

Consultee comment	Council Response
<p>I am keen for the Latimer Road Design Code to be agreed and put in place following the current consultation. However, I have been asked questions by several residents in North Kensington regarding the consultation which I cannot answer. One of the main things that they want to comment on, as expected, is the suggested height and number of storeys of the buildings. In previous communications, and at Design Code meetings, it has been made clear to me that this is 'non-negotiable'. However, in an RBKC Planning Applications Committee meeting on 16th March 2021, your colleague Derek Taylor shut down discussion on concerns of the incremental height development of Unit 1 possibly creating a precedent for building heights in Latimer Road with the words that the Design Code 'could eventually agree three storeys as the typical form for Latimer Road'. This implies that the suggested heights in the Design Code consultation are still negotiable. Please could you let me know how responses to the consultation will be assessed.</p> <p>Like many residents, I have taken part in numerous consultations in which my comments have been noted and then ignored. What are the parameters for this consultation, and how will majority responses be accommodated into the final Design Code?</p> <p>With many thanks for your time,</p> <p>----- ADDITIONAL RESPONSES-----</p> <p>I think it would be great to have a Design Code for Latimer Road. The 14 units will be developed at different times by different developers, and communication with residents in the past has been extremely poor regarding Planning Applications. As a result, general support or objections to plans have not been provided by residents as it is hard to keep up with disparate applications which are rarely advertised beyond the bare national minimum (letters to neighbouring premises either side only).</p> <p>However, I take issue with some of the contents of the draft design code, and would like to see them addressed in the final plan.</p> <p>Height and footprint:</p> <p>Little consideration has been taken of RBKC's own feasibility study, which shows that profit can be made on future developments without building to maximum height or width. The idea that post-pandemic, developers should be entitled to maximise their gains at the cost to current residents and businesses because their investment may have reduced profits is illogical. All businesses have taken a hit, no-one is entitled to guaranteed gains on any site in London. The heights do not take into account the existing homes opposite, nor the nature of the Employment Zone which promoted local and creative businesses. They reduce sky vistas and duration of daylight for many residents. Three storeys with a setback fourth would be most desirable of the options outlined.</p> <p>The materials:</p> <p>I have no strong preference for materials. It would be ideal if some of the units were developed by young (possibly local) architectural or design practices. Where this has been done elsewhere, creative uses of space result in buildings becoming destination sites, both for residential and commercial use. If the planned Westway Community Street leads people to Latimer Road, it would be great if it was an interesting destination, not a soulless frontage of faux-industrial flats. I have a worry that it may be a repeat of developments such as the Grand Union development of flats with shop frontages that were hard to lease even prior to the pandemic. The commercial units become an afterthought to the residential areas, and this road will lose its rare creative and small business potential.</p> <p>The consultation:</p> <p>Contrary to RBKC's constitution, it has failed to effectively connect with local residents. Initial meetings of the Draft Design Code Committee did not include a single resident of Latimer Road. No information was disseminated about this consultation by RBKC to residents and businesses in Latimer Road, and it was not advertised anywhere. I was told that this was presumed to be the role of the newly-formed LRPG. This is at odds with eg a consultation in St Helens where residents recently received leaflets through their door regarding a consultation on traffic calming measures, despite the fact that the area is covered by the SHRA. There were no workshops, dedicated Zoom meetings etc so far involving the wider community.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>In relation to your query on whether the building heights are negotiable, the first point to make is that the Design Code is a guidance document and cannot prevent developers submitting a Planning Application for proposals beyond the heights recommended in the document. The draft Design Code recommends two building heights. The first is 4 storeys, which is based on an independent sunlight/daylight assessment (undertaken by request of a local resident), which indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. The second recommended height is 5 storeys, which is based on the results in the sunlight/daylight study showing that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. Therefore, the draft Design Code cannot prescribe that building heights should be below 4 storeys as this would contradict the evidence base. What is 'negotiable' is how the draft Design Code can be used to drive up the quality of the design proposals that may come forward from developers through providing guidance on architectural elements such as materials, elevational treatment, built form etc.</p> <p>I can assure you that comments will absolutely be taken on board and we are genuinely consulting with stakeholders with a view to ensuring that any development that comes forward is of the highest quality. However, I'm sure you will appreciate that local residents are not the only stakeholders involved and that all comments will need to be taken on board to provide a balanced and robust document. I would also note that we have been transparent throughout the whole process with all stakeholders, and amended the draft design code to take on board several comments from residents during the workshops last year before it went to consultation.</p> <p>----- ADDITIONAL RESPONSES-----</p> <p>Height and footprint: We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p> <p>The materials: Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. We agree that it would be great if Latimer Road became an interesting destination for both commercial and residential uses. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p> <p>The consultation: In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. The very first consultation meeting that took place on Latimer Road on 7th August 2020 had several residents of Latimer Road present. Subsequent to this, members of the community were invited to engage in the process and inform the draft Design Code at a series of online workshops that took place via Microsoft Teams between August 2020 and January 2021. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community and resident of Latimer Road. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code.</p>
<p>This plan looks carefully prepared and well thought through. I hope The Playground Theatre can continue in its present, or improved, location as it is a much appreciated social high spot in an otherwise cultural desert. Walking there from the other section of what was Latimer Road, under the Westway, past the Sports Centre, is not a pleasant experience and I hope equally considered thought and attention can be given to improving this access route for pedestrians and cyclists..</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>Hope also hope that The Playground Theatre can continue in its present location, or in an improved redeveloped building that incorporates the design guidance in the draft Design Code. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses such as The Playground Theatre).</p> <p>The guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the areas located outside of their boundary lines. We are hoping to follow up with further work that addresses the wider context, but have started with a Design Code for units 1-14 Latimer Road as a priority, due to the applications we are receiving for these units.</p>

VOLUME OF TEXT EXCEED- DOCUMENTS ATTACHED.

Please find attached our responses to the the two recent consultations on Latimer Road. Both of these were discussed at our AGM on May 13th, at which we used Zoom polls to capture views from the 60 or so people logged into the meeting (and who chose to vote). These results are included in the attached.

This does not mean that these are a fully representative sample of opinion for our 380 members, but I hope they will provide you with some feedback.

On the Design Code we have responded at some length, and have tried to strike a balance between the strong views of a number of residents in the street and those in the wider neighbourhood, If you look back at the Consultation Statement on the StQW Neighbourhood Plan (as submitted to RBKC in May 2015) you will find pretty much the same conflicting views on what should happen in the street. Not a lot of change in the individuals expressing these views, on either side of the debate, in the past 6 years.

Not a lot of change in the street either. We hope the Design Code will help to bring forward more housing in Latimer Road, an aim that we share with the Council.

We have not seen other responses to these consultations. Will they be published on the RBKC website (as used to happen with responses to e.g. Issues and Options consultations?)

Best wishes,

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each or your points below, in the order set out in your comments.

Underpass between Latimer Road and Wood Lane:

While we acknowledge that the question of what will happen to the underpass has implications for the future of Latimer Road, we note that these comments do not relate to the draft Design Code that has been consulted on. The guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the areas located outside of their boundary lines. We are hoping to follow up with further work that addresses the wider context, but have started with a Design Code for units 1-14 Latimer Road as a priority, due to the applications we are receiving for these units.

The Draft Design Code:

We note that results of the poll related to the draft Design Code and acknowledge that the poll results should not be assumed to reflect the view of all 380 members of the St Quintin and Woodlands Neighbourhood Forum.

Building heights:

We acknowledge the wording in StQWNP Policy LR5 on " the original urban form of the street to allow increased building heights on the western side of Latimer Road subject to - consideration of heights of nearby buildings which range from four storey at the southern end to two storey at the northern end and taking account of building heights in LBHF." We note that this wording would be taken into account in decisions on planning applications for units 1-14 Latimer Road. We also note that the draft Design Code currently takes into account the building heights of neighbouring properties and prescribes development heights (and setbacks) to units 1-14 Latimer Road, that sensitively response to context.

We acknowledge the 60% majority view from your poll on whether proposals with four storeys and a set back fifth would be too high for the street. We note that The independent daylight and sunlight study that was commissioned indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. This is why the draft Design Code has prescribed that applicants coming forward with proposals for 5 storey should supplement their applications with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. We also acknowledge that the Forum's management committee supports the prescription of a four storey plus a setback fifth within the draft Design Code (subject to viability), provided an application is accompanied by a daylight/sunlight study evidencing that there would be no adverse impacts of sunlight/daylight to neighbouring properties.

We note you believe that the 14.3 metre maximum height prescribed in the draft Design Code is a reasonable height parameter to set.

Gaps between redeveloped buildings:

We note your support of the prescription of gaps between units in section 4.14 of the draft Design Code.

Design of facades:

We note your support of the prescription of a e 'unifying principle' and section of the Design Code, at this time.

Design of facades:

We note your support of a unifying principle to the elevational designs of the units as prescribed in the draft Design Code. In intension of this section of the code is not to achieve 14 identical units, but to ensure that there are principles that will bring a sense of cohesion between the units and also in the overall street scene. The draft Code currently shows flexibility in terms of how these principles might be achieved. For example, while brick is prescribed as an appropriate material for the middle sections of building, the draft Design Code does not go as far as prescribing the type of brick that should be used, nor the brick bond, colour, pointing technique, mortar colour etc...

Choice of materials:

We note your support of the prescription of brick as a primary material in redevelopment schemes. We agree that materials used in other 'zones' should pay some heed to the appearance of other buildings in the street and expect that proposals coming forward should be contextually appropriate.

Other design issues:

We note your support for t the introduction of a Code as a way of improving the design quality of building in the street. We believe that high quality redevelopments can act as a catalyst for positive change on the street and in the wider area.

We note your concerns on the viability of the street as a commercial and employment location. We have undertaken independent professional viability analysis, which at a high level, indicates that the number of floors prescribed in the draft Design Code would be viable. The purpose of the viability report is to ensure that the general approach in the Design Code would not stop development coming forward, and we satisfied that the report demonstrates this sufficiently.

The draft Design Code does not place significant restrictions on how proposals are planned (including the internal layout of floorspace). The guidance provides a range of principles that aim to encourage high level design and avoid piecemeal development. While we appreciate that the guidance may have implications on the internal layouts, the draft Design Code does not give specific guidance on internal layouts and is suitably flexible in this regard. We do not believe that draft Design Code will deter building owners/developers from coming forward with proposals, but will give greater certainty on what would be acceptable.

We note the aspects of the draft Design Code that you see as having potential adverse impacts on viability.

The draft Design Code prescribes sperate entrances and servicing cores of commercial and residential accommodation to clearly distinguish between the uses to provide legibility.

The draft Design Code currently prescribes that the set back storeys between units on the secondary frontage should join at the party wall. A gap between units to the roof storeys at the secondary elevations is prescribed to further break down the massing and avoid monolithic development.

The draft Design Code prescribes that balconies are not positioned on the primary elevations to avoid issues with privacy/overlooking of the residential properties on the east side of the street and also to avoid clutter on the elevations. We note that this could result in units with no external amenity space and have therefore amended sections 3.3.15 and 3.5.2 of the draft Design Code to clarify that balconies will be acceptable on the secondary elevations fronting Latimer Road where the distance between the buildings on the opposite side of the street is increase. However, balconies here should not project beyond the building line to avoid cluttering the elevations.

Section 4.3.11 of the draft Design Code notes that "The Base Zone should be characterised as visually transparent." This means that the ratio of opening should be greater than the solid elements of this zone. this is to encourage active frontages and an active relationship with the street, as mentioned in section 3.3.9 of the draft Design Code.

Looking to the long-term future of Latimer Road:

We note the comments on the range of views on the redevelopment of units 1-14 Latimer Road. While a number of local residents are apposed to any development or feel that the guidance on heights in the draft Design Code is too high, a number of unit owners and developers feel that the guidance on heights does not provide enough height for schemes that will be viable. We believe that the draft Design Code carefully balances the interests of all stakeholders, to prescribe guidance on development that will sensitively consider the context of neighbouring properties as well as deliver proposals that will be viable.

<p>Thank you for this recent consultation. I can confirm that the Canal & River Trust have no comments to make on the proposals, given the distance from the Grand Union Canal.</p> <p>Please feel free to contact me if you have any further queries.</p>	<p>Many thanks for confirming.</p> <p>Yours sincerely,</p> <p>Growth and Delivery team, RBKC.</p>
<p>Re: Proposed Extension of the Oxford Gardens - St Quintin Conservation Area and Units 1-14 Latimer Road Design Code Draft Supplementary Planning Document (March 2021)</p> <p>Thank you for the opportunity to provide comments on the Proposed Extension of the Oxford Gardens - St Quintin Conservation Area and Units 1-14 Latimer Road Design Code Draft Supplementary Planning Document (SPD). As the Government's adviser on the historic environment, Historic England is keen to ensure that the conservation and enhancement of the historic environment is fully taken into account at all stages and levels of the Local Plan process. Accordingly, we have reviewed these consultations in the context of the National Planning Policy Framework (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.</p> <p>With regard to the proposed extension of the Oxford Gardens - St Quintin Conservation Area, we note that the Council have carefully considered the character of the area. The detailed analysis illustrates why the extension of this conservation area is justified. It also illustrates that some of the buildings have been subject to small scale alterations that have detracted from their historic appearance and that of the area. To that end Historic England would encourage the Council to consider what management measures should be implemented to sustain and enhance the area's special character going forwards.</p> <p>Historic England welcomes the draft Units 1-14 Latimer Road Design Code SPD. While the buildings affected are of little architectural or historic merit, this is clearly a thoughtful piece of work, that sets out a clear and well evidenced approach to the development of these sites and we consider that this could provide a useful template for other design codes within the borough. If there is an opportunity to further refine this document it would be worthwhile considering what, if anything, is unique or considered special by local residents which could be reflected in the design of the new buildings. Likewise, while thought has clearly been given to the horizontal arrangement of buildings (see diagram 4.2), it would be possible to offer further guidance to the vertical emphasis of future facades. This could help new buildings respond positively to the rhythm of the historic buildings on the other side of the street.</p> <p>Please note that these comments do not relate to archaeology, advice on which is provided by the Greater London Archaeological Advisory Service.</p> <p>Finally I must note that this opinion is based on the information provided by you and for the avoidance of doubt does not take precedence over our obligation to advise you on, and potentially object to development proposals which may subsequently arise from this SPD or in this conservation area and which may have adverse effects on the historic environment.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>We note your comments related to the consultation of the Oxford Gardens - St Quintin Conservation Area and will consider what management measures should be implemented to sustain and enhance the area's special character going forwards.</p> <p>We have updated section 1.5.1 to note the more recent creative history of Latimer Road. We have also updated section 4.2.3 to note that creative commercial uses are encouraged, in line with the St. Quintin's and Woodlands Neighbourhood Plan Policy LR3.</p> <p>We have updated the 'Frontage and elevational principles' section to include section 4.2.7 which notes that proposed elevations to Latimer Road should acknowledge and respond to the grain of existing residential properties on the east side of the street, where each property is typically 4 to 5 metres wide. This should be achieved through breaking down the proposed elevation into vertical sections of a similar width.</p>
<p>The following response relates to RBKC's Consultation on Units 1-14 Latimer Road Design Code Draft Supplementary Planning Document (the 'Condoc') which closes on 19 May 2021.</p> <p>Disclosure of personal interests</p> <p>I own a property in Snarsgate Street, which lies adjacent to Latimer Road.</p> <p>Background</p> <p>In my view, the high-level impact of the Condoc on key stakeholders can be summarised, as follows:</p> <ul style="list-style-type: none"> • the commercial objectives of the unit owners would be met; • the wider objectives of local and national government to intensify use of land would be met; but • occupiers of residential properties directly opposite the units would experience a significant sense of enclosure; and • occupiers of properties in the adjacent area (such as myself in Snarsgate Street) would be negatively impacted by a significant increase in pressure on limited residents parking (from 75 additional households). <p>Objections</p> <p>Striking the appropriate balance between the conflicting objectives of different stakeholders is paramount. As it stands, I do not consider the Condoc strikes the appropriate balance. I should be grateful if you would note my objections to the Condoc. My objections are two-fold, as explained below.</p> <p>1) Preservation of living conditions of occupants of residential properties directly opposite the units i.e. those on west side of Latimer Road</p> <p>(Policy CL1 Context and Character) (Policy CL12 Building Heights) (Policy CL5 Living Conditions)</p> <p>In my view, the Condoc gives insufficient consideration to the enormous sense of enclosure which would result from redeveloping the units in the way envisaged by</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. Furthermore, section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that there are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>We believe that the draft Design Code carefully balances the interests of all stakeholders.</p> <p>1) See comments above on sense of enclosure.</p> <p>2) See comments above on traffic.</p>

the Condoc. I understand that the Condoc has sought to ensure that any sense of enclosure from diminished rights of light does not arise. However, a sense of enclosure also arises from the visual impact of massing.

Considering the different needs of stakeholders, the viability of redevelopment, the height of existing units and height of the original homes which were built on the site of the units (being built at the same time as the current homes on the eastern side of Latimer Road), I reach the conclusion that the redeveloped units should be a maximum of 3-storeys. This represents a significant intensity in land use and retains a sense of the C19 character of location (which affords a measured sense of enclosure).

2) Harmful increase in traffic and congestion

The Condoc envisages delivering 75 additional households. This would potentially place an unmanageable demand on on-street parking (Policy CT1). I therefore propose that the redeveloped units must deliver parking spaces at lower ground level to preserve the parking conditions currently enjoyed by existing occupiers in the area adjacent to the units.

