

PLANNING SERVICES APPLICATION

Dealt with
9/12/99

CONSULTATION SHEET

5

APPLICANT:

Alex Michaelis Associates,
Unit B,
97-101 Wilsham Street,
London
W11 4AU

APPLICATION NO: PP/99/02480

APPLICATION DATED: 01/12/1999

DATE ACKNOWLEDGED: 8 December 1999

APPLICATION COMPLETE: 08/12/1999

DATE TO BE DECIDED BY: 02/02/2000

SITE: 33 Launceston Place, London, W8 5RN

PROPOSAL: Refurbishment of existing house extension at basement rear. ~~No change of use necessary.~~

ADDRESSES TO BE CONSULTED

- 1.
2. 32, 34 Launceston Place W8
- 3.
4. 7, 8 Victoria Grove W8
- 5.
6. 38 Gloucester Road W8 + 38A FIAT
7. 38A
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

✓ 10/12

7

CONSULT STATUTORILY

- HBMC Listed Buildings
- HBMC Setting of Buildings Grade I or II
- HBMC Demolition in Conservation Area
- Demolition Bodies
- DoT Trunk Road - Increased traffic
- DoT Westway etc.,
- Neighbouring Local Authority
- Strategic view authorities
- Kensington Palace
- Civil Aviation Authority (over 300')
- Theatres Trust
- National Rivers Authority
- Thames Water
- Crossrail
- LRT/Chelsea-Hackney Line

✓ 10/12

ADVERTISE

- Effect on CA
- Setting of Listed Building
- Works to Listed Building
- Departure from UDP
- Demolition in CA
- "Major Development"
- Environmental Assessment
- No Site Notice Required
- Notice Required other reason
- Police
- L.P.A.C
- British Waterways
- Environmental Health

✓ 10/12

DEVELOPMENT CONTROL

TECHNICAL INFORMATION

THE ROYAL BOROUGH OF



KENSINGTON AND CHELSEA

6

ADDRESS 33 Launceston Place

33 LAUNCESTON PLACE
W8

POLLING DISTRICT JA

PP992480

- | | | | |
|-----|--|--------|--|
| HB | Buildings of Architectural Interest | LSC | Local Shopping Centre |
| AMI | Areas of Metropolitan Importance | AI | Sites of Archeological Importance |
| MDO | Major Sites with Development Opportunities | SV | Designated View of St Paul's from Richmond |
| MOL | Metropolitan Open Land | SNCI | Sites of Nature Conservation Importance |
| SBA | Small Business Area | REG 7 | Restricted size and use of Estate Agent Boards |
| PSC | Principal Shopping Centre (Core or Non-core) | ART IV | Restrictions of Permitted Development Rights |

Conservation Area	HB	CPO	TPO	AMI	MDO	MOL	SBA	Unsuitable for Diplomatic use		PSC	LSC	AI	SV	SNCI	REG 7	ART IV
								C	N							
gc.	II															

Within the line of Safeguarding of the proposed Chelsea/Hackney underground line

Within the line of Safeguarding of the proposed Eastwest/Grossrail underground line

Density	
Site Area	
Habitable rooms proposed	
Proposed Density	

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

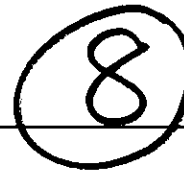
Daylighting	Complies	
	Infringes	

Car Parking	Spaces required	
	Spaces proposed	

Notes:

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX



**THE ROYAL
BOROUGH OF**

Executive Director M J FRENCH FRICS TP MRTPI Cert TS



FILE COPY

2085
0171-361- 2085

Switchboard: 0171-937-5464
Extension:
Direct Line:

Facsimile: 0171-361-3463

**KENSINGTON
AND CHELSEA**

Date: 10 December 1999

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCC/PP/99/02480/ALS

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 33 Launceston Place, London, W8 5RN

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Unfortunately, the Council does not have the resources to advise objectors of the Committee date, and you should telephone for further information.

Proposal for which permission is sought

Refurbishment of existing house extension at basement rear. No change of use necessary.

Applicant

**Alex Michaelis Associates, Unit B, 97-101 Wilsham Street, London
W11 4AU**

Yours faithfully,

M. J. FRENCH

Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- * The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- * Effect upon the character or appearance of a Conservation Area;
- * Effect upon the special historic interest of a Listed Building, or its setting;
- * Effect upon traffic, access, and parking;
- * Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, **cannot** be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- * Loss of property value;
- * Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- * Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct)
- * Smells (Also covered by Environmental Services)
- * Competition between firms;
- * Structural and fire precaution concerns; (These are Building Control matters)

WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the **Planning Information Office, 3rd floor, Town Hall, Hornton Street W8**. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

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If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

33 Laureston Place

(10)

Mark
see year
pre app
notes on
file

This is for extensions
at rear bst level
Comprises a

$\frac{1}{2}$ width conservation of
modern design +

$\frac{1}{3}$ width solid
extension with

steps + steps to go in
for doors in bst extension
New pitched glazed
area to side for
place of existing roof

Raise banister to
heights at 2nd floor
+ also in 3rd floor (rear)

Access door at 2nd floor
between ~~bedroom~~ bedroom
+ leaves
(retained?)

Minor alterations in 1st floor (front)
2.3m wide opening
into rear end
from bst rooms

Some opening up in g/f
Some more opening up in bst.

~~SU 10/1/2000
Delete steps
to g/dn
Reduce area
of g/balcony
→ to submit
alts~~

~~SU
Mon 10 Jan~~

~~3pm
+ mark
Tom said
to be on
left as
not so
OK~~

11

THE ROYAL BOROUGH OF

NOTICE OF A PLANNING APPLICATION



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

Notice is hereby given the Royal Borough of Kensington and Chelsea Council **KENSINGTON AND CHELSEA**
an application:

- (a) for development of land in or adjacent to a Conservation Area.
- (d) for consent to demolition and/or alteration of a building which is of architectural or historic interest.

Details are set out below.

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

NOTICE OF A PLANNING APPLICATION

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

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

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

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

NOTICE OF A PLANNING APPLICATION

SCHEDULE

exp 4/1/2000

Reference: PP/99/02480/ALS

Date: 17/12/1999

33 Launceston Place, London, W8 5RN

Refurbishment of existing house, extension at basement rear. No change of use necessary.

--- APPLICANT --- Alex Michaelis Associates,

Attached to fence beside gate

12/99

NOTICE OF A PLANNING APPLICATION

①PC ②ALS Vg R/i.

12

ALEX MICHAELIS ASSOCIATES

Miss Salmon
Royal Borough of Kensington and Chelsea
Planning Department
The Town Hall
Hornton Street
London W8 7NX

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	G	SW	SE	ENF	PRO ACK
31				12 JAN 2000			
APPROVALS	IO	REC	ARB	FWD PLN	CON DES	FEEES	

10th January 2000

Re: Proposed new works to 33 Launceston Place, London W8

Dear Miss Salmon,

Further to your site meeting today with Alex Michaelis, please find enclosed six copies of the revised elevations as discussed.
If there is anything further you require or have any questions regarding the proposals, please do not hesitate to contact me.

