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**1. Planning Appeal Statement**

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## Planning History

WCEC Architects act for Idealgold Restaurants and have made various Planning Applications on their behalf with regard upgrading and extending the premises at Abingdon Road.

Planning Approvals have been gained for remodelling the facade at ground floor and for altering the external duct work, by omitting the four original ducts to the gable wall and replacing with two unit only (TP/98/0445).

Planning Application was made on 4th March 1998, registered on 10th March 1998 under planning reference TP/98/0446 and TP/98/0445.

The latter related to the ground floor facade and extract ventilation which was approved on 29th December 1998.

Planning Application 0446 was refused on 10th September 1999 after inordinate delays (18 months after submission) and protracted discussions at various times.

Following on from this further discussions were held with the Planning Department indicating that a revised scheme would be submitted and that this would be further considered by the Local Planning Authority.

A further Application was submitted on the 8th December 1999 and registered on 14th December 1999 under planning reference PP/99/02518.

The Application was refused on 12th May 2000.

The buildings are not Listed.

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## Reasons for Extension

The premises have been a restaurant since the 1960s in their present form and during that period have become a well established and noted restaurant.

During this period various changes have taken place in terms of space available to the operator, previously kitchens were utilised in the adjoining basement to number 4, but due to legal changes had to all be relocated back to number 2. Further requirements due to Health & Safety at work practices requiring staff facilities etc., which have developed over the years putting further pressure on the space available within the building.

In order to develop the restaurant and maintain its high standard both in terms of service offered to customers and its operation as a business further rationalisation is essential.

Upgraded staff facilities together with storage and ancillary office accommodation are required to be organised properly in the upper parts of the building.

It has been acknowledged by all that the above is a definite requirement and that the proposals put forward do not represent an unnecessary or over development of the existing building. This is confirmed in the Officer's Report to committee dated 9th May 2000, paragraph 4.8 to 4.15.

## Design and Planning Policy

There is a tremendous amount of support, from individuals, neighbours, businesses and Local Authority representatives past and present.

Letters of support are appended together with the applicant's own letter demonstrating their concerns and frustration.

During the course of the two applications the concerns of the Local Planning Authority have been addressed. Indeed, at various times they have acknowledged support for the application (and furthermore encouraged the second submission) in terms of its requirement to sustain and improve this family business and the sensitive approach to the form and scale of the proposal.

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There are 7 properties which form the terrace. They fit into a street which has a great many varying styles, form and scale. Adjoining buildings are generally at least one storey higher providing a diverse roof shape and skyline.

This terrace is in fact subdivided with the parapet and window lines and importantly at street level their shop fronts broken by a step down between Nos. 6 and 8. This effectively breaks the line into two elements. Nos. 2, 4, 6 and then 8, 10, 12 and 14.

It is for this reason that the proposal has been related to all three properties to maintain the coherence of their appearance.

The effect that this has on the street scene is the key issue, - the Local Planning Authority have offered support at Officer level, with the proposal being modified to minimise its impact and take account of their considerations.

Planning Policy (CD38, CD39) has been developed to disallow arbitrary and Ad Hoc additions and alterations to the roof-scape which would clearly interrupt the roof line and generally be detrimental to street views.

However, in this instance the particular construction of these properties, whereby a London valley pitch roof drains to a central gutter, is completely concealed behind a 1500mm high parapet wall to front and rear and of course to the gable of No. 2. Party wall parapets and chimney stacks then rise further above this line.

The party wall and parapet walls remain, the pitched roofs to Nos. 4 and 6 have been removed previously. These properties also have various rear extensions including an enclosed stair tower.

The proposed form construction and materials accord with that of the existing buildings and their neighbours.

The contention is that the proposal does not have a material effect on the view of these properties nor that of the street and therefore is not contrary to Planning Policy.

To demonstrate this the photographs and cross section drawing (refer to 3.11) clearly show what little impact or visual significance the proposal actually has. This is in stark contrast to actual positive significance it will have on the appellant's business which must be considered paramount to the history vitality and integrity of the area.

# PLANNING APPEAL

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The appeal must reach the Inspectorate within 6 months of the date of the notice of the Local Planning Authority's decision, or within 6 months of the date by which they should have decided the application.

<b>A. INFORMATION ABOUT THE APPELLANT(S)</b>	
Full Name: IDEAL GOLD RESTAURANTS	
Address: 2 ABINGDON ROAD KENSINGTON, LONDON	
Postcode: W8 6AF <small>Failure to provide the postcode may cause delay in processing your appeal.</small>	Reference: _____
Daytime Telephone No: 020 7376 0617	Fax No: 020 7937 5345
Agent's Name (if appropriate): WCEC ARCHITECTS	
Agent's Address: NEW BARN STABLES, NEW BARN LANE, HENFIELD, WEST SUSSEX	
Postcode: BN5 9SJ <small>Failure to provide the postcode may cause delay in processing your appeal.</small>	Reference: 9835
Daytime Telephone No: 01273 491444	Fax No: 01273 493399
<b>B. DETAILS OF THE APPEAL</b>	
Name of the Local Planning Authority (LPA): ROYAL BOROUGH OF KENSINGTON AND CHELSEA	
Description of the Development:  Extension at roof level and alignment of rear to provide ancillary accommodation.	
Address of the Site:  TRATTOO RESTAURANT 2 ABINGDON ROAD KENSINGTON LONDON Postcode: W8 6AF <small>Failure to provide the postcode may cause delay in processing your appeal</small>	National Grid Reference (see key on OS map for Instructions). Grid Letters: Grid Numbers eg TQ:298407  TQ 252793SW
Date and LPA reference number of the application you made and which is now the subject of this appeal:  08/12/1999      PP/99/02518/MNW/17/2051	Date of LPA notice of decision (if any):  12.05.2000
Are there any outstanding appeals for this site eg Enforcement, Lawful Development Certificate etc? If so please give details and any Planning Inspectorate reference number here: NONE	

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**C. REASON FOR THE APPEAL**

**THIS APPEAL IS AGAINST the decision of the LPA:-**

(\*Delete as appropriate)

- 1. to \*refuse/grant subject to conditions, planning permission for the development described in Section B.
- 2. to \*refuse/grant subject to conditions, approval of the matters reserved under an outline planning permission.
- 3. to refuse to approve any matter (other than those mentioned in 2 above) required by a condition on a planning permission.

**Or the failure of the LPA:-**

- 4. to give notice of its decision within the appropriate period on an application for permission or approval.

**D. CHOICE OF PROCEDURE**

**CHOOSE ONE OF THE FOLLOWING TYPES OF PROCEDURES - Appeals decided by written representations are normally decided much quicker than by the hearing/inquiry method. For further information see the booklet "Making your planning appeal" which accompanied this form.**

- 1. WRITTEN REPRESENTATIONS

If you have chosen the written representations procedure, please tick if the whole site can clearly be seen from a road or other public land. (An unaccompanied site visit will be arranged if the Inspector can adequately view the site from public land.)

- 2. LOCAL INQUIRY Please give reasons why an inquiry is necessary .....

- 3. HEARING Although you may prefer a hearing, the Inspectorate must consider your appeal suitable.

**E. ESSENTIAL SUPPORTING DOCUMENTS**

**A copy of each of the following should be enclosed with this form.**

- 1. The application submitted to the LPA;
- 2. The site ownership details (Article 7 certificate) submitted to the LPA at application stage;
- 3. Plans, drawings and documents forming part of the application submitted to the LPA;
- 4. The LPA's decision notice (if any);
- 5. Other relevant correspondence with the LPA; please identify the correspondence by date or otherwise: .....
- 6. A plan showing the site in red, in relation to two named roads (preferably on an extract from the relevant 1:10,000 OS map). (Failure to submit this can delay your appeal).

**Copies of the following should also be enclosed, if appropriate:**

- 7. If the appeal concerns reserved matters, the relevant outline application, plans submitted and the permission;
- 8. Any plans, drawings and documents sent to LPA but which do not form part of the submitted application (eg drawings for illustrative purposes);
- 9. Additional plans or drawings relating to the application but not previously seen by the LPA. Please number them clearly and list the numbers here: .....





**G. GROUNDS OF APPEAL** If the written procedure is requested, the appellant's FULL STATEMENT OF CASE MUST be made - otherwise the appeal may be invalid. If the written procedure has not been requested, a brief outline of the appellant's case should be made here.

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Please see separate statement.

**PLEASE SIGN BELOW**

I confirm that a copy of this appeal form and any supporting documents relating to the application not previously sent to the LPA has been sent to them. I undertake that any future documents submitted in connection with this appeal will also be copied to the local planning authority at the same time.

