

Q  
Chumb.

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

5

APPLICANT:

Thomas Marsterson,  
Jones Lambell Architecture and Design,  
Studio 30, 38 Burns Road,  
London  
SW11 5GY

OBJECTORS NOTIFIED  
- 8 MAR 2000

APPLICATION NO: PP/99/02471/CT

APPLICATION DATED: 26/11/1999

DATE ACKNOWLEDGED: 8 December 1999

APPLICATION COMPLETE: 08/12/1999

DATE TO BE DECIDED BY: 02/02/2000

SITE: 21 Elystan Street, London, SW3 3NT

PROPOSAL: Extension of existing restaurant into adjacent covered passage. Alteration to no. of covers only, kitchen facilities unchanged.

ADDRESSES TO BE CONSULTED

- 1. 17 ELYSTAN STREET, SW3
- 2. 19 "
- 3. 23 "
- 4. 25 "

59  
AB  
8/12

55 6. All Pub, MAYLANDS HOUSE, SUTTON STATE, SW3

- 7.
- 8. A11 A12 A21 A22 A31
- 9. A32 A41 A42 CONSEC
- 10. B11 B12 B21 B22 B31
- 11. B32 B41 B42 CONSEC
- 12. C11 C12 C21 C22 C31
- 13. C32 C41 C42 CONSEC
- 14. D11 D21 D22 D31 D32
- 15. D41 D42 CONSEC.

- E11 E12 E21 E22 E31
- CO E32 E41 E42 CONSEC
- HB F11 F12 F21 F22 F31
- HB F32 F41 F42 CONSEC le I or II
- HB G11 G12 G21 G22 G31 on Area
- Dei G32 G41 G42 CONSEC
- 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

X  
AB  
8/12

# DEVELOPMENT CONTROL

## TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

ADDRESS 21 ELYSTAN PLACE STREET.

(6)

21 ELYSTAN STREET

POLLING DISTRICT

UA

PP992471

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

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

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:**

08 DEC 1999

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS TP MRTPI Cert TS



---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

File Copy

2012

0171-361- 2012

Switchboard: 0171-937-5464

Extension:

Direct Line:

Facsimile: 0171-361-3463

Date: 8 December 1999

---

My reference:

Your reference:

Please ask for:

My Ref: DPS/DCSE/PP/99/02471/CT

Planning Information Office

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposed development at: 21 Elystan Street, London, SW3 3NT**

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**

**Extension of existing restaurant into adjacent covered passage. Alteration to no. of covers only, kitchen facilities unchanged.**

**Applicant**

**Thomas Marsterson, Jones Lambell Architecture and Design, Studio 30, 38 Burns Road,  
London  
SW11 5GY**

Yours faithfully,

**M. J. FRENCH**

Executive Director, Planning and Conservation

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### **WHAT MATTERS CAN BE TAKEN INTO ACCOUNT**

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

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

### **WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT**

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

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

### **WHAT HAPPENS TO YOUR LETTER**

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

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

### **WHERE TO SEE THE PLANS**

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

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

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

**PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY**

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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

## MEMORANDUM

TO: FOR FILE USE ONLY

From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION

My Ref: PP/99/02471/CT

CODE SL

Room No:

Date: 8 December 1999

### DEVELOPMENT AT:

21 Elystan Street, London, SW3 3NT

### DEVELOPMENT:

Extension of existing restaurant into adjacent covered passage. Alteration to no. of covers only, kitchen facilities unchanged.

The above development is to be advertised under:-

**NO REQUIREMENT FOR SITE NOTICE/ADVERTISEMENT IN THIS CASE.**

M.J. French

Executive Director, Planning & Conservation  
**SITE NOTICE CRITERIA NOT MATCHED  
CHECK CORRECT CODE IS ENTERED**

**TRANSPORTATION COMMENTS**

<b>TP Number</b> PP/99/2471	<b>Address</b> 21 Elystan Street	<b>Date of Obs</b> 18/1/00	
<b>Description</b> extension to A3			<b>Objection</b> no if conds
<b>File Number</b> TF/202/E	<b>Obs</b> initial	<b>Transportation Officer</b> Gillian Palmer	<b>D C Officer</b> CT
<b>Other information</b>			

10

1. I note that the app refers to the ground floor only. Is the basement or first floor also in restaurant use?
2. they say they have 60 seats and require 70. I assume that the latest pp (1982) did not limit the number of seats. Are they prepared to enter into an agreement or accept conditions along these lines??
3. I note that some residents have complained about noise.
4. there appear to be no issues re public highway, but Steve Lauder to confirm.
5. Please speak further on this one.