Yours Sincerely,

Simon Haycock
Alex Michaelis Associates
Encs.

AS
COPY OF PLANS
TO INFORMATION
OFFICE PLEASE

ALEX MICHAELIS ASSOCIATES

13

PG → ALB

Jg
24/1

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N		SW	SE	ENF	AO ACK
24 JAN 2000 (98)							
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

Miss Salmon
 Royal Borough of Kensington and Chelsea
 Planning Department
 The Town Hall
 Hornton Street
 London W8 7NX

20th January 2000

Re: Proposed new works to 33 Launceston Place, London W8

AS
 COPY OF PLANS
 TO INFORMATION
 OFFICE PLEASE

Dear Miss Salmon,

Please find enclosed six copies of the revised elevations of the above project.
 The proposed roof terrace to the rear ground floor has been omitted following discussions between our clients and their neighbours, I hope this puts an end to any of the difficulties we have had so far. If there is anything further you require or have any questions regarding the proposals, please do not hesitate to contact me.

Yours Sincerely,

Simon Haycock
 Alex Michaelis Associates
 Encs.

Christopher Bringham Q.C.
Mary Bringham LLB Solicitors
34, Launceston Place
Kensington, W8 5RN
Tel: 0171 938 1608

plachdj → ALS

18 January 2000

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hamton Street
London, W8 7HX

RECEIVED BY PLANNING SERVICES							
EX DIR	HDC	N	C	SW	SE	ENF	AO ACK
19 JAN 2000							(49)
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

14

Dear Sir/Madam

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas)
Act 1990
33, Launceston Place, Kensington W8 5RN
Ref. No DPS/DCA/PP/99/02480/LAS

We have received your letter of 13 January, in reply to ours of 13 January (copy enclosed). We do not consider your letter to be an adequate response. It is clearly a reply in standard form and addresses none of the matters raised by us.

We are particularly concerned by your failure to address the second and third points raised by us. Your letter does not state the date of the meeting to consider the application. We repeat our request to be given reasonable notice of the date and time of the meeting.

As regards our third point, we need to know whether or not the Council intends to re-advertise the Planning Application in a proper form, as we

to 9.00

are considering an application to the High Court for
an order compelling re-advertisement, and the
consequential extension of time for objections. (15)

We have, today, received revised plans. They
allay none of our fears about the invasion of
our privacy. The terrace remains, only the staircase
has gone.

A new point occurs to us, that of the ownership
and responsibility of the sewers and water supply
which will be interfered with, unless the safety
of the engineering works is monitored. (We already
have another set of surveyors, acting on our
behalf, under the Party Wall Act 1996) Please check
on your ownership and communicate with Thames
Water and take this matter into account.

Finally, your letter does not respond to our
invitation contained in the last paragraph of our
letter to visit our home. We look forward to your
immediate full response.

We will be making investigations as to how
scrupulously the Council examined the applications in
respect of the considerable extensions and alterations to
numbers 26 and 28 Lauriston Place. Copies of
correspondence to date between ourselves have been
forwarded to the Town Clerk.

Yours sincerely,

M. O. Brygham.

RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	C	SW	SE	ENV	AO	LAUNCESTON PLACE RESIDENTS ASSOCIATION	
20 JAN 2000									
FEES	IO	REC	ARB	FWD PLN	CON DES	FEES			

Plachobj → A (76)

9 Launceston Place
London W8 5RL

January 19th
2000

17/19/2000

Dear Mr French
33 Launceston Place.

The Planning Application displayed at the above premises as well as the Plans available for inspection at your offices are we regret to say extremely misleading as it is clear from detailed Plans in our possession that very major works are involved which your Plans do not show. In the first place the Basement is to be completely rebuilt and extended some 9-10' into the garden in the form of a one storey building to the level of the 1st floor with no consideration as to how this will affect the adjoining premises particularly No. 34 on whose side and close to the party wall will be an iron railed large veranda which when in use will intrude on their privacy.

To allow such an extension in a conservation area of listed units whose

R
20/1
14/02

OVER

Gardens are so very much a feature is
surely a dangerous precedent and must
not be allowed without very considerable
modification.

Your comments would be
appreciated.

Yours sincerely

Barry Swan.

M. J. French Esq.

Director of Planning and Conservation

Town Hall

High Wycombe Street

London. W8.

(17)

18

The Royal Borough of Kensington and Chelsea
MEMORANDUM

Chief Executive's Department - Committee Services Section

To: Executive Director, Planning and Conservation
From: Joanne Hargreaves (Committee Services)

My Ref: CEC/JH

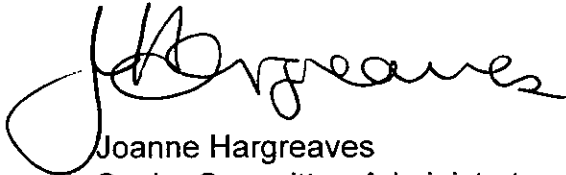
Room No. 253

Ext: 3254

Date: 19th January 2000

**Correspondence regarding Planning Application in respect of 33
Launceston Place, W8**

I attach a copy of a letter (and attachments) to the Chief Executive and Town Clerk. Mr Taylor has indicated that a response should be sent out under his signature. I would be grateful, therefore, if you could let me have your comments on the points raised by Mr and Mrs Brougham as soon as possible, in order that a response can be prepared for CE&TC's signature.



Joanne Hargreaves
Senior Committee Administrator

19 JAN 2000

Q/JH
x

Christopher Brougham Q.C.
Mary Brougham LLB, Solicitor
34 Launceston Place
Kensington
London W8 5RN
Tel: 0171-938-1608

18 January 2000

19

Mr Alan Taylor
Town Clerk and Chief Executive
The Royal Borough of Kensington and Chelsea
The Town Hall
Hornton Street
London W8 7NX

Dear Sir,

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
33 Launceston Place, Kensington, London W8 5RN
Ref. No. DPS/DCC/PP/99/02480/LAS

We enclose herewith copies of correspondence between ourselves and the Planning and Conservation Department concerning the above application. We have been unable to obtain any satisfactory response to our enclosed letter, which raises points touching upon the legality of the procedure being adopted in this case. All we have received is a reply, in the standard form sent to all objectors, stating that our letter will be placed before the Council's Planning Services Committee, with no indication that we can expect any reply addressing the points raised. At the same time, our Town Planning consultant, who is in communication with the Department, informs us that the application is not going to be heard by the Committee.

In these circumstances we ask that you tell us whether or not there is to be a Committee hearing, and, if so, its date and time. We also ask for a proper response to our letter of 12 January.

