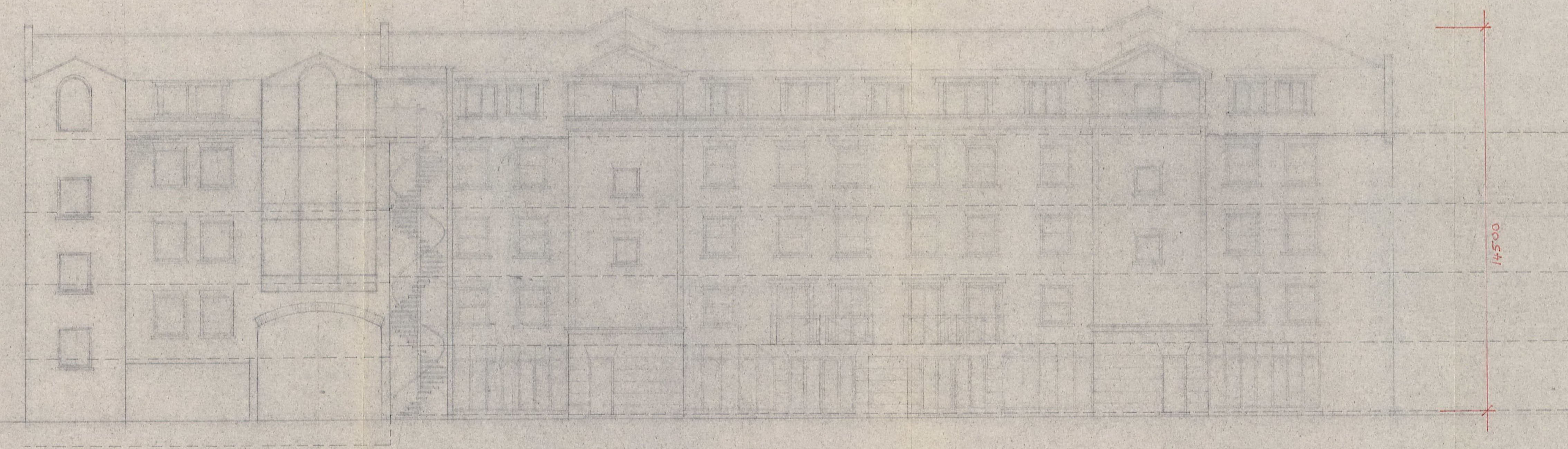
TP/29/2137 21

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.

OUTLINE OF PREVIOUS ELEVATION RE. DRWG. HTN/01/101.



NORTH-EAST ELEVATION



SOUTH-WEST ELEVATION

no	date	revisions
K	FEB 89	REDESIGNED

RECEIVED BY D. P. K.
On 1 - MAR 1989

DO IT	DO C	DO G	DO E	DO
ADJ	D PLAN	RECORD	DPT	EN PLAN
DOPT	LO	TRANS.	BUILD CONTROL	AD ACY

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

Job
HORTENSIA ROAD

Title
ELEVATIONS

Drawn
Date
FEB 189

Drawing No
HTN / 01 / 101^K

Scale
1:100

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



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

GF&P
Colwyn Foulkes and Partners
 Planning Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532736 01938 2464

Job
 HORTENSIA RD.

Title
 SITE PLAN

Drawn Date
 MAY 88

Drawing No
 HTN / 01 / 105

Scale
 1:200

FOR INFO
 TP880633
 JMP

TP/24/2107 (40)

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.

PURE CEMENT
ASBESTOS FREE SLATES
 RUSTICATED
STUCCO MASONRY
 RECONSTITUTED STONE
CORNICES, COPINGS, GILLS
 PAINTED IRON
RAILINGS
 YELLOW MULTICOLOURED
STOCK FACING BRICK
 SKEN BACK
BRICK ARCHES
 RED FACING
BRICK



STUCCO SURROUNDS 9150
 HARDWOOD GLAZED DOORS 10050
 PAINTED TIMBER WINDOWS 9150
 12 13 14 15 16



CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01 838 2464

Job
 HORTENSIA ROAD

Title
 ELEVATIONS

Drawn Date
 JAN 89

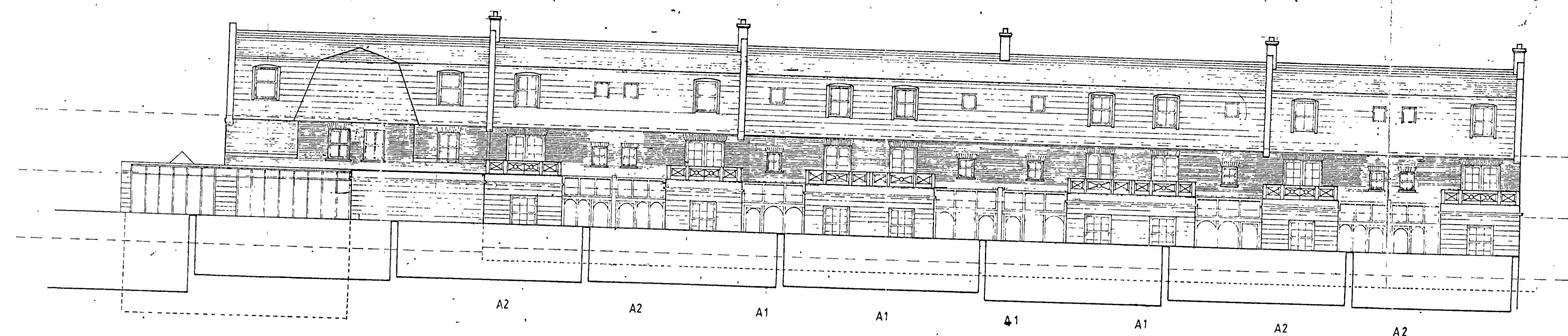
Drawing No
 HTR/01/101 J

Scale
 1 100

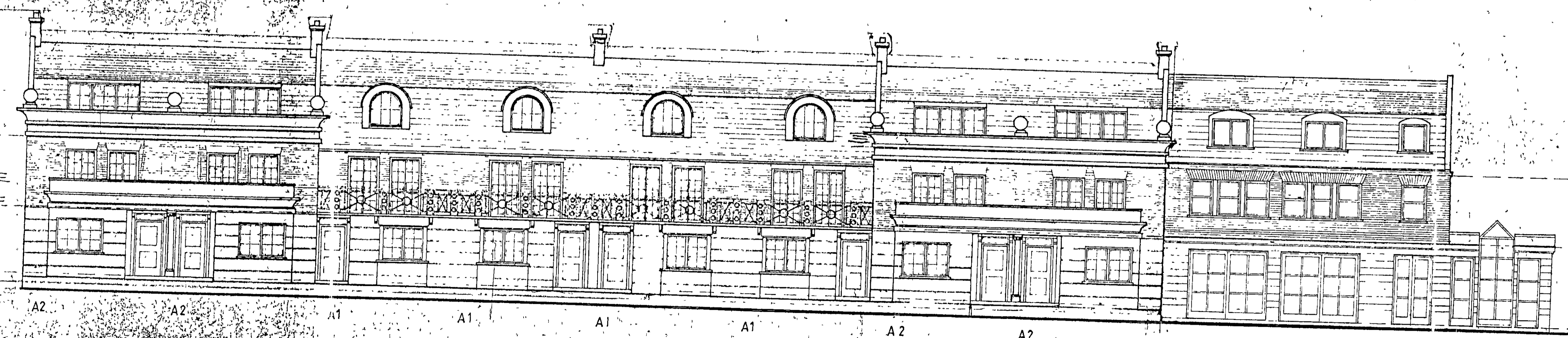
NCF's letter of 18 Jan 89.

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
A	NOV 88	UPPER LEVEL FLOORS CHANGED COMPLETE REVISIONS BUT ONLY REAR ELEVATIONS AND W/ HOUSE APPROVED, DOORS AND RAILING ATTACHED ON FLOOR ELEVATIONS
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES, W/SCOTTED ARCHES BUT ONE WINDOW UNBUILT + FINE RAILING ATTACHED
C	FEB 89	DOOR ADJUSTED TO SUIT SECTION TO BE BUILT. BUILT TO PROVISION OF NEW WINDOW. BUILT APPROVED. BUILT APPROVED MADE TO ARCHES



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION



Job
HORTENSIA. RD.

Title
MEWS ELEVATIONS,

Drawn
DM

Date
14.9.88

Drawing No
HTN/017/103

Scale
1:100

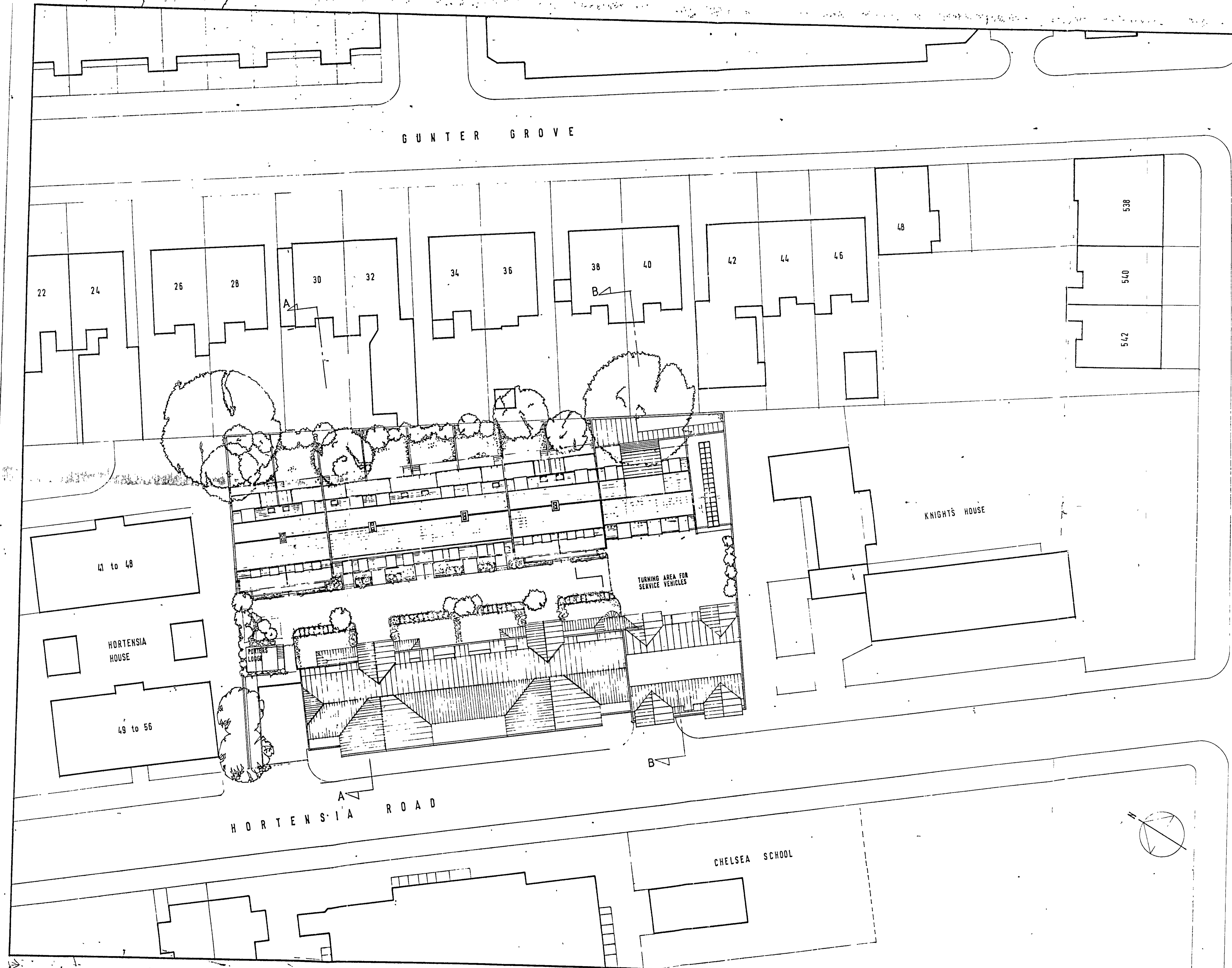
18 Jan 89

TP/8/12/87
(4)

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
A	SEP 88	SECTIONS A-B SHOWN
B	NOV 88	REVISIONS TO TERRACE
C	NOV 88	FRONT RE-DRAWN AS TWO BLOCKS OF FLATS
D		FRONT BLOCK + FRONT + REAR OFFICE, RE-DRAWN

GUNTER GROVE



SECTION LINES REFER TO
DRAWING NO HTN/01/95

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay | London
0492 532798 | 01 532 2454

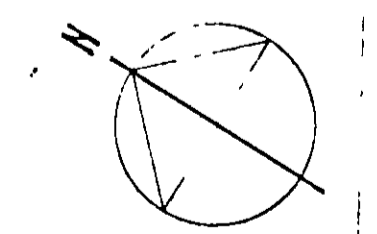
Job
HORTENSIA RD.

Title
SITE PLAN

Drawn
Date
MAY 88

Drawing No
HTN / 01 / 105 Z.

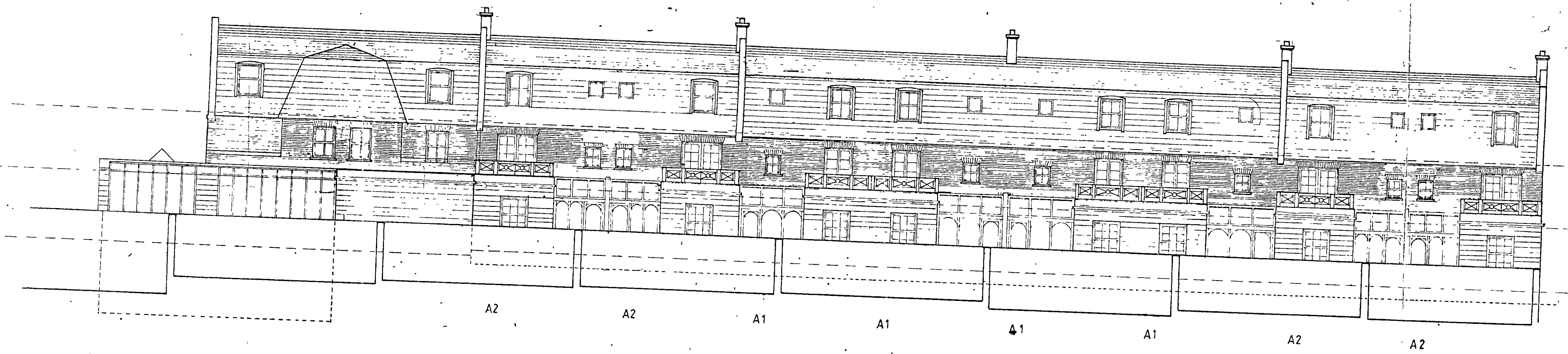
Scale
1:200



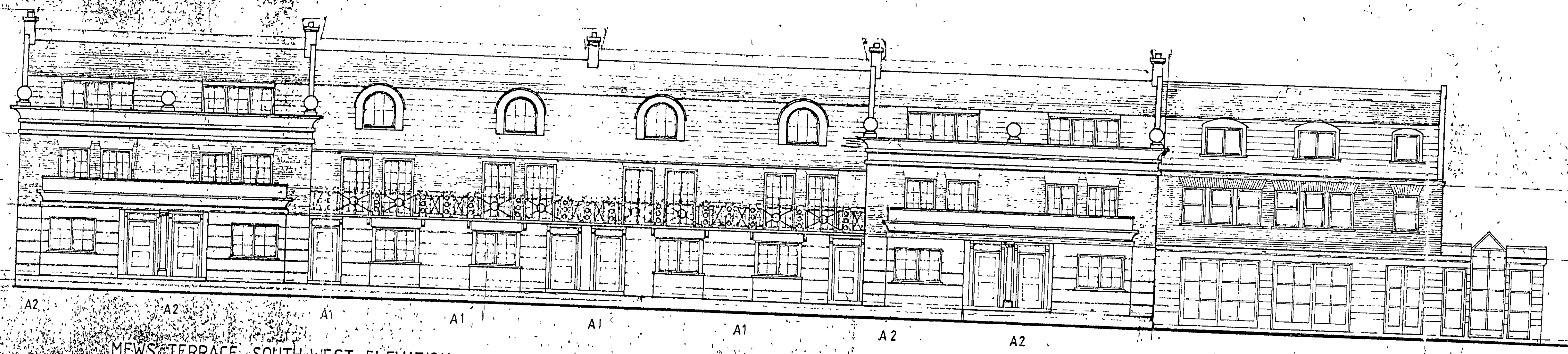
NCF'S LETTER 10 JAN 89

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
A	NOV 88	OFFER DRAWING CORRECTED COLUMNS UNDER PORCHES RECORDED AND WINDOWS APPROVED. BODIES AND RAILING ALTERED ON FLOOR PLANS
B	DEC 88	NEW FRONT ELEVATIONS TO HOUSES INDICATED A PARTIAL LIFTING OF COALS. ADJUSTED ALL SECTION TO MATCH. BODIES AND RAILING OFFER DRAWING CORRECTED. BODIES AND RAILING MARKED AS SHOWN
C	FEB 89	



MEWS TERRACE NORTH-EAST ELEVATIONS



MEWS TERRACE SOUTH-WEST ELEVATION

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0482 232733 London 01938 2484

Job
 HORTENSIA. RD.

Title
 MEWS ELEVATIONS

Drawn DM Date 14.9.88

Drawing No
 H/TN/07/103

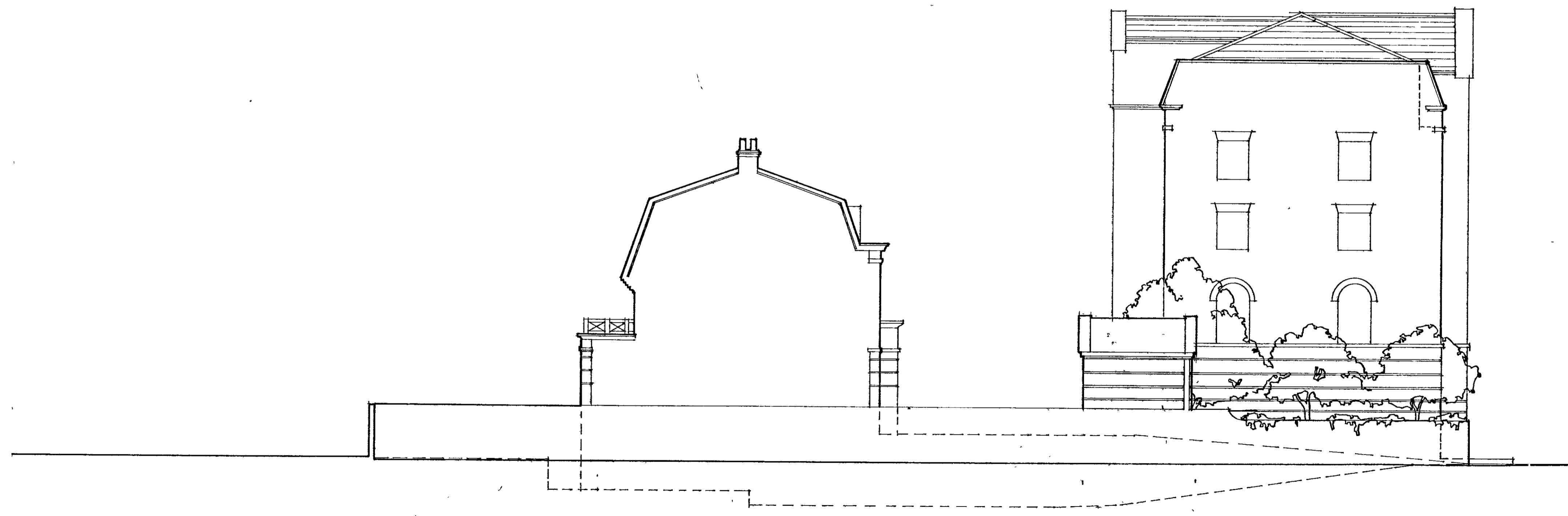
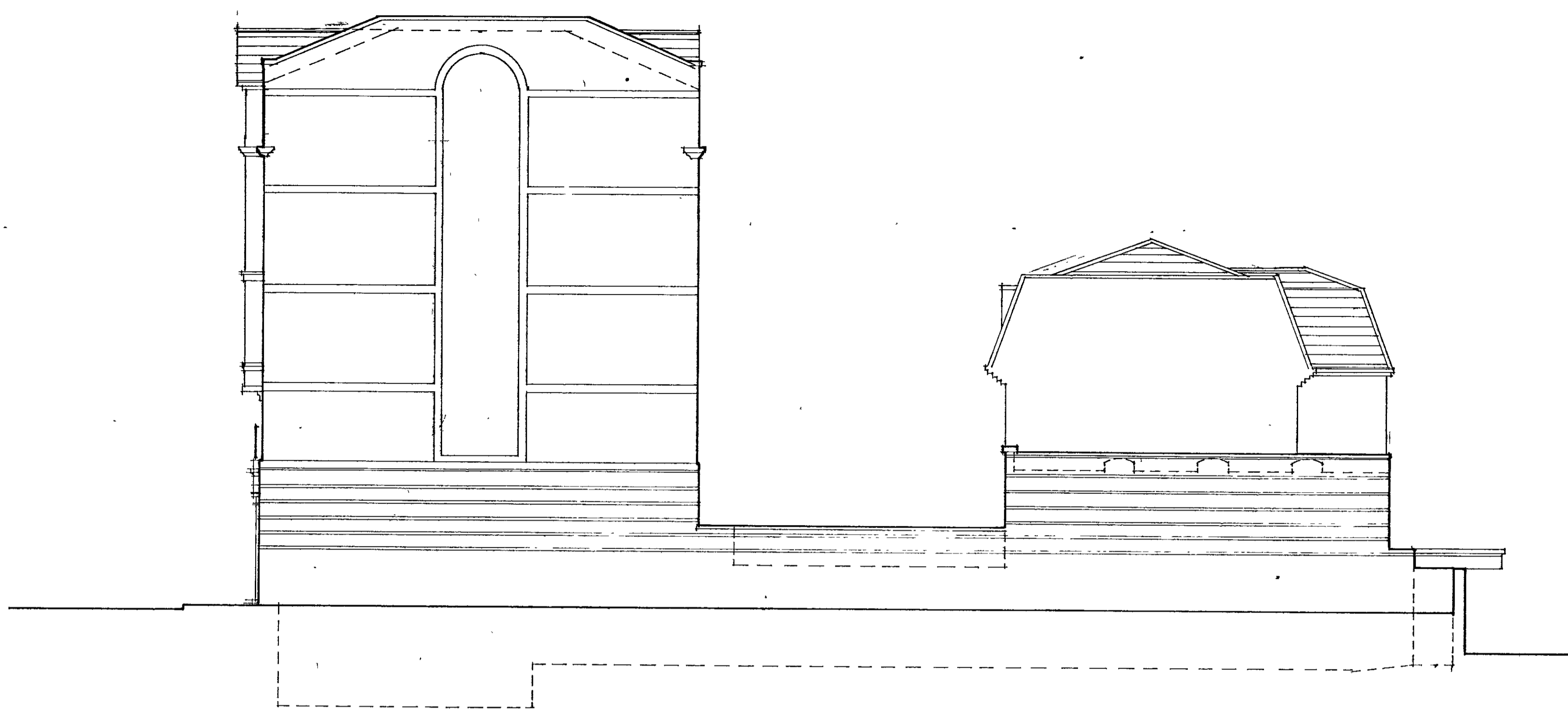
Scale
 1:100

Not to be used after 18 Jan 89

TP12137 (144)

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



TP12137



Job

HORTENSIA RD.