- no issues or problems.

- no more than 75 on premises at any one time

Consider 75 people then  
Gillian Happy

C.J.  


## TRANSPORTATION COMMENTS

<b>TP Number</b> PP/99/2471	<b>Address</b> 21 Elystan Street	<b>Date of Obs</b> 25/1/00	
<b>Description</b> extension to A3			<b>Objection</b> no if conds
<b>File Number</b> TF/202/E	<b>Obs</b> further	<b>Transportation Officer</b> Gillian Palmer	<b>D C Officer</b> CT
<b>Other information</b>			



1. Further to the Planners expression of concern re the loss of pedestrian access at this location I would comment that the remainder of the passage under the archway is available to pedestrians.
2. this passageway is of generous width being some 3 metres between the kerbs.
3. at present the access is available only to pedestrians and cyclists as there are bollards to prevent cars etc using the roadway.
4. I would think that the number of peds using the access way is relatively small and could easily be accommodated with any vehicular movements that may in the future take place.
5. in my opinion , there is not a valid transportation reason for refusal.

Phone call 26/1/00

(12)

→ request letter from estate - explain that work only just for emergency access

→ new elevators - need to show the numbers.

DND 26/1/00

"def to free or design grounds"



WILLIAM SUTTON TRUST, SUTTON COURT, TRING, HERTFORDSHIRE, HP23 5BB  
TELEPHONE: 01442 891100 FACSIMILE: 01442 828433



WILLIAM  
SUTTON  
TRUST

11th February, 2000

Mr. C. Turner  
Planning Department  
Royal Borough of Kensington & Chelsea  
Town Hall  
Hornton Street  
London, W8 7NX

Our Ref: CH.102Y.RD.CAG

Dear Mr. Turner,

Planning Application  
19/21 Elystan Street, Chelsea, SW3

RE Acth/CT

I refer to the above application and confirm that the Trust, as freeholders of the property in question, have an interest in the application.

I understand that you have concerns with regard to a reduction in pedestrian access should the application be approved. However I can advise you that the road within the archway is primarily used for pedestrian access at the moment. The road is bollarded preventing use by vehicles at present and could only be used for vehicles if the bollards were collapsed for emergency access, e.g. firebrigade, etc. There is alternative vehicle access to our estate so it seems that occasions when vehicle access will be necessary via this route will be very rare.

In the circumstances I feel that the reduction in the width of the pavement should not cause a reduction in the quality of pedestrian access.

I hope that this clarifies the situation but do not hesitate to contact me should you require any further information.

Yours sincerely

R. Dunn  
Financial Services Manager

RECEIVED BY PLANNING SERVICES									
EX DIR	HDC	N	C	SW	SE	ENF	ACK		
49 16 FEB 2000									
IO	REC	ARB	FWD PLN	CON DES	FEES				



INVESTOR IN PEOPLE

14

17/2

1st Floor  
Empire House, 175 Piccadilly  
Mayfair  
London W1V 9DB

Telephone: 020 7495 6464

Fax: 020 7495 5244  
DX: 44628 Mayfair

F.A.O. Chris Turner  
The Royal Borough of Kensington & Chelsea  
Planning Department  
Kensington Chelsea Town Hall  
Hornton Street  
W8 7NX

P. Patel / CT

BY POST & FAX ON: 0171 361 3463

Our Ref: AP/SE/W004014  
Your Ref:

16th February 2000

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

Dear Sir

Re: 19/21 Elystan Street, Chelsea, London SW3

We act on behalf of Managing Trustees of a charity known as the William Sutton Trust, the Freeholders of the above property.

As you know an application has been made to extend 19/21 Elystan Street into the arch adjacent to 21 Elystan Street. We understand you are in receipt of the necessary application where a query has arisen as regards to impairment of the pedestrian access.

We confirm on behalf of our client trustees, that the proposal does not in any way impair the pedestrian access. The proposal is to extend over the pedestrian area and therefore the "road" which cannot be used by vehicles (because of the bollard) will still be available for pedestrian use.

If you require a site view or further clarification, then please do not hesitate to contact us.

Yours faithfully



AMY & CO.

11:39

R.B. of Kensington & Chelsea

17.Feb.2000

Cabinet PLNCTU

Inbasket

Icon Restaurant 19-21 Elystan

Thursday

From Mehaffy, Keith

Mailed 15.Feb.2000

Opened

Page 1

Line 1

----- Cover Note -----

Chris,

Please find attached a copy of my letter to Mrs Murray in connection with our earlier conversation

I shall speak to the other complainants about the problem and await a response from Mrs Murray.

