

PLANNING SERVICES APPLICATION

5

CONSULTATION SHEET

APPLICANT:

Carnell Green,  
5/6 Kendrick Mews,  
Sought Kensington,  
London  
SW7 3HG

dealt with  
AUS  
29/12/99

APPLICATION NO: PP/99/02594 | AUS

APPLICATION DATED: 20/12/1999

DATE ACKNOWLEDGED: 23 December 1999

APPLICATION COMPLETE: 23/12/1999

DATE TO BE DECIDED BY: 17/02/2000

SITE: 19 Upper Phillimore Gardens, London, W8 7HF

PROPOSAL: Demolish existing two garages and build new garage with new boundary gates etc. Replace barrel glazing in garden with flat glazing. Alteration to link to swimming pool at lower ground. Works to rear roof terrace and balustrading.

ADDRESSES TO BE CONSULTED

- 1. 17, 21 Upper Phillimore Gardens
- 2. Block B - 31-58 Duches of Bedford Walk
- 3.
- 4.
- 5. Consider Hill Gate
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.
- 13.
- 14.
- 15.

B ✓

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

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

✓  
✓  
7

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION

THE ROYAL BOROUGH OF

ADDRESS 19 Upper Phillimore Gardens

19 UPPER PHILLIMORE GARDENS

W8.

POLLING DISTRICT HB



KENSINGTON AND CHELSEA

- HB Buildings of Architectural Interest *PP 922594*      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							
6			K156													

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

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

Density	
Site Area	
Habitable rooms proposed	
Proposed Density	

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

<b>Daylighting</b>	Complies	
	Infringes	

<b>Car Parking</b>	Spaces required	
	Spaces proposed	

**Notes:**

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28 DEC 1999

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**PLANNING AND CONSERVATION**THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS TP MRTPI Cert TS

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

FILE COPY

2085

0171-361- 2085

Switchboard: 0171-937-5464

Extension:

Direct Line:

Facsimile: 0171-361-3463

Date: 29 December 1999

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My reference:

Your reference:

Please ask for:

My Ref: DPS/DCC/PP/99/02594/ALS

Planning Information Office

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990****Proposed development at: 19 Upper Phillimore Gardens, London, W8 7HF**

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**

**Demolish 2 garages, build new garage with new boundary gates etc. Replace barrel glazing with flat glazing. Alteration to link to swimming pool at lower ground. Works to rear roof terrace & balustrading.**

**Applicant**

**Carnell Green, 5/6 Kendrick Mews, Sought Kensington, London  
SW7 3HG**

**The Planning Information Office Christmas opening hours are as follows:- Mon 20th -  
Thurs 23rd Dec. 9.00-16.45. Fri 24th Dec 9.00-13.00. Wed 29th & Thur 30th Dec  
9.00-13.00 then 14.00-16.30. The office will be closed on 27th, 28th & 31st Dec. & 3rd  
Jan. Normal office hours resume on Tues. 4th Jan at 9.00.**

Yours faithfully,

**M. J. FRENCH**

Executive Director, Planning and Conservation

8

### **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 W.8.** 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, W.8.** 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**

9

**MEMORANDUM**

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**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

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**My Ref: PP/99/02594/ALS**

**CODE 1D**

**Room No:**

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**Date: 29 December 1999**

**DEVELOPMENT AT:**

**19 Upper Phillimore Gardens, London, W8 7HF**

**DEVELOPMENT:**

**Demolish 2 garages, build new garage with new boundary gates etc. Replace barrel glazing with flat glazing. Alteration to link to swimming pool at lower ground. Works to rear roof terrace & balustrading.**

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)
  
4. Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 (applications for Listed building consent)

**M.J. French**

Executive Director, Planning & Conservation

2 existing garages at rear of garden to be demolished

+ replaced by a larger ~~garage~~ garage to hold 4 cars at bottom of garden with layout of gates + walls of 2 reheighted garages. Also to levels in rear garden - flat roofline over pool area.