Yours faithfully,

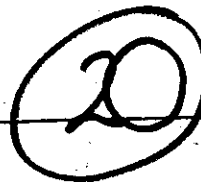
Christopher Brougham

M. O. Brougham

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS TP MRTPI Cert TS



**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

THE OCCUPIER
34 LAUNCESTON PLACE
LONDON
W8

Switchboard:
Extension: 0171-937-5464
Direct Line: 2085
0171-361-2085

Facsimile: 0171-361-3463

Date: 10 December 1999

My reference:

Your reference:

Please ask for:

My Ref DPS/DCC/PP/99 02480/ALS

Planning Information Office

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Applicant

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W11 4AU**

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M. J. FRENCH

Executive Director, Planning and Conservation

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PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

22

Bruce Bond A.R.I.C.S., M.R.T.P.I.
45 Princedale Road
London
W11 4NP

Tel: 020 7229 1120

Fax: 020 7792 8915

e-mail: brucebond@talk21.com

6th January, 2000

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

Attention of Ms. A. Salmon

Dear Madam,

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990

33 Launceston Place, Kensington, SW7

Ref. No. DPS/DCC/PP/99/02480/ALS

I refer to your letter concerning the proposed development at the above site.

I have been instructed by the owners of the adjoining house, No. 34 Launceston Place, to assess the effect of the proposed development on their property. Having inspected the plans and carried out a site visit I am making a formal objection to the application on the following grounds.

The development would result in a building less than one metre from the boundary with my clients' property. In addition the terrace and staircase would in such a position that overlooking directly both into the adjoining garden and into the rear windows of no. 34 Launceston Place.

The detailed grounds of objection to the applications are set out as follows:

1. Out of Character

1.1 The proposed development is out of character with the existing development in the area, which consists, primarily, of residential properties with private rear gardens. The adjoining buildings, and majority of properties in the area, are listed buildings. The application site is situated in the heart of the De Vere Conservation Area and the size, siting and design of the extension, terrace/balcony and extension are out keeping with the character of the general development in this conservation area.

2. Overlooking and Loss of Privacy

2.1 The proposed terrace/balcony and staircase will dominate the immediate surroundings and result in the direct overlooking of the adjoining properties, in particular my clients house and garden at no. 34 Launceston Place. There will, therefore, be a consequent loss of privacy and amenity to local residents.

2. Loss of Amenity

2.1 The development would result in an intrusive and unsympathetic addition to an important listed building. It would therefore cause the loss of visual amenity to the adjoining properties and the area generally.

3. UDP Policies

3.1 Control of Development Policies

3.2 Policy CD25 The proposal is not of a high standard of design and is an unsympathetic addition to the listed building. It is similarly unsympathetic to its surroundings, which consist of listed buildings and the De Vere Conservation Area. It is not sensitive to, or compatible with, the character of its surroundings. **The proposal contravenes policy CD25.**

3.3 Policy CD26 The proposal does not (a) conform to existing building lines or overall scale and character of the area nor (b) have respect the form and materials of adjoining buildings. **The proposal contravenes policy CD26.**

3.4 Policy CD30 The development, by introducing a balcony immediately adjoining the boundary of the adjoining property would result in a loss of visual privacy. The development has not been "*designed to ensure sufficient visual privacy of residents*". **Therefore the proposal contravenes policy CD30.**

3.5 Policy CD41 refers specifically to rear extensions. The development fails to comply with important criteria of this policy because;

(h) there would be a significant increase in overlooking of neighbouring properties and gardens and,

(i) the detailed design would not be in character with the existing building.

The development would therefore contravene policy CD41

3.6 Policy CD48 and Policy CD52. These policies seek to ensure that applications preserve or enhance the character and appearance of the conservation area. The proposal, by reason of its size, position and design would form an intrusive and unsympathetic feature in this part of the De Vere Conservation Area and would neither preserve nor enhance the area. Furthermore the site adjoins several listed buildings and the development would adversely affect the setting of these listed buildings. **The proposal contravenes Policy CD48 and Policy CD52.**

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3.7 Policy CD53 seeks to ensure that development in conservation areas is to a high standard of design. The proposed terrace/balcony and stairs would not be compatible with; (a) the character and scale and; (c) proportion and rhythm of surrounding development. **The proposal does not comply with policy CD53.**

3.8 Policy CD56 seeks to resist unsympathetic small-scale developments where the cumulative effect of a number of similar proposals would be detrimental to the area. The proposal on its own is detrimental to the listed building and its neighbours, and a number of similar proposals would destroy the character of the conservation area. **Policy CD56 supports the refusal of this application.**

In addition to the Council's Policies the Department of the Environment in the Planning Policy Guidance gives guidance notes (PPGs).

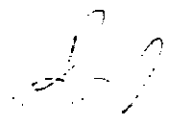
PPG 1 advises that applications may be permitted if they comply with the development plan and all material considerations. It states further that applications should not be permitted if they cause demonstrable harm to interests of acknowledged importance. **The proposal contravenes the guidance in PPG1 because it fails to comply with the development plan (UDP). It would cause demonstrable harm to the conservation area.**

PPG15 advises on Listed Buildings and Conservation Areas. It states that development in a conservation area should either preserve or enhance the area. **On design grounds alone the proposal fails to preserve or enhance the character area and therefore contravenes the guidance in PPG15.**

The application contravenes the Policies and Standards in the adopted UDP and the guidance given in the PPGs. There are, therefore, clear and compelling reasons why the applications for planning permission and listed building consent are unacceptable and should be refused.

I would be grateful if you could acknowledge the receipt of this letter and confirm that the objections will be presented to the appropriate committee.

Yours faithfully,



Bruce Bond

25

Christopher Brougham Q.C.
Mary Brougham LLB, Solicitor
34 Launceston Place
Kensington
London W8 5RN
Tel: 0171-938-1608

12 January 2000

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

Dear Sir/Madam,

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
33 Launceston Place, Kensington, London W8 5RN
Ref. No. DPS/DCC/PP/99/02480/LAS

We have extreme objections to the proposals to extend irrevocably 33 Launceston Place at the lower ground floor level to the rear and in the direction of our house, which proposals incorporate an overhead terrace and a protruding staircase overlooking our property.

Mr Bruce Bond A.R.C.I.S., M.R.T.P.L., our Town Planning Consultant, is dealing with specific Listed Building and Planning issues on our behalf. We, however, are better qualified than our Consultant to make general legal points.

First, the proposals will seriously interfere with our privacy. We do not feel that anyone, apart from ourselves, cares about our privacy or feels entitled to object on this ground. The only neighbours likely to object on the "privacy" grounds are our

neighbours at No. 32, whose own privacy may be infringed by the proposed overhead terrace. The number of objectors must be irrelevant. Where Listed Building consent is concerned, any proposed breach of the principles, whether pointed out by one or by a thousand objectors, remains a proposed breach of the principles. It is surely the Council's duty, as delegated to it by English Heritage, to prevent such proposed breaches, even if *no* letter of objection is received. Can it seriously be suggested that if, for example, all the residents of Launceston Place agreed that they would not object to each other sticking satellite dishes on the front of their houses, or erecting saunas in their front gardens, that the Council, in the absence of objections, would consent to proposals to erect such satellite dishes or saunas? Are the wishes of the current residents in the Conservation Area, many of whom are here only for a short time, relevant?

