

**Site at
17-35 Gloucester Road, SW7.
(Ground Floor Units 6, 7 & 8
and Basement Units 7 & 8)**

RBK&C Ref:

TP/96/2229

D.o.E Ref:

APP/K5600/A/97/279106

**Statement and
Documents**

Alison Flight

30th. October 1997

Informal Hearing

THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

UNITS 6,7 & 8, 17-35 GLOUCESTER ROAD

KENSINGTON W8

Statement by the Royal Borough of Kensington and Chelsea relating to an appeal under Section 78 of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) by Groupe Flo (UK) Ltd against this Council's refusal of planning permission for the change of use of Units 6,7 and 8 , 17-35 Gloucester Road from retail use (within Class A1) to a restaurant use (within Class A3)

Local authority reference: DPS/DCC/TP/96/2229

DoE reference: APP/K5600/A/97/279106

1.0 SITE AND SURROUNDING AREA

- 1.1 These three shop units are currently vacant, having been recently constructed as part of the comprehensive redevelopment of Nos 17-35 Gloucester Road. The street frontage of the block currently comprises eight vacant shop units, all provided as part of the redevelopment, together with a disused unit and a public house which remained in situ throughout the redevelopment. The upper parts of the block are in use as quasi-residential/short let 'Citadines' apartments, and 14 self-contained residential flats.
- 1.2 The three units forming the subject of this appeal are located at the southern end of the block, on the East side of Gloucester Road at its junction with Elvaston Place. Petersham Lane lies immediately to the rear of the block of 17-35 Gloucester Road with the residential block of St Georges Court is opposite on the Gloucester Road. The total floorspace of Units 6, 7 and 8 is 449 sq metres.
- 1.3 The premises are located within the Gloucester Road (North) Local Shopping Centre and are also included in the Queen's Gate Conservation Area.

2.0 SUMMARY OF THE DEVELOPMENT TO WHICH THE APPEAL RELATES

- 2.1 This appeal is lodged under Section 78 of the Town and Country Planning Act 1990 against this Council's decision to refuse planning permission for the change of use of Units 6, 7 and 8 from retail use (within Class A1) to use as a restaurant (within Class A3)
- 2.2 The proposal included the provision of seating for up to 130 customers at ground floor level together with a kitchen, customer toilets and storage at basement level
- 2.3 The proposal was submitted on behalf of the company that operates the 'Cafe Flo' group of restaurants who have an existing premises at Kensington Church Street and seven others in London. Their restaurants are French influenced and do not include any take away element in their service.

2.4 It should be noted that a separate planning application for associated shopfront alterations is currently being held in abeyance pending the outcome of this appeal.

3.0 **RELEVANT PLANNING HISTORY**

3.1 The block comprising Nos 17-35 Gloucester Road began to fall into disrepair towards the end of the 1980's, with the vacation of the upper floors and the closure of the 'Waitrose' supermarket that had been trading from premises at the Northern end of the terrace.

3.2 In 1987, Planning permission and Conservation Area Consent were granted for part demolition and rebuilding to form 20 residential units and three floors of offices.

3.3 On 5 February 1991, Planning Permission and Conservation Area Consent were granted for the redevelopment behind the facades to provide a restaurant, bank and retail units at ground floor level, with 24 flats and 1298 sq. m of offices at upper levels together with an underground car park

3.4 On 15 October 1993, Planning Permission and Conservation Area Consent were granted for redevelopment behind the facades to provide retail units at ground floor level, 14 self contained flats and 'Citadines' apartments at upper levels together with a basement car park. This redevelopment proposal was implemented and completed in 1996.

3.5 On 10 October 1996 an application was received for the change of use of Units 6,7 and 8 from retail use (within Class A1) to use as a restaurant (within Class A3), this application was registered as complete on 10 October.

3.6 On 16 October, occupiers of 146 neighbouring properties were notified of the proposal, in Gloucester Road, Petersham Place, Petersham Lane and Elvaston Place.

3.7 Sixteen letters of objection were received from, or on behalf of neighbouring occupiers or groups including the St Georges Court

Residents Association, the South Kensington and Queens Gate Residents Association, and The Kensington Society

3.8 These objections can be summarised as follows:-

a) the proposal would result in the loss of retail units which would be detrimental to the local shopping centre

b) the proposed restaurant would compound the present traffic problems in the area

c) the proposal would cause late night disturbance to local residents

3.9 The planning application was considered at the meeting of the Planning Services Committee on 26 February 1997 and was recommended by officers for approval. This recommendation was not accepted by the Planning Services Committee who duly refused planning permission for the following reason:-

‘ The proposed loss of three units of Class A1 retail accommodation is contrary to policies within Chapter 10 of the Unitary Development Plan, in particular, Policy S17’

3.10 The decision notice was issued on 14 March 1997 stating this reason for refusal and is included as Appendix 2 of this Statement

4.0 STATUTORY PLANS AND POLICIES

4.1 The Unitary Development Plan for the Royal Borough was formally adopted on 28 August 1995 and is the Statutory Plan for the Borough for the next ten year period. The Plan is the Development Plan for the Borough for the purposes of Section 54A of the Town and Country Planning Act 1990 (as amended)

4.2 Other relevant documents are Circulars, Planning Policy Guidance Notes and other advice from Central Government, together with the statutory framework provided by the Town and Country Planning Act 1990 and the Planning and Compensation Act 1991 which places emphasis on the need to meet the requirements of the Development Plan where Section 54A states:-

'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'

- 4.3 In June 1996, Planning Policy Guidance Note 6 'Town Centres and Retail Developments' (PPG 6) was issued which sets out Central Government guidance relating to Town Centres. One of the Governments objectives as stated in 1.1 of this document is:-

'to sustain and enhance the vitality and viability of Town Centres'

- 4.4 With regard to planning applications for changes of use within centres, paragraph 2.25 states:-

'Changes of use, whether in town, district or local centres, can however sometimes create new concentrations of single uses, such as restaurants and take away food outlets, where the cumulative effects can cause local problems. Such proposals should be assessed not only on their positive contribution to diversification, but also on the cumulative effects on such matters as loss of retail outlets, traffic, parking and local residential amenity. These issues should be resolved when making planning decisions, rather than permission being unimplementable when licences are refused'

- 4.5 With regard to the different types of shopping centres, Annex A of PPG6 identifies these types as:

Local Centre

-small grouping usually comprising a newsagent, a general grocery store, a sub post office and occasionally a pharmacy, a hairdresser and other small shops of a local nature;

District Centre

-groups of shops, separate from the town centre, usually containing at least one food supermarket or superstore, and non retail services such as banks, building societies or restaurants;

Town Centre

-in this guidance, the term 'town centre' is used generally to cover city, town and traditional suburban centres, which provide a broad range of facilities and services and which fulfil a function as a focus for both the community and for public transport. It excludes small parades of shops of purely local significance. The policy guidance in this PPG should be interpreted in a way that relates reasonably to the particular size of the town centre concerned'

In London and other large cities outside the central area, the principal shopping centres usually perform the role of town centres and these are usually complemented by district centres'

- 4.6 Within the context of the definitions stated above, PPG6 gives guidance regarding District and Local Centres in paragraph 3.18, where it states:-

'Local authorities should encourage, through their planning policies and actions, a wide range of facilities in district and local centres, consistent with the scale and function of the centre, to meet peoples day to day needs, so reducing the need to travel. The need for local shops is as important within urban areas as it is in rural areas for reducing dependence on the car'

5.0 UNITARY DEVELOPMENT PLAN POLICIES

- 5.1 The Council consider that the main issues on this case are the effect of the proposal on the vitality and viability of the Gloucester Road (North) Local Shopping Centre together with the effect of the proposal on the amenities of the occupiers of nearby residential properties.
- 5.2 The Unitary Development Plan identifies a number of Strategic Planning Policies in addition to the local, topic land use based policies contained within individual chapters of the Plan. The Plan states that it:-

'aims to strike a balance between the Borough's strategically important function of providing a high quality residential environment close to the centre of London and the needs of commercial development'

5.3 To this effect, Strategy 1 of the Plan is:-

'to give priority to the protection and enhancement of the residential character and amenity of the Royal Borough'

5.4 and Strategy 5 of the Plan is:-

'to seek to ensure that all development preserves or enhances the residential character of the Royal Borough'

5.5 With regard to strategic shopping policies, Strategy 29 of the Plan is:-

'to seek to enhance the vitality and viability of Principal and Local Shopping Centres and to ensure that they remain the focus of the provision of shopping facilities in the Royal Borough'

5.6 and Strategy 31 of the Plan is:-

'to ensure that the needs of those who live and work in the Royal Borough are met by shops and services which are easily accessible'

5.7 The Shopping Chapter (Appendix 3 of this Statement) outlines the overall objectives for shopping within the Royal Borough, these are:-

(A) To ensure that there are suitable premises throughout the Borough to provide for the range of types of shops and those other uses that serve the various requirements of residents, workers and visitors,

(B) To give priority to retaining, protecting and encouraging the provision of premises and space for convenience shopping to serve the day to day needs of the Borough's residents,

particularly in areas where existing provision is poor or where there are concentrations of less mobile residents

(C) To improve the environmental quality in shopping streets, to help make shopping safer and more pleasant and, in particular to alleviate any conflict between shoppers and traffic

- 5.8 Within the Unitary Development Plan, The Council identify two types of shopping centre, these being Principal Shopping Centres and Local Shopping Centres. These are defined as follows:-

PRINCIPAL SHOPPING CENTRE: Those main shopping centres of the Borough offering both comparison and convenience shopping where 'core' and 'non-core' frontages have been defined

LOCAL SHOPPING CENTRE: A centre usually offering a smaller range of comparison shops than a Principal Shopping Centre and commonly having a higher proportion of convenience shopping

- 5.9 The Plan recognises the need to maintain a substantial amount of shopping floorspace and to resist a reduction in the number of shop units throughout the Borough, to this effect, Policy S1 is:

'Normally to resist the loss of shop units and floorspace'

- 5.10 There are a wide variety of shopping centres in the Borough, and being close to central London, some centres serve a national or international market. However, priority will always be given to the needs of local residents in the implementation of shopping policy. As far as possible the interests of visitors will not be allowed to harm the interests of those who live in the Borough. The need to support existing shopping centres is reflected in Policy S6 which is:-

'to seek to maintain and improve the vitality, viability and function of the shopping centres throughout the Borough'

- 5.11 The Plan recognises that non-shop uses within shopping centres can be a complementary part of these centres, however, the growth of these uses often displaces valuable shop uses, reducing the number of choice of shops available which may ultimately undermine the character or function of an area. With particular regard to proposals

involving catering establishments, it is necessary to determine whether the provision of additional catering establishments would either individually or cumulatively harm the existing character or function of the shopping centre or the residential amenity of the surrounding area.

- 5.12 It is recognised that the Principal Shopping Centres that are identified within the Unitary Development Plan are able to accommodate a limited number of non shop uses including those within Class A3. However, outside of these identified centres the protection of the retail character and function is considered essential, and proposals involving the loss of a shop units or usable retail floorspace (including storage space) will normally be resisted. To this effect, Policy S13 is:-

‘Other than in Principal Shopping Centres to resist the development of restaurants, Public Houses, snack bars, cafes, wine bars and shops for the sale of hot food where this would result in:

(a) any significant reduction in an areas residential character and amenity including by smells or late night noise; or

(b) significant increase in traffic or parking; or

(c) the loss of usable retail space

- 5.13 The premises that form the subject of this appeal are situated within a designated Local Shopping Centre. The character and function of these centres is such that they usually offer a much smaller range of comparison shops than Principal Shopping Centres and are more important because they commonly have a higher proportion of convenience shopping and reduce the need to travel by car. The Plan considers that the maintenance of Local Shopping Centres is important and all shops in such locations are likely to be essential to the centres’ shopping character. To this effect, Policy S17 is:-

‘Normally to resist the loss of any shop in a local shopping centre’

- 5.14 The proposal that is the subject of this appeal involves the provision of a restaurant use. The Plan recognises that these facilities are used

by residents, visitors and workers in the Borough and generally serve a useful function. However, these uses can displace retail uses reducing the range of retail premises available. They also cause unwelcome noise, traffic, smells and refuse particularly in residential areas and at night. Therefore, the effect of the proposal on the levels of amenity currently enjoyed by the occupiers of surrounding properties is an important consideration in this case. To this effect Policy H4 of the 'Housing' Chapter of the Plan (Appendix 4 of this Statement) is:-

'To resist the encroachment into residential areas of commercial activities which would be inappropriate by virtue of size, scale, hours of operation, traffic congestion, traffic generation or nature of use'

6.0 ANALYSIS OF GLOUCESTER ROAD SHOPPING CENTRE

- 6.1 A map of the Gloucester Road (North) Local Shopping Centre is included as Appendix 5 of this Statement. The Local Shopping Centre includes Nos 10 -72 (evens) and 1-35 (odds) Gloucester Road, 1-5 (consecutive) Kynance Place, 2-5 (cons) and 27-20 (cons) Victoria Grove.
- 6.2 Within the framework of PPG6, the Royal Borough identifies two types of shopping centres, these being Principal Shopping Centres and Local Shopping Centres. Principal Shopping Centres can generally be set within the criteria that defines a 'Town Centre' in PPG6. Within the Royal Borough there are nine such centres, the closest to the appeal premises being the Kensington High Street Principal Shopping Centre.
- 6.3 The definitions for 'Local Centres' and 'District Shopping Centres' are set out in paragraph 4.5 of this statement. Within the context of this guidance the Gloucester Road (North) Local Shopping Centre contains non shop uses, however it does not contain a food supermarket or superstore. Many of the units, however, sell products or services meeting the daily needs of residents and workers in the locality, i.e at least a third of the units in the centre are either convenience or local specialist shops. The majority of the units are occupied by independent traders with only a small number

of units being occupied by regional/national organisations (Boots, Oddbins, Sketchleys, Ladbrokes and Threshers). There are very few units which sell comparison goods (i.e shoes, clothing or furniture).

6.4 Given the range and type of shops in this centre, its function is considered to be more typical of a local centre rather than a district centre as defined in PPG6 and this confirms and supports the Council's definition of the centre as a Local Shopping Centre as defined in the Unitary Development plan.

6.5 The Gloucester Road Local Shopping Centre consists of 64 units. The most recent survey (as yet unpublished) took place in August 1997 and shows the numbers of different uses within the Centre. These are as follows:

<u>Use Class</u>	<u>Numbers</u>	<u>Percentage</u>
A1	35	55%
A2	4	6%
A3	13	20%
SG	1	2%
Other Uses	11	18%
<hr/>		
Total Numbers of Units	64	100%

6.6 The number of vacant units in the Centre has decreased in recent years and the current vacancy rate is 5 % which is one of the lowest rates for Local Shopping Centres in the Borough. However, this vacancy rate does not include the eight vacant units that comprise the redevelopment site of Nos 17-35 Gloucester Road, the inclusion of these would raise the current vacancy rate to 17% which is one of the highest for local shopping centres in the Borough.

7.0 AMPLIFICATION OF THE COUNCIL'S REASONS FOR REFUSAL

7.1 The premises that form the subject of this appeal comprise three retail units which are currently vacant. Although these units have never been occupied following the redevelopment of Nos 17-35

Gloucester Road, as the redevelopment of the site has been completed the lawful use of the units is Class A1. It should be noted that although the premises comprise three units, the proposal involves the change of use of the premises as one whole unit providing 449 sq metres of floorspace.

- 7.2 The main considerations in this case are the effect of the proposed change of use on the Gloucester Road (North) Local Shopping Centre, in terms of both its vitality and viability and character and function. The proposal also has to be considered with regard to its effect on the levels of amenity currently enjoyed by occupiers of surrounding residential properties.
- 7.3 The appeal premises are situated within an identified Local Shopping Centre, in these centres there is a strong policy presumption against the loss of retail units as it is essential to the function of these centres that they provide a range of retail units which offer convenience goods and other local needs for the occupiers of the nearby residential properties
- 7.4 The existing character of the Gloucester Road (North) Local Shopping Centre is such that the majority of the retail units are situated on the Western side of Gloucester Road, although there are a number of cafe/ restaurant uses on this side. In contrast, the character of the Eastern side of Gloucester Road is dominated by the redevelopment site of Nos 17-35 Gloucester Road which includes a large public house in the central section of this site, with a concentration of restaurants and cafe uses at the northern end of the Centre in the terrace of properties between Queens Gate Mews and Queens Gate Terrace.
- 7.5 The appeal premises occupy a large unit on the Eastern side of Gloucester Road at its junction with Elvaston Place. The location of this unit on a corner site presenting onto two elevations means that it is particularly visually prominent, particularly from the Southern end of Gloucester Road. This unit by virtue of its size and location is considered one of the most significant in this Centre and is only one of two available units in this Centre (the other being at the northern end of the block of 17-35 Gloucester Road) which are of a sufficient size that could be occupied by a convenience foodstore. The use of this unit for such a purpose would fulfil a dual function in

that it would serve the local residents of the area and would attract visitors to the Centre; therefore, it is considered essential to the future vitality and viability of the Centre that this unit is retained for retail use.

- 7.6 The block of Nos 17-35 Gloucester Road has a street frontage of approximately 78 metres, 20 metres of which is currently occupied by the 'Rat and Parrot' Public House, the proposal involves the loss of a further 20 metres of retail frontage to a restaurant use, resulting in over half of the 'block' being in non retail use. Given that the block of properties comprising Nos 17-35 Gloucester Road occupies such a strategic position at the edge of this local centre, the loss of over half of the street frontage of this block to two , large Class A3 users is considered to weaken the attractiveness of this block to shoppers, thereby undermining the long term vitality and viability of the Centre.
- 7.7 The proposal involves the provision of a restaurant, and as such tend to attract more visitors to the Centre in the evenings. Although, in this case the proposed operation is one that is open throughout the day until midnight it is considered that the restaurant use is likely to attract the majority of its customers in the evening. Therefore, the loss of a retail use in this location which would attract local daytime customers and visitors is considered to weaken the vitality of the Local Shopping Centre which would affect the future viability of this Centre. This detrimental effect on the Local Shopping Centre is considered contrary to Policy S17 of the Unitary Development Plan. It is not considered that the likely daytime activity to be associated with the proposed restaurant would result in sufficient benefit to the vitality or viability of the Centre to overcome this objection.
- 7.8 In addition to the affect of the proposal on the vitality and viability of the Local Shopping Centre, the proposed use of the unit for a restaurant is considered to be detrimental to the amenities of residents of the surrounding residential properties.
- 7.9 In the 'block' of properties in which the appeal premises is situated there is the 'Rat and Parrot' Public House which was formerly known as the 'Harrington Public House'. There was a long history of complaints relating to the operation of the 'Harrington' in connection with noise nuisance both from customers and extractor

units at the rear in Petersham Lane. A planning application was submitted for the change of use of a former off-licence premises adjacent to this Public House to use as additional floorspace in conjunction with the refurbishment of the public house and its use by a different operator. This proposal received a number of objections from residents in the surrounding area on the grounds that the existing use was causing severe amenity problems and any increase in floorspace would only exacerbate these problems. After careful consideration, planning permission was granted subject to a Section 106 Agreement which stated that no customers were allowed outside the premises and that the entrance doors should be self closing. It was considered necessary to impose these stringent conditions in order to overcome any potential amenity problems.

- 7.10 However, since the premises have been in operation following the grant of planning permission, several complaints regarding noise nuisance and rubbish have been received by this Council's Environmental Health Department. Therefore, it is evident that there is a continuing amenity problem in this block of properties which has not been overcome by a new operator or stringent planning conditions. In these circumstances, it is considered that to introduce a restaurant in this block which proposes 130 covers, taken cumulatively with the existing amenity problems associated with the Public House would result in a level of evening activity which is likely to result in severe detriment to the amenities of the occupiers of the surrounding properties, therefore it is contrary to Policy H4 of the Unitary Development Plan

8.0 **RESPONSE TO THE APPELLANTS GROUNDS OF APPEAL**

- 8.1 The appellants state that the professional planning officers considered all relevant matters of fact and policy in detail and concluded that planning permission should be granted.
- 8.2 This Council would state that although the Case Officer considered that in the circumstances planning permission was justified for the change of use of the premises to a restaurant, this opinion was not endorsed by members of the Planning Services Committee.