Signed pp WCEC ARCHITECTS (on behalf of) IDEAL GOLD RESTAURANTS  
Name (in capitals) GAVIN SARGENT Date 24.05.00

The Planning Inspectorate is registered under the Data Protection Act 1984, so that we may hold information supplied by you on our computer system for the purpose of processing this appeal.

**CHECKLIST - Please check this list thoroughly to avoid delay in the processing of your appeal.**

- |   |  |
|---|--|
| <ul style="list-style-type: none"><li>• This form signed and fully completed.</li><li>• Any relevant documents listed at Section E enclosed.</li><li>• Full grounds of appeal/outline of case set out at Section G.</li><li>• Relevant ownership certificate A, B, C or D completed and signed.</li><li>• Agricultural Holdings Certificate completed and signed.</li></ul> | <ul style="list-style-type: none"><li>◆ <b>1ST COPY: Send one copy of the appeal form</b> with all the supporting documents to<br/>The Planning Inspectorate<br/>Appeals Registry<br/>Tollgate House<br/>Houlton Street<br/>BRISTOL<br/>BS2 9DJ</li><li>◆ <b>2ND COPY: Send one copy to the LPA</b>, at the address from which the decision on the application (or any acknowledgments, etc) was received, enclosing any supporting documents not previously submitted to them as part of the application.</li></ul> |
|---|--|

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

NOTICE UNDER ARTICLES 6 AND 9(1)

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To be published in a newspaper or to be served on an owner (see (a) below) or a tenant (see (b) below)

Proposed development at (see (c) below).....2, 4, 6 ABINGDON ROAD.....  
KENSINGTON, LONDON W8 6AF

I give notice that (see (d) below).....IDEAL GOLD RESTAURANTS.....

having applied to the (see (e) below).....ROYAL BOROUGH OF KENSINGTON AND CHELSEA Council

to (see (f) below).....EXTEND AT ROOF LEVEL AND TO REAR TO PROVIDE ANCILLARY ACCOMMODATION

is appealing to the Secretary of State for the Environment

- \* against the decision of the Council.
- \* on the failure of the Council to give notice of a decision.

Any owner of the land or tenant who wishes to make representations about this appeal should write to the Planning Inspectorate at Tollgate House, Houlton Street, Bristol, BS2 9DJ by (see (g) below)....14th JUNE 2000.....

Signed.....pp. NCEC ARCHITECTS..... \* On behalf of.....IDEAL GOLD RESTAURANTS.....

Date.....24.05.00.....

\*Delete where inappropriate

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

NOTES FOR COMPLETION OF NOTICE UNDER ARTICLES 6 AND 9(1)

- (a) 'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).
- (b) 'Tenant' means a tenant of an agricultural holding any part of which is comprised in the land.
- (c) Insert address or location of the proposed development.
- (d) Insert the appellants name.
- (e) Insert the name of the Council.
- (f) Insert description of the proposed development.
- (g) The date giving a period of 21 days beginning with the date of service or 14 days beginning with the date of publication of the notice (as the case may be).

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2.

**Planning Application**

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## Forms

- Form TP 1
- Certificate B
- Notice No. 1

## Drawings

- 9835/01 Plan/Sections as existing
- 9835/02D Plan/Sections as proposed (*current revision E*)
- 9835/03 Elevations as existing
- 9835/04A Elevations as proposed (*current revision C*)

## Amended Plan

- 9835/02E
- 9835/04C

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OUR REF: GRS/jps/9835/3.01

8th December 1999

Royal Borough of Kensington & Chelsea  
Department 705, Room 325  
The Town Hall  
Hornton Street  
LONDON  
W8 7NX

For the attention of B. Roche, Esq.

Dear Sirs

Trattoo Restaurant, 2 Abingdon Road, London. W8 6AF - Reference TP/PEND/BR

Thank you for your letter requesting additional information following Mr. Derek Taylor's call to this office.

The completed application forms are enclosed, together with drawings showing the building as existing.  
Four copies are enclosed.

Yours faithfully,

G.R. SARGENT  
W.C.E.C. ARCHITECTS

cc: D. Taylor, Esq.  
E. Taverna, Esq.

Royal Borough of Kensington & Chelsea  
Ideal Gold Restaurants

# TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

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

FOR OFFICE USE ONLY

Fee £ .....  
 Cheque / Postal Order / Cash .....  
 Receipt No. Issued .....

Borough Ref. ....  
 Registered No. ....  
 Date Received ..... **104**

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)	£

<b>1. APPLICANT</b> (in block capitals)	<b>AGENT</b> (if any) to whom correspondence should be sent
Name ..... Ideal Gold Restaurants	Name ..... WCEC Architects
Address ..... 2 Abingdon Road	Address ..... New Barn Stables, New Barn Lane,
..... LONDON	..... Henfield
..... W8 6AF	..... West Sussex BN5 9SJ
Tel. No. .... 0171-376 0617	Tel. No. .... 01273 491444 Ref. .... 9835

### 2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies  
 Nos. 2, 4, 6 Abingdon Road  
 London W8 6AF

(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.  
 Extension at roof level to provide additional accommodation:

(d) State whether applicant owns or controls any adjoining land and if so, give its location.  
 No

(e) State whether the proposal involves:- State Yes or No

(i) New building(s) or extension(s) to existing building(s)	<input checked="" type="checkbox"/> Yes	If "Yes" state gross floor area of proposed building(s). No. 2: 42m <sup>2</sup> Nos 4, 6: 85 m <sup>2</sup>
		If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.
(ii) Alterations	<input type="checkbox"/> Yes	
(iii) Change of use	<input type="checkbox"/> No	If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).
(iv) Construction of new access to a highway	vehicular <input type="checkbox"/> No pedestrian <input type="checkbox"/> No	
(v) Alteration of an existing access to a highway	vehicular <input type="checkbox"/> No pedestrian <input type="checkbox"/> No	Hectares/m <sup>2</sup> Strike out whichever is inapplicable

**3. PARTICULARS OF APPLICATION**

State whether this application is for: State Yes or No

- (i) Outline planning permission  No
- (ii) Full planning permission  Yes
- (iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted.  No
- (iv) Consideration under Section 72 only (Industry)  No

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

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

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

Date ..... Number .....

The Condition .....

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

State :-

- (i) Present use of buildings/land No. 2 - Restaurant; Nos. 4 & 6 - Language School
- (ii) If vacant the last previous use and period of use with relevant dates. N/A

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

9835/01 - Plans and Sections as existing; 9835/02D, Plans and Sections as proposed;  
9835/03 - Elevations as existing; 9835/04A Elevations as proposed.

**6. ADDITIONAL INFORMATION** State Yes or No

- (a) Is the application for non-residential development  Yes If "Yes" complete PART THREE of this form (See PART THREE for exemptions)
- (b) Does the application include the winning and working of minerals  No If "Yes" complete PART FOUR of this form
- (c) Does the proposed development involve the felling of any trees  No If "Yes" state numbers and indicate precise position on plan
- (d) (i) How will surface water be disposed of? To existing sewer
- (ii) How will foul sewage be dealt with? To existing sewer
- (e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:
  - (i) Walls Painted render to match existing
  - (ii) Roof Slate
  - (iii) Means of enclosure N/A

**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 pp. WCEC Architects Ideal Gold Restaurants Date 08.12.99

**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:-

Name and Address of Tenant .....

Date of Service of Notice .....

Signed ..... on behalf of ..... Date .....

IF 20 DAYS BEFORE MAKING THE APPLICATION YOU ARE NOT THE ONLY OWNER OF ALL THE LAND AND HAVE SIGNED A CERTIFICATE ON PART ONE OF THE FORM THEN DO NOT COMPLETE PART TWO OF THE FORM. For definition of 'Owner' see General Notes

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**PART TWO TOWN AND COUNTRY PLANNING ACT 1990 CERTIFICATE UNDER SECTION 66**

PLEASE READ THE NOTES OVERLEAF BEFORE FILLING IN PART TWO.

**CERTIFICATE B**

I hereby certify that:

† See note (a) to Certificate

1. I have/the applicant has\* given the requisite notice to all persons, who 20 days before the date of accompanying application, were owners of any part of the land to which the application relates, viz: Mr S MacDonald

Name of Owner Canning School Address 4-6 Abingdon Road  
London W8 6AF Date of Service of Notice 08.12.99

\*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 the requisite notice to every person other than myself/himself\* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:~~

~~Name and Address of Tenant~~

~~Date of Service of Notice~~

~~Signed pp WCC Architects on behalf of Ideal Gold Rest. Date 08.12.99~~

\* Strike out whichever is inapplicable

**CERTIFICATE C**

I hereby certify that:

† See note (a) to Certificate

1. (i) I am/the applicant is\* unable to issue a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66 (1) of the Act, in respect of the accompanying application dated

(ii) I have/ the applicant has\* given the requisite notice to the following persons who, 20 days before the date of the application, were owners of any part of the land, to which the application relates, viz:

Name of Owner ..... Address .....  
Date of Service of Notice .....