Title

ELEVATIONS

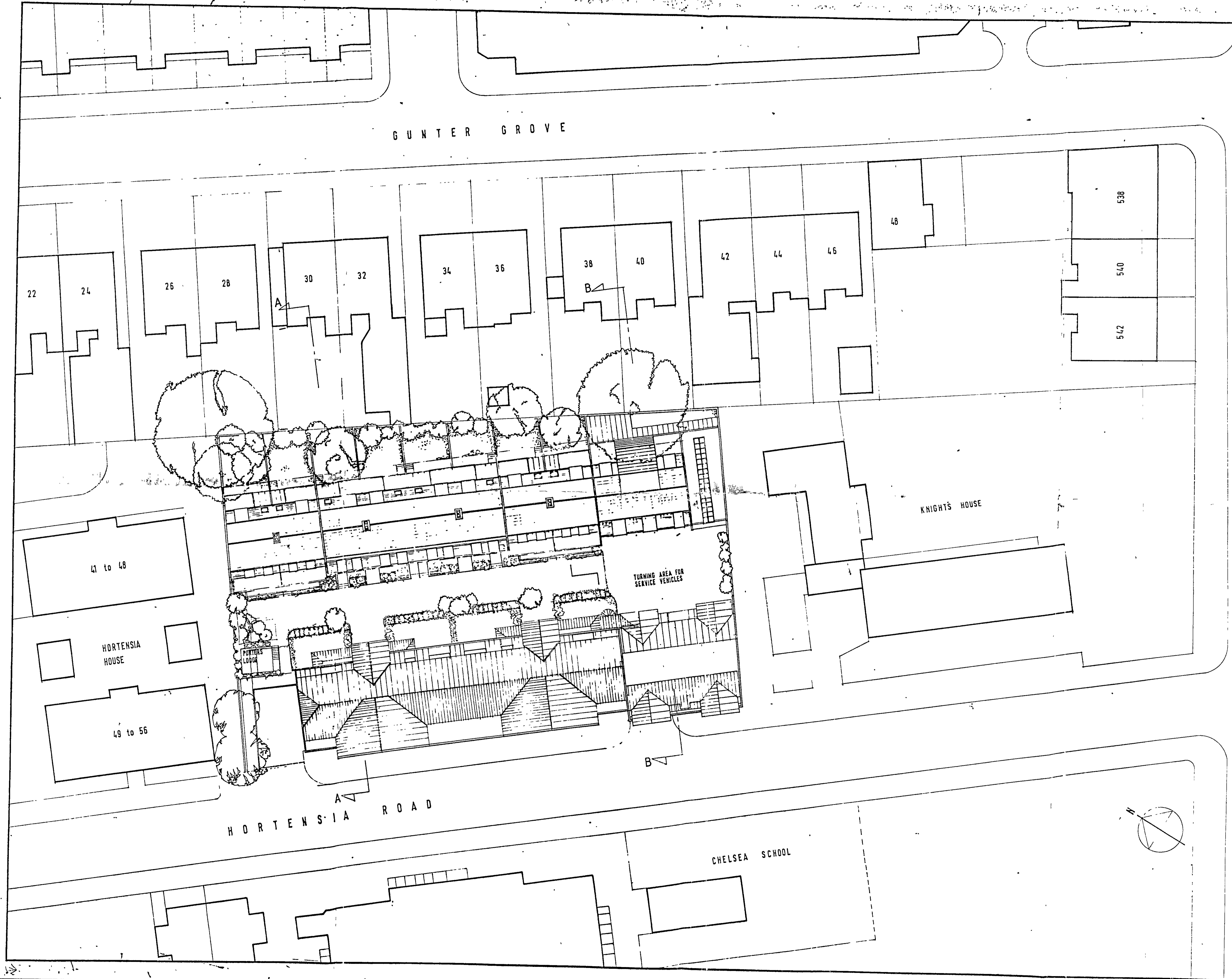
Drawn Date
11. 89

Drawing No
HTN 01 107

Scale
1.100

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
A	SEP 88	SECTIONS A-B SIGNED
B	NOV 88	LOBBY AND TERRACE
C	NOV 88	FRONT RE-DRAWN AS TWO BLOCKS OF FLATS
D		FRONT BLOCK + FRONT + REAR OFFICES RE DRAWN



SECTION LINES REFER TO
DRAWING NO HTN/01/95

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay
0492 532738
Lancaster
01 524 2454

Job
HORTENSIA RD.

Title
SITE PLAN

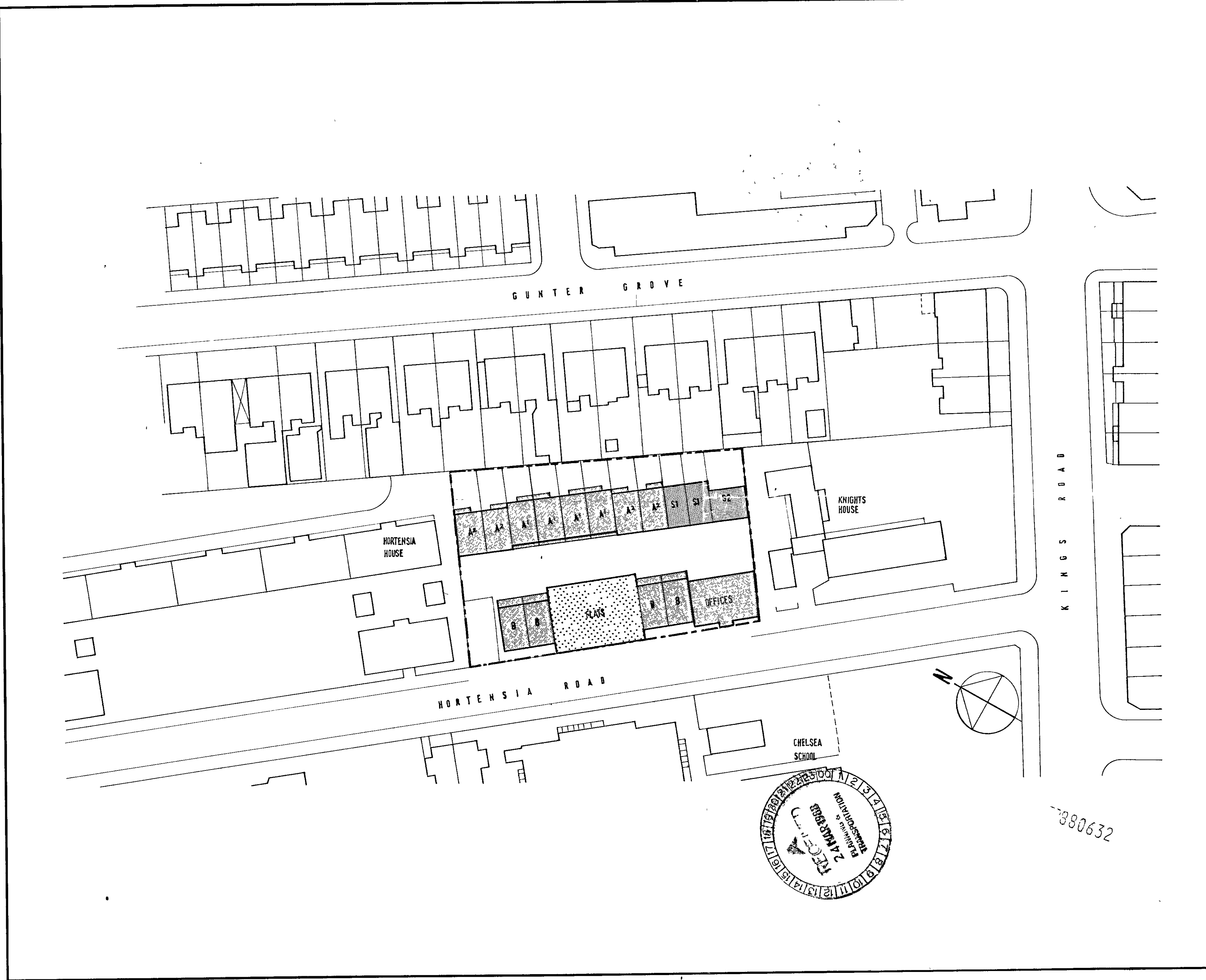
Drawn
Date
MAY 88

Drawing No
HTN/01/105 Z

Scale
1:200

N.C.F.S. Lemaire 18 Jan 89

TP/29/2/37 (46)



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
A	19/02/88	HTN/01/59 NEWEL

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532738 | London 01 938 2484

Job
HORTENSIA RD.

Title
LOCATION PLAN

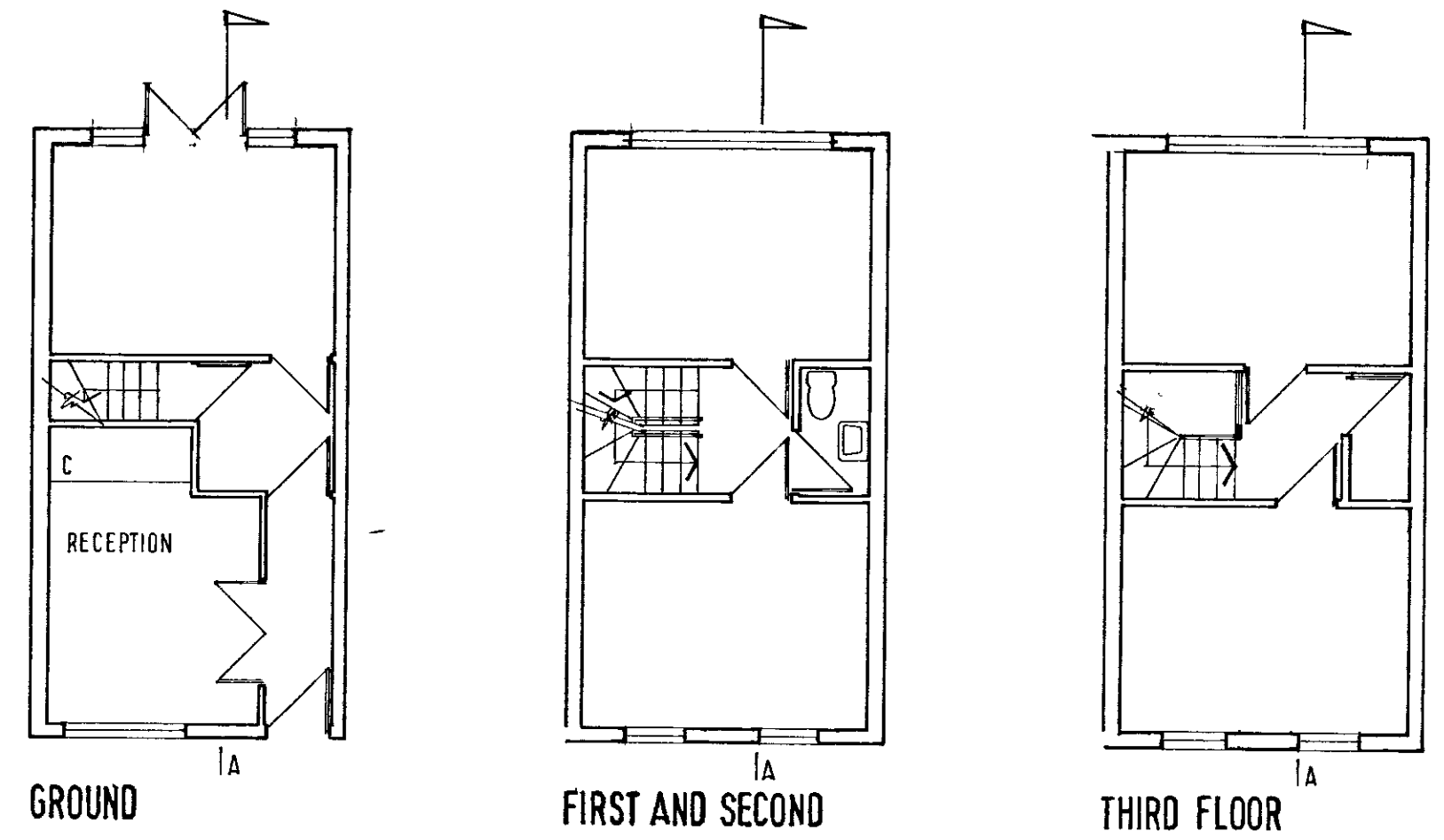
Drawn
 Date
FEB '88

Drawing No
HTN/01/59 A

Scale
1:500

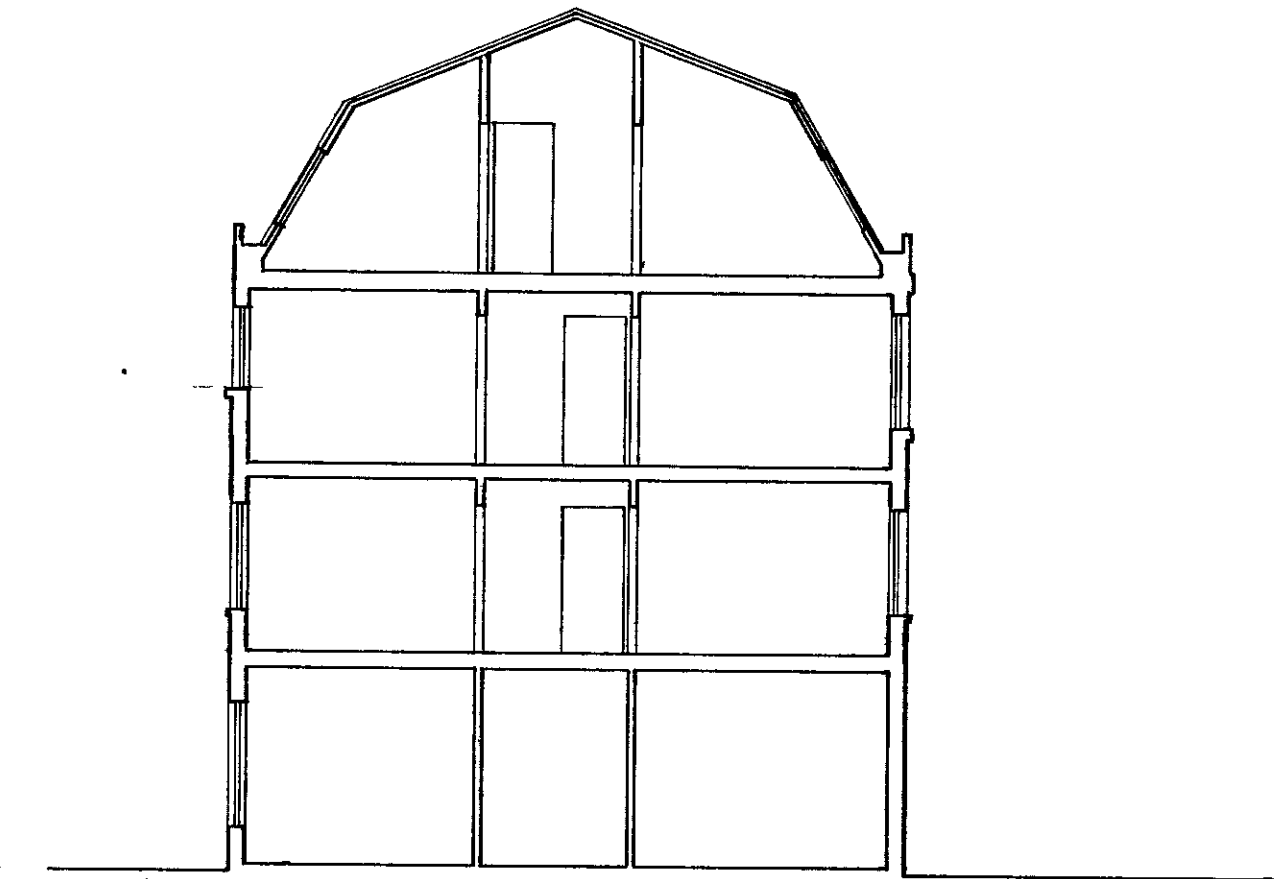
TP/89/2137 (47)

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.

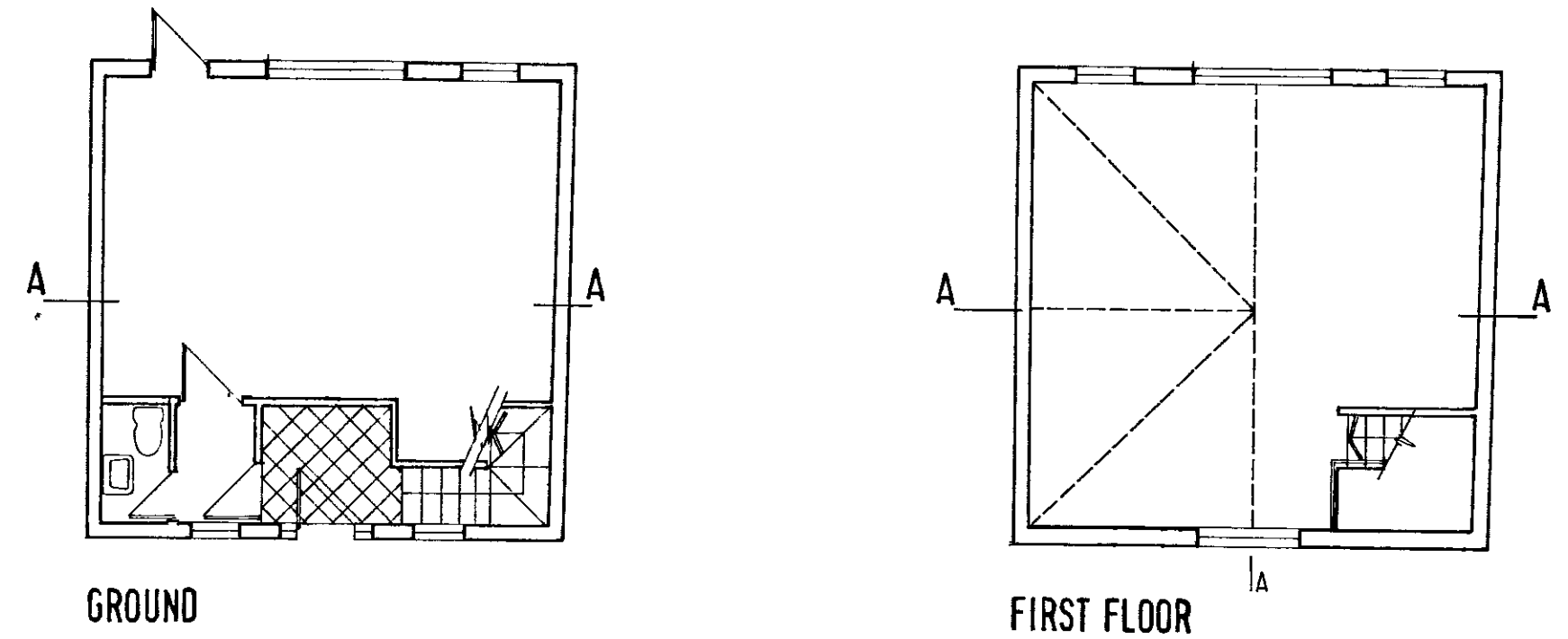


GROUND
 FIRST AND SECOND
 THIRD FLOOR

TYPE ONE

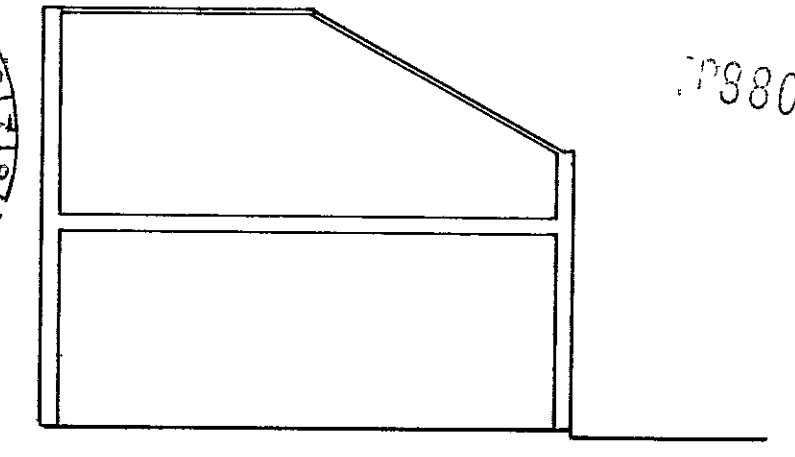
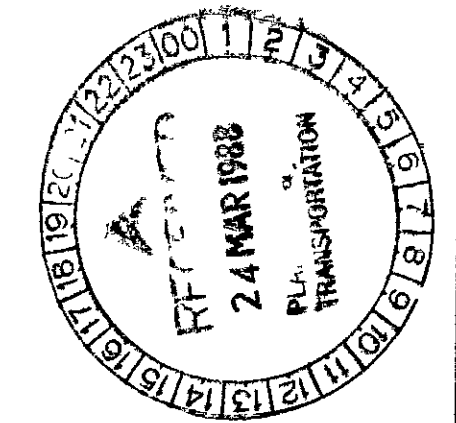


SECTION A-A



GROUND
 FIRST FLOOR

TYPE TWO



SECTION A A

no	date	revisions
A	MAR 88	WINDOWS ON PLAN & SECTION IN CODE

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

Job
HORTENSIA RD.

Title
B1 OFFICES

Drawn
 Date
FEB 88

Drawing No
HTN / 01 / 65 A

Scale
1:100

TP/29/2/37

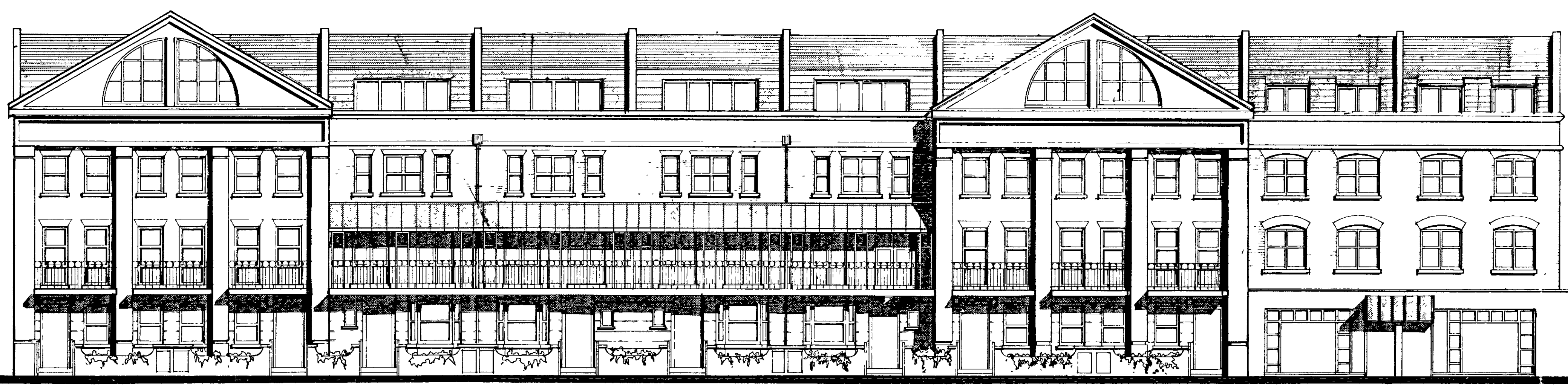
148

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

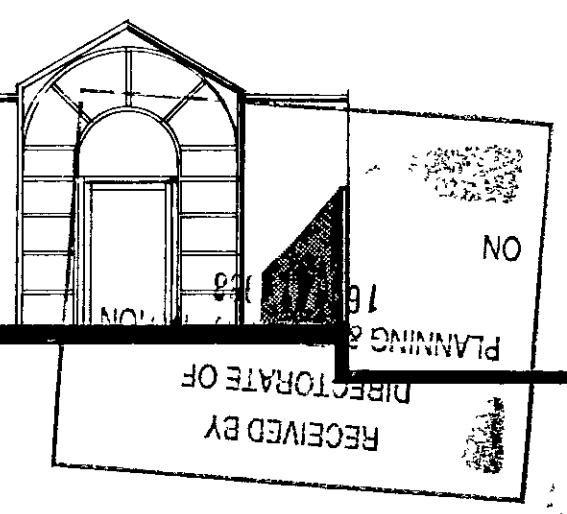


MEWS TERRACE NORTH EAST ELEVATION



MEWS TERRACE - SOUTH WEST ELEVATION

BUSINESS UNITS



TP880632 / A

FINISHES

roof to be reconstituted
stone slates
walls to be london stock
and resticated stucco
doors and window frames to
be painted wood



Job
HORTENSIA RD

Title
ELEVATIONS

Drawn
Date
FEB '88

Drawing No
HTN/01/99

Scale
1:100

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



HORTENSIA TERRACE SOUTH ELEVATION



HORTENSIA TERRACE NORTH ELEVATION

FINISHES

Roof to be reconstituted stone slates
 Walls to be London stock and rusticated stucco
 Doors and window frames to be painted wood

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

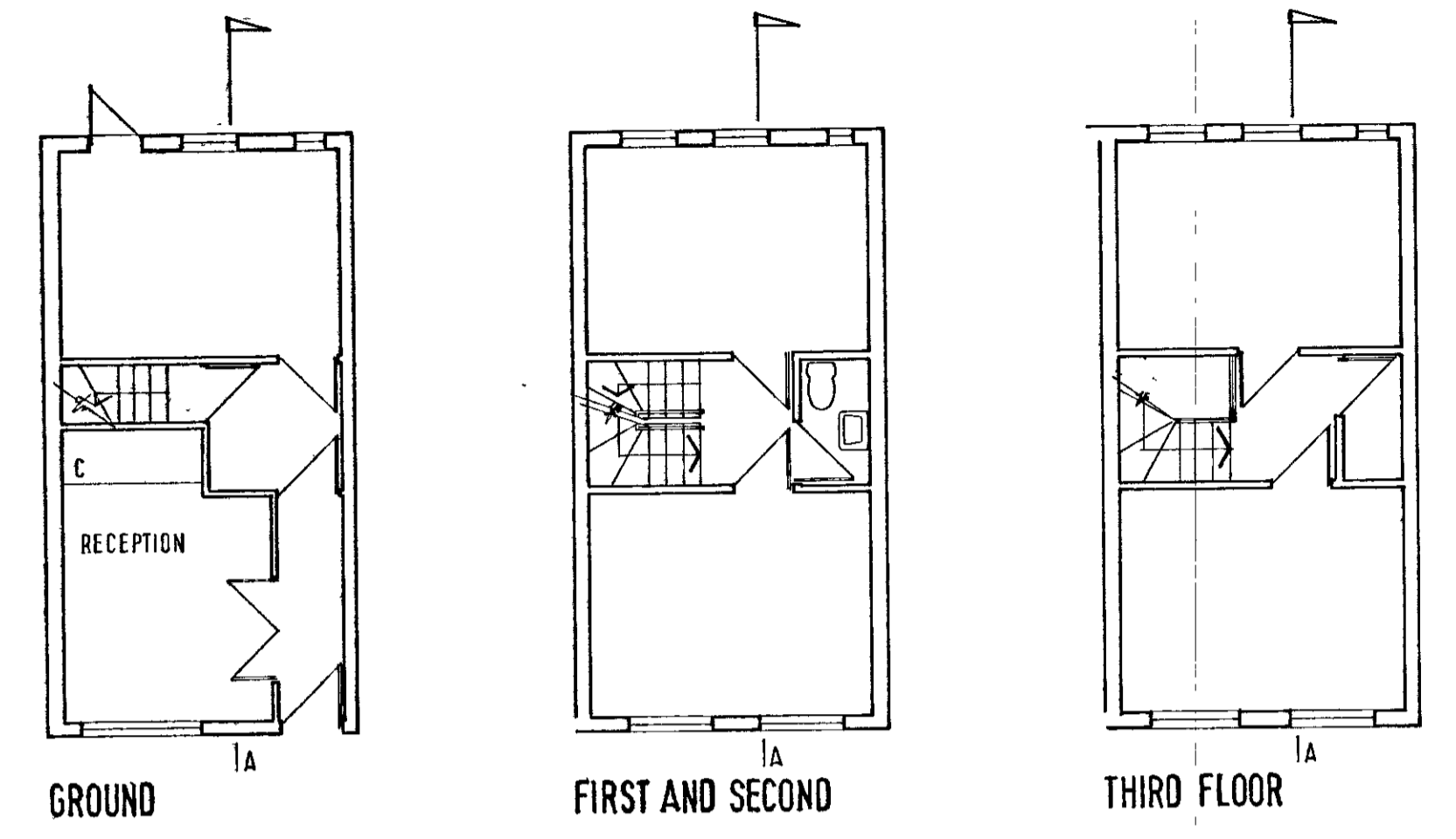
Job
HORTENSIA RD
 RECEIVED BY
 DIRECTORATE OF
ELEVATIONS
 TRANSPORTATION
 PLANNING
 8 MAR 1988
 Drawn ON Date
FEB 88