There appears to be a problem from music on the premises until 01.00 hours, this has not been witnessed to constitute a statutory nuisance, I consider we need to obtain further information and identify the extent of the problem.

I shall keep you updated on any developments

Keith

15

Object has been successfully exported

Command /

Address	Column	Erase	Export	File	Flip	Forward	Info	/
Page	Position	Postpone	Print	Quit	Replies	Reply	Top	Output

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# ENVIRONMENTAL SERVICES

COUNCIL OFFICES PEMBROKE ROAD LONDON W8 6PW

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Executive Director MICHAEL STROUD BSc DipTE CEng FICE FIHT FIMgt

Director of Environmental Health Paul Morse MSc MCIEH

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Mrs Eileen Murray  
19 D Block  
Mayland House  
Sutton Estate  
Elystan Street  
London SW3 3 RA

Switchboard: 0207-937 5464  
Extension: 5702  
Direct Line: 0207-341 5702  
Facsimile: 0207-341 5645/ 5234  
Email: dehkm@rbkc.gov.uk

15<sup>th</sup> February 2000

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

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My reference: d2n/klm

Your reference:

Please ask for: Mr K Mehaffy

Dear Mrs Murray,

**Icon Restaurant 19-21 Elystan Street London SW3**  
**Planning application PP 99/2471**

I have been referred a copy of your objection letter in regard to the above planning application from Mr Turner in the Directorate of Planning. I note from our computer records that this Directorate has received a number of complaints regarding loud music and early morning refuse collections from the premises. The information on the computer indicates that the refuse collection has recently been rescheduled for daytime collection and the loud music has not been witnessed to be a Statutory Nuisance within any of the complainant's premises.

I would be grateful if you could please advise me if you are still being disturbed from the collection of the refuse and advise me of the current level of disturbance you are experiencing from the playing of music within the premises in order that I can identify the appropriate Environmental Health action.

Yours sincerely,

**Mr K Mehaffy**  
**Senior Environmental Health Officer**  
**Noise and Nuisance Team**

**cc. Mr Turner Directorate of Planning**

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## Memorandum

### The Royal Borough of Kensington and Chelsea - Planning Services

To: PRINCIPAL ADMINISTRATIVE OFFICER From: EXECUTIVE DIRECTOR,  
PLANNING & CONSERVATION

Ext. 2004 Room 324A

cc: CHIEF EXECUTIVE & TOWN CLERK (Attention Daniel Collinge) Date: 8<sup>th</sup> March, 2000

#### PLANNING SERVICES COMMITTEE: 7<sup>th</sup> March, 2000

Please note the following amendments, which were approved by the Planning Services Committee in making its decisions, in addition to those in the Addendum Report circulated and approved at the meeting.

#### NORTH

99/2279 299 Portobello Road,  
37 W10

#### Amended Condition

Add to condition No. 5:

".....and the equipment shall be regularly maintained in accordance with the manufacturers instructions, and shall be serviced no less than as required."

#### CENTRAL

00/0182 Land at junction of,  
2024 Wrights Lane and  
Kensington High Street,  
W8

#### Amended Condition

Add to Condition 1:

"and brought into operation" between  
"provided" and "prior".

18

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SOUTH-WEST

99/2359 6027	70 Cale Street, SW3	<u>Deferred</u>
99/2360 6028	70 Cale Street, SW3	<u>Deferred</u>
99/2134 6029	70 Cale Street, SW3	<u>Deferred</u>
99/2430 6030	Chelsea Farmers' Market, Sydney Street, SW3	<u>Refused</u> Reasons to follow

---

SOUTH-EAST

99/2471  
4031

21 Elystan Street,  
SW3

Additional Informative

6. The passageway to the North of the restaurant shall be adequately lit at all times.

R.B.K.C.  
APPROVED BY  
THE COUNCIL ON

7 MAR 2000

CA/99/1858  
4035

117A - 122 Queen's Gate,  
39/49 Harrington Road and  
2 Reece Mews, SW7

Withdrawn

99/1672  
4037

Knightsbridge Station,  
Brompton Road,  
SW3

Deferred  
For further information

99/1671  
4038

83/85 Brompton Road,  
SW3

Deferred  
For further information

19

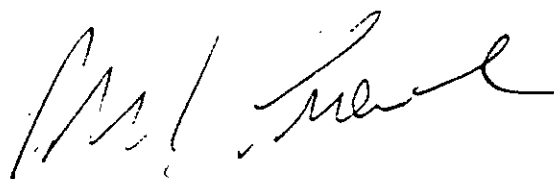
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A2

227 Brompton Road,  
SW3

Amended Compliance Period  
Four months.