Thank you for the opportunity to contribute to this Condoc.

Kind regards

Latimer Road has a very special quality quite separate from the streets to the north and east of it. The combination of workers' cottages, modest two-storey Victorian houses, and two-storey light industrial and creative industry workspaces create a positive and self-supportive neighbourhood that is quite fragile.

Some of the recent planning applications have caused huge alarm for those who actually live there. They fear that changing the DNA of the area will disrupt the creative businesses that were drawn there, by the qualities that RBKC now seems determined to destroy by introducing up to five-storey buildings with private residential homes and small unit office spaces at ground level.

Frankly the appearance of the future buildings in this case is of secondary importance to the height that developers seem so keen to attain, that would overshadow the street and steal priceless views of skies and sunsets from long-term residents, handing them over to new private tenants. The proposal to somehow replicate Disneyfied copies of warehouse-looking buildings is unworthy and not a good replacement for what is there now - modest light industrial buildings with spectacular views of the sunset and unparalleled light levels.

I understand some resident groups will be undertaking the gruelling work of paragraph by paragraph analysis, and I will leave it to them. But once again I would like to remind the Council that the post-Grenfell commitment to co-design and consultation, via numerous new policies and in particular the Statement of Community Involvement in Planning - mean precisely nothing unless they are implemented.

I understand that residents aren't against development, if gentle, done with genuine consultation, and with due regard to local concerns. But the imposition of this Design Code as currently presented is simply unacceptable, and a huge risk to the Council if pushed through as it stands.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the order set out in your comments.

We agree that Latimer Road has a very special quality including the combination of workers' cottages, modest two-storey Victorian houses, and two-storey and a mix of 4 storey developments to the south side of the street. While the existing light industrial warehouses elude the the creative industrial history of the street, they lack architectural merit and detract from the overall visual appearance of the street, as noted by local residents during the pre-statutory consultations with stakeholders last year.

We are aware that recent planning applications (including an application for 6 storeys) have caused huge alarm for those who actually live there. For this reason, we have drafted a Design Code that ensures development here is not piecemeal but is consistent and high quality. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. The draft Design Code does not seek to replicate warehouse-looking buildings, but sets up a framework for massing, heights and materials to ensure that development is not piecemeal. However, the flexibility in the design code on the detail of proposals is intended to encourage creativity and innovation from applicants.

In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. Members of the community were invited to engage in the process and inform the draft Design Code. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community at the meeting. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code.

<p>JMW Barnard is one of the leading commercial property agents specializing in the Borough. I also write as a local resident in North Kensington.</p> <p>On the proposed design code for the redevelopment of Units 1-14 Latimer Road, the uses that the Council is prepared to allow in the street are just as important as the height of any new buildings and the quantum of floor space provided.</p> <p>In this regard the proposed Design Code begs a number of questions. Is the Employment Zone in Latimer Road going to continue? Does RBKC expect the upper floors of any redevelopment to be commercial or residential? If the former, the E class tenants who might be interested are much more likely to be leisure, restaurants and catering and healthcare - and also education - than the old style B1 offices that RBKC has traditionally (but not very successfully) tried to encourage in the street.</p> <p>Demand for old style offices in the borough is currently very low, and the emergence of new forms of working during the pandemic means this is likely to remain the case as the economy recovers. Any redevelopment of Units 1-14 will be much more likely to succeed if it is genuinely mixed use, with maximum freedom between different uses including residential.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>The Employment zone in Latimer Road will continue to be an Employment Zone.</p> <p>Policy LR1 of the St. Quintin's and Woodlands Neighbourhood Plan allows residential uses on the upper floors in redeveloped buildings at units 1-14 Latimer Road, provided that the ground (and any mezzanines) remain a commercial use. The draft Design Code is consistent with this and expects all existing commercial floor space should be provided ideally at ground floor level, but if this is not possible, then at first floor level.</p> <p>Whilst many of the business uses within the Employment Zones do still fall within the traditional classification of office, light industrial or warehouse use, many do not. The Council does not wish to constrain the evolution of such uses and supports flexibility within the B class uses in these areas and across the borough.</p> <p>The draft Design Code hopes to deliver on a mix of commercial uses, including the aspiration for a 'creative quarter' mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses.</p>
<p>Thank you for consulting Sport England on the above Design Code.</p> <p>Sport England has an established role within the planning system which includes providing advice and guidance on all relevant areas of national and local policy as well as supporting Local Authorities in developing their evidence base for sport.</p> <p>Sport England considers that the design of where communities live and work is key to keeping people active more often and placemaking should create environments that make the active choice the easy choice. Sport England, with Public Health England, have developed guidance, Active Design, which intends to inform the urban design of places, neighbourhoods, buildings, streets and active open spaces to promote sport and active lifestyles. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use and reference of the guidance in the design code to help those coming forward with proposals to fully consider to health and wellbeing. This is respect consideration should be given to links to key places outside the development area such as parks, well connected open space/public realm within the development area, cycle storage in useable places, internal building design that promotes activity, movement and access for all and street layouts that encourage safe walking and cycling. Further detail on Active Design, including the guidance document, can be downloaded via the following link: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</p> <p>If you have any questions or would like any further advice, please do not hesitate to contact me.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>Section 4.7.12 of the draft Design Code notes that "The proposed design should not negatively impact on existing biodiversity and the existing network of green space shown in Diagram 2.1. Any proposals should encourage and support new biodiversity."</p> <p>Diagram 2.1 shows the Network of existing green spaces in the wider context.</p> <p>Sections 3.1.6 and 3.1.7 of the draft Design Code prescribes car free development through the incorporation of short and long stay cycle parking for building visitors, residents and users of commercial accommodation.</p>
<p>Thank-you for your consultation on the above SPD.</p> <p>Having reviewed the document and site, I have no further comment. The site is not located within an Archaeological Priority Area on our GLHER.</p>	<p>Many thanks for confirming.</p> <p>Yours sincerely,</p> <p>Growth and Delivery team, RBKC.</p>
<p>I welcome the opportunity to comment on the Draft Design Code Proposal for Units 1-14.</p> <p>264 Latimer Road, one of the 2 storey properties on the eastern side of Latimer Road, opposite Unit 8 is my home, having moved from Oxford Gardens after 27 years.</p> <p>Whilst there are some welcome ideas in the draft proposal, it appears to contain some contradictions which leave a lack of clarity, too many missed opportunities and some not fully thought through proposals. The code does not tick enough 'good design' boxes to be acceptable. Fortunately, it is only a first draft.</p> <p>(i) 1.2.3 states the proposed code will 'improve the balance and appearance of the street', and 'preserve the living conditions at neighbouring properties.'</p> <p>3.2.1 states that the proposal for 3 storey buildings with a 4th story set back is 'preferred'. As the properties on the eastern side of Latimer Road do not exceed 4 stories this proposal does not deliver the 'improved balance'. Units 1-14 should be no higher than any property on the eastern side (less than 12 meters) for true balance. What happens in streets in LBHF is irrelevant to the people of Latimer Road. In addition, there is far too much scope for creep to unacceptable 5 storey buildings especially on financial grounds.</p> <p>The new larger block buildings (14 meters as opposed to the predominantly 4-6m, high buildings on the eastern side) will be incongruous from the street and buildings on the eastern side. On the eastern side of the street the properties directly opposite units 1-14 are 3 stories with only five properties being 4 stories. The code will not deliver the proposed balance if 5 stories are permitted, ever. The development will give current residents a greater sense of enclosure, inevitably, because residents on the eastern side currently look at blue skies (sometimes grey) but will have a big building instead, so there will be a sense of loss of light and being enclosed.</p> <p>The proposal repeatedly suggests (4.1.1) that the development may go to 5 stories to make it viable. That reason is not about good design and is unacceptable in the current economic uncertainty. RBKC has a need for housing but cannot build anything, any size to the detriment of existing residents on the eastern side. Any new proposal cannot wholly preserve current living conditions, but any proposal must not be allowed to instead adversely affect the living conditions of residents. Therefore, the Design Code should guarantee no more than 4 stories – 3 stories and a 4th floor set back. Ideally the new buildings should be no taller than any properties on the eastern side opposite – 10-12 meters maximum.</p> <p>(ii) 1.1.3 states there will be 75 new housing units over time. New quality housing is needed so the idea is welcomed, but there is lack of clarity as to execution. 75 housing units means a minimum of 150 new residents. (If 5 storey buildings were ever to be allowed the extra floor is in the middle residential zone meaning presumably even more people) 3.3.5 states opportunities 'sought to allow retail and café uses to spill out onto the public realm...' I cannot see how this will 'preserve' the living conditions of current residents.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <p>(i) We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. While we agree that mirroring the existing heights would create 'true balance' to some parts of the street, there would still be an imbalance between the existing taller buildings to the south end of the street and the shorter residential properties in the middle section of the street. The prescribed heights in the design code mediate between the two by suggesting heights that relate well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. We therefore note that the draft design code cannot prescribe that building heights be capped at 4 storeys.</p> <p>(ii) Section 1.1.3 of the draft Design Code references RBKC's 2018 Monitoring Report, which assumes a housing trajectory of 75 new housing units delivered (over time) at units 1-14 Latimer Road. The draft Design Code does not state 'there will be 75 housing units over time'. Section 3.3.5 of the draft Design Code seeks to enhance Latimer Road by encourage active frontages to ground floor commercial uses, without impeding on pedestrian routes. This is in line with section LRI of the publicly consulted and adopted St. Quintin's Neighbourhood Plan (StQWNP), which promotes active frontages. We note that 'Ariadne's Nektar' wine bar at 274 Latimer Road and the 'Playground Theatre' (café and bar) at 8 Latimer Road, both currently make use of active frontages without impeding on pedestrian routes. We do not believe that an increase in residents or active frontages to ground floor commercial premises would negatively impact on the living conditions of existing residents to Latimer Road.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement</p>

Then at 3.1.9 it states any proposed development 'will not result in "any" material increase in traffic congestion or on street parking pressure.' I cannot see how the design code can deliver all of the above without a material increase in traffic. It's simply not possible with deliveries; customers or commercial users who do not cycle; people who do cycle; motorbikes; elderly or disabled residents; taxis; Ubers etc.. Could RBKC provide more clarity and assurance in this regard?

(iii) Furthermore, 2.3 the Key states that 'Narrowing it (Latimer Road) could give more space over to pedestrians and cyclists and slow traffic.'

Does the Design Code propose to narrow Latimer Road or not? This is the only mention I could find which begs the question as to why it is hidden in the Key only.

(iv) Movement

The Design code proposes long and short stay cycle parking, which is welcomed, but then states it is 'only for residents and commercial users' of the building. What about existing residents of Latimer Road - can they use the short-term cycle parks? Will new residents be able to apply for resident parking permits, or not? Will residents be treated differently depending on which side of the street they live? That will lead to disharmony and division on a street where currently there is none. This part of the draft requires more thought and clarity. I would welcome Latimer Road being a cyclists' haven, but it must be fair and equitable as well as practical which the draft code does not provide.

(v) 1.4.13 What is 'an active urban London feel' on both sides? How does the draft code deliver this 'feel'? Latimer Road is primarily a residential street with a few quiet commercial units. No two streets in London 'feel' the same, so what does this mean? At 1.4.7 the proposal refers to the StQWNP proposal for a 'creative quarter' in the area. That is very welcome, but how does this design code go toward delivering that? Latimer Road has some ugly buildings and many lovely ones but they will be overwhelmed by the proposed homogeneous behemoth on the western side. Could more creativity and dare I say individuality be applied to the proposal?

(vi) Noise and Privacy

Perhaps I have not read the Draft properly but there is no mention of increased noise as a result of the development, only existing noise (2.3). Latimer Rd is actually a relatively quiet London street. Traffic is awful in early evening rush but it doesn't last too long and there is the odd racer. Some theatre nights the overspill is a bit noisy but again it is fleeting, and the murmuring noise is a happy one. I love the Playground theatre and can't wait to return to support it. Occasionally there is a noisy party at one of the hostellers, which some people do not like, but it's part of being in a community. The Draft proposal states there will be more commercial users, 150+ or so residents coming and going, cafés and other uses spilling onto the pavement and plant machinery on the roof. That is going to increase noise. How are current living conditions preserved?

The Design proposal has not addressed this - why not? (www.urbandesignmentalhealth.com)

It is not absolutely clear whether new residents, or commercial users, will be able to sit out on the third-floor terraces created by the set back and planted with lovely grass and flowers. 4.1.2 says the set backs 'should not be accessible by building users'

If I lived there, that's what I would want, but it would be a total invasion of privacy of the homes opposite. There will inevitably be some loss of privacy as currently nobody can look directly in to my second floor. From experience in RBKC, people who want outside space are often granted permission for terraces to the detriment of their neighbours. In my previous RBKC residence over 5 terraces in a conservation area were granted permission despite all the neighbours objecting - each one had views directly into my home. I actually think people should have outside space where it is practical and preserves the neighbours' living conditions but this design code does not do that.

Use of overlooking terraces has to be expressly forbidden in stronger terms in the final code to ensure privacy on both sides - no exceptions. 'Should not' needs to be 'will not ever' to provide those on the eastern side greater comfort.

(vii) Biodiversity

The green/brown roof proposal is welcomed but some tree planting along the western side would be an environmental bonus and would soften the impact of acres of brick suddenly appearing. Green and blue are the soothing colours of nature, as opposed to red the colour of danger (and many bricks). The design code ought to be ensuring more greens and blue sky for all residents, users and pedestrians. The mental health benefits of good design are being recognised but this proposal has missed too many opportunities to do more with the space. Everything I question is covered here:

<https://www.urbandesignmentalhealth.com/how-urban-design-can-impact-mental-health.html>

(viii) Material

At 2.5.1 the proposal suggests that brick is preferred as it is the predominant material. Whilst I love brick, there is no surety as to which bricks would be allowed. Currently many different bricks have been used. The nicest bricks are on the terraced houses on the western side towards North Pole Road. Could there not be a requirement for living walls? At 3.3.6 the proposal aims to give the 'pedestrian' a positive experience. Living walls would do that and provide the added bonus of pleasing existing residents and being eco-friendly. The proposal mentions pollution levels (2.3) being high but then does nothing to address it - why?

The proposal does not scream creative quarter or eco-friendly. It does not provide balance or preserve the living conditions on Latimer Road. All this is a shame and missed opportunity because there is an opportunity here to build something worthwhile, co-designed with locals, inclusive and designed for the 21st century, rather than meeting council targets and developers' pockets to the detriment of current RBKC residents.

Overall, the proposal is a start but by no means ready to be signed off as acceptable to residents and locals. I do not agree that it meets the requirements of the local community as 'good 21st century design'. There clearly needs to be further iterations before the code can be signed off. It is one draft and I look forward to seeing the next draft once everyone has fed in their comments.

with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.

(iii) Whilst the key to diagram 2.3 in the draft Design Code notes that narrowing Latimer Road could give more space over to pedestrians and cyclists and slow traffic, the draft Design Code does not propose or prescribe this, as the guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the pavement located outside of their boundary lines. However, we have included this note in the key as the diagram it relates to shows the wider issues related to movement around Latimer Road and beyond. We felt it was important to include a comprehensive set of analysis that speaks to all of the issue on a micro and macro scale, in order to communicate all the constraints and opportunities that the sites present.

(iv) Section 3.1.7 of the draft Design Code prescribes that short stay cycle parking is provided for building visitors. This includes visitors that may be existing residents of Latimer Road. We understand that the wording of this section could be interpreted as excluding existing residents of Latimer Road from this provision. For clarity and to avoid any ambiguity/misinterpretation, we have amended the draft Design Code to omit the sentence "(excluding residents and users of commercial accommodation)".

(v) Section 1.4.13 of the draft Design Code clarifies the meaning of 'restore the original urban form of the street', which is mentioned in Policy LR5 of the St. Quintin's and Woodland's Neighbourhood Plan (StQWNP). During the stakeholder consultations before the 6 week statutory consultation, STQWNP acknowledged that this wording had been interpreted differently by different readers. The STQWNP confirmed that the intension of this sentence was to restore the street form to one with an active 'urban London' feel (as noted in the Design Code). An active urban London feel is one with a mix of residential and commercial units with active frontages. The draft Design Code hopes to deliver this by prescribing active frontages to commercial units at ground level.

The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).

Units 1-14 Latimer Road are each privately owned and as such, development of the units will not come forward in one application. Whilst applications will come forward at different times, the draft Design Code sets up a framework for massing, heights and materials to ensure that development is not piecemeal. However, the flexibility in the design code on the detail of proposals is intended to encourage creativity and innovation from applicants.

(vi) We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.'

Section 4.1.2 of the draft Design Code clearly states that The set backs should not be accessible by building users, but should be accessible for maintenance purposes only. We have been advised by our policy team that the document cannot use the word 'must', as this would be creating policy. We have therefore used the term 'should' throughout the draft Design Code as it is a guidance document and not policy.

(vii) Section 4.7.12 of the draft Design Code clearly states that any new development proposals should encourage and support new biodiversity. We note that there is already a planted parcel of land that runs north/south along the west side of units 1 -14, which includes trees.

(viii) While brick has been identified as an appropriate material due to its prevalence on the street, brick types have not been specified to allow flexibility and innovation from applicants. Prescribing living walls in the draft Design Code would prescribe a level of detail that would be less flexible and likely to result in the homogeneity you raised in your comment (v). The draft Design Code addresses pollution levels by prescribing car development and new biodiversity.