(iii) I have/the applicant has\* taken the steps listed below, being steps reasonably open to me/him\* to ascertain the names and addresses of the other owners of the land or part thereof and have/has\* been able to do so:

(a) .....

\*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\* been given the requisite notice to every person other than myself/himself\* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant .....

Date of Service of Notice .....

Signed ..... on behalf of ..... Date .....

(a) Insert description of steps taken.  
(b) Insert name of local newspaper circulating in the locality in which the land is situated.  
(c) Insert date of publication (which must not be earlier than 20 days before the application).

\* Strike out whichever is inapplicable

**CERTIFICATE D**

I hereby certify that:

† See note (a) to Certificate

1. (i) I am/the applicant is\* unable to issue a certificate in accordance with Section 66 (1) (a) of the Act in respect of the accompanying application dated

and have/has\* taken the steps listed below, being steps reasonably open to me/him\*, to ascertain the names and addresses of all the persons who, 20 days before the date of the application were owners of any part of the land to which the application relates and have/has\* been unable to do so:

(a) .....

(iii) Notice of application as set out below has been published in the (b) ..... on (c) ..... (Copy of notice as published).

\*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 the requisite notice to every person other than myself/himself\* who, 20 days before the date of application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant .....

Date of Service of Notice .....

Signed ..... on behalf of ..... Date .....

(a) Insert description of steps taken.  
(b) Insert name of local newspaper circulating in the locality in which the land is situated.  
(c) Insert date of publication (which must not be earlier than 20 days before the application).

\* Strike out whichever is inapplicable



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Notice No.1

TOWN & COUNTRY PLANNING ACT, 1990

Notice under Section 66 of application for planning permission  
Planning (Listed Buildings & Conservation Areas) Act, 1990

Notice under Section 11, Part I, of application for Listed Building Consent/Conservation Area Consent.

Proposed development at

Nos. 2, 4 & 6 Abingdon Road, London W8 6AF (a)

TAKE NOTICE that application is being made to The Royal Borough of Kensington and Chelsea Council by

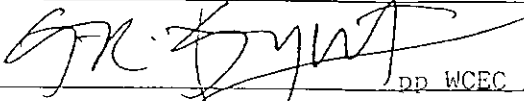
Ideal Gold Restaurants Ltd. (b)

For planning permission to

Provide additional accommodation at roof level. (c)

If you should wish to make representations about the application, you should do so in writing, within 20 days of the date of service of this notice, to the

Planning Department, The Royal Borough of Kensington and Chelsea Council (d)

Signed  dp WCEC Architects

on behalf of Ideal Gold Restaurants Ltd. Date 08.12.99

Notice No.2

TOWN & COUNTRY PLANNING ACT, 1990

Notice under Section 66 of application for planning permission  
Planning (Listed Buildings & Conservation Areas) Act, 1990

Notice under Section 11, Part I, of application for Listed Building Consent/Conservation Area Consent.

Proposed development at

(a)

TAKE NOTICE that application is being made to The Royal Borough of Kensington and Chelsea Council by

(b)

For planning permission to

(c)

Any owner of the land (namely a freeholder or a person entitled to an unexpired term of at least 7 years under a lease) who wishes to make representations to the above-mentioned Council about the application should do so in writing, within 20 days of the publication of this notice, to the

Planning Department, The Royal Borough of Kensington and Chelsea Council

(d)

Signed \_\_\_\_\_

on behalf of \_\_\_\_\_ Date \_\_\_\_\_

NOTES

(a) Insert address or location of proposed development.

(b) Insert name of applicant.

(c) Insert description and address or location of proposed development.

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**3. Additional Documents Submitted/Discussed with  
Local Planning Authority**

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1. Letter Idealgold Restaurants to WCEC Architects dated 18th May 2000
2. Notice of Refusal of Permission Planning and Conservation The Royal Borough of Kensington and Chelsea dated 12th May 2000.
3. Fax WCEC Architects to Planning Department, London Borough of Kensington & Chelsea dated 26th April 2000
4. Fax WCEC Architects to Planning Department, London Borough of Kensington & Chelsea dated 28th March 2000
5. Postcard Directorate of Planning Services, The Royal Borough of Kensington & Chelsea to WCEC dated 16th March 2000.
6. Letter WCEC Architects to Planning Department, Royal Borough of Kensington & Chelsea dated 14th March 2000.
7. Postcard Director of Planning Services, The Royal Borough of Kensington & Chelsea to WCEC dated 1st February 2000.
8. Letter WCEC to Planning & Conservation, Royal Borough of Kensington & Chelsea dated 31st January 2000.
9. Letter Planning and Conservation, The Royal Borough of Kensington and Chelsea dated 14th December 1999.
10. Photographs, copies and marked up with the proposed roof line and section drawing extract showing site lines from street level.

# Idealgold Restaurants

*The good taste of Italy*



**Head Office : 2 Abingdon Road London W8 6AF**  
 Telephone +44 (0) 207 376 0617 Fax + 44 (0) 207 937 5345

Mr G.R. Sargent  
 WCEC Architects  
 New Barn Stables, New Barn Lane  
 Henfield, West Sussex  
 BN5 9SJ

18th May 2000

WCEC ARCHITECTS			
GRS		19 MAY 2000	JPN
			REF
ACTION			

Dear Mr Sargent

RE: PLANNING APPLICATION REF NO. /PP/99/02518 REFUSED FOR TRATTOO RESTAURANT, 2 ABINGDON ROAD, LONDON, W8 6AF

I refer to the planning meeting which took place on 9th May 2000. I am very sad indeed to inform you that after we waited all this time since we presented the first planning application for the above in August 1997. After we reduced the proposed mansard length by 1500mm and the height by 700mm overall on the original design as advised by the planners.

Prior to the second application I met again with the Planning Officer, who agreed that the construction would not be visible from the property's front and by taking advantage of 1500mm of the London Valley Roof, only little visible far away from the side. However Mr Derek Taylor, Planning Officer in question, did NOT support us or keep impartial as promised during the hearing, he simply suggested refusal and it was REFUSED FOR THE SECOND TIME regardless on Tuesday 09/05/2000.

This in spite of no objections from anyone but with the support both verbal and written from our neighbours (see letters enclosed) and others including: local Councillors, ex Kensington Mayors (like Dr Munday) and even a chairman of the Planning Committee (Councillor Phelps) who unofficially said to me, (off the record of course) but in front of our Bank Managers that we have the right to improve our properties and if we were refused he suggested we should immediately appeal.

The Planning Officers agreed that ours is not a listed building, it is not on the High Street, and confirmed that it is a valued Family Business that needs the extra space very badly in order to compete with the large companies. I was present at the planning meeting and I felt that at 11:00 p.m. members of the Planning Committee were too tired to argue with Councillor Stuart Shapro who started a virulent opposition on the grounds that the roof line of these terraced houses from No 2 to No 14 cannot be broken and as a consequence our application was not given a fair enough consideration.

However roof lines have been broken and violated dozens of times all over the borough, please see some of the pictures we have taken only within a quarter of a mile south from us and that I suggest you enclose in our appeal to the Inspector from the Department of



the Environment for even Mr D Taylor said that if they had been too strict and planning permission was refused we would get it on appeal.

During the same session an Iranian Group won the right to build twenty flats with a cultural centre in London which I believe is good for them and the community. However their application No 98/00374077 was virulently opposed by the same Councillor Stuart Shapro who said that as a Jewish person, he felt that the Iranians could not contribute to London and would not be welcome in South West Kensington.

This was a purely **RACIST** attack and on the face of all the evidence of dozens of mansards already existing within the borough, my family and I, therefore being Italian, cannot help feeling that our two refusals are also **RACIAL**.

PLEASE APPEAL AS SOON AS POSSIBLE for we are desperate to reduce our staff turnover, keep and organise our staff and save our Family Business, it is not correct to put people first??? before ancient seemily amputated roof lines as many people around here have done already??? or are planners a law on to themselves as many people say???

Yours sincerely

E. Taverna (Director)

On Behalf of TRATTOO Restaurants customers and staff.

PS On a subsequent telephone conversation on Thursday 11th May 2000 with Mr Derek Taylor, the Planning Officer, concerned I expressed my sadness and polite disappointment with him about the planning refusal and I politely argued that at 11:00 p.m. on Tuesday 9th May 2000, the committee were too tired to grant our case a fair hearing and that it seems that policies are more important than peoples vital needs, Mr Taylor said that policies are made to serve the people and I again politely said that in our case these were NOT so.