Drawing No
HTN/01/67
 Scale
1:100

1F8E0632

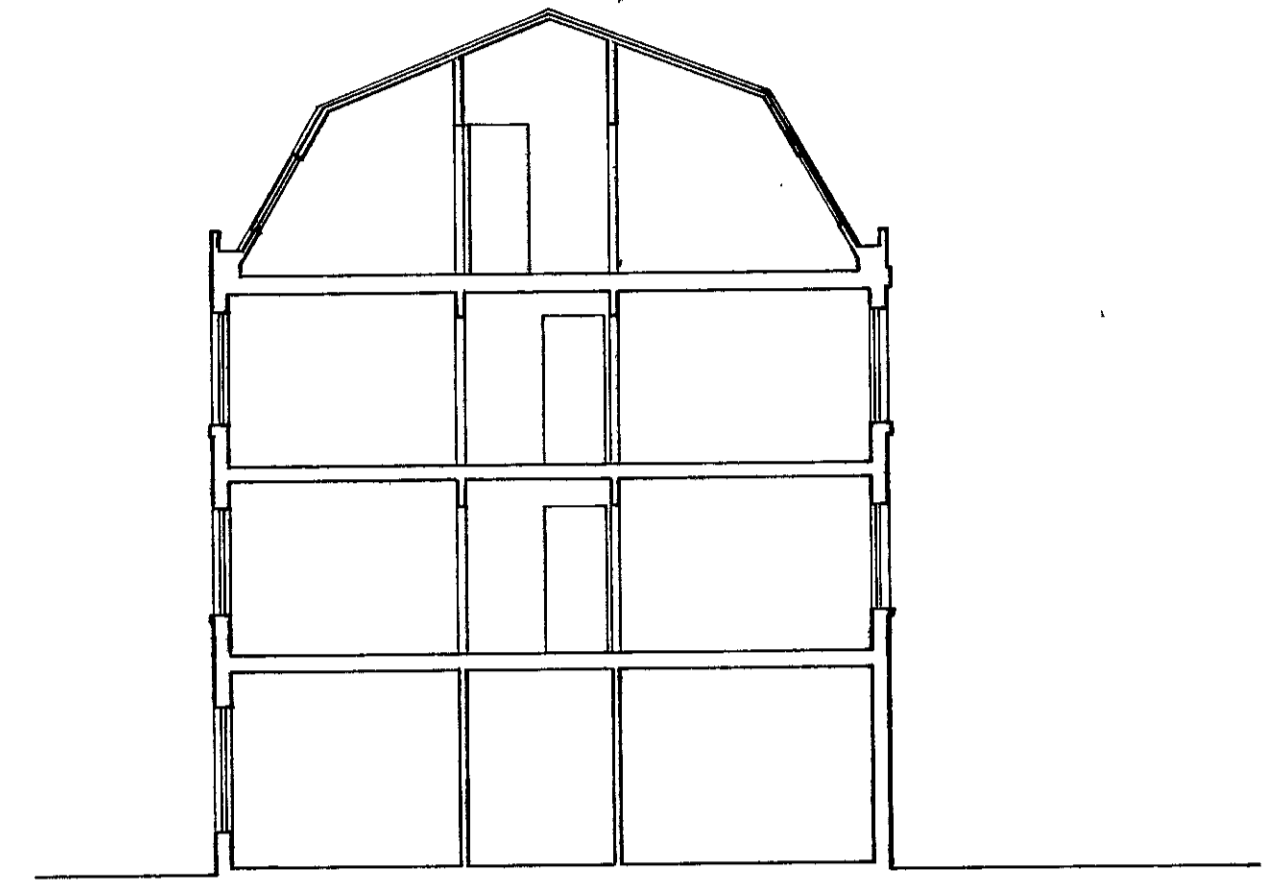
This drawing must not be scaled.
Figured dimensions, levels, etc, only
are to be used
Any inaccuracies, etc must be
notified to the Architect
This drawing is copyright
Detail drawings and larger scale
drawings take precedence over
smaller scaled drawings

no	date	revisions

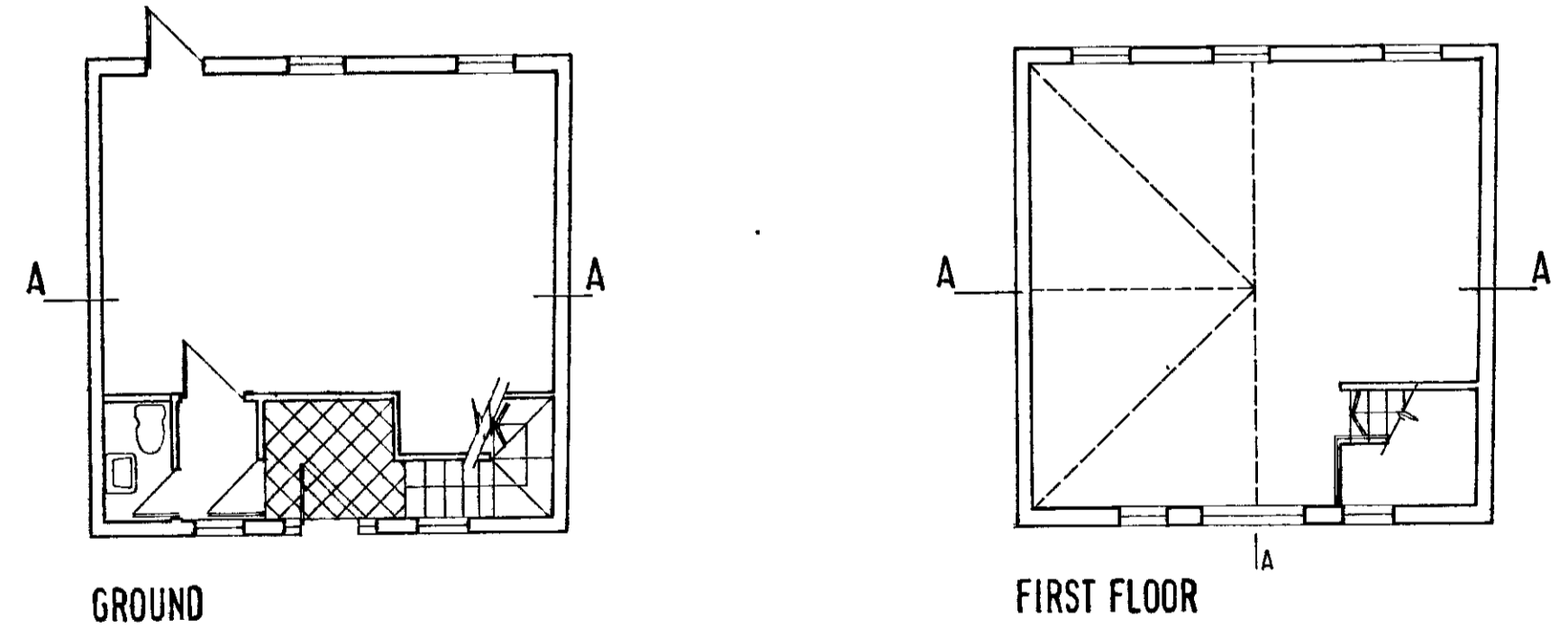


GROUND
FIRST AND SECOND
THIRD FLOOR

TYPE ONE

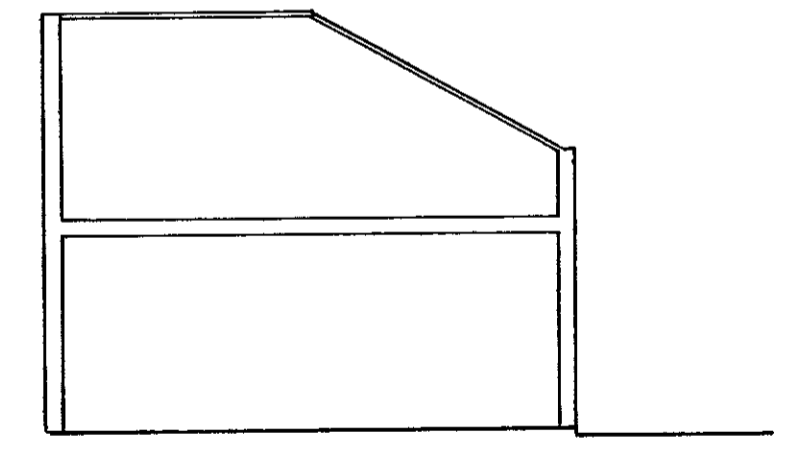


SECTION A-A

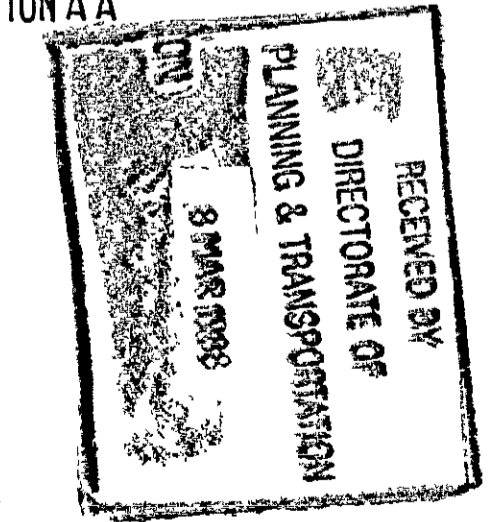


GROUND
FIRST FLOOR

TYPE TWO



SECTION A A



110000632

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

Job
HORTENSIA RD.

Title
B1 OFFICES

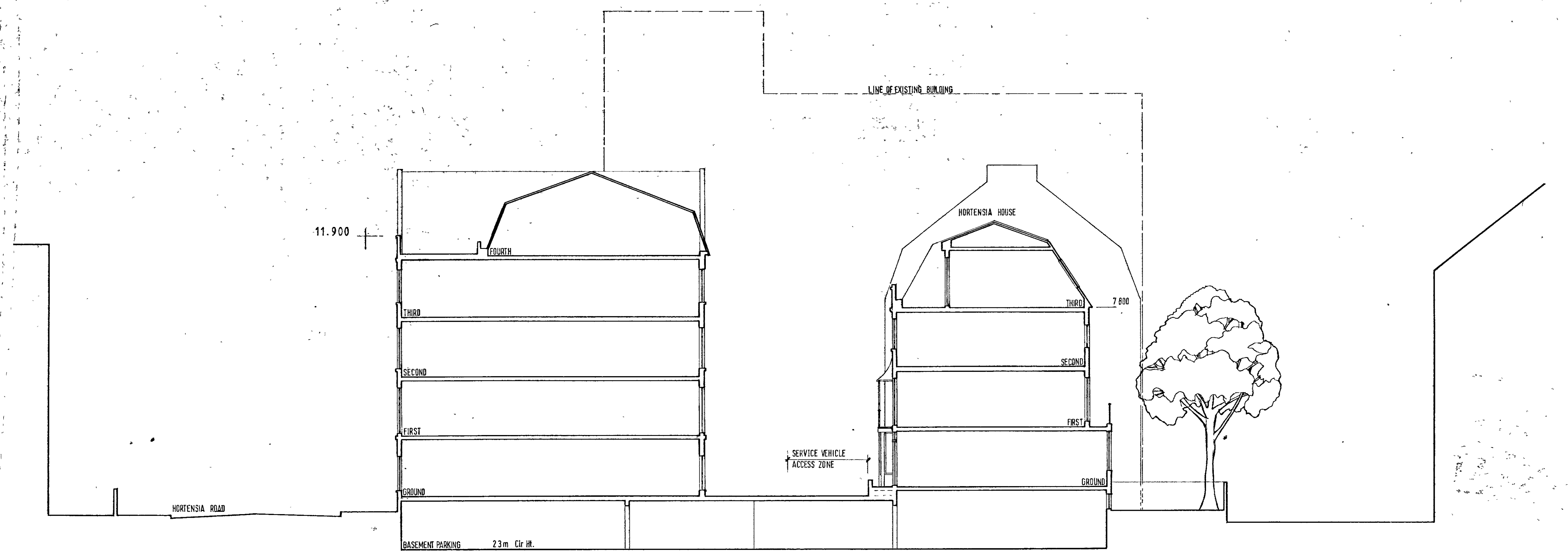
Drawn
Date
FEB 88

Drawing No
HTN / 01 / 65

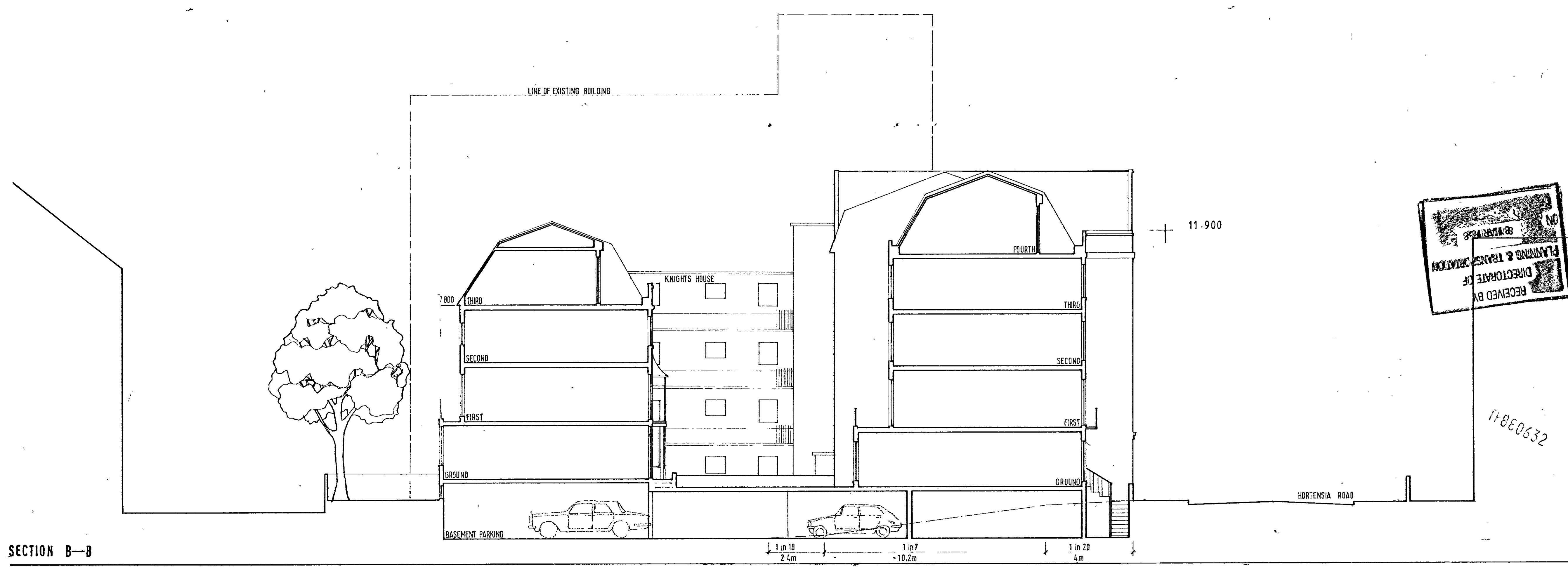
Scale
1:100

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.

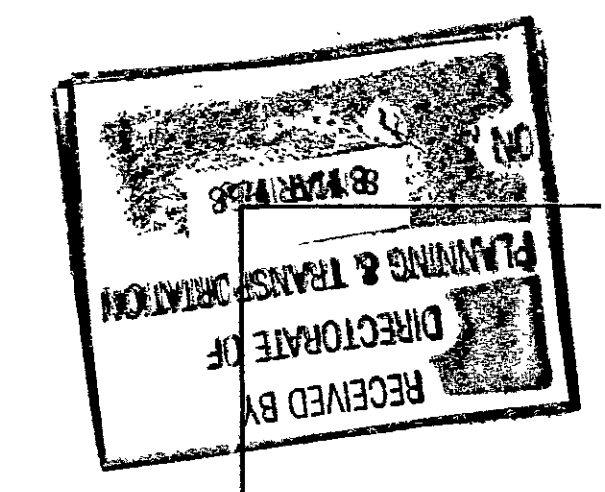
no	date	revisions



SECTION A-A



SECTION B-B



11860532

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay Gwynedd SA28 5JZ
 London 01 638 2464

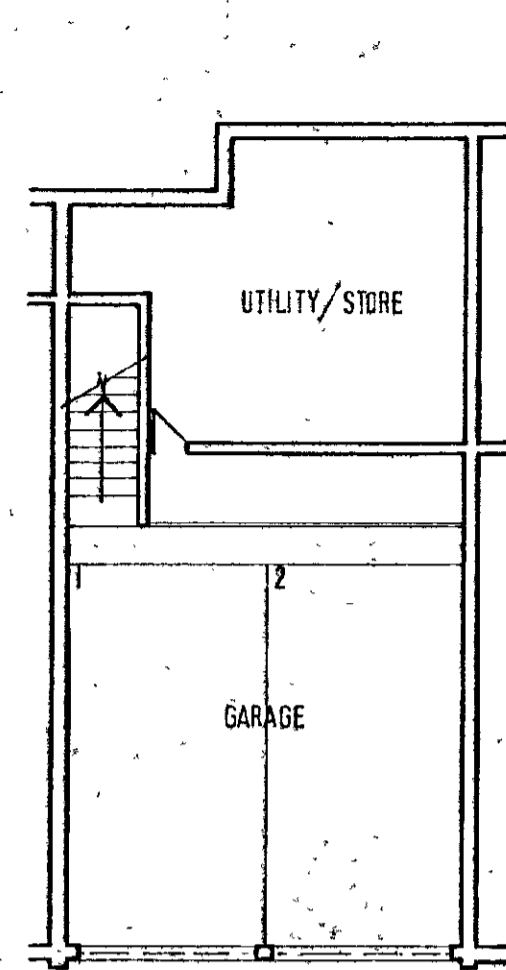
Job
 HORTENSIA RD.