<p>We register our comments independently as a local architectural practice with significant experience of working in the local borough. We have also had discussions with the owners of units 4 & 5 with respect to the future of these properties.</p> <p>Our comments and observations are as follows: -We are pleased that the RBKC has identified Latimer Road as an area in need of redevelopment and welcome all proposals that will provide much-required stimulus and enhancement of the street which regrettably has remained stagnant, whilst other areas within the borough have successfully rejuvenated and thrived with the provision of additional housing and workspaces.</p> <p>For example, we note the ongoing redevelopment of Kensal Road and Freston Road which, similar to Latimer Road, have been employment roads historically, and are now in the process of renewal. In both these instances, more ambitious and dense mixed-use developments coexist positively with lower residential buildings on the opposite side of the street, with enhancement to amenity and value of the street scene overall.</p> <p>We encourage RBKC to adopt a similar level of vision and impetus for Latimer Road, particularly on the grounds that successful examples of urban and economic enhancement to former industrial zones/ employment roads are evident elsewhere in the borough.</p> <p>-We are generally in accordance with all the concerns raised the Latimer's Industrial Estate Owner's comments. With specific reference to the feedback regarding the Plot by Plot Code, it should be stated that all low numbered units at the south end of units 1 -14 also need an extra floor beyond the draft guide to be feasible. -Our additional concerns are mainly to do with form, massing and appearance of the street scene that could result if the Code was adopted unamended. We think the council are being unambitious in terms of urban and architectural ambition, by proposing a series of repetitive typologies, with both prescriptive and restrictive guidance on materially and architectural expression. -We would like to see a more intelligent approach, for example, similar to the urban strategy used in the successful revitalisation of Berlin's city centre, whereby greater architectural variation and autonomy is accommodated within a limited set of rules that ensures the historic character of the city is maintained. For example, we think that the council should be more open to a broader range of typologies as opposed to the single type (the so-called tripartite design) as proposed along the length of the street.</p> <p>The design guide often seems contradictory in terms of the design ambition of the street. For example, far from providing a positive pedestrian experience that the code seeks, the repetition of scale and appearance set out in the report will create a monolithic street scene.</p> <p>Furthermore, as noted Latimer's Industrial Estate Owner's comments, breaks in the elevations to accommodate servicing and set-back frontages, limits the scope for an active and vibrant street scene (out-door dining/ activities etc). The proscription of balconies to the front elevations further deactivate the potential for an energetic street frontage.</p> <p>-It should be acknowledged that building in close proximity to land owned by Network Rail requires strict governance and will significantly add to the cost of any proposed development, the allowance of which needs to be incorporated into feasibility assessments. Similarly, it should be recognised that Latimer Road is directly over several underground tributaries, which could potentially increase the costs of development. -Although not directly related to the draft code document, it should be observed that in RBKC, the affordable housing threshold stands at 650sqm, meaning that most of the proposed developments will have to provide Affordable Housing and should also be acknowledged in feasibility assessments.</p> <p>-In summary, we welcome the proposed guidance and subject to reflecting the comments raised in the Latimer Industrial Estate Owner's comments and those above, we think the code presents an opportunity to encourage the redevelopment and growth of the area with potential gains to improve the local environment and its amenity.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have undertaken independent professional viability analysis which indicates that the number of floors prescribed in the draft Design Code would be viable.</p> <p>With regard to architectural ambition, the draft Design Code acknowledges that applications will come forward at different times, and the refore sets up a framework on outline massing and materials to ensure that development is not piecemeal. However, the flexibility in the Design Code on the detail of proposals is intended to encourage creativity and innovation from applicants. There is nothing to stop applicants proposing a building that is architecturally expressive, provided it is within the parameters of the guidance or can evidence that a proposal outside of the guidance would result in an equal or improved outcome. We disagree that the guidance in the code would create a monolithic street scene as the elevational setbacks break up the elevational mass, as do the roof set backs.</p> <p>We disagree that breaks in the elevation to accommodate services will limit the scope for an active and vibrant street scene as the draft Design Code identifies sections of primary elevation where frontages should be active (section 3.3.9). We also believe that prescribing the positioning of balconies only to the rear elevations will respect the amenity and privacy of neighbouring properties on the opposite side of the street, where this might be an issue.</p> <p>As noted above, we have undertaken independent professional viability analysis which indicates that the number of floors prescribed in the draft Design Code would be viable.</p> <p>The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.</p>
<p>Thank you for your email dated 8 April 2021 regarding the above consultation and requiring a response by 19 May 2021.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. There is no SRN within the Royal Borough of Kensington and Chelsea, the nearest SRN is the M4 which is approximately five miles outside the borough boundary.</p> <p>Our interest in Local Plan documents is specifically focussed on the council's approach to highway and transport matters in relation to regeneration and new development. We are keen to understand how local authorities initially identify and prioritise transport improvements in order to deliver sustainable development. Specifically how local authorities set and implement policy to manage trip demand and ultimately how these might contribute to the safe and efficient operation of the Strategic Road Network for which we are responsible.</p> <p>We have reviewed the SPD documents and given the nature and distance from the nearest SRN, we are satisfied that the outcome of the consultation will not materially affect the safety, reliability and / or operation of the SRN (the tests set out in DfT Circular 02/2013, particularly paragraphs 9 & 10, and MHCLG NPPF2019, particularly paragraphs 108 and 109). Highways England has no comment at this time.</p>	<p>Many thanks for confirming.</p> <p>Yours sincerely, Growth and Delivery team, RBKC.</p>

<p>Response supported by diagrams and charts- presented here as attachments.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p>
<p>SUMMARY</p> <ul style="list-style-type: none"> • The Design Code needs clarity in terms of viability/building heights/volume as does not give greater certainty about what may be acceptable when seeking planning permission, so does not help speed up the delivery of development • “Placemaking” should be central driver • Acknowledgement that the units are on an industrial estate - title should be “Units 1 -1 4 Latimer Industrial Estate, 343 – 453 Latimer Road, London W10” • Viability is not achievable at 3+1 storeys for 10 of the 14 units (Viability Study Option 2) • A 3+1 building should not be stated as the “preferred option” • A BRE Compliant 4+1 building (Option B / Diagram 3.2.1) should be acknowledged as standard • Units 6,7 & 8 should not be required to have a 3rd floor set back • Building Heights Diagram 2.2 needs to be updated with the correct building heights • Flexibility on frontage location for the commercial/residential entrances and services • No need for 3m gap between buildings - a shadow gap would suffice • A small shadow gap to be included on secondary frontage between units to create a visual break • The east elevation setback storey distance should not be guided by 25 degree rule as reduced floorspace impacts viability • The east elevation setback storey should not be visible from the street level directly opposite the building – the angle of incidence to guide setback distance • The setback storeys between units on the secondary frontage should join at the party wall • Balconies to the front of the building should be permitted • Additional diagrams of plot examples showing 4+1 storey building • The Plot by Plot Guide is contradictory and will hamper development, so should not be included within the Design Code • The 25 degree rule is not RBKC policy so should not be included in the Design Code <p>As unit owners, we welcome regeneration of Latimer Road and, in particular, the industrial estate. Latimer Road and Latimer Industrial Estate is within an Employment Zone however, businesses on Latimer Road have not flourished - struggling to attract and retain staff due to lack of amenities, poor transport links and safety issues for staff when traveling to and from work at night. The mixed- use development of the 14 warehouses and industrial units on the Industrial Estate will help the road to thrive, providing much needed housing (potential for 80 dwelling units) and employment space for the Borough, flexible modern workspaces for small local businesses and the possibility of amenities, such as cafes, restaurant and shops, that would service the offices and local community, whilst increasing safety on the road.</p> <p>The aim of the Design Code should be to encourage development that creates a vibrant place where people want to live, work and play, with “Placemaking” a central driver. Recent development across North Kensington has successfully brought life and energy to many deprived areas. As the commercial buildings and industrial/warehouse units on Latimer Road are in individual ownership, a Design Code, with an overarching vision to encourage high quality development that will have a positive impact on the vitality of the road, is welcomed.</p> <p>The Design Code should not contradict NPPF, which is in favour of sustainable developments (Paragraph 10) and recognises the overwhelming need to accommodate and accelerate housing development and “Making more Effective Use of Land”. The National Model Design Code (8 Feb 2021) point 12 goes on to states that:</p> <p>Design Codes are there to give developers greater certainty about what may be acceptable when seeking planning permission, and can help lead to faster decisions based on whether a proposal complies with a code, which can help to speed up the delivery of development.</p> <p>Therefore, a Design Code, that has a vision for the road, allows for an uplift in floorspace, encourages development, whilst ensuring exceptional design quality and the preservation of neighbouring amenity, subject to viability, is supported by the building owners.</p> <p>We appreciate all the work that has gone into the Design Code, however, we feel there is a lack of emphasis on “Placemaking” and are not happy with the “balancing” of the Design Code, which we feel is weighted in favour of the residents on the road who want to prevent any form of development.</p> <p>The Design Code creates unrealistic expectations in opposing residents in terms of the scale and design of development and does not give any certainty of what may be acceptable in planning terms for building owners. This will have an impact on the viability of development, creates confusion in the planning process and hampers, rather than aids, the regeneration of the industrial estate and Latimer Road.</p> <p>In light of this, our comments are as follows:</p> <p>1. Acknowledgement of Latimer Industrial Estate</p> <p>The fact that the site is a functioning industrial estate and that this is not mentioned once within the Design Guide immediately prejudices the purpose of the Design Code which is to provide a framework for the successful redevelopment of Latimer Industrial Estate. NPPF Paragraph 118 part (e) specifically promotes the development of underutilised land and buildings, such as the industrial estate, and this should underpin the aims of the Design Code.</p> <p>The site is;</p> <p>(a) A functioning industrial estate</p> <p>(b) The industrial estate was formed by the council in 1979 to create employment for the local demographic</p> <p>(c) The industrial estate originally comprised of 10 warehouses (B8) and 4 light industrial units (B1c) – this has remained largely unchanged</p> <p>(d) The industrial Estate comprises of 14 low-quality warehouses/industrial units that are of no architectural merit</p> <p>For clarity, the Latimer Industrial Estate need to be acknowledged as there have been multiple comments from objectors stating that “this is not an industrial estate” when in fact it actually is. Furthermore, existing empty warehouse units that are currently struggling to find tenants are having potential B8 tenants challenged by local residents (eg; Unit 11/ Getir Ltd – LICPR/21/276329/01).</p> <p>Also, please note – RBKC planning applications are addressed as follows;</p> <p>Units 1-14, Latimer Industrial Estate, 343 – 453 Latimer Road, London W10</p> <p>We ask for the title to include Latimer Industrial Estate and for clarity within the Design Code that Units 1-14 comprise of a mix of warehouses and industrial units located on Latimer Industrial Estate</p> <p>2. Building Heights – Viability</p> <p>The industrial units are on small restricted sites and viable development of the units relies on maximising the residential element of development, which is already</p>	<p>We have responded to each or your points below, in the order set out in your comments.</p> <p>Summary:</p> <ul style="list-style-type: none"> • The draft Design Code is clear on viability/building heights/volume. Independent viability assessment of units 1-14 have informed the building heights and volumes prescribed in the draft Design Code. In terms of what would be acceptable when seeking planning permission, a 4 storey proposal with the prescribed set backs would be acceptable in terms of height. A 5 Storey building may be acceptable if it can be evidenced that there would be no adverse impacts on the sunlight and daylight of neighbouring residents. • Placemaking is a central driver to the Design code. The intension of the Design Code is to ensure that development of the 14 units on Latimer Road are not piecemeal and are of a consistent high quality, so that re-development of the units acts as a catalyst for positive change on the street and in the wider area. We have added a new section (1.2.4) on placemaking to further communicate this. • We acknowledge that the units are on an industrial estate. For brevity, we have not changed the title of the document, however, where "units 1-14" are mentioned within the document, we have updated the text to include 'industrial estate' for clarity. This includes the introduction in section 1.1.3. • Our independently commissioned viability study notes that viability would be achieved with 4 storey (3+1) buildings. • 4 storey (3+1) buildings are noted in the draft Design Code as the preferred option due to townscape fit and minimised impact on sunlight/daylight to neighbouring properties, as evidenced by the independently commissioned sunlight/daylight study. • The draft Design Code cannot acknowledge a BRE Compliant 4+1 building as standard. The viability study notes that viability would be achieved with 4 storey (3+1) buildings and development at this height achieves a better townscape fit. • Units 6,7 & 8 are required to have a 3rd floor set back to acknowledge and appropriately respond to the two storey residential properties on the opposite side of the street. • We will review the building heights in diagram 2.2. • The draft Code prescribes that commercial units are positioned on the primary elevations to encourage street activation and to avoid inactive facades. If applicants were able to demonstrate that an alternative approach would result in an equal or improved outcome, this would be acceptable. • 3 metre gaps will be required between the units as noted in the draft Design Code, to avoid a continuous wall of development and to provide visual connections from the street looking westwards. • We agree that shadow gap between adjoining units on secondary frontages should be incorporated to create a visual break. We will update the draft Design Code to reflect this. • The 25 degree rule is an indicative guide line that shows what would be acceptable in sunlight/daylight terms. Applicants are advised to use this as a starting point. • We have tested using the line of visibility from the opposite side of the street to guide the setback distances to the top storeys. In most cases, the angle is less acute and a greater set back than what is already prescribed would be required. In the cases where the angle is more acute, the increase in floor space would be negligible. • The draft Design Code currently prescribes that the set back storeys between units on the secondary frontage should join at the party wall. A gap between units to the roof storeys at the secondary elevations is prescribed to further break down the massing and avoid monolithic development. • The draft Design Code prescribes that balconies are not positioned on the primary elevations to avoid issues with privacy/overlooking of the residential properties on the east side of the street and also to avoid clutter on the elevations. We note that this could result in units with no external amenity space and have therefore amended the draft Design Code to clarify that balconies will be acceptable on the secondary elevations fronting Latimer Road where the distance between the buildings on the opposite side of the street is increase. However, balconies here should not project beyond the building line to avoid cluttering the elevations. • We have not included a 'plot example' diagram showing the outline massing for proposals that are 4+1 storeys as the draft Design Code requires the applicant to evidence there would be no adverse sunlight/daylight impact on neighbouring properties. This may require adjustments to the massing of these proposals that are not anticipated in the Design Code. <p>Response to detailed comments:</p> <p>We note that you welcome the regeneration of Latimer road and the industrial estate, and acknowledge the challenges that business owners have faced. We agree that the redevelopment of units 1 -14 is an opportunity to activate the street with thriving businesses as well as contributing to the delivery of new homes and acting as a catalyst for positive change in the area.</p> <p>Placemaking is a central driver to the Design code. The intension of the Design Code is to ensure that development of the 14 units on Latimer Road are not piecemeal and are of a consistent high quality, so that re-development of the units acts as a catalyst for positive change on the street and in the wider area. We have added a new section (1.2.4) on placemaking to further communicate this.</p> <p>The draft Design Code does not contradict paragraph 10 of the NPPF, which is about the 'presumption in favour of sustainable development.' The Government’s presumption in favour of sustainable development where local authorities cannot demonstrate a five year housing supply of deliverable housing or where the Housing Delivery Test indicates that the delivery of housing was substantially low, essentially means that on any planning appeal, Inspector’s will give additional weight to this aspect and may allow appeals on this basis where they might have been dismissed before. The guidance in the draft Design Code would meet the projected number of housing units in RBKC’s Monitoring Report. In addition, the guidance in the draft Design Code also prescribes sustainable development in section 4.7.</p> <p>The design Guidance in the draft Design Code will give developers greater certainty about what may be acceptable through providing prescribed guidance on acceptable building heights, massing, elevational principles, servicing, amenity, materials, roofscape and approach to sustainability.</p> <p>We note your support for a Design Code which has a vision for the road, allows for an uplift in floorspace, encourages development and ensures exceptional design quality and the preservation of neighbouring amenity. The draft Design Code does all of the above. An uplift in floor space and an encouragement of development is prescribed in sections 3.2 and 4.1, which both note that an increase in building height (and therefore an increase in floor space) up to 4 storeys will be acceptable. The draft Design Code seeks to ensure exceptional design quality through providing</p>

limited by the affordable housing threshold of 650sqm and the further loss of floor space to core/services (approx. 100+sqm).

The Design Code acknowledges that residential development on the upper floors is necessary to “ensure the redevelopment is economically viable” (1.2.2). The viability study commissioned by RBKC which accompanies the Design Code, calculates favourable viability of 3+1 storey developments with a single storey of commercial floor space (Option 1), yet fails to acknowledge that 10 of the 14 industrial units have 1 ½-2 floors of commercial space (see below) and fall under Viability Option 2, where a 3+1 building will not be viable for development.

Buildings with 3+1 storeys will struggle to be a viable proposition for development where the existing unit has more than one commercial floor as loss of business floor space is contrary to RBKC policy CF5 and StQW policy LR1 this will mean that potential developable residential floorspace, which is essential for viability, will be critically reduced.

Cater Jonas' Viability Study Option 2 confirms this, stating that a 4-storey building comprising of two commercial floors (3,800 sqft) with two residential (3,600 sqft) above would give a GDV of

16.78%. For a development to be viable, particularly on such a small site, the GDV would need to be

a minimum of 20% (See attached Savills Residential Development Margin, 2017), and

realistically 30% in this uncertain climate post Covid, where units could be empty for many years, and there is heavy competition from White City.