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

**THE ROYAL  
BOROUGH OF**

Executive Director M J FRENCH FRICS Dip TPMRTPLC and TS

112



WCEC Architects,  
New Barn Stables,  
New Barn Lane,  
Henfield, West Sussex,  
BN5 9SJ

WCEC ARCHITECTS			
GRS		15 MAY 2000	JPN
			REF
ACTION			

Switchboard: 020-7937-5464

Direct Line: 020-7361-2058

Extension: 2057

Facsimile: 020-7361-3463

**KENSINGTON  
AND CHELSEA**

112 MAY 2000

My Ref: PP/99/02518/MNW/17/2051

Please ask for: Central Area Team

Your Ref: 9835

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988**

**REFUSAL OF PERMISSION TO DEVELOP (DP2)**

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 in the plans submitted. Your attention is drawn to the enclosed Information Sheet.

**SCHEDULE**

- DEVELOPMENT:** Erection of extension at roof level, and enlargement of rear extension, to provide additional ancillary accommodation to existing restaurant at No.2 and language school at Nos. 4 and 6.
- SITE ADDRESS:** 2, 4, 6 Abingdon Road, Kensington, W8 6AF
- RBK&C Drawing Nos:** PP/99/02518 and PP/99/02518/A
- Applicant's Drawing Nos:** 9835/01, /02E, /03 and /04C
- Application Dated:** 08/12/1999
- Application Completed:** 14/12/1999
- Application Revised:** 27/04/2000

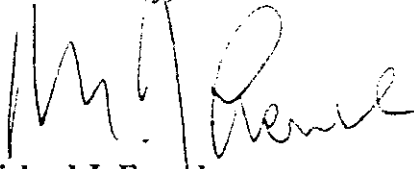
**REASON(S) FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF**

REASON(S) FOR REFUSAL:

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The proposed additional storeys would disrupt an existing roofline unimpaired by extensions, and would be detrimental to the character and appearance of this group of properties (Nos. 2 - 14 Abingdon Road) and to the character and appearance of this part of the Conservation Area. As such, the proposal is contrary to policies of the Unitary Development Plan, in particular, Policies CD25, CD38 (a), CD39 (b), CD44, CD48, CD49, CD52, CD53, CD54 and CD56.

Yours faithfully,



**Michael J. French**

Executive Director, Planning and Conservation

When a permission or consent is given it does not convey any approval, consent, permission or licence under any Acts, Byelaws, Orders or Regulations other than those referred to in the permission or consent. Nothing in the permission or consent shall be regarded as dispensing with compliance with such other Acts or Byelaws etc., nor shall the permission or consent be deemed to be an approval, consent, permission or licence thereunder.

In respect of planning permission, your particular attention is drawn to the provisions of the London Building Act, 1930-1939, and the Byelaws in force thereunder and to the Building Regulations 1985 which must be complied with to the satisfaction of the Council's building control officers, whose address, in case of doubt may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any person's or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any persons entitled to the benefits thereof.

Your attention is drawn to applicant's rights arising from the refusal of planning permission or Listed Building Consent, and from the grant of permission/consent subject to conditions, as follows:

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse planning permission, Listed Building Consent, or approval for the proposed development; or to grant permission or approval/consent subject to conditions, he may appeal to the Secretary of State for the Environment under the Town and Country Planning Act, 1990, within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of a local planning authority was based on a direction given by him.
- (2) If permission to develop land or Listed Building Consent is refused or granted subject to conditions whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the relevant authority where the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990, or Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act, 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 114 of the Town and Country Planning Act, 1990, or section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



.....

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A R C H I T E C T S

New Barn Stables, New Barn Lane  
Henfield, West Sussex BN5 9SJ  
Telephone: 01273 491444  
Fax: 01273 493399  
E-mail: wcec@pavilion.co.uk

# fax cover sheet

**To:** London Borough of Kensington & Chelsea  
**F.A.O.** D. Taylor, Esq  
**Fax:** 0171 361 3463

**From:** Gavin Sargent  
**Date:** 26th April 2000

**Subject:** Trattoo Restaurant,  
 2 Abingdon Road  
**Pages:** Four

**Copied To:** E. Taverna, Esq. - Ideal Gold Restaurants

.....

**Message:**

We enclose our letter of 26th April together with 2 extracts from the drawings, the originals of which will be forwarded in the post tonight.

W.C.E.C. ARCHITECTS

PRINCIPAL:  
 Gavin Sargent BA (Hons) Dip Arch RIBA  
 CONSULTANT:  
 Cedric Ellis BA Hons (Arch) RIBA FSAI F.Inst.D  
 ACOUSTIC ENGINEER:  
 Neil Grant MIOAc MAES, BSc  
 INTERIOR DESIGN:  
 Jacqueline Ellis BA Hons (Int Des)  
 LANDSCAPE ARCHITECT:  
 Derek Ellis Dip Arch DipLA RIBA ALI  
 PRACTICE MANAGER:  
 Josephine Nicholas

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OUR REF: GRS/jg/9835/3.01

26th April 2000

D. Taylor, Esq  
Planning Department  
Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
LONDON  
W8 7NX

**FAX NO: 0171 361 3463**  
**BY FAX AND POST**

Dear Mr. Taylor

Trattoo Restaurant, 2 Abingdon Road, London, W8 6AF -  
Planning Reference: DPS/DCC/PP/99/02518

We understand that this application is shortly to be decided and the proposal has been reviewed in terms of its roof line. There was a previous concern at the overall height and this was addressed by reducing the mansard ridge together with the main ridge. To further improve this it has been possible to further reduce the main ridge by 350 mm.

We believe that this is a further significant improvement and have amended our drawings accordingly and submit for your approval 4 copies of our drawings 9835/02E and 04C.

We look forward to receiving your Council's favourable decision.

Yours sincerely,

GAVIN SARGENT  
W.C.E.C. ARCHITECTS

cc: E. Taverna, Esq.

Ideal Gold Restaurants



A R C H I T E C T S

New Barn Stables, New Barn Lane  
Henfield, West Sussex BN5 9SJ  
Telephone: 01273 491444  
Fax: 01273 493399  
E-mail: wcec@pavilion.co.uk

fax cover sheet

To: London Borough of Kensington & Chelsea  
F.A.O. Mr. Shearman  
From: Gavin Sargent  
Subject: Trattoo Restaurant, 2 Abingdon Road  
Copied To: E. Taverna, Esq. - Ideal Gold Restaurants  
Fax: 0171 361 3463  
Date: 28th March 2000  
Pages:

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Message:

We have been given to understand that application reference DPS/DCC/PP/99/02518 was to be considered by the delegated powers committee on 22nd March/. Could you please advise us if this was the case and if so, the decision, in the absence of Mr. Taylor who is now on leave.

Mr. Taverna phoned 28/3/00 5p.m. he has spoken with Mr. Shearman, application did not go to committee on 22.3.00, is due to go in front of the chairman next week. It is recommended for refusal. Mr. Taverna advised to contact his local councillor before meeting next week to discuss

PRINCIPAL:  
Gavin Sargent BA (Hons) Dip Arch RIBA  
CONSULTANT:  
Cedric Ellis BA Hons (Arch) RIBA FSAI F.Inst.D  
ACOUSTIC ENGINEER:  
Neil Grant MIOAc MAES, BSc  
INTERIOR DESIGN:  
Jacqueline Ems BA Hons (Int Des)  
LANDSCAPE ARCHITECT:  
Derek Ellis Dip Arch DipLA RIBA ALI  
PRACTICE MANAGER:  
Josephine Nicholas

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THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

WCEC ARCHITECTS

Direct Line: 020 7361 2089  
Telephone No: 020 7937 5464  
Fax No: 020 7361 3463

GPS		20 MAR 2000	JRN	
			REF	

DIRECTORATE OF PLANNING SERVICES  
DEPARTMENT 705  
THE TOWN HALL  
HORNTON STREET  
W8 7NX

Your ref: G. SARGENT

My ref: OPS/DCC/DT

ACTION

Date: 16/3/00

YOUR COMMUNICATION DATED 14TH MARCH IS ACKNOWLEDGED

AND HAS BEEN PASSED TO/IS BEING DEALT WITH BY MR. D. TAYLOR

RE: - 2 ABINGDON ROAD, W8

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OUR REF: GRS/jg/9835/3.01

14th March 2000

D. Taylor, Esq  
Planning Department  
Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
LONDON  
W8 7NX

FAX NO: 0171 361 3463  
BY FAX AND POST

Dear Mr. Taylor

Trattoo Restaurant, 2 Abingdon Road, London, W8 6AF -  
Planning Reference: DPS/DCC/PP/99/02518

Further to our telephone conversation this morning I note that you had an outstanding query regarding the line of the parapet above the second floor extension and adjoining stair.

We had been speaking at cross purposes as my letter of 31st January confirmed that the overall rear parapet had been lowered as had the ridge height.