Lawn laid instead of paving over pool to horse. + paved terrace

Extension at rear to level to create a breakfast room - less than 1/2 width

New steps from garden to best area adj to boundary with no 21. ~~New steps to~~ New rlg to best area.

One privacy of no 21 re. Replace ~~steps~~ new steps. Replace battle balustrade with rlg to 2 terraces (pref keep).

SV  
Moulton  
Loam  
Nick  
McConnell  
or Thom

Su 17/1/2000

(11)

Garage OK  
lower than existing

Alt to rear wall all  
OK + no  
ballie objection.

At rear - new steps to go  
lower patio OK

~~17~~ rgs in road of bottles OK  
Ext at best adv ~~17~~  
is OK

~~17~~ new flight over  
SW patio +  
better than existing

→ just to send revised  
drawg re positioning of steps  
to best area  
+ labelling the floors

12

THE ROYAL BOROUGH OF

# NOTICE OF A PLANNING APPLICATION



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

**KENSINGTON  
AND CHELSEA**

Notice is hereby given the Royal Borough of Kensington and Chelsea Council 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:

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.

## SCHEDULE

Reference: PP/99/02594/ALS

Date: <sup>05</sup>07/01/2000

*AW ratings slip 2000*

**19 Upper Phillimore Gardens, London, W8 7HF**

Demolish 2 garages, build new garage with new boundary gates etc. Replace barrel glazing with flat glazing. Alteration to link to swimming pool at lower ground. Works to rear roof terrace & balustrading.

*AP 28/1*

**APPLICANT** Carnell Green,





? / AO

13

RBKC

# District Plan Observations CONSERVATION AND DESIGN

Address 19 Wiles Phillimore Cds	Appl. No. 99/2594	L.B.	C.A.	N C S
Description Grazes and cuts to swimming pool.	Code	X		

A lot of garden development is proposed but it may be unacceptable given that existing garages etc to be removed. A site visit required for to fully assess.

Note: The proposed roof structure over the swimming pool would be less prominent than the approved boardwalked structure, and is an improvement, but further details re materials, required.

NJC 6.1.2000

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA  
MEMORANDUM - SECTION 101 - LOCAL GOVERNMENT ACT, 1972

14 DP1

To: Chief Administrative Officer (Planning) Date: 27 January 2000  
From: The Executive Director, Planning & Conservation *PK* Our Ref: PP/99/02594

Application Date: 20/12/1999 Complete Date: 23/12/1999 Revised Date: 18/01/2000  
Agent: Carnell Green, 5/6 Kendrick Mews, South Kensington, London  
SW7 3HG Ref: 80563  
Address: 19 Upper Phillimore Gardens, London, W8 7HF  
*Kensington*

1/3/81

This application is for a class of development to be determined under powers delegated to me by the Council on 21st July, 1976, and/or by the Town Planning Committee 6th November, 1979, and/or by the Town Planning Committee on 18th March 1986, 23rd May 1988 and 8th January 1990 and is not such as I wish to refer to the Planning Application Committee. No relevant planning objections have been received.

- Class (i) - ~~8th~~ Schedule development
- Class (ii) - shop fronts
- Class (iii) - conversion from non s/c dwellings etc
- Class (iv) - amendments as required by T.P. Committee
- Class (v) - above classes after D.P. Committee agree
- Class (vi) - Listed building consent for above Classes.
- Class (vii) - approval of facing materials
- Class (viii) - grant of planning permission for a change from one kind of non-residential use except from one kind of non-residential use except where this would involve the loss of shop use
- Class (ix) - grant permission licence or no objection under Sections 73, 74, 138, 143, 152, 153, 177 & 180 of the Highways Act
- Class (x) - Crossover under S. 108 of the Highways Act 1980

DELEGATED APPROVAL  
01 FEB 2000

Consent under T&CP Control of Advertisement Regulations 1984-90; incl. refusal of consent for Reg. 15 applications.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

Erection of new garage with new boundary gates etc. ~~Replace barrel glazing with flat glazing~~ Alteration to link to swimming pool at lower ground, Works to rear roof terrace & balustrading. Alterations to crossover to Duchess of Bedford Walk to provide new access to garage. *and together with*

**RECOMMENDED DECISION**  
1. Grant planning permission *conditionally*  
2. Grant consent under section 184 of the Highways Act 1980 for alterations to the crossover.