Furthermore, Carter Jonas have underestimated the complexity and expense of building next to National Rail, and increased building material/labour costs, as well as undervaluing acquisition costs at £1,266,911, which will impact GDV and viability. For example, Unit 12 has 2 floors of commercial and was bought by RBKC in 2017 for £1,500,000, as a result it will have a GDV on a 3+1 building of under 10%, making viable development of this unit very unlikely for the foreseeable future. We also strongly disagree that 3rd floor setbacks be required for some units to respond appropriately to context as this will reduce developable floorspace and render development unviable. This affects units 6, 7 & 8, and will mean that the development of these units will only be viable if a further set back upper storey is permitted.

As a 3 +1 building would not be a viable proposition for ten of the units it should not be stated as the “preferred option” as this will create confusion in the planning process and unrealistic expectations for opposing residents

Unless units 6,7 & 8 are allowed a total of 3 setback storeys to compensate for the loss of floor space, they should not be required to have a 3rd floor set back

3 Building Heights Diagram 2.2

Many of the neighbouring building heights on Diagram 2.2 are stated as 4-6m but are in fact 7-9m, or more and some of the Buildings at the southern end are 13m+. This gives the impression that this is a very low-rise area and the development of the industrial units will tower disproportionately above the neighbouring buildings.

East Side

330 North Pole Pub – 12/13m 322-328 – Victorian Terrace 11m

316 – 218 Latimer Road: Front building 4.6m

– rear building 9m

264-250 – Victorian Cottages: 8m 246-222 – Edwardian Houses: 8.5m 220 Clock House: 9m

Tabernacle Christian Centre 7-9m 204 Park House 8m?

200 Gosletts: 7m

West side

493 Micks Fish Bar: 12/13m

485 – 491 – Victorian Terrace: 11m 455 -483 - Victorian Cottages: 8.5m

Morelli Building 339: 13+

Neighbouring Streets – heights noted at 4-6m

– but are 7-9m

Latimer Place – Designer’s Guild rear building 13.5m

Snargate Street: 7.5m

Highlever Road/St Quintin Estate: Edwardian Houses: 9m

Eynham Road: 8.2m

Building Heights Diagram 2.2 needs to be updated with the correct building heights

4 Frontage - Hierarchy

The complexity of these small sites and the requirement for separate entrances/core for commercial and residential uses means that it won't always be possible to

practical, robust and informed guidance to shape the future development of units 1-14 Latimer Road, ensuring that development is not piecemeal. This is noted in section 1.2.1 of the document. The draft Design Code seeks to preserve neighbouring amenity through prescribing building heights in sections 3.2 and 4.1 that will minimise the sunlight/daylight impacts on neighbouring properties and prescribing the incorporation of elevational and roof storey set backs in sections 3.2 and 3.4, as well as gaps between units to minimise the sense of enclosure in sections 3.6.7 and 3.6.8.

We thank you for your appreciation of the work that has gone in to the design code. We have included a new section (1.2.4) on placemaking to emphasise its importance. We believe that the draft Design Code carefully balances the interests of all stakeholders.

We believe that the draft Design Code gives clear and robust guidance on what would be acceptable in planning terms and therefore sets realistic expectations in terms of what scale of development should be coming forward for units 1 -14. The independent viability study commission by the Council has informed the guidance in the document and we believe that the clarity in the guidance will give developers and planners within the Council a clear understanding of what type and form of development is expected at these sites in the future, with a view to aiding the planning process.

1. Acknowledgement of Latimer Industrial Estate

We acknowledge that the units are on an industrial estate. For brevity, we have not changed the title of the document, however, where "units 1-14" are mentioned within the document, we have updated the text to include 'industrial estate' for clarity. This includes the introduction in section 1.1.3.

2. Building Heights - Viability

We have undertaken independent professional viability analysis, which at a high level, indicates that the number of floors prescribed in the draft Design Code would be viable. The purpose of the viability report is not to give commercial advice to developers. Its purpose is to ensure that the general approach in the Design Code would not stop development coming forward, and we satisfied that the report demonstrates this sufficiently.

3. Building Heights Diagram 2.2

We will review the building heights in diagram 2.2 and make amendments where necessary.

4. Frontage - Hierarchy

The draft Code prescribes that commercial units are positioned on the primary elevations to encourage street activation and to avoid inactive facades. If applicants were able to demonstrate that an alternative approach would result in an equal or improved outcome, this would be acceptable.

5. Visual Breaks

The 3 metre gaps will be required between the units as noted in the draft Design Code, to avoid a continuous wall of development and to provide visual connections from the street looking westwards. In addition to this, the gaps should be used at an external secondary means of escape for the larger units.

We agree that shadow gap between adjoining units on secondary frontages should be incorporated to create a visual break. We will update the draft Design Code to reflect this.

6. Roof Level Setbacks

We have tested using the line of visibility from the opposite side of the street to guide the setback distances to the top storeys. In most cases, the angle is less acute and a greater set back than what is already prescribed would be required. In the cases where the angle is more acute, the increase in floor space would be negligible.

The draft Design Code currently prescribes that the set back storeys between units on the secondary frontage should join at the party wall. A gap between units to the roof storeys at the secondary elevations is prescribed to further break down the massing and avoid monolithic development.

7. Amenity/Balconies

The draft Design Code prescribes that balconies are not positioned on the primary elevations to avoid issues with privacy/overlooking of the residential properties on the east side of the street and also to avoid clutter on the elevations. We note that this could result in units with no external amenity space and have therefore amended sections 3.3.15 and 3.5.2 of the draft Design Code to clarify that balconies will be acceptable on the secondary elevations fronting Latimer Road where the distance between the buildings on the opposite side of the street is increase. However, balconies here should not project beyond the building line to avoid cluttering the elevations.

8. Plot by Plot Code

We agree that the successful regeneration of Latimer Industrial Estate is largely dependant on viability as well as a number of other factors, such as placemaking, design quality and sustainability.

The importance of viability is acknowledged in sections 1.1.4, 1.2.2 and 7.1 of the draft Design Code and has not been mentioned in the Plot by Plot Code so as to not repeat information. The Plot by Plot Code focuses on providing key visual and dimensional information for each plot to clearly communicate what would be acceptable in terms of overall building proportions. As these differ slightly depending on the contextual situation, we felt it was important to include a Plot by Plot Code that captured all of the key information on one page for each plot. The 25 degree rule is included in the sectional diagram for each plot to give the developer of each unit a basis for proposing the massing to their buildings. It does not dictate a definitive set back, but based on the independent sunlight/daylight testing that we commissioned, we know that the prescribed set backs would be BRE compliant. It may be possible to proposed development which goes beyond the prescribed set backs in the draft Design Code, however, developers will be expected to test and demonstrate that any proposals that go beyond the recommended setbacks do not adversely impact on the sunlight/daylight of neighbouring amenity.

We have undertaken independent professional viability analysis, which at a high level, indicates that the number of floors prescribed in the draft Design Code would be viable. The purpose of the viability report is not to give commercial advice to developers. Its purpose is to ensure that the general approach in the Design Code would not stop development coming forward, and we satisfied that the report demonstrates this sufficiently.

locate the commercial entrance on the primary frontage and locate the residential entrances and the service areas on the secondary frontage. Also, 4.3.6 states that the residential entrance should be located on the secondary frontage within the loading bay. The loading bay is there to service the commercial areas which will create a conflict of uses especially as the cores servicing residential/commercial functions need to be separate.

There needs to be flexibility with regards to whether the entrances and services should be located on primary or secondary frontages

5 Frontage – Visual Breaks

We agree that there should be visual breaks between units to avoid a monolithic street scene. The recessed loading bay will act as a visual break between units, whilst allowing light in to the road and servicing the commercial units. We also agree that a setback between the party walls will create another visual break.

However, we absolutely do not agree that the gap should run down the entire property for the following reasons:

- Critically affects viability. Removes approx. 30msqm per floor, over 4 storeys, which is 120sqm developable floorspace.
- Security issue. The gaps will create spaces for anti-social behaviour and contradicts policy Designing Out Crime (Policy CL2vii).
- In order to ensure there is no loss business floor space on the site as per Policy CFSi, reducing ground floor area will mean business floor space will need to be accommodated on additional upper floors taking away from essential residential floor area and impacting the viability of the development.

- Limits functionality of internal layouts – For example, Unit 10 is a theatre and would like to keep functioning as a theatre and this reduces critical space
- Shrinks existing building footprint where units do not have open space beside their units.

We believe a deep shadow gap of 1.2m x 1.6m which will create a visual break between the buildings would suffice (see Diagram below), and that there is no need for a 3m gap between buildings.

A shadow gap of 1.2m x 1.6m that will create a visual break between the buildings would suffice - there is no need for a 3m gap between buildings.

A shadow gap of 400mm x 200mm on the shared secondary frontage will also create a visual break between units

5 Roof Level Setbacks

The east elevation setback that gives onto Latimer Road should be determined by the angle of incidence from the opposing street view at eye level (1.6m), so that it is not be visible when directly looking at the building from street level. The setback distance should not be determined by the 25- degree rule, which impacts viability due to reduced developable floor area.

The setback storeys between units on the secondary frontage (in the recessed loading bay) should join at the party wall. This will create a much cleaner secondary street front without too many breaks.

The east elevation setback storey should not be visible from directly opposite the building at street level

The setback storeys between units on the secondary frontage (in the recessed loading bay) should join at the party wall

4 Amenity/Balconies

Outdoor amenity space is required for all housing schemes as per Policy CH3c, and is particularly relevant in post Covid times. The depth of the building and position of core means that apartments will have either front or rear frontage and if balconies are not permitted on the Latimer Road façade, apartments facing Latimer Road will not have any outdoor amenity space so will contravene Policy CH3c.

There is already precedent for balconies facing onto Latimer Road, Unit 1 was granted permission for balconies on the front elevation and 290-294 Latimer Road has protruding balconies facing onto Latimer Road. Latimer Road is a wide road, with more than 18m between opposite habitable rooms on the primary frontage, and over 25m on the secondary frontage, so that inter-visibility is at an acceptable level. Balconies should be permitted on the Latimer Road Elevation for developments to comply with policy.

Balconies on the front elevation of the building should be permitted

5 Plot by Plot Code

The successful regeneration of Latimer Industrial Estate ultimately comes down to viability of development, which is not acknowledged within the Plot by Plot Code, and seems to be superseded by the 25 degree rule.

According to Savills Residential Development Margin: Competitive Return to a Willing Developer 2017, the minimum margin for viability testing development sites should be a Site Level Net Margin of 20-25% of GDV, subject to consideration of the risk profile of the scheme. The GDV for Option 2 is below this at 16.78% and the risk profile due to site constraints and impact of Covid on the economy, is currently high. Therefore, for units 2,3,4,6,7,10,11,12,13,14, with 1 ½ -2 floors of commercial space, a 3+1 storey building is not a viable proposition. These units would need 4+1 storeys for development to be viable.

Previously within the Design Guide 4+1 buildings are permitted with Section 3.2 stating that 4+1 storeys is permitted if it complies with BRE guidance. RBKC has also carried out their own independent Day Light/ Sunlight Assessment studies which proves that massing Option B (4+1) as per Diagram 3.2.1 is BRE Compliant and does not contribute to lighting loss. However, this has not translated through to the Plot by Plot Guide, with the 25 degree rule being applied to each unit to assess

The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It did not prove that 5 storey (4+1) developments would be BRE compliant. It indicated that 5 storey proposals (options B and C) would result in transgressions of the BRE guidance with some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would be considered to have low planning risk. This is why the draft Design Code prescribes that 5 storey proposals evidence there would be no adverse impacts to the sunlight/daylight of neighbouring properties. This is also why 5 storey proposals are not illustrated in the Plot by Plot Code.

We agree that BRE guidance should take precedence over the 25 degree rule and as such, the draft Design Code prescribes that 5 storey proposals evidence there would be no adverse impacts to the sunlight/daylight of neighbouring properties, with a view to demonstrating compliance with BRE guidance.

We note your objection to the inclusion of the Plot by Plot Code within the draft Design Code. However, we note that the Plot by Plot Code does not contradict previous guidance within the document or RBKC’s policies and daylight and sunlight.

We have not included 5 stored plot diagrams in section 5 of the draft Design Code for the reasons noted above.

building heights and setbacks regardless of existing commercial floor space, the Daylight and Sunlight Assessment Study and viability.
 The 25 degree rule has been taken as a starting point for building heights/setbacks for each unit under political pressure, however, BRE guidance takes precedence under RBKC Policy;
 22.3.36 In assessing whether sunlight and daylight conditions are good, both inside buildings and in gardens and open spaces, the Council will have regard to the most recent Building Research Establishment guidance, both for new development, and for properties affected by new development.
 We strongly object to The Plot by Plot Guide being included within the Design Code as it contradicts previous guidance within the document, along with RBKC policy on Daylight and Sunlight
 Assessment, and will not aid the delivery of development. Plot Diagrams 5.1/5.2 with additional diagrams illustrating 4 storey buildings with a fifth setback would suffice.
 The Plot by Plot Guide contradicts policy, creates unrealistic expectations for those opposing development and will confuse the planning process.
 The Plot by Plot Guide does not need to be included within the Design Code as it does not help to speed the delivery of development
 Diagrams 5.1/5.2 with additional diagrams illustrating 4 storeys with a fifth setback should be included in the Design Code
 The 25 degree rule is not RBKC Policy so should not be included in the Design Guide, nor applied to each unit

As unit owners who want to see the regeneration of the industrial estate, we support a viable Design Code that is fairly balanced. Encouraging high quality developments will help Latimer Road to thrive, as has happened in other parts of North Kensington. However, we struggle to support the Design Code in its current form which does not give greater clarity and certainty about what may be acceptable when seeking planning permission, and does not seem in line with NPPF Policy to encourage the development of underutilised sites to help deliver much needed housing in the Borough.

This is a very long document and difficult to fully comprehend. However as a resident of the eastern side of Latimer Road I am very concerned regarding the loss of sunlight (and warmth) particularly in the winter months. I would strongly object to anything more than four storeys (ie three with a fourth set back) and even that seems too high. We moved here with the height of the units as they are and do not want to feel overshadowed by higher buildings which would definitely reduce sunlight in the winter months.

Yes! It seems planning is set to be without hearing our voices of residents citizens of Latimer rd.
 We fear such height of new buildings will impair our road skyline and well being which is the reason we are living there. You have not respected floor plan of existing units, there is no more pavement space as is convenient now. You have not left enough space in between buildings as units have now. Your planning become so industrially urban as to create a wall like of buildings. The light arrows you show are so wrong as sun sets in different place throughout the year.so those living across will definitely see a big change in their right of light. The height of buildings should stay close to terrace houses across but suddenly becomes huge ! 3 floors is plenty and civilised!
 You must be aware that offices won't be much in demand post pandemic. We all agree on upgrading those existing units, in bringing what is called creative and cultural working spaces (quiet and easy on residential area), a shop or two, a bistro or coffee shop , as is now, casting businesses, drama training, music studios, will bring jobs and create a happy environment. Not delivery goods units nor other noisy businesses!
 Please can you seriously hear us locals and let us be part of the planning as this western part of London could be a model of sustainability and happy communities.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.
 The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the order set out in your comments.
 Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.
 We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.
 We have prescribed the incorporation of functional aspects of the existing unit floor plans into the draft Design Code such as the requirement of set backs to accommodate servicing and the use of primary and secondary frontages.
 The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, therefore the street width should not be narrowed.
 Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that there are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.
 The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development.
 No daylight and shadow modelling has been included in the design code although this work was undertaken during the pre-statutory consultation workshops with stakeholders that took place between July 2020 and January 2021 and we have used this modelling to inform the context of the draft Design Code. The result of this modelling showed that on the longest day of the year (when shadows would be at their longest), no shadows would be cast onto the properties on the east side of Latimer Road between 6am and 6pm.
 We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of