- 8.3 The appellants state that the proposals are in accord with the objectives and policies of the Unitary Development Plan and that there are no other material considerations whose weight outweighs the policy considerations.
- 8.4 The Council would state that although the Case Officer attended to the right considerations, the weight accorded to these considerations was incorrect. It is considered that the officer accorded insufficient weight to the strong policy presumption against the loss of a shop in a local shopping centre and afforded too greater weight to the planning history of the site.
- 8.5 The appellant states that the appeal proposals accord with Central Government Guidance as expressed in PPG1 and PPG6.
- 8.6 The Council would state that the proposal, in that it involves the loss of such a large retail unit in a key position in the local shopping centre, thereby causing harm to the retail vitality and function of the Local Shopping Centre, is not in accordance with Central Government Guidance as contained in both PPG1 and PPG6
- 8.7 The appellants state that the function, vitality and viability of the Gloucester Road (North) Local Shopping Centre would be improved with the implementation of the appeal proposals
- 8.8 The Council would state that the loss of this large retail unit in such a key position is considered to undermine the function of the local shopping centre which would ultimately affect the future vitality and viability of this centre
- 8.9 The appellant states that the analysis of the shopping centre does not present great concern as to the balance of Class A1 and Class A3 uses. They go on to state that there is a need to bring these vacant units into use which would be wholly in accord with the relevant planning objectives.
- 8.10 The Council would state that although an analysis of the balance of Class A1/Class A3 uses in the Local Shopping Centre would reveal that this balance is not the worst case in such centres in the Borough, the vacancy rate in this centre is still a legitimate concern as it is one of the highest in local shopping centres in the Borough.

In addition there is a relatively low number of 'convenience' retail units in the centre which detracts from its function to provide a retail service to local residents.

- 8.11 The appellants state that the planning history of the appeal premises indicates that in reality there is no loss of shop units at the end of the terrace where Class A2 and A3 uses were located
- 8.12 The Council would state that although it does not dispute this fact, the fundamental issue in this case is the effect of the proposal on the existing character and function of the Local Shopping Centre, the former Class A2 (Barclays Bank) and Class A3 (Strikes Restaurant) vacated the site in 1990, therefore it is considered inappropriate to accord much weight to the former uses of the site which have not been in occupation for over seven years. This Council's shopping policies seek to protect the future vitality and viability of local shopping centres and the proposed use of the premises as a restaurant is not considered to fulfil these aims.
- 8.13 The appellant states that the redevelopment of Nos 17-35 Gloucester Road has resulted in a net increase in ground floor retail space within the local shopping centre
- 8.14 The Council would contend that although the redevelopment did result in a small increase in ground floor level retail floorspace , overall there was a significant net loss of retail floorspace due to the loss of 600 sq metres at basement level. It is important to note that the planning permission for the redevelopment of the site was approved as a delicately balanced package and it was not envisaged that a substantial part of the retail floorspace provided by the proposal would be lost to a Class A3 use
- 8.15 The appellant states that the implementation of the appeal proposals would improve and enhance the Queens Gate Conservation Area both by the improved appearance of the premises through their being brought into use and through the additional vitality and viability that this would bring about
- 8.16 The Council would state that the proposal for the alterations to the shopfront (which is currently in abeyance pending the outcome of this appeal) currently includes a mainly open frontage that is not

considered to enhance the appearance of the conservation area. Even if improvements were to be made to the frontage in due course, this could not outweigh the major policy objection with regard to the loss of this significant retail unit

9.0 **CONDITIONS**

9.1 If the Inspector is minded to grant planning permission for the change of use of Units 6,7 & 8 , 17-35 Gloucester Road from retail (Class A1) to a restaurant (within Class A3), it is considered that the following conditions be attached to any such planning permission

Condition:

This permission shall be personal to Groupe Flo Ltd and shall not enure for the benefit of the land

Reason:

In granting this permission regard has been has to the special circumstances of this case and it is considered that use otherwise than by Groupe Flo Ltd would have resulted in planning permission being refused

Condition:

The use hereby permitted shall be retained for a limited period only until 1 March 2001 on or before which date the use shall be discontinued

Reason:

There is insufficient evidence available at this stage to assess the impact of the development and permission for a limited period will allow the authority to reassess the development in light of the experience of the use

Condition:

No customers shall be on the premises from 23.30 hours until 09.00 hours the following day

Reason:

To safeguard the amenities of neighbouring properties

Condition:

No process shall be carried out or machinery installed pursuant to this permission so as to cause detriment to the amenity of the area by reason of noise, vibration, smell, smoke, soot, ash, dust, grit or electrical interference

Reason:

To safeguard the amenities of neighbouring properties

Condition:

No loudspeaker or relay equipment or musical instruments shall be used on the premises in such a manner as to cause noise nuisance to nearby occupiers

Reason:

To safeguard the amenities of neighbouring properties

Condition:

The premises the subject of this permission shall not at any time be used for the sale of hot food for consumption off the premises

Reason:

The use for any other purposes would be detrimental to the amenities of local residents

Condition:

The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the local planning authority. The exception shall be that part of the plans relating to the proposed shopfront, which is not approved under the planning permission hereby granted and which is being considered under a separate application

Reason:

The details are considered to be material to the acceptability of the proposals and to safeguard the amenities of the area

Condition:

No tables or chairs shall be placed outside the premises

Reason:

To safeguard the amenities of neighbouring properties

Condition:

Not more than one restaurant shall be created in pursuance of this permission and this restaurant shall have not more than 130 covers

Reason:

To safeguard the amenities of neighbouring properties

Condition:

Details of the means of ventilation to the premises shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the use shall take place only with the ventilation so approved in operation

Reason:

To safeguard the amenities of neighbouring properties

10.0 **CONCLUSION**

- 10.1 In the Council's opinion, the proposed change of use of Units 6, 7 and 8, 17-35 Gloucester Road from retail (within Class A1) to use as a restaurant (within Class A3) is considered unacceptable for the reason stated in this Council's decision letter dated 14 March 1997 and as amplified in this Statement. It is respectfully requested that this appeal is dismissed by the Secretary of State

LIST OF APPENDICES

Appendix

1. Location plan of the site
2. Letter of decision of the planning application at Units,6,7 & 8, 17-35 Gloucester Road, dated 14 March 1997 (Ref:TP/96/2229)
3. Chapter 8 'Shopping' Chapter of the Unitary Development Plan
4. Chapter 5 'Housing' Chapter of the Unitary Development Plan
5. Land Use Map of Gloucester Road (North) Local Shopping Centre
6. Letter of Notification of Appeal to third parties
7. List of Persons notified





PETERSHAM MEWS

KYNANCE MEWS

KYNANCE PLACE

CORNWALL GARDENS

GLoucester ROAD

PETERSHAM LANE

St George's Court

Hamington Hotel (PH)

The Gloucester (PH)

VICTORIA GROVE

LAUNCESTON PLACE

8.40m

7.7m

8.3m

9.3m

TCB

TCBs

TCBs

LB

SWS

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The Day House
of
house 9 11 13 15

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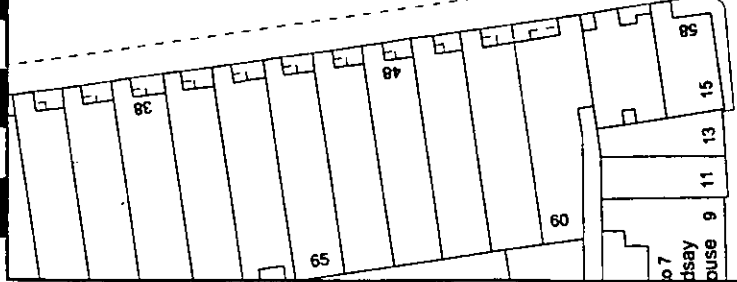
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The Gloucester (PH)

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PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Director of Planning Services



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KENSINGTON
AND CHELSEA

14 MAR 1997

My reference:

Your reference:

Please ask for:

DPS/PA/TP/96/2229/L/41/2065

Mrs. P. Abdelrahman

Dear Sir/Madam,

FILE COPY

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

Refusal of permission to develop (TP8)

The Borough Council, in pursuance of their powers under the above-mentioned Act and Order, hereby refuse to permit the development referred to in the under-mentioned Schedule, as shown on the plans submitted. Your attention is also drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT

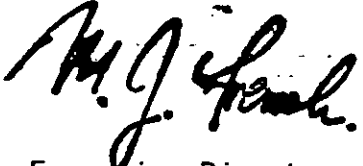
Change of use of Units 6, 7 and 8 from retail (Class A1) to restaurant (Class A3) with ancillary facilities, at 17-35 GLOUCESTER ROAD, KENSINGTON, S.W.7, as shown on submitted drawing(s) No(s). TP/96/2229, Applicant's drawing(s) No(s). 1589/P/002A and /003A, in accordance with your application dated 07/10/96, completed 10/10/96.

/ REASON FOR REFUSAL ...

REASON FOR REFUSAL

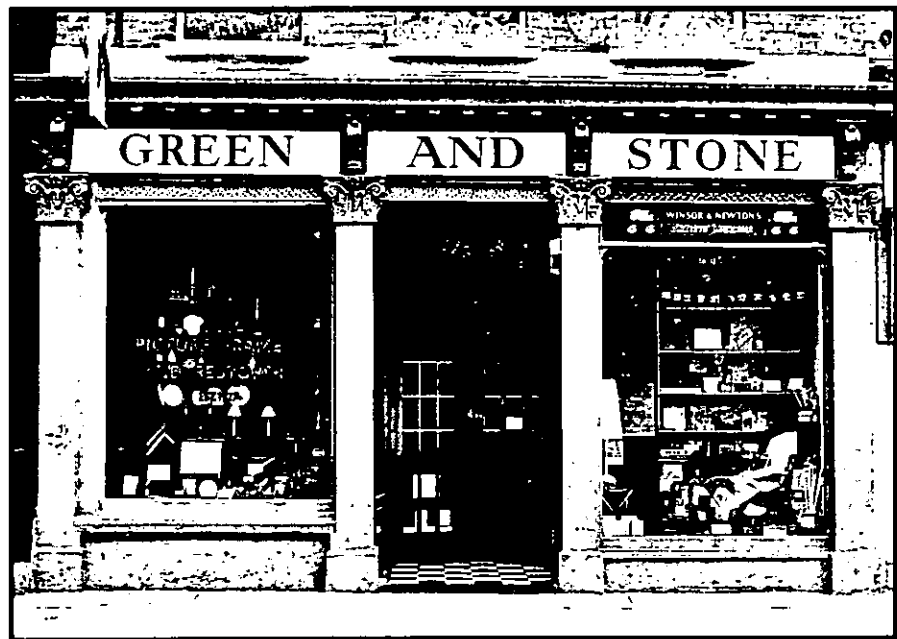
The proposed loss of three units of Class A1 retail accommodation is contrary to policies within Chapter 10 of the Unitary Development Plan, particularly Policy S17.

Yours faithfully,

A handwritten signature in black ink, appearing to read "M. J. Smith". The signature is written in a cursive style with a large initial "M".

Executive Director, Planning & Conservation

SHOPPING



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GENERAL POLICIES

Part I Policies and Reasoned Justifications

- i. One of London's major attractions is the variety and quality of its shops. The retail sector plays an important role in London's economy. The Royal Borough contains some of London's finest shopping areas, including Kensington High Street, Knightsbridge, King's Road and Portobello Road. These shopping areas act as a magnet for visitors from all over the world and thus make a valuable contribution to the economic vitality of London as a whole.
- ii. Shopping is an essential part of everyday life and can be a leisure activity too. Local convenience shops are an important part of the life of the Borough and serve the everyday needs of residents, workers and visitors. Other shops provide a wide range of goods and services meeting both local demand and retail demand from across London and the South East. Shops also provide and create employment for thousands of people in and around the capital.
- iii. The Council intends to maintain and enhance existing shopping centres and further investment will be directed towards defined core areas. The Council will ensure that the scale of future retail investment takes account of the likely impact on surrounding residential areas and shopping centres. The Council will also take into account the shopping centre's transport capacity and will pay particular regard to its accessibility by public transport. In supporting these aims, the Council will pursue the following policies :

STRAT 29

TO SEEK TO ENHANCE THE VITALITY AND VIABILITY OF PRINCIPAL AND LOCAL SHOPPING CENTRES AND TO ENSURE THAT THEY REMAIN THE FOCUS OF THE PROVISION OF SHOPPING FACILITIES IN THE ROYAL BOROUGH.

STRAT 30

TO ENSURE THE CONTINUED ENHANCEMENT OF THE INTERNATIONAL, NATIONAL AND REGIONAL RETAIL ROLE OF THE PRINCIPAL SHOPPING CENTRES.

STRAT 31

TO ENSURE THAT THE NEEDS OF THOSE WHO LIVE AND WORK IN THE ROYAL BOROUGH ARE MET BY SHOPS AND SERVICES WHICH ARE EASILY ACCESSIBLE.

LOCAL POLICIES

1 INTRODUCTION

- 1.1** This chapter is concerned with the Borough's Principal and Local Shopping Centres (see glossary and paragraphs 4.12 and 4.17), isolated shops and parades, and the specific uses within them. Broadly, these uses are shops, that is those falling within Class A1 of the 1987 Town and Country Planning (Use Classes) Order, together with uses providing services principally to visiting members of the public who visit as part of their overall shopping trip. Such uses include those within Class A2 (banks, building societies, estate and employment agencies, professional and financial services, betting shops), Class A3 (restaurants, public houses, snack bars, cafes, wine bars, shops for the sale of hot food), plus others which fall outside of any Use Class, such as launderettes. Uses which fall into Class B1 (business uses) are not considered to provide a service to shoppers on a general shopping trip.

2 OBJECTIVES

- 2.1** There are three overall objectives for shopping. These are:
- (A) To ensure that there are suitable premises throughout the Borough to provide for the range of types of shops and those other uses that serve the various requirements of residents, workers and visitors.
 - (B) To give priority to retaining, protecting and encouraging the provision of premises and space for convenience shopping to serve the day-to-day needs of the Borough's residents, particularly in areas where existing provision is poor or where there are concentrations of less mobile residents.
 - (C) To improve environmental quality in shopping streets, to help make shopping safer and more pleasant and, in particular, to alleviate any conflict between shoppers and traffic.

3 PROVIDING FOR A RANGE OF SHOPS AND OTHER LOCAL NEEDS USES

Keeping, Increasing and Improving the Stock

3.1 The shops, street markets and individual stalls of the Borough are important to residents, workers and visitors, and are a valuable source of employment. There is also a continual strong demand from potential shopkeepers and stall-holders to set up business in the Borough. Retailing is clearly the most important activity in shopping centres as shopping is the main reason why people visit them. It is therefore important to maintain a substantial amount of shopping floorspace and shopping frontage and resist a reduction in the number of shop units and range of shop sizes available throughout the Borough.

3.2 The Council recognises the importance of isolated and scattered shops and parades outside Principal and Local Shopping Centres and the valuable service such 'corner shops' provide. The Council will therefore normally resist the change of use from shops to other uses. There are circumstances set out in policies S15, S16, S20 and paragraph 5.4 when exceptions to S1 may be permitted.

3.3 In order to retain existing floorspace in shop use, the proposed loss of a shop's basement or other ancillary space to some other separate use will need to be considered against the ability of the main shop premises to continue without it.

S1 NORMALLY TO RESIST THE LOSS OF SHOP UNITS AND FLOORSPACE.

S2 NORMALLY TO PERMIT NEW SHOP FLOORSPACE AND EXTENSIONS TO EXISTING SHOP UNITS.

S3 TO SEEK THE REPLACEMENT OF SHOP FLOORSPACE AND FRONTAGE IN REDEVELOPMENT SCHEMES.

S4 TO SEEK THE PROVISION OF SHOP UNITS AS PART OF APPROPRIATE DEVELOPMENT SCHEMES.

S5 TO SEEK A RANGE OF SHOP UNIT SIZES IN SHOPPING DEVELOPMENTS.

3.4 The Borough has a wide variety of shops, both in size and type, ranging from internationally famous department stores, to valued specialist traders, from food superstores to handy kiosks. It is important that this variety is maintained to ensure that shop operators have a range of shop sizes to choose from and so that people have a variety of places at which to shop. It is not intended to seek a range of unit sizes where the development is for a freestanding superstore or proposals of that type.

Supporting Shopping Centres

3.5 There is a wide variety of shopping centres in the Borough, from world famous streets such as Knightsbridge, to small parades catering for the everyday needs of local people. Existing shopping centres, all of which are near to where residents live and workers are employed, contribute greatly to the character of the Borough and so their vitality and viability must be maintained. The Borough, being close to central London, also serves an international, national and London-wide market. These additional shoppers help to support shops which are also used by residents and workers. However, priority will always be given to the needs of local residents in the implementation of shopping policy. As far as possible, the interests of visitors will not be allowed to harm the interests of those who live in the Borough. Existing shopping centres are attractions in their own right and provide for the needs of visitors to other places of interest nearby. They are also well served by public transport, and so should be supported as they are easy to get to for those without access to a car. The encouragement of extra car-borne shopping trips would result in harm to residential amenity and is therefore discouraged.

S6 TO SEEK TO MAINTAIN AND IMPROVE THE VITALITY, VIABILITY AND FUNCTION OF THE SHOPPING CENTRES THROUGHOUT THE BOROUGH.

Large New Stores and Shopping Centres

3.6 Large new stores - food superstores and non-food retail warehouses - and new, separate shopping centres can offer a greater choice to shoppers so long as they do not harm existing Principal and Local Shopping Centres. They can allow more efficiency, and enable a better service to be provided to the public. Kensington and Chelsea is already relatively well served by large food and non-food stores outside of shopping centres, and the number of suitable sites for large new stores is limited. Each proposal will be assessed not just on its effects, but on the cumulative effects of all relevant schemes which are within the trading area of the Borough and adjoining boroughs' shopping centres. Their impact on the overall vitality and viability of existing shopping centres will be considered. Such developments also tend to attract large numbers of car-borne customers and can have unacceptably damaging effects on the environment, therefore the accessibility of the site by public transport needs to be carefully considered (see Section 6 and policy TR39 of the Transportation Chapter regarding the impact of development on traffic movement). Proposals will also be considered against other policies in the UDP on such matters as residential amenity, design, landscaping, access and parking provision. The Council will also assess proposals in other local authority areas on the same basis.

S7 TO RESIST LARGE NEW SHOPPING DEVELOPMENTS WHICH WOULD BE LIKELY TO:

- a) UNDERMINE THE OVERALL VITALITY AND VIABILITY OF EXISTING PRINCIPAL AND LOCAL SHOPPING CENTRES; OR
- (b) RESULT IN SIGNIFICANT INCREASES IN TRAFFIC MOVEMENT ON THE EXISTING ROAD NETWORK.

Street Markets and Stalls

- 3.7** The Council recognises the contribution of street markets and individual stalls to the provision of shopping facilities and to the character of parts of the Borough. However, the supply of storage for street trading is a particular problem.
- S8** TO ENCOURAGE THE RETENTION AND TO RESIST THE LOSS OF STREET MARKETS AND STALLS IN APPROPRIATE LOCATIONS.
- S9** TO ENCOURAGE THE RETENTION AND PROVISION OF ADDITIONAL STORAGE FOR STREET TRADERS.
- 3.8** Appropriate locations for the purposes of policy S8 are those which do not conflict with residential amenity, pedestrian and vehicular access.

4 CONTROL OF NON-SHOP USES

- 4.1** Some non-shop uses require a flow of passing potential customers, are often a complementary part of shopping centres, and are better located within existing centres than in residential areas. The growth of these services, however, often displaces valuable shop uses. It commonly reduces the choice of shops available, may harm retail confidence in a shopping centre or parade, and may ultimately undermine the character or function of an area. Whether this is likely to happen is a matter of judgement. In deciding whether it seems likely, the Council will take into account the views of residents and other users of the shopping centre, together with the opinions of traders. However the Borough already has many service uses and their growth needs to be contained so as not to lose shop units or floorspace. Restaurants and other A3 uses have further implications which are considered in policies S13 and S15, and paragraphs 4.10 and 4.11.
- 4.2** There are certain locations where non-shop uses which do form part of the overall shopping trip can be accommodated where this does not conflict with other Council policies. Such non-shop uses are generally guided to non-core frontages of the Principal Shopping Centres which are usually better suited to assimilate an element of non-shop use. However, a strictly limited number of non-shop uses may be appropriate in some core frontages providing the predominant shopping character is retained. Such non-shop uses will be expected to be those which are seen by shoppers to be an essential part of the overall shopping trip. The location of non-shop use in either the core or non-core frontage will only be appropriate where this does not threaten the vitality and viability of the whole shopping centre or particular parade. Shopping centres, particularly core frontages can only assimilate a limited number of non-shop uses before their essential shopping function or character is impaired.