Secondly, the Council is, we assume, under a duty, as a matter of Human Rights, to give us reasonable notice of the date of the Committee meeting at which the planning application will be considered, so that we can make ourselves available and/or instruct representatives, whether legal or our Consultant, to attend.

Thirdly, we believe that the yellow planning notice affixed to the front railings of No. 33 has misled our neighbours and other members of the public. It reads: "Refurbishment of existing house extension at basement rear". It is not at all clear from this notice that the applicants intend to build a *new* extension. To make the proposals clear, the notice should have stated that the applicants intended (1) to refurbish the existing house and (2) build an extension. This misleadingness may well be one of the reasons why there have been so few objections to the proposals. We strongly contend that the application should be re-advertised in proper form, and that time for objections should be extended accordingly.

Fourthly, what particularly upsets us is that we have been instinctive conservationists of *this* house and garden. We have had the privilege of living here for twenty years. We do not regard the houses in this street as National Trust properties, but as family homes. However, we feel our house is on loan to us; we would regard it as a breach of trust to interfere with the archaic structure of the house and garden. For example,

27

we have left our relatively large front and side gardens open to public view, which has had the effect of making these gardens unusable by ourselves and particularly our children, who would be so vulnerable to passers-by. If the privacy of our back garden is curtailed by the applicants' proposals, we shall have to reconsider our policy in order to create a private garden for ourselves. Consequently we shall have to follow the examples of 14 Victoria Grove, Albert Lodge (in Victoria Grove) and Nos.22 and 23 Launceston Place and board up our front and side gardens.

Finally, we hope that you will come to our house with English Heritage and Councillors as soon as possible to see how conservation and privacy are intertwined.

Yours faithfully,

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

28

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

MR & MRS BROUGHAM
34 LAUNCESTON PLACE
LONDON
W8

Switchboard: 0171-937-5464

Direct Line: 0171-361-2085

Extension: 2085

Facsimile: 0171-361-3463

Date: 13 January 2000

My Ref: DPS/DCC/PP/99/02480/ALS

Please ask for: A. Salmon

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 33 Launceston Place, London, W8 5RN

Thank you for your recent letter giving your comments on the application recently submitted to the Council relating to the above address. The Council's Planning Services Committee will consider your views very carefully when deciding this application.

You will appreciate that in some cases the Committee is not in a position to make an immediate decision. However, I shall notify you of that decision as soon as possible after it is reached.

If you would like any information about the progress of the application please do not hesitate to contact the Planning Information Office.

Yours faithfully,

M. J. FRENCH

Executive Director, Planning and Conservation

Christopher Brugham Q.C.,
Mary Brugham LHB Solicitors,
34, Lancaster Place
Kensington, W8 5RN
Tel: 0171 938 1608

18 January 2000

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hampton Street
London, W8 7HX

(29)

Dear Sir/Madam

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas)
Act 1990
33, Lancaster Place, Kensington W8 5RN
Ref. No DPS/DCC/PP/99/02480/LAS

We have received your letter of 13 January, in reply to ours of 3 January (copy enclosed). We do not consider your letter to be an adequate response. It is clearly a reply in standard form and addresses none of the matters raised by us.

We are particularly concerned by your failure to address the second and third points raised by us. Your letter does not state the date of the meeting to consider the application. We repeat our request to be given reasonable notice of the date and time of the meeting.

As regards our third point, we need to know whether or not the Council intends to re-advertise the Planning Application in a proper form, as we

are considering an application to the High Court for an order compelling re-advertisement, and the consequential extension of time for objections. (30)

We have, today, received revised plans. They allay none of our fears about the invasion of our privacy. The terrace remains, only the stair case has gone.

A new point occurs to us, that of the ownership and responsibility of the sewers and water supply which will be interfered with, unless the safety of the engineering works is monitored. (We already have another set of surveyors, acting on our behalf, under the Party Wall Act 1996) Please check on your ownership and communicate with Thames Water and take this matter into account.

Finally, your letter does not respond to our invitation contained in the last paragraph of our letter to visit our home. We look forward to your immediate full response.

We will be making investigations as to how scrupulously the Council examined the applications in respect of the considerable extensions and alterations to numbers 26 and 28 Lauriston Place. Copies of correspondence to date between ourselves have been forwarded to the Town Clerk.

Yours sincerely,

M. O. Brygham.

: PLNMJF / Inbasket / Opened 3.Feb.2000 9:01

: Hargreaves, Joanne 2.Feb.2000 17:00

: Correspondence re 33 Launceston Place

31

chasing a response to the above correspondence forwarded to you on 19/1.
E&TC has indicated that he would like to sing the reply.

Thanks
Joanne

Copied to DT
3-2

32

MEMORANDUM

Date: 4th February 2000
To: A. Taylor, Chief Executive and Town Clerk
CC: M. J. French, Executive Director, Planning & Conservation
From: D. M. Taylor, Area Planning Officer (Central Team)
RE: **33 Launceston Place**

I refer to your memorandum of 19th January 2000, and to the letter from Mr and Mrs Brougham to you of 18th January, concerning the current applications for the above property.

The planning Case Officer shares the concern of the objectors regarding the rear extension, and the applicants have been advised that the proposals should be amended, and the rear terrace deleted, if they are to expect a favourable recommendation to the Planning Services Committee.

Revised plans are expected imminently. When received, notice of the revisions will be sent to all objectors and they will have the opportunity to provide further comments.

If the revisions are considered satisfactory, then the application will be presented to the Committee for their consideration, probably their meeting of 23rd February or 7th March. I will ensure that Mr and Mrs Brougham are notified as soon as the Committee date is finalised and I will advise as to how they can make representations in person to the Committee if they wish to do so.

Derek Taylor, Area Planning Officer

33

FILE NUMBER: 99/2480

ADDRESS: 33 Lancelton Place
..... Kensington W8
.....

REVISED DRAWINGS RECEIVED

- 1. Please re-notify all objectors. Add to letter:
"Revised drawings received. Any further comments must be received by" * 22/2/2000.
- 2. Please re-advertise ~~NO~~

* delete or add as appropriate

✓ gfh.

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

34

**THE ROYAL
BOROUGH OF**

Executive Director M J FRENCH FRICS TP MRTPI Cert TS



**KENSINGTON
AND CHELSEA**

FILE COPY

2085

0171-361- 2085

Switchboard: 0171-937-5464

Extension:

Direct Line:

Facsimile: 0171-361-3463

Date: 7 February 2000

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCC/PP/99/02480/ALS

Planning Information Office

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

Proposed development at: 33 Launceston Place, London, W8 5RN

You were recently notified on, and/or have commented on, the application for development at the above address. The Council has now received **AMENDMENTS** to this application, and brief details of these are set out below. The Council's Planning Services Committee, in considering the proposal, welcomes comments upon these amendments. Members of the public may **inspect copies of the amended plans**, and any other submitted documents. Details are provided overleaf.

Amended Proposal

Erection of glazed and solid rear extensions at basement level, together with rebuilding of the glazed roof over the side passage. ** REVISED DRAWINGS RECEIVED **

Applicant

**Alex Michaelis Associates, Unit B, 97-101 Wilsham Street, London
W11 4AU**

Anyone who wishes to submit comments on the amended application should write to the Council at the above address within 14 days of the date of this letter.