	<p>high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>Office space has not been specifically prescribed in the Draft Design Code. Commercial units at ground floor level have been prescribed. These units could take the form non-office commercial accommodation, including creative and cultural uses.</p> <p>The draft Design Code sets out sustainability aspirations in line with RBKC Policy CE1 on Climate Change. It further notes that applicants should go beyond the sustainability guidance in the Code, as well as follow the guidance within the Council's Greening SPD, which has now been adopted. the Greening SPD has been written so that new and existing buildings can deliver the best possible standards to reduce harmful carbon emissions.</p>
<p>Thank you for the opportunity to provide comments on the Kensal Canalside SPD and for an extension until 31st May in which to provide these comments.</p> <p>Introduction The General Cemetery Company was established by an Act of Parliament in 1832 and has privately operated Kensal Green Cemetery since 1833 when the first burial took place. West London Crematorium established within the boundary of the Cemetery also offers a place of cremation.</p> <p>The Cemetery is a considerable heritage asset:</p> <ul style="list-style-type: none"> • It is the oldest (and some might say) the most prestigious of the 'magnificent seven' cemeteries in London; • The Anglican Chapel is Grade I listed building; • It has Twelve Grade II* listed structures / monuments; • It has 146 Grade II listed structures / monuments; • Importantly, the Cemetery itself is listed Grade I on the Register of Parks and Gardens. <p>The SPD makes various references acknowledging the importance of the Cemetery as a heritage asset and 'a tranquil green open space' adjoining the proposed development.</p> <p>The Board of the Cemetery are cautiously supportive of the Kensal Canalside development provided planners and developers take the opportunity to actively improve Cemetery infrastructure and make a substantial contribution towards protecting and restoring national heritage at risk and maintaining the green lung environment which supports a wide variety of fauna and flora.</p> <p>Key Concerns</p> <p>1. Route through Cemetery, Opening/Closing Times and Cemetery Security The SPD makes mention of a pedestrian and cycle bridge(s?) across the canal to accommodate additional traffic generated by the development and a pathway through the Cemetery to provide quicker access to Kensal Green station. Assuming such a pathway were agreed, Cemetery opening closing times would have to be extended to accommodate user needs and will also impact Cemetery security.</p>	<p>Your comments relate to the Kensal Canalside SPD and not the Draft Design Code SPD for units 1-14 Latimer Road.</p>
<p>I strongly object to the current terms of the proposed design code for Latimer Road for the following reasons:</p> <ol style="list-style-type: none"> 1. Contravenes RBKC planning policy CL1: The proposed buildings are way too high in relation to the character and appearance of nearby buildings in both Latimer road and Eynham Road. 2. 'it contravenes policy CL5 because it fails to secure good living conditions for existing and potential new residents in terms of enclosure, overbearing, architecturally inappropriate design of large enclosed spaces that will decrease footfall in the neighbourhood and make it a less safe community. 3. It damages the 'reasonable enjoyment' of the current residents' use of their homes, gardens, parking and pedestrian spaces in the immediate area. 4. It will reduce the living standards in the street, because there is no evidence in this proposed design code of any increase in green space provision within it, even though RBKC is allegedly committed to extended green space in the borough. It will result in overcrowded, under-resourced living conditions. 4. RBKC have prioritised guidance from ST Helens and ST Quintins neighbourhood forum over the concerns of Latimer road residents. The St.H&St.Q NF have stated clearly, and wrongly, in their documentation that Latimer Road is a failed street in terms of office space and businesses. They have clearly tried to portray it in this way in order to focus the necessary housing development commitments in the area entirely on Latimer road in order to preserve access to day/sunlight, views, space, peace for the other more affluent streets in their forum. The housing/business development needs of the STH and ST Q NF should be balanced across the whole geographical area, and not unduly compromise or favour any one street or streets. 5. The light study is inconsistent with itself: it justifies high buildings at the south end of the road stating, "additional massing allocated due to high buildings opposite," and yet where it reaches a section of low Georgian terraces opposite, it switches to "additional massing allocated due to natural opening of Latimer place." This has literally no relevance to the over-bearing nature of the buildings in respect to Eynham Road. 6. There has been NO consultation whatsoever with Eynham road residents; no site visits and nobody at RBKC, STH&STQuintins, the light report, nor from any developers, have sought or gathered any direct information about the over-bearing affect of this design code on local Eynham residents. <p>The content of this objection supersedes any other objection I have submitted in relation to the development of Latimer Road.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 2. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. We note that section 3.3.13 of the draft Design Code prescribes that "Inactive frontage should be minimised to create safe environments with natural surveillance." 3. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' gardens. The gardens to the properties on the east side of Latimer Road will not be overlooked by units 1-14 as these gardens are on the east side of their host properties and therefore do not face units 1-14. When considering privacy, RBKC's Local Plan policy CL5 notes that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to an acceptable degree and further notes that there may be instances in the borough of distances less than this. The distance between the rear boundary lines of the units and the properties to Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' parking.</p>

The design guidance in the draft Design Code prescribes car-free development in sections 3.1.6 and 3.1.7. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' pedestrian space. The prescribed design guidance in the draft Design Code relates only to the land within the boundaries to 1 -14 Latimer Road. IT does not relate to public pedestrian pavements.

4. The St. Quintin's Neighbourhood Forum have not been prioritised over the concerns of Latimer Road residents. Latimer Road residents have been equally listed to and engaged with at the consultation workshops held between July 2020 and January 2021. The housing/business development needs of the St.QWNF do not unduly compromise or favour any one street. Units 1 -14 form part of the designated employment zone in the borough and the provision for housing in this location is one of several sites identified for housing in the borough.

5. The commissioned sunlight and daylight study, independently produced by GIA does not say "additional massing allocated due to high buildings opposite,". It also does not say "additional massing allocated due to natural opening of Latimer place."
This study was undertaken based on four massing permutations. Option A, which presents units 1-14 at 4 storeys with high level set backs, Options B and C, which are variations of Option A with a added 5th storey and Option D, which is an enhanced variation of Option A that increasing massing in areas to take into account opportunities from a Daylight & Sunlight perspective. In some areas of this option, this involves increasing the height yet setting back sections of the scheme that may be more imposing on neighbouring properties.

6. In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. Members of the community were invited to engage in the process and inform the draft Design Code. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community at the meeting. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code. Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period (in which the residents of Eynham Road were included) that was also extended at the request of residents. We note that the guidance in the Design Code does not prescribe development that will have an overbearing affect on the properties to Eynham Road. we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

The height of the building does not fit our local context, noting that our homes, on the opposite side of the train tracks that lie between the proposed new buildings and us, are beautiful, terraced and accessible Victorian houses of only 2 stories which were built in the early 1900's. The same applies to the houses directly opposite the proposed new buildings just the other side of the road. The proposed new developments would stand at over 14 metres and this would, effectively, be double the height of our home and the surrounding nearby houses!

Furthermore the proposed design of the new buildings do not in any way echo or respond to the character and appearance of these nearby buildings and the local area. This area has always been a generously green environment with my family, as well as most, if not all, of our neighbours being keen gardeners who have long tended our own gardens as well as the shared garden that runs alongside the train tracks immediately between our homes and the proposed new buildings. As a family we have, for many years, not only enjoyed gardening but also, on a weekly basis between the warmer April and October months, picnicking in these lovingly cared for gardens. Continuing to live in the way we have become accustomed for close to 2 decades now would not be possible once these proposed buildings were to be built as the new developments would mean that these gardens would be overlooked by the occupants opposite and be overshadowed by the new buildings' sheer height thus seriously compromising our daily lives due to what would be unbearable consequences for my and my young children's living conditions.

Do note that the height of the proposed new developments would significantly reduce the standards of daylight and sunlight that our home and garden (and those of our neighbours) benefit from.

Furthermore, to add to the above unnecessary problems, created wholly by these proposed new developments and adversely affecting our otherwise peaceful, law abiding and productive local community, you should also take into serious consideration how the height and density of the proposed new buildings will cause even deeper and enduring harm to our way of life by further increasing the already overwhelming sense of enclosure we have had to stomach in recent years through the unbelievable and outrageous height and density of the Imperial University / other developments at the end of Eynham Road and Latimer Road (which we had also objected to when those were proposed).

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.

We have responded to each of your points below, in the order set out in your comments.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the existing range of building heights on the street by suggesting heights that relate well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.

With regards to the gardens running along side the train track to the west side of units 1 -14 Latimer Road, we have built a digital model to understand the sunlight and daylight impacts to the gardens at the rear of the properties to Eynham Road. The model showed what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of overshadowing and daylight from development of units 1 -14 on Eynham Road.

We have looked at what the privacy and sense of enclosure implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy, overlooking and sense of enclosure would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone." We further note that the building heights to the Imperial University development are in excess of 30 storeys. The draft design code prescribes buildings heights at 4 storey (or 5 storeys provided applications are supplemented with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties).

LOSS OF LIGHT AND CHARACTER - The proposed development is a destruction of the character of Latimer Road which is low rise, mixed use and very much part of the neighbourhood. The erection of 5 story buildings favouring corporate office space instead of the existing small scale creative industries at the ground level and housing - none affordable - above will cast the existing houses into shadow, narrow the street, and prioritises the wrong approach to development in our neighbourhood.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.

The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).

The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.

The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, therefore the street width should not be narrowed.

TWO RESPONSES RECEIVED-

-There has been no consultation with the households in Eynham Road to evaluate the impact of the buildings proposed. I strongly object to the lack of consultations.

-The height proposed including additional roofscape additions such as aircon units will have a substantial impact on Eynham Road residents including loss of privacy, impact on light provision, and impact on noise arising from the vibration of train noise bouncing back. I therefore demand to the height proposed and it should be reduced substantially.

-Gaps between buildings are essential to alleviate issues of noise.

-The proposed Design Code contravenes planning policy CL5 "no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces": the proposed size, plot density, width and height of buildings taking up entire plots of land, will cause just that.

-We have a shared communal space on Eynham Road and our flats are mostly ground floor and 1st floor, with bedrooms and living spaces across the railway lines. This will be a high loss of privacy with the mass of balconies looking over us and children playing in the garden.

1. Policy CL1 – Context and Character.

The height of the building last in Design Code contravenes Policy CL1 which requires all development to "respond to the local context" and character and appearance of nearby buildings and the area, but the proposed developments at 14.3 metres is double the height of modest homes opposite!

2. Policy CL12: . The Design Code completely disrespects all of the prevailing building heights within and throughout the street and its effect on local scale and context.

3. Policy CL5 - Living Conditions - the application contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings. and reduce standards of daylight and sunlight in the existing residential houses nearby and opposite.

4. The proposed code contravenes CL5 "no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces": the proposed size, plot density, width and height of buildings taking up entire plots of land , will cause a deeply harmful increase in the sense of enclosure to existing buildings and spaces around and opposite, and to neighbouring gardens, balconies and terraces (especially on Eynham Road).

5. The proposed code also contravenes CL5 point e, as it will harm the "reasonable enjoyment" of the use of existing buildings, gardens and other spaces directly opposite and nearby - significant increase in traffic, parking, noise and disturbance given that this much larger building creates a very large increased amount of residential accommodation- 75 new homes, and enlarged commercial building in a street where parking is already exceptionally challenging for residents.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the order set out in your comments.

Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period (including Eynham Road residents) that was also extended at the request of residents.

Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone." We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity.'

Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that there are currently two gaps between the existing units (between units 10+ 11 and between units 6+ 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.

We have looked at what the privacy and sense of enclosure implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy, overlooking and sense of enclosure would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. We do not consider that the design guidance within the draft Design Code would result in proposals with an unacceptable sense of enclosure to the properties on Eynham Road.

See comments above related to privacy.

1. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

2. See comments above on building heights.

3. See comments above on daylight and sunlight.

4. See comments above on sense of enclosure.

5. Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.

<p>Roof Set Backs The suggested 2 metre set back to both North and South boundaries is too prescriptive, particularly on impact to plan arrangements as it will force centralised stair cores, which will impact badly on the viability of the ground floor commercial units. Consideration needs to be given to how new fire legislation for smoke shafts demands continuous shafts with no deviation - meaning the stairs cannot shift centrally mid run.</p> <p>It should be possible to build up towards adjacent party walls as the rooftop level development is sufficiently set back for this not to affect the streetscape.</p> <p>Amenity Locating all amenity to the Western elevations would require any residential units with an Eastern aspect to span right through to the rear of the site - potentially over 15 metres, even after allowing for construction thickness and balcony depth. This cannot release an appropriate residential unit mix, or good layouts. Inset / internal balconies to the Eastern Elevation should be acceptable</p> <p>Ceiling heights The 3m ground floor height is not reflective of RBKC's principles to retain flexibility of use. Achieving a level closer to the old RBKC policy of 3.6m for B1c units would deliver a better hierarchy in the elevations and could presumably be justified in daylight sunlight analysis.</p> <p>Streetscape and Placemaking The plan focuses on the built structures and does not address the Latimer Road streetscape. There is no mention of the integration of the underpass route to the Imperial campus, which will have a significant impact on the street. In an early consultation there was comment on the need to consider the highway, pavement widths, street planting, parking and loading bay arrangements. Lighting and security were also raised which could also be addressed in this document.</p> <p>Traffic calming will be essential to improve the road and this could incorporate loading bay and cycle parking arrangements for the new units, as part of the highways narrowing.</p> <p>Including for servicing bays and communal cycle parking in the street, as part of the traffic calming measures, could release additional volume within the redevelopment of the units to improve the viability.</p> <p>There is conflict in extending the conservation area to form an Eastern boundary with the units 1-14, if this will be used as an argument to restrict the development, scale and materials of the units.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>The roof set backs are intended to ease townscape fit and address any sense of enclosure to the properties on the east side of Latimer Road. The draft Design Code allows applicants the flexibility to take a different approach than what is prescribed, provided they can demonstrate an equal or improved outcome would be achieved. We also note that the plot widths to each unit vary and the wider plots will have more flexibility in the positioning of the cores.</p> <p>We have received a Planning Application for unit 11 that demonstrates that it would be possible to achieve an appropriate residential unit mix with good layouts that provide all external amenity on the west elevation.</p> <p>The 3m floor to ceiling height prescribed in the draft Design Code is a minimum dimension. There is flexibility for applicants to increase this dimension.</p> <p>Wider Contextual improvements The guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the areas located outside of their boundary lines. We are hoping to follow up with further work that addresses the wider context, but have started with a Design Code for units 1-14 Latimer Road as a priority, due to the applications we are receiving for these units.</p> <p>We agree that traffic calming measures will improve the quality of the public realm, however, as noted above, the draft Design code only relates to the areas within the boundaries to each unit at 1-14 Latimer Road.</p> <p>The draft Design Code has been written with the assumption that the Oxford Gardens Conservation Area may be extended to include the buildings on the north side of Latimer Road, and seeks to raise design quality of any proposals to units 1 – 14 in response to these buildings.</p>
<p>1. Five storey buildings the whole length of the street, with balconies facing onto our properties, with air con and maintenance units above the fifth floor on the Eynham road side. 2. Each storey is one metre higher than the existing storeys for the cottages at the north end of Latimer road. 3. It will be very noisy with air con constantly from each building, and with reverberation from glass and concrete solid wall, especially with trains going past. 4. The buildings are completely out of character with the rest of the street. 5. There will be no gaps for light to pass between the buildings... just a solid 5 storey wall the whole length of the street. It will be significantly higher than the overhead railway lines currently are. Not to mention the noise from years and years of constant development in the future... 6.Its very heartwarming to see what can be done with the existing workshops as in the Playground Theatre . Not only are wonderful outlet for theatre but a wonderful addition to the local community which the new proposed buildings will not be .</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>1. The design guidance in the draft Design Code prescribes building heights at 4 storeys with high level set backs. Where applicants propose 5 storeys, the draft Design Code requires that applications are supplemented with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."</p> <p>2. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>3. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity.' Also, see comments above in relation to reverberation.</p> <p>4. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>5. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>6. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses such as the Playground Theatre).</p>

<p>To whom it may concern</p> <p>I would like to strongly object to ANY of these design principles being ignored or overridden in regard to Planning and subsequent building work on Latimer RD.</p> <p>1. Policy CL1 – Context and Character. The height of the buildings in Design Code contravenes Policy CL1 which requires all development to “respond to the local context” and character and appearance of nearby buildings and the area. The proposed developments at 14.3 metres is double the height of modest homes opposite.</p> <p>Height. 2. Policy CL12 Building Heights requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. The Design Code completely disrespects all of the prevailing building heights throughout the street and its effect on local scale and context.</p> <p>Sunlight 3. Policy CL5 - Living Conditions - the application contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings. and reduce standards of daylight and sunlight in the existing residential houses nearby and opposite.</p> <p>Harmful enclosure 4. The proposed Design Code contravenes CL5 “no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces”: the proposed size, plot density, width and height of buildings taking up entire plots of land , will cause a deeply harmful increase in the sense of enclosure to existing buildings and spaces around and opposite, and to neighbouring gardens, balconies and terraces.</p> <p>Existing buildings 5. It contravenes CL5 point e, as it will harm the “reasonable enjoyment” of the use of existing buildings, gardens and other spaces directly opposite and nearby - significant increase in traffic, parking, noise and disturbance given that this much larger building creates a very large increased amount of residential accommodation- 75 new homes, and enlarged commercial building in a street where parking is already exceptionally challenging for residents.</p> <p>I look forward to hearing your response.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <p>1. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>2. See comments above on building heights.</p> <p>3. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application.</p> <p>4. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. Furthermore, the prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development and to ensure there is not a harmful increase in the sense of enclosure to neighbouring properties.</p> <p>5. Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.'</p>
<p>Yes - while I strongly support the concept of a design code to protect the hundreds of residents already negatively affected by the proposed and actual development of units 1-14, this code should be amended to keep it in line with the SPD already consulted on and agreed on for the road, and so should therefore allow lower heights for any development of units 1-14 (5 storeys is not necessary from a commercial perspective as RBKC’s own independent study has found), which would also be in line with RBKC’s pledges to existing residents in relation to enclosure, sunlight and daylight and massing. The Design Code should be altered in line with these pledges to protect existing residents in these areas, rather than developers who do not care about the community but only the profit motive.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application.</p>
<p>I agree with much of the content of this draft of the Design Code for Latimer Road but here are my comments on some key factors.</p> <p>In terms of height I feel that ideally the majority of the units should be only 3 storeys high (with the 3rd set back) and just where absolutely appropriate possibly a 4th storey (with 3rd and 4th storeys set back). Even though the higher buildings in draft meet the BRE guidelines their heights and mass will definitely create too much of a sense of enclosure and overshadow the modest little cottages that are opposite. These large buildings will reduce sunlight and daylight for the street itself as well as for residents (even if still within BRE guidelines) and rob people of sky and sunset views. Also having buildings filling their plots more fully than existing units will increase the sense of mass and encroachment on neighbouring buildings and their height and proximity may cause an unwelcome wind tunnel effect. Flats high up will also create light/noise pollution which will affect other residents opposite.</p> <p>Other points that are important are making sure new design have the highest green credentials possible, room for as many bikes as possible, some planting at the front and on roofs to encourage biodiversity and soften the hard surfaces. I agree with the tripartite divisions and the use of brick as main material. Also the commercial spaces must be adaptable to all kinds of uses including for public use. I think most people want redevelopment of the tired old units, restoring the original urban form of the street and encourage the idea of Latimer Road being a creative quarter but they must be developed sensitively and in keeping with the low rise nature of this special street. Please don’t allow developers to get away with bad greedy design at the expense of the quality of life of people who will be looking at and living in the shadow of overbearing new developments. I hope that the final design code will consider all these issues that we on Latimer Road are concerned about. Thank you</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application. We therefore note that the draft design code cannot prescribe that building heights be capped at 4 storeys.</p> <p>We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity.'</p> <p>The draft Design Code sets out sustainability aspirations in line with RBKC Policy CE1 on Climate Change. It further notes that applicants should go beyond the sustainability guidance in the Code, as well as follow the guidance within the Council’s Greening SPD, which has now been adopted. the Greening SPD has been written so that new and existing buildings can deliver the best possible standards to reduce harmful carbon emissions.</p> <p>Sections 3.1.6 and 3.1.7 of the draft Design Code prescribes short and long stay cycle parking for building visitors, residents and users of commercial accommodation.</p>