- 4.3** In considering the appropriateness of proposals, account will be taken of the existing shopping character and function, including the percentage of retail units in the core and non-core frontages, the distribution and type of uses in individual parades, the level of vacancy and the length of frontage of individual units. Other considerations include the type of non-shop use, the proximity of residential properties and the impact on amenity, existing traffic and parking levels, smells, and noise levels particularly at night and during the weekend.
- 4.4** Non-shop uses not directly serving the public do not require shopfront premises, and do not contribute to the character and vitality of shopping centres. In this context, uses falling within Class B1 (business uses) will not be considered appropriate non-shop uses for either the Principal or Local Shopping Centres.

Shopping frontages

- 4.5** The continuity of shopping frontages, and the location there of uses requiring shopfront units is important to the character of Principal and Local Shopping Centres, and parades of shops. The introduction of non-shop uses which do not attract callers or stimulate passing trade adversely affects the shopping character and function and will be resisted. Shop units are too important to the vitality of shopping centres and parades to be lost to uses which do not justify a frontage location.

S10 TO RESIST THE LOSS OF SHOPFRONT PREMISES IN NON-SHOP USE TO A USE WHICH DOES NOT PRINCIPALLY TRADE DIRECTLY WITH VISITING MEMBERS OF THE PUBLIC.

- 4.6** Shopfront units also make a very important contribution in terms of visual amenity. In the limited circumstances where planning permission is granted for the loss of a shop, it is important that shop frontages are retained for the sake of the architectural integrity of individual buildings and parades. In this way, the future full use of the shopfront can be ensured. In such cases, the Council will normally expect the premises to revert to a shop use once the permitted non-shop use ceases.

- 4.7** All proposals for shop frontages will need to ensure that existing access is maintained. Proposals will also be subject to the policies set out in the Conservation and Development Chapter. In order to avoid the impact of 'dead frontage' on the shopping street scene from the loss of shop use, the retention of window displays may be required. Many shopfronts contain access to residential accommodation.

S11 TO REQUIRE THAT SHOP FRONTAGES AND WINDOW DISPLAY AREAS ARE RETAINED WHERE THE SHOP USE IS LOST TO A NON-SHOP USE.

- 4.8** The loss of a shopfront will only be permitted in exceptional circumstances and only where the architectural integrity of the street frontage is not threatened.

Amusement Arcades and Centres

4.9 Recent years have seen a substantial increase in amusement arcades and centres in London Boroughs. Proposals are unlikely to be acceptable in core shopping frontages, Local Shopping Centres, close to residential areas, schools, churches or hotels and are out of keeping in conservation areas and other areas of special architectural or historic character. Exceptionally, amusement centres and arcades may be acceptable in the non-core frontages of Principal Shopping Centres. When considering applications for amusement centres and arcades, the Council will take into account location, type of centre, existing provision, visual impact, and potential noise and disturbance to neighbouring properties. In the limited circumstances when permission is granted, the opening hours may be controlled by conditions, where it is considered necessary. Besides planning permission premises with 'amusement-with-prizes' require a permit from the Council under the Gaming Act 1968 before they can operate.

S12 TO RESIST THE DEVELOPMENT OF AMUSEMENT CENTRES AND ARCADES, EXCEPT IN THE NON-CORE FRONTAGE OF PRINCIPAL SHOPPING CENTRES AND WHERE THIS WOULD NOT RESULT IN:

- (a) A SIGNIFICANT REDUCTION IN THE RETAIL FUNCTION AND CHARACTER OF THE PRINCIPAL SHOPPING CENTRE; OR
- (b) ANY SIGNIFICANT REDUCTION IN AN AREA'S RESIDENTIAL CHARACTER AND AMENITY INCLUDING NUISANCE ARISING FROM NOISE; OR
- (c) SIGNIFICANT INCREASES IN TRAFFIC OR PARKING.

Catering Establishments

4.10 Most parts of the Borough are well provided with restaurants, public houses, snack bars, cafes, wine bars and shops for the sale of hot food (Class A3). These facilities are used by residents, visitors, and workers in the Borough and generally serve a useful function. However, these uses can cause unwelcome noise, traffic, smells and refuse particularly in residential areas and at night.

4.11 In considering applications for new restaurants, public houses, snack bars, cafes, wine bars and shops for the sale of hot food the Council will need to be satisfied that the provision of additional catering establishments, either individually or cumulatively, in no way detract from the centres existing character and function or the residential amenity of the surrounding area. The Principal Shopping Centres are able to accommodate a limited number of non-shop uses including those within Class A3. Outside the Principal Shopping Centres the protection of the retail character and function is considered essential, and proposals involving the loss of a shop unit or usable retail floorspace (including storage space) will normally be resisted. Where permission is granted for a restaurant or similar use, appropriate conditions will normally be imposed relating to hours of opening, customer capacity, ventilation, accessibility and refuse storage.

- S13** OTHER THAN IN PRINCIPAL SHOPPING CENTRES TO RESIST THE DEVELOPMENT OF RESTAURANTS, PUBLIC HOUSES, SNACK BARS, CAFES, WINE BARS AND SHOPS FOR THE SALE OF HOT FOOD WHERE THIS WOULD RESULT IN:
- (a) ANY SIGNIFICANT REDUCTION IN AN AREA'S RESIDENTIAL CHARACTER AND AMENITY INCLUDING BY SMELLS OR LATE NIGHT NOISE; OR
 - (b) SIGNIFICANT INCREASE IN TRAFFIC OR PARKING ; OR
 - (c) THE LOSS OF USABLE RETAIL SPACE.

Principal Shopping Centres

4.12 Principal Shopping Centres are the main shopping areas in the Borough, offering both comparison and day-to-day convenience shopping. It is important to keep a concentration of shops together at the heart of a shopping centre to make it easy to compare goods between retailers and to encourage vitality. Vitality is dependent on high levels of pedestrian activity and shops generally attract more customers than other uses. However non-shop uses within Use Classes A2 and A3 also generate high levels of pedestrian activity and are considered appropriate uses in the Principal Shopping Centres providing the shopping character and function do not suffer. In each centre, the main shopping streets have been defined as core frontage in order to protect the shopping character of the centre. A limited number of non-shop uses may be considered appropriate in the core frontage providing the shopping character of the parade is not threatened.

S14 TO SEEK A CONCENTRATION OF SHOPS IN THE CORE FRONTAGE OF PRINCIPAL SHOPPING CENTRES.

4.13 The areas surrounding core frontages, where shopping and certain non-shop uses tend to be more mixed, have been defined as 'non-core frontages'. Such areas are important as they can accommodate an element of the non-shop uses that cannot locate in the core frontage, but which can contribute to the centre's vitality without threatening its shopping character.

4.14 Many of the Borough's Principal Shopping Centres are very close to residential areas. For this reason the cumulative or individual impact of A3 uses on residential amenity, traffic and parking will be considered as well as the effect on shopping character and function.

S15 NORMALLY TO PERMIT USES FALLING WITHIN USE CLASSES A2 AND A3 IN A PRINCIPAL SHOPPING CENTRE UNLESS THE PROPOSAL WOULD THREATEN THE CHARACTER OR FUNCTION OF THE CENTRE OR WOULD RESULT IN:

- (a) LESS THAN 75% OF THE TOTAL CORE GROUND FLOOR UNITS BEING IN SHOP (A1) USE; OR
- (b) LESS THAN 65% OF THE TOTAL NON-CORE GROUND FLOOR UNITS BEING IN SHOP (A1) USE; OR
- (c) THREE OR MORE NON-SHOP USES IN ADJACENT UNITS AT GROUND FLOOR LEVEL; OR
- (d) SIGNIFICANT INCREASE IN TRAFFIC OR PARKING; OR
- (e) ANY SIGNIFICANT REDUCTION IN AN AREA'S RESIDENTIAL CHARACTER AND AMENITY INCLUDING BY SMELLS OR LATE NIGHT NOISE.

S16 NORMALLY TO PERMIT THE LOCATION IN PRINCIPAL SHOPPING CENTRES OF OTHER NON-SHOP USES ABOVE OR BELOW GROUND FLOOR LEVEL WHERE THE USE WOULD NOT:

- (a) ADVERSELY AFFECT THE ESSENTIAL SHOPPING CHARACTER AND FUNCTION OF THE CENTRE; OR
- (b) DISRUPT SHOP FRONTAGES BY WAY OF ACCESS TO NON-SHOP USE; OR
- (c) SIGNIFICANTLY REDUCE AN AREA'S RESIDENTIAL CHARACTER AND AMENITY INCLUDING BY SMELLS OR LATE NIGHT NOISE; OR
- (d) SIGNIFICANTLY INCREASE TRAFFIC OR PARKING.

4.15 Other non-shop uses, uses not within Use Class A, are not normally acceptable at ground floor level in the Principal Shopping Centres, other than when a recognised local need exists (see section on Local Needs Uses). The areas above and below ground floor level are able to accommodate some A2 and A3 uses as well as other non-shop uses, including those within Class B1. In considering proposals for uses above or below ground floor level, the Council will need to be satisfied that the use does not have an adverse effect on the shopping character and function of the centre. Account will be taken of the loss of usable retail floorspace against the ability of the main shop premises to continue without it, particularly in the core frontage. Other considerations include the loss of residential accommodation, the impact on the residential amenity of the area, and existing traffic and parking levels. Access to any non-shop use should not disrupt the shopping frontage.

4.16 Maps identifying Principal Shopping Centres and their Core Shopping Frontages, are included in Appendix 2, as are lists identifying the properties within each core and non-core frontage. The core frontages are identified through the high concentration of retail outlets. The core and non-core frontages are surveyed annually to monitor any changes occurring within the existing boundaries.

Local Shopping Centres

4.17 Local Shopping Centres usually offer a much smaller range of comparison shops than Principal Shopping Centres and are important because they commonly have a higher proportion of convenience shopping and reduce the need to travel by car. In Local Shopping Centres, it is not appropriate to draw such a distinction between core and non-core frontages. The maintenance of strong local shopping centres is important and all shops in such locations are likely to be essential to the centres' shopping character. There are exceptional circumstances when the loss of retail may be permitted and these are set out in the section dealing with 'Local Needs Uses', and policy S20.

S17 NORMALLY TO RESIST THE LOSS OF ANY SHOP IN A LOCAL SHOPPING CENTRE.

4.18 Proposals for shopping floorspace which extends beyond the boundaries of Principal or Local Shopping Centres will be considered favourably providing there is no loss of residential floorspace or amenity, or conflict with other policies of the Plan. A map identifying Local Shopping Centres is included in Appendix 2.

5 PROVIDING FOR DAY-TO-DAY NEEDS

Individual Shop Units

5.1 Shops which are not located in designated Principal or Local Shopping Centres provide a useful service to local residents, workers and visitors and so will be protected.

Promoting Convenience Shops

5.2 The Council recognises the particular importance of convenience shopping to residents, workers and visitors, and the key role that such shops play both in the function of shopping centres and on their own as 'corner shops' (for town planning purposes convenience shops in Kensington and Chelsea are considered to be food shops, post offices, chemists, off-licences, confectioners, tobacconists and newsagents). There needs to be a widespread distribution of such shops and stalls so that all residents, especially people with special mobility needs, have day-to-day uses nearby. The Council's planning powers are severely restricted in trying to achieve this: planning permission is not required to change from one type of shop to another. The Council can, however, negotiate with applicants to seek provision for convenience shops when development is proposed and where appropriate will require that Planning Obligations are entered into in order to secure the provision of convenience shopping.

S18 TO ENCOURAGE PROVISION FOR CONVENIENCE SHOPPING IN APPROPRIATE DEVELOPMENT SCHEMES.

- 5.3** The Council itself takes steps to provide premises for convenience shopping. It owns shops and, for appropriate premises and locations, allows only tenants who provide convenience shopping. The location of Council-owned convenience shops is subject to review to ensure that they are being provided in the parts of the Borough that most need them - areas with few other convenience shops and stalls, or where residents are least mobile.

Local Needs Uses

- 5.4** The Council recognises the particularly valuable service that some non-shop uses provide to local residents. These justify a few exceptions to policy S1. Many community and advice centre uses need a shopping street location as they provide informal services for passing members of the public and form part of the overall shopping trip. Bank and building society branches are still lacking in two areas of the Borough, North Kensington and South West Chelsea; launderettes are appropriate in shopfront premises; and surgeries serving the general public can benefit patients by being well-distributed throughout the Borough and by being close to chemists. It is particularly important that local needs uses are easily accessible to all members of the public, as many are of particular benefit to people with special mobility needs (see also Conservation and Development Chapter, policy CD36).

S19 WHERE POSSIBLE, TO RESIST THE LOSS OF:

- (a) BANK AND BUILDING SOCIETY BRANCHES IN NORTH KENSINGTON AND SOUTH WEST CHELSEA;
- (b) LAUNDERETTES.

S20 TO PERMIT THE CHANGE OF USE OF SHOPS TO:

- (a) COMMUNITY AND ADVICE CENTRE USES;
- (b) LAUNDERETTES;
- (c) MEDICAL USES WHICH PROVIDE A LOCAL SERVICE;
- (d) BANK AND BUILDING SOCIETY BRANCHES IN NORTH KENSINGTON AND SOUTH WEST CHELSEA;

WHERE THERE IS A KNOWN AND ESTABLISHED NEED AND PROVIDING THERE IS NO DETRIMENT TO THE VITALITY AND VIABILITY OF THE SHOPPING PARADE OR CENTRE.

6 ENVIRONMENTAL QUALITY AND SAFETY IN SHOPPING STREETS

Townscape Improvements

6.1 Townscape improvements in shopping streets benefit shoppers and retailers, together with those who live or work in and visit the area. Such improvements are one important way to respond to the challenge of competition from new shopping facilities beyond the Borough boundary.

S21 TO SEEK THE IMPROVEMENT OF THE TOWNSCAPE AND ENVIRONMENT OF THE BOROUGH'S SHOPPING STREETS.

6.2 Guidance for the design of shopfronts and advertisements is set out in the Conservation and Development Chapter (Section 6). This general policy in the Plan will be supplemented, from time to time, by guidance for particular streets.

Architectural Character

6.3 Although the modernisation of shop premises is generally welcomed, many of the Borough's shopping centres have a valuable traditional architectural character which lends much to their appeal. Further details are set out in the Conservation and Development Chapter (Section 6).

S22 TO ENSURE THAT ANY ALTERATIONS TO THE EXTERNAL FABRIC OF BUILDINGS WOULD BE IN KEEPING WITH THE CHARACTER OF THE SHOPPING CENTRE OR PARADE.

Safety

6.4 The safety of those using shopping centres is extremely important, both to the individual and to the commercial health of the centre. Shoppers need to be safe from harassment and safe from motor vehicles. Shopping centres need to be well lit, have adequate pavements and places to cross roads, and be free of any obstructions resulting from badly placed or unnecessary street furniture.

S23 TO RESIST PROPOSALS INVOLVING PAVEMENT TRADING WHICH WOULD REDUCE THE FREE PASSAGE, SAFETY AND SECURITY OF PEDESTRIANS.

6.5 Pedestrian safety on pavements and road crossings is dealt with in the Transportation Chapter (policies TR18 to TR23), and in the Planning Standards Chapter (Section 5.3.14 to 5.3.15).

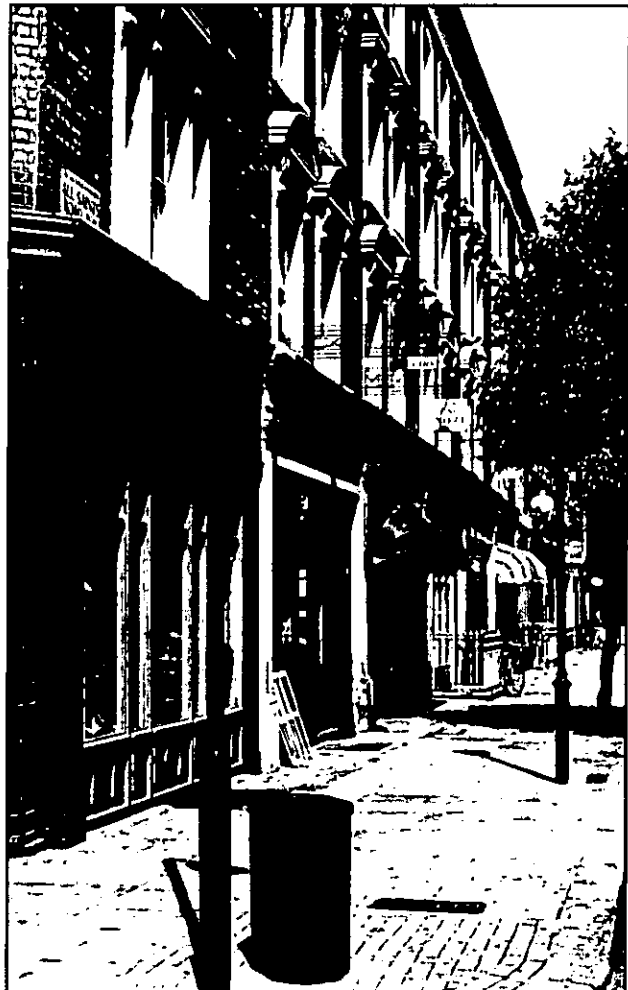
Servicing and Storage

- 6.6** The Council wishes to reduce the conflict between shoppers, servicing vehicles and other traffic. It will take the opportunity presented by development to require satisfactory provision for vehicular access.
- 6.7** The Council wishes to encourage the re-use and recycling of materials. Shops and non-shop uses, especially restaurants and other A3 uses, produce large volumes of waste and recyclable material such as bottles. Shopping centres are therefore particularly appropriate locations for bottle banks and other facilities for refuse storage and the collection, and temporary storage, of materials (see also Public Utilities and Services Chapter, policy PU7).
- S24** NORMALLY TO REQUIRE THE PROVISION OF SERVICING FACILITIES IN SHOPPING DEVELOPMENTS.
- S25** TO ENCOURAGE THE PROVISION OF STORAGE SPACE FOR RECYCLABLE/RE-USABLE MATERIALS IN SHOPPING CENTRES.