Title
 SITE SECTIONS

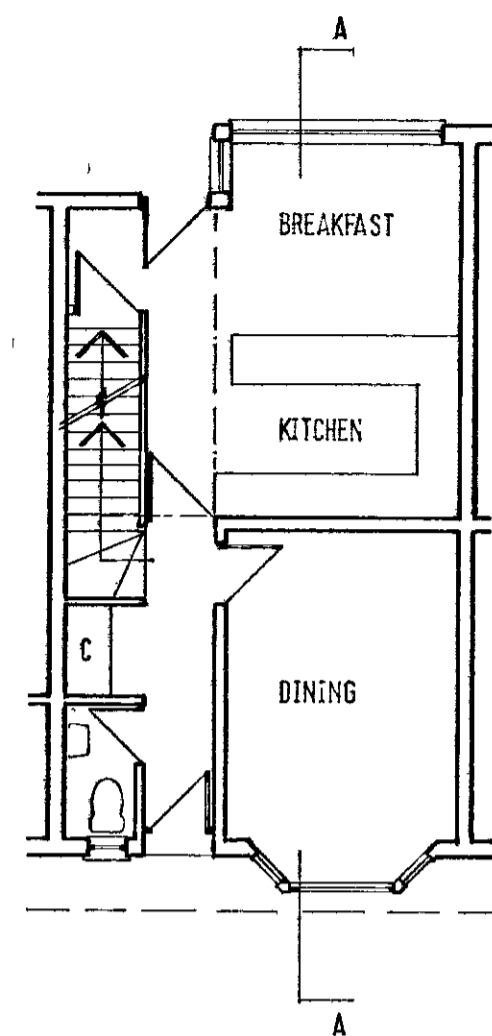
Drawn
 Date
 FEB 88

Drawing No
 HTN/01/66

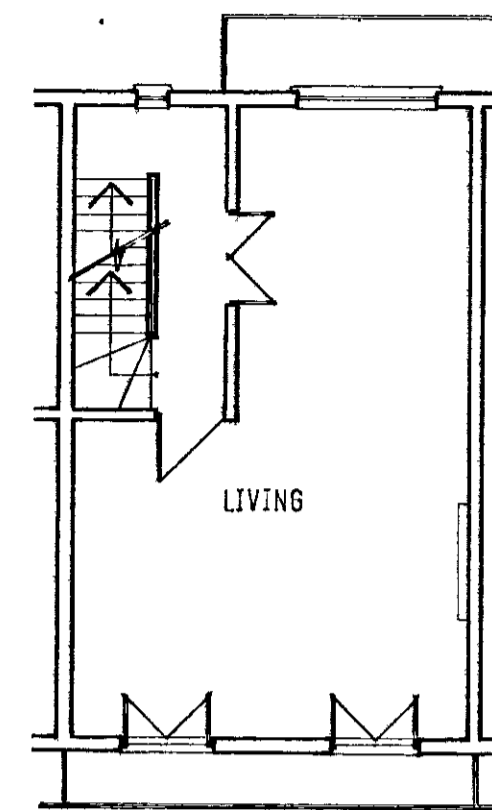
Scale
 1:100



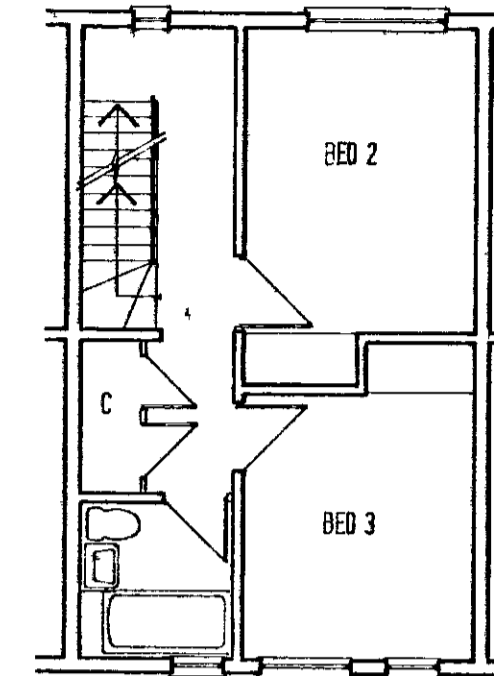
LOWER GROUND FLOOR



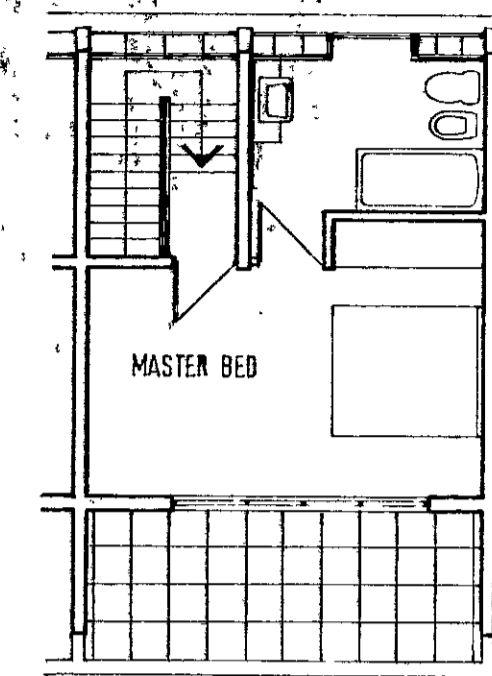
GROUND FLOOR



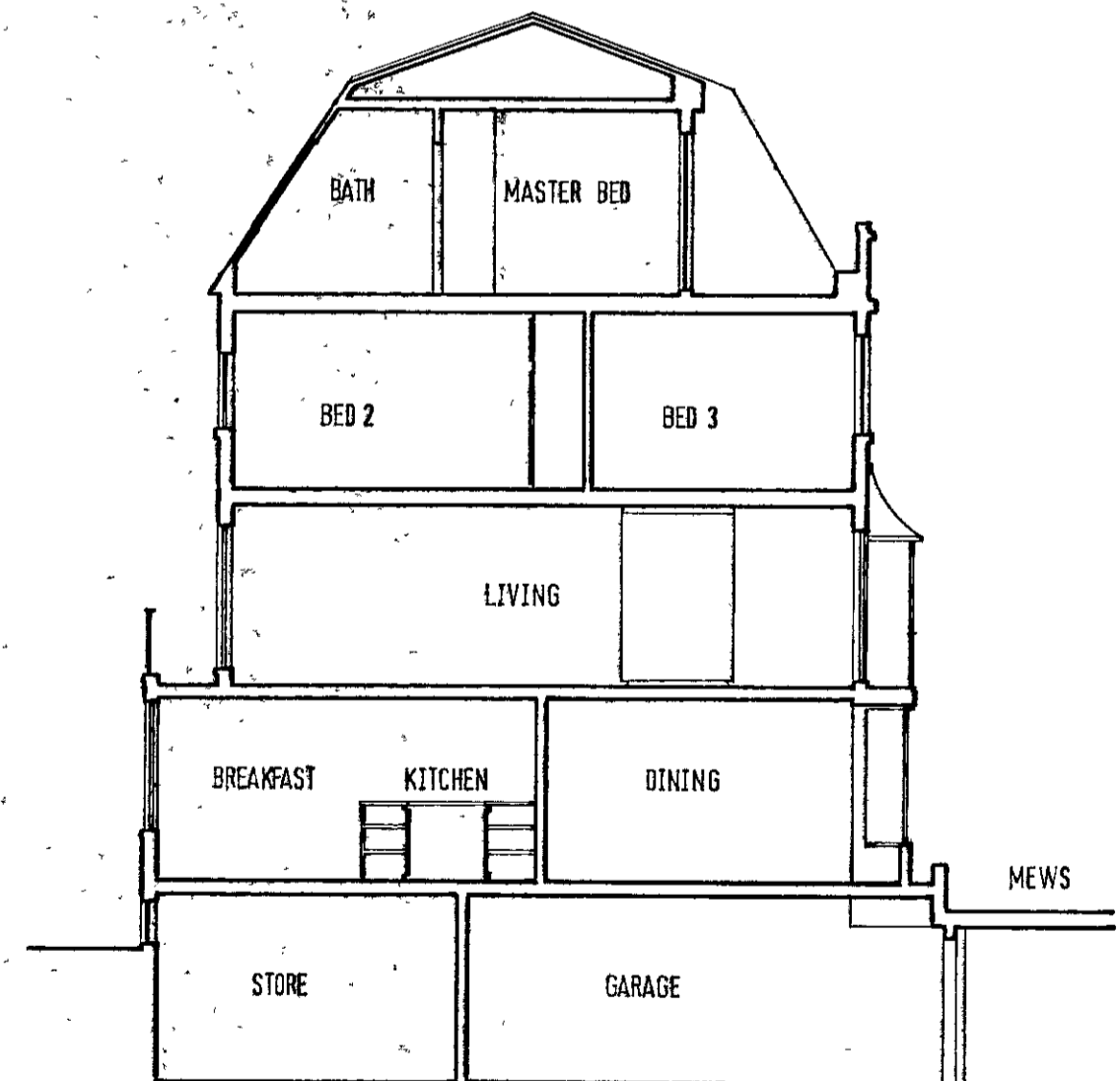
FIRST FLOOR



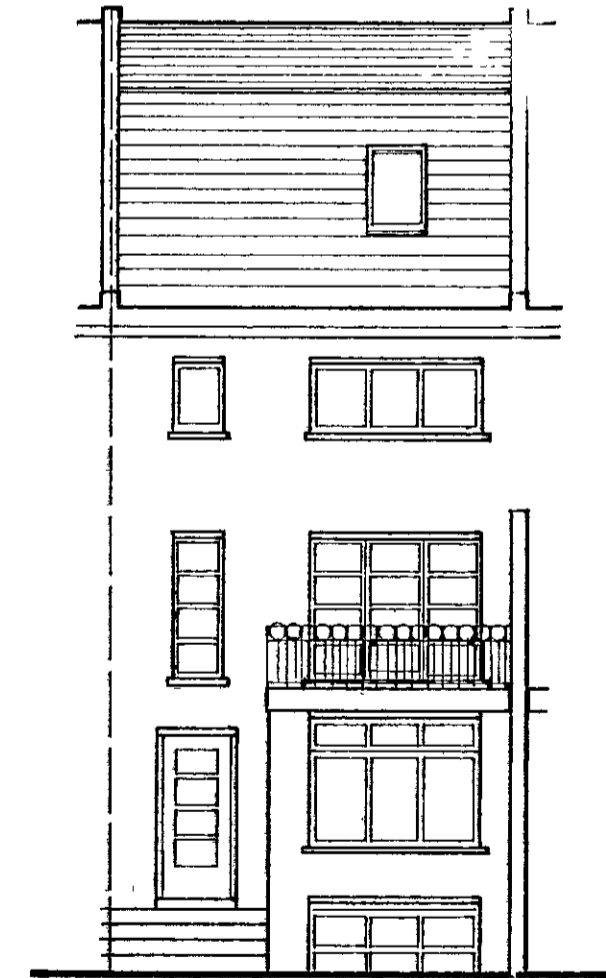
SECOND FLOOR



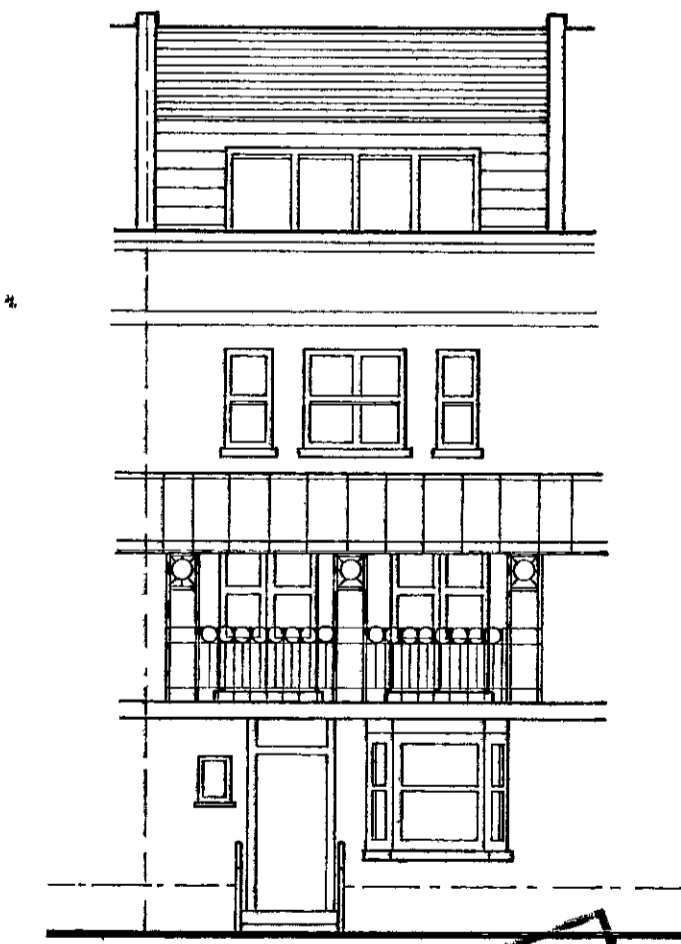
THIRD FLOOR



SECTION A A



REAR ELEVATION



FRONT ELEVATION

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

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532735 | London 01 838 2464

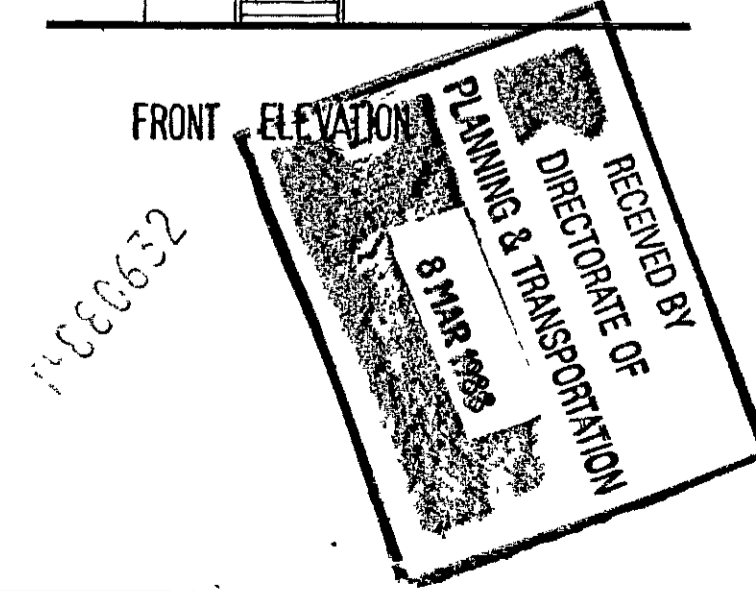
Job
 HORTENSIA RD.

Title
 HOUSE TYPE A

Drawn
 Date
 FEB '88

Drawing No
 HTN/01/64

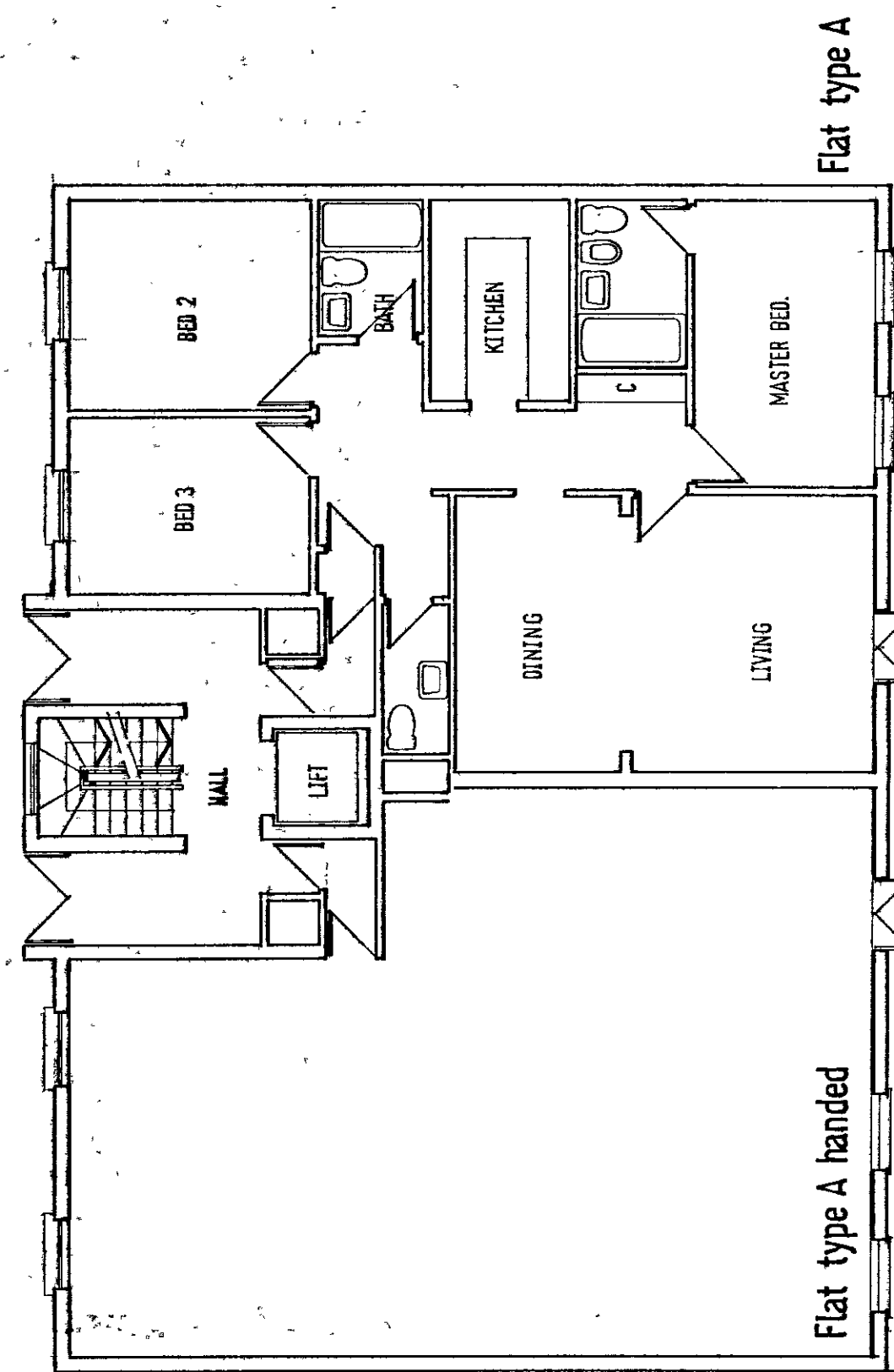
Scale
 1:100



TP/29/2137 (154)

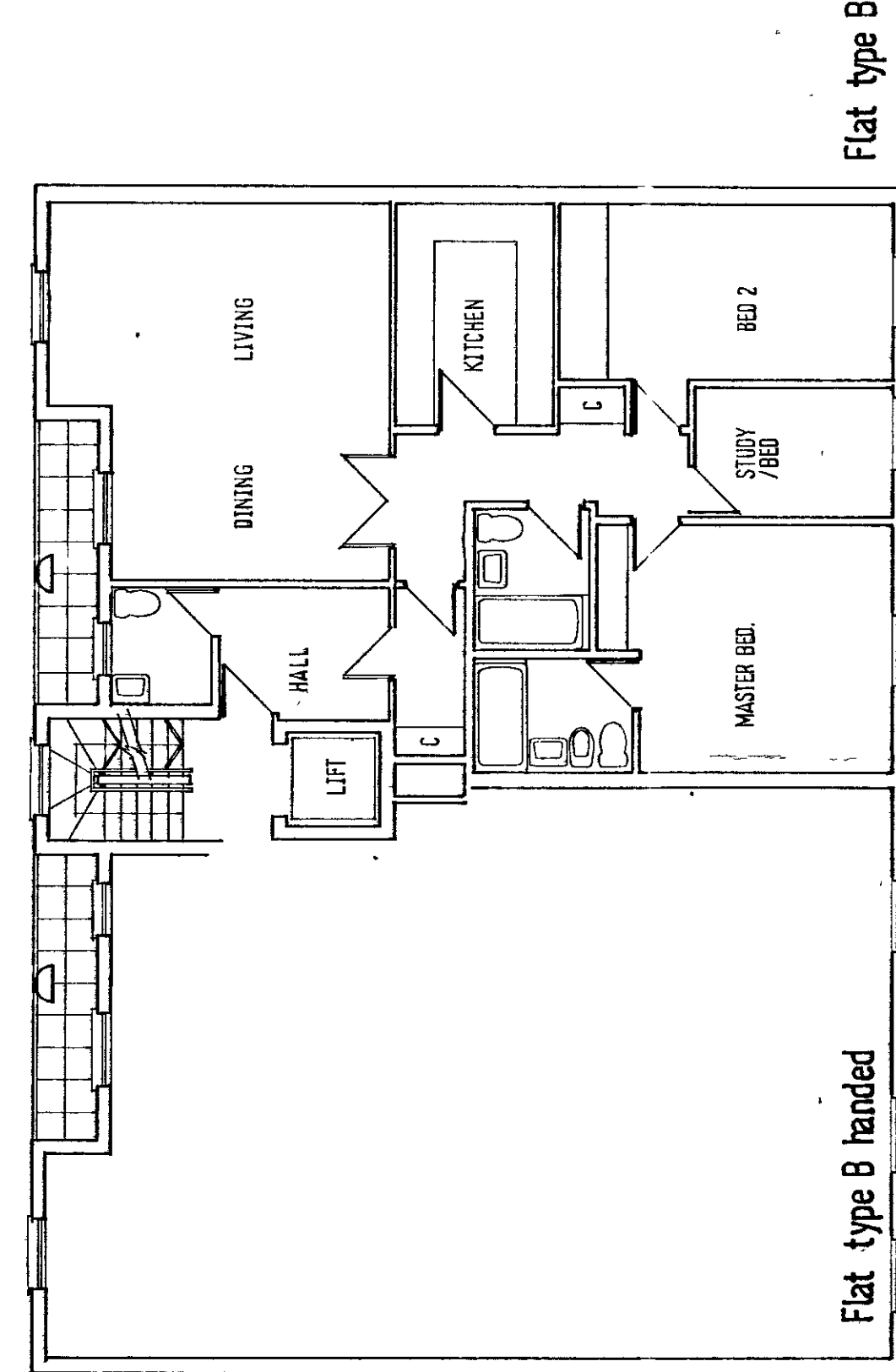
This drawing must not be scaled.
 Figured dimensions, levels, etc. only
 are to be used
 Any inaccuracies, etc. must be
 notified to the Architect
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings

no	date	revisions



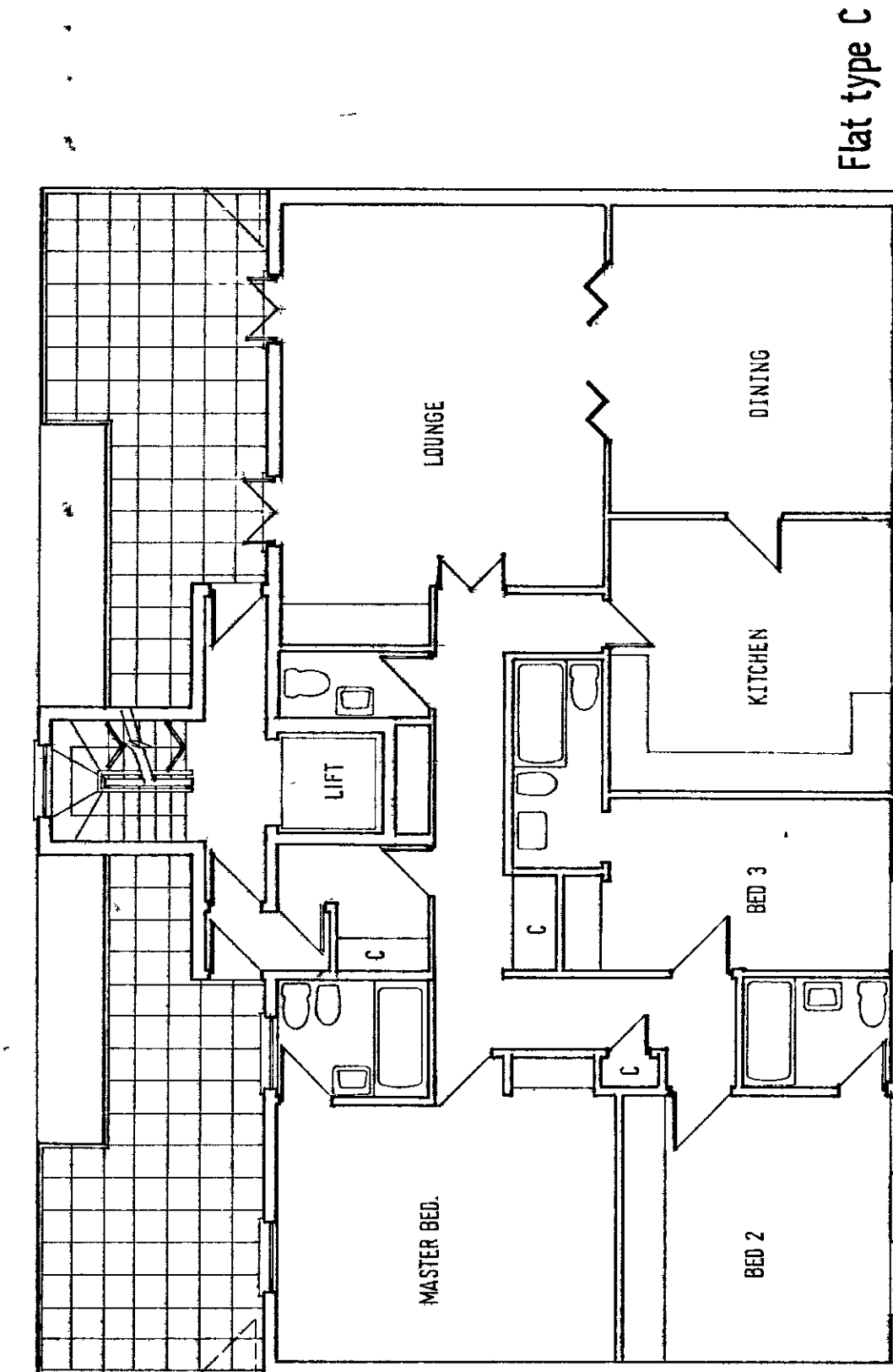
Flat type A

Flat type A handed



Flat type B

Flat type B handed

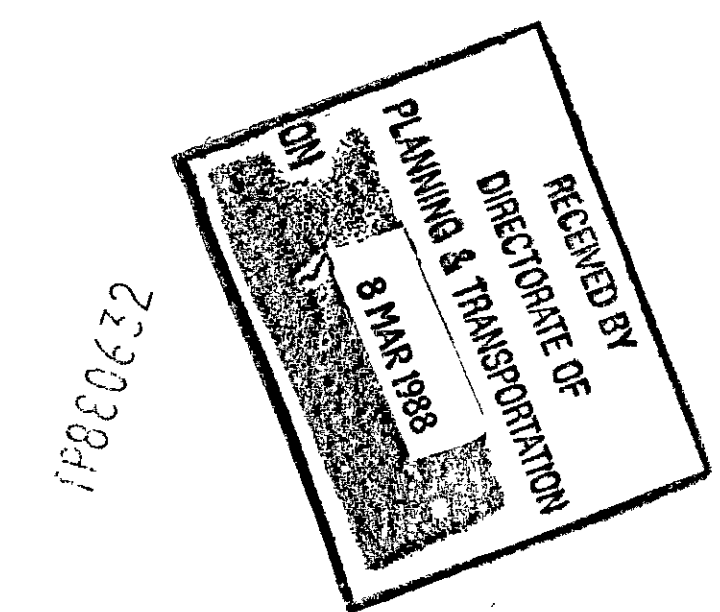


Flat type C

GROUND FLOOR

FIRST
SECOND
& THIRD FLOORS

PENTHOUSE



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

Job
HORTENSIA RD.

Title
FLAT PLANS

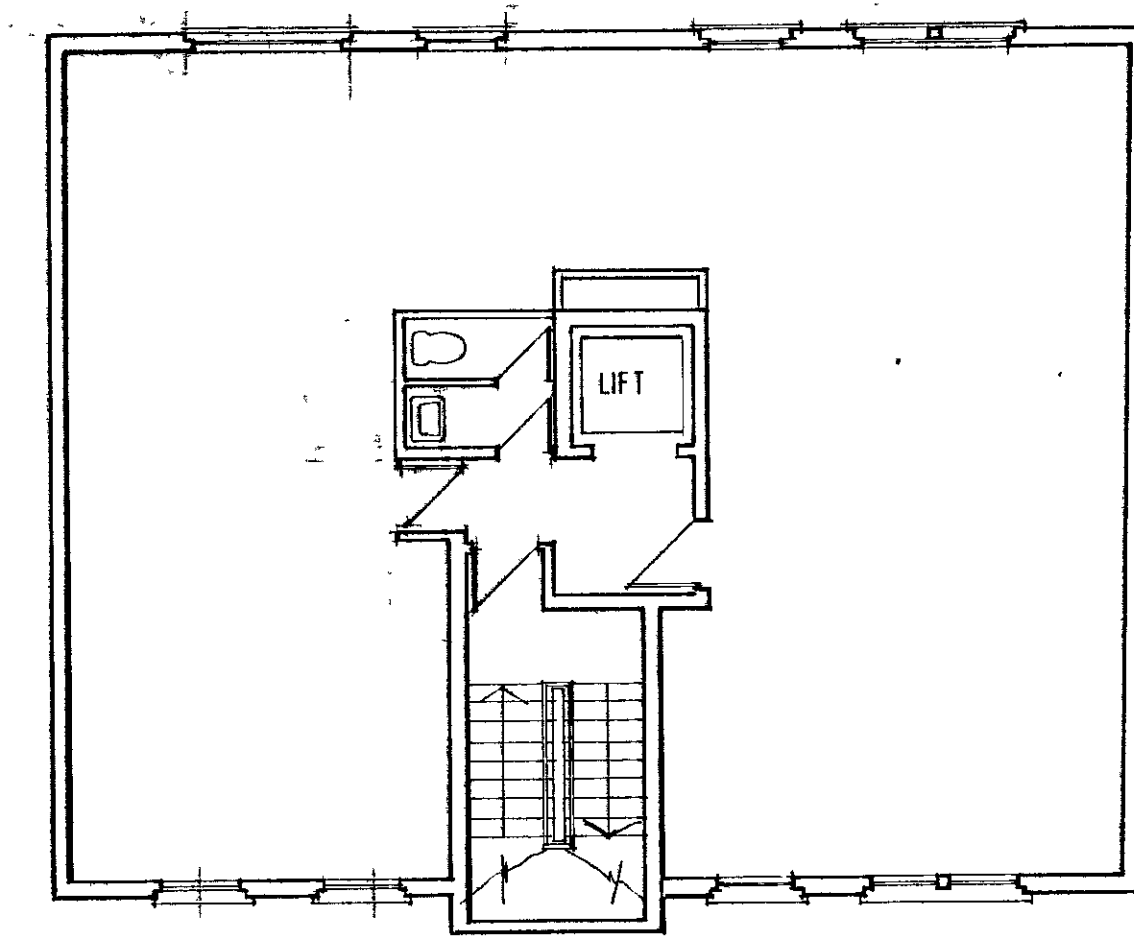
Drawn Date
FEB '88

Drawing No
HTN / 01 / 61

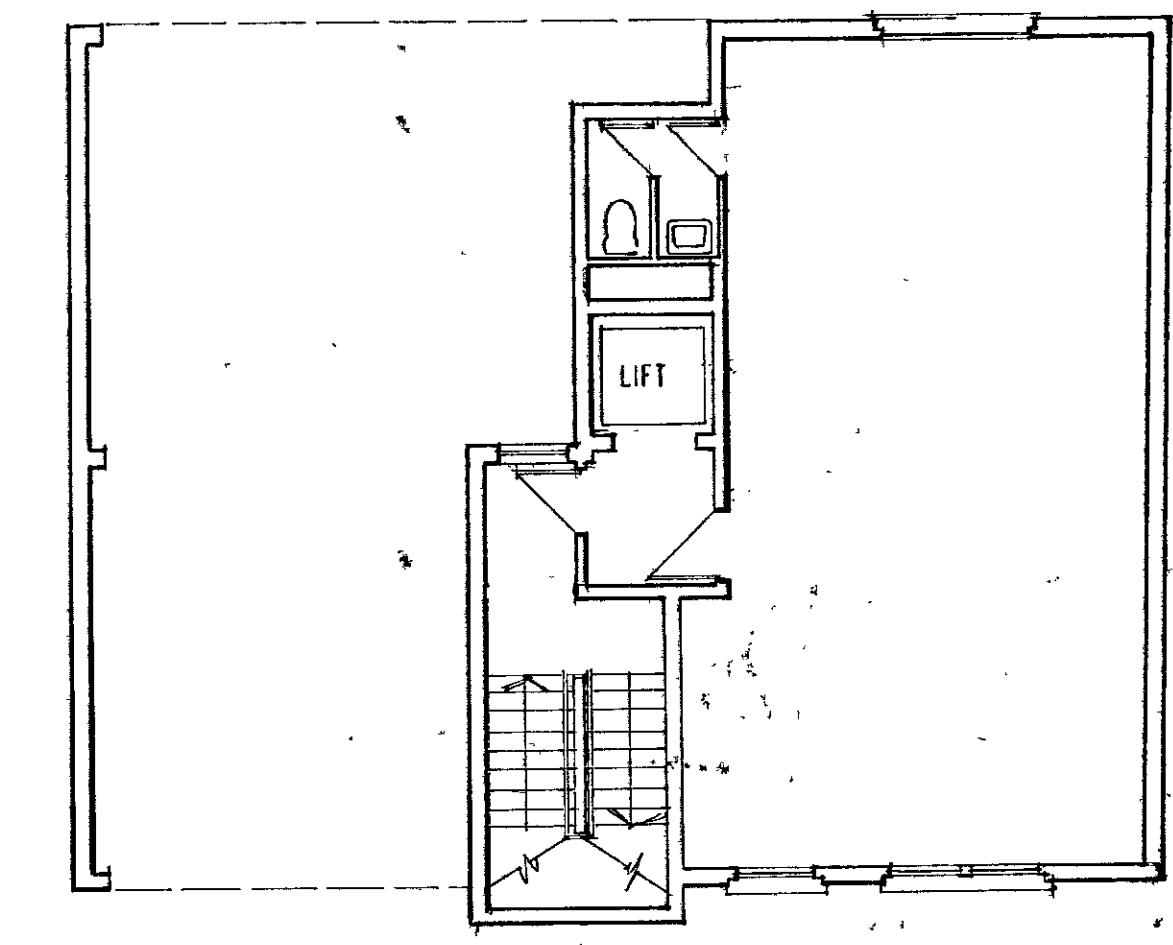
Scale
1:100

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.