Yours faithfully,

M. J. FRENCH

Executive Director, Planning and Conservation

WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- * The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- * Effect upon the character or appearance of a Conservation Area;
- * Effect upon the special historic interest of a Listed Building, or its setting;
- * Effect upon traffic, access, and parking;
- * Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation

WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, **cannot** be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- * Loss of property value;
- * Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- * Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct)
- * Smells (Also covered by Environmental Services)
- * Competition between firms;
- * Structural and fire precaution concerns; (These are Building Control matters)

WHAT HAPPENS TO YOUR LETTER

Planning applications where objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.

WHERE TO SEE THE PLANS

Details of the application can be seen at the **Planning Information Office, 3rd floor, Town Hall, Hornton Street W8**. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the **Chelsea Area (SW1, SW3, SW10)** can be seen at **The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (0171-361 4158)**, for the **Central Area (W8, W14, SW5, SW7)** can be viewed in the **Central Library, Town Hall, Hornton Street, W8**. and applications for districts **W10, W11 and W2** in the **North** of the Borough can be seen at **The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11** (under the Westway near Ladbroke Grove Station **0171-727-6583**). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY

Christopher Brougham Q.C.
Mary Brougham LLB, Solicitor
34, Launceston Place
Kensington, London
W8 5RN
Tel: 0171-936-1608

7 February 2000

Phillipa Doune, Secretary to the Councillors' Committee
The Royal Borough of Kensington and Chelsea
The Town Hall
Hampton Street
London W8 7HX

(36)

Dear Madam

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
33 Launceston Place, Kensington, London W8 5RN
Ref. No DPS/DCC/PP/99/02480/LAS

Having considered the latest plans lodged by the applicants on 24 January, in consultation with our Town Planning Consultant, Mr. Bruce Bond A.R.I.C.S, M.R.T.P.L., my husband Mr. Christopher Brougham, Queens Counsel, confirms the appointment to address the Council for five minutes on 23 February at 6:30 p.m.

We live at Number 34, next door to number 33.

Yours faithfully,

M. O. Brougham.

DT/ALS

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

37

**THE ROYAL
BOROUGH OF**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



Mr. & Mrs. Christopher Brougham,
34 Launceston Place,
Kensington,
LONDON, W8 5RN.

Switchboard: 0171-937 5464
Extension: 2944
Direct Line: 0171-361-2944
Facsimile: 0171-361-3463

**KENSINGTON
AND CHELSEA**

09 February 2000

My reference: **EDPC/MJF/PP/
99/2480**

Your reference:

Please ask for: **Mr. French**

Dear Mr. & Mrs. Brougham,

33 Launceston Place, W.8.

Thank you for your letter of 7 February relating to the consideration of the above planning application at the next meeting of the Planning Services Committee on 23 February. I have asked my secretary to send you a copy of the report when it becomes available and then if you wish to address the Committee, I would be grateful if you could contact her on 0171 361 2944 in order that the Chairman can be consulted on your possible attendance.

With regard to your letter of 12 January, I have asked the case officer to respond on the matters which you have raised within the next few days. I am sure you are, however, aware that the Human Rights Bill does not become operative until October of this year.

Yours sincerely,

Can a response in fact be drafted please

M. J. French,
Executive Director, Planning and Conservation.

c.c. Mr. R. A. Taylor,
Chief Executive and Town Clerk.

MJF

ALS

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

38

**THE ROYAL
BOROUGH OF**



**KENSINGTON
AND CHELSEA**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. & Mrs. Christopher Brougham,
34 Launceston Place,
Kensington,
LONDON, W8 5RN.

Switchboard: 0171-937 5464
Extension: 2085
Direct Line: 0171-361-2085
Facsimile: 0171-361-3463

10 February 2000

My reference: EDPC/MJF/PP/ 99/2480 Your reference: Please ask for: Miss Salmon

Dear Mr. & Mrs. Brougham,

33 Launceston Place, W.8.

I refer to your letters concerning the current planning application for the erection of rear extensions together with internal alterations at the above property.

I would confirm that the terrace which was proposed on top of the lower ground floor rear extension has been deleted from the scheme. A condition will be recommended that this flat roof shall not be used as a terrace. I would advise that the proposed glazed conservatory/glass roof over the side passage and internal alterations are considered to be acceptable and would not harm the special architectural character of the listed building.

I would advise that the application is expected to be considered by the Planning Services Committee on 23 February and Mr. Bond has been advised of this by the case officer, Miss Salmon. I would confirm that you have been renotified of the revised drawings.

If you have any further queries concerning the proposal, please do not hesitate to contact me or the case officer, Miss Salmon.

Yours sincerely,

M. J. French,
Executive Director, Planning and Conservation.

c.c. Mr. R. A. Taylor,
Chief Executive and Town Clerk.

Pratt
23/2

39

replied 16/2/2000
see schedule 2,
part 1,
class A(1)

Fax: 0207 361 3463

To: Derek Taylor, Planning Department, RB Kensington & Chelsea

From: Martin Herbert

Date: 15 February 2000

33 LAUNCESTON PLACE

Following our telephone conversation this morning I set out below our calculations for the relevant volumes and conclude that the proposed extension is Permitted Development by virtue of the town and Country Planning (General Permitted Development) Order 1995, Part 1, Class A.1(a)(i).

Volume of existing house: 791.47m³

Volume of proposed extension:

Conservatory: 35.21m³

Extension: 21.02m³

Total: 56.23m³

i.e., 7.1%

Additionally, the maximum height of the proposal within 2.00m of the boundary is less than 3.00m.

We trust the application can proceed as one for Listed Building Consent only. Please give me a call if you feel there are points which require clarification.

Martin Herbert
MARTIN HERBERT

R.B.K. & C.
TOWN PLANNING
16 FEB 2000
RECEIVED



PLANNING

**PLANNING AND
DEVELOPMENT
CONSULTANTS**

ARCHITECTS

LONDON

12-13
CLERKENWELL GREEN
LONDON - EC1R 0QJ
TEL 0207 490 2400
FAX 0207 250 1916
www.chetwood.co.uk

LEEDS

MIDLANDS

CHETWOOD
ASSOCIATES LTD
REGISTERED OFFICE
12-13
CLERKENWELL GREEN
LONDON - EC1R 0QJ
REG N° 120 3070

~~Miss French~~ ~~Notes from~~ Mr. & Mrs. C. J. Brugham
34, Lauricester Place
Kensington, W8 5RN

16 February 2000

The Royal Borough of Kensington and Chelsea
Planning and Conservation
The Town Hall
Hamilton Street
London, W8 7HX

40

RECEIVED BY PLANNING SERVICES							
EX DR	HDC	N	C	SW	SE	ENF	AO ACK
73		17 FEB 2000					
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEES	

Dear Mr. French

You ref EPPC/MJF/PP/99/2480
33, Lauricester Place W.8.

