

TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

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

FOR OFFICE USE ONLY

Fee £ 00

Cheque / Postal Order / Cash 101108

Receipt No. Issued 0108717 7/12/99

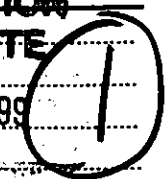
Borough Ref.

Registered No.

Date Received

COMPLETE

- 9 DEC 1999



PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	FEE (where applicable) £ 95-00
-----------------	--	--------------------------------

1. APPLICANT (in block capitals)
 Name Countryman Investments Inc.
 Address 10 5 Pembridge Place
London W2 4XB
 Tel. No. 0207 7275449

AGENT (if any) to whom correspondence should be sent
 Name Alan Lane & Co
 Address 2 Swakeleys Road
Ickenham
Middx UB10 3BS
 Tel. No. 01895 677775 Ref. AL/SD

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies
5 Pembridge Place PP992490
London W2 4XB

(b) Site area N/A

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use.
Application for off street parking and the construction of a new boundary fence.
 PP992490

(d) State whether applicant owns or controls any adjoining land and if so, give its location.
N/A

(e) State whether the proposal involves:- State Yes or No
 (i) New building(s) or extension(s) to existing building(s) NO YES
 If "Yes" state gross floor area of proposed building(s). m²

RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	Q	SW	SE	ENF	AO ACK		
- 7 DEC 1999							TR		
(ii) Alterations									
(iii)	Change of use	FW.D. PLN	CON. DES	FEES					

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

(iv) Construction of new access to a highway } vehicular pedestrian NO YES NO
 (v) Alteration of an existing access to a highway } vehicular pedestrian NO YES NO
 Hectares/m²
 Strike out whichever is inapplicable

09 DEC 1999

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

- (i) Outline planning permission
- (ii) Full planning permission Yes
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted.
- (iv) Consideration under Section 72 only (Industry)

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

- 1. Siting
- 2. Design
- 3. Landscaping
- 4. External appearance
- 5. Means of access

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

2

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

- (i) Present use of buildings/land Residential
- (ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

Drawing no: P01 and P02 (x4) 1:1250 Site Location Plan (x4) (P05) P03 and P04 (x4)

RECEIVED BY PLANNING SERVICE

EX DIR	HDC	N	C	SW	SE	LW	AO ACK
- 7 DEC 1999							

6. ADDITIONAL INFORMATION State Yes or No

- (a) Is the application for non-residential development No
- (b) Does the application include the winning and working of minerals No
- (c) Does the proposed development involve the felling of any trees No
- (d) (i) How will surface water be disposed of? N/A
- (ii) How will foul sewage be dealt with? N/A
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
 - (i) Walls N/A
 - (ii) Roof N/A
 - (iii) Means of enclosure

We hereby apply for (strike out whichever is inapplicable)

- (a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith
- (b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed [Signature] on behalf of Countryman Investments Inc Date 1-12-99

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.

CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is unapplicable.
- 1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
- 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
- 3. *I have / the applicant has given requisite notice to every person other than *myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-

(a) "Owner" means a person having freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Name and Address of Tenant

Date of Service of Notice

Signed [Signature] on behalf of Countryman Investments Inc Date 25/11/99

3

The Rt. Hon. Alan Clark M.P.
House of Commons
London SW1A 0AA

25th February, 1999

Dear Mr. Clark,

I have just returned from Morocco to receive your letter regarding the on-going situation regarding my off-street parking. Firstly may I thank you for offering to help me by making some enquiries and secondly I will try and paint a clearer picture of events.

I enclose a copy of the letter received by my solicitors from the Council. The main reason for turning down my application seems to be conservation but as I mentioned to you in my previous letter my neighbours at No. 7 were granted permission for two cars. I then went to see Mr. Bill Mount in the Transport and Highways department to see whether he could shed any light on the situation. He informed me that the regulations now state that in order to construct a "crossover" planning permission is not required for houses with more than 10 liveable rooms (we have 17!). The procedure is to complete the form 'Application for Permission to construct Crossover' and send it off to the Directorate of Planning and Conservation. From what I understand this precedent was established following the Shimizu case.

However my problem is that because my planning application and subsequently my Appeal was turned down it is still in the system and any further hope of trying to obtain permission is immediately damaged because of the previous refusals. The system now is much more straightforward (so it seems?!) and if I could have used this route in the first place perhaps I would now have my off-street parking.

I would be so grateful for some help in this matter and just so that you are aware we have made no exterior alterations to our property whatsoever. I very much look forward to hearing from you and once again thank you.