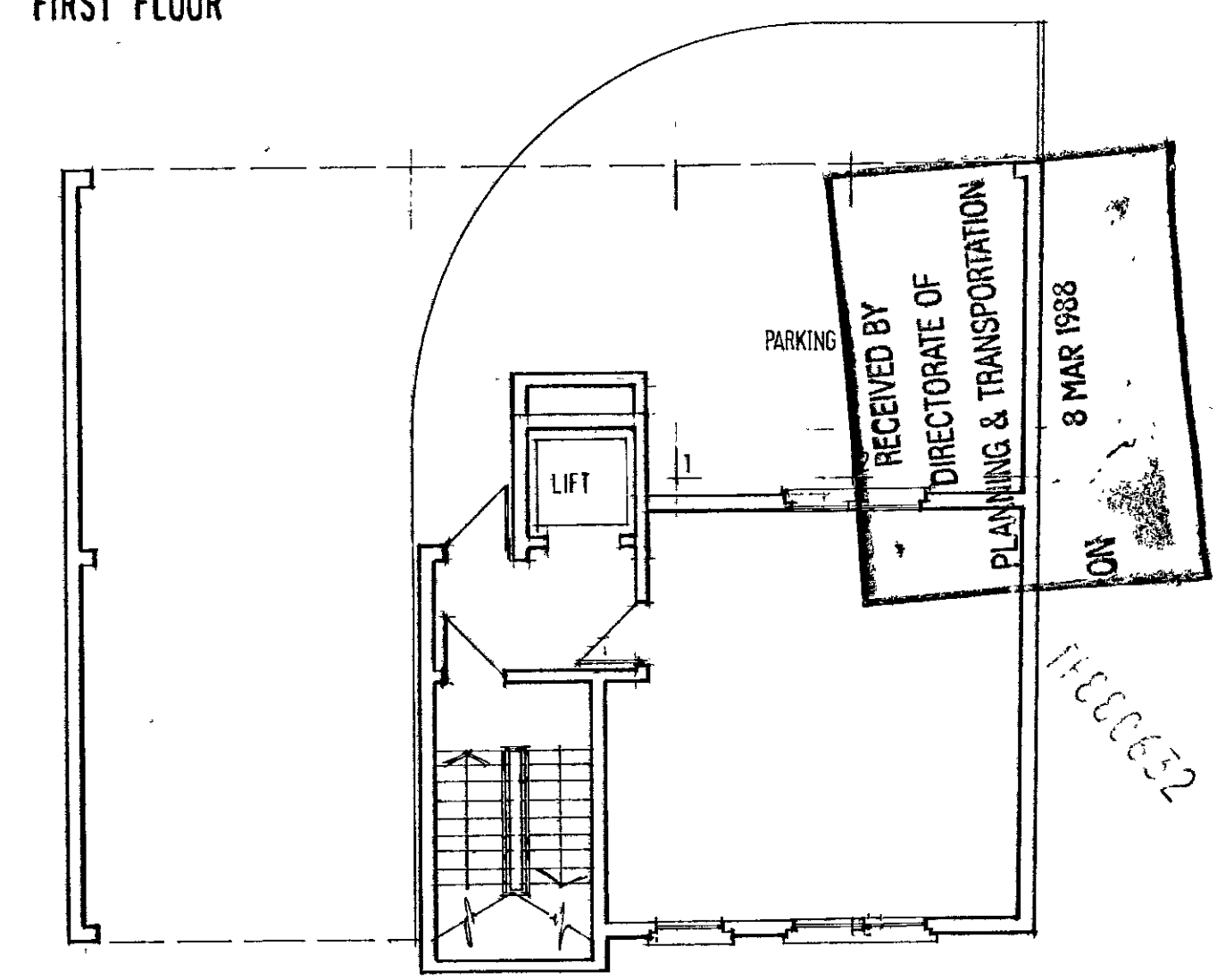
no	date	revisions



SECOND & THIRD FLOOR



FIRST FLOOR



GROUND FLOOR

RECEIVED BY
 DIRECTORATE OF
 PLANNING & TRANSPORTATION
 8 MAR 1988

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532708 01 938 2464

Job
HORTENSIA RD

Title
**B1 OFFICES
 TYPE 3**

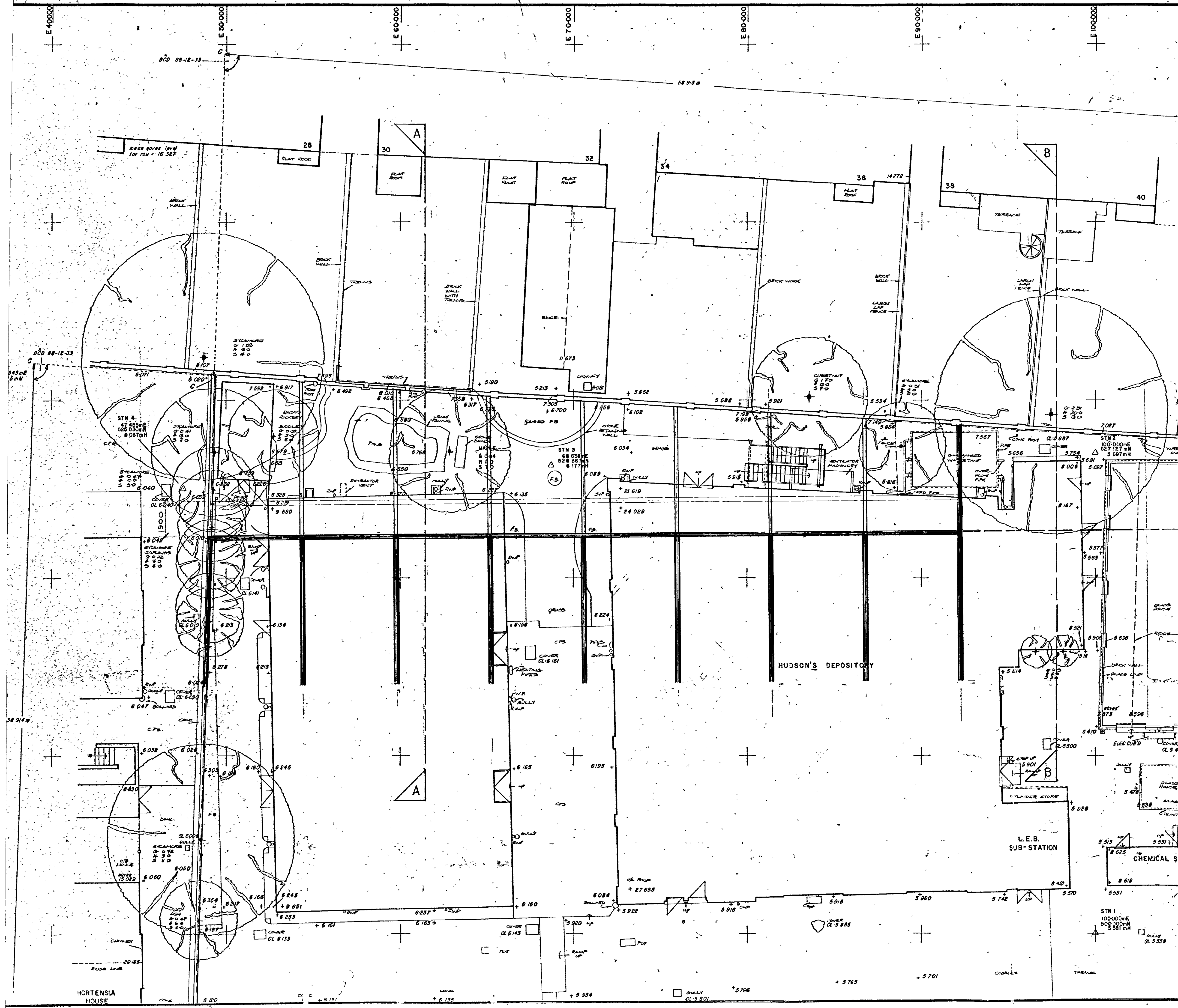
Drawn Date
 FEB '88

Drawing No
HTN/01/54

Scale
1:100

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	2/1/99	SECTION LINES ADDED.



RECEIVED BY
DIRECTORATE OF
PLANNING & TRANSPORTATION
22 SEP 1988

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning & Landscape Consultants
Colwyn Bay London
0492 532738 01 838 2464

Job
HORTENSIA RD.

Title
PART-SITE PLAN

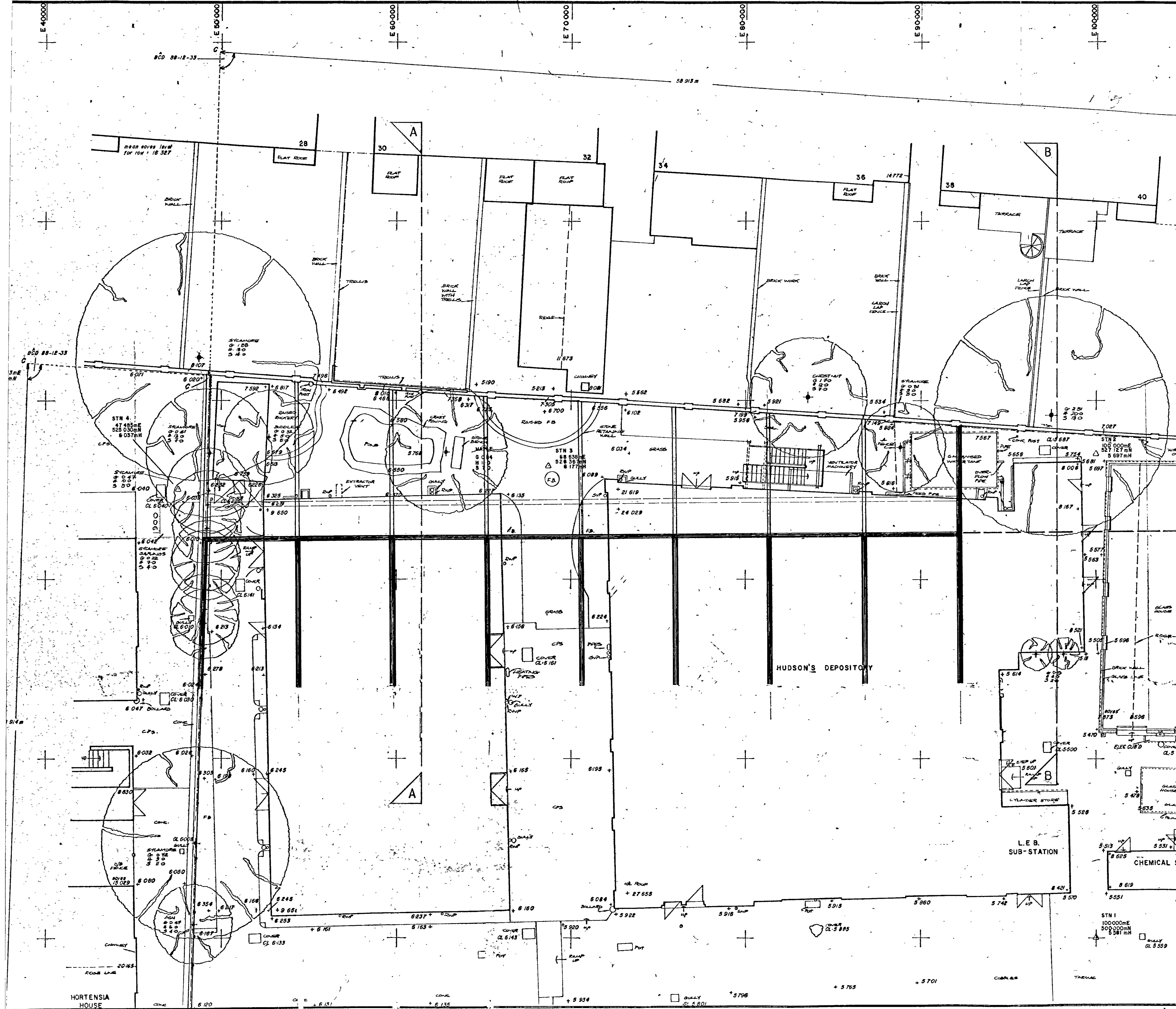
Drawn
8-88

Drawing No
HTN/01/107

Scale
1:100

TP8/0633/1

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	2/1/88	SECTION LINES ADDED

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay London
0492 532735 01 938 2444

Job
HORTENSIA RD.

Title
PART-SITE PLAN

Drawn
HTV01/107

Date
8-88

Scale
1:100

RECEIVED BY
DIRECTORATE OF
PLANNING & TRANSPORTATION
22 SEP 1988

TP/89/2137/B

TP/89/2137
(158)



A2 A2 A1 A1 A1 A1 A2 A2

MEWS TERRACE SOUTH-WEST ELEVATION

Handwritten signature

CF&P
Colwyn Foulkes and Partners
Chartered Architects
Planning and Landscape Consultants
Colwyn Bay Londen
0492 532735 01 938 2484

Job
HORTENSIA. RD.

Title
MEWS ELEVATIONS

Drawn DM	Date 14 9 88
-------------	-----------------

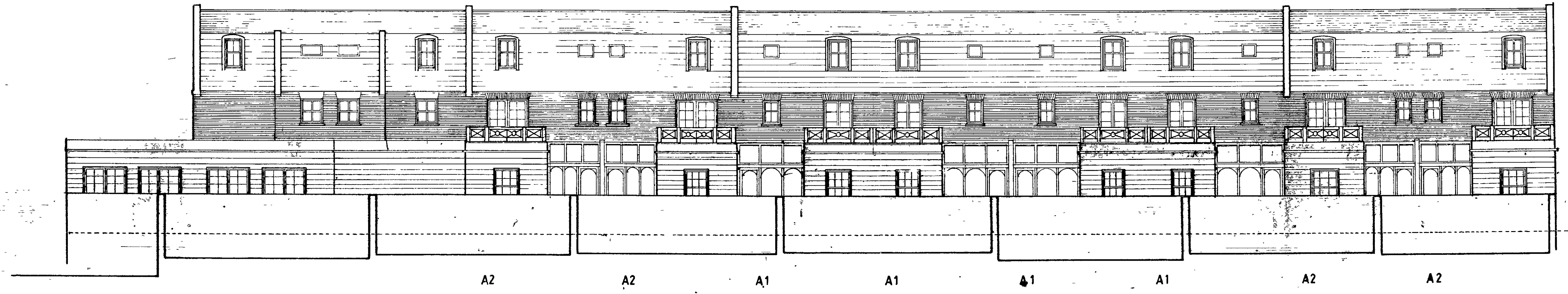
Drawing No
HTN/017103^B

Scale
1:100

TP/189/2/37
 159

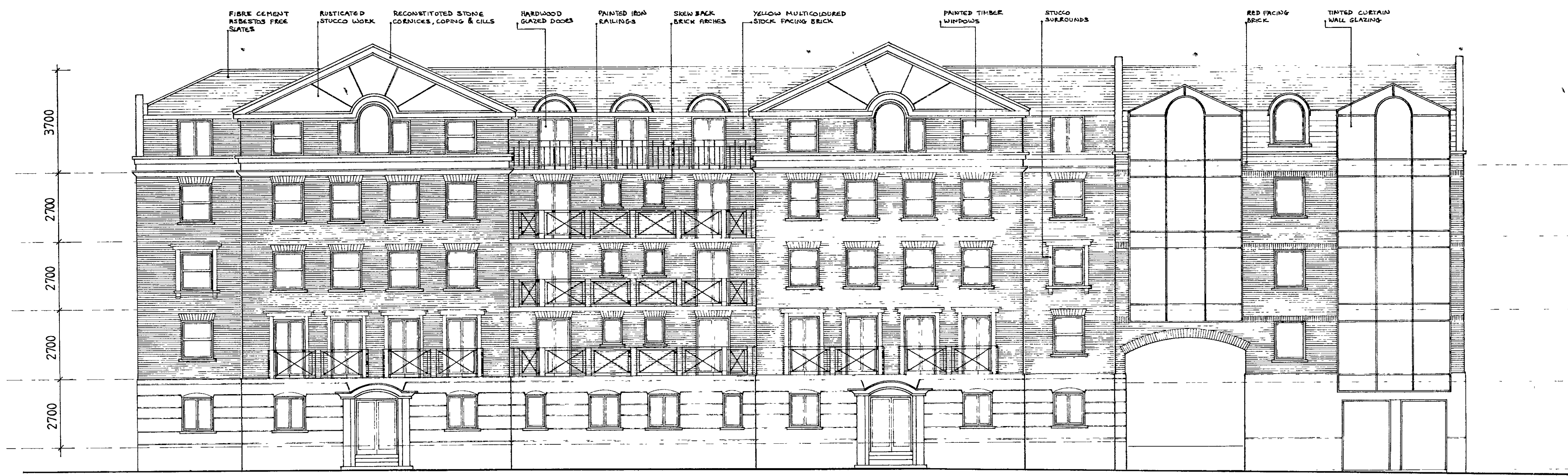
This drawing must not be scaled
 Figured dimensions, levels, etc, only
 are to be used
 Any inaccuracies, etc, must be
 notified to the Architect
 This drawing is copyright
 Detail drawings and larger scale
 drawings take precedence over
 smaller scaled drawings.

no	date	revisions
A	NOV 77	OFFICE... ENT... CON... LOC... AM... ALTERED ON FRONT ELEVATION
B	DEC 86	NEW FRONT ELEVATIONS 10 HOUSES INSERTED ARCHES PUT ON CONSERVATORIES + BACK RAILINGS ALTERED



MEWS TERRACE NORTH-EAST ELEVATIONS

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	14/3/89	FINAL WORK SET - 10 NUMBERED PAID DRAWING (1/2/89)

CF&P
Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay 0492 532725 | London 01 838 2454

Job
HORTENSIA ROAD

Title
ELEVATIONS

Drawn
 Date
MAR 89

Drawing No
HTN/01/101

Scale
1:100

RECEIVED BY D. P. T.
 17 MAR 1989

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



SECTION LINES REFER TO
 DRAWING NO HTN/01/96

CF&P
 Colwyn Foulkes and Partners
 Chartered Architects
 Planning and Landscape Consultants
 Colwyn Bay London
 0492 532735 01 938 2484

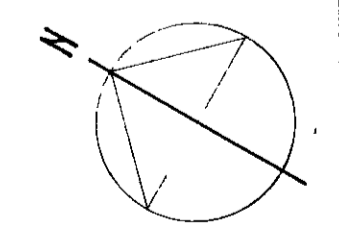
Job
 HORTENSIA RD.

Title
 SITE PLAN

Drawn Date
 MAY 88

Drawing No
 HTN / 01 / 105

Scale
 1:200



TP880633

DEVELOPMENT AT CHELSEA COLLEGE SITE, HORTENSIA ROAD, CHELSEA

Objectors Submissions for placement before Town Planning Committee on

30th May 1990

Attached are detailed submissions on behalf of Mr. N. Stoop and the other affected residents (See Appendix 1) in respect of the current application by the Developers for a revised scheme of development at the above site.

The proposals are wholly unacceptable to the residents constituting as they do an over-intensive use of the site in conflict with the Council's own environmental policies (See Appendix 2), creating adverse affects on adjoining properties in terms of sunlight/daylight overlooking and privacy. The proposals have also caused concern to local amenity bodies (Appendix 3).

There has been a singularly unfortunate planning history to this site which has led the residents to believe that their interests have not to date been adequately considered or protected (Appendix 4).

To the extent that the Committee should have regard to the existing consent dated the 24th October 1988 it should be borne in mind that this was for "demolition of existing building and erection of 12 houses 9 flats and 600 square metres of office floor space" (subsequently revised to 675 square metres and fresh Decision Notice dated the 22nd December 1988). To the extent that the "approved" plans showed further buildings these were highly misleading.

The residents have received the Opinion of leading Counsel (Appendix 5) which confirms what is understood to be the Council's own advice as the extent to which the existing consents are relevant to the present application.

It is submitted that the Committee have a completely free hand to consider this matter anew and to reach a decision based upon all the

evidence having regard to the planning merits alone (Section 3 Appendix 2). In particular the Committee should have regard to the advice obtained from an acknowledged light expert (Appendix 6) in conjunction with the discrepancies upon the plans (Appendix 7).

The Committee have a unique opportunity to consider the application in the knowledge of the resultant effects and the impact of such a development upon the locality bearing in mind that the developers have continued to build "at risk" notwithstanding the lack of consent for their current proposals. Those of the Committee who have not seen the impact are therefore urged to inspect the site and relevant photographs are also attached for their convenience (Appendix 8).

The Objectors have no wish to be obstructive for its own sake and would accept a scheme which retained the front block at its original height (See Appendix 7) and the rear eight houses and which stipulated that there should be no other development on the site and in particular that the structures at the rear adjoining 38-42 Gunter Grove should be demolished and that no other buildings be erected (Paragraph 4.2 Appendix 2). In view of the unfortunate history it is submitted that any such arrangements should be enforced by means of a binding planning agreement.

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously deminish the residential nature of the area.

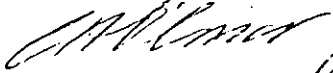

NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P. J. FINCH	43 HORTENSIA	P J Finch
TIM WYATT	54 Hortensia Rd	T. Wyatt
MICHAEL DENNIS	53 HORTENSIA	M Ed Dennis
EJ DENNIS	" "	EJ Dennis
S.R. Cross	55 HORTENSIA HOUSE	S. Cross
R CROSS	55 HORTENSIA HSE	R Cross
J Skaffington	52 Hortensia Hse	J Skaffington
Yvonne Georgian	48 HORTENSIA HSE	Yvonne Georgian
E GEORGIOU	→ 54	E Georgiou
P Hyiano	46 HORTENSIA	P Hyiano
M. Kelleher	44 HORTENSIA HSE	M Kelleher
S. GILLEN	41 " "	S. Gilen
M. Fernandez	49 " "	Maria Fernandez
A FERNANDEZ	49 " "	A Fernandez
M. Dainty	51 " "	M. Dainty
M. Wyatt	54 Hortensia Hse	Mary Wyatt

LOCAL COMMUNITY PETITION OF OBJECTION

APRIL 7, 1990

We the undersigned wish to register our objections to the proposals for the redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents' homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large office content which will exacerbate the problems already mentioned and seriously diminish the residential nature of the area.