Thank you for your recent letters. We await receipt of the report, in good time, before the committee meeting next Wednesday evening. ||*

Yours sincerely,

sent 17/2

M. O. Brugham

(Mrs. Christopher Brugham)

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Carttee
23/2 (41)

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Martin Herbert,
Chetwood Planning,
12-13 Clerkenwell Green,
London,
EC1R 0QJ.

Switchboard: 0171-937 5464
Extension: 2085
Direct Line: 0171-361 2085
Facsimile: 0171-361 3463
16 February 2000

My reference: DPS/DCC/PP/99/2480/BB

Your reference:

Please ask for: Anne Salmon

Dear Sir,

Town and Country Planning Act 1990
33 Launceston Place, Kensington, W8

I refer to your letter dated 15th February 2000 concerning the above property.

I would advise that the Town and Country Planning (General Permitted Development) Order 1995 states in Schedule 2, Part 1, Class A(g) the following:

“Development is not permitted by Class A if it would consist of or include the erection of a building within the curtilage of a listed building.”


No. 33 Launceston Place is a listed building. The extension, although attached to the main building is considered to be a building and therefore requires planning permission.

If you have any further queries concerning the proposal, please contact my assistant, Miss Salmon.

Yours faithfully,

M.J. French
Executive Director of Planning and Conservation

R

FACSIMILE		 42	
From:	MARTIN HERBERT	CHETWOOD associates 12-13, Clerkenwell Green LONDON EC1 0QJ	
Phone:	0207 490 2400		
Fax:	0207 250 1916		
To:	ANN SALMON	Fax:	0207361 3463
Company:	RB KENSINGTON	Phone:	
Project:	33 LAUNGESTON PL	Date:	18/2/00
Project Number:		Pages:	3

For Review
 Please Comment
 Please Reply
 Urgent!!!

MESSAGE:

Extracts from LB Act 1990 as discussed

R.B.K.& C.
 TOWN PLANNING
 18 FEB 2000
 RECEIVED

COPIES TO:		
NAME	COMPANY	FAX NUMBER

43

LISTED BUILDINGS ACT 1990 (s.7)

CHAPTER II

AUTHORISATION OF WORKS AFFECTING LISTED BUILDINGS

*Control of works in respect of listed buildings***Restriction on works affecting listed buildings**

- L7.01** 7. Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.

COMMENTARY

DEFINITIONS

- L7.02** "authorised": s.8.
 "building": s.91.
 "listed building": ss.1(5); 91(1).

GENERAL NOTE

Purpose of the section

This section establishes the legal basis of listed building control. It contains a straight prohibition of unauthorised works to listed buildings, breach of which is then translated by s.9 into an offence. By virtue of s.8, works are authorised only if consent ("listed building consent") has been granted for them and they are carried out in accordance with that consent, and (for demolition) if requirements relating to notification and provision of access to the Royal Commission are satisfied.

Extension of the prohibition

The prohibition is extended also to:

- (1) unauthorised demolition of certain buildings in conservation areas, by virtue of s.74(3) and the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990, reg. 12 and Sched. 3. For the benefit of users of the *Encyclopedia*, all the sections in this Act that are extended by s.74 to conservation area control are reproduced, as modified by regulations, as an Appendix (*The Conservation Area Code*) to this Act: see para. LSC.01 below; and
- (2) buildings which are subject to building preservation notices, which are treated as if they were listed buildings for the purposes of the section (s.3(5)).

Exceptions

- L7.03** (1) an ecclesiastical building which is for the time being used for ecclesiastical purposes is exempt from the prohibition contained in this section, by virtue of s.60(1) provided it is a building for which ecclesiastical exemption is retained by the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 (S.I. 1994 No. 1771), arts. 4 and 6;
- L7.01**

2-5024

Planning R.113: January 1996

44

RESTRICTION ON WORKS AFFECTING LISTED BUILDINGS

- (2) the demolition of all or part of a redundant church building in pursuance of a pastoral or redundancy scheme (under the Pastoral Measure 1983) is excluded by s.60(7);
- (3) the section does not, by virtue of s.61, apply to any building which is a scheduled monument under the Ancient Monuments and Archaeological Areas Act 1979 s.1; and
- (4) although buildings owned by the Crown may be listed under s.1, the Crown is exempt from the prohibition contained in this section. However, the Crown has undertaken to consult local planning authorities before undertaking works which would otherwise require listed building consent, and a set of shadow procedures is established by DOE Circular 18/84, Memorandum, Part IV, paras. 31 and 32: see further the Commentary to s.10. The legal requirement to obtain listed building consent does apply to Crown land to the extent of any interest in it for the time being held otherwise than by or on behalf of the Crown (s.83(1)(b)).

L7.03

Obtaining authorisation

Works are authorised for the purposes of this section if listed building consent has been granted for them, and they are carried out in accordance with the terms and conditions of that consent. There is a further requirement, in cases involving demolition, that the Royal Commission should have been notified, and provided with the requisite opportunity to enter the land for the purposes of making a record. See further the Commentary to ss.8 and 9.

Relationship to planning control

The prohibition under this section is independent of the requirement in s.57 of the principal Act that planning permission be obtained for works constituting development. Works of demolition, alteration or extension of a listed building will also frequently constitute development requiring permission under that Act, for which application must be made separately. This may be the case even in respect of relatively minor works. In *Windsor and Maidenhead Borough Council v. Secretary of State for the Environment* [1988] J.P.L. 410; [1988] 2 P.L.R. 17, the High Court (Mann J.) held that the repainting of a listed building was capable of constituting both a building operation within the definition of development, and an alteration for the purposes of this section, and hence requiring listed building consent where it affected the character of the building as a building of special architectural or historic interest.

L7.04

Up until 1980 application for planning permission and listed building consent could be made on the same form, unless demolition of all or part of the building was involved. But this practice proved confusing, and was abolished by the Local Government, Planning and Land Act 1980. Today the two systems are separately administered. Although application for listed building consent and for planning permission for the same works will normally be made to the same planning authority, there are different publicity, notification and consultation requirements for each. The fact that planning permission has been granted for works does not constitute an authorisation for the purposes of liability under this Act (except in respect of the offence under s.59 of causing intentional damage to a listed building).

Works may, however, require consent under these provisions, notwithstanding that they do not constitute "development" (such as works of maintenance or repair, or internal alterations) or that they constitute permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (such as extensions to dwelling-houses or industrial buildings, or agricultural operational development).

L7.04

2-5025

Planning R.113: January 1996

HININ S LINDIN, NUNIL
 FAX: 361 3463

33, Launceston Place, London W8 5RN
 0171 584 8644

① PC.
 ② ALS
 Vg 21/2
 C

Councillor David Campion,
 13 Rodney House
 12-13 Pembridge Crescent
 London W11 3DY

19 February 2000

45

Dear Councillor Campion,

Re: Planning Committee meeting, 23 February; 33 Launceston Place

We do apologise for writing to you at home on a planning matter. We have made an application to build a largely glass extension at the rear of our house. Your planning officer recommended this for approval from the outset.

