

## **PLANNING APPLICATION PUBLIC COMMENT**

Application number: PP/17/01637  
Site Address: Site A (Portobello Green Arcade), Site C (Acklam Car Park) and Site D (Acklam Village), LONDON, W10 5TZ  
Proposal: Mixed use development under and next to the Westway flyover to provide new arts, culture, enterprise, retail and affordable housing development, including:  
Site A - refurbishment (including demolition) at for shops use Classes A1 and A3, and/or Class B1 business use; demolition of building accommodating market storage and outdoor advertising board,  
Site C - erection of 4 storey building for Class A1 shops use and 13 x Class C3 dwelling houses, including change of use of private car park;  
Site D - for Class A1 shops and/or Class B1 business use, and/or Class D1 non-residential institutions use; Class A4 drinking establishments and/or Class D1 non-residential institutions use, market facilities and associated new access from Acklam Road; public realm works, including demolition of existing planters and hoarding; retained use of public realm for market stalls and tables and chairs; new cycle parking; and other associated works (Major Development)

**Comment received:** The Air Quality Assessment has assumed that local regulations are directed toward the prevention of negative impacts of proposed developments, and has not accounted for all the regulations set out in the Consolidated Local Plan (2015), which additionally recognise the need for amelioration of existing threats at the Westway site. Policy CP8 Westway stipulates:

The Council will ensure the negative impacts of the Westway are ameliorated by requiring development to include appropriate measures to improve the quality of the environment.

(CLP pg. 63)

(1) There is no reference to policy CP8 in the Air Quality Assessment. However the National Planning Policy Framework (2012) requires that: 'Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan' (para 124 pg 30). This application is therefore in breach of both the NPPF and the Local Plan in its disregard for policy CP8 Westway.

(2) Policy CP8 requires that ALL developments in the Westway area should include measures to ameliorate the effects of the ALREADY EXISTING 'poor' air quality. No specific measures are included at sites A or D.

(3) The Air Quality Assessment assumes that only at site C (the flats) will produce 'long term exposure' to pollutants. However, this overlooks the fact that traders on the Portobello have in some cases life-long pitches. Therefore the health and safety of traders and not only residents should be considered when assessing human health impacts of working in the area.

(4) The Air Quality Assessment is overdependent on readings from the site at Sion Manning, which is not directly under the Westway, to make statements about exceedences and tolerances. WW Trust are in possession of monitoring equipment and data that has not been employed in this report, so can not argue that this oversight is inevitable because the data don't exist. The data do exist and are in WW Trust's possession, and should be included in any plan for WW development in order that it can comply with policy CP8.

The planning authority should reject the scheme until it complies fully with policy CP8 Westway.

Policy CO5 on the CLP requires 'inclusivity' be marker of 'Renewing the Legacy':

CO 5 Strategic objective for Renewing the Legacy

Our strategic objective to renew the legacy is not simply to ensure no diminution in the excellence we have inherited, but to pass to the next generation a borough that is better than today, of the highest quality and inclusive for all, by taking great care to maintain, conserve and enhance the glorious built heritage we have inherited and to ensure that where new development takes place it enhances the borough.

In accordance with this, the planning authority should have as a condition a management plan for the market area that:

- (1) preserves the flea market area that adds to the mix of stalls on Portobello
- (2) recognises that provisions for local people are a key component of the market and resist a wholly tourist directed market.

This would also enable the development more clearly to comply with policy CO1 which requires that development enables the flourishing of resident, rather than tourist, communities:

CO 1 Strategic objective for Keeping Life Local

Our strategic objective to keep life local is for strong, effective local centres, for social and community facilities to be widely available, and for neighbourhood functions, including neighbourhood shopping facilities, to be easily accessible, so that residential communities can flourish

Therefore, a specific condition for the development should include a rigorous management and access plan to the arts and cultural space, with a designated percentage of access given to local promoters, producers, and artists. The management plan should:

- (a) ensure that the arts and cultural space is available and inclusive to all residents
- (b) primarily serve resident communities in its management and output

Therefore the planning authority should set as conditions specific management plans that ensure that the development complies with policies CO1 and CO5

In order to comply with the spirit and not only the letter of policy CO6 Diversity of Housing, the planning authority should consider and apply a measure of 'affordability' that takes into account:

- (a) the relative unaffordability of 'affordable' houses to residents on nationally average wage or below
- (b) the over provision of 'luxury' and high end rents in the area relative to low cost or social housing
- (c) the national average house price versus the area's average

The planning authority should also consider the overall affordability of this scheme to the applicant. The applicant, WW Trust, holds community land in Trust which is supposed to compensate the community for the insult to their health and well being that arises from having a motorway bulldozed through their area. The WWTrust will be significantly exposed by this scheme, and will not be able to continue to function if the scheme is not a significant financial success. This means that the Trust will have a conflict of interest as a result of financing this scheme and that conflict will be between the need for it to be financially successful vs the Trust's role to provide low cost access to land and facilities for the WHOLE community. How can it continue to protect the rights of poorer communities to its land and facilities where it is required to make a substantial profit just to service the loan for this scheme? Inevitably this means that key objectives of the local plan will be sacrificed (those that pertain to keeping life local, to promoting vitality and the 'fine grained mix' of the area, that require accessibility in an area that is largely inaccessible in financial terms to those on average or below incomes). The planning authority should assess from perspective the promises offered by the developers about the protection of local and community interests in the context of a substantial financial exposure to fund this scheme.

Sent by:

Eve Wedderburn

335 Westbourne Park Road

London  
W11 1EG

Date of Comment:

14/04/2017 16:57:08

Comment type:

Objection