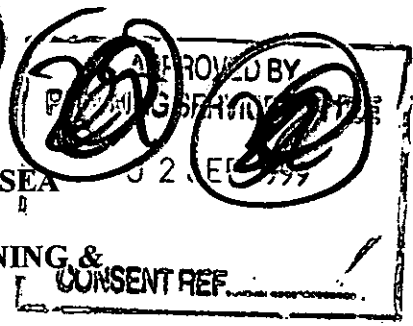


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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 02/09/1999 APP NO. PP/99/00723/MNW/25
AGENDA ITEM NO. 6131

ADDRESS

273 King's Road, Chelsea,
SW3 5EN

RECOMMENDATION
ADOPTED.

APPLICATION DATED 08/04/1999

APPLICATION COMPLETE 13/04/1999

APPLICATION REVISED 21/06/1999

APPLICANT/AGENT ADDRESS:

V. Pascale & R.
Galloppa,
273 King's Road,
Chelsea,
London
SW3 5EN

CONSERVATION AREA Cheyne

CAPS Yes

ARTICLE '4' No

WARD Cheyne

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 14

OBJECTIONS 2

SUPPORT 0

PETITION 0

Applicant V. Pascale & R. Galloppa

PROPOSAL:

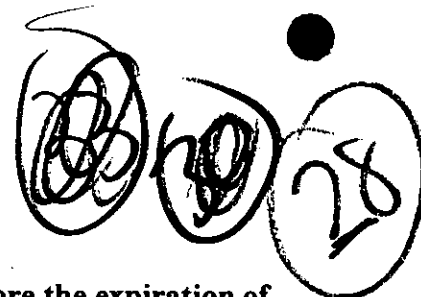
Installation of shopfront.

RBK&C Drawing No(s): PP/99/00723 and PP/99/00723/B

Applicant's Drawing(s) No(s): 01/A and 2

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:



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 development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
3. **No loudspeakers or relay equipment, or musical instruments, shall be used on the premises in such a manner as to cause noise nuisance to occupants of neighbouring property. (C049)**
Reason - To safeguard the amenity of neighbouring property. (R048)
4. **The colour of the shopfront and means of coating of the aluminium door frames hereby approved shall be submitted to and approved in writing by the Executive Director, Planning and Conservation. The approved details shall be implemented as part of the development hereby approved and so maintained.**
Reason: To ensure the satisfactory appearance of the development.
5. **Notwithstanding the detail shown on the approved plan, the central entrance door to the shopfront hereby approved shall have a clearance of 800mm and shall be so maintained.**
Reason: To ensure satisfactory access for wheelchair users.
6. **Prior to the start of works and thereafter at all times, a portable ramp shall be kept on the property and made available when required, to a design that will allow satisfactory access for wheelchair users into the property.**
Reason: To allow satisfactory access for wheelchair users.
7. **The brass rails, as shown on the approved drawings, shall be installed and maintained as indicated.**
Reason - To prevent the spillage of tables, chairs and customers onto the public highway.

INFORMATIVES

(B) (2) (29)

- 1. I05
- 2. I09
- 3. I10
- 4. I21
- 5. I30
- 6. I25
- 7. I26

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1.0 THE SITE

- 1.1 No. 273 King's Road is a five storey property located within a commercial parade on the south side of the road close to the junction with Old Church Street.
- 1.2 The property is unlisted, but is located in the Cheyne Conservation Area.
- 1.3 The property is used as a restaurant.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the installation of a new shopfront.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Planning permission was refused in May 1970 for an extension to the property.
- 3.2 Planning permission was granted in June 1970 for an extension to the property.
- 3.3 Planning permissions have been granted in May 1971, July 1973 and December 1988 for the installation of new shopfronts.
- 3.4 Planning permission was granted in November 1994 for the retention of air extract and ducting equipment at first floor level.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration are the impact of the proposal on the appearance of the property, on the character and appearance of the Conservation Area, and on the amenities of neighbouring occupiers.
- 4.2 Policies CD48, CD52 and CD53 of the Unitary Development Plan aim to ensure that any development within a Conservation Area preserves or enhances the character and appearance of that Area.
- 4.3 Policy CD63 of the Unitary Development Plan seeks to ensure that all new shopfronts respect the building's original structural framework.
- 4.4 Policy CD65 resists open shopfronts.
- 4.5 The existing shopfront has a centrally located glazed entrance door with

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glazing to either side to floor level. The full width fascia sign is deep, extending to a line below the corbel brackets on the side pilasters. The overall impression is of a shopfront with some original features but that is somewhat top-heavy in appearance.