The plan and section drawings are correct which show the relative parapets and the rear elevation has now been amended to show the additional line under the new window to the stair and above the existing window re-used to the rear of the second floor.

Accordingly four copies of our drawing are enclosed (extracts sent with the fax).

Yours sincerely,

GAVIN SARGENT  
W.C.E.C. ARCHITECTS

cc: E. Taverna, Esq.

Ideal Gold Restaurants



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OUR REF: GRS/jg/9835/3.01

31st January 2000

Planning & Conservation  
Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
LONDON  
W8 7NX

For the attention of D. Taylor, Esq.

**FAX NO: 0171 361 3463**  
**BY FAX AND POST**

Dear Sirs

Trattoo Restaurant, 2 Abingdon Road, London, W8 6AF - Reference DPS/DCC/PP/99/02518

Since your telephone call to this office of 26th January we have not been able to contact you on the occasions that we have called.

However, we can confirm that the rear extension has been shown amended on both the section as you note as well as the rear elevation on our drawing 9835/04A, which shows the reduced parapet height together with the overall reduction in the roof height. The only difference between the drawings is that the section where it is taken over the stairs does not show the mansard dormer window which shows on the rear elevation. I trust that answers your query and that the application can be processed as quickly as possible.

Yours faithfully,

G.R. SARGENT  
W.C.E.C. ARCHITECTS

cc: E. Taverna, Esq.

Ideal Gold Restaurants

PLANNING AND CONSERVATION

THE 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



WCEC Architects,  
New Barn Stables,  
New Barn Lane,  
Henfield, West Sussex,  
BN5 9SJ

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

KENSINGTON AND CHELSEA

Date: 14 December 1999

My Ref: DPS/DCC/PP/99/02518 Your ref: 9835 Please ask for:

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Application for Planning Permission at: Nos. 2, 4, 6 Abingdon Road, London, W8 6AF**  
**Proposal: Extension at roof level to provide additional accommodation.**

Dated: 08/12/1999

Complete: 14/12/1999

Decision due by: 08/02/2000

I acknowledge receipt of your application.

If you have not been notified by the Council of its decision within 8 weeks of the date of completion above you are entitled to appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990. You may, by agreement in writing with the Council, extend the period within which the decision is to be given. The Council decides on applications as soon as possible. Many applications can be determined in six weeks or less, although there will often be reasons why a longer period is necessary.

Proposals that may affect the character or appearance of a Conservation Area, or the special character or setting of a Listed building, and some other proposals, must be advertised on site and in a local newspaper. Therefore, these applications often take longer to determine. Many applications, including all those to which objections are received, must be presented to the Planning Services Committee, which may also mean a short delay. Should you wish to discuss the progress of your application, please contact the Case Officer on the above number.

You are reminded that it may be unlawful to begin the development forming the subject of this application prior to receipt of a written Planning Permission from the Council, and you are strongly advised against doing so.

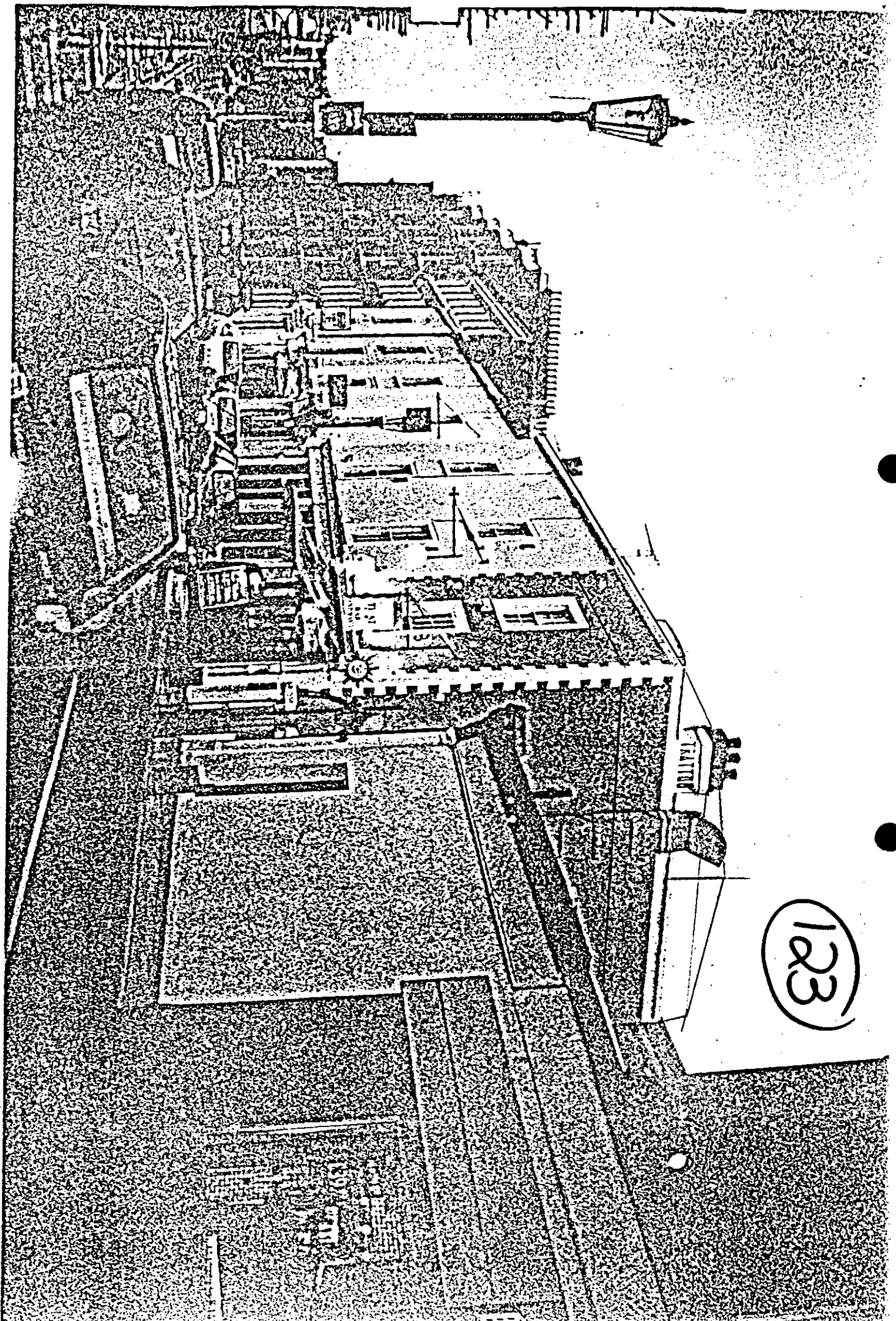
Yours faithfully,

M.J. FRENCH

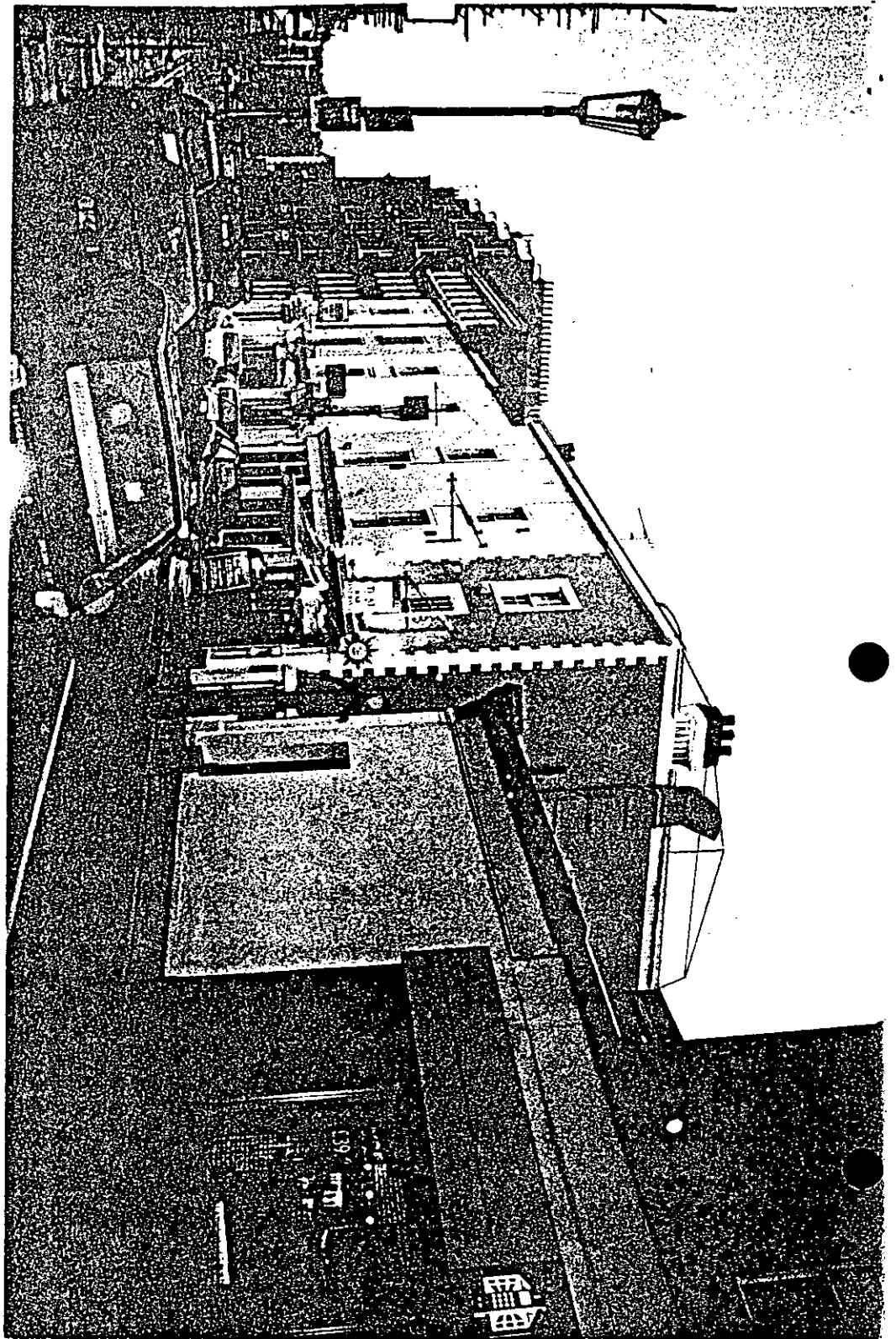
Executive Director, Planning and Conservation