<p>Streetscape and Placemaking Latimer Road's current redevelopment viability is dampened by it's poor approach and streetscape. This affects both commercial and residential. I welcome the Design Code in principle. However, it is deeply disappointing that the proposed SPD puts no emphasis on RBKC's commitment to streetscape, public realm and place making. Given the energy that is going into this document this is a missed opportunity. A prescriptive design for Unit 1-14 in isolation falls short of the spirit of SPDs, and what is required for successful development of the street. I would welcome RBKC to reconsider the importance of placemaking and urban landscape in this document. The underpass to the Imperial campus is also important. RBKC should be proactive in encouraging stakeholders to deliver this project and include it within the SPD.</p> <p>Top Floor Setbacks I welcome the concept of set back top floors that are largely hidden if viewed from street level. However also being set back at BOTH sides (north and south) makes internal circulation design very challenging. This will result in centralisation of stair cores inevitable comprising layouts all the way down the new buildings. Flexibility in design should be provided by promoting the pairing of top floors / mansards which are set back from the front and at ONE side only.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>Streetscape and Placemaking: The guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the areas located outside of their boundary lines. We are hoping to follow up with further work that addresses the wider context, but have started with a Design Code for units 1-14 Latimer Road as a priority, due to the applications we are receiving for these units.</p> <p>Top Floor Setbacks The roof set backs are intended to ease townscape fit and address any sense of enclosure to the properties on the east side of Latimer Road. The draft Design Code allows applicants the flexibility to take a different approach than what is prescribed, provided they can demonstrate an equal or improved outcome would be achieved. We also note that the plot widths to each unit vary and the wider plots will have more flexibility in the positioning of the cores.</p>
<p>I strongly object to the current terms of the proposed design code for Latimer Road for the following reasons:</p> <ol style="list-style-type: none"> 1. It contravenes RBKC planning policy CL1: The proposed buildings are way too high in relation to the character and appearance of nearby buildings in both Latimer road and Eynham Road. 2. It contravenes policy CL5 because it fails to secure good living conditions for existing and potential new residents in terms of enclosure, overbearing, architecturally inappropriate design of large enclosed spaces that will decrease footfall in the neighbourhood and make it a less safe community. 3. It damages the 'reasonable enjoyment' of the current residents' use of their homes, gardens, parking and pedestrian spaces in the immediate area. 4. It will reduce the living standards in the street, because there is no evidence in this proposed design code of any increase in green space provision within it, even though RBKC is allegedly committed to extended green space in the borough. It will result in overcrowded, under-resourced living conditions. 5. It either contravenes the policy "Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of no less than 36 square metres," or it doesn't intend to provide any family housing, which contravenes RBKC housing policy and will further compromise the family community character of the street. 6. RBKC have prioritised guidance from ST Helens and ST Quintin's neighbourhood forum over the concerns of Latimer road residents. In their documentation they have portrayed Latimer Road as a failed street in terms of office space and businesses in order to suggest that all the housing needs of the NF geographical area should be met in this one street. However, Latimer road is a street full of character and historic terraced buildings, which should be preserved. The housing/business development needs of the STH and ST Q NF should be balanced across the whole geographical area, and not unduly compromise or favour any one street or streets. 7. The light study is inconsistent with itself: it justifies high buildings at the south end of the road stating, "additional massing allocated due to high buildings opposite," and yet where it reaches a section of low Georgian terraces opposite in Eynham road, it switches to "additional massing allocated due to natural opening of Latimer place." This has literally no relevance to the over-bearing nature of the buildings in relation to Eynham Road. 8. There has been NO consultation whatsoever with Eynham road residents; no site visits and nobody at RBKC, STH&STQuintins, the light report, nor from any developers, have sought or gathered any direct information about the over-bearing affect of this design code on local Eynham residents. 9. Contravenes LBH&F policy on over-looking balconies, "Where balconies and or terraces are provided they must be designed to respect the amenity of neighbours and be designed so as not to detract from the character of the surroundings 	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between two by suggesting heights that relate well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 2. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. Section 3.3.5 of the draft Design Code seeks to enhance Latimer Road by encourage active frontages to ground floor commercial uses, without impeding on pedestrian routes. This is in line with section LRI of the publicly consulted and adopted St. Quintin's Neighbourhood Plan (StQWNP), which promotes active frontages. We believe that the prescribed active frontages will activate the street and increase safety through natural surveillance. 3. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' gardens. The gardens to the properties on the east side of Latimer Road will not be overlooked by units 1-14 as these gardens are on the east side of their host properties and therefore do not face units 1-14. When considering privacy, RBKC's Local Plan policy CL5 notes that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to an acceptable degree and further notes that there may be instances in the borough of distances less than this. The distance between the rear boundary lines of the units and the properties to Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' parking. The design guidance in the draft Design Code prescribes car-free development in sections 3.1.6 and 3.1.7. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' pedestrian space. The prescribed design guidance in the draft Design Code relates only to the land within the boundaries to 1-14 Latimer Road. IT does not relate to public pedestrian pavements. 4. Section 4.7.14 notes that "The proposed design should consider roof spaces for biodiversity provision, either green roofs and / or brown roofs. Green roofs should be designed to be visually appealing through the year." 5. Section 3.5 of the draft Design Code prescribes access to amenity for each individual unit. All proposals will have to comply with required quantum of amenity mandated in RBKC's Local Plan and in the London Plan. All proposals will have to comply with RBKC housing policy. The draft Design Code does not contradict this. 6. The St. Quintin's Neighbourhood Forum have note been prioritised over the concerns of Latimer Road residents. Latimer Road residents have been equally listed to and engaged with at the consultation workshops held between July 2020 and January 2021. We agree that Latimer Road is a street full of character and historic terraced buildings and we have consulted on extending the Oxford Gardens Conservation Area to include these buildings, at the request of residents. The housing/business development needs of the St.QNF do not unduly compromise or favour any one street. Units 1 -14 form part of the designated employment zone in the borough and the provision for housing in this location is one of several sites identified for housing in the borough. 7. The commissioned sunlight and daylight study, independently produced by GIA does not say "additional massing allocated due to high buildings opposite,". It also does not say "additional massing allocated due to natural opening of Latimer place." This study was undertaken based on four massing permutations. Option A, which presents units 1-14 at 4 storeys with high level set backs, Options B and C, which are variations of Option A with a added 5th storey and Option D, which is an enhanced variation of Option A that increasing massing in areas to take into account opportunities from a Daylight & Sunlight perspective. In some areas of this option, this involves increasing the height yet setting back sections of the scheme that may be more imposing on neighbouring properties. 8. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context,

Including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views (, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

9. Representations from the London Borough of Hammersmith and Fulham note that " the substantial interface distances between the sites subject to design coding, and closest facing elevations of Eynham Road properties, (approximately 55 metres); when coupled within intervening land uses, the extent of impact upon these existing residential developments will be limited in nature; to impacts of outlook and sense of enclosure." While we believe that the design guidance in the draft Design Code would not result in proposals that would cause an unacceptable sense of enclosure or disrupt the privacy of the properties on Eynham Road to an unacceptable degree, we acknowledge that the outlook of these properties will change. We have updated to draft Design Code to revise section 3.5.2 on Amenity to note that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."

The height of the building contravenes the design code policy in that it does not respond to the local context and character/appearance of nearby buildings. It will be double the height of the homes opposite.
 Planning system should work in the public interest and seek a balance between individual landowners minimising impacts on other.
 The proposed building will require a need for more parking.. Traffic congestion will increase not to mention more pollution.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

We believe that the draft Design Code carefully balances the interests of all stakeholders.

Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.

<p>As a resident of Latimer Road, I welcome the Draft Design Code Proposal (“Proposal”) for redevelopment of Units 1-14 on Latimer Rd (“Units”), provided that this will not materially adversely affect the existing residents, particularly those who live opposite or very close to the Units.</p> <p>My main observation is that a max height of 14.31 metres (whether that is 4 or even 5 more cramped stories) is simply too high. - That will create a materially adverse sense of enclosure to the western side of the street. If they are all redeveloped to that height uniformly, they will create a dominating mass. Set backs mandated to the uppermost level and alleys between every second Unit will of course help, but the reality is that at present the street on both sides presents a pleasing variety of heights. Most of the eastern side is 2, max 3, stories, and this is certainly the case opposite most of the Units. - The Proposal says Daylight and Sunlight will not be materially adversely affected for “most” of the existing residents of the eastern side houses, mainly 2-storied. But consider the diagrams at Section 6 Plot by Plot Code - while you might see sky at a 25 degree angle standing directly at the ground floor window onto the street if the Units are redeveloped to 14.3M, the truth is that currently from ground and of course first floor, sky is visible from inside the street-front room – this will be replaced by the brick of redeveloped Units (unless you live perched right at the window of your house).</p> <p>It also seems unlikely that noise levels will, as the Proposal suggests, not increase materially – with 75+ new residential units (150+ people), commercial use, all the associated deliveries, cars, etc. The same goes for traffic, parking congestion etc. The Proposals speaks of potentially narrowing the street, installing more cycle lanes/storage, and so forth, but it does not seem to stack up. The street will definitely become busier. With that comes noise and other inconvenience, including reduced privacy (essential that the Proposal’s suggested ban on any terraces looking onto Latimer Rd from the Units will be rigorously enforced ...)</p> <p>I understand that the Units once actually redeveloped may be of varied design and aesthetics – hopefully so – and that materials will be sympathetic to the look and feel of the local area and of existing residential buildings on Latimer Rd, particularly opposite the Units. But it is not clear to me what the Proposal’s authors have in mind when they cite an “urban feel” being the aim. Our neighbourhood already has a pleasant feeling (OK – the existing Units excepted) – I would hope the new Units will reflect the look and feel of this part of the broader Notting Hill/Ladbroke Grove area, rather than treat it as a differentiated fringe.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>- RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>- The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application.</p> <p>We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.'</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>Section 1.4.13 of the draft Design Code clarifies the meaning of 'restore the original urban form of the street', which is mentioned in Policy LRS of the St. Quintin's and Woodland's Neighbourhood Plan (StQWNP). During the stakeholder consultations before the 6 week statutory consultation, STQWNP acknowledged that this wording had been interpreted differently by different readers. The STQWNP confirmed that the intension of this sentence was to restore the street form to one with an active 'urban London' feel (as noted in the Design Code). An active urban London feel is one with a mix of residential and commercial units with active frontages. The draft Design Code hopes to deliver this by prescribing active frontages to commercial units at ground level.</p>
<p>As a resident of Eynham Road for many years, I wish to object to the proposals for a new building in Latimer Road, because</p> <ol style="list-style-type: none"> 1) the proposed new build is of excessive height - 5 stories, with its balconies facing toward Eynham Road - and each storey is to be 1m. higher than the storeys of the existing buildings at the north end of Latimer Road, with no gaps between the new buildings which means less light for the Eynham Road dwellings; 2) It will also mean more noise from increased traffic and reverberation from the passing trains, as well as from the air-conditioning and maintenance units, which the design places on the Eynham side; 3) The new design, which will be twice the height of the houses on the opposite side of Latimer Road, is completely out of character with these dwellings; 4. The new building is anticipated to be just the first of a series of further Latimer Road new builds - which could well be equally unsuitable, for the same reasons. 	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1) We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 2) We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' We have also updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road." 3) See comments above on height. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. 4) Your comment refers to the draft Design Code as a building proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.
<p>As a resident of Latimer Road I strongly object to this proposed design code, which thoroughly ignores the residents’ (as opposed to the St Quintin resident’s Group, who seem to think it’s fine to build a massive four storey new building opposite a two storey Victorian cottage...as long as it’s on Latimer Rd and not on one of their streets inside the St Quintin Conservation Zone) repeatedly stated dislike and concerns about the proposed height of any new buildings. My specific objects are as follows:</p> <ol style="list-style-type: none"> 1. Contravenes Policy CL1 – Context and Character. The height of the building in Design Code contravenes Policy CL1 which requires all development to “respond to the local context” and character and appearance of nearby buildings and the area. The proposed developments at 14.3 metres is double the height of modest homes opposite 2. Contravenes Policy CL12 Building Heights, which requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. The Design Code completely disrespects all of the prevailing building heights within and throughout the street and its effect on local scale and context. 4. Contravenes CL5 “no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces”: the proposed size, plot density, width and height of buildings taking up entire plots of land , will cause a deeply harmful increase in the sense of enclosure to existing buildings and spaces around and opposite, and to neighbouring gardens, balconies and terraces. 	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. 2. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 4. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.

<p>One response online (below) and a separate version emailed- slight deviation in wording. Included as attachment.</p> <p>-----Online Version below-----</p> <p>I would like to make the following comments:</p> <ol style="list-style-type: none"> 1. In my previous response to the draft code I advised that no impact study from Eynham Road side has been carried out. This still remains the case and it is disappointing to see that whilst concessions have been made on the front by setting back the top storey, on the rail side, which we face on Eynham Road we are confronted with the full impact of a 4 storey building. 2. A maximum height of some 14.3 m is mentioned for the rear of the building. However, this is to the flat roof. It seems likely, indeed it is shown on the plans (design code 4.6 Roofscape) that air conditioning, flues and other plant units will be accommodated on the flat roof. Therefore the height will increase even more to allow for a parapet or some other screening and safety feature. We strongly object to this full impact of maximum height plus likely ancillary requirement on the West elevation. 3. We tend to agree with StQW view that if RBKC take a relaxed view with regard to having to provide a commercial use for the ground floor then a 3 storey building is likely to be 'viable'. I quote below from their document in response to this consultation, they go into much technical detail which we are unable to do here: "As of 2021, and as a result of latest studies of viability for any mixed use building in the street, we can see that this wording is creating additional obstacles to redevelopment proposals (particularly when coupled with RBKC requirements to also provide for cycle storage, and separate commercial and residential entrances and cores). A policy requirement to replace a quantum of existing 'employment floorspace on ground floor and mezzanine' adds a floor to building heights, before the financial returns from new residential accommodation can be added into the viability equation." 4. Gaps (draft code 4.14) between buildings are essential to ensure sunlight/skyview onto street and pavements - they will also provide relief to the volume of massing, a typology which works well in this part of London and for us on Eynham Road. 5. The proposed Design Code contravenes planning policy CL5 "no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces": the proposed size, plot density, width and height of buildings taking up entire plots of land, will cause just that. 6. We have an established use of communal space adjacent to the railway where a lot of us find peace and quiet. Our houses on Eynham Road are purpose built Edwardian maisonettes mostly with ground floor and 1st floor flats. We have bedrooms and living spaces looking across the railway line and we strongly object to the mass of balconies overlooking us. We note on the draft code that no balconies, not even recessed ones are allowed on the front - Latimer Road side - of the building. We would be grateful for some appreciation of our privacy too. 7. It is also a concern that the sole amenity space is the proposed balcony as outside space - hence the mass of balconies all situated on the west elevation facing us. However, mitigating noise from trains for the occupiers of those flats is in direct conflict with large openings required for the balconies! It is questionable if the balcony space even complies with London Plan C4.2. It should be a requirement to design in some external spaces at ground level for the future residents. This could perhaps be achieved as mentioned in point 3 - i.e. through relaxation of the need for commercial use. 8. Additionally these balconies project over the 2m no build 'corridor' required by Network Rail. How can this be compatible with London Plan minimum standards for the provision of "home as a place of retreat" C5 referring to privacy, overlooking and acoustic design. 9. Para 4.3.14 of the code states all "rainwater pipes, balconies, balcony drainage and sanitary waste pipes should not be visible on primary or secondary elevations fronting Latimer Rd". So for us on Eynham Road we will be facing elevations peppered with not just balconies but ALL the service pipes! 10. Noise: we are concerned about the train noise which is likely to be bounced back towards us off the proposed 4 storey buildings. At the very least an acoustic study should be made available to understand this impact. <p>In conclusion, we are disappointed that no studies of any impact have been carried for the residents of Eynham Road east side, in fact the design codes do not mention Eynham Road at all nor do they show in cross section the height of the buildings in relation to our Edwardian maisonettes. We are not suggesting that Latimer Road does not need development. It clearly does but RBKC must take note of the objections and concerns raised by the residents of not just Latimer Road but also Eynham Road.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals: <ol style="list-style-type: none"> A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east. <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone." <ol style="list-style-type: none"> 2. The guidance on building heights in the draft Design Code is Clear. It prescribes a maximum of 14.3 metres over 4 storeys. If applicants come forward with proposals for 5 storey, the draft design Code requires that they supplement their application with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. Applicants should also evidence how adverse impacts to the sunlight and daylight of neighbouring residential properties have been mitigated. 3. Units 1 -14 Latimer Road form part of a designated Employment Zone in the borough. There are a limited number of Employment Zones in the borough (3 in total), which is why the Policy requirement to replace the quantum of existing 'employment floorspace on ground floor and mezzanine' is so important. 4. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. 5. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. 6. See comments above on overlooking. 7. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road." 8. section 4.1.7 of the draft Design Code prescribes that "all units should not build within two metres of the Network Rail land running north/south behind units 1-14. Refer to comments above on privacy, overlooking and noise. 9. We have updated section 4.3.14 to include the sentence, "Where pipes may be located on the rear west elevation, consideration should be given to the overall elevational design to ensure they do not visually detract from this façade." 10. See comments above on noise. </p>
<p>Units too high. Not a wide enough consultation.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.</p>