- 4.6 The proposed shopfront will have two sets of aluminium framed opening doors on either side of a central entrance door. These will have arched heads with high transoms. Brass railings will be affixed to prevent access onto the pavement. The fascia sign will be reduced in depth to match those on the neighbouring properties.
- 4.7 The Conservation and Design Officer considers that the proposed shopfront is attractive and elegant, with proportions that are appropriate to the existing framework. No objections are raised.
- 4.8 Opening shopfronts are normally resisted. However, the proposed shopfront will have deep fixed transom lights, combined with two slim pilasters either side of the central door. Consequently, it is considered that even if all doors are open, the shopfront will not create a visual break in the commercial frontage of this parade that would detract from the streetscene. The proposal is therefore not considered to detract from the objectives of Policy CD65.
- 4.9 There is no private forecourt to the property next to the pavement. Tables could not be set out on the pavement without consent under the Highways Acts or further planning permission. An informative can be attached to indicate that setting-out of tables is not permissible. Given that this property is located on a busy junction with a high ambient noise level from traffic, it is not considered that any increase in potential for noise emanation from the proposed opening shopfront will be significant, although a condition can be attached to ensure no noise disturbance from music within the property.
- 4.10 The entrance to the property has a low step of 100mm. To ensure satisfactory access to the property for wheelchair users, a condition can be attached to require the provision of a portable ramp available for use at all times.
- 4.11 It is considered that the proposed shopfront will improve the appearance of both this property and the character and appearance of the Conservation Area. The proposal is not considered to cause harm to residential amenity. The proposal is considered to comply with Policies CD48, CD52, CD53 CD63, and CD65.

5.0 PUBLIC CONSULTATION

- 5.1 Occupiers of eleven properties on King's Road were notified of the proposal.
- 5.2 To date, two letters of objection have been received, raising the following concerns:

5.2.1 The opening shopfront could result in noise disturbance for neighbouring occupiers, particularly in Carlyle Square, from the use of tables on the pavement and the spilling-out of visitors, and from music from within the property.

As discussed in paragraph 4.7 above, the approval of permission for this shopfront would not permit the setting-out of tables on the pavement in front of the property. With appropriate conditions, the proposal is not considered to result in a potential for increased noise disturbance.

5.2.2 The opening shopfront could allow for the setting-out of tables on the pavement with a potential for obstructing pedestrian flows, with a concurrent negative impact on ease of access to the commercial properties on either side.

Since the time of submission of this objection letter, the application has been amended by the provision of brass railings across each of the opening side doors to prevent access onto the pavement. Consequently, the proposed shopfront is not considered to result in an obstruction to pedestrian flows.

6.0 RECOMMENDATION

6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/99/00723 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: NB
Report Approved By: PK/LAWJ
Date Report Approved: 30/07/1999

PSC:99:09:Rep.NB

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ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

PLANNING SERVICES COMMITTEE 2 SEPTEMBER 1999

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The Planning Services Committee is asked to note and agree the following amendments to the Committee reports for the **SOUTH WEST** area.

AGENDA ITEM 6131
99/0723 273 King's Road, SW3
Condition 4, insert "prior to the commencement of the development" after "Executive Director, Planning and Conservation"

AGENDA ITEM 6132 Former South Kensington Squash Club, 142 Drayton Gardens, SW10
99/1077 11 letters from objectors re-iterating objections to the latest revised plans. These concerns are already addressed in the report.

AGENDA ITEM 6135 59/79 Cromwell Road, SW7
98/2229 Reword Condition 2:
"No person other than residents of the building at 59/79 Cromwell Road shall be permitted to use the gymnasium and seminar facilities".