RBK&C drawing(s) No. PP/99/02594, *and* PP/99/2594A  
Applicant's drawing(s) No. EX03, EX06, EX07, EX12A, P01B, P03B, P06A, P07, P11, P12 *and*

I hereby determine and grant/~~refuse~~ this application (subject to HBMG Direction/~~Historic Building authorisation~~) under the powers delegated to me by the Council, subject to the condition(s) indicated below imposed for the reason(s) appearing thereunder, or for the reasons stated.

Exec. Director Planning and Conservation Head of Development Control Area Planning Officer  
PP/99/02594: *[Signature]* *hms 28/1/00* *[Signature]* 28/1/00

15

CONDITIONS AND REASONS FOR THEIR IMPOSITION

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**  
*Reason* As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The garage accommodation hereby permitted shall be available at all times for car parking and shall not be adapted for living, commercial, or other purposes. (C028)**  
*Reason* - To protect the amenity of the area. (R028)
3. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing. (C071)**  
*Reason* - To ensure a satisfactory standard of external appearance. (R071)

INFORMATIVES

1. I11
2. I21
3. I30
4. I23

# DELEGATED REPORT

Address 19 Upper Pulborough Gardens, 08

Reference 99/2594  
2595  
Conservation Area Yes

Listed Building Yes/No **16**

## Type of Application

Planning Permission/Approval of Materials/Variation of Condition/Listed Building Consent/Conservation Area Consent

## Type of Development

Residential Extension   
Roof   
Rear   
Storeys \_\_\_\_\_  
Side   
Front   
Garden   
Residential Alterations

Shopfront   
Non-Residential Extension

Listed Building Demolition  
whole  part

Listed Building Alterations

Residential Conversion   
From \_\_\_\_\_  
To \_\_\_\_\_

Unlisted Building - Demolition  
whole  part

Other  \_\_\_\_\_

**Objections** (withdrawn etc.) (incl. internal - Design, Policy, Transportation etc.)

Who \_\_\_\_\_

Overcome by Amendment/Withdrawn/Not Relevant/Other \_\_\_\_\_

17

**Existing**

**Issues/Policy/Precedent/Conditions/Third Schedule**

*see standard report*

**Standards**

satisfactory

- Light
- Privacy
- Room Sizes
- Parking
- Trees
- HBMC** Direction/Obs.
- Obs. Rec'd
- Direction Rec'd
- Consultation Expired

**GRANT/APPROVE**

subject to conditions

Informatives

Report by

*ARS*

Date

Agreed

*DT/URS*  
*28/1/00*

18

**1.0 THE SITE**

19 Phillimore Gardens is a detached villa on the north side of Upper Phillimore Gardens. The rear garden of the property extends to Duchess of Bedford Walk. The property is in the Kensington conservation area.

**2.0 PLANNING CONSIDERATIONS**

There are two existing garages at the rear end of the garden with access via double gates set in a recessed entrance off Duchess of Bedford Walk. It is proposed to demolish these garages and replace them with on garage suitable for 4 cars on the site of the garage adjoining no 18 Upper Phillimore Gardens and extending further along the boundary. The garages would be constructed in stock brickwork with a flat roof and timber boarded doors. It would be slightly higher than the boundary but lower than the existing garage. The design and size of the garage is considered to be acceptable given the size of the garden and the extent of outbuildings in adjacent gardens.

The plan of the boundary walls will be altered and a pedestrian gate and new vehicle entrance would be constructed 1m further west than the existing. The alterations to the entrance are considered to be acceptable, as is the size of the garage. An informative is added that consent will be required under the Highways Act for alterations to the crossover.

It is proposed to alter the staircase within the garden. This is permitted development. In addition, it is proposed to remove a barrel vault over the swimming pool and replace it with flat glazing and lawn. This is also permitted development. It is proposed to remove an existing bridge from the upper garden level and create new steps down to the lower patio closer to no.20.