WCEC ARCHITECTS			
CRS	✓	20 DEC 1999	JFN
			REF TRATT00
u 1000 8000.			





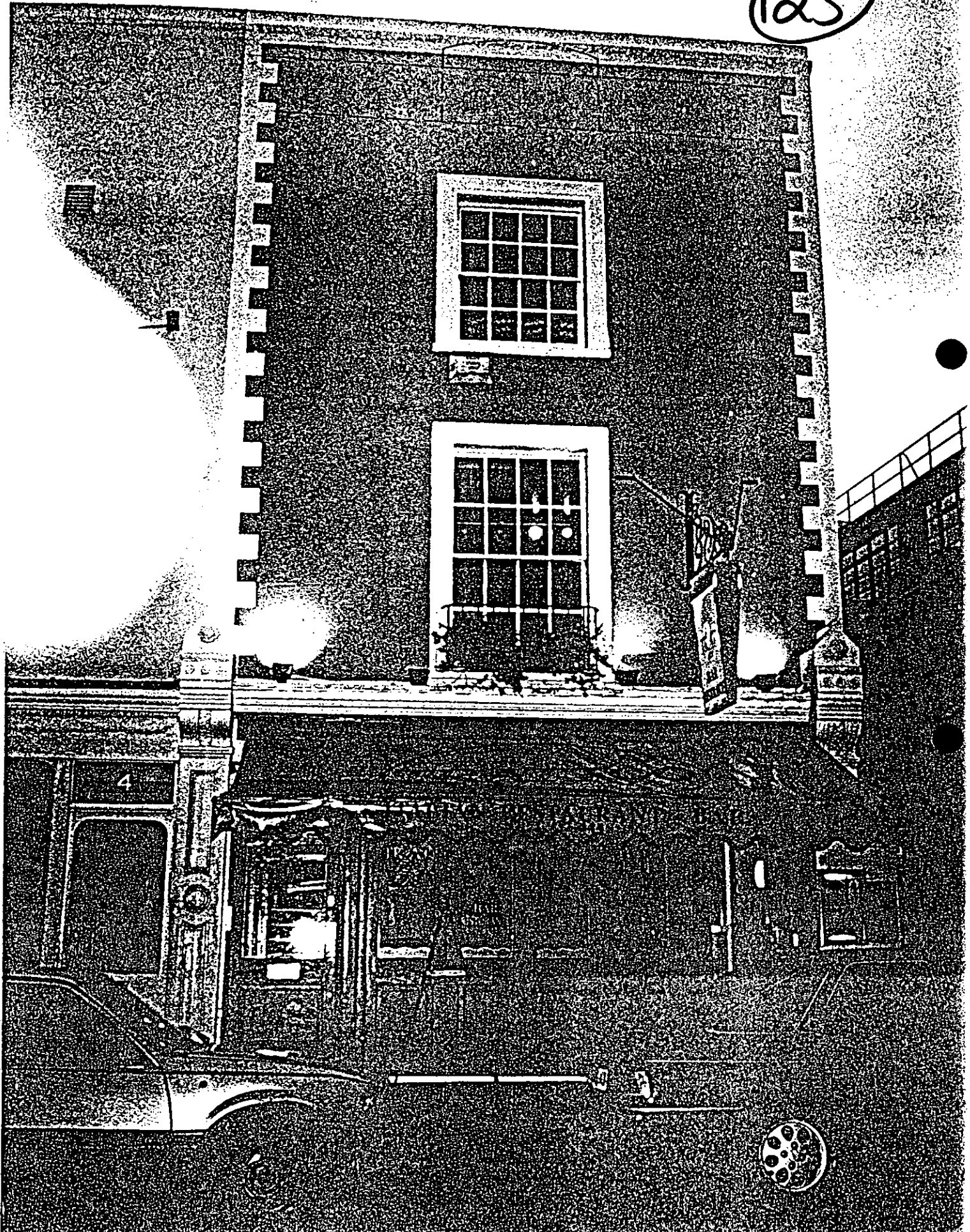
123



1244

GENERAL STREET VIEW  
DORMER/ROOF NOT VISIBLE

125



double glazed inward opening lights.

126

CLIENT

Ideal Gold

PROJECT

TRATTIOO  
2 Abingdon Ro  
4 and 6 Abingc  
London W8

TITLE

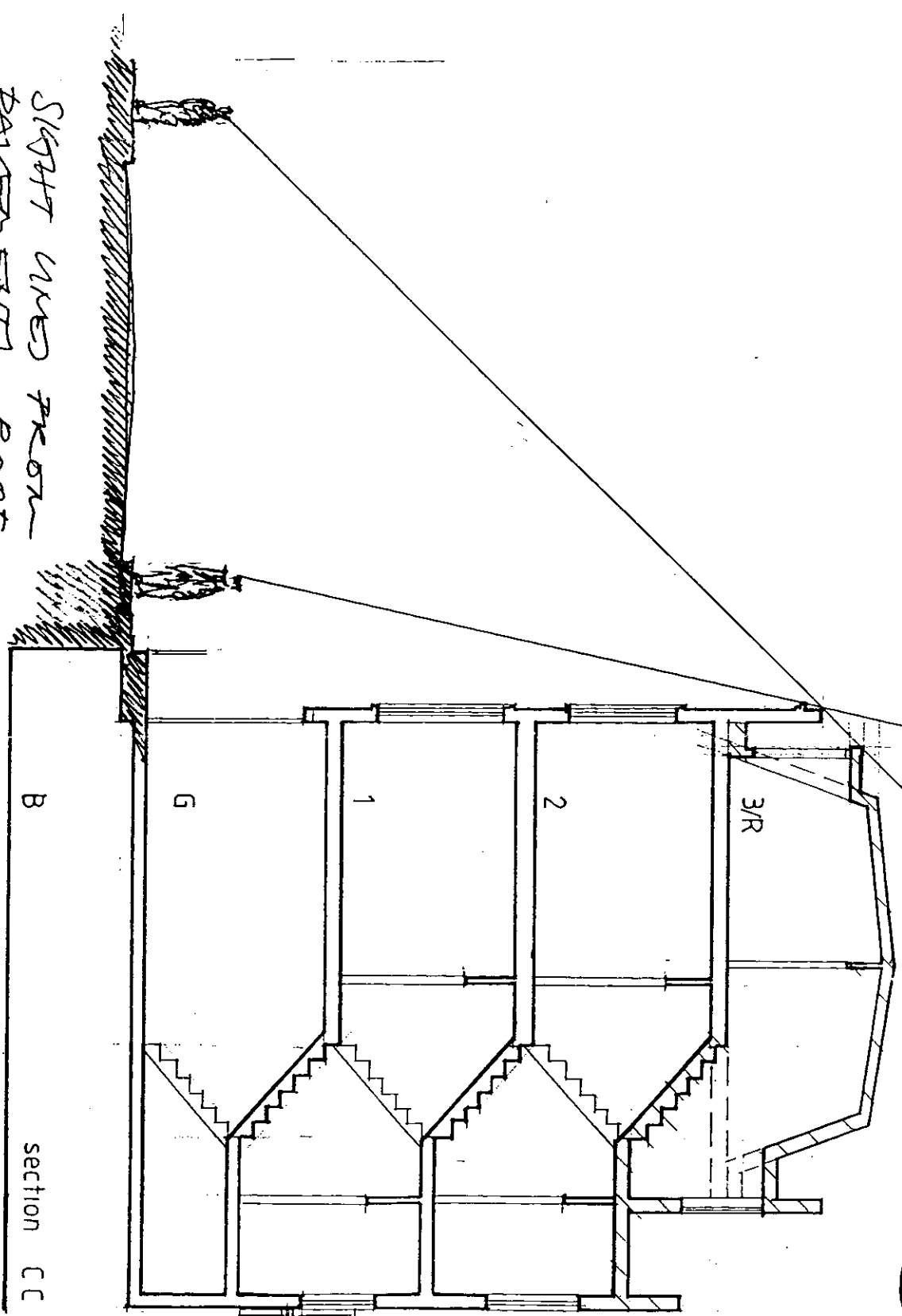
Proposed Plans

DRAWN

SCALE

DATE

NUMBER



SIGHT LINE FROM  
PARADEGARDEN. ROOF  
NOT VISIBLE.