<p>I very strongly support the inclusion of Latimer rd & snarsgate St into the conservation area surrounding them and support the design code but only on the basis that three storey heights are allowed in the code, given the heights of residential properties surrounding units 1- 11.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We note your comments on the consultation for the extension of the Oxford Gardens and St. Quintin's Conservation Area.</p> <p>The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. We therefore note that the draft design code cannot prescribe that building heights be capped at 3 storeys.</p>
<p>I am writing to hugely support the inclusion of Latimer Road and Snarsgate Street into the conservation area as from an architectural perspective they should clearly have been included initially. I support the design code but the heights are far too high for the neighbourhood. Only three story heights should be allowed, because the houses surrounding the units are 2 to 4 stories high and the enclosure and massing will be overwhelming for the local community</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We note your comments on the consultation for the extension of the Oxford Gardens and St. Quintin's Conservation Area.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p>
<p>I strongly support the inclusion of Latimer Road into the conservation area, as it is clearly merited on architectural grounds and protects residents from very significant development from the commercial units in Latimer Road. I also support the concept of a design code. However I believe this current version is flawed as it allows buildings far higher than are required for commercial development purposes as demonstrated by the Council's independent review. They are also far higher than those of the surrounding residential buildings. As such, they contravene Council pledges to protect existing residents. In addition, there should be gaps between all the units and these should be wider than in the current design code to protect the current levels of sunlight and daylight of existing residents.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We note your comments on the consultation for the extension of the Oxford Gardens and St. Quintin's Conservation Area and on the concept of a design code.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>The Council have made no pledge to "protect existing residents".</p> <p>Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p>
<p>I would just like to say that RBKC cannot be trusted in anyway to serve any community as the Grenfell enquires, the Grenfell fire and counsellor Mellon have proved.</p> <p>That any detail of this design code has not been independently checked is a disgrace .as examples of RBKC's continuing indifference to local feeling about the design code, or health, e.g.</p> <p>1.The design code drawings are inaccurate and not to scale. Please have all these properly checked by an independent body and resubmitted .</p> <p>The height of the Victorian roofline at the north end of Latimer Road continually changes in each drawing</p> <p>2.The light assessment does not take the basements on numerous buildings opposite intoaccount .</p> <p>3.The massing and height of this design code is not in keeping with this part of the RBKC which is a CONSERVATION ZONE. Nor is it in keeping with the buildings that were pulled down which were two stories high, and in relation to which the residential side of the street was built .</p> <p>The historical context of the present residential buildings must be considered!</p> <p>The design codes buildings are massively and enormously overbearing in heights, four and five stories, at 3m each storey , which is not traditional on this street. Policy CL1 – Context and Character. The height of the building last in Design Code contravenes Policy CL1 which requires all development to “respond to the local context” and character and appearance of nearby buildings and the area. The proposed developments at 14.3 metres is double the height of modest homes opposite.</p> <p>The Design codes builings are massively and overbearingly too wide, blocking the many gaps between the buildings; The proposed Design Code contravenes CL5 “no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces”: the proposed size, plot density, width and height of buildings taking up entire plots of land , will cause a deeply harmful increase in the sense of enclosure to existing buildings and spaces around and opposite, and to neighbouring gardens, balconies and terraces.</p> <p>Instead of building to capitalise on the uniquely wide and sunny aspect of this much loved street, with gardens and community led uses as an absolute bed rock of any code, and respect for the enviroment of the present residents, the design code disregards these qualities that all the present residents enjoy in favour of these hardline buildings shadowing constructions that block ALL LIGHT from 2pm onwards and designate every single building to private residents and enterprise. Policy CL5 - Living Conditions - the application contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings. and reduce standards of daylight and sunlight in the existing residential houses nearby and opposite.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>The sunlight/daylight study has been independently draft by an external consultant as has the viability study that has informed this work.</p> <p>1. The drawings in the draft Design Code are based on ordinance survey information and are accurate. While they are not to scale in their A4 format, they have been reduced in size from scale drawings to accommodate the overall layout and legibility of the document.</p> <p>2. The Sunlight/daylight study accounts for the basements of the properties on the east side of Latimer Road. This is visible in the diagrams for each massing model in the study where the basement windows are visible.</p> <p>3. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be in increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>No daylight and shadow modelling has been included in the design code although this work was undertaken during the pre-statutory consultation workshops with stakeholders that took place</p>

<p>NOT ONE AREA HAS BEEN DESIGNATED FOR COUNCIL HOUSING CHILDREN OR YOUTH CLUBS > NOTHING ABOUT THE DESIGN CODE ADDRESSES LOCAL IMPROVEMENT> IT IS A TOTAL DISGRACE.</p> <p>It is simply a vision of a completely random and irrelevant development that bears no relation to any part of Latimer Road, its history or its present residents and its community. This design codes suggest completely blocking the sunshine on this wide and versatile street while specifically setting out to limit the variety of occupations and residents that it will attract.</p>	<p>between July 2020 and January 2021 and we have used this modelling to inform the context of the draft Design Code. The result of this modelling showed that on the longest day of the year (when shadows would be at their longest), no shadows would be cast onto the properties on the east side of Latimer Road between 6am and 6pm.</p> <p>Units 1-14 are all privately owned properties. While it may be beneficial for these site to introduce youth clubs, the Council cannot designate uses on properties it does not own. We note that the building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.</p> <p>We do not consider the draft Design Code to be completely random or irrelevant to Latimer Road, its history or its residents and community. See comments above on height, character, sunlight/daylight and sense of enclosure.</p>
<p>ALSO EMAILED IN- SEE ATTACHMENT</p> <p>-----</p> <p>As a home owner with a property on Latimer Road I am concerned at the proposed Design Code for a number of reasons. My primary objection is to the height of the proposed buildings. My house on Latimer Road has very tall buildings close to the back of it and the current proposal of 4 to 5 stories to the front will effectively block any light that my house gets creating a huge sense of enclosure that is unacceptable. In fact diagram 2.2 on the draft design code vastly misrepresents the height of the building directly behind my house (and houses to the left and right of it). The building, Designers Guild, is low where it meets Latimer Place but is at least as high as the terrace in front of it as the building extends to the north. This is NOT represented by this diagram and vastly impacts on the sense of enclosure for this terrace as the building is immediately behind these houses gardens with no space at all. These proposed buildings are far higher than anything historic on this street and, together with the massing of the buildings (elimination of the gaps), will adversely affect every house on the east side of the street and eliminate much privacy to those homes. Some apartments on the East side are below ground and these will get very very little light at all under the proposed scheme. I would also raise the point that 75 further dwellings on the street with no proposed additional parking measures will put enormous pressure on the already overcrowded residents bays. This will also affect the already congested rush hour times to exit onto North Pole Road and Scrubs Lane. I am also concerned that due to presence of the underground river Counters Creek there will be additional pressure put on the drainage which could adversely affect any lower-ground or basement level rooms on Latimer Road.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>The draft Design Code does not prescribe the elimination of gaps. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that there are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>RBKC Policy CE2 of the Local Plan requires surface water run-off to be managed as close to its source as possible.</p>
<p>I strongly object to the current terms of the proposed design code for Latimer Road for the following reasons:</p> <ol style="list-style-type: none"> 1. It contravenes RBKC planning policy CL1: The proposed buildings are way too high in relation to the character and appearance of nearby buildings in both Latimer road and Eynham Road. 2. It contravenes policy CL5 because it fails to secure good living conditions for existing and potential new residents in terms of enclosure, overbearing, architecturally inappropriate design of large enclosed spaces that will decrease footfall in the neighbourhood and make it a less safe community. 3. It damages the 'reasonable enjoyment' of the current residents' use of their homes, gardens, parking and pedestrian spaces in the immediate area. 4. It will reduce the living standards in the street, because there is no evidence in this proposed design code of any increase in green space provision within it, even though RBKC is allegedly committed to extended green space in the borough. It will result in overcrowded, under-resourced living conditions. 5. It either contravenes the policy "Every new family (3 or more bedrooms) dwelling should have access to amenity or garden space of no less than 36 square metres," or it doesn't intend to provide any family housing, which contravenes RBKC housing policy and will further compromise the family community character of the street. 6. RBKC have prioritised guidance from ST Helens and ST Quintins neighbourhood forum over the concerns of Latimer road residents. In their documentation they have portrayed Latimer Road as a failed street in terms of office space and businesses in order to suggest that all the housing needs of the NF geographical area should be met in this one street. However, Latimer road is a street full of character and historic terraced buildings, which should be preserved. The housing/business development needs of the STH and ST Q NF should be balanced across the whole geographical area, and not unduly compromise or favour any one street or streets. 7. The light study is inconsistent with itself: it justifies high buildings at the south end of the road stating, "additional massing allocated due to high buildings opposite," and yet where it reaches a section of low Georgian terraces opposite in Eynham road, it switches to "additional massing allocated due to natural opening of Latimer place." This has literally no relevance to the over-bearing nature of the buildings in relation to Eynham Road. 8. There has been NO consultation whatsoever with Eynham road residents; no site visits and nobody at RBKC, STH&STQuintins, the light report, nor from any developers, have sought or gathered any direct information about the over-bearing affect of this design code on local Eynham residents. 9. Contravenes RBKC and H&F policy on over-looking balconies, "Where balconies and or terraces are provided they must be designed to respect the amenity of neighbours and be designed so as not to detract from the character of the surroundings 	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 2. RBKC Policy CL5 requires that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. <p>We note that section 3.3.13 of the draft Design Code notes that "Inactive frontage should be minimised to create safe environments with natural surveillance."</p> <ol style="list-style-type: none"> 3. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' gardens. The gardens to the properties on the east side of Latimer Road will not be overlooked by units 1-14 as these gardens are on the east side of their host properties and therefore do not face units 1-14. When considering privacy, RBKC's Local Plan policy CL5 notes that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to an acceptable degree and further notes that there may be instances in the borough of distances less than this. The distance between the rear boundary lines of the units and the properties to Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' parking. The design guidance in the draft Design Code prescribes car-free development in sections 3.1.6 and 3.1.7.</p>

We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' pedestrian space. The prescribed design guidance in the draft Design Code relates only to the land within the boundaries to 1-14 Latimer Road. It does not relate to public pedestrian pavements.

4. Section 4.7.14 notes that "The proposed design should consider roof spaces for biodiversity provision, either green roofs and / or brown roofs. Green roofs should be designed to be visually appealing through the year."

The draft Design Code sets out sustainability aspirations in line with RBKC Policy CE1 on Climate Change. It further notes that applicants should go beyond the sustainability guidance in the Code, as well as follow the guidance within the Council's Greening SPD, which has now been adopted. The Greening SPD has been written so that new and existing buildings can deliver the best possible standards to reduce harmful carbon emissions.

5. Section 3.5 of the draft Design Code prescribes access to amenity for each individual unit. All proposals will have to comply with required quantum of amenity mandated in RBKC's Local Plan and in the London Plan. All proposals will have to comply with RBKC housing policy. The draft Design Code does not contradict this.

6. The St. Quintin's Neighbourhood Forum have not been prioritised over the concerns of Latimer Road residents. Latimer Road residents have been equally listed to and engaged with at the consultation workshops held between July 2020 and January 2021. We agree that Latimer Road is a street full of character and historic terraced buildings and we have consulted on extending the Oxford Gardens Conservation Area to include these buildings, at the request of residents. The housing/business development needs of the St.QWNF do not unduly compromise or favour any one street. Units 1-14 form part of the designated employment zone in the borough and the provision for housing in this location is one of several sites identified for housing in the borough.

7. The commissioned sunlight and daylight study, independently produced by GIA does not say "additional massing allocated due to high buildings opposite,". It also does not say "additional massing allocated due to natural opening of Latimer place."

This study was undertaken based on four massing permutations. Option A, which presents units 1-14 at 4 storeys with high level set backs, Options B and C, which are variations of Option A with an added 5th storey and Option D, which is an enhanced variation of Option A that increasing massing in areas to take into account opportunities from a Daylight & Sunlight perspective. In some areas of this option, this involves increasing the height yet setting back sections of the scheme that may be more imposing on neighbouring properties.

8. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1-14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

9. See comments above on overlooking and character.

As a homeowner I am extremely concerned about the proposed developments on the units on Latimer Road, my most concerning issue is the height of these buildings as it will affect a huge aspect to our daily lives and existence as it will essentially be robbing us of our daylight which I feel will have a direct affect on our mental wellbeing.

The building behind our property (Designers guild) is 4 stories high so putting a building as high if not higher in front of the house is also going to make us feel trapped in!

The other aspect will be the parking issue which is already at full capacity and this eventually will cause friction amongst residence.

The plots which the units sit on were originally cottages which were no higher than the railway tracks hence this is why the units are the height that they are now. How can this now be threatened?

This is all deeply upsetting and I hope that the right decision will be made.

Many thanks

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the numerical order set out in your comments.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.

<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England have no comments to make on this consultation.</p> <p>For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.</p>	<p>Many thanks for confirming.</p> <p>Yours sincerely,</p> <p>Growth and Delivery team, RBKC.</p>
<p>Thank you for giving Transport for London (TfL) the opportunity to comment on 1-14 Latimer Road Design Code SPG. Our response considers the London Plan 2021, which was published on 2nd March 2021 and Mayor's Transport Strategy to assess and respond to this consultation, along with referencing RBKC's local plan where relevant.</p> <p>We welcome the consideration of more space for walking and cycling by narrowing it for vehicular traffic (diagram 2.3). The Healthy Streets Approach should be included under the movement and street design principles sections to emphasise the impact of developments on street design.</p> <p>In movement diagram 2.3, it will be helpful to include the location of Latimer Road and White City stations with a distance of 800m drawn around stations as well as nearby bus stops to understand the distance of the site from public transport hubs and to also understand the statement 'buses are a significant distance'. It will also help to include walking and cycling paths to these bus stops and stations as well as any cycle hire stations near the site. Another diagram with a plan and section drawing will be helpful to illustrate how the Council is anticipating narrowing Latimer Road to improve walking and cycling.</p> <p>In section 2.6 (or a separate section), along with sunlight and daylight testing, it would be important to include noise testing and include the agent of change principle to articulate how the design of the development would mitigate noise from the nearby rail corridor and other transport infrastructure. This could be included as a separate section or under Section 3 – street wide design principles, along with 3.1.5 that addresses wind, rain, and glare. This agent of change section should specifically address how the provision of balconies on the west side of the development which faces the rail corridor is considered good design quality and how it will mitigate the noise from the train tracks.</p> <p>In section 3.1.6 and 3.1.7, we commend the mention of long stay and short stay cycle parking. We recommend that the design code includes an illustrative design of how long stay parking will be provided within the plot and include requirements that such long stay parking spaces must have direct access to promote cycling.</p> <p>For short stay cycle parking, we request further clarity on how the service bay is designed and how short stay cycle parking will be accommodated. A clear diagram of the street that incorporates walking and cycling routes (with specified widths), potential short-stay cycle parking locations on service bays, and street car parking, if any, would be helpful. We recommend including the east side developments for reference on such a diagram as it will help establish how the provisions through new developments would interact with existing residential development, and street parking on the east in terms of movement and place.</p> <p>In 3.1.8, the quantum of cycle parking should be based on the London Plan standards. It should not be left for site by site negotiation by RBKC transport officers.</p> <p>In 3.1.9, it should be made clear that all developments must start as car-free as stated in the London Plan policy T6 part 10.6.2, especially when the area is well connected to amenities and public transport, which Latimer Road is. Although this section cites RBKC policy CT1 to demonstrate that development would not create any material increase in traffic congestion or on-street parking pressure, we recommend further clarity on car parking in this area, whether any parking is allowed on individual plots or is it accommodated as part of street parking. If street parking is provided, how it will be ensured that it doesn't create vehicle dominance and hinder walking and cycling.</p> <p>In 3.4 servicing section, it may help to include encouraging cycle freight and other sustainable methods of delivery to reduce congestion on the entire section of the road and neighbouring area.</p> <p>In 3.4, the servicing bay dimension seems too big (4.5m x 8m) without properly explaining the purpose. Although the text in section 3.1 mentions that the servicing bay can be used to accommodate short stay cycle parking, diagram 3.7 only shows one car. A well designed servicing bay that includes streetscape elements along with cycle parking, cycle freight and other delivery services is recommended, otherwise these bays can result in vacant unused spaces or spaces that create vehicle dominance and are used for car parking. Such a big space, and especially when two such spaces are combined as illustrated in diagram 5.3, can result in poor design and inactive frontages. A clear explanation of why servicing bays are required in 8 out of 14 units and what these spaces will be used for is needed to justify such a large amount of space dedicated to servicing. The diagrams should also clarify the length of kerb drop that is shown which can create severance in footways and will be detrimental to walking.</p> <p>Overall, we recommend that the diagrams used in the document reflect the spirit of the design code that encourages walking and cycling. Currently, the diagrams show cars and no people or cycles that inadvertently implies a focus on cars. We recommend being more inclusive in the diagrams to showing various modes - walking, cycling, cycle freight and other delivery vehicles as would be anticipated.</p> <p>Please do not hesitate to contact me if you have any clarifications regarding these comments.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each of your points below, in the order set out in your comments.</p> <p>We have amended the 'Street Wide Design Principles' section to include section 3.1.11 on considering the impact of development on the street and prescribing that applicants refer to the 'Healthy Streets for London' document for further guidance.</p> <p>We have updated diagram 2.3 to include the nearest tube stations and cycle paths. We note there are no bus stops located within the mapped area.</p> <p>Whilst the key to diagram 2.3 in the draft Design Code notes that narrowing Latimer Road could give more space over to pedestrians and cyclists and slow traffic, the draft Design Code does not propose or prescribe this, as the guidance in the document relates to the areas within the boundaries to each unit at 1-14 Latimer Road. Applicant's coming forward will have no jurisdiction over the pavement located outside of their boundary lines. However, we have included this note in the key as the diagram it relates to shows the wider issues related to movement around Latimer Road and beyond. We felt it was important to include a comprehensive set of analysis that speaks to all of the issue on a micro and macro scale, in order to communicate all the constraints and opportunities that the sites present. We are hoping to follow up with further work that addresses the wider context, but have started with a Design Code for units 1-14 Latimer Road as a priority, due to the applications we are receiving for these units.</p> <p>We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' We have updated to draft Design Code to revise the section 3.5.2 on Amenity to note that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."</p> <p>We have amended section 3.1.6 to note that long stay cycle parking should ideally have direct access to the street to promote cycling. We have not included a diagram, to provide flexibility to applicants on how this might be achieved.</p> <p>Similarly, We have not included a diagram for the short stay cycle parking to provide flexibility to applicants on how the service bays might be designed and how they will incorporate the cycle parking. We note that applications for the 14 units may have types of commercial accommodation at ground floor level and differing requirements for service provision.</p> <p>We have updated section 3.1.8 to note that the quantum of cycle parking required should comply with the standards in the London Plan 2021.</p> <p>We have updated section 3.1.9 to note that all developments must start as car-free as stated in the London Plan policy T6 part 10.6.2.</p> <p>We have added a section 3.4.5 noting that service bays should encourage and accommodate the use of cycle freight and other sustainable methods of delivery.</p> <p>We have updated diagram 3.7 to show cycle bays. Section 3.4.4 explains why the servicing bays are required noting that "The set back service yards have a practical servicing function as well as a townscape function of reducing the continuous mass fronting the street."</p> <p>We have updated all diagrams showing cars, to include people and cyclists.</p>