APPENDIX 2

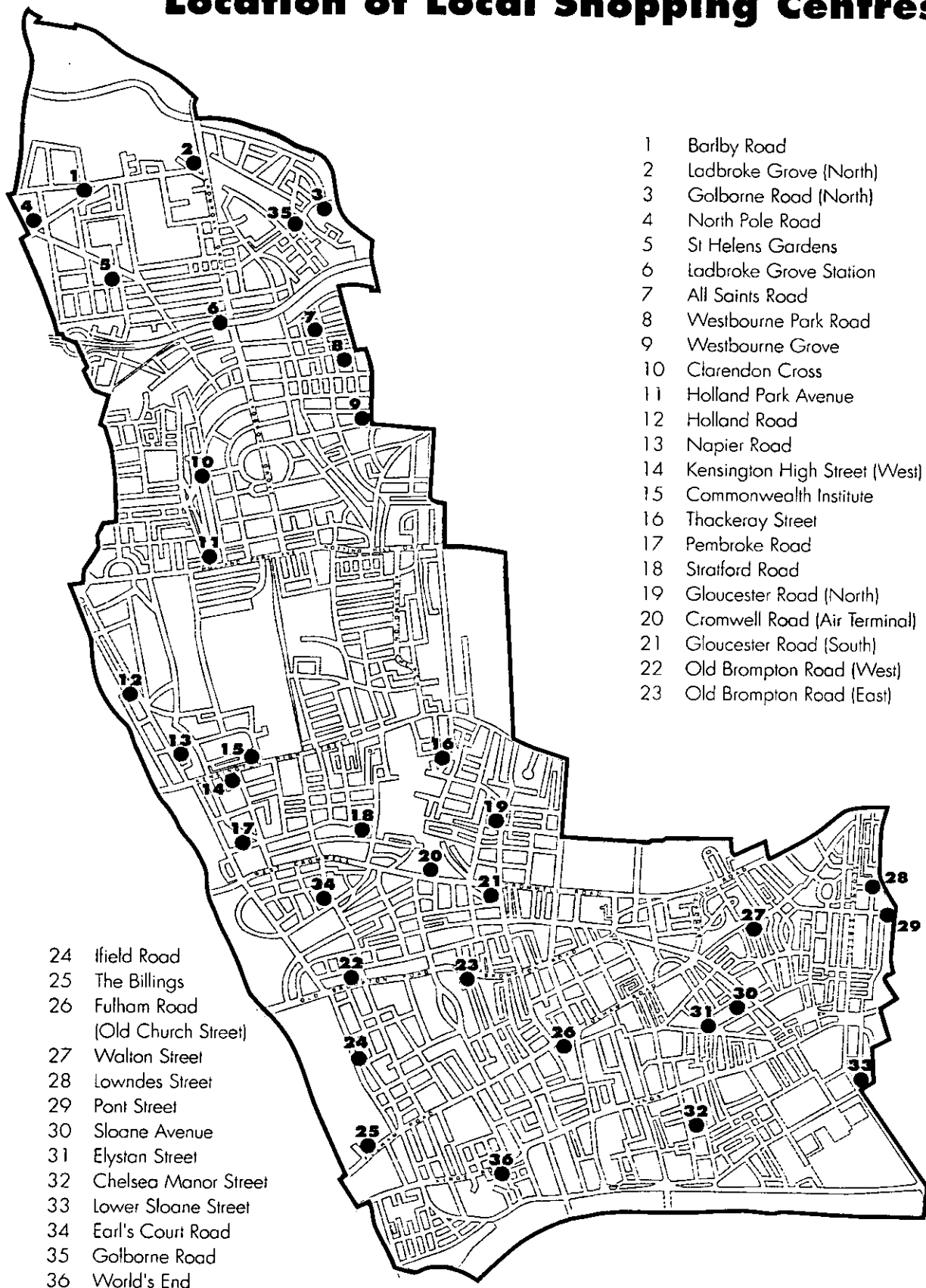
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MAP 10

Location of Local Shopping Centres



MAP 11

Location of Principal Shopping Centres



Principal Shopping Centre No 1

PORTOBELLO ROAD

KEY

- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 156-238 (even) Portobello Road
- 179-251 (odd) Portobello Road
- 301 Westbourne Park Road

Non Core Frontage

- 65-177 (odd) Portobello Road
- 82-88 (even) Portobello Road
- 100 Portobello Road
- 138-154 (even) Portobello Road
- 240-252 (even) Portobello Road
- 253-275 (odd) Portobello Road
- 266-292 (even) Portobello Road
- 289-309 (odd) Portobello Road
- 72-80 (even) Tavistock Road
- 74 Lancaster Road
- 126-132 (even) Talbot Road
- 282-284 (even) Westbourne Park Road
- 305-317 (odd) Westbourne Park Road
- 17-37 (odd) Kensington Park Road
- 112-120 (even) Kensington Park Road
- 184-216 (even) Kensington Park Road (excluding Synagogue)
- 1-15 (odd) Blenheim Crescent
- 2-14 (even) Blenheim Crescent
- 4-14 (even) Elgin Crescent
- 5-15 (odd) Elgin Crescent
- 281-305 (odd) Westbourne Grove
- 284-306 (even) Westbourne Grove
- *Portobello Green* Shopping Arcade (underneath Westway)

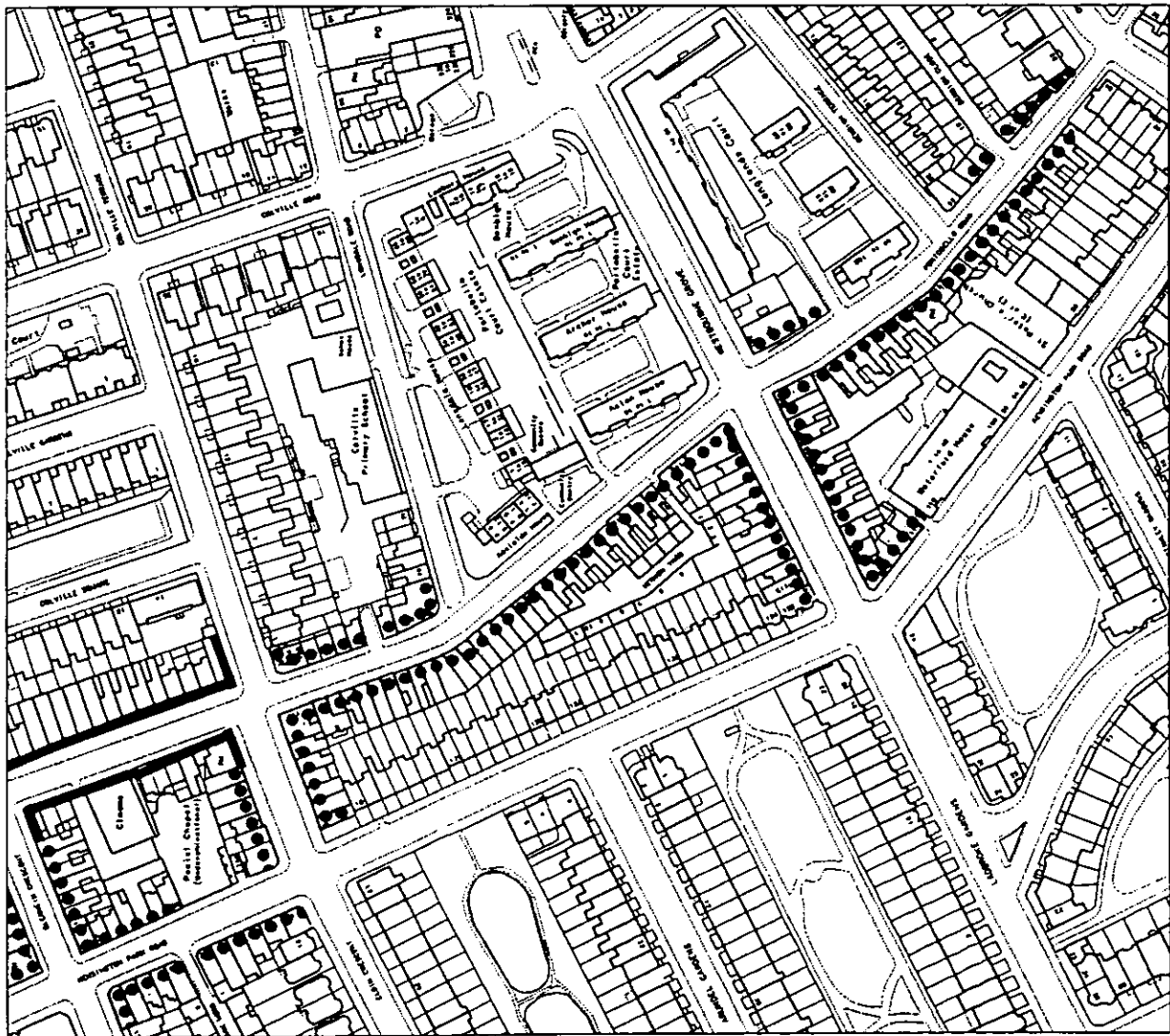


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MAP 12

Principal Shopping Centre No 1
PORTOBELLO ROAD



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Principal Shopping Centre No2

NOTTING HILL GATE

KEY



Core Shopping Frontage

Non Core Shopping Frontage

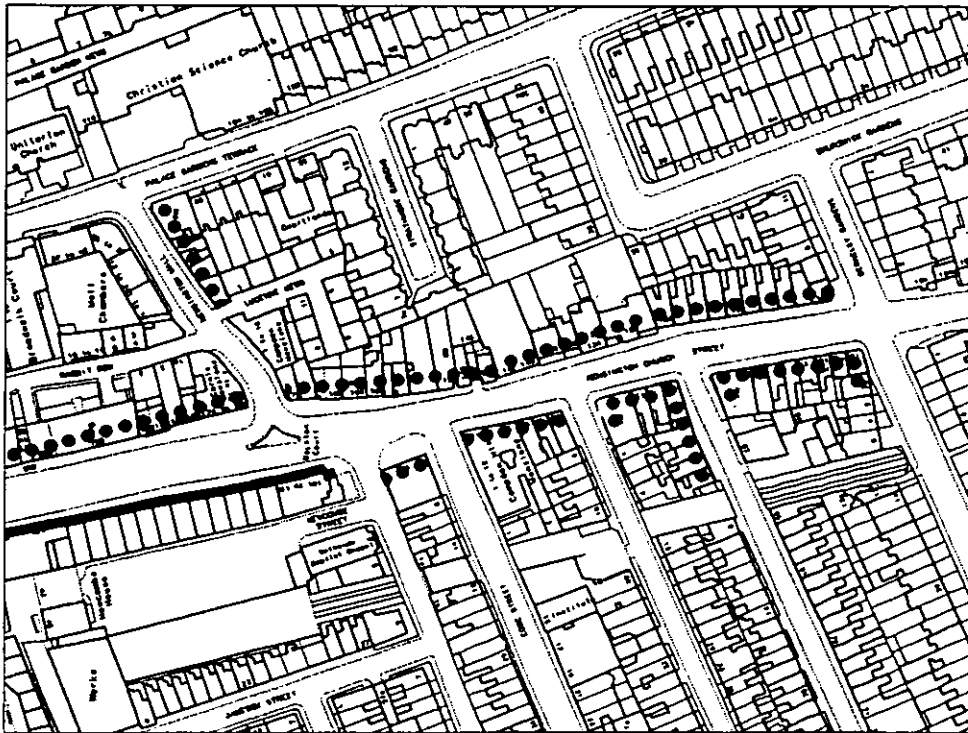
Scale: NO FIXED SCALE

Core Frontage

- 26-144 (even) Notting Hill Gate
- 47-101 (odd) Notting Hill Gate
- 203-237 (odd) Kensington Church Street
- 2-34 (even) Pembridge Road

Non Core Frontage

- 8-24b (even) Notting Hill Gate
- 103-155 (odd) Notting Hill Gate
- 146-164 (even) Notting Hill Gate
- 1-7 (inclusive) Wellington Terrace (Notting Hill Gate)
- 186-196 (even) Campden Hill Road
- 1-3 (odd) Hillgate Street
- 11-59 (odd) Pembridge Road
- 1-7 (odd) Ladbrake Road
- 7-15 (odd) Portabello Road
- 2-6 (even) Kensington Park Road
- 103-145 (odd) Kensington Church Street
- 106-206 (even) Kensington Church Street
- 71 Palace Gardens Terrace
- 1-7 (odd) Kensington Mall
- 2a Bedford Gardens
- 1-6 (inclusive) Campden Street



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MAP 13

Principal Shopping Centre No2

NOTTING HILL GATE



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Principal Shopping Centre No3
KENSINGTON HIGH STREET

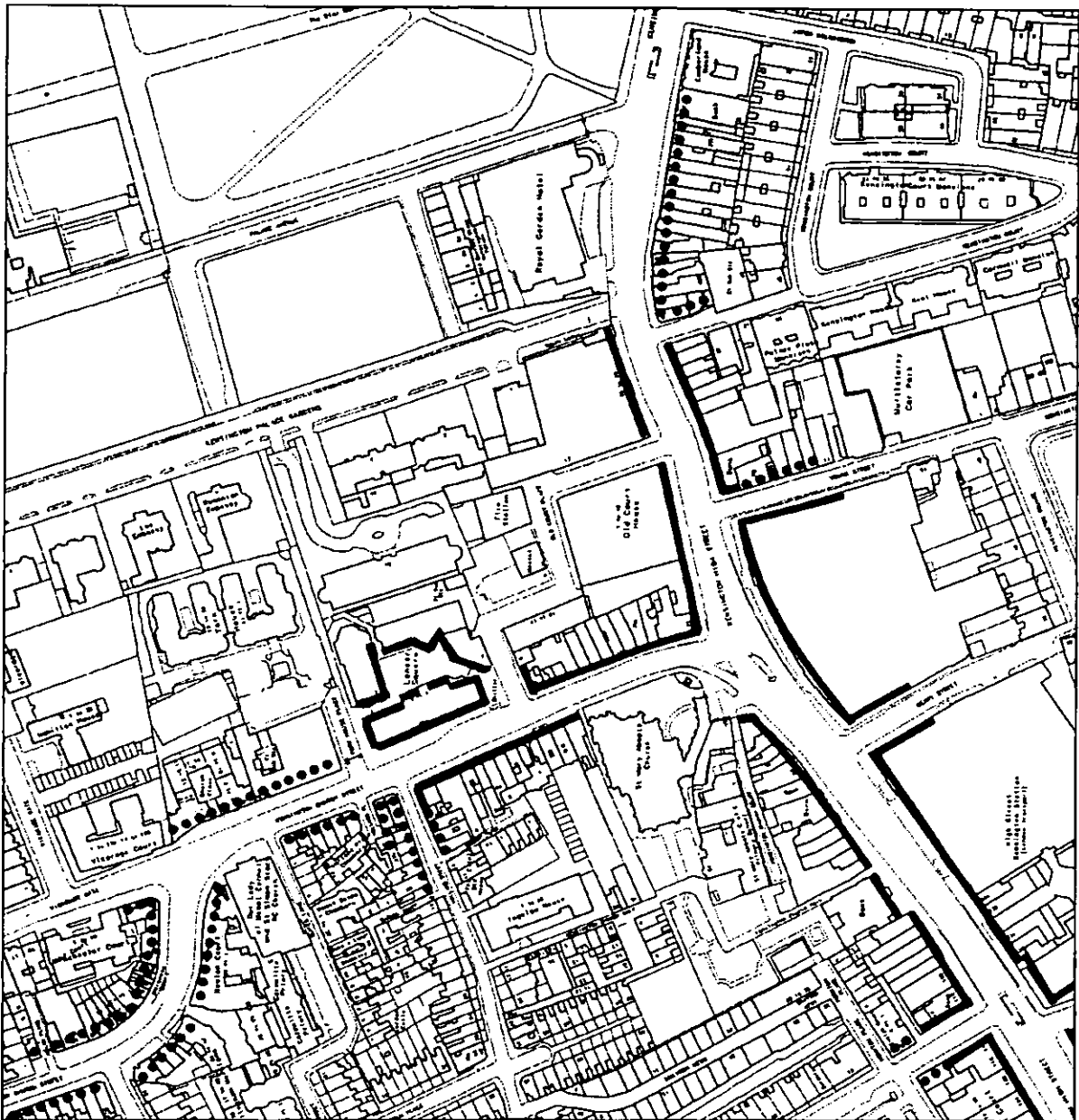
- KEY**
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 26-74 (even) Kensington High Street
- 37-237 (odd) Kensington High Street
- 80-206 (even) Kensington High Street
- 1-23 (odd) Kensington Church Street
- 2-28a (even) Kensington Church Street
- 2-18 (even) Lancaster Square

Non Core Frontage

- 1-35a/b (odd) Kensington High Street
- 239-249 (odd) Kensington High Street (including 1-9 Eails Court Road)
- 208-222 (even) Kensington High Street (Troy Court)
- 1-9 (odd) Young Street
- 1-25 (odd) Abington Road
- 2-14 (even) Abington Road
- 2 Phillimore Gardens
- 9 Phillimore Walk
- 1/1a Argyll Road
- 1-5 (odd) Campden Hill Road
- 4 Campden Hill Road
- 4-10 Hornion Street
- 116 Kensington High Street
(1 Phillimore Walk)
- 1-7 (odd) Holland Street
- 4-14 (even) Holland Street
- 25-39 (odd) Kensington Church Street
- 43-81 (odd) Kensington Church Street
- 30-64 (even) Kensington Church Street
- 21-23 (odd) Vicarage Gate



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Principal Shopping Centre No 4

FULHAM ROAD (WEST)

KEY



Core Shopping Frontage



Non Core Shopping Frontage

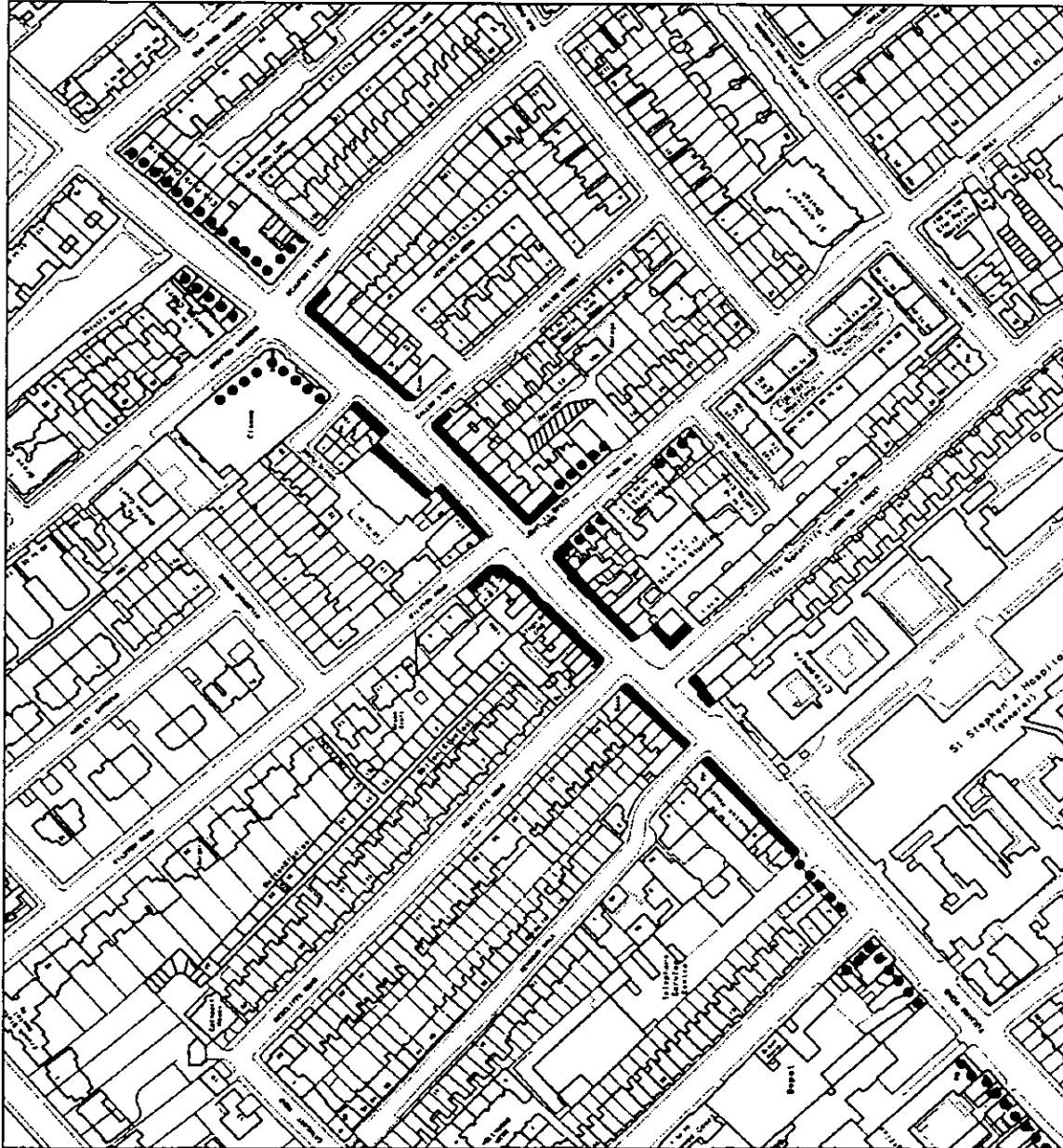
Scale: NO FIXED SCALE

Core Frontage

- 299-365 (odd) Fulham Road
- 152-232 (even) Fulham Road

Non Core Frontage

- 134-144 (even) Fulham Road
- 234-238 (even) Fulham Road
- 273-297 (odd) Fulham Road
- 240-306b (even) Fulham Road
- 451-457 (odd) Fulham Road
- 2-6 (even) Park Walk
- 18-24 (even) Park Walk
- 5-11 (odd) Park Walk
- 99 Drayton Gardens
- to Hollywood Road