NAME	ADDRESS	SIGNATURE
C O'CONNOR	56 HORTENSIA HSE. RD.	
G. G. O'NEILL	56 HORTENSIA	

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
MRS. B.A. STOOPE	42A GUNTER GROVE	<i>B.A. Stoop</i>
MISS S.L. COLLINGS	42/1 " "	<i>S.L. Collings</i>
MRS. M.C. KAYLEY	38a " "	<i>M.C. Kayley</i>
<i>N. Kelly</i>	36A Gunter Grove	<i>Naima Kelly</i>
<i>J. Healy</i>	36C GUNTER GROVE	<i>J. Healy</i>
<i>K. Healy</i>	36C GUNTER GROVE	<i>K. Healy</i>
<i>J. Healy</i>	36C Gunter Grove	<i>J. Healy</i>
<i>D. Bourguignon</i>	3A Gunter Grove	<i>D. Bourguignon</i>
<i>R. Atkinson</i>	10 GUNTER GROVE	<i>ROBERT ATKINSON</i>
VERONICA HALL	40A GUNTER GROVE	<i>Veronica Hall</i>
<i>Patricia Coe</i>	40B GUNTER GROVE	<i>PATRICIA COE</i>
ELIZABETH HIGGINSON	40B GUNTER GROVE	<i>Elizabeth Higginson</i>
NICK STOOPE	42A GUNTER GROVE	<i>Nick Stoop</i>

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
Kathleen Crosse-Kelly	30 Gunter Grove SW 10	Kathleen Crosse-Kelly
Prudence Maxwell	30 Gunter Grove SW 10	Prudence Maxwell
J.B. Thomas	30 Gunter Grove SW 10	J.B. Thomas
Jeremy Jones	30 Gunter Grove SW 10	Jeremy Jones
JOHN PATERSON	28 GUNTER GROVE SW 10	John Paterson
Jo Copping	24 Gunter Grove SW 10	Jo Copping
Unita Saini	3 Edith Terrace SW 10	Unita Saini
Semanta Kuzone	304 Fulham Rd, SW 10	Semanta Kuzone
Arabella Barton	3 Edith Terrace	Arabella Barton
CAREY SCOTT	304 Fulham Rd.	Carey Scott
G. Williams	24 GUNTER GROVE	G. Williams
P MOTT	26 GUNTER GROVE	P Mott

5th April, 1990

We the undersigned wish to register our objections to the proposed redevelopment of the Chelsea College site for the following reasons:

1. The buildings are too high and too close to residents homes and gardens, robbing them of sunlight, daylight, peace and privacy.
2. Such a dense development of the site will inevitably lead to an increase in the terrible traffic and parking problems already suffered by the local community.
3. We object to the large proposed office development which will exacerbate the problem already mentioned and seriously diminish the residential amenities of the area.

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1. Knights Home Hortensia Rd. SW10	Neil Ribbons
S. Wysocka	Studio 2. Knights Home Hortensia Rd. SW10	Wysocka
C. Sharp	10 Knights House Hortensia Road SW10	C Sharp
Mr. Mrs Sutton	9 KNIGHTS HSE HORTENSIA RD SW10	R Sutton L. Sutton
Mr R. Barratt	1 Knights House Hortensia Rd Kulham. SW10	R. Barratt
Mrs Lawless	5 Knights Hse.	Mrs Lawless
A. Fowler	15 Knights House	M Fowler
M. Fowler	15 Knights House	Jean Kohler
Jean Kohler	16. Knights Hse	D. Burridge
D. Burridge	13 Knights House.	L. Barrett
S. Barrett	19 Knights House	R L. Barrett
L. Barrett	19 Knights House	F. J. M. Barrett
Mr & Mrs R.L. Barrett	11, Knights House. S.W.	D. Kohler
Edgar Kohler	16 Knight's House	

APRIL 7, 1990

RE: PROPOSAL FOR THE REDEVELOPMENT OF THE CHELSEA COLLEGE SITE.

We the undersigned hereby authorise Mr Nick Stoop to make representations on our behalf to the Royal Borough of Kensington and Chelsea in order to resist this unacceptable development.

HORTENSIA
HOUSE

NAME	ADDRESS	SIGNATURE
M LABINGER	45 HORTENSIA RD	M Labinger
P J FINCH	45 HORTENSIA RD	P Finch
J. M. WYATT	54 HORTENSIA RD	J M Wyatt
M DENNIS	53 HORTENSIA RD	M Dennis
E J DENNIS	" "	E J Dennis
S.R. CROSS	55. HORTENSIA HOUSE	S Cross
R CROSS	" " "	R Cross
T. GEORGIOU	48 HORTENSIA HSE	Teresa Georgiou
E GEORGIOU	59 57	E Georgiou
P Hyland	46 HORTENSIA HSE	P Hyland
M. KELLEHER	44 HORTENSIA HSE	M. Kelleher
S. Allen	41 " "	S. Allen
M. FERNANDEZ	49 " "	Marie Fernandez
A FERNANDEZ	49 " "	A Fernandez
M. Dainty	51, " "	M. Dainty
M Wyatt	54 Hortensia Hse	Mary Wyatt
C O'CONNOR	56 " " "	C O'Connor
G B ORGILL	56 " " "	G B Orgill

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.



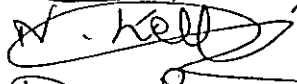

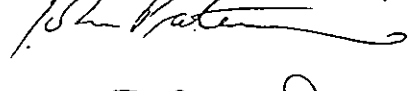



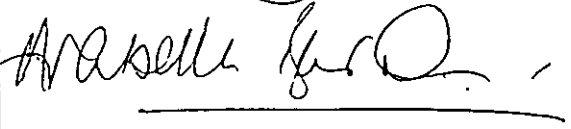


KNIGHT'S HOUSE,
HORTENSIA ROAD

NAME	ADDRESS	SIGNATURE
H.I. RIBBONS	Studio 1. Knight's House Hortensia Rd. London SW10.	<i>H.I. Ribbons</i>
S. Wysocka	Studio 2. Knight's House Hortensia Rd SW10	<i>S. Wysocka</i>
C Sharp	10 Knights House Hortensia Rd, SW10	<i>C Sharp</i>
MR. M.A.P. Stratton	9 KNIGHTS HSE HORTENSIA RD SW10	<i>R Stratton</i>
G.R. BARRATT (MRS)	1 Knights House Hortensia Road Fulham London SW10	<i>L. Stratton</i> <i>Gladys R. Barratt</i>
M. Lawless	5 Knights HSE	<i>M. Lawless</i>
R. FOWLER	15 Knights House	<i>R. Fowler</i>
M. E Fowler	15 Knights House	<i>M. Fowler</i>
Jean Kohler	16. Knight's House	<i>Jean Kohler</i>
J. Burbridge	13 Knights House	<i>J. Burbridge</i>
S. Baxter	19 Knights House	<i>S. Baxter</i>
L. Baxter	19 Knights House	<i>L. Baxter</i>
Mr & Mrs R.L. Barrett	11, Knight's House Hortensia Rd S.W.10	<i>R.L. Barrett</i> <i>F.L.M. Barrett</i>
Edgar Kohler	16 Knight's House	<i>E. Kohler</i>

5th April, 1990

Regarding the proposals for the redevelopment of the Chelsea College site, we the undersigned hereby authorise Nick Stoop to make representation to the Council on our behalf in order to resist this unacceptable development.

GUNTER GROVE

NAME	ADDRESS	SIGNATURE
Mrs. B.A. Stoop	42 ^A GUNTER GROVE	
Mr Collins	42 " "	
Mrs M.C. KAYLEY	38A " "	M.C. Kayley
Naime Kelly	36A " "	
D. Bourguignon	8A Gunter Grove	
JOHN PATERSON	28 GUNTER GROVE SW10	
VICTORIA SAULT	3, Edith Terrace SW10	
Sawada Kizome	304 Fulham Rd, SW10	
	3 Edith Terrace SW10	
CAREY SCOTT	304 Fulham Rd. SW10	
P MOTT	26 Gunter Grove	

APPENDIX 2

THE CHELSEA COLLEGE SITE
(FORMER HUDSON' DEPOSITORY-CARLYLE PLACE)
HORTENSIA ROAD, CHELSEA

REPORT FOR THE CONSIDERATION OF THE PLANNING COMMITTEE

BY E.A. POWDRILL and ASSOCIATES

1. NATURE OF OBJECTION

1.1 The buildings now in course of erection are in breach of current planning standards, and are contrary to the environmental and conservation aims of the Borough Council's District Plan. Insofar as there are any sustainable permissions in respect of these buildings, they have been obtained against a background of confusion of details, errors of judgement and technical analysis, errors of fact, misinterpretations, and deliberate breaches of planning control. The Objection sets out these matters in detail, and the Objectors recommend that the two current planning applications (TP/89/2137/A/03 and TP/90/0296/A) be refused, and that the two enforcement notices of 31 October 1989 be revised to accord to the present circumstances, and to be re-issued forthwith.

2. PLANNING HISTORY

2.1 A schedule of planning applications, together with some brief details is attached.

2.2 The original applications submitted in March 1988 (632/A/20 and 633/A/21 and 633/A/27). They comprised 12 houses, 9 flats and 694 sq metres of office space. The residential accommodation comprised two blocks, one fronting Hortensia Road, with the other block of 8 houses immediately behind along the boundary with Gunter Grove houses. The office development was at the southern end of each block.

2.3 Applications 1410 and 1410A were submitted as duplicates in June 1988, and were virtually identical to 0632/A/20 except that the rear block of houses was one storey lower, while the office development was larger at 767 sq metres. The overall density was much the same.

2.4 The planning applications were properly and comprehensively criticised by the council's planning officers, and they were recommended for refusal in the reports to Committee. The section of the Committee Reports headed "REASONS FOR REFUSAL" cited the excessive density, which would lead to a bulky, intrusive and cliff-like overdevelopment of the site. Also mentioned was the infringement of council policies and standards, particularly with regard to loss of sunlight and privacy.

2.5 The Committee Reports regarding 1410 and 1410A were almost identical to those for 632/A/20. The report to the Committee of 30 August 1988, relating to 1410A, reads as follows:

104^A Garden wall incorrectly shown on 104 as a 14.5m. ^{credited to 13m.}
Set SS
105^A Section AA & BB shown on 104^A were added to the plan for clarity

Revised appeal - height, massing & siting.
pugilistic amenities of adjacent residents
Contrib to a N^o of homes

4.15. relevant

4.6.1. residential scale

4.9.2. " " "

4.10.1 - sufficient daylight

4.10.2 - " " sunlight

4.10.3 - effect on neighbours privacy

5.6.4 - density standards - more up to 350 h.v. h. (140 h.p.a.)

"This proposal should be treated in a similar way to the duplicate applications submitted in March 1988 because the overall density of the development proposed is similar."

The reduction of part of the site by one storey was considered to reduce the extent to which the proposals contravened Council standards and policies.

2.6 Against this background, it was quite extraordinary that permission was recommended for the 633/A/37 proposals. This scheme was similar to 1410 in that it comprised the reduced rear block. However, council standards and policies were still infringed, a point that was made clear in the 1410 reports, wherein the changes were not considered sufficient to alter the recommendation for refusal.

No decision taken -

2.7 The 633/A/37 scheme incorporated an increase in density over the previous proposals, both in terms of the residential density and the size of the proposed office development. The residential density was increased from 570 to 670 habitable rooms per hectare, while the size of the proposed office development (although stipulated in the application as 694 metres) was shown on the drawings as 1180 sq metres. However, the officer's report recommended permission for the 633/A/37 scheme on the basis of there being only 600 sq metres of office floorspace, and planning permission was duly granted by the Sub-Committee on 13 October 1988. The decision letter of 24 October 1988 specified the size of the permitted office development as being 600 sq metres. However, the plans listed in the letter were not the same as those listed in the Report to the Committee; the office drawings had been subsequently amended.

2.8 Application 1410, with 767 sq metres of office space, was then re-submitted, but was again recommended for refusal. The report to the Committee of 22 November 1988 gave exactly the same reasons for refusal as had been given earlier. The Report recognised that permission had been granted for a similar scheme (633/A/37), but pointed out that this 1410 application was for a larger office development (767 sq metres) - larger, that is, than the 694 sq metres, with no reference to the 1180 sq metres.

No decision offered

2.9 Shortly after the failure of 1410, a new Decision letter was sent out with respect to Application 633/A/37. This new letter "amended" the permitted office floorspace from 600 to 675 sq metres. This decision does not appear to have been taken by the Planning Committee.

Non-mention of office

2.10 On 31 October 1989, two enforcement notices were served on the developers. One concerned a breach of planning control by carrying out building operations consisting of the erection of 12 houses, 9 flats and 675 sq metres of office floorspace otherwise than in accordance with the planning permission dated

S.O. 47 to improve the aforementioned notices
done by Chairman's action 12/4/90

Next sub - Cttee was 24/4/90

Main Cttee 13/3/90 No further Main Cttee till
~~25/4/90~~ 9/7/90 after the P.I. report 26/6/90

No objection on office grounds

Wpts Council to ~~Adm~~ office

22 December 1989 (633/A/37). The breach of planning control occurred by erecting a structure adjoining the boundary wall of residential properties in Gunter Grove higher than that permitted, and on Hortensia Road the building was moved further forward than that which was permitted, and by building in breach of Condition 8 of the permission. The other, dealing with the same application (633), alleged a breach of planning control by the developers not building in accordance with Conditions 2 (facing materials), 5 (landscaping) and 10 (access ramp).

2.11 These two enforcement notices were withdrawn by the officers (not the Committee) under Standing Order 47, although the breaches of planning control have not been remedied. This procedure was adopted because of the unexplained "urgency" for withdrawal, and in the knowledge that there was a sub-committee meeting the following day or day after. Moreover, although some of the matters referred to in the Notices were subsequently thought to be unenforceable, other matters were, but they are all now withdrawn without proper comment.

3. MATTERS OF CONCERN IN RESPECT OF CURRENT APPLICATIONS

(a) Office Floorspace

3.1 The Objections relate to the two current applications 89/2137 and 90/0296/A.

3.2 It is to be noted that 694 sq metres of office floorspace in applications 632/A/20 and 633/A/21 were refused on matters of environmental policy, and that 767 sq metres of office floorspace in applications 1410 and 1410A were refused for the same reasons. Although 694 sq metres were specifically applied for in application 633/A/37, the report to the Committee only specified 600 sq metres by reference to the architect's revisions to the drawings; it was then changed without Committee approval to 675 sq metres, both 600 and 675 sq metres being permitted on separate dates (24.10.88 and 22.12.88).

3.3 The present position is that the December 1988 permission (633/A/37) specifically limited the office content of the proposals to 675 sq metres. How this application came to be permitted in defiance of the borough council's own environmental policies is a mystery, particularly as the special benefits claimed in respect of the application were insufficient in themselves to overrule adopted and otherwise firmly-held environmental policies, as made manifest in the several comprehensive refusals and breaches of planning control.

3.4 It is now being claimed at para.8.6 of the March Committee report that although the December 1988 notice of permission specifically referred to 675 sq metres that can only be used for office purposes by reference to the nature of the permission, the larger envelope was also permitted even though its use was excluded from the permission. This reasoning appears to be incorrect. This is unfortunate, because the

report that was placed before the Committee on 24 April 1990, and which seemingly still holds good, clearly gave the impression to the Committee that 1110 sq metres of office floorspace had previously been permitted, when the Committee itself had only permitted 600 sq metres. The grounds for contesting this reasoning area as follows.

11?

3.5 The question of 675 sq metres did not appear in the planning officer's report of 23 September 1988, which report determined the October 1988 permission; the figure in that report was 600 sq metres, although the application proposed 694sq metres. The decision notice was subsequently amended to 675 sq metres in the December 1988, and the applicants must have been aware that the figure actually proposed by them was of the order they had meant to be the case for the whole site in the application (stated to be 694 sq metres). The Committee could have been in no doubt, therefore, that at its 13 October 1988 meeting, it was permitting 600 sq metres as shown on revised drawings; the increase to 675 sq metres was made by officers, and was not the subject of a committee decision. The figure of 600 was the subject of measurement by a planning officer, but the fact that the officer's measurements were incorrect in relation to the larger area shown on the plans (but not the application) cannot discount the basis on which the Committee unwittingly granted permission. It is now misleading for the Committee to be led to believe that in October 1988 it was really permitting almost twice the amount (1180 sq metres) for the reason that the plans showed a greater area.

3.6 In this context, Section 33(2) of the 1971 Act states that if no purpose for a building is specified in the application, the permission shall be construed as including permission to use the building for the purpose for which it was designed. Prima facie, this would appear to support the "envelope" theory, because, the drawing, showed the envelope to be larger than the permitted 675 sq metres of December 1988, namely, 1110 sq metres. But that is not so.

3.7 The purpose and size of the office building in application 633/A/37 was specified - 694 sq metres of B1, in the application but 600 sq metres in the officer's report to Committee. It was subsequently amended to a final 675 sq metres without, so far as I am aware, Committee approval. The act of designating the proposed office floorspace by a specific quantum thereby excluded any consideration of any additional unspecified floorspace shown on the drawings. The "envelope" theory can only hold good if no quantum had been specified in the application, but the amended permission made it absolutely clear that only 675 sq metres was the limit for such consideration. This important point was confirmed in the analysis of the 1410 application which was refused because, inter alia, the 767 sq metres was larger than that permitted by the committee of 600 sq metres. The larger envelope shown on the drawing therefore has no permission by reference to the circumstance of the case, and the drawings cannot be put superior to the notice of decision. Furthermore, the minutes of the Committee meeting of 13 March 1990 reveal the borough

Number in offices:

Recommended density guidelines

Could be up to 350 h.r.h. @ 140 h.r.a.

Calculated @ 2580 sq.m.

His req. - 2001
offices - 613
2614 sq.m.

Higher densities are permitted in certain areas Map S.2. - this is one of them

No max. room size - only a min. of 13 sq.m

council's seeking of Counsel's Opinion which was reported verbally to the Committee by the borough solicitor on the validity of there being only 675 sq metres office floorspace in the 1988 permission (633/A/37), but there was no reference in that opinion (so far as can be deduced) to the "envelope" being permitted; yet that incorrect approach is still being maintained.

675qm

3.8 What the Committee is now being asked to consider in 2137 is the granting of permission to a large-scale office development (1180 sq metres) ("large-scale", by reference to the approved District Plan - 1000 sq metres), contrary to its own adopted policies of restraint, and in a location which cannot benefit from any planning advantage the scheme might be said to offer; indeed parts of the scheme still involve a material breach of planning standards of overlooking, loss of privacy, and amenity (as was stated in the refusal for the earlier scheme in applications 632/A/20 and 633/A/21, in the later applications of 1410 and 1410/A and which were implicit in one of the enforcement notices of 31 October 1989).

(b) Density of Residential Development

3.9 The density guidelines are laid down by the District Plan at para. 5.6.4, and by the Greater London Development Plan. The former sets a standard of 500 to 600 habitable rooms per hectare (200 to 243 habitable rooms per acre), and the latter set a standard ranging from 175 habitable rooms per hectare to 210 (70 to 85 habitable rooms per acre).

NO

3.10 In determining applications - 632/A/20, 633/A/21 which were recommended for refusal, and 633/A/37 which was permitted, the residential content was the same, namely, 12 houses and 9 flats (or 48 bedrooms and 34 bedrooms respectively). It is deduced from the drawings that the permitted application (633/A/37), with a residential site cover (including half the road width) of 2001 sq metres (0.2 hectares), was to accommodate 134 habitable rooms. Expressed as habitable rooms per hectare, the permitted development represents 670 habitable rooms per hectare, which is 70 higher than the highest standard (600), or 170 rooms higher than the lower standard (500). Moreover, it was reported to the Committee that the permitted 633/A/37 proposals were in excess of 500 h.r.p.h compared with an excess of 550 h.r.p.h in the original 633/A/20 and 21 proposals. In the Committee report of 13 October 1988, these matters were not disclosed (its para. 5); thus, the Committee unwittingly gave permission for a density 12 per cent higher than its adopted higher density figure (600 h.r.p.h), or 34 per cent higher than its adopted lower standard (500 h.r.p.h).

NO

3.11 This unsatisfactory position is worsened by the present application 2137. The residential site cover is the same at 2001 sq metres (0.2 hectares) as for 633/A/37, but the number of habitable rooms is increased to 150, or 750 habitable rooms per hectare. The percentage increases over the higher and lower adopted standards are 25 and 50 respectively.

3.12 The Committee is therefore being asked to perpetuate an increased deviation from its own adopted density standards, of

12 to 34 per cent in 633/A/37, to an increased deviation of 25 to 50 per cent in 2137, and in the knowledge that the proposals as a whole offend most of the adopted environmental standards in the District Plan, and have four times been recommended for refusal for the these reasons (632/A/20 and 633/A/21 and 1410 and 1410A).

(c) Office Plot Ratio

3.13 There is no reference to this matter in the October 1988 committee reports. The following information is therefore produced for consideration.

3.14 In respect of application 2137, the office site cover is 613.35 sq metres, and the measured office floorspace, as by reference to Fig. 4.1 of the R.B.K and C District Plan, parts of the basement (excluding car spaces) rank for measurement, produces an office plot ratio of 2.28:1.

3.15 Thus, in addition to the varying interpretations of density, the office plot ratio in application 2137 (together with the actual amount for which permission is being sought) give rise to concern by reference to the adopted standards of 2:1 in para. 4.8.6 of the District Plan.

(d) Building Heights

3.16 A comparison can be made between the permitted application 633/A/37 and the proposed application 2137. The front block on Hortensia Road has been increased in height by two metres. Drawing HTN/01/114 showed a height of 17 metres from basement to fourth floor ceiling, whereas the revised drawing 114F showed a height of 19 metres. Other heights were corresponding by increase. On site, however, the front block building is 0.5 metres higher than that shown on the new plan. For example, the height above street level of the apex of the top window of the fourth floor is 16 metres by actual measurement, as opposed to 15.5 metres shown on Drawing No. 101P in 2137. That means that the proposed structure is 2 metres higher by reference to the plan, but it is being built at a height of 2.5 metres higher than that permitted in 1988 (633/A/27).

3.17 Reference to the first sentence on p.7 of the Committee report on 633/A/37 (Agenda Item 4421) notes that the design of the front office block was unsatisfactory, and a set back from Hortensia Road with a reduction of one storey would be preferred.

(e) Sunlighting

3.18 In respect of application 2137, the following Table shows a "before and after" effect of developing the site in the manner proposed:

earlier schemes (632/A/20, 633/A/21 and the two 1410s), the reasons for which are equally applicable to the present two applications (0296 and 2137), and the serving of two enforcement notices, makes it incredible to suppose that the present schemes are now held to surmount all those obstacles and somehow to become both acceptable and appropriate, without any convincing explanation, and in defiance of the borough council's adopted planning policies and of good planning standards.

4.2 The project should now be re-examined in its entirety. It is the Objector's opinion that the likely outcome of such a review would seek to regularise in a proper manner, and by references to the council's adopted environmental policies, the development on Hortensia Road and behind 28-38 Gunter Grove, to omit the rear block entirely because of its adverse environmental consequences on adjoining residential properties, and to reduce the front block by one storey. Action of this nature would not only seem to bring the building back to what was permitted in 1988 (633/A/37), but would still be in excess of what was permitted by reason of increased office floorspace and residential density.

4.3 The Committee should now have become aware of all that has transpired, and should look at what is happening with fresh eyes. Not to do so will imperil the environmental standards of adjoining residents, and would run counter to the aims clearly expressed in the R.B. of K.C.'s Approved District Plan at para. 2.1.4 which supports the aims of the Greater London Development Plan at Section 2.1, which state that:-

"The essential purpose of the Greater London Development Plan is to create a physical environment ... which will conserve and improve the standards of life in London ..."

and which, in more detailed form, are to be found in the Committee reports dealing with the four refused applications. The development at Hortensia Road that is now proceeding does not accord with these aims as is evidenced by the Committee's decisions to comprehensively refuse earlier attempts to produce an unacceptable development, and then to have served two enforcement notices.

4.4 The Committee is therefore invited to take all these matters into account as being matters of material consideration, and to take the appropriate action.

9018
14 May 1990

No motion & d/ps in 27/0632

MORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal and Drawing Number	Objectors Comments
TP/88/632/A/20	4. 3.88 (Agenda Item 4422)	Demolition of existing building and erection of 12 houses, 9 flats and 694 sq metres office floorspace (B1). Dwg Nos: HTN/O/54D, 57D, 78F, 59B, 60E, 61C, 64C, 65A, 66B, 67B, 69B, 69D, 71D.	Planning officer's report dated 23.9.88, to Committee on 13.10.88. Recommended for refusal for reasons of being bulky, intrusive, cliff-like, out of scale and character; prejudicial to amenities of neighbouring occupiers by loss of light, privacy, and fall in environmental standards; and contrary to policies 4.1.5, 4.6.6, 4.9.2, 4.19.1, 4.10.2, 4.10.3 and 5.6.4. Applicants lodged an appeal on 8.9.88, but was subsequently withdrawn. The appeal was to be heard with some earlier appeal, and the Inquiry date was to be 8.11.88.
TP/88/0633/A/21	4. 3.80 Completed 24.3.88. Revised 16.5.88. (Agenda item 4376)	Erection of 12 houses, 9 flats and 694 sq metres of office floorspace (B1). Dwg Nos: HTN/O1/54D, 57D, 58F, 59B, 60E, 61C, 64C, 65A, 66D, 67B, 68B, 69D, 71D.	Officer's report dated 12.8.88. Committee date 30.8.88. Aims of the District Plan clearly set out, ie, to maintain and enhance the status of the Borough as an attractive place in which to live. Seeks a better physical environment. In this context, environmental aims were set out - design, scale and character, light, sunlight, privacy. Not a preferred office location. Revised proposals sub-standard, but considered to be acceptable. Objection from West London Architectural Society, and four letters of objection. Officer's recommendation to refuse because proposals are bulky, intrusive, cliff-like, out of scale and character, prejudicial to amenities of neighbouring properties (light and privacy), and the environmental policies are not satisfied.

HORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal and Drawing Number	Objectors Comments
TP/88/633/A/37	4. 3.88 (Agenda Item 4421)	<p>Demolition of existing building and erection of 12 houses, 9 flats and 694 sq m of office floorspace (B1).</p> <p>Dwg Nos: HTN/01/101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114.</p> <p>This was an amendment of the 632 proposals in respect of the 5-storey block fronting Hortensia Rd, and by taking off a floor of the rear block to reduce it to 3 storeys. Other revisions were dated 14.9.88 and 22.9.88.</p> <p>2 enforcement notices were served in respect of this appeal, but were subsequently withdrawn.</p>	<p>Planning officer's report was also dated 23.9.88 for a committee of 13.10.88. The report contained all the objections set against 632 (see above), but without further explanation it was recommended for permission. This permission enabled the appeal on 632 to be withdrawn. Notice of decision was issued on 24.10.88 which, inter alia, referred only to 600 sq m of office floorspace</p>
			<p>On 22.12.88, seemingly without committee approval, a fresh notice of decision was issued which increased the permitted office floorspace from 600 (as reported to committee when the application was first considered) to 675 sq metres.</p>
			<p>The accompanying drawings showed 1180 sq metres of office floorspace, but these can have no relevance since only 600/675 sq metres were specified in the revised application.</p>

HORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal & Drawing Number	Objectors Comments
TP/88/1410, duplicated by TP/88/1410/A/26	23.6.88 (30.6.88) (Agenda Item 4375)	<p>12 houses, 10 flats and 767 sq metres of office floor-space (B1).</p> <p>Dwg Nos: HTN/01/54D, 57E, 58H, 59C, 60E, 61F, 64E, 67E, 69E, 71F, 96C, 99B and HTN/L(1-)02A.</p> <p>Proposal varies from 632/633 by adding a sixth storey over part of the block, and rear block being reduced by 1-storey. Adtn of 1 flat</p> <p>The architects referred on 21.9.88 to a number of discrepancies in the original application (presumably 632).</p>	<p>Application 1410/A/26 brought to the Committee on 30.8.88 on a report by the planning officer dated 12.8.88. The report contained all the objections referred to in the 632 and 633/A/21 applications (see above) and the application was refused for the same reasons.</p> <p>Objection from West London Architectural Society</p> <p>Application 1410/A/26 then came back to a Committee on 22.11.88, but was again recommended for refusal for the same reasons. (Agenda Item 4486)</p>
TP/89/2137/A/03	13.11.89 (Agenda Item 4043)	<p>21 flats, 8 houses and 1110 sq m of office floorspace. Deferred from Committee on 13.3.90.</p> <p>Dwg Nos: HTN/01/1018/105H/107/113F/114F/115B/119A/120A/122A/,04/011A.</p> <p>Rear block behind 40-42 Gunter Grove is to be two separate offices on basement and ground floors, with two residential units of 2-beds each, on 1st & 2nd floors, with 880 sq m instead of 1110 sq m of offices "as previously sought". Further amendments to rear block are yet to be provided.</p> <p>Rear block not reduced in size, but office content now only 260 sq m, with 620 sq m on front block, totalling 800 sq metres.</p>	<p>Agenda report makes no recommendation of decision, but asks the Committee to consider the amended scheme and to refer its comments to the Planning Application Committee on 30 May 1990. The Report states at para 3.3 that the "overall bulk and scale of the proposed development remains as approved".</p> <p>However, a notice of decision had been before the Committee of 13 March 1990 to grant conditional permission. The rear block behind 40-42 Gunter Gr is especially conditioned (1) in respect of a Section 52 Agreement to develop the rear block as shown on HTN/01/113E and 115B (noting that the submitted drawing was 113F and not 113E).</p> <p>The application is currently deferred for further consideration.</p>

— Nodum

HORTENSIA ROAD: PLANNING HISTORY

Application No	Date Submitted	Proposal & Drawing Number	Objectors Comments
TP/90/0296/A	5. 2.90	<p>21 Self-contained flats as an amendment to permission 0633 of 22.12.88.</p> <p>Dwg Nos: HTN101/101P, 105H, 106B, 107/119A/120A/122A.</p>	<p>Permission 0633 was for 12 houses, 9 flats and 675 sq m of office floorspace disposed as to 8 3-storey houses to rear behind 28-38 Gunter Gr, 9 flats and 4 houses fronting Hortensia Road, a 3-storey and basement office building behind 40-42 Gunter Gr, and further office block at Southern and adjoining Knights House.</p>
		<p>Development will comprise 8 2-bedroom, 9 3 bedroom, and 4 1 bedroom flats, together with further revisions to the front facade.</p>	<p>Recommended for conditional permission, but is currently deferred for further consideration.</p>



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

Sir Anthony Coates, Bt., B.Sc., M.B.B.S., M.D.,
M.R.C.P.

The Town Hall
Hornton Street
London W8 7NX

13th March, 1990

Dear Sir Anthony

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

I write to you in respect of this application which is to be considered by your Committee this evening as it is one that seeks an increase in office accommodation in an area where your aim of enhancing the Royal Borough as a predominantly high quality residential area needs to be constantly borne in mind. I would therefore urge The Town Planning Committee not to accept their officers advice and to refuse this application. Furthermore, I consider that if your Officer's recommendation were adopted and approval granted, this would have the following unfortunate consequences:-

- a) A precedent would have been set for the granting of a high proportion of office accommodation on a site that was previously in educational use. This is particularly relevant bearing in mind the further sites currently in educational use to the West of the application site, including the Kings College site at 552 Kings Road for which an application has already been submitted.
- b) The Council will have allowed itself to fall prey to a devious and dishonest device on the part of the applicants.

It was, of course, highly negligent of your officers not to have checked that the area of office accommodation which was applied for in 1988 accorded with that shown on the application drawings (such checking is surely almost the first procedure that is carried out when processing a planning application). In these circumstances, it would be better for the Council to admit it had made a mistake especially as, in law, descriptions and quantities usually take precedence over drawings. We consider that the enforcement action which was instigated in October 1989 should be pursued and that the only circumstances under which it could be withdrawn would be for the applicants to remove the proposed office building amounting to 490m² at the Southern end of the East block which would have the effect of reinstating the amount of office accommodation on this site to that which appeared in both the application and permission notices of 1988.

There are two matters mentioned in your officers report which I would respectfully suggest are irrelevant to a proper consideration of this

/over

application; these are as follows:-

- a) Now that the Hudsons Depository building which formerly stood on this site has been demolished, its size, appearance and height are of no consequence.
- b) The only relevant factor relating to the buildings which formerly occupied this site is that they were entirely in educational use and any office accommodation that existed was office accommodation that was ancilliary to that educational use and could not by any stretch of the imagination be considered as office use in its own right.

Yours Sincerely



David Le Lay

Copy to: Director of Planning & Transportation
Members of the Town Planning 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

Councillor Andrew Fane, Esq. M.A., F.C.A.
Deputy Chairman
Town Planning Committee
Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX.

24th April, 1990

Dear Councillor Fane

Re: Chelsea College Site, Hortensia Road, SW10
Application reference nos. 90/0296 and 89/2137

I was most surprised to note that these applications are to be considered by the Town Planning Applications Sub-Committee this evening. As both of these applications had previously been referred to the Town Planning Committee by the Sub-Committee and the main Committee asked that Officers carry out further negotiations with the applicants, it would surely be highly irregular and inappropriate for the Sub-Committee to make a decision other than to recommend that both applications be referred to the main Committee for determination; especially as the result of the negotiations that have taken place concede far too much to the applicants and if approval were granted (as recommended in respect of one of the applications) the Council will have effectively sanctioned the dishonest practises employed by the applicants which would make a nonsense of the whole Planning process.

These applications still seek a greater amount of office accommodation than that which planning permission was granted in 1988 and also to retain a partially constructed building which is of substantially greater bulk than that for which permission was granted.

We fail to understand why the enforcement action proceedings which were instigated in October 1989 are not being rigorously pursued; these prevarications will not help the Council's case if these proceedings were to result in an Appeal heard by a Department of Environment Inspector.

Yours faithfully


David Le Lay

Copy to: Director of Planning and Transportation

APPENDIX 4

CHELSEA COLLEGE SITE, HORTENSIA ROAD - PLANNING HISTORY (SYNOPSIS) 21.5.90

London and Edinburgh Trust (L.E.T.) first approached the Royal Borough of Kensington & Chelsea early in 1988 with their development proposals for the site. The original applications were comprehensively rejected by the Council because of excessive density, unacceptable adverse effects on nearby homes, and violation of the Council's environmental policies. The reasons for refusal were set out in the Report to the Committee of 30th August 1988, after which L.E.T. agreed to submit modified proposals.

The revised application was presented to the Committee of 13th October 1988 as a significant improvement over the rejected scheme, particularly in terms of a reduced office content and a lower residential density. The Committee were told that the revised scheme complied with sunlight standards, and were shown a "scale model" to demonstrate that the new buildings related well to the existing ones; a "Canvas of Gunter Grove Residents" was produced claiming overwhelming support for the proposals.

The Committee unwittingly approved the revised application on that basis, unaware that far from representing a reduction, the latest plans showed a near-doubling of the office floorspace coupled with a sharp increase in the residential density; sunlight standards were dramatically infringed and the model was seriously misleading because the surrounding houses were on a much larger scale than the proposed new buildings. The "Canvas" has been discredited; all of those allegedly interviewed have written to complain that their views were misrepresented. In addition, the local petition of objection was withheld from the Committee.

In 1989, L.E.T. embarked upon unauthorised development materially in excess of that permitted in 1988. In October 1989 the Council served Enforcement Notices on the basis that the proposed increases would cause loss of light and amenity to neighbouring residents, but Stop Notices were held back on receipt of the developers' letter agreeing to build out their revised proposals "at risk".

The 1990 applications represent a dramatic increase in the extent to which the scheme violates Council policies and the amenities of existing residents over and above the scheme permitted in 1988. The residential density and the office floorspace are both significantly increased, as is the height and plan of the block fronting Hortensia Road. The local community is strongly opposed to the new proposals, and a large number of objections have been received by the Council.

Against this background it is unfortunate that the planning officers appear to have erroneously represented aspects of the scheme to the Committee on a number of occasions over recent months. Mr French, who handled the revised 1988 application, has consistently recommended the scheme notwithstanding the serious reservations expressed not only by residents but also amenity groups and members of the planning committee.

The Committee refused each time to adopt the officer's recommendation, and at the Main Committee meeting of 2nd April 1990 concern was expressed about the delay in taking effective enforcement action against the deliberate breach of planning control; the Vice-Chairman reserved the right of the 24th April Sub-Committee to authorise Stop Notices, if necessary. In an extraordinary move, the planning officer withdrew the Enforcement Notices just before the 24th April meeting, using emergency delegated powers.

A brief chronological outline of these events is set out below.

CHELSEA COLLEGE SITE - BRIEF CHRONOLOGICAL OUTLINE OF EVENTS
1988

- Feb The Council's policy objectives for the site (density, office policy etc) were explained to the developers.
- Mar Duplicate Applications were submitted (0632 and 0633) for the erection of two blocks comprising 12 houses, 9 flats and 694 sq.m of offices.
- To Jun There were various meetings at which Council officers expressed objections to the proposals (excessive density, office content, contravention of standards regarding sunlight, daylight, privacy and overlooking).
- Jun A second Application (1410) was submitted, the same as the previous applications except that the rear block of houses was reduced by a storey, and the offices were expanded to 767 sq.m.
- To Aug There were further objections from Council Officers, including the Director of Planning and Transportation. There was also a petition of objection from Hortensia Road residents.
- Aug 30th Applications 0633 and 1410 on Committee Agenda. The Officer's Report recommended comprehensive refusal of both (excessive density at 550 hrh, bulky, intrusive, cliff-like, contravention of Council policies and sunlight standards re Gunter Grove).
- Aug 31st The Developers produced the "Canvass of Gunter Grove Residents" alleging "overwhelming support for the proposals", but since discredited. Every person allegedly interviewed has written to deny that they expressed the views attributed to them.
- Sep 14th Cllr Orr-Ewing wrote supporting the "revised 0633" scheme.
- Sep 22nd The drawings of the "revised 0633" scheme were submitted.
- Oct 13th Applications 0632 and the "revised 0633" to Committee. The Officer's Report dated September 23rd recommended approval for revised 0633 scheme on basis of reduced density (550 down to 500 hrh), office content down from 694 to 600 sq.m, compliance with sunlight standards, and the evidence (the "Canvass") of support for the scheme from local residents and the Ward Councillor. The misleadingly-scaled Site Model was also produced.
- The Committee approved the revised scheme on the officer's recommendation. However, the drawings in the Decision Letter showed an increase in density to 670 hrh (GDLP standard 200), offices increased to 1,180 sq.m, sunlight standards contravened etc. The Committee had been told of only 5 objectors; the petition was withheld from them. The Committee were recommended to oppose the Appeal relating to 0632, which was withdrawn when 0633 was approved.
- Oct 24th The Decision Letter (0633) specified the approved office area as 600 sq.m. The drawing numbers had been changed and were not the same as those listed in the October 13th Committee Report.
- Nov 22nd Application 1410 was re-submitted to the Committee. The Officer's Report recommended comprehensive refusal as in August, notwithstanding the October decision relating to the similar "revised 0633" scheme. The increased office space (767 sq.m) was cited as an important factor. The application was withdrawn.

1988

Dec 22nd A new Decision Letter for the revised 0633 scheme was written, "amending" the office area from 600 to 675 sq.m, supposedly to correct a previous error. There was no apparent reference to the Committee.

1989

Oct The developers started building in excess of the 1988 permission. The block fronting Hortensia Road was expanded as was the rear block facing Gunter Grove properties.

Oct 31st Enforcement Notices were served by the Council. One of the two notices was against breach of conditions, while the other was headed "Operational Development", and was against breach of planning control, requiring that the buildings be reduced in height, and the building line be set back, in accordance with the 1988 permission. The stated reasons for the action were the loss of light and amenity, particularly to residents in Gunter Grove. The developers were ordered to cease work in the disputed areas until the issue had been resolved.

The developers appealed against the Enforcement action, and a Public Inquiry was set for 26th June 1990. They agreed to submit a new planning application and wrote to the Council stating that they would continue to build out the proposed scheme "at risk".

Nov 3rd An application was submitted relating only to the front block.

Nov 10th The Council wrote back insisting on a full application.

Nov 14th A public meeting was held at which the Council Officer reiterated to the developers that a fresh application for the whole site was required. (The site model was also on display and measurements were taken showing that it was out of scale by about 2:1. Neighbouring residential properties were represented at double their true height with respect to the new buildings).

Nov 24th A new application (2137) was submitted, this time relating to both the front and the rear blocks.

1990

Jan 17th Revised drawings were submitted. The developers wrote stating that the office area was 1,110 sq.m.

Jan 26th The Original Committee Report for Application 2137. This was the first of several misleading 1990 Officer's Reports. It was circulated to the members of the Sub-Committee meeting of 12th February. The report contained the following information:

i. Objections. The nature and number of the objections was understated in the Report. There were more than 30 letters from neighbouring occupiers, but the Report claimed only 17. A letter from the Chelsea Society was also not mentioned.

Jan 26th

The Original Committee Report (cont'd):

ii. Additional Office Area. The Report stated that the 1988 permission had been for 1,110 sq.m of offices, and argued that the 675 sq.m in the December 1988 Decision Letter had referred only to "rear office space". No evidence to support this extraordinary interpretation can be found in any of the 1988 application forms, supporting documents, planning officers' analysis, statutory consultation, Committee Reports or Decision Letters.

iii. Unauthorised development. The Report stated that what was being built was different from the permitted scheme, and that the alterations were being carried out without the benefit of planning permission, and were the subject of Enforcement action. Condition 08, which ruled the 1988 permission "null and void" was considered superfluous since a new application was required anyway. However, the Committee were told that they must consider the new proposal "in the light of the 1988 permission".

iv. Alterations. Para 7.2 of the report read as follows: "*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.*"

v. Recommendation. The recommendation was to approve Application 2137, in spite of the loss of light and amenity referred to in the Enforcement Notices, the increase in the office development, and the numerous other objections (excessive density, loss of privacy and outlook, traffic and parking problems etc).

Feb 12th

Application 2137 to Sub-Committee. The planning officer presented the Application and recommended the Committee to approve it as an improvement over the 1988 permission. Regarding the office floorspace, the officer told the Committee that "whilst the documentation did indicate a wrong figure the 1988 permission related to 1,110 sq.m". He also made the misleading claim that the submissions put forward by Grimley J.R. Eve with respect to sunlight were wrong and that the scheme represented a substantial improvement in terms of sunlight to Gunter Grove compared to the greenhouse that had previously been at that end of the site.

The officer accepted that there had been 37 letters of objection, and some of the objectors addressed the Committee. The Chairman interrupted them, and indicated that he was not prepared to consider objections based on the assumption that this was a new application, because in his view there was a valid existing permission.

Submissions were made that the original permission was dead in view of Condition 08 and was in any event fatally flawed when one had regard to the other aspects of misleading information, lack of notification and the discrepancies in the plans, particularly with regard to the office development. It was pointed out that the Council supported the residents' objections regarding the proposed rear office block, to which the developers had made only a "token modification".

The Sub-Committee did not adopt the officer's recommendation, but deferred the matter to the main Committee.

Feb 15th

The Duplicated Committee Report. The planning officer then re-drafted the original Report, which was unaccountably given the same date. Furthermore, the junior officer whose initials appeared at the end of the Report denied having prepared it, or even having read it, and said that he was unaware that it had been credited to him, since he did not attend the main Committee. He said: *"I've never at any stage prepared any reports on this application, and I'd like to make that very clear."*

The Duplicated Report had the apparent intention of removing any doubt from the Committee's mind about the recommendation for approval:

i. Objections. In the Duplicated Report the number of objections was cut to 8, compared to the 17 in the original Report and the 37 acknowledged in front of the Committee.

ii. Additional Office Area. The Original Report claimed that the 675 sq.m permitted in the 1988 Decision Letter referred only to "rear office space". In the Duplicated Report the officer claimed that it referred only to "new office space" and *"...did not include any figure for office space in the original buildings used by the University of London."* This is a misleading statement; there was no office space in the original building, and the developers never claimed there was any.

iii. Unauthorised development. The Duplicated Report was amended to imply that the alterations were uncontroversial. In para.3.1, *"the scheme has been changed"* became *"the scheme has been slightly changed"* while in para.5.1, *"not in accordance (with the approved plans)"* became *"not fully in accordance.."*. The impression is created that the changes were slight, whereas in fact they were sufficiently material to have attracted enforcement proceedings and a fresh application.

iv. Alterations. Page 7 of the 1988 Report recommending approval opened with the sentence: *"The design of the commercial element of the front block is not considered satisfactory and a set back from the Hortensia Road frontage along with a reduction by one storey would be preferred."*

The revised 1990 front block incorporates a significant increase in height and considerable stepping forward onto Hortensia Road. Yet in para.7.1 of the Duplicated Report the claim is made that *"...the proposed elevation to Hortensia Road is a positive improvement over the approved scheme."*

Furthermore, in para.7.2 of the Duplicated Report, the word "token" was deleted where previously it was a material qualification of the modifications involved.

v. Recommendation. The Duplicated Report recommended planning permission for 21 flats, 1110 sq.m of offices and 8 houses, whereas the application had made no mention of the 8 houses.

Feb 16th

The Solicitors' Letter. In the light of the misleading information in the Reports, the reluctance of the Council to consider objections, the uncertainty over the validity of the 1988 permission and the extent of the approved office content, as well as the inaccurate drawings and the misleading statements from the officer with regard to sunlighting, the residents' solicitors wrote to the Council.

Feb 16th The Solicitor's Letter (cont'd):

It was pointed out that there were material differences between the evidence submitted on behalf of the residents, and the evidence submitted to the Council by the developers and by the planning officers. These discrepancies raised significant planning issues, which required further and detailed consideration before a decision was taken by the Main Committee, and it was suggested that a delay would be the most appropriate course.

Feb 19th The Council would not grant the request for a delay and so the residents were forced to seek a High Court Injunction restraining the Council from making a decision on the application until accurate information on the material planning aspects was available. The Council agreed, at the eleventh hour, to defer the application and the proceedings were adjourned on that basis.

Mar 3rd The Planning Consultants, E.A. Powdrill and Associates, prepared a Report for the Council setting out the planning facts relevant to the case, and discussing in detail the current (2137) application. The Report highlighted the important planning considerations and provided a thorough planning analysis and recommendations. (see Powdrill Report of 3rd March 1990).

Mar 5th The March Committee Report. This Report was based on the two earlier 1990 Reports, and the pattern was the same; the number of objectors was understated and the grounds for objection undermined by misleading statements. New statements were inserted in an attempt to highlight the virtues of the proposals.

i. Objections. The Report claimed only 17 objectors, even though the officer had accepted a month previously that there were 37.

ii. Additional Office Area. The officer continued to maintain that the office space approved in 1988 represented "new office space" in addition to that in the previous building. This time he claimed that the 1988 permission was for 694 sq.m. The figure of 694 sq.m can be found on neither 1988 Decision Letter, but was, however, on the application that the same officer had recommended for comprehensive refusal in August 1988.

iii. Alterations. The 1990 Reports all mentioned the residents' concern about the height and close proximity of the rear block. The Original Report stated "*These concerns are supported*" and added that in response to the requests for revisions the developers had made only a "*token modification*". In the Duplicated Report the adjective "*token*" had been deleted. In the March Report, the sentence "*These concerns are supported*" had also been expunged.

iv. Comment on Local Consultation. A new section was inserted into the Report in response to the objections, containing at least a dozen untrue and misleading statements, too many to go into here, with regard to sunlight, overlooking, density, and the office area.

iv. Recommendation. Unlike the two previous 1990 Reports, which had advised the Committee to consider the proposals "*in the light of the 1988 permission*", the March Report instructed Members in para.6.1 to "*consider this as a new application....bearing in mind the large five storey building which previously existed on the site.*" This sudden change was apparently the result of legal advice.

Mar 5th

The March Committee Report (cont'd):

v. Recommendation (cont'd):

However, the Report failed to consider the proposals in this light, and instead contained statements like "positive improvement over the approved scheme", "there will be no increase in overlooking...beyond that approved in 1988", "the windows are set back a further 3.5m from the approved scheme", and "the proposed density...is slightly lower than that on the previous scheme", and many more.

Apart from the fact that many of the statements are untrue (for example the new proposed density is much higher at 750 h.r.h), the new proposals were still being compared with the old ones, rather than with the previous building.

It should be borne in mind that the same officer recommended refusal on at least four occasions in 1988. The schemes which were rejected in 1988 had lower densities and smaller office contents than the present proposals. The section headed "REASONS FOR REFUSAL" in the officer's 1988 Reports read as follows:

"The proposal, by virtue of its number of storeys, height, massing and siting in relation to neighbouring residential properties, is considered to be an overdevelopment of the site and thereby likely to lead to the following:

1. *A bulky, intrusive and "cliff-like" form of development out of scale and character with surrounding development in Hortensia Road;*
2. *Prejudice the amenities of the occupiers of neighbouring residential properties by reason of loss of light and privacy which would cause a fall in the environmental standards of the immediate locality.*

The proposal would therefore be contrary to the policies set out in the Council's adopted District Plan, in particular Paragraphs 4.1.5, 4.6.6, 4.9.2, 4.10.1, 4.10.2, 4.10.3 and 5.6.4."

These reasons for refusal are just as valid in 1990, as they were in 1988. In fact the 2137 proposals are significantly more offensive to the Council's adopted policies and to good planning standards; the density of 2137 is 750 hrh compared to 550 hrh for the original 0633 proposals, the office element has been increased from 694 to 1304 sq.m, and the blocks have been increased in both height and plan.

Given the advice to treat this as a fresh application, the recommendation to approve the 2137 proposal is extraordinary.

Mar 13th

Application 2137 to Main Committee. At the beginning of the meeting, the Borough Solicitor advised the Committee that, in the opinion of Counsel, the 1988 permission was for 675 sq.m only. Members said they saw no reason to grant any more. The Chairman instructed the Committee to treat this as a fresh application and highlighted the 100% residential gain to the Borough if the recommendation to approve was adopted. A letter from the Chelsea Society was read out by Miss Dent, the Director of Planning and Transportation; the letter urged the Committee not to accept the planning officer's advice and criticised the "devious and dishonest" behaviour of the developers and the "highly negligent" performance of the planning officer. The Council was urged to pursue the October 1989 enforcement action until the unauthorised rear block had been removed. The Chelsea Society also took issue with the officer's contentions regarding the original building.

Mar 13th

Application 2137 to the Main Committee (cont'd): Several members expressed their concern about the lack of effective enforcement action to date. In response to a question from a member, the planning officer further misled the Committee with regard to sunlight when he stated that the block fronting Hortensia Road was too far away to effect the sunlight to Gunter Grove properties.

The matter was transferred to Part B of the agenda, and the application was deferred.

April 2nd

Meeting of Main Committee. The application was not on the agenda, and members once again expressed their concern over the lack of effective enforcement action. The officer said that it would be pointless to serve Stop Notices since the development was virtually complete. In response to a question from the Vice-Chairman, it was established that the Sub-Committee of 24th April would be empowered to serve Stop Notices if necessary.

April 5th

A Local Community Petition of Objection collected 60 signatures from residents whose homes adjoined the development site.

April 24th

Application 2137 and New Application 0296 to Sub-Committee. The new application (0296) was introduced at a late stage. Residents only became aware of the proposals on April 17th, a week before the Sub-Committee meeting. Similarly, 2137 had been deferred from the Main Committee and it was a surprising late addition to the Sub-Committee agenda.

Application 0296. A partial application relating only to the front block, rejected by the Council in December 1989. The proposed new block (virtually a "fait accompli") was higher by 2.5 metres than that approved in 1988 and encroached further onto Hortensia Road. The residential density was increased to 750 h.r.h. Also implicit was an increase in the office floorspace. In spite of these problems the Officer's Report recommended approval for the increase. However, the Sub-Committee were unanimous in their opposition to the piecemeal approach, and refused to adopt the officer's recommendation.

Application 2137. The March Committee Report had not been updated to take account of the legal advice from the borough solicitor that the 1988 decision permitted 675 sq.m of office space. The Report continued to imply the figure was 1,110 sq.m. The other misleading statements had not been corrected.

Cllr Andrew Fane, the Chairman of the meeting, quizzed the developers regarding incorrect figures. The developers admitted that they had supplied incorrect office floorspace and density figures, but blamed the planning officers for failing to spot the discrepancy, and insisted that the revised drawings showing the increased envelope took precedence over the specifications in the Committee Report and the Notice of Decision.