It is proposed to extend at basement level only, with paving over to form a breakfast room adjacent to no 18. This is all below the height of the boundary walls of the property, and its extent is considered to be acceptable.

It is proposed to replace the bottle balusters enclosing the patios from the garden and to the first floor terrace with a dwarf wall and railings. This is considered to be acceptable. Overall, it is considered that the proposal would preserve the character and appearance of the conservation area.

It is considered that the proposal would not have any significant effect on levels of amenity enjoyed by the occupiers of the neighbouring properties.

**3.0 CONSULTATION**

Occupiers of the neighbouring properties have been notified of the scheme. No representations have been received.

**M.J. FRENCH**

**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

**List of Background Papers:**

**The contents of file PP/99/02594 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By:**

**Report Approved By:**

**Date Report Approved:**

PP/99/02594: 4

ALS  
ALS  
28.1.00

DT 19

I am still awaiting a  
draft response please

From: **The Baroness Hanham, CBE**  
Leader of the Council

H:bl  
02 March 2000

Councillor David Campion, B.A. (Arch.),  
Dip. T.P., F.R.I.B.A., M.B.C.S.  
13 Rodney House  
12/13 Pembridge Crescent  
London  
W11 3DY

*[Signature]*  
14/3

*[Vertical scribbles]*

I enclose a copy of a letter which I have received from Peter Lumsden, regarding  
19 Upper Phillimore Gardens.

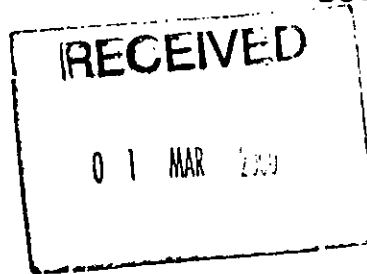
I wonder if you would be kind enough to respond to him regarding the planning  
aspect, and if you can give the assurances which he seeks, then please do so. If  
not, then I am sure you will give him an adequate explanation.

*[Signature]*

bcc: Mr M. French

...sden CBE FCA - Chairman

CAMPDEN HILL GATE LTD  
CAMPDEN HILL GATE  
DUCHESS OF BEDFORD'S WALK  
LONDON, W8 7QJ  
Tel 020 7937 9172  
Fax 020 7938 1945  
e-mail plum@attglobal.net



20

Councillor Mrs Iain Hanham CBE JP  
Room 343/5  
The Town Hall  
Hornton Street  
London W8 7nX

28 February 2000

Dear Mrs Hanham

19 Upper Phillimore Gardens

It is my recollection that some 10-12 years ago, when this property was refurbished, it was granted planning permission inter alia for two garages, one on each side of their access from Duchess of Bedford's Walk. After being built the west garage was converted in to a flat. The Council was advised of the change of use but it appeared that no action was taken against the freeholder. The enclosed sale particulars confirm that one garage has been turned in to a flat.

On 1<sup>st</sup> Feb they were given delegated approval to pull down the two garages and build a four car garage block including a loo. The plans show that there will be a wall dividing spaces one and two from three and four. Being an old cynical accountant I expect that they will convert half this much larger garage in to a dwelling. If that happens can the residents of Campden Hill Gate rely upon the Council to stop it?

Yours sincerely  
Peter Lunsd

Registered Office: Oaken Coppice, Bears Den, Kingswood, Surrey KT20 6PL  
Registered in England No. 1247093



**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

21

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr P Lumsden  
Campden Hill Gate Ltd  
Campden Hill Gate  
Duchess of Bedford's Walk  
London  
W8 7QJ

Switchboard: 0207-937-5464  
Extension: 2011  
Direct Line: 0207-361-2011  
Facsimile: 0207-361-3463  
Email: plnr@rbkc.gov.uk

03 April 2000

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

My reference: PCS/DCC/LR

Your reference:

Please ask for: Ms W L Reid

Dear Sir

**Town and Country Planning Act 1990**  
**Re: 19 Upper Phillimore Gardens, W.8**

I am writing with reference to your letter dated 28<sup>th</sup> February 2000, regarding the planning permission granted on 1<sup>st</sup> February 2000 for the erection of a new garage (PP/99/2594) at the above mentioned premises.