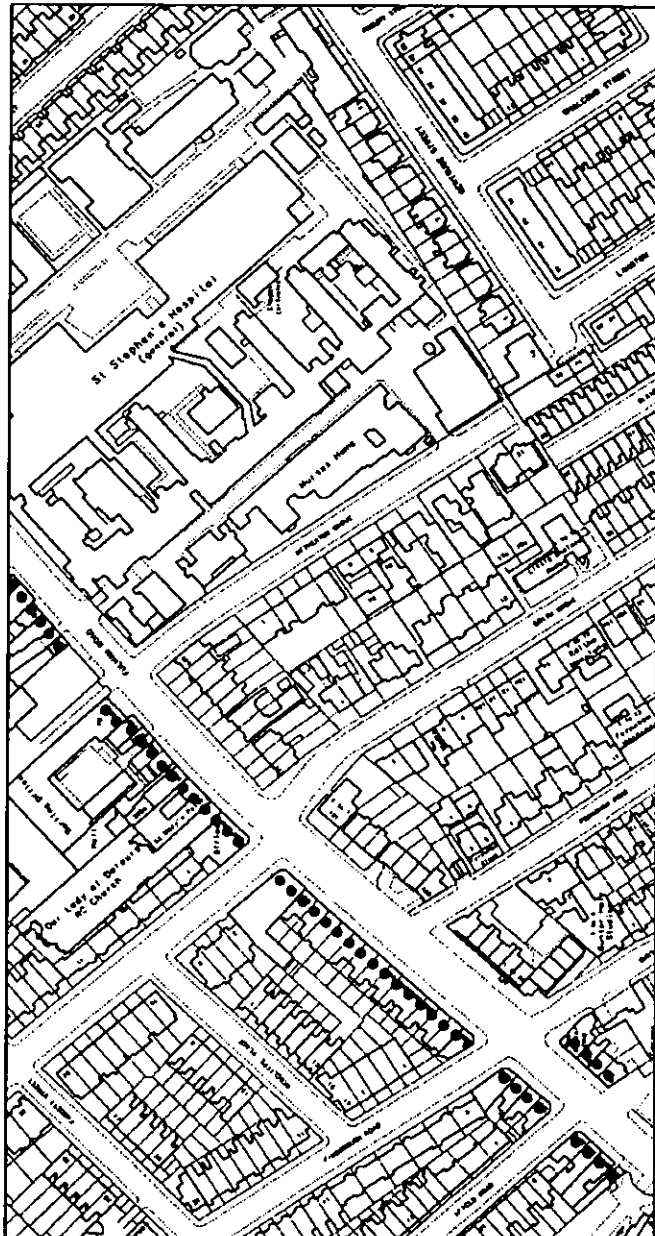


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MAP 15

Principal Shopping Centre No 4
FULHAM ROAD (WEST)



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Principal Shopping Centre No 5

FULHAM ROAD (EAST)

KEY

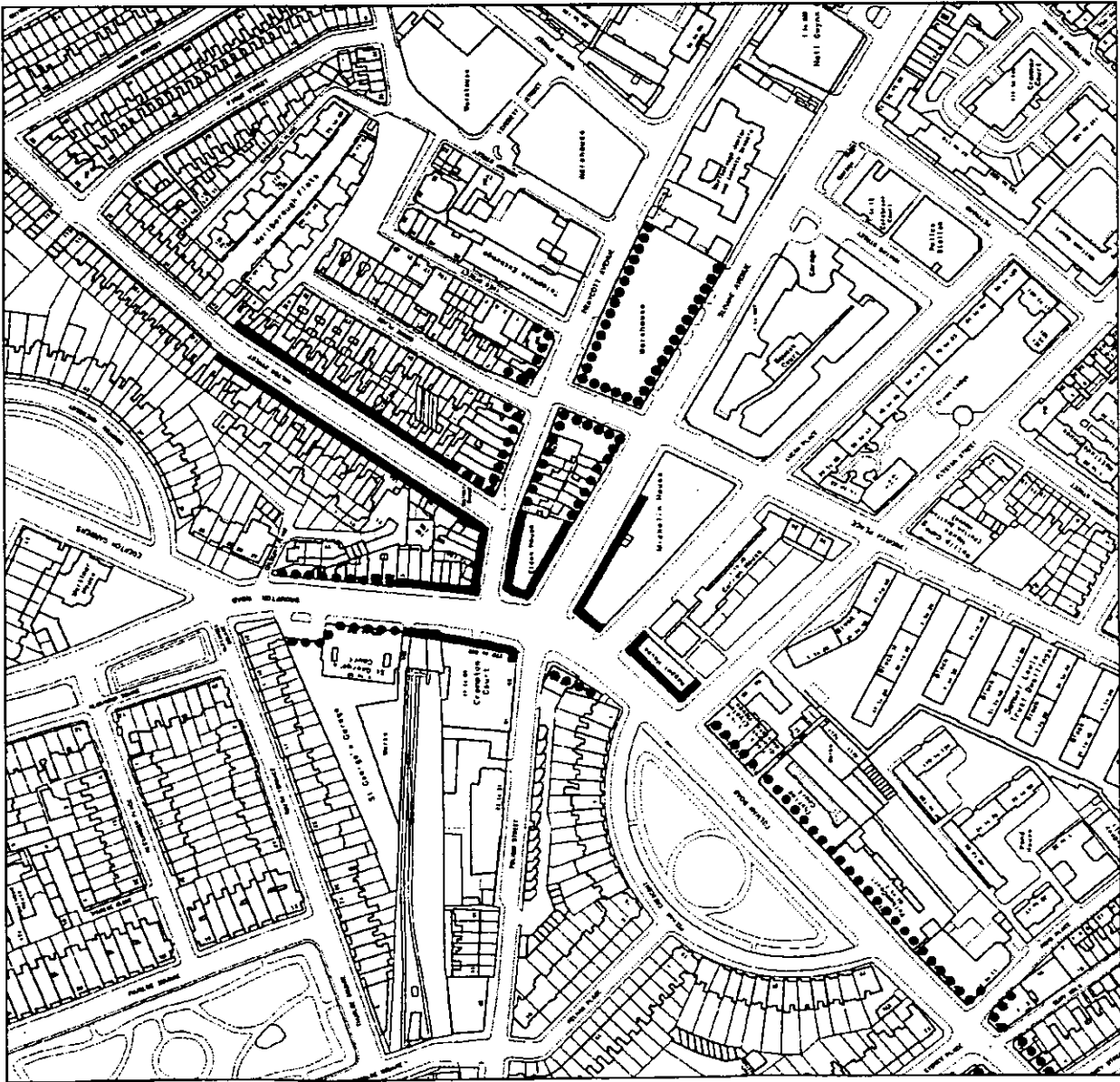
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 69-117 (odd) Walton Street
- 148-206 (even) Walton Street
- 122-132 (even) Draycott Avenue
- Elcien House 177-79 Fulham Road
- 303-315 (odd) Brompton Road
- 264-280 (even) Brompton Road
- Michelin House (81 Fulham Road)
- 91-103 (odd) Fulham Road

Non Core Frontage

- 96-118 (even) Draycott Avenue
- 163-177 (odd) Draycott Avenue
- 283-301 (odd) Brompton Road
- 250-262 (even) Brompton Road
- 6 Fulham Road
- 44-78 (even) Fulham Road
- 105-195 (odd) Fulham Road
- 42-48 (even) Pelham Street
- 62-74 Sloane Avenue
- 60A and 60B Sloane Avenue
- 139-155 Draycott Avenue
- 77-79 ixworth Place

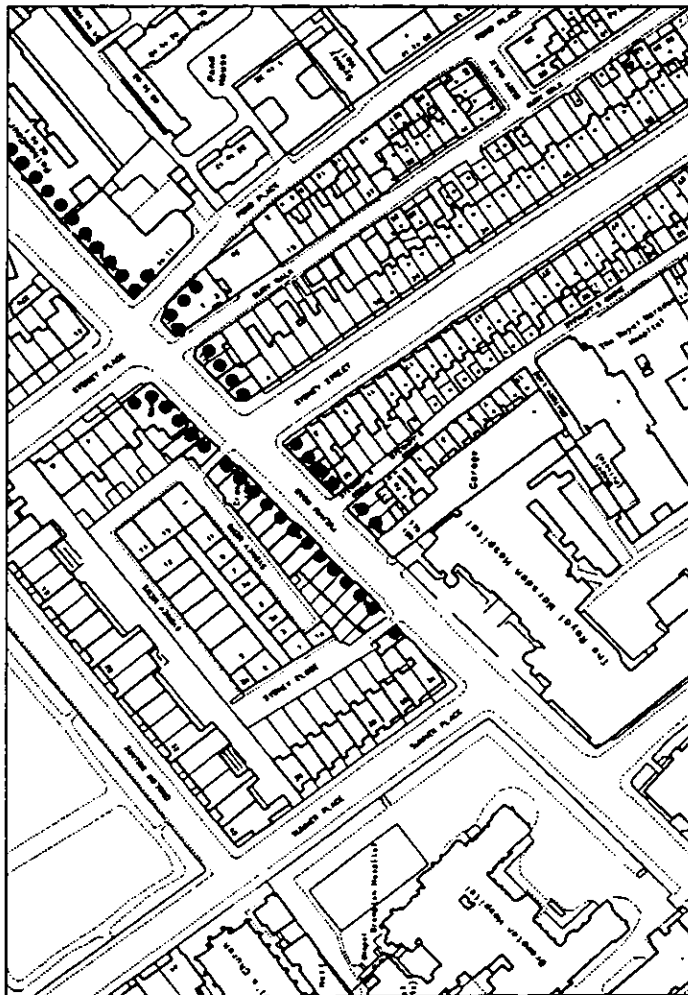


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MAP 16

Principal Shopping Centre No 5
FULHAM ROAD (EAST)



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Principal Shopping Centre No 6

KNIGHTSBRIDGE

KEY

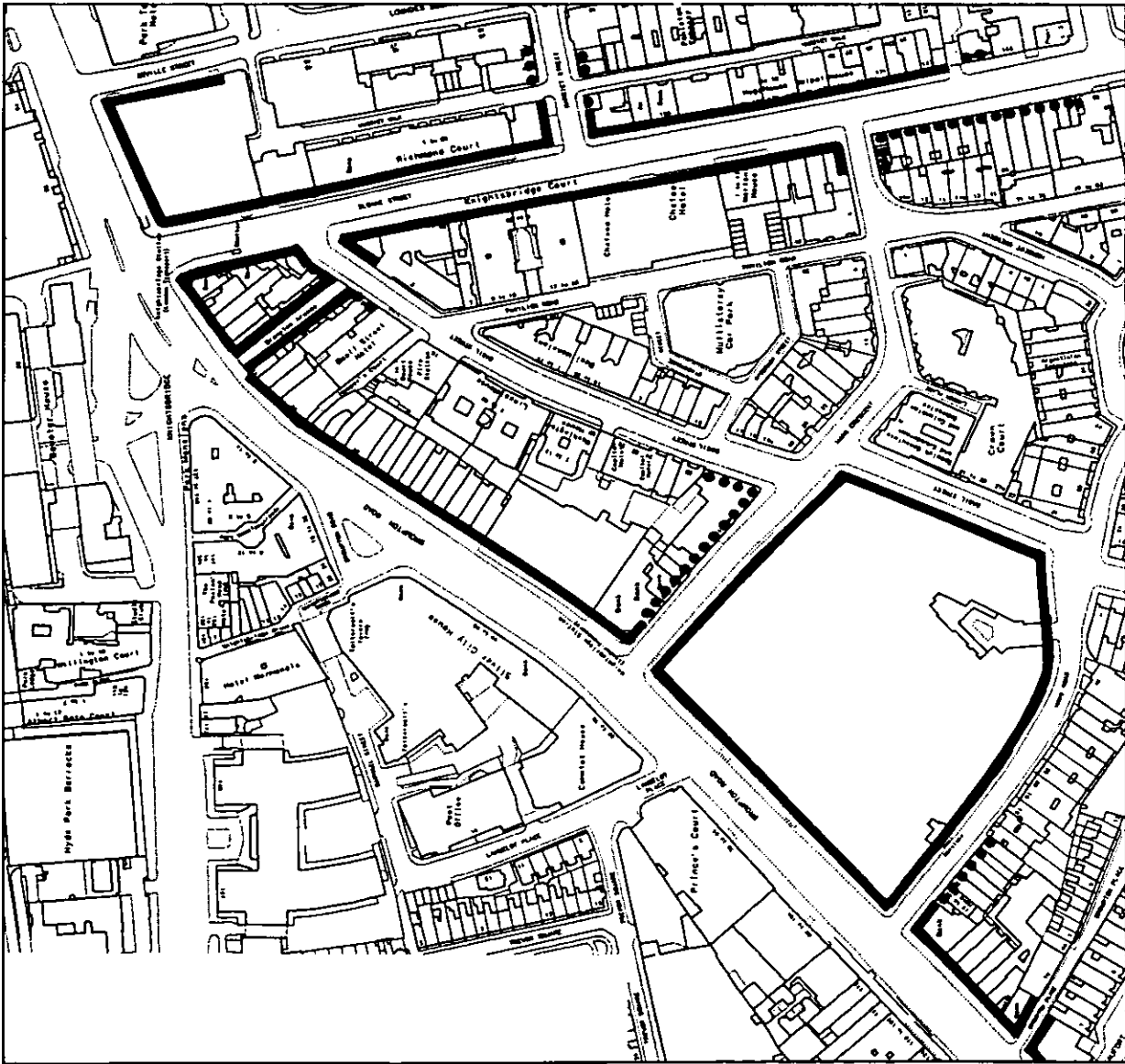
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 1-33 (inclusive) Sloane Street
- 166-207 (inclusive) Sloane Street
- 109 Knightsbridge
- 1-24 (inclusive) Brompton Arcade
- 1-207 (odd) Brompton Road
- 1-62 (inclusive) Beauchamp Place

Non Core Frontage

- 35b-49a (inclusive) Sloane Street
- 164a-165 (inclusive) Sloane Street
- 4-8 (even) Harriet Street
- 7-9 (odd) Harriet Street
- 2-8 (even) Basil Street
- 32-52 (even) Hans Crescent
- 2-10 (even) Hans Road
- 1-11 (odd) Montpelier Street
- 132-188 (even) Brompton Road
- 209-251 (odd) Brompton Road
- 220-244 (even) Brompton Road
- 1-10a (inclusive) Thurloe Place

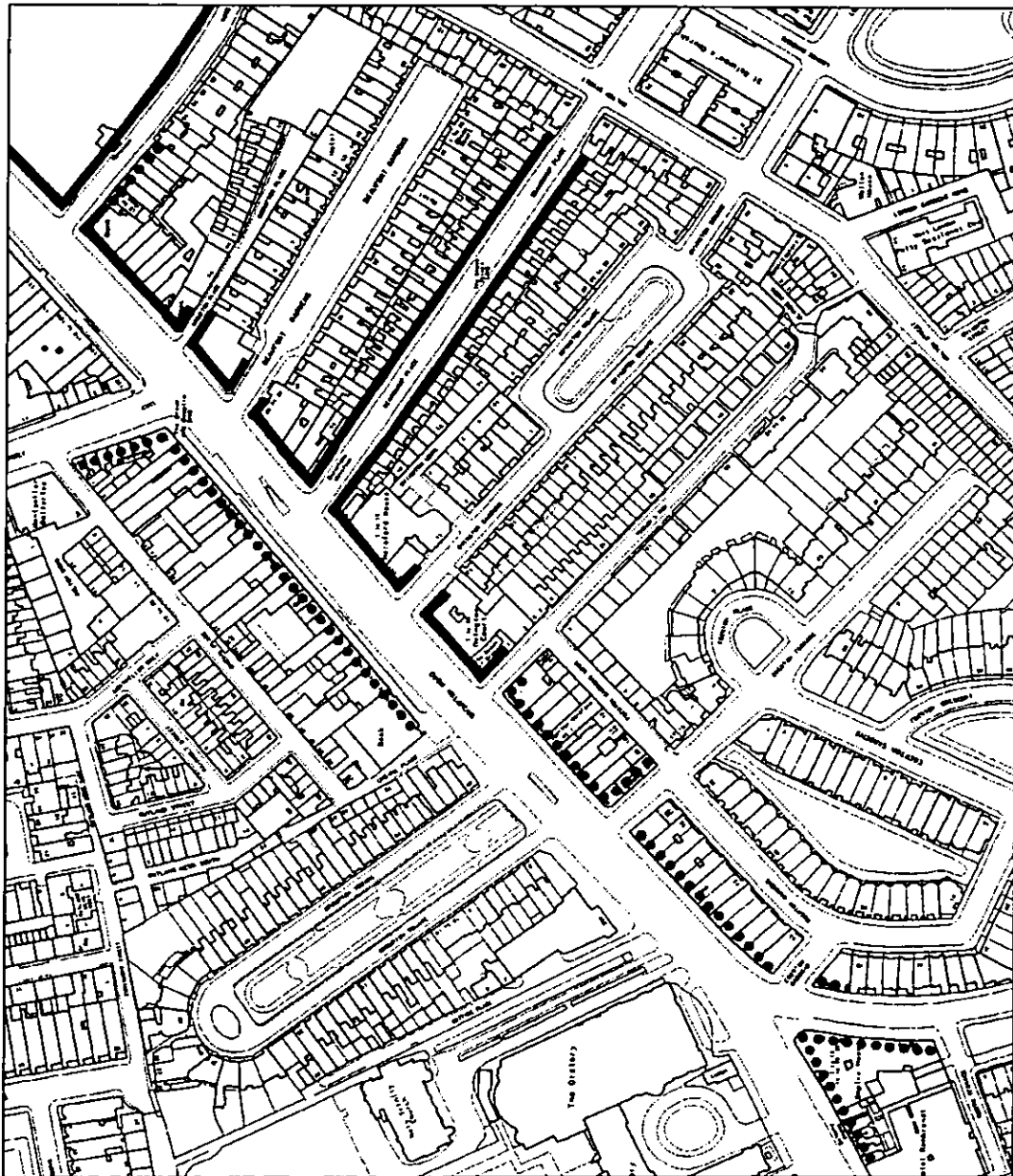


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MAP 17

Principal Shopping Centre No 6
KNIGHTSBRIDGE



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Principal Shopping Centre No 7

KING'S ROAD (WEST)