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MICHAEL J. FRENCH,  
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION.



20

RBKC  
District Plan Observations  
CONSERVATION AND DESIGN

Address	Appl. No.	L.B.	C.A.	N
21 Elystan Street, SW3	99/2471/CT.			C S ✓
Description	Code			
New shopfront and extension to side passage.	P.			

Principle - acceptable.

Detail - Shopfront should match adjacent  
- extension should be in keeping with the building  
- the works proposed will not unduly harm the character of the building or surrounding area.

Recommendation - approve

Conditions

C68

671.



# INFORMATION REQUEST FORM

## Planning Services to Environmental Health

21

**To:** Paul Morse - Director of Environmental Health

**Planning Reference No.:** PP 99/2471

**Planning Case Officer:** L. TURNER

(This document sent by SCOBY)

**Summary of Proposal:**

**Policy Issue/Subject of Advice**

(key Features)(Uses,Scale etc.)(Main Issues/Problems).

**Address/Issue**

21 ELYSTAN STREET -  
NOISE FROM REFUSE  
COLLECTION

RESTAURANT EXTENSION.  
ALLEGED NOISE FROM EXISTING  
RESTAURANT.

**Schedule of Attachments:**

Specifications: LETTER  
Drawings: \_\_\_\_\_  
Supporting Info: \_\_\_\_\_  
Draft Text etc: \_\_\_\_\_

**Schedule of Key Dates:**

1. Case initiated/<sup>letter</sup>Application received: 200100  
4. Information required by: 080200  
2. Sent by Planning Services: 210100  
5. Returned by Environmental Health: \_\_\_\_\_  
3. Entered on EHIS: \_\_\_\_\_

**Purpose/Status of Request:**

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Planning Application | <input type="checkbox"/> Planning Appeal   | <input type="checkbox"/> Planning Brief   |
| <input type="checkbox"/> Planning Issues paper           | <input type="checkbox"/> Planning Guidance | <input type="checkbox"/> UDP Consultation |
| <input type="checkbox"/> Impact Assessment               | <input type="checkbox"/> General Advice    | <input type="checkbox"/> Other            |

**Nature of Request in brief:**

Could the points raised in the attached letter of objection to a planning application be investigated please

**Previous Planning History:**

Pp for A3 use granted in 1982.

Need for telephone discussion of background

**Essentials of relevant UDP or other Policy:**

Support the proposed restaurant extension.

Need for telephone discussion of background

**Specific Issues for Environmental Health Comment**

- |  |  |                                      |                                |
|--|--|--------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> Food               | <input type="checkbox"/> Health and Safety | <input type="checkbox"/> HMO's       | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Noise and Nuisance | <input type="checkbox"/> Contaminated Land | <input type="checkbox"/> Air Quality |                                |

**E.H. Response:** (Continue on reverse if necessary)

**EHIS Reference No.:**

**E.H. Case officer(s) and telephone number(s):**

TO ENVIRONMENTAL HEALTH TO PLANNING SERVICES TO ENVIRONMENTAL HEALTH TO PLANNING SERVICES TO...

Keith McHaffey  
dealing with  
this

22

- records suggest  
bird none main  
problem - but this  
was sorted out one  
time ago - A lines

JONES LAMBELL  
 ARCHITECTURE & DESIGN LTD.  
 STUDIO 30, THE OLD LATCHMERE SCHOOL  
 38 BURNS ROAD  
 LONDON, SW11 5GY  
 Tel: 0171-001 0822 Fax: 0171-223 3713  
 PP 992471

23

No. Revision Date

APPROVED  
 10/3/00  
 - 7 MAR 2000



01 VIEW FROM ELYSTAN ST.  
 002 -



02 VIEW FROM REAR  
 002 -

RESTAURANT AT  
 GROUND FLOOR  
 OF NO.21 ELYSTAN  
 ST.

JLAD Project		
ICON RESTAURANT		
JLAD Drawing Title		
PHOTOGRAPHS FROM FRONT & REAR OF BUILDING		
Scale -	Date 3.11.99	Dwn TWM
Drawing No. 002 /	Rev.	
CAD Ref.		