Yours sincerely,

Rita Palmieri
RITA PALMIERI



HOUSE OF COMMONS
LONDON SW1A 0AA

RECEIVED BY PLANNING SERVICES							
EX DIS	HDC	N		SE	SE	ENF	AO ACK
13 MAY 1999							102
FEES	IO	REC	ARE	FWD PLN	CON DES	FEES	

M J French Esq FRICS
Executive Director, Planning & Conservation
The Town Hall
Hornton Street
London W8 7NX

4

12th May 1999

Dear Mr French

Mrs R Palmieri 5 Pembridge Place W2 4XB

Mr Clark has received a further letter from Mrs Palmieri which has somehow gone to the bottom of the pile since we did not receive the enclosure which she mentioned.

However, it occurs to me that, since the enclosure came from your office you will probably be aware of its content.

I know that Mr Clark would greatly appreciate any guidance you could kindly give him and I would be most grateful if your reply could be addressed to him.

Thank you so much

Yours sincerely

Susan Line (Mrs)
Secretary to Alan Clark

Enc

MEMORANDUM

5

DATE: May 27, 1999
TO: Mike French
FROM: Bill Mount
OUR REF: TF/202/P
YOUR REF:
CC:

Mrs R Palmieri, 5 Pembridge Place, W2 4XB

I saw Mrs Palmieri last December about this matter and explained to her that although there were now far fewer situations where planning permission was required for hardstandings, approval was still needed under the Highways Act for any crossover (I should point out that I made clear to her that I didn't know whether the hardstanding at 5 Pembridge Place required planning permission).

The criteria used to decide whether or not to agree to a crossover were then outlined - these include safety, whether or not the proposed hardstanding is of sufficient size (in order to prevent overhanging of the pavement by parked vehicles) and what the effect of the crossover would be on parking stress. In respect of the latter I explained that normally proposals for crossovers were resisted as they resulted in the loss of one kerbside parking space for the gain of one off-street parking space, which could only be used by the occupant of the property. However, there would be situations in which a single crossover would serve a hardstanding with space for more than 1 car, and in such situations where there is a strong likelihood that the hardstanding will be well used (i.e. for larger properties with, say, more than 10 habitable rooms) Transportation Group may agree to a crossover.

At the time of my meeting with Mrs Palmiere I had no details of the proposed crossover and what loss of kerbside parking space it might result in. When the application (under the Highways Act) was considered in January it was estimated that the crossover would lose up to 2 on-street spaces and an objection, therefore, raised.

Bill

F 96/0406
6

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

The Rt. Hon. Alan Clark MP
House of Commons
LONDON SW1A 0AA

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



**KENSINGTON
AND CHELSEA**

28 May 1999

My reference: EDPC/MJF

Your reference:

Please ask for: Mr. French

Dear Mr. Clark,

Mrs. R. Palmieri, 5 Pembridge Place, W.2.

I write with reference to your letter of 12 May regarding correspondence which you have received from Mrs. Palmieri regarding the above property. I have now spoken to Mr. Mount, the Transportation Officer, who met with Mrs. Palmieri last year and discussed her proposals with her. He informs me that, having visited the site following his meeting with her, he became aware that there would be a loss of up to on-street car parking spaces and therefore any crossover would be resisted.

As you know, the policy does permit crossovers to be installed where there may be a loss of up to one on-street parking space and where the crossover would provide off-street parking for larger properties with more than ten habitable rooms.

Should you require any further information, I would be happy to discuss this.

Yours sincerely,

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

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

PP992490

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Alan Lowe & Company, Solicitors
2 Swakeleys Road
ICKENHAM
Middlesex
UB10 8BG

Switchboard: 0171-937 5464
Extension: 2010
Direct Line: 0171-361 2010
Facsimile: 0171-361 3463

7

22 October 1999

My reference: TP/Application/
/PEND/1999/BR

Your reference: AL/KM/1608

Please ask for: Brian Roche [Registration &
Fees Officer]

Dear Sirs/Mesdames,

Town and Country Planning Act, 1990

Your Application for Planning Permission dated 31st August 1999, received 29th Sept. 1999

Your Description of Proposed Works on Application Form : *"Application for permission to construct a crossover"*

Subject Property Address : 5 PEMBRIDGE PLACE, Kensington, London, W.2

I acknowledge receipt of your above referred to application accompanied by your cover letter dated 27th ultimo to Mr. Bill Mount of the Council's Transportation and Highways Department [Environmental Services Business Group], with two separate copies of elevation drawings indicating by way of pencilled note to be your proposed two separate elevation "solutions". I would apologise for the time taken for this reply. A copy of this letter and the attachments have been forwarded to Mr. Mount. He will be able to separately advise you concerning matters under the Highways Act.