KEY

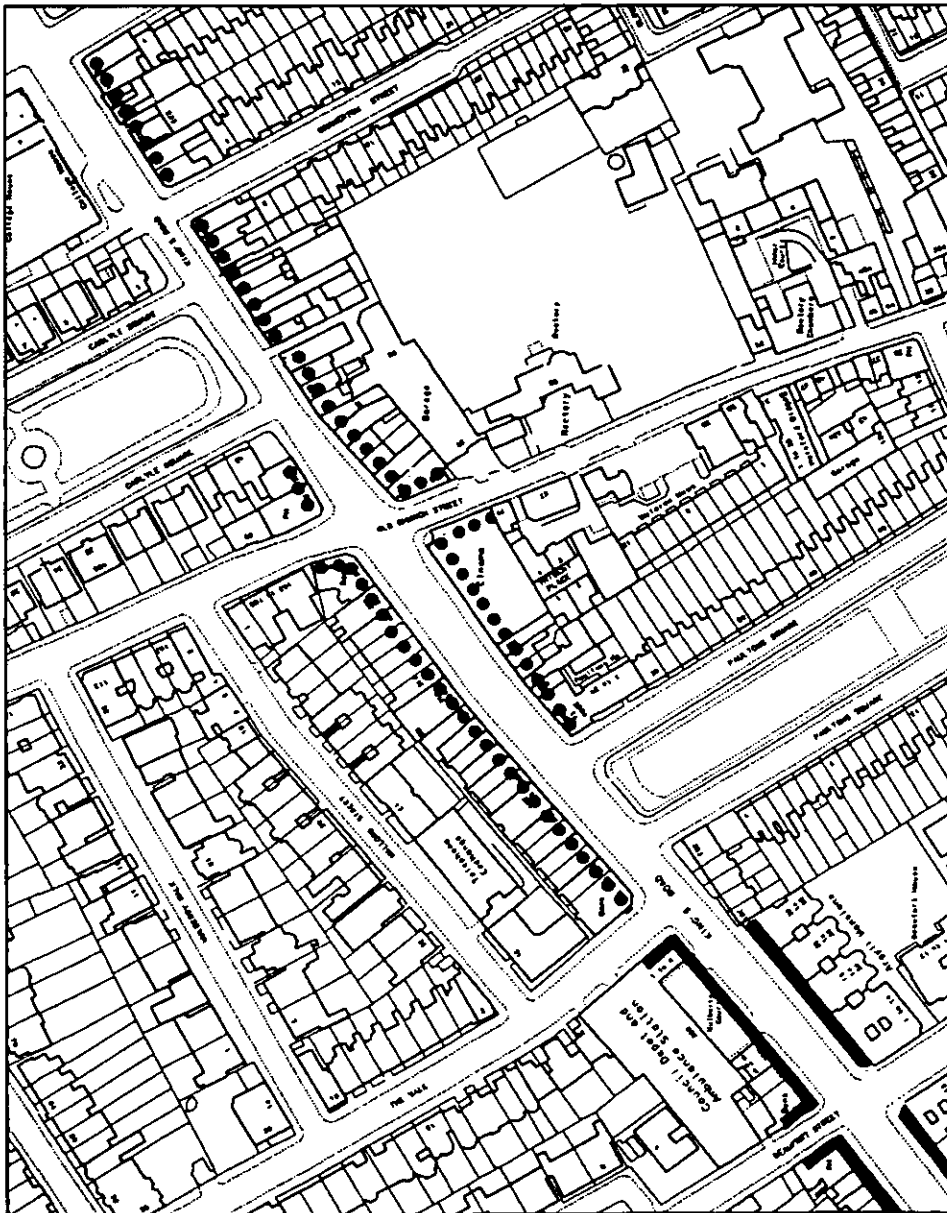
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 303-353 (odd) King's Road
- 350-408 (even) King's Road

Non Core Frontage

- 219-289d (odd) King's Road
- 296-348 (even) King's Road
- 355-359 (odd) King's Road
- 410-442 (even) King's Road
- 60 Old Church Street
- 9a Lamont Road

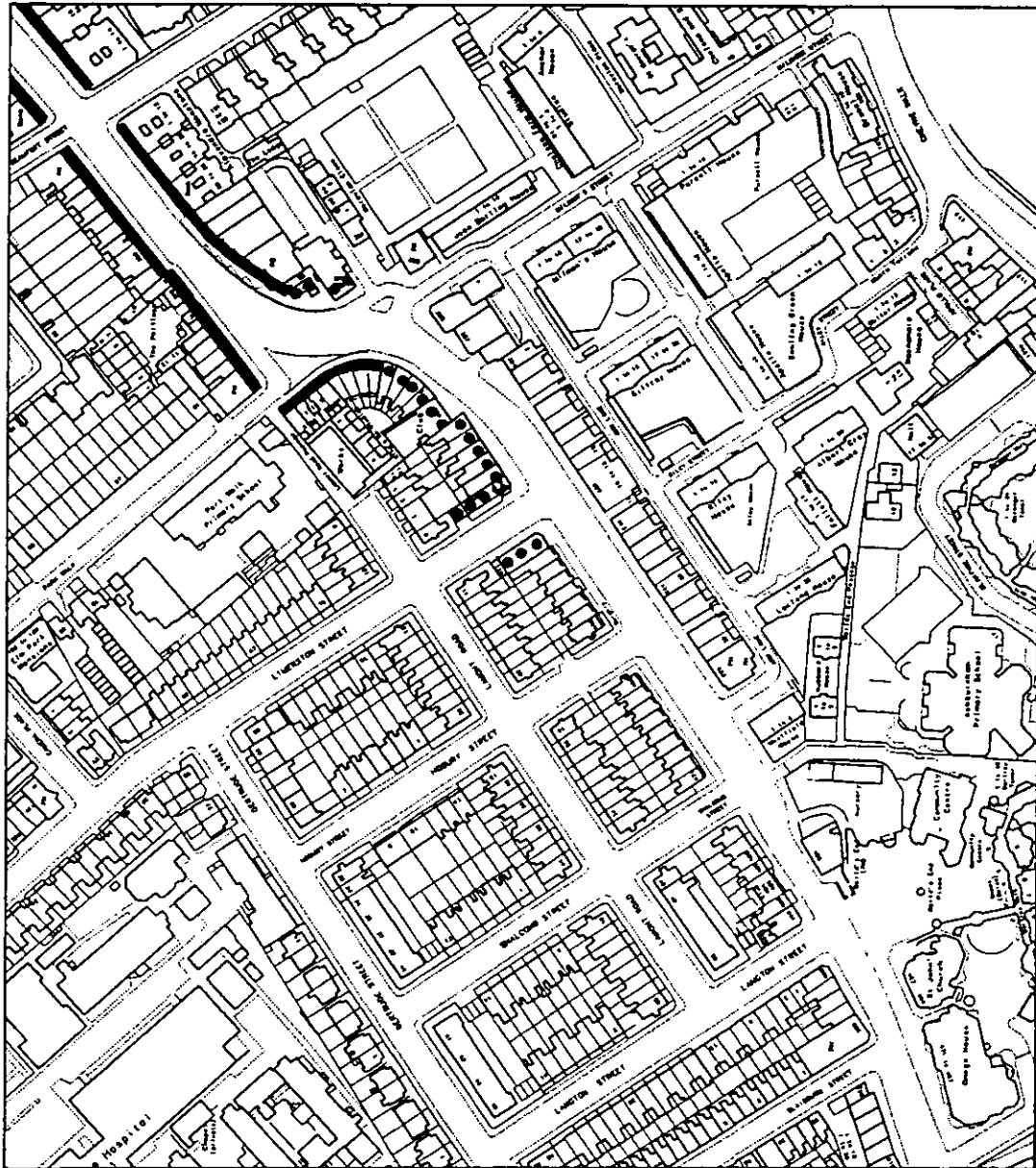


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MAP 18

Principal Shopping Centre No 7
KING'S ROAD (WEST)



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Principal Shopping Centre No 8

KING'S ROAD (EAST)

KEY

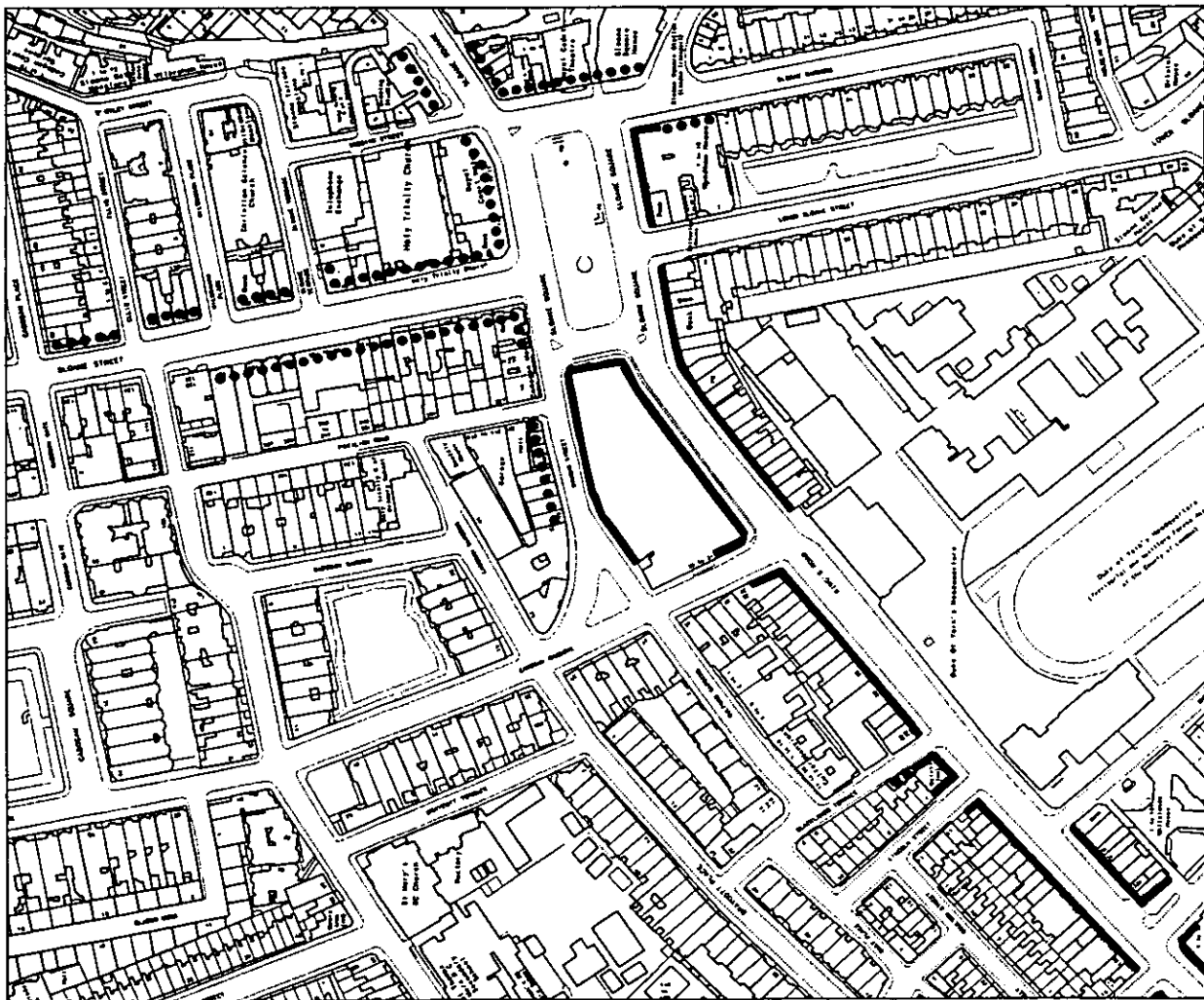
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 9-79 (odd) King's Road
- 81-97a (odd) King's Road
- 105-115 (odd) King's Road
- 119-163 (odd) King's Road
- 15 Flood Street
- 2-120 (even) King's Road
- King's Walk Mail (all units), 122 King's Road
- 124-134 (even) King's Road
- 27a-36 (inclusive) Sloane Square

Non Core Frontage

- 2a-12 (even) Symons Street
- 1-14 (inclusive) Sloane Square
- Sloane Square tube station
- Royal Court Theatre, Sloane Square
- 48-55a (inclusive) Sloane Square
- 127-145 (inclusive) Sloane Square
- 146-162c (inclusive) Sloane Square
- 10-12 Blacklands Terrace

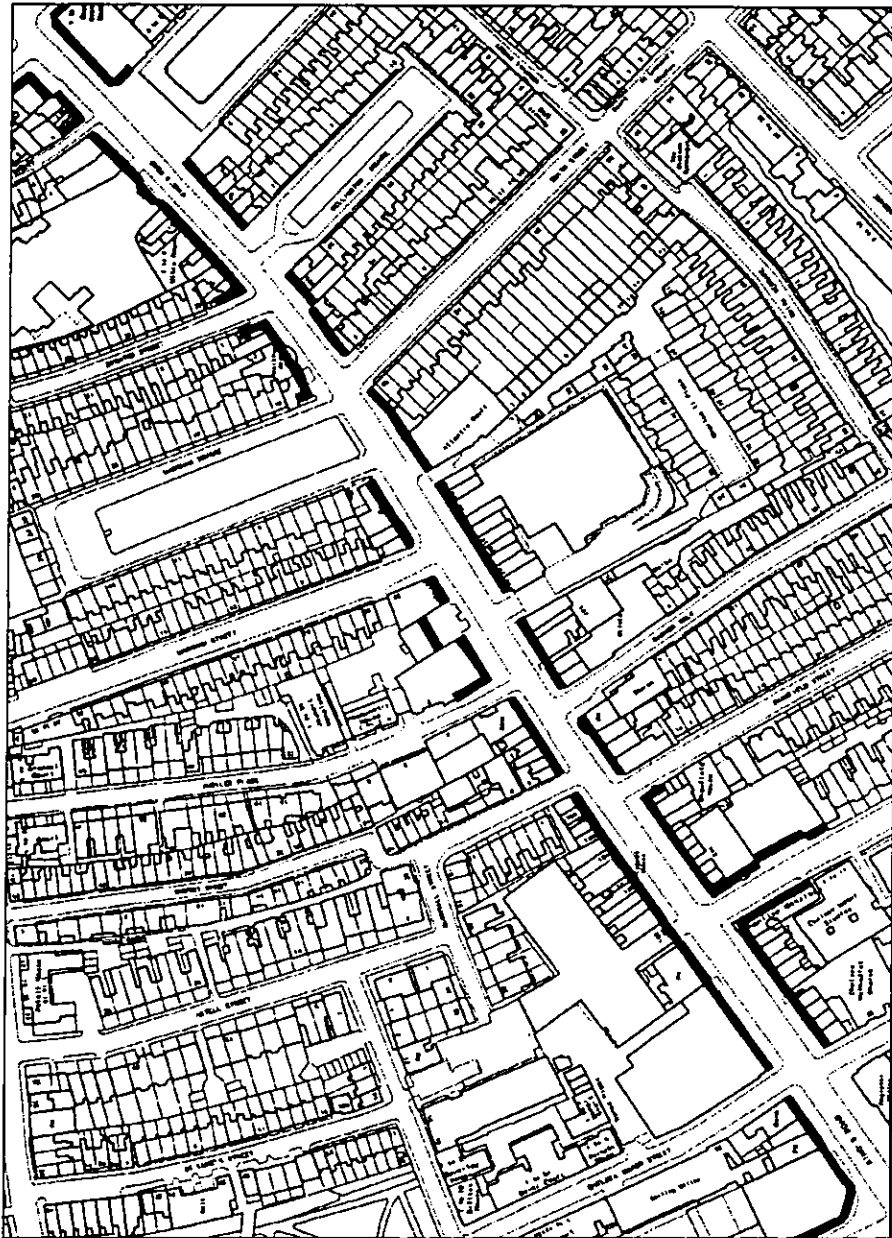


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MAP 19

Principal Shopping Centre No 8
KING'S ROAD (EAST)



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Principal Shopping Centre No 9

SOUTH KENSINGTON

KEY

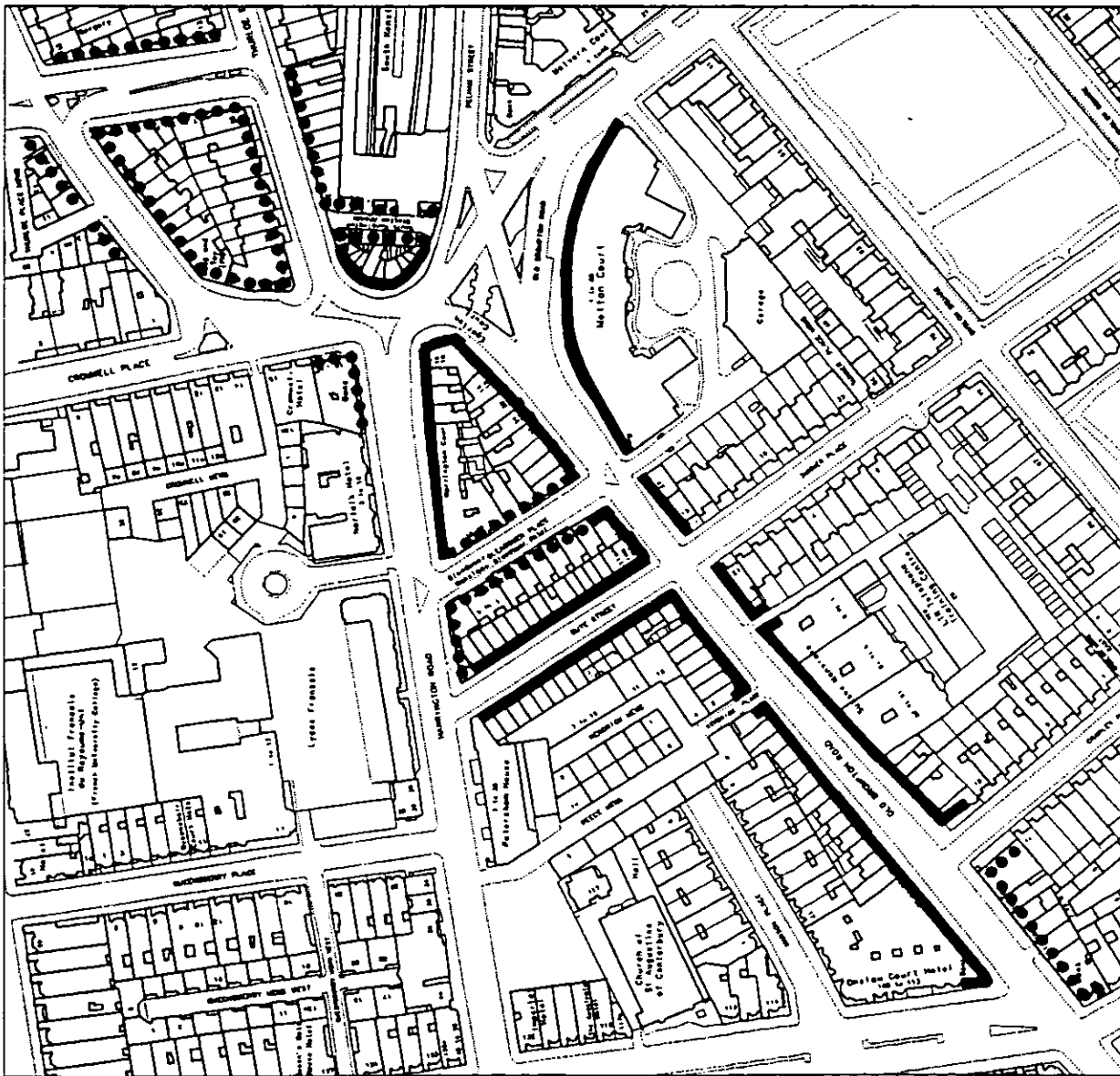
- Core Shopping Frontage
 - Non Core Shopping Frontage
- Scale: NO FIXED SCALE

Core Frontage

- 1-97 (odd) Old Brompton Road
- 2-92a (even) Old Brompton Road
- 3-31 (odd) Bute Street
- 4-28 (even) Bute Street
- 1-19 (odd) Harrington Road
- 1-11 (odd) Pelham Street
- 38-48 (even) Thurloe Street

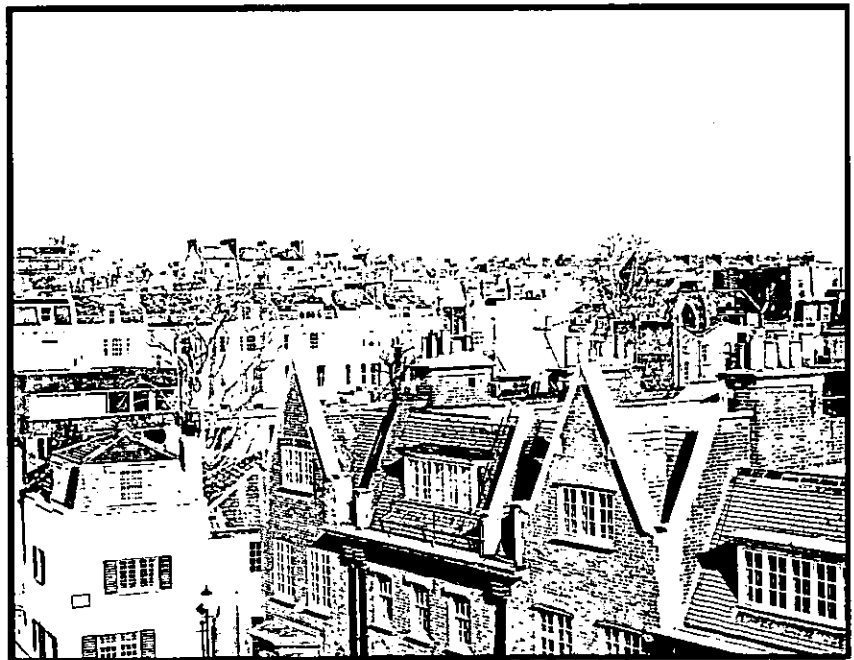
Non Core Frontage

- 99-115 (odd) Old Brompton Road
- 3-17 (odd) Glendower Place
- 2-12 (even) Glendower Place
- 21-27 (odd) Harrington Road
- 1-13 (odd) South Kensington Station Arcade
- 28 (even) South Kensington Station Arcade
- 20-36 (even) Thurloe Street
- 25-45 (odd) Thurloe Street
- 17-18 (inclusive) Cromwell Place
- 23-26 (inclusive) Cromwell Place
- 25-39 (inclusive) Thurloe Place
- 1a-19 (odd) Exhibition Road
- 2a-12 (even) Exhibition Road
- 17-18 (inclusive) Cromwell Place



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HOUSING



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GENERAL POLICIES

Part I Policies and Reasoned Justifications

Introduction

- i. Kensington and Chelsea is primarily a residential borough despite its commercial importance to London, particularly in shopping and tourism. The Council attaches the highest importance to meeting the needs of long-term residents.
- ii. The population of the Royal Borough, which fell rapidly during the seventies, has shown signs of stabilising in the late eighties and early nineties. This fall in population is common to most of inner London and is caused in part by a desire for better living standards. Whilst the Council cannot directly influence the size of its residential population, the policies in the Plan can prevent further reduction in population by resisting the loss of residential accommodation to other uses and requiring new residential development wherever possible and appropriate. A stable population may not in itself be sufficient to maintain and enhance the residential function of the Borough, but it is necessary in order to achieve economies of scale in service delivery, reduce unit costs and provide a resident population for local shops, services and facilities.
- iii. Housing activity of all sorts proceeded at a high rate in the Borough during the 1980's, but slowed down considerably at the beginning of the 1990's. The total net gain in dwellings through permissions either implemented or under construction for the years 1987-1991 (inclusive) was 1750.