We discussed our proposed works with our immediate neighbours and other local residents, and have since amended our plans to address the only concerns raised, those of our neighbours at number 34, Mr. and Mrs. Brougham. Specifically, we have removed from our plans an external staircase and a first floor terrace. We understand that the application has been submitted for consideration by the Committee on 23 February.

Despite these alterations, and recommendations to accept the proposal in the Council's Planning and Listing Reports, Mr Brougham tells us that he feels all his concerns have not been addressed, and he has made an application to speak at the Planning Committee meeting. Although a little difficult to gauge we understand his remaining comments are likely to relate to stylistic details of the proposal, which we feel are adequately covered in the terms of the Listed Building Report. Amongst the conditions for approval is "all works...to match the adjacent work with regard to the method used and to the colour, material, texture and profile."

We understand there is one other letter of objection from the "Launceston Place Residents Association". Peter Dixon, the Chairman of the Victoria Road Area Residents Association, to which most of us in this area belong, has assured us that the VRARA has no objections to our plans and that the "LPRA" is an unofficial entity with only 2 or 3 members.

The Planning Permission Report and the Listed Building Report recommend acceptance. Having made a sincere effort to meet the objection of one neighbour, and with the approval of our neighbours on the other side at number 32, we very much hope the Committee will support our application. We do regret having to trouble you in this way but hope this note clarifies the situation in advance of the Planning Committee meeting.

Yours sincerely,

Dr. and Mrs. James Spicer

PLANNING AND CONSERVATIONTHE TOWN HALL HORNTON STREET LONDON W8 7NX

46**THE ROYAL
BOROUGH OF****KENSINGTON
AND CHELSEA**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. S. Haycock,
Alex Michaelis Associates,
Unit B, 97/101 Wilsham Street,
LONDON W11 4AU.

Switchboard: 0171-937 5464

Extension: 2944

Direct Line: 0171-361 2944

Facsimile: 0171-361 3463

21 February 2000

My reference: EDPC/MJF/PP/
99/2480

Your reference:

Please ask for: Mr. French

Dear Mr. Haycock,

33 Launceston Place, W.8.

I am writing to inform you that arrangements have been made for you to attend and address the Planning Services Committee on 23 February 2000 at the Town Hall in Committee Room 1 at 6.30 p.m. on the above planning application.

An objector to the planning application has requested to attend and address the Committee. In order to avoid deferrals caused by either or both invited parties not attending, I am hereby advising you that should either party fail to attend or provide adequate reasons for non-attendance, the Committee will proceed to determine the application. You may of course bring photographs etc. if you consider that they help to illustrate your case more clearly. Upon arrival, you are advised to make yourself known to the Committee Administrator seated within the Committee meeting room.

In the event of only the objector appearing, he/she will be given an opportunity to state his/her objections and answer any questions asked by Members relating to the proposals. With regard to the applicant/agent, he/she will be allowed to make a short summary address of the proposals and be prepared to answer any questions raised by Members of the Committee.

Should you have any queries regarding either the arrangements made or this letter, I would be grateful if you would contact my secretary in the first instance.

Yours sincerely,

M. J. French,
Executive Director, Planning and Conservation.

PLANNING AND CONSERVATIONTHE TOWN HALL HORNTON STREET LONDON W8 7NX

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**THE ROYAL
BOROUGH OF****Executive Director** M J FRENCH FRICS Dip TP MRTPI Cert TS**KENSINGTON
AND CHELSEA**

Mr. C. Brougham QC,
34 Launceston Place,
LONDON W.8.

Switchboard: 0171-937 5464

Extension: 2944

Direct Line: 0171-361 2944

Facsimile: 0171-361 3463

21 February 2000

My reference: **EDPC/MJF/PP/** Your reference:
99/2480Please ask for: **Mr. French**

Dear Mr. Brougham,

33 Launceston Place, W.8.

I am writing to inform you that arrangements have been made for you to attend and address the Planning Services Committee on 23 February 2000 at the Town Hall in Committee Room 1 at 6.30 p.m. on the above planning application. I would be grateful if you could send me a brief statement of the points you wish to raise.

The agent for the planning application has also been invited to attend and address the Committee. In order to avoid deferrals caused by either or both invited parties not attending, I am hereby advising you that should either party fail to attend or provide adequate reasons for non-attendance, the Committee will proceed to determine the application. You may of course bring photographs etc. if you consider that they help to illustrate your case more clearly. Upon arrival, you are advised to make yourself known to the Committee Administrator seated within the Committee meeting room.

In the event of only the objector appearing, he/she will be given an opportunity to state his/her objections and answer any questions asked by Members relating to the proposals. With regard to the applicant/agent, he/she will be allowed to make a short summary address of the proposals and be prepared to answer any questions raised by Members of the Committee.

Should you have any queries regarding either the arrangements made or this letter, I would be grateful if you would contact my secretary in the first instance.

Yours sincerely,

M. J. French,
Executive Director, Planning and Conservation.

① Aenc obj ② APP ~~DETERMINED~~
- PUT ON
- CASE
- FILE

From: Mrs. C.J. Bringham
34, Laurenceston PL, W8
23 February 2000

JG
24/2

To: M.J. French
Planning and Conservation
The Town Hall
Hornston Street
W8

Your ref EDPc/MJF/PP/99/2489

File on

PP/99/248905

RECEIVED BY PLANNING SERVICES									
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Dear Mr. French
33 Laurenceston Place, W8

We received your latest letter by first post yesterday morning, after my husband, had left for work in the Court of Appeal appearing all day before the Lords Justices Kennedy, May and Chadwick, again today and tomorrow which has required not inconsiderable preparation overnight.

I am endeavouring to respond to your request for further assistance, despite, as I understand from my husband, he dealt with by phone, with your secretary when she contacted him earlier. To expedite matters, I have delivered this letter to the Town Hall, this morning.

All the points we wish to raise before you are contained in the correspondence. We will not be raising further points. We will be commenting on the lack of thoroughness of the Report. Attached herewith some "bullet points" for his speech.

Yours sincerely

M.O. Bringham

- The planning notice affixed to the railings of No. 33 was misleading (see second page of letter of 12.01.00) which may explain (a) the small number of objectors and (b) the letter from No 27 Lancaster Place raising no objection.
- The Report for the Planning Services Committee is inadequate and does not properly address the points raised in correspondence by Mr. Bruce Bond ARICS, MR TPI. In particular it does not address CD25 (high standard of design etc), CD26 (conforming to the character of the area) CD48 (special attention to desirability of.... or enhancing character) and CD56 (unsympathetic small scale developments with detrimental cumulative effect)
- The plans lodged by the Applicants are rudimentary and make it impossible to make a proper evaluation concerning CD25, CD48 and in particular CD53 ("high standard of design etc"), as borne out by proposed condition 4 of listed building consent.

For the attention of
Ms. Collyer

Copies to Mr. French, Miss Selman
Ms. Dawn, Counselor Carpinin

Dear Girs,

34, Laurcester Place
Newday, W. 8.