As your company have in the recent past acted as formal planning agents relating to a previous application for Planning Permission and subsequent Appeal, you will be doubtless aware of most if not all aspects of the relevant town planning history. For your ease of reference, I attach a copy of this Council's letter to you dated 8th July 1996 with reference to a refusal of planning permission for the "provision of hardstanding in connection with use of part of front garden area for off-street car parking with associated boundary gates and railings", my application file reference TP/96/0406. I also attach a copy of the Planning Inspectorate's letter to you dated 15th August 1997 upholding the Council's decision.

It is my opinion that the proposed construction of a pavement crossover does not require Planning Permission as Pembridge Place is not a classified road. However, Planning Permission is required for the removal of Condition No.7 of the Planning Permission dated 18th August 1994, my application file reference TP/93/1922 (a copy of which I also attach) to allow for the use of any part of the front garden area for off-street parking purposes. Given the previous town planning history of the land, and recent appeal decision, I am of the opinion that an application for Planning Permission for the removal of Condition No.7 would not be recommended favourably to the Planning Services Committee. However, as it remains your prerogative, given that the Council is not empowered to decline dealing with your application since two years has passed since the appeal decision of August 1997, should you wish to apply for Planning Permission to remove Condition No.7 of TP/93/1922, then I would ask you to amend your recently submitted application form (your original copy enclosed), or alternatively make a fresh new application. I would also draw your attention to Condition No.6 of TP/93/1922, and also note

that any newly proposed means of enclosure over one metre in height fronting the highway will require Planning Permission.

In the event of you re-applying, the application should only address one "solution" and should be accompanied by four full sets of metric scaled 1: 50 drawings showing the existing and proposed arrangements by way of plan, sections and elevations. Your submission should also include a scaled 1: 1250 site location plan (x 4), with subject property identified by way of red outline. Should you wish to apply for a second "solution" a further separate application for Planning Permission will be required, together with an additional further separate application fee payment of £95.00.



Yours faithfully,

M.J. French
Executive Director, Planning and Conservation

cc Bill Mount
cc Roy Thompson
cc Barry Griffin

9

Memorandum

The Royal Borough of Kensington and Chelsea - Planning Services

To:	Bill Mount	From:	Brian Roche
of:	Transportation & Highways	of:	Planning & Conservation
Room:	317	Room:	325
		Ext:	2010

Your ref:		My Ref:	TP/Application/PEND/1999/BR
-----------	--	---------	-----------------------------

cc: *Steve Lauder & Barry Griffin* Date: **25 October 1999**

PROPOSED PAVEMENT CROSSOVER AT 5 PEMBRIDGE PLACE, W.2

I attach for your attention a copy of my letter dated 22nd October 1999 (posted today) in response to a recent application for Planning Permission from Alan Lowe & Company for "...permission to construct a crossover". I also attach copies of recent past relevant town planning history pertaining to the land.

Should your department have received a similar application for the construction of a crossover under the Highways Act, please hold any decision on such a matter in abeyance until the town planning issues have been resolved.

You may be aware that Steve Lauder has recently attended a meeting with Roy Thompson concerning No.7 Pembridge Place, next door but one.

M.J. French
Executive Director, Planning and Conservation

029899.pr.rbkc.01

Neale+Norden

L i m i t e d

Neale & Norden Ltd
A r c h i t e c t s

34 Osnaburgh St
L o n d o n
N W 1 3 N D

☎ 0207 874 1500

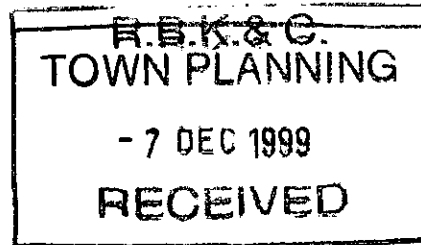
☎ 0207 874 1501

10

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

PP992490

25 November 1999



Dear Sir/Madam,

RE: 5 PEMBRIDGE PLACE

Please find enclosed our application for planning permission to create a new off street car space. Please find attached also four copies of Drawing No's P01 to P05 inclusive and our cheque for £95.

We look forward to discussing this proposal with you in due course.

Yours faithfully,

PAUL REA

Registered in England
No. 2943142
Airport House
Purley Way, Croydon
Surrey CRO OX2