section C C

a.c. units

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**4. Planning Committee Reports/Agendas**

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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 09/05/2000 APP NO.PP/99/02518/MNW/11  
AGENDA ITEM NO. 2051

ADDRESS

2, 4, 6 Abingdon Road,  
Kensington, W8 6AF

APPLICATION DATED 08/12/1999

APPLICATION COMPLETE 14/12/1999

APPLICATION REVISED 16/03/2000

APPLICANT/AGENT ADDRESS: CONSERVATION AREA Edwardes Square/Scar CAPS Yes

WCEC Architects,  
New Barn Stables,  
New Barn Lane,  
Henfield, West Sussex,  
BN5 9SJ

ARTICLE '4' No WARD Abingdon  
LISTED BUILDING NO  
HBMC DIRECTION N/A

CONSULTED 32 OBJECTIONS 0

SUPPORT 0 PETITION 0

Applicant Ideal Gold Restaurants,

PROPOSAL:

Erection of extension at roof level, and enlargement of rear extension, to provide additional ancillary accommodation to existing restaurant at No.2 and language school at Nos. 4 and 6.

RBK&C Drawing No(s): 9835/01, /02D, /03 and /04B

RECOMMENDED DECISION: Refuse planning permission

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REASONS FOR REFUSAL

The proposed additional storeys would disrupt an existing roofline unimpaired by extensions, and would be detrimental to the character and appearance of this group of properties (Nos. 2 - 14 Abingdon Road) and to the character and appearance of this part of the Conservation Area. As such, the proposal is contrary to policies of the Unitary Development Plan, in particular, Policies CD25, CD38 (a), CD39 (b), CD44, CD48, CD49, CD52, CD53, CD54 and CD56.

**1.0 THE SITE**

- 1.1 Nos. 2, 4 and 6 Abingdon Road are four storey (including basement) mid (Nos. 4 and 6) and end of terrace (No. 2) properties on the west side of Abingdon Road, approximately 100 metres south of its junction with Kensington High Street.
- 1.2 The authorised use of the basement and ground floors of No. 2 is as a restaurant (Class A3), whilst the lawful use of the first and second floors would appear to be for purposes ancillary to the restaurant. The authorised use of Nos. 4 and 6 is as a language school (Class D1).
- 1.3 The properties are not Listed, but they are within the Edwardes Square, Scarsdale and Abingdon Conservation Area.

**2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of an additional storey at third floor level on all three properties and for the erection of a rear extension at second floor and second mezzanine level on no.2.
- 2.2 The additional storey to No. 2 would provide additional office floorspace ancillary to the restaurant, whilst the additional storeys to Nos. 4 and 6 would provide additional floorspace for the language school. The rear extension to No. 2 would provide floorspace for a WC and a store room.
- 2.3 The proposed additional storeys take the form of mansard roofs set behind the existing front parapet of each property, and set behind a raised parapet at the rear. The mansard roofs would be clad in slate and feature dormer windows to the front and back.
- 2.4 The proposed rear extensions would be constructed in stock brickwork.
- 2.5 No increase to the restaurant seating space is proposed.

**3.0 RELEVANT PLANNING HISTORY**

- 3.1 Planning permission for the use of the ground floor and basement of No. 2 as a restaurant (Class A3) was granted 1962. Use of the first floor as a restaurant (Class A3) was refused, also in 1962.
- 3.2 Personal planning permission was granted for the use of Nos. 4 and 6 as a language school in 1971. An extension at the rear for an additional classroom was granted in 1997.



- 3.3 In December 1998 planning permission was granted for the installation of a new shopfront and the erection of a new extract duct in place of existing extract ducts at No. 2 Abingdon Road.
- 3.4 On 10th September 1999 planning permission was refused (ref. TP/98/0446) for the erection of rear extensions and a mansard roof extension to nos 2, 4 and 6. The present applications forms a variation on this refused proposal, with amendments and reductions to both the rear extension and the roof extension.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations are the impact of the increase in ancillary restaurant and language school floorspace and the effect of the proposed additional storeys and rear extensions on the character and appearance of the Conservation Area and on the levels of amenity currently enjoyed by neighbouring residential properties. The recent history in terms of the 1998 planning application is also relevant as the current application is submitted in an attempt to address the concerns raised by the Council in that regard.
- 4.2 The increase in ancillary restaurant floorspace is considered acceptable, since no increase in restaurant covers is proposed. The additional floorspace is for office and storage purposes only. It should be noted that no information has been provided in the application in respect of the increase in floorspace for the language school. Therefore, no consideration of this issue can be undertaken.
- 4.3 In relation to the proposed additional storeys and rear extensions, the relevant planning policies are contained within the "Conservation and Development" Chapter of the Unitary Development Plan.
- 4.4 The proposed additional storey  
Policies CD38 and CD39 of the Unitary Development Plan, which should be read as a pair, set out the criteria against which additional storeys should be considered.
- 4.5 The principle of additional storeys is not established in this section of the terrace (Nos. 2 -14 Abingdon Road). Each property features a basement, ground, first and second floor, with none of them featuring any form of additional storey. Since the existing roofline is unimpaired by extensions, the principle of additional storeys on this group of properties is contrary to Unitary Development Plan policy, and, therefore, unacceptable.
- 4.6 It is considered that these seven properties in their original form, unimpaired by extensions, contribute positively to the character and appearance of this part of the Conservation Area. The proposed additional storeys would harm this original form and uniformity, and, as such, they would be detrimental to the character and appearance of this part of the Conservation Area.

4.7 To the south of these seven properties is a former presbytery building, now in residential use, which features a third floor and to the south of that is Ilchester Mansions, a mansion block featuring both third and fourth floors. However, these two properties are of a very different architectural character and size to Nos. 2-14 Abingdon Road, and, therefore, are not considered to represent any form of justification for the erection of additional storeys on Nos. 2-14 Abingdon Road, a terrace of properties with its own architectural integrity.

4.8 The detailed design of the front of the three proposed additional storeys is considered satisfactory, as is the detailed design of the rear of No. 6 Abingdon Road. As far as these parts of the roof are concerned, it is the principle rather than the detail of the proposed roof extension that raises objection.

4.9 A detailed point does remain, however, concerning the raised stair at the rear of no.2, where it is proposed to create an extension across what should be the rear gutter between the mansard slope and parapet wall. The stairs are extended back to the line of the parapet, with the gutter running only 2/3 of the width of no.2, resulting in an unwelcome obstruction within the mansard slope. This is considered to be a harmful feature in design terms.

The proposed rear extension

4.10 Policy CD41 of the Unitary Development Plan sets out the criteria against which rear extensions should be evaluated.

4.11 In general terms, rear extensions should always be subservient to the scale of the parent building, in terms of their height, width, and depth (projection). The extension proposed in this case would rise to mezzanine level between the second and third floors, across most of its width, and one section of extension (only half its width) is taken up to third floor height. At lower levels the rear extension would amount to a full width extension, although not at the top level.

4.12 As the rear extension in this amended application would not rise to full height, or be full width at higher level, it is concluded that it would not raise objection in terms of Policy CD41 or be detrimental to the character and appearance of this part of the Conservation Area.

4.13 It is not considered that the proposed rear extension would have a significant effect on the levels of amenity currently enjoyed by residents of neighbouring properties.