I understand that you are concerned that the permitted garage may be converted to residential use. Condition 2 of the planning permission states that;

“ The garage accommodation hereby permitted shall be available at all times for car parking and shall not be adapted for living, commercial or other purposes.”

Planning permission would be required if the garage were to be used as a dwelling. The use of the garage for any purpose other than car parking, without the benefit of a further planning permission, would constitute a breach of Condition 2 of the planning permission granted on 1<sup>ST</sup> February 2000.

I can confirm that should the garage be used for unauthorised purposes, this would be fully investigated and the appropriate enforcement action taken if considered expedient.

Yours faithfully

M French  
Executive Director  
Planning and Conservation

F

22



R.B.K. & C.  
TOWN PLANNING  
26 NOV 1999  
RECEIVED

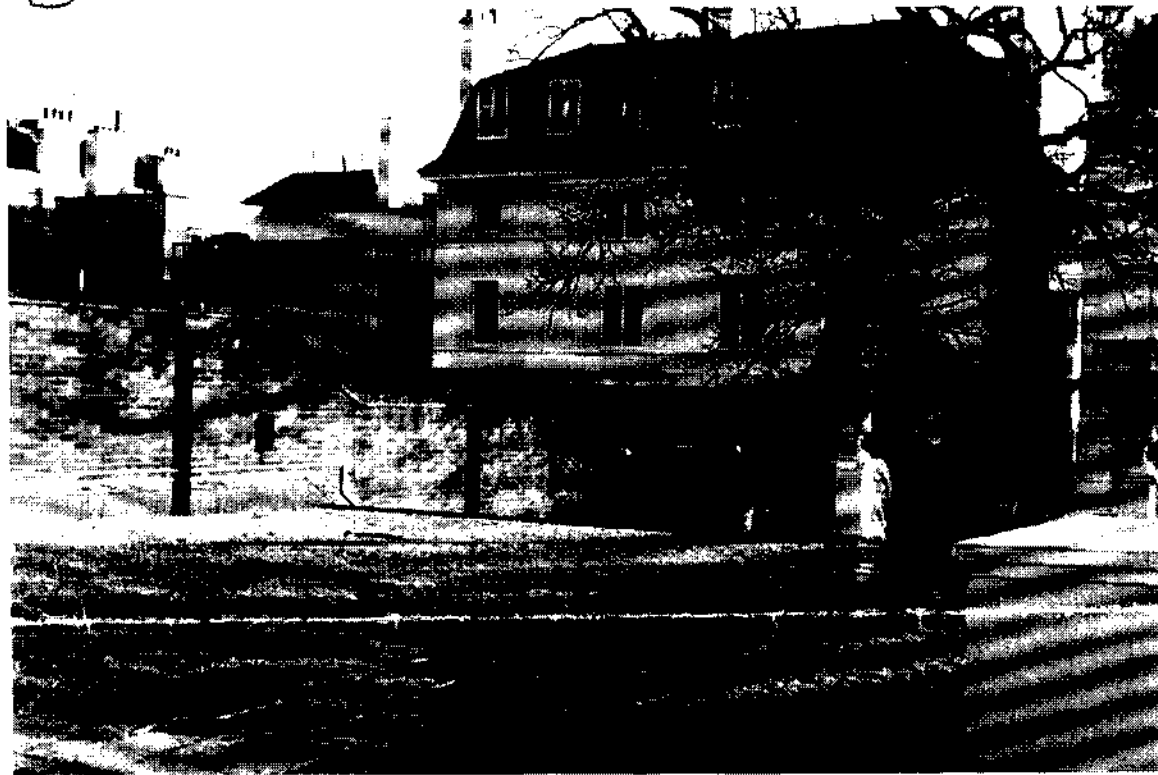
19 upper Phillimore Gardens.  
London W.8  
Existing Garden with  
Garages at the rear.  
Carnell Green Architects.



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