Maintaining the Existing Stock

- iv. Given the historic decline in population, the reduced rate of conversions and very limited land availability, it is essential to protect the existing dwelling stock if the residential character and function of the Borough is to be maintained. Furthermore, the building of new dwellings will not be effective in meeting the growth in housing requirements (created by the increase in the number of small households) if the current stock is diminished without replacement. Consequently, there will be a general presumption by the Council against the loss of residential accommodation to other uses in line with Strategic Guidance for London (RPG3).

Increasing the Number of Dwellings

- v. A new housing capacity figure for the Borough will be included in revised Regional Planning Guidance 3 to be published in 1995. Whilst the Council will endeavour to ensure this level of additional provision is achieved, there are a number of constraints.

The number of sites with potential for residential development is declining, as is the number of properties suitable for conversion, and there is an increasing demand for limited on-street parking space. Kensington and Chelsea is already an intensively developed inner city borough with little available development land. If the housing capacity figure as proposed to be included in RPG3 is to be met, a high priority must be placed on allocating all available development land for residential use, except where there is a history of employment-generating uses and the site is unsuitable for housing. This is all the more necessary because of the diminishing number of suitable properties for conversion.

Maintaining and Promoting a Variety of Housing

- vi. Kensington and Chelsea has some of the highest residential rents and prices in the country. Accommodation is difficult to obtain for many people who have a need to live in the Borough because of their work or family contacts. RPG3 acknowledges the importance of providing housing for lower and middle income households in London. The Council's policies aim to maintain and increase the amount of affordable housing, family dwellings, small units and accommodation for special needs. The Council will seek to negotiate for a wide variety of housing within large development schemes, and will seek the provision of a substantial element of affordable housing.

STRAT 13

TO ENSURE THE CONTRIBUTION OF THE ROYAL BOROUGH TO THE DWELLING STOCK OF GREATER LONDON IS NOT DIMINISHED AND IS INCREASED WHEREVER APPROPRIATE.

STRAT 14

TO SEEK TO MAXIMISE THE RESIDENTIAL CAPACITY OF THE BOROUGH IN LINE WITH STRATEGIC GUIDANCE FOR LONDON.

STRAT 15

TO ENCOURAGE AN ADEQUATE AND CONTINUING SUPPLY OF LAND FOR NEW HOUSING THROUGH THE DEVELOPMENT OF VACANT AND UNDER-USED LAND FOR RESIDENTIAL USE IN APPROPRIATE LOCATIONS.

STRAT 16

TO SEEK AN INCREASE IN THE AMOUNT AND RANGE OF SIZES AND TYPES OF DWELLINGS TO MEET THE NEEDS OF THOSE SEEKING PERMANENT ACCOMMODATION IN THE ROYAL BOROUGH, WHILST MAINTAINING THE OVERALL QUALITY OF THE RESIDENTIAL ENVIRONMENT.

LOCAL POLICIES

1 OBJECTIVES

1.1 There are four overall objectives for housing in the Borough:

- (A) To protect permanent residential accommodation in order to maintain and enhance the residential function of the Borough.
- (B) To ensure that new residential development, including conversions and extensions, is of good quality in order to maintain and enhance the residential character of the Borough.
- (C) To increase the supply of housing in appropriate circumstances to help stem the decline of, and where possible to increase, the Borough's permanent residential population, subject to other policies of the Plan.
- (D) To provide and retain a range of housing types and sizes, of a satisfactory standard, to meet the varied physical and economic needs of Borough residents.

2 MAINTAINING AND ENHANCING THE RESIDENTIAL FUNCTION OF THE BOROUGH

2.1 Kensington and Chelsea experienced a decline in the level of population from the 1960's to 1981 despite an increase in the number of households since 1971. The 1991 Population Census showed the first increase in residential population for 30 years. The Borough has experienced considerable pressure from commercial uses to occupy residential property in conflict with the overall aim of the Plan. In order to protect the residential function of the Borough, it is considered that the only circumstances under which the change of use from residential accommodation might be acceptable are:

- (a) where the accommodation is statutorily unfit and could not be brought up to the standards laid down by the Housing Acts;
- (b) where the accommodation could not even with adaptation be incorporated into another unit; or
- (c) where an essential community facility requires accommodation.

The relocation of existing residential uses is acceptable providing there is no net overall loss and that a better overall disposition of land use can be achieved.

2.2 Under the Greater London Council (General Powers) Acts 1983 and 1984 the use of residential accommodation for temporary sleeping accommodation occupied by the same person for less than 90 consecutive nights, or for time-sharing schemes where a number of people each have the right to occupy a property for a set period each year, is a material change of use requiring planning permission. The Council will resist the loss of permanent residential accommodation through the provision of such temporary residential accommodation (see also Hotels Chapter, policy T4).

H1 TO RESIST THE LOSS OF PERMANENT RESIDENTIAL ACCOMMODATION IN ALL BUT THE MOST EXCEPTIONAL CIRCUMSTANCES.

2.3 The Borough is very densely developed and there are few vacant sites available for residential development. In line with government guidance, the Council will seek to maximise housing provision within the Borough by giving priority to the residential development of sites and buildings where appropriate (see also policy STRAT 2).

H2 TO SEEK THE DEVELOPMENT OF LAND AND BUILDINGS FOR RESIDENTIAL USE UNLESS:

- a) A SATISFACTORY RESIDENTIAL ENVIRONMENT CANNOT REASONABLY BE ACHIEVED BY REASON OF EXCESSIVE NOISE, INAPPROPRIATE LOCATION OR GROUND CONTAMINATION; OR
- b) THE LAND IS REQUIRED FOR THE PROVISION OF SOCIAL OR COMMUNITY FACILITIES TO MEET LOCAL NEEDS; OR
- c) THE DEVELOPMENT IS FOR THE REPLACEMENT ON THE SAME SITE OF EXISTING COMMERCIAL FLOORSPACE WHICH HAS NOT GIVEN RISE TO ENVIRONMENTAL OR TRAFFIC PROBLEMS.

2.4 The Council will have regard to the history of the use of the site and any known conflict with the amenity of the area through traffic or noise generation, hours of operation and any other material factors, including the considerations set out in the definition of the B1 Use Class. The Council will also have regard to the positive aspects of the existing use and its continuation or replacement by another non-residential use, such as its contribution to the vitality of the local economy. Where a site or building is not suitable or appropriate for residential use its residential use will not be sought.

Vacant Housing

2.5 Kensington and Chelsea suffers from a high level of vacant and under-utilised residential property. The numbers of vacant residential units above shops are of particular concern (see CD66 in Conservation and Development Chapter). To reduce the proportion of dwellings that are vacant would significantly increase the number of dwellings available to local residents. The Council attaches particular importance to the return to use of vacant residential property and will continue to identify vacant residential property, negotiate with the owners and where necessary, compulsorily purchase the property, following which it will be offered for sale to housing associations or sold on the open market. The Council requires that any such property be modernised and used solely for residential purposes.

- 2.6** Permissions for change of use of a property or part property to residential use, serve to maintain and enhance the function of the Borough as a residential area and will continue to be encouraged. Flats above shops or businesses can provide lower cost accommodation and contribute to the range of accommodation available, as well as enhancing the vitality of shopping areas (see also Shopping Chapter).

H3 TO ENCOURAGE THE USE OF PROPERTY, WHEREVER APPROPRIATE, FOR RESIDENTIAL PURPOSES AND, IN PARTICULAR, PROPERTY PURPOSE-BUILT FOR RESIDENTIAL ACCOMMODATION WHERE PRESENTLY IN ANOTHER USE.

- 2.7** Where a return to residential use is proposed, the Council will consider the location of the premises and the amenity of the area. Where no amenity space is available, small residential units will be preferred. In properties with potential for gardens, family-size units should be provided. The Council will assess the suitability of properties by having regard to their internal layout and immediate surroundings.

3 MAINTAINING AND ENHANCING THE RESIDENTIAL CHARACTER OF THE BOROUGH

Commercial Development in Residential Areas

- 3.1** Maintaining both the historic and residential character depends greatly on the uses to which buildings are put. The character of a residential listed building or of a residential building in a conservation area can best be safeguarded if residential use is maintained.

H4 TO RESIST THE ENCROACHMENT INTO RESIDENTIAL AREAS OF COMMERCIAL ACTIVITIES WHICH WOULD BE INAPPROPRIATE BY VIRTUE OF SIZE, SCALE, HOURS OF OPERATION, TRAFFIC GENERATION OR NATURE OF USE.

- 3.2** It is also important to prevent the further incursion of commercial uses into mews which are primarily in residential use.

- 3.3** The Council recognises that a certain amount of services or other commercial activity can be incorporated into residential areas without necessarily causing environmental conflict. Some local services and facilities provide important support for residential areas and contribute to their character. The provision of local services and facilities also reduces the need for trips by car (see also Offices and Industry, Shopping, and Social and Community Uses Chapters). The Council is also sympathetic to those who work in the artistic and craft professions and in certain circumstances will be willing to protect existing studios from change to residential use (see also Leisure and Recreation Chapter, policy LR31).

- H5** TO ENCOURAGE THE PROVISION, WHERE APPROPRIATE, AND TO RESIST THE LOSS, OF LOCAL SERVICES AND FACILITIES WHICH SUPPORT THE RESIDENTIAL CHARACTER OF THE AREA.

Conversions

3.4 Although there continues to be a steady increase in self-contained dwellings in the Borough, largely due to the conversion of buildings, there has been a large-scale loss of small, often not self-contained units. This process has made a significant contribution to the decline in population, due to the displacement of many long-term residents in small households. Conversions potentially could have an important part to play in meeting the overall housing provision envisaged by RPG3 and in providing suitable accommodation for the growing number of small households. These aims will only be realised if a higher proportion of units provided are designed to meet the needs of the Borough's permanent residents. In those cases where a proposed conversion is acceptable under H6, policies H18 and H19 will apply.

3.5 However, there are drawbacks to dwellings provided by conversions. Although conversions provide new, generally small, dwellings, they can result in the loss of accommodation suitable for families and certain forms of low cost housing such as bedsitting rooms (see also paragraphs 5.4 and 5.5). Conversions can lack privacy, have inadequate noise insulation, and be badly designed, although the Council ensures that conversion schemes requiring planning permission are of an adequate standard. The increase in number or size of dwellings associated with many conversion schemes puts extra pressure on existing facilities such as parking, due to the higher car ownership rates of the occupants (see also Planning Standards Chapter and consult with the Director of Building Control as appropriate).

H6 TO PERMIT PROPOSALS FOR THE CONVERSION OF SELF-CONTAINED RESIDENTIAL UNITS INTO SMALLER DWELLINGS, EXCEPT WHERE THEY WOULD RESULT IN :

- (a) EXCESSIVE LEVELS OF ON-STREET PARKING DEMAND;
- (b) THE UNACCEPTABLE LOSS OF OFF-STREET PARKING SPACES;
- (c) THE LOSS OF FAMILY-SIZED DWELLINGS OF FIVE HABITABLE ROOMS OR FEWER WHICH HAVE DIRECT ACCESS TO AMENITY SPACE.

3.6 It is considered that in circumstances (a) and (b), the character of residential areas may be harmed. The Council is concerned that existing private garage space which provides off-street car-parking is maintained. In the case of proposals to convert mews properties, the retention of at least one garage space will normally be required.

Development and Residential Amenity

3.7 Additional residential accommodation is encouraged in line with the aims of the Plan but it is also considered essential that a policy to attract additional housing in the Borough must not lead to a loss of residential amenity. The Council recognises the value to local amenity of retaining and, where practicable, providing further open spaces and trees within the Borough (see also Conservation and Development, and Leisure and Recreation Chapters).

H7 TO SEEK, WHERE APPROPRIATE, THE PROVISION OF SOME OUTDOOR SPACE IN ALL NEW DEVELOPMENT AND, IN PARTICULAR, THE PROVISION OF OPEN SPACE AND PLAY FACILITIES IN DEVELOPMENTS OF OVER TEN UNITS.

3.8 In order to retain a high standard of residential amenity, it is important that appropriate provision is made for the social and community needs of residents. Therefore the Council will require the provision of such facilities as are appropriate in association with major residential developments. As a general guide, a major development will be considered to be one which provides 150 or more residential units.

H8 TO REQUIRE THE PROVISION OF APPROPRIATE SOCIAL AND COMMUNITY FACILITIES WITHIN MAJOR RESIDENTIAL SCHEMES.

3.9 The form of social and community facilities to be provided will be dependent on the scale of the development, its location and its proximity to existing services (see also Social and Community Uses Chapter).

Density

3.10 If the housing capacity figure identified in RPG3 and sought through STRAT 14 of the UDP is to be met, it is necessary not only to place a high priority on allocating all identifiable land for residential use, but also to make the best use of that land. A balance has, however, to be struck between making the best use of residential land, ensuring new housing is of a good standard, and protecting the character and environment of surrounding areas.

3.11 Most of the existing housing in the Borough was built in the nineteenth century at densities which are very high by today's standards. Much of this is satisfactory in the accommodation and facilities it provides, and in the contribution it makes to the character and environment of the Borough. In most cases of new development, however, the Council's policy is to seek lower densities than in the past, in order that excessive pressure is not placed on existing facilities, particularly open space, that the quality of the existing environment is maintained, and, as appropriate, improved, and that new residential development offers facilities and a quality of environment acceptable today. It will be particularly important to design to lower densities, and make adequate provision for open space, in schemes suitable for occupation by families with children.

3.12 In considering both the quality of the environment proposed in a new housing scheme, and the effect of that scheme on the character and environment of the surrounding area, the density policies set out below will be followed, and regard will be had to the density ranges set out below. Schemes will also have to comply with other policies of the plan, particularly those relating to design, light, privacy, open space, and residential parking.

3.13 In applying the following policies the Council will have regard to the following well established density guidelines:

VERY LOW: less than 70 habitable rooms per acre (hra) (175 habitable rooms per hectare (hrha))

LOWER: between 70 hra and 100 hra (175-250 hrha)

HIGHER: between 100 hra and 140 hra (250-350 hrha)

VERY HIGH: above 140 hra (350 hrha)

Guidance on the calculation of residential density is given in the Planning Standards Chapter.

H9 NORMALLY TO RESIST RESIDENTIAL DEVELOPMENT DESIGNED TO A VERY LOW DENSITY.

H10 NORMALLY TO REQUIRE THAT HOUSING PREDOMINANTLY SUITABLE FOR OCCUPATION BY FAMILIES WITH CHILDREN IS DESIGNED TO A LOWER DENSITY.

H11 NORMALLY TO RESIST HOUSING DESIGNED TO HIGHER DENSITIES EXCEPT WHERE IT:

- (a) IS DESIGNED PREDOMINANTLY FOR OCCUPATION BY SMALL HOUSEHOLDS; OR
- (b) ENABLES THE PROVISION OF SPECIAL NEEDS OR AFFORDABLE HOUSING ON APPROPRIATE SITES; OR
- (c) IS AN INFILL SCHEME WHERE A HIGHER DENSITY DEVELOPMENT IS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

H12 NORMALLY TO RESIST HOUSING DESIGNED TO VERY HIGH DENSITIES UNLESS NECESSARY FOR TOWNSCAPE REASONS TO COMPLY WITH THE POLICIES OF THE CONSERVATION AND DEVELOPMENT CHAPTER.

Improving the Quality of the Housing Stock

3.14 There has been a welcome improvement in the housing conditions of the Borough over the last 20-30 years, as building activity has concentrated on replacing poorer, older housing by means of the conversion and redevelopment of existing property. However, housing conditions in certain parts of the Borough still compare unfavourably with those elsewhere in London.

H13 TO CONTINUE TO ENCOURAGE THE IMPROVEMENT AND PRESERVATION OF THE EXISTING HOUSING STOCK.

3.15 The Council continues to implement landscaping and playground schemes on its estates. Besides enhancing the physical condition of dwellings and the environment, these schemes aim to improve the security and to add to the amenities enjoyed by residents and their children (see also policy CD87 of the Conservation and Development Chapter).

H14 TO ENSURE THE ENHANCEMENT OF THE RESIDENTIAL ENVIRONMENT THROUGH STREET WORKS, LANDSCAPING AND IMPROVEMENTS TO HOUSING ESTATES.

3.16 Funds are available for environmental improvement under various Central Government programmes, such as the City Challenge Programme, and occasionally through negotiation with the private sector.

4 INCREASING THE SUPPLY OF HOUSING

New Development

4.1 There are few vacant sites remaining in the Borough and the provision of new housing, other than from conversion schemes, will mainly arise from smaller-scale redevelopment proposals. Policy STRAT 14 seeks to maximise the residential capacity of the Borough in line with RPG3. It is therefore important to ensure that, wherever possible, the development of vacant land and redevelopment of property currently in other uses is for residential purposes while seeking to maintain residential amenity. Where new residential development is proposed, and in appropriate locations, the Council will seek the provision of affordable housing for rent or for sale within the development. Section 5 deals with the provision of affordable housing.

H15 TO REQUIRE A SUBSTANTIAL PROPORTION OF HOUSING TO BE PROVIDED ON THOSE SITES TO WHICH THIS POLICY APPLIES AS IDENTIFIED IN THE SCHEDULE OF MAJOR SITES WITH DEVELOPMENT OPPORTUNITIES AND SHOWN ON THE PROPOSALS MAP.

H16 TO ENCOURAGE THE USE OF PUBLICLY OWNED LAND FOR THE PROVISION OF HOUSING, WHEREVER APPROPRIATE.

4.2 A number of sites have been identified on the Schedule of Major Sites with Development Opportunities and Proposals Map where redevelopments will be expected to provide housing on all or at least the major part of the site area or floorspace. Such housing provision must be carefully designed to achieve an acceptable level of amenity for residents with regard to the location of any proposed business uses. (See also Offices and Industry Chapter policy E3).

5 PROVIDING AND MAINTAINING A WIDE RANGE OF HOUSING

Housing Mix

5.1 The mix of accommodation in the Borough should be related to the range in household types existing or likely to exist and to deficiencies in the range of accommodation. Households are typically smaller than elsewhere in the capital. In response to market demand, the private sector already provides a substantial proportion of smaller units, mostly through conversion schemes and it is therefore important to retain existing provision. A large stock of small residential units is also important in order to: maintain the level of population by allowing a more intensive use of residential properties; maintain the number of adult households who, through their spending power, help support the ancillary services which underpin the residential function; and meet the overall housing provision envisaged by RPG3.