4.14 It is recognised that the Trattio Restaurant is an important local business that contributes to the vitality of the local area. It is also recognised that the staff facilities for the restaurant are cramped and poorly arranged, and need improvement. However, it is not considered that this represents sufficient justification for allowing additional storeys that would be directly contrary to Unitary Development Plan policy and detrimental to the character and appearance of the Conservation Area. In respect of the language school, no information has been submitted in relation to the requirement for additional floorspace, and the impact of the additional floorspace cannot be assessed,

especially in terms of traffic generation.

4.15 It is also acknowledged that the applicant has carried out considerable modifications to the scheme following the Council's refusal of the previous application. The previous application involved rear extensions right up to roof level with the mansard storey actually projecting out over the rear extensions, and in comparison with that proposal the development presently proposed is much improved. The rear extension, and detailed design of the additional storey, are now considered acceptable as a result of the amendments made by the applicant. However, whilst these improvements are to be welcomed in themselves, it is concluded that the objection in principle to the additional storey must remain.

**5.0 PUBLIC CONSULTATION**

5.1 Letters of notification were sent to thirty neighbouring properties in Abingdon Road and Kensington High Street. To date, no letters of objection have been received.

**M.J. FRENCH  
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

**List of Background Papers:**

**The contents of file PP/99/02518 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: DT  
Report Approved By: LAWJ  
Date Report Approved: 30//03/2000**

**PSC00/05/DT.REP**

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The following applications will be before the Planning Services Committee on 9 May 2000 for a decision.

Town Planning Applications: SOUTH EAST

NUMBER	PROPERTY	PROPOSED DEVELOPMENT	RECOMMENDATION
00/0452 4065	52 Sydney Street, S.W.3.	Erection of a <u>mansard</u> roof extension, a conservatory at basement and ground floor level together with extension of closet wing at second floor level.	Grant conditionally
00/0453 4066	52 Sydney Street, S.W.3.	Erection of a <u>mansard</u> roof extension, a conservatory at basement and ground floor level together with extension of closet wing at second floor level. ✓	<u>Grant Listed Building Consent</u>
00/0314 4067	49 Draycott Place, S.W.3.	Alterations to rear dormer window including creation of terrace and rationalisation of bedsitting room accommodation on third and fourth floors to create 4 bedsitting rooms.	Grant conditionally
00/0517 4068	7 First Street, S.W.3.	Erection of an additional storey and formation of a laundry room under front entrance steps.	Grant conditionally
99/2585 4069	84 Cadogan Lane with Flat 8 and ancillary storerooms, 66/67 Cadogan Place, S.W.1.	Rebuilding of 3 storey mews property including <u>mansard</u> roof at No. 84 Cadogan Lane, erection of rear extension and glazed atriums at No. 67 Cadogan Place together with minor elevational alterations.	Grant conditionally  P.T.O. →
99/2586 4070	84 Cadogan Lane with Flat 8 and ancillary storerooms, 66/67 Cadogan Place, S.W.1.	Internal alterations to basement of Nos. 66 and 67 Cadogan Place and erection of rear extension and glazed atrium of No. 67.	Grant Listed Building Consent (Subject to H.B.M.C. Direction)
99/2587 4071	84 Cadogan Lane with Flat 8 and ancillary storerooms, 66/67 Cadogan Place, S.W.1.	Demolition of No. 84 Cadogan Lane,	Grant Conservation Area Consent
99/0253 4072	Rose Square, S.W.3.	Change of use of common area and adjacent stores at lower ground floor level to use as a 1 self-contained residential unit together with alterations to rear elevation.	Grant conditionally

NUMBER	PROPERTY	PROPOSED DEVELOPMENT	RECOMMENDATION
99/0254 4073	Rose Square, S.W.3.	Change of use of common area and adjacent stores at lower ground floor level to use as a 1 self-contained residential unit together with alterations to rear elevation and internal alterations.	Grant Listed Building Consent <b>135</b>
00/0566 4074	2 Basil Street, S.W.3.	Change of use from Class B1 (Offices) to Class C1 (Hotel), together with erection of roof extensions on Basil Street and Brompton Road frontages with dormer windows and retail coffee shop in Brompton Arcade.	Refuse
00/0065 4075	The Old Magistrate's Court, 1A Walton Street, S.W.3.	Change of use of Magistrate's Court to single family dwelling with changes to the external facade, basement excavation, the addition of a rear conservatory and the rebuilding of a rear addition, and the erection of an ancillary dwelling and swimming pool enclosure in the rear curtilage.	Grant conditionally (subject to Section 106 Agreement)
99/1013 4076	169 Queen's Gate, S.W.7.	Erection of 2 residential flats in the form of a mansard roof at sixth floor level.	Grant conditionally
<b>98/0037</b> 4077	117A/122 Queen's Gate, 39/49 Harrington Road, 2 Reece Mews, S.W.7.	Redevelopment to provide a new cultural centre for the Islamic Republic of Iran in London and 20 self-contained flats.	Grant conditionally <i>O.K. well done !!</i>
99/2568 4078	38 Smith Street, S.W.3.	Erection of detached studio outbuilding at rear of garden.	Grant conditionally
00/0633 4079	Chelsea Sports Centre, Chelsea Manor Street, S.W.3.	Erection of extract fan and associated ducting on flat roof above swimming pool changing rooms.	Grant conditionally
	38 Walton Street, S.W.3.	Erection of a single storey rear addition.	No Report
	38 Walton Street, S.W.3.	Demolition of existing extensions and rebuilding (listed building application).	No Report

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**Letters of Support**

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Estate Agents •  
Lettings & Management •  
Development Consultants •

Mr Taverna Esq.  
Ideal Gold Restaurants  
2 Abingdon Road  
Kensington  
London W8 6AF

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11<sup>th</sup> May 1999

Dear Mr Taverna

I am writing in connection with your application to Kensington & Chelsea Planning Department for an extension to your premises above the existing restaurant. I understand that this will be in the form of recessed mansard construction taking advantage of the existing valley.

It is extremely difficult for successful local business to improve their position within the constraints of existing buildings, which in this area are generally small and wholly surrounded by other buildings.

Your business is a great asset to this area and successful, and we wholeheartedly support your planning application for the modest extensions.

Yours sincerely

Richard Pownall  
Director  
**John Spencer Ltd**

**Tel: 0171 937 9777**  
Fax: 0171 938 3428  
e-mail: info@johnspencer.co.uk

✓ 8 Abingdon Road, Kensington W8 6AF

Kensington, Melbury Court Branch

✓ PO Box No 2342  
240 Kensington High Street  
London  
W8 6ZW

Telephone: 0171 780 7822  
Facsimile: 0171 780 7832

Your ref:  
Our ref:

②  
138

Mr E Taverna  
Director  
Trattoo Restaurant  
2 Abingdon Road  
LONDON W8 6AF



12 May 1999

### Planning Application


Dear Ermano,

I was indeed sorry to learn that your planning application to extend and improve the Trattoo remains outstanding since August 1997.

Albeit that my visits are not as frequent as I might wish, I would certainly endorse my support for the application which will undoubtedly enhance further a delightful restaurant and long established part of the local community.

Kind regards,

Yours sincerely,

  
Guy Rampley  
Manager





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#139

12 May

Mr E. Taverna  
Trotter Restaurant

Dear Emano,

I write as Secretary of the Association and as a customer to express my support for the extension you are seeking for 2 Abington Road.

I know very well how short of space you are and the modest extension you have in mind seems to me not only necessary but entirely justifiable.

I hope the Council will soon approve your application.

Yours sincerely,  
George Sivebright  
(Mr G. SIVEBRIGHT)

Paul Gulbenkian  
Lionel Harris (Managing Consultant)  
Bernard Andonian  
Peter Wyatt  
Danny Schaffer  
Howard Richards  
Simon Levine  
Jane Cary  
Roger Smith  
Denis Buckoke

# Gulbenkian Harris <sup>4</sup> Andonian

SOLICITORS  
181 Kensington High Street  
Kensington  
London W8 6SH  
Telephone 0171-937 1542  
DX 47204 Kensington  
Telefax 0171-938 2059  
E-mail gulbenk@nildram.co.uk

Our Ref: BPG/LK/GHA 10.

12 May 1999

Mr E Taverna  
Director  
Ideal Gold Restaurants  
c/o Trattoo Restaurant  
2 Abingdon Road  
LONDON W8 6AF

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Dear Mr Taverna

I thank you for your letter of the 10th May and I find it difficult to understand why a decision has not yet been taken in respect of the planning application that you made as long ago as August 1997.

I wonder whether any objections have been received to your application and if so what these might be? Personally, I cannot see why the extension that you are apparently seeking could in any way be harmful from a planning point of view. Indeed, I would have thought it beneficial to your property and to the value of the properties of your neighbours.

I hope these comments are helpful and you have my permission to show this letter to the Planning Officers.

With best wishes.

Yours sincerely,

*Paul Gulbenkian*

**B.P. GULBENKIAN**