28 Feb '2000

(50)

34, Laurcester Place

Thank you for looking up, and sending a copy of the document entitled "Guido to the Proceedings of the Planning Service Committee". It contains everything in existence of which we were unaware. It is comprehensive and essential for objectors. It was known for some time by the Executive Director of the Planning and Conservation Department, and the Case Offices, we were to address the Committee, plus the secretary ^(F. Felmer) to the Committee, and yet no-one offered us a copy.

How do people less sophisticated than we are deal with the Tam Hall?

Can you supply all information, or references members, and price of such materials, for future reference, or I can come to the Tam Hall, inspect and make a selection e.g. how do we notify you of our immediate interest in the outcome of the Committee decision, the date of ratification, when is the ratification effective for the applicants to go ahead?

We are appalled. Everything is seen in a different light, a week after the Committee date. We had been considering applying for a judicial review.

Yours faithfully, N.O. Bryman.

Your ref/DPS/OCC/PP/99/02450/ALS

① PC

② ALS for personal reply
✓ 9/29/2

replied
1/3/2000

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Dear Ms Salman,

33, Lancaster Place

I am sending you, among others, a copy of our letter to the Directorate of Corporate Services.

Do not send, if replying, another of your standard identical letters. We have several of them already. It is just insulting.

We admit notification of the Committee's decision, in accordance with your standard letters.

Yours sincerely,

M. O. Brigham.

RECEIVED BY PLANNING SERVICES							
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PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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THE ROYAL
BOROUGH OF



KENSINGTON
AND CHELSEA

Mrs. M. O. Brougham,
34 Launceston Place,
LONDON W.8.

Switchboard: 0171-937 5464
Extension: 2944
Direct Line: 0171-361-2944
Facsimile: 0171-361-3463

29 February 2000

My reference: EDPC/MJF/99/ 2480 Your reference:

Please ask for: Mr. French

Dear Mrs. Brougham,

33 Launceston Place, W.8.

I write with reference to your letter of 28 February regarding the recent attendance by your husband at the meeting of the Planning Services Committee on 23 February.

I am sorry that there appears to have been some misunderstanding regarding the procedures which are followed at the Planning Services Committee when objectors attend and speak. I am aware, however, that my secretary, when speaking to your husband, did inform him of the procedures which would be followed at the meeting and in direct response to a question raised by him about how long he had to speak, she advised him that five minutes was the guideline.

I am not aware of any previous problems with regard to people addressing the Committee, but we have looked again at our procedures and will make minor amendments to the notification letter to speakers.

Finally, I can inform you that adjoining owners are notified of all planning applications, but we do not have the resources to notify all such consultees of when an application will be considered by Committee; should an objector ask for such information, this of course is provided. The arrangements for Committees are set out in the Council's Standing Orders and the decision letter following the Committee meeting is normally despatched within 24 hours of the date of the meeting.

Yours sincerely,

M. J. French,
Executive Director, Planning and Conservation.

c.c. Councillor David Campion,
Chairman - Planning and Conservation Committee.

Mr. D. Collinge,
Committee Services Administrator.

Briefing Note for CE&TC in respect of Correspondence from Mr & Mrs Brougham

You asked that I discuss with you the letter to Cllr Campion which was copied to you. In view of your commitments in respect of Council and Mbale, it has proved impossible to see you over the past two days. The following sets out the Committee Section's involvement in the matter and gives some background information on procedures.

The Guide to the Proceedings and a copy of Standing Orders was provided to Mrs Brougham on request following the meeting. She telephoned Daniel Collinge to express her concerns about the proceedings of the PSC meeting, and she asked if there was any written guidance on the procedures for PSC. In response, Daniel undertook to provide Mrs Brougham with a copy of the Guide to Proceedings.

When the Broughams registered to speak at the meeting, Phillipa Down informed them that they had five minutes in which to speak. A copy of the committee report was sent to them and they were asked to submit additional points in support of their objections to EDP&C in writing prior to the meeting (this is in line with the Guide). The Committee Section has no involvement in the registration of speakers and do not normally have cause to speak to objectors/applicants prior to the meeting. If an objector/applicant did contact us prior to the meeting to discuss procedure, we would, of course, give a full explanation and if requested send a copy of the Guide. We are, however, only notified of speakers by EDP&C on the day of the meeting.

Daniel and I have discussed this matter in some detail and he has had several telephone conversations with Mrs Brougham in which he appeared to be very helpful. The issue has been raised with EDP&C and from now on the letter sent to objectors/applicants confirming their attendance at PSC will include procedural details, for example, the time limit of five minutes (this is already mentioned orally when people register to speak).

The Guide will be reviewed and updated as necessary following the inception of the new Chairman. It may be worth considering whether this document should be made more widely available, and whether it should be sent as a matter of course to registered speakers.

*Apparently
750
agreed to
this*

I did not attend the meeting on 23/2, but Daniel has informed me that Mr Brougham was allowed in excess of five minutes to state his objections. The Chairman reminded him of the time limit, and, after approximately eight minutes Mr Brougham was interrupted by Cllr Cunningham. The Chairman subsequently asked that he bring his comments to a conclusion.

I attach copies of the relevant correspondence. If you wish to discuss this or require any further information please let me know.

THE ROYAL BOROUGH OF KENSINGTON & CHELSEA

GUIDE TO THE PROCEEDINGS OF THE PLANNING SERVICES COMMITTEE

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1. THE PLANNING SERVICES COMMITTEE - HOW IT IS CONSTITUTED

- 1.1 The Planning Services Committee is appointed by the Council's Planning & Conservation Committee to consider and determine applications for planning permission, including Council's own development, listed building consent, conservation area consent and control of advertisement applications. The Committee's terms of reference also include enforcement proceedings, arboricultural matters, pavement crossovers and the administration of building and associated legislation including that relating to building control and the naming of streets and numbering of buildings.
- 1.2 The 14 Members of the Planning & Conservation Committee plus 7 other Councillors are all members of the Planning Services Committee but they attend meetings on a rota system with 7 Members sitting at each meeting of the Committee.
- 1.3 The dates of Planning Services Committee meetings, the names of Members of the Committee and details of which Members will be attending specific meetings of the Committee can be obtained from either:
- The Planning Information Office, Kensington Town Hall, Hornton Street, London W8 7NX (Telephone: 0171-361 2079 or 2080); or
 - The Clerk to the Planning Services Committee (Telephone: 0171-361 2303)
- 1.4 If members of the public wish to know at which meeting a particular application will be considered, they should contact the Planning Information Office (Tel: 0171-361 2079 or 2080) who will refer them to the appropriate Planning Officer dealing with the case.
- 1.5 Most applications are considered and determined by the Planning Services Committee. The exceptions are:
- Major town planning applications, i.e. those that would involve a significant departure from Unitary Development Plan or that would have a Borough-wide impact and those regarded as being particularly contentious by the Committee. (Note: these applications will be considered by the Planning & Conservation Committee); or
 - Very minor schemes which give rise to no objection, in which case the Executive Director of Planning & Conservation has authority to determine them.