H17 TO RESIST THE LOSS OF EXISTING, SMALL, SELF-CONTAINED FLATS OF ONE OR TWO HABITABLE ROOMS.

5.2 However, it is important to ensure that a sufficiently wide range of dwellings is provided in terms of type and size in redevelopment, rehabilitation, extension and conversion schemes, to satisfy the needs of larger households and rising standards.

H18 TO SEEK THE INCLUSION OF SMALLER UNITS (OF ONE OR TWO HABITABLE ROOMS) AND LARGER UNITS (OF THREE HABITABLE ROOMS AND MORE) IN SCHEMES FOR RESIDENTIAL DEVELOPMENT.

H19 TO SEEK AN APPROPRIATE MIX OF DWELLINGS WITHIN A SCHEME, HAVING REGARD TO THE FOLLOWING FACTORS:

- (a) THE PHYSICAL CHARACTER OF THE SITE OR BUILDING AND ITS SETTING;
- (b) THE PREVIOUS OR EXISTING USE OF THE SITE OR BUILDING;
- (c) ACCESS TO PRIVATE GARDENS OR COMMUNAL GARDEN SQUARES FOR FAMILY UNITS;
- (d) THE LIKELY EFFECT ON DEMAND FOR CAR PARKING WITHIN THE AREA;
- (e) THE SURROUNDING COMPOSITION AND DENSITY OF POPULATION;
- (f) THE LOCATION OF SCHOOLS, SHOPS AND OPEN SPACES;
- (g) PROVISION OF ACCOMMODATION FOR SPECIAL NEEDS (see paragraphs 5.13 to 5.24); AND
- (h) BUSY ROADS OR RAILWAY LINES NEARBY.

- 5.3** Particular regard should be paid to providing accommodation suitable for families in acceptable locations and the Council will encourage the provision of larger units suitable for family occupation to be located in the lower floors with access to the garden.

Affordable Housing Provision

- 5.4** The private rented sector performs an important function in the housing market, especially in meeting a need for lower cost housing, but has experienced a rapid decline. Much of the decline in this sector in the Borough has resulted from the conversion, into flats for sale, of houses in multiple occupation (HMOs). There has also been a change in the types of lettings made. Whereas in the past, much of the privately rented sector had catered for lower income groups, an increasing proportion of this sector now consists of luxury furnished flats intended for short-term lets to mobile higher-income tenants.
- 5.5** Despite the decline, the Borough still has a greater proportion of private rented accommodation than anywhere else in the United Kingdom. The Council recognises that certain types of accommodation meet a specific need and will not normally consider favourably proposals which involve the loss of such accommodation. In particular, the Council is concerned that bedsit accommodation which is in compliance, or capable of complying, with building regulations and the standards laid down by the Housing Acts, should normally be maintained. However, there may be circumstances in which the loss of an HMO may be allowed, for example, in order to secure the essential restoration of a listed building where improvement is needed, and in which the existing HMO layout is harmful to the historic character of the building, or in appropriate locations having regard to the distribution of HMOs within the area.
- 5.6** Where existing HMOs and bedsitting rooms do not comply with the current Housing Acts, landlords should seek advice from the Council's Environmental Health Department.
- H20** NORMALLY TO RESIST PROPOSALS FOR THE CONVERSION INTO SELF-CONTAINED ACCOMMODATION OF THOSE HOUSES IN MULTIPLE OCCUPATION AND INDIVIDUAL BEDSITTING ROOMS WHICH COMPLY WITH, OR ARE CAPABLE OF REACHING, THE STANDARDS LAID DOWN BY THE HOUSING ACTS.
- 5.7** Housing associations are now the major providers of affordable housing for rent in the Borough. They assist in the housing of the statutorily homeless and for people with special accommodation needs as well as hostel provision for groups such as people with a mental illness, the single homeless and people with physical disabilities. They also contribute towards improving the housing stock. The Council encourages the provision of rented accommodation (especially affordable accommodation) in any large residential or mixed-use developments and will look favourably upon arrangements to secure the transfer of ownership of a proportion of the site, or some of the dwellings created, to registered Housing Associations or other providers of affordable housing for this purpose. Where appropriate, the Council will seek Planning Obligations to secure and retain the provision

of affordable housing. Proposals for housing associations to convert properties into self-contained dwellings, in liaison with existing tenants, will be welcome where there is no significant reduction in accommodation in terms of bedspaces.

H21 TO WELCOME RESIDENTIAL OR MIXED-USE SCHEMES WITH A RESIDENTIAL ELEMENT WHERE A RANGE OF HOUSING IS TO BE PROVIDED INCLUDING AFFORDABLE HOUSING AND HOUSING FOR SPECIAL NEEDS.

5.8 The Council wishes to encourage an increase in the provision of affordable housing in the Borough, such as that provided by registered Housing Associations (affordable housing is that which is approximately equivalent in cost to the occupier as that provided by housing associations working in the Borough). The provision of affordable housing has been established as a material consideration for inclusion in the Plan.

5.9 The high cost of housing in London means that many households cannot afford even the smallest properties. Kensington and Chelsea was the most expensive London Borough in terms of house prices and private sector rents in 1991. The London Research Centre estimated that in 1990, in London as a whole, there was a need for 380,500 additional social dwellings to meet the needs of the homeless, potential households, overcrowded households and households in unsatisfactory accommodation. This Council estimates that at least 9,000 additional affordable residential units are required to satisfy the housing needs of households living in the Borough. In order to satisfy the need for affordable homes for rent in this Borough, the Council will seek the provision of an adequate supply of affordable housing on residential development sites throughout the Borough.

H22 TO SEEK WHERE APPROPRIATE THE INCLUSION AND RETENTION OF A SIGNIFICANT PROPORTION OF AFFORDABLE RESIDENTIAL UNITS ON RESIDENTIAL DEVELOPMENT SITES OF OVER 0.05 HECTARES (0.12 ACRES) IN SIZE.

H23 TO SEEK THE PROVISION AND RETENTION OF AFFORDABLE HOUSING WHERE INDICATED IN THE SCHEDULE OF MAJOR SITES WITH DEVELOPMENT OPPORTUNITIES.

5.10 The Council will expect residential development on sites of over 0.05 hectares to contribute a significant proportion of dwellings on the site to the stock of affordable housing. Land available for development in the Borough is very scarce and for this reason sites over 0.05 hectares will be subject to the policy to provide affordable housing. The Council wishes to ensure that the present proportion of affordable housing in the Borough, about one third, is maintained (a figure of one third corresponds to the proportion of households living in affordable or lower cost housing at the time of the 1991 Population Census). It would be impracticable to require a third of all residential redevelopment on all sites to be in the form of affordable housing. However, if the affordable housing target is to be met, the large sites in the Schedule of Major Sites with Development Opportunities should provide a higher proportion (i.e. more than one third) of affordable housing in order to compensate for those smaller sites where affordable housing might not be practicable. In order to monitor the success of this policy, the Council will regularly assess the proportion of new affordable housing provided within the total new housing stock.

- 5.11** The Council will negotiate with developers on individual sites in order to establish the amount of affordable housing to be provided and the mix of dwelling type and unit size as is appropriate for the location. The Council will require information about the housing need that would be met by the proposal and will have to be satisfied that the proposal would meet a known housing need. Where appropriate, the Council will seek Planning Obligations to secure the future of the housing as affordable. Most commonly, the best way of ensuring that affordable housing will be enjoyed by successive as well as initial occupiers of property is by involvement of a registered Housing Association or other social body (e.g. a trust) providing housing for rent or shared ownership.
- 5.12** The Council has always been concerned about the plight of tenants whose homes are threatened by redevelopment and by conversion schemes, and information about the arrangements for rehousing these tenants will be sought.

Special Needs Accommodation

- 5.13** People with special housing needs include the single homeless, the elderly, those with physical or mental disabilities, people with mental health problems, women who have experienced domestic violence, students, people with a long-term debilitating illness, and travellers. The Council is aware of the special housing needs of these groups and is concerned that they should be adequately provided for in appropriate locations.

H24 TO WELCOME THE PROVISION OF HOUSING FOR PEOPLE WITH SPECIAL ACCOMMODATION NEEDS IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

- 5.14** The Council welcomes purpose-built accommodation which enables people with special needs to maintain an independent lifestyle and supports the work of housing associations in this respect. However, the Council wishes to maintain an appropriate balance between different kinds of residential uses within local areas. The Council will resist proposals which would lead to a concentration of special provision within an area.

(i) Residential Hostels

- 5.15** Groups such as the single homeless, people who are mentally ill or disabled, women who have experienced domestic violence and students, often rely upon the provision of residential hostel accommodation for their housing. The decline in the amount of rented accommodation, especially at the cheaper end of the scale, has led to increasing difficulty in finding permanent rehousing for existing hostel residents. This restricts the ability of hostels to release space for newcomers. The number of residential hostels has also been in decline and this trend seems likely to continue. This will serve to restrict still further the accommodation available to these groups.

5.16 The term 'residential hostel' is rigidly defined by the Council as accommodation intended primarily for medium to long term permanent residential occupancy catering for a wide range of socio-economic groups, sometimes providing an element of care and should not be confused with a 'tourist hostel' which is primarily for visitors (see Glossary). The Council wishes to resist the loss of residential hostels to hotels (see also Hotels Chapter, policy T1).

H25 TO RESIST THE LOSS OF EXISTING RESIDENTIAL HOSTELS, EXCEPT IN EARLS COURT WARD.

5.17 The Earls Court Ward is excepted from the above policy because of the abundance of both residential and tourist hostels in the area.

5.18 In those cases where the presence of a hostel has resulted in long-standing harm to the amenity of surrounding residential areas, permission may be granted for a change to residential use.

H26 TO PERMIT PROPOSALS FOR RESIDENTIAL HOSTELS ON BEHALF OF RECOGNISED PROVIDERS OF HOSTEL ACCOMMODATION, WHERE IT CAN BE SHOWN THAT THERE WOULD BE:

- (a) NO LOSS OF PERMANENT RESIDENTIAL ACCOMMODATION, UNLESS THE APPLICANTS CAN DEMONSTRATE A KNOWN AND ESTABLISHED LOCAL NEED FOR THAT TYPE OF HOSTEL ACCOMMODATION IN THAT LOCATION;
- (b) NO ADVERSE EFFECT UPON THE AMENITY ENJOYED BY LOCAL RESIDENTS. THE PROPOSALS WILL HAVE TO COMPLY WITH THE POLICIES FOR CONSERVATION AND DEVELOPMENT; AND
- (c) NO ADVERSE EFFECTS UPON THE ENVIRONMENT AND SAFETY OF NEIGHBOURING RESIDENTIAL AREAS AND ROADS BY WAY OF TRAFFIC GENERATION.

5.19 A recognised provider includes colleges, housing associations, charities and employers providing staff accommodation and other organisations which provide good quality accommodation for groups of people for whom there is a known and established need for accommodation.

(ii) Sheltered Housing

5.20 Many elderly people are living in accommodation that is either unsuitable for their needs or is in poor condition. The provision of sheltered housing allows those who wish to move to specially designed group accommodation to do so. Sheltered accommodation can also provide better facilities for people suffering long-term debilitating illness. The most pressing need in the Borough is currently for 'very' sheltered housing, which provides a higher level of care, catering for the frail elderly and people recovering from mental illness. The Council will continue to support the work of housing associations in this respect.

H27 TO WELCOME THE PROVISION OF SHELTERED HOUSING, IN PARTICULAR VERY SHELTERED HOUSING, IN APPROPRIATE LOCATIONS, HAVING REGARD TO THE EXISTING DISTRIBUTION OF SIMILAR TYPES OF ACCOMMODATION WITHIN THE AREA.

5.21 Housing that provides a secure environment in which to live is an important consideration for people who are vulnerable or subject to harassment and discrimination. Careful attention to the design of dwellings created in redevelopment schemes can go a long way towards improving the safety and security for the residents. In considering the merits of proposals for sheltered housing, the Council will pay particular regard to the design and security aspects of the development.

(iii) Access and Mobility

5.22 Disability, either temporary or permanent potentially affects every one at some stage in their lives. The likelihood of physical and /or sensory disability increases with age but such disabilities are also present in the younger population. The Borough's population has a higher than average proportion of people of 65 and over, and approximately 10% of the total population has a long term limiting illness, and is likely to require suitably designed new or converted housing.

5.23 People with disabilities, and those who are frail through long-term illness or old age, require appropriate housing that enables them to live in comfort and independence. The overwhelming majority of disabilities affect mobility in some way. The main requirement, therefore, is housing which is readily adaptable to meet the special mobility needs of people throughout their lives and allows ease of movement around the home and improvement in building access. Mobility and wheelchair standards in the form of supplementary planning guidance have been developed to achieve this. The location of mobility and wheelchair housing must take into account the location of amenities such as local shops and public transport facilities. It is not practical to seek mobility or wheelchair standard housing in all schemes. These will be sought only where dwellings are at ground floor level or reached by a lift. Car parking associated with the development should include bays of the appropriate width and should be suitably close to the dwelling, detailed standards are to be found in the Planning Standards Chapter.

H28 TO SEEK WHERE PRACTICAL THAT GROUND FLOOR DWELLINGS, OR THOSE REACHED BY A LIFT, IN HOUSING DEVELOPMENTS ARE BUILT TO MOBILITY STANDARD AND TO ENCOURAGE CONSTRUCTION TO WHEELCHAIR STANDARD.

(iv) Sites for Travellers

5.24 The accommodation needs for Travellers differ from other special needs groups in that serviced sites are required rather than dwellings. No suitable sites are available in the Borough but the Council jointly funds, with the London Borough of Hammersmith and Fulham, a site for Travellers in that Borough. Further provision for Travellers will be considered should suitable sites become available.



LAND USE MAP SHOWING THE
 CHARACTERISTICS OF THE PROPERTIES IN
 THE PROXIMITY OF UNITS 6, 7 AND 8,
 17-35 GLOUCESTER ROAD, SW7.



KEY:

- APPEAL PREMISES
- A1 RETAIL
- A2 FINANCIAL & PROFESSIONAL SERVICES
- A3 FOOD & DRINK
- B1 BUSINESS/OFFICE
- C3 RESIDENTIAL
- SG SUI GENERIS
- GLOUCESTER ROAD (NORTH)
LOCAL SHOPPING CENTRE



SURVEY 23RD SEPTEMBER 1997

SCALE 1:1250





PLANNING AND CONSERVATION

THE TOWN HALL • HORNTON STREET • LONDON W8 7NX

THE ROYAL
BOROUGH OF

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



KENSINGTON
AND CHELSEA

FILE COPY

Switchboard: 0171-937 5464

Direct Line: 0171-361 2011

Facsimile: 0171-361 3463

1st October, 1997

My reference:

Your reference:

Please ask for:

TP/96/2229

DOE Reference: APP/K5600/A/97/279106

A. Flight

Dear Sir/Madam,

Town and Country Planning Act 1990

Notice of a Planning Appeal: 17-35 GLOUCESTER ROAD, S.W.7
(Ground Floor Units 6, 7 and 8 and Basement Units 7 and 8).

A planning appeal has been made to the Planning Inspectorate in respect of the above property. The appeal will be heard at an Informal Hearing before an Inspector from the Planning Inspectorate which will take place on 30/10/97, at 10.00am, in Committee Room 2, at the TOWN HALL, HORNTON STREET, W.8.

This appeal arises from the Council's decision to refuse planning permission for:

Change of use of Units 6, 7 & 8 from Retail (Class A1) to Restaurant (Class A3) with ancillary facilities."

You as a local resident or interested party may attend the hearing and may, at the discretion of the Inspector, make representations. You may also make representations in writing and the address to write to is: The Planning Inspectorate, Room 1203 C, Tollgate House, Houlton Street, Bristol, BS2 9DJ. Please quote the Department's reference given above and send all representations at least 21 days before the hearing. You are reminded that any representations made will be copied to all parties including the appellant.

The appellant's grounds of appeal, the Council's reasons for refusal and the Council's written statement may be inspected here in the Planning Services Department at the Town Hall. If you would like to see them please telephone extn. 2080 in advance to make sure they are ready.

I attach for your information a copy of the Code of Practice in connection with Informal Hearings. Please note that a copy of the Inspector's decision letter will only be sent to those who ask for one.

Yours faithfully

M.J. FRENCH

Executive Director, Planning and Conservation



LIST OF OBJECTORS/ PERSONS NOTIFIED OF APPEAL

TP/96/2229

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19 JERDAN PLACE,
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MR. MICHAEL DANGOOR,
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MIETEK RUDZKI,
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SIR THOMAS & LADY MORISON,
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J.P. SHAW,
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N. LYZBA,
JLIP,
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JLIP PLANNING CONSULTANCY,
(REF:NL/NR/1244),
BAGLEY CROFT, HINKSEY HILL,
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THE KENSINGTON SOCIETY,
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LONDON W11 2NA.

S. KEN & QUEENS GATE R.A.,
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ST. AUGUSTINE'S CHURCH,
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LONDON W8 5NA

THE OCCUPIER
1 PETERSHAM PLACE
LONDON
SW7

THE OCCUPIER
2 PETERSHAM PLACE
LONDON
SW7

THE OCCUPIER
FLAT 1, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

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FLAT 36, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 37, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 38, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 39, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 40, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 41, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 42, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 43, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 44, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 45, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 46, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 47, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 48, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 49, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 50, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 51, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 52, ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE PORTERS FLAT
ST GEORGES COURT
GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
14 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
15 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
16 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
17 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
19 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
22 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
23 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
24 PETERSHAM PLACE
LONDON SW7

THE OCCUPIER
35-45 FURSE HOUSE
QUEENS GATE TERRACE
LONDON SW7

THE OCCUPIER
THE WARDENS FLAT
35-45 FURSE HOUSE
QUEENS GATE HOUSE SW7

THE OCCUPIER
FLAT A
1 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT B
1 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT C
1 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT D
1 ELVASTON PLACE
LONDON SW7

THE SCHOOL
2 ELVASTON PLACE
LONDON
SW7

THE SCHOOL
3-4 ELVASTON PLACE
LONDON
SW7

THE OCCUPIER
FLAT 1
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 2
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 3
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 4
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 5
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 6
41 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 1
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 2
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 3
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 4
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 5
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 6
42 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 1
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 2
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 3
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 4
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 5
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 6
43 ELVASTON PLACE
LONDON WSW7

THE OCCUPIER
FLAT 7
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 8
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT A
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT A.B
43 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 1
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 2
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 3
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 4
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
FLAT 5
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
BASEMENT FLAT
44 ELVASTON PLACE
LONDON SW7

THE OCCUPIER
45 ELVASTON PLACE
LONDON
SW7

THE OCCUPIER
46 ELVASTON PLACE
LONDON
SW7

THE OCCUPIER
BASEMENT FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
GROUND FLOOR FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FIRST FLOOR FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
SECOND FLOOR FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
THIRD FLOOR FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FOURTH FLOOR FLAT
37 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 1
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 2
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 3
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 4
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 5
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 6
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 7
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 8
39 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 1A
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 2
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 3
41 GLOUCESTER ROAD
LONDON SW7

TE OCCUPIER
46 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 4
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
46A GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 5
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
46B GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 6
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
48 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 7
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
48B GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
FLAT 8
41 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
50 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
HARRINGTON HOTEL
25 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
52 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
THE OFFICES
40 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
54 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
42-42A GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
56 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
44 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
58 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
44A GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
60 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
62 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
64 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
66 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
68 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
70 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
72 GLOUCESTER ROAD
LONDON SW7

THE OCCUPIER
1 PETERSHAM LANE
LONDON SW7

THE OCCUPIER
2 PETERSHAM LANE
LONDON SW7

COUNCILLOR ANDREW DALTON
9 LANSLOWNE CRESCENT
LONDON
W11 2NH

COUNCILLOR GARY MOND
56 COLEHERNE COURT
OLD BROMPTON ROAD
LONDON SW5 0EF

COUNCILLOR DANIEL MOYLAN
6A DURWARD HOUSE
31 KENSINGTON COURT
LONDON W8 5BH