The Chairman pointed out that the Committee members were not always able to examine the drawings, but they studied *with care* the figures placed before them. He reminded them that the size of the office floorspace and the density were crucial considerations, and told the developers that the onus was on them to ensure that the information before the Committee was correct. The matter was then deferred to the Main Committee for decision.

April 24th Sub-Committee Meeting (cont'd):

Enforcement. The Sub-Committee's ability to serve Stop Notices, as discussed on 2nd April, was pre-empted by the fact that the Enforcement Notices had been withdrawn by the officer using emergency powers. The withdrawal was announced by the developers and confirmed by the officer in response to a question from the Chairman. He said he had withdrawn the enforcement notices under Standing Order 47, which delegates special powers to an officer in the event of an urgent matter that could not wait until the next meeting.

It would appear to be an extraordinary use of the delegated power, since the Sub-Committee had already reserved the right to deal with the Enforcement question, yet the officer withdrew the notices just before the meeting.

STOOP v. R. BOROUGH OF KENSINGTON AND CHELSEA

OPINION

1. I am asked to advise on the area of office floor space permitted on the true construction and effect of two planning permissions granted by the Council to Colwyn Foulkes & Partners, a firm of architects acting for developers:-

a. The permission (No. 0633) of 24 October 1988 issued pursuant to a resolution of the Council's Town Planning (Applications) Sub-Committee on 13 October 1988;

b. The amended permission (No. 0633) of 22 December, 1988, which superseded that of October 1988.

2. It is convenient to start by stating the general principle applicable to the interpretation of a planning permission. It is permissible only to look at the terms of the permission itself, including both the definition of the permitted development and the conditions and reasons given for them. Further, it is permissible to look at any plans incorporated in the permission in order to define its scope and assist in interpreting it. See generally Slough Estates Ltd. v. Slough Borough Council (No. 2) 1969 Ch. 305. A planning permission is not to be construed in favour of the developer and against the planning authority.

3. The development was described in the Schedule to the October permission as -

"DEVELOPMENT

Erection of 12 houses, 9 flats and 600 square metres of office floor space (Use Class B1), at CHELSEA COLLEGE SITE, HORTENSIA ROAD, KENSINGTON, S.W.10, as shown on submitted drawings Nos. TP/88/0633/B, Applicant's drawings Nos. HTN/o1/101, /102, /103, /104A, /105A, /106, /107, /108, /110, /111, /112, /113, /114 and HTN/L (1-)01H, in accordance with your application dated 04/03/88, completed 24/03/88, revised 14/09/88 and 22/09/88."

In the December permission the same description appeared with the substitution of "675 square metres of office floor space" for "600 square metres of office floor space".

4. In my opinion the terms of both the October and December permissions are perfectly clear and define and limit the office content of the approved scheme to 600 square metres and 675 square metres respectively. In these circumstances it is, in my opinion, not permissible to have regard to the plans to extend the area of office floorspace, because there is no ambiguity to be resolved. The same point may be put the other way round - if there is any ambiguity in the permission it can only arise because the plans referred are interpreted as including twice the area of office floorspace as that stated in the description of the development. In

my opinion that ambiguity must be resolved by giving preference to the measurement of the area expressly stated in the definition of the development, that is 600 square metres or 675 square metres.

5. The plans referred to are the basis of the contention by the developer that the permissions should be interpreted as an effective grant of approximately twice the area of floor space as the 600 square metres or 675 square metres stated in the description. I am also asked to advise on the validity of this contention in so far as the alleged effect of the December 1988 permission is relied on in support of the new application for what is said to be the true measurement of the plans in 1988, namely 1,110 square metres of offices. In principle this contention seems to me to be wrong for the reasons already given. The plans have been amended since December 1988.

6. It appears that the developers are supported in the new application by the Council's planning officer, so that it is desirable to consider his reasons. The report to the Town Planning (Applications) Sub-Committee of 12 February 1990 states-

"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".

The report to the Town Planning Main Committee of 13 March 1990 altered that statement, to refer wrongly to 694 square metres, which was not in fact the area stated in either of the permissions of 1988. I am unable to give any clear meaning to this statement, except that it accepts the measurement in the description in the December 1988 permission. It certainly does not mean that permission had been granted in October 1988 or December 1988 for 1,110 square metres. At the meeting of the Sub-Committee on 12 February 1990 the planning officer asserted that, because in his opinion the plans referred to the December 1988 permission showed 1,110 square metres of office space, the permission took effect for that area and not only the 675 square metres referred to in the description of the development. Once again this contention is, in my view, wrong in principle.

7. The implications of the contentions by the developers and the planning officer are plain - that in 1988 both parties expressly represented to the Council that the permission sought for, and accepted, was for between 50% and 65% less office content than they intended to obtain and did obtain. The discrepancy, it seems to be suggested, arises because although the developers' architects and the Council's planners made a proper measurement of the plans they wrongly described the development. The error of measurement or description involve a very striking degree of incompetence on the part of professional experts,

particularly when measurement of office content was clearly a matter to which thought had been given, and the measured area in the description had been increased from 600 square metres in October to 675 square metres in December 1988.

8. In these circumstances it seems to me that the developers' and planners' contentions destroy any case either for deciding in favour of an interpretation based on a difference between the description and the plans, or for granting a new permission for 1,110 square metres of offices B1 either by reference to the original plans, or to other plans which appear to have been revised more than once since December 1988.

9. Finally, I am asked to consider the further fact that the developers have continued their building operations in reliance on their interpretation of the 1988 permissions. This fact is irrelevant to the question of construction of the 1988 permission. In my view the building operations carried on since the Council raised the question of construction should be disregarded. In my view the developers acted at the risk of being wrong. If they are wrong they should not be permitted to rely on their own errors in the expectation that the Council will give in to them because they have chosen to take a risk; particularly when the Council has clearly decided on the planning merits that a limit of 675 square metres should be imposed on the office content of the scheme.

G.E. Moriarty

**ANSTEY,
HORNE
& CO. Chartered Surveyors**

Founded 1795

John Anstey BA FRICS FCI Arb
Lance Harris ARICS

N Stoop Esq
28a Edith Grove
LONDON SW10 0NJ

31, Newbury Street,
St. Bartholomew's,
London, EC1A 7HU

Rights of Light and
Party Wall Consultants

telephone 01-606 2826

fax: 01-600 1225

Senior Building Surveyor
Mike Bailey

Our ref JA/MD'S/ROL3637
Your ref

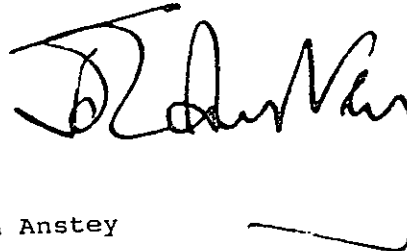
23 March 1990

Dear Mr Stoop,

42a Gunter Grove SW10

I enclose herewith a sunpath diagram, doing the best we can with the conflated drawings, information, etc., from which you will see that both your and my instinctive feeling was right and the Planning Officer was wrong, in that more than 2 hours of valuable afternoon sunlight will be lost throughout the year by the proposed building, and that from April to August the loss will be additional to anything which might have been the caused by the greenhouse, through which, after all, some sun would have shone, whereas it will not shine through what is now proposed.

Yours sincerely



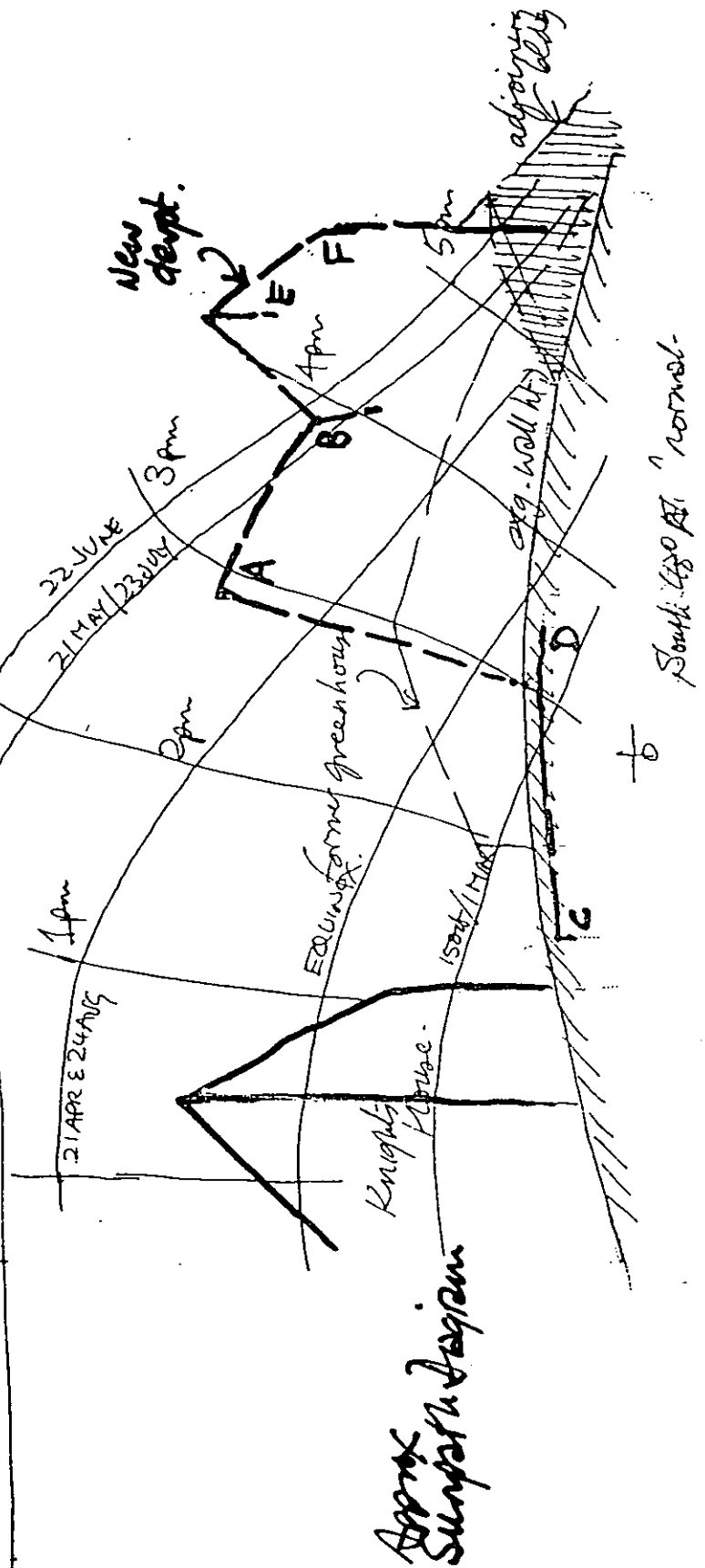
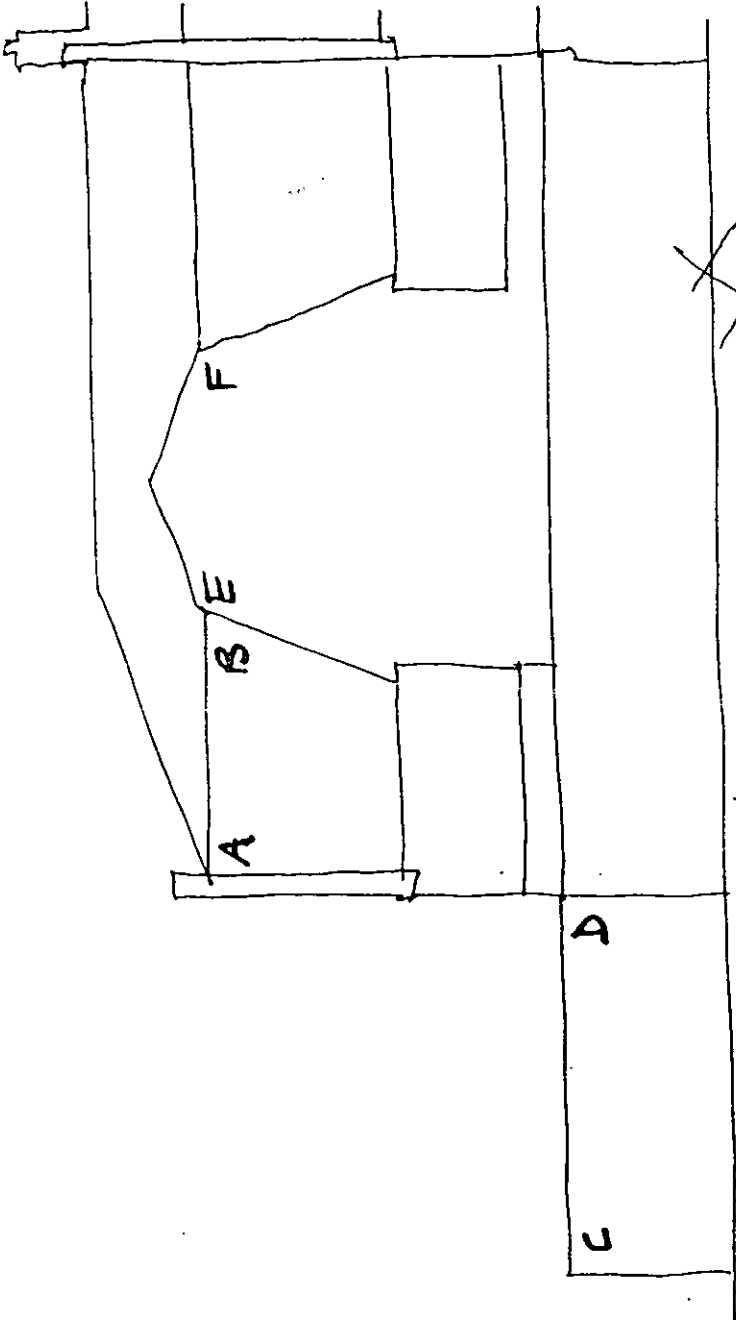
John Anstey

enc

JA/3637/1
22 MARCH 1990

JOHN ANSTEY BA FRICS FIARB
Chartered Surveyor & Daylight Consultant
31, Newbury Street,
St. Bartholemew's
London, EC1 telephone 01-606 2858

Rear Elevation 1:100



Warner Land Surveys

Land and Engineering Surveyors

Floemy House,
Lower Wharf,
Reading Road,
Wallingford,
Oxon. OX10 9AP

Wallingford (0491) 34275
Fax No: (0491) 32468

N Stoop Esq.
28 Edith Grove
London
SW10

21st May 1990

Dear Sir

Re: Hortensia Road, SW10

We have been requested to carry out elements of survey to determine whether or not the above mentioned development is being carried out in accordance with the architects drawings.

According to our survey, it would appear that the development taking place has encroached by approximately 1 metre further south than shown on the architects submitted drawing HTN/01/105 rev H. This discrepancy is highlighted by a copy of that plan and a negative overlay, which clearly demonstrate the errors of positioning of the new buildings.

The front block is also being built higher than shown on the Architects drawings. In particular, the height of the apex of the 4th floor windows has been measured at 16m on site, compared to 15.5m as scaled on the Elevation Drawing No. HTN/01/101P.

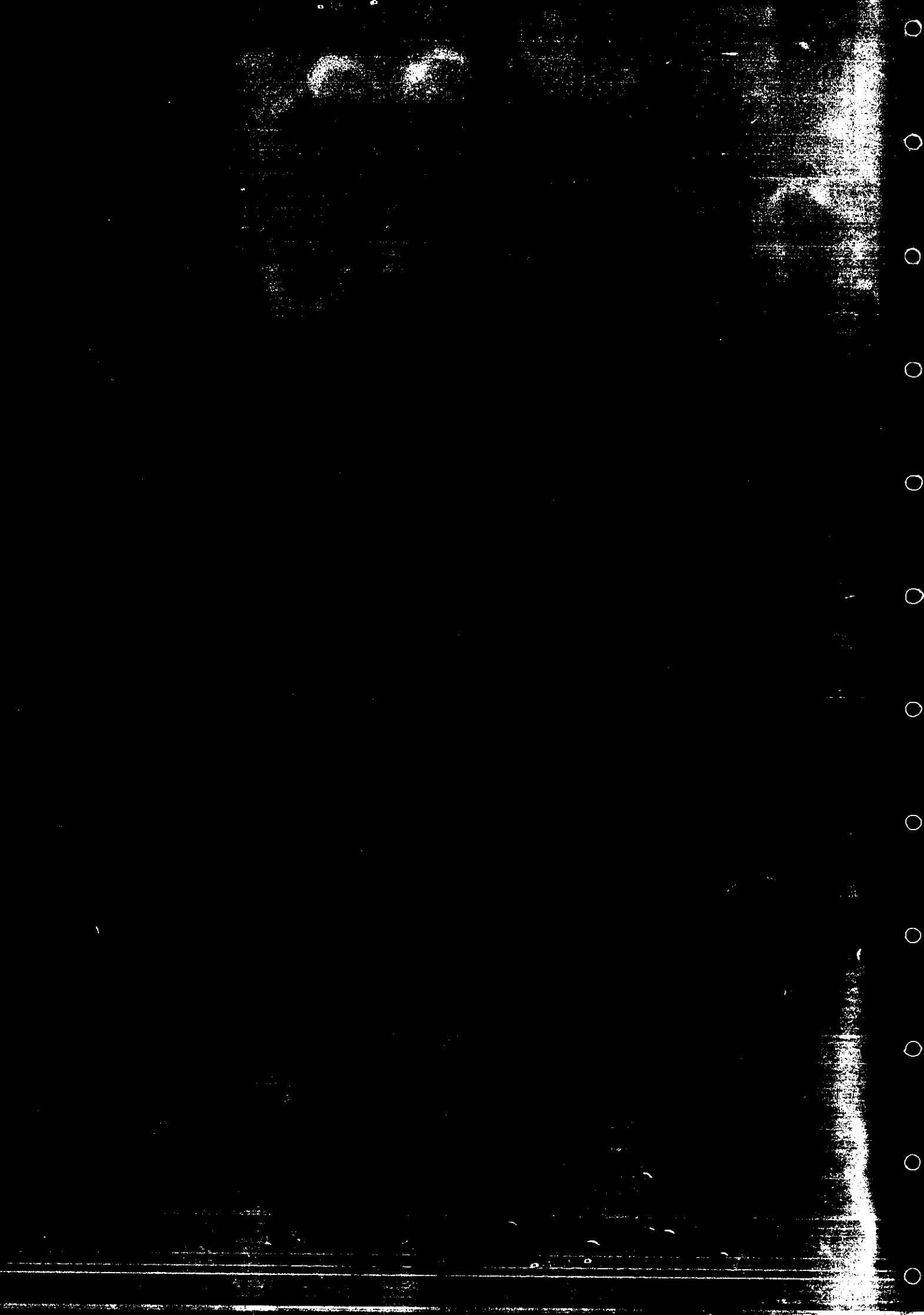
The Architects drawings for application 89/2137 and 90/0296 show an increase in height of 2 metres over the approved scheme (88/0632). This can be clearly seen with reference to the 1988 section drawing HTN/01/114 which shows the height of the 4th floor ceiling above basement level at 17 metres, while the corresponding drawing in the new application HTN/01/114 rev F which shows a dimension of 19 metres.

If we can be of further assistance please do not hesitate to contact us.

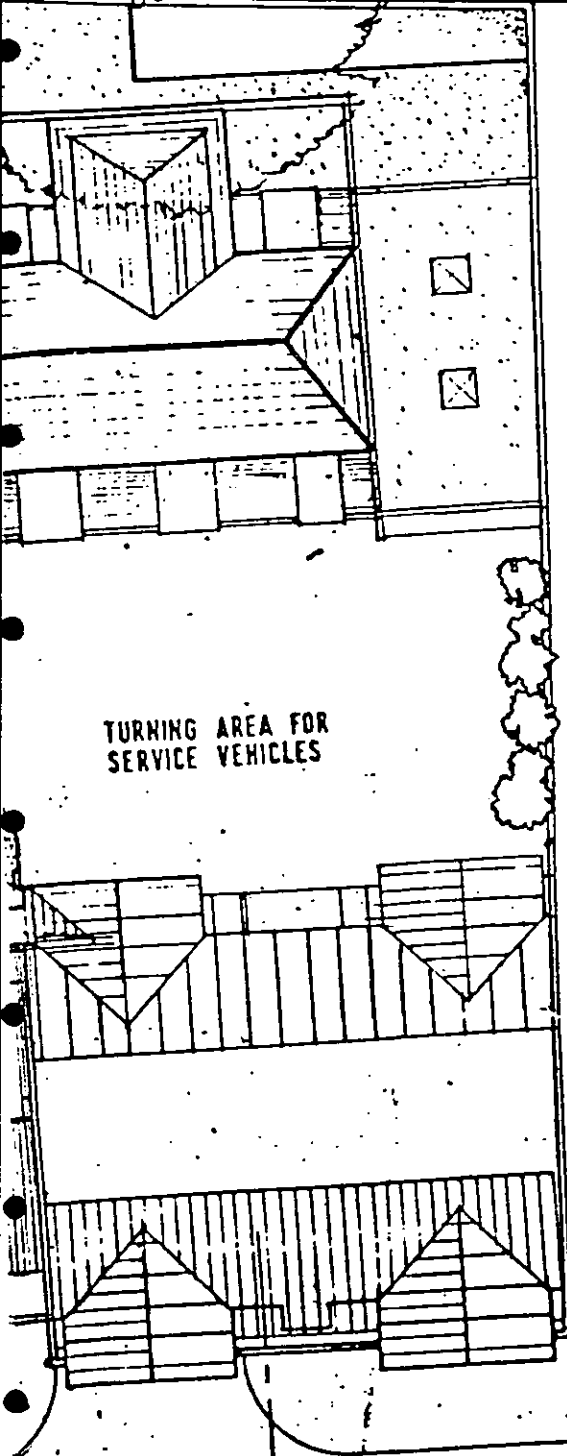
Yours faithfully



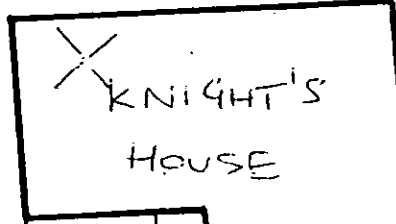
P G SCHINDLER



42A
GUNTER
GROVE

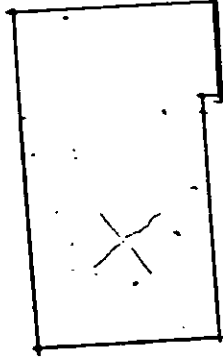


TURNING AREA FOR
SERVICE VEHICLES



X KNIGHT'S
HOUSE

KNIGHTS



X

B

Winkworth Surveyors



Chartered Surveyors
65 Kensington Church Street, London W8 4BA

071-937 0959/071-938 1933

Fax: 071-937 0151

N. Stoop Esq
28a Edith Grove
London
SW10

Our ref: 90/255
Date: 30/3/90

Dear Nick,

RE: 42A GUNTER GROVE/DEVELOPMENT ON HORTENSIA ROAD, LONDON SW10

Further to my inspection carried out on Wednesday 28th March, I write to advise you that I am of the opinion that the southernmost boundary of the new development on Hortensia Road is closer to Knight's House by between 2'8" and 4'4" than originally envisaged on drawing No. HTN/01/105. I enclose a photocopy of the relevant section of the plan showing the scaled off measurements and, in brackets, the actual measurements on site.

Whilst it is always possible that the copy of the original has expanded/contracted in the copying process and, of course, the scale of 1:200 is such that it is easy to be 12" out, it seems to me that those measurements marked A, B & C on the plan of Knight's House are sufficiently accurate for the inaccuracies between the new southern boundary and Knight's House to be regarded as clear evidence that the southern boundary has been moved further south. Obviously, this will have an effect on the south-westerly sunlight to the window of your maisonette at 42a Gunter Grove.

I trust this is of assistance to you and if I can help further then do please call me at the office. In the meantime, our accounts department will be sending you an invoice for this work in due course and perhaps you would settle with them direct.

Yours sincerely,

Mark Lanyon FRICS
for **WINKWORTH SURVEYORS**
(Chartered Surveyors)

42' COUNTER
CROWE

16'8"
(12'4")

17'10" (16'5")

17'10" (17'7") (A)

16'6"
(13'9")

14'6"
(12'5")

(B)

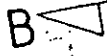
28'10" (28'7")
(C)

KNIGHTS HOUSE

TURNING AREA FOR
SERVICE VEHICLES

28'4"
(25'8")

42'
(46")



APPENDIX 8

Photographs

1. Previous view from the garden of 40 Gunter Grove (42 is to the left as you look at the picture). The building to the extreme left of the picture is Knight's House. The peaks of the glass-house were just visible over the garden wall. The building in the background is the Chelsea School, 60 yards away on the far side of Hortensia Road.

Contrast this picture with Number 5, showing the new office blocks which have been built "at risk".

2. View from Knight's House of the unfinished rear office blocks which shows their impact on Gunter Grove properties. To the right of the picture is the Cottage, 42a Gunter Grove. It will be noted that the side wall of the office building lines up with the apex of the roof of the cottage i.e. it comes across further than shown upon the developers plans.
3. View from the bedroom window at 42a Gunter Grove of the rear office buildings, which, if approved, will take sunlight from rooms and gardens.
4. This picture demonstrates the extreme proximity of the proposed rear office blocks to Gunter Grove homes and gardens. The degree by which the Cottage will be overlooked (even if the developers modification is implemented) is self evident.
5. View from the garden at 40 Gunter Grove of the proposed rear office block.
6. This picture, taken from the garden of 42a Gunter Grove, shows the cliff-like effect of the new proposed offices, which are to the south and west of peoples homes and gardens, depriving them of sunlight and privacy.