I have attached our standard Asset Protection comments for development within close proximity to Network Rail land. I have yet to consult ASPRO as this would be done for a planning application. As such, comments may change and/or be added to, however, the standard list is a good guide. The Asset Protection contact email for the particular area is AssetProtectionLondonSouthEast@NetworkRail.co.uk .

All existing access to Network Rail land must be retained and protected by the development, unless otherwise pre-agreed with Network Rail.

Asset Protection Informatives for works in close proximity to Network Rail's infrastructure

The developer must ensure that their proposal, both during construction and after completion does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure.

Future maintenance

The applicant must ensure that any construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of/or encroaching upon Network Rail's adjacent land and air-space. Therefore, any buildings are required to be situated at least 2 metres (3m for overhead lines and third rail) from Network Rail's boundary.

This requirement will allow for the construction and future maintenance of a building without the need to access the operational railway environment. Any less than 2m (3m for overhead lines and third rail) and there is a strong possibility that the applicant (and any future resident) will need to utilise Network Rail land and air-space to facilitate works as well as adversely impact upon Network Rail's maintenance teams' ability to maintain our boundary fencing and boundary treatments. Access to Network Rail's land may not always be granted and if granted may be subject to railway site safety requirements and special provisions with all associated railway costs charged to the applicant.

As mentioned above, any works within Network Rail's land would need approval from the Network Rail Asset Protection Engineer. This request should be submitted at least 20 weeks before any works are due to commence on site and the applicant is liable for all associated costs (e.g. all possession, site safety, asset protection presence costs). However, Network Rail is not required to grant permission for any third-party access to its land Plant & Materials

All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

Drainage

Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. The applicant/applicant's contractor must consider if they can undertake the works and associated scaffold/access for working at height within the footprint of their property boundary.

Piling

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

Fencing

In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point during or post construction should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation within Network Rail's land boundary must not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers' vision on

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

I can confirm that this consultation relates to the draft Design Code document that provides design guidance for potential developers of units 1 – 14 Latimer Road. Any development proposals to these units will still need to adhere to the planning permission process. We note that the draft Design Code currently notes in section 4.1.7 that proposals should not build within 2 metres of Network Rail land. We have updated this section to include Network Rail easements. We have also updated this section to note that applicants should refer to the Network Rail Asset Protection standards for further guidance.

<p>I strongly object to the current design code for development proposals in Latimer road on the following grounds:</p> <ol style="list-style-type: none"> 1. A wall of high buildings along Latimer Road and the houses of Eynham Road will create a tunnel along the railway line causing more noise and reverberation with passing trains. This will also lead to a loss of sleep as freight trains run throughout the night. 2. Noise pollution from air conditioning units. 3. Lack of green space on either side of the railway track for Latimer and Eynham Road residents. 4. There has been no direct consultation with Eynham Road residents. 5. Overcrowding of the area and insufficient allowance for parking. 6. Loss of gaps between buildings, which allows light to pass (See attached diagram). 7. A terrace of 14 units of 4 or 5 storeys at least 14.3 meters high will block Eynham Road of sunlight and cast the road into permanent shadow. The design code does not even commit to any maximum building height but allows for possible excessive heights provided light studies are favorable, when we know these light studies are flawed, and will only have to provide for two hours sunlight per day. <p>The application breaches the following RBKC policy:</p> <ol style="list-style-type: none"> 1. Contravenes Policy CL12 Building Heights, which requires new buildings to respect the setting of the borough's townscapes and landscapes through appropriate building heights. The Design Code completely disrespects all of the prevailing building heights within and throughout the street and its effect on local scale and context. 2. Contravenes Policy CL5 - Living Conditions - the application contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings. and reduces standards of daylight and sunlight in the existing residential houses nearby and opposite. <p>I hope you will take the above points into consideration and not approve the proposed application in its current format.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development as do the gaps prescribed gaps between the units. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road." 2. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' 3. Section 4.7.12 of the draft Design Code clearly states that any new development proposals should encourage and support new biodiversity. We note that there is already a planted parcel of land that runs north/south along the west side of units 1 -14, which includes trees. We further note that Latimer Road has an existing rhythm of trees that run along the pavement on both sides of the street. 4. Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period (in which Eynham Road resident were included) that was also extended at the request of residents. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals: <ol style="list-style-type: none"> A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east. <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."</p> 5. Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1. 6. The draft Design Code does not prescribe the loss of gaps between the units. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. 7. See comments above on daylight and shadow modelling to Eynham Road. The guidance on building heights in the draft Design Code is Clear. It prescribes a maximum of 14.3 metres over 4 storeys. If applicants come forward with proposals for 5 storey, the draft design Code requires that they supplement their application with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. Applicants should also evidence how adverse impacts to the sunlight and daylight of neighbouring residential properties have been mitigated. <ol style="list-style-type: none"> 1. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. 2. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.
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I am writing to express my strong objections to the development proposals in Latimer Road.

While I completely understand and applaud the need to build new housing, I am appalled both by the fact that this project seems to include no affordable housing and that it seems to have been designed with an extraordinary disregard for the wellbeing of existing residents and the future residents who are meant to live in these dwellings.

The architects have shown an arrogant disregard for the character of the area and the style of its housing - the height of the units and the lack of space between them contravenes both Policy CL1 and CL12. More than that, it shows what strikes me as a callous disregard for peoples' wellbeing. People need light and space - this plan deprives existing and new residents of both. In so doing it contravenes Policy CL5 requiring all development to ensure good living conditions for occupants of existing and neighbouring buildings and reduces standards of daylight and sunlight in the existing houses nearby and opposite. Where is the green space for this additional number of residents? The plan also contravenes Policy CL5 since it will most certainly harm the 'reasonable enjoyment' of the use of existing buildings, gardens and other spaces directly opposite and nearby. It will also significantly increase traffic in an area which already suffers from heavy congestion (have you driven along Latimer Road and North Pole Road in the mornings and afternoons?) and make parking almost impossible.

Of course London needs more houses, but it also needs contented communities. Architects can provide for both if they build with sensitivity to the needs of residents.

In Eynham Road we will have to live with the consequences of this new development - in terms of noise pollution, overcrowding and lack of light. It seems to me extraordinary that you have not bothered to directly consult Eynham Road residents on a proposal which will so clearly affect them.

We have worked extremely hard in this area to build a community. PLEASE listen to our voices.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the order set out in your comments.

The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.

Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. See comments above on daylight and sunlight study.

Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.

Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

You will be aware of the the force of objections to the first consultation from the residents in Eynham Road whose properties back on the railway line dividing us from Latimer Road.

Please see attached my response to the draft design code and urge you and your colleagues to please take note of the concerns of Eynham Road residents.

I have copied this to our ward councillor, Wesley Harcourt and the north area planning team manager Neil Egerton and his planning colleague Allan Jones.

We understand that Allan Jones is preparing a document on behalf of LBHF planning in connection with the draft design code.

Please acknowledge this email and look forward to amendments in the code addressing the concerns of Eynham Road residents.

1. As stated in our previous response to the draft code, no detailed impact study concerning the 100 plus households in Eynham Road has been carried out in relation to overlooking, noise nuisance and light pollution leading to loss of established amenity to the Eynham Road residents. It is disappointing to see that whilst concessions have been made in the code regarding the Latimer Road elevations by setting back the top storey, the Eynham Road residents are confronted with the full impact of a 4 or storey building 14.3 M high without set back or relief. I/we object strongly to this lack of consideration.

2. A maximum height from ground level of some 14.3 m is mentioned for the rear of the building. However, this is to the flat roof. It is shown on the plans (design code 4.6 Roofscape) that air conditioning, flues and other plant units will be accommodated on the flat roof. Therefore, the height will increase even more to allow for a parapet or some other screening and safety feature. I/We strongly object to this full impact of maximum height plus likely ancillary requirement on the West elevation.

3. We tend to agree with StQW neighbour hood forum view that if RBKC take a relaxed view with regard to having to provide a commercial use for the ground floor then a 3 storey building is likely to be 'viable'. I quote below from their document in response to this consultation; they go into much technical detail which we are unable to do here: "As of 2021, and as a result of latest studies of viability for any mixed-use building in the street, we can see that this wording is creating additional obstacles to redevelopment proposals (particularly when coupled with RBKC requirements to also provide for cycle storage, and separate commercial and residential entrances and cores). A policy requirement to replace a quantum of existing 'employment floorspace on ground floor and mezzanine' adds a floor to building heights, before the financial returns from new residential accommodation can be added into the viability equation."

This argument of course could also be used by a developer to push for additional storeys for additional return on investment and we rely on planning policy to protect residents and neighbours against such action.

4. Gaps (draft code 4.14) between buildings are essential to ensure sunlight/skyview onto street and pavements - they will also provide relief to the volume of massing, a typology which works well in this part of London and for us on Eynham Road.

5. The proposed Design Code contravenes planning policy CL5 "no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces": the proposed size, plot density, width and height of buildings taking up entire plots of land, will cause just that. It does not follow that a proposed change of use should follow the existing building outline on the plot. There is sufficient room on the plot to provide amenity space, gardens etc at ground level in lieu of projecting balconies over the railway line.

6. We have an established use of communal space adjacent to the railway where Eynham Road residents find peace and quiet. This is our precious amenity space. Our houses on Eynham Road are purpose built Edwardian maisonettes mostly with ground floor and 1st floor flats. We have bedrooms and living spaces looking across the railway line and we strongly object to the mass of balconies overlooking us. We note on the draft code that no balconies, not even recessed ones are allowed on the front - Latimer Road side - of the building. We would be grateful for some appreciation of our privacy too.

7. It is also a concern that the sole amenity space for the proposed residential space are the proposed balconies on the west elevation - hence the numerous balconies all situated on the west elevation facing the railway and the Eynham Road gardens and amenity space. However, mitigating noise from trains for the occupiers of those flats is in direct conflict with large openings required for the balconies! It is questionable if the balcony space even complies with London Plan C4.2. It should be a requirement to design in some external spaces at ground level for the future residents. This could perhaps be achieved as mentioned in point 3 - i.e. through relaxation of the need for commercial use.

8. Additionally these balconies project over the 2m no build 'corridor' required by Network Rail. How can this be compatible with London Plan minimum standards for the provision of "home as a place of retreat" C5 referring to privacy, overlooking and acoustic design.

9. Para 4.3.14 of the code states all "rainwater pipes, balconies, balcony drainage and sanitary waste pipes should not be visible on primary or secondary elevations fronting Latimer Rd". So for residents on Eynham Road we will be facing elevations peppered with not just balconies but ALL the service pipes! This is not a credible design code recommendation

10. Noise: we are concerned about the train noise which is likely to be bounced back towards us off the proposed 4 storey buildings. At the very least an acoustic study should be made available to understand this impact before any further action is taken.

In conclusion, we are disappointed that no studies of any impact have been carried for the residents of Eynham Road east side, in fact the design codes do not mention Eynham Road at all nor do they show in cross section the height of the buildings in relation to our Edwardian maisonettes. We are not suggesting that Latimer Road does not need development. It clearly does, but RBKC must take note of the objections and concerns raised by the residents of not just Latimer Road but also Eynham Road. The draft code should ensure emphasis on the quality of homes being created, sustainability, green space in form of courtyards perhaps. It would appear that the design code has fallen short of the minimum standards recommended for residential development (eg SPG Housing Design Quality ad Standards 2020 produced by The Mayor of London office) and in view of the shortage decent homes in London, we urge the authors of the Design Code to reconsider the fundamental principle of development along Latimer Road. The is an opportunity here to recommend and guide a development to create and urban intervention with a sense of place and scale that returns some civic pride and community to this street in West London.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each or your points below, in the numerical order set out in your comments.

1. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
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- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

2. The guidance on building heights in the draft Design Code is Clear. It prescribes a maximum of 14.3 metres over 4 storeys. If applicants come forward with proposals for 5 storey, the draft design Code requires that they supplement their application with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. Applicants should also evidence how adverse impacts to the sunlight and daylight of neighbouring residential properties have been mitigated.

3. Units 1 -14 Latimer Road form part of a designated Employment Zone in the borough. There are a limited number of Employment Zones in the borough (3 in total), which is why the Policy requirement to replace the quantum of existing 'employment floorspace on ground floor and mezzanine' is so important.

4. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.

5. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be in increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.

6. the prescribed footprints to units 1-14 Latimer Road do not occupy the entire plots. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units (see comments on gaps above). The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, so there would be unoccupied space in front of the units facing the street. Finally, section 4.1.7 of the draft Design Code prescribes that "all units should not build within two metres of the Network Rail land running north/south behind units 1 -14. Refer to the diagrams in the Plot by Plot Code in section 6.0." There would therefore be a 2 metre section of unoccupied space to the rear of each unit.

We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."

7. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' Also, see comments above in relation to reverberation.

8. See comments above in relation to winter gardens.

9. We have updated section 4.3.14 to include the sentence, "Where pipes may be located on the rear west elevation, consideration should be given to the overall elevational design to ensure they do not visually detract from this façade."

10. See comments above relating to noise.

On behalf of Plainview Planning, representing Symon Roue of Visual Data Media based at Nos 316- 318, we wish to make an objection to the inclusion of this property in the proposed extension to the Oxford Gardens - St Quintin Conservation Area.

Our grounds for objection is that the property in question does not have sufficient architectural or historic interest to be included in the conservation area. Furthermore we feel there that the blanket proposals to include much of Latimer Road in the Oxford Gardens - St Quintin Conservation Area would contravene the requirements of the National Planning Policy Statement Paragraph 186:

When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

Our Case

The consultation document states the following:

310-314 (even) Latimer Road and 8 & 10 Calderon Place, 316 & 318, & 320 Latimer Road

No. 320 and Nos. 8 & 10 Calderon Place are modern residential developments, replacing three small houses and a former laundry, and carried out in a loosely traditional form, built in yellow stock bricks with rendered ground floor and window dressings. They harmonise with the character and appearance of the area and would make a neutral contribution to the conservation area.

No. 316 – 318 appears to be a former garage or showroom building, with a single storey front range incorporating classically inspired windows, and a large structure, originally shed-like, behind. It is white-rendered and currently in business use. It reveals the formerly mixed use of the

area, incorporating commercial premise, and forms an interesting counterpoint to the houses around it.

310 – 314 Latimer Road are a short terrace of modest two storey houses in yellow stocks with simple pitched roofs and retaining their timber sash windows.

Inclusion of this group would overall be a positive inclusion in the conservation area.

Our investigation using historic maps and other records suggest that the site of No. 316-318 was first developed between 1865 and 1893, and that it historically appears to have been occupied by three buildings fronting Latimer Road, with a carriage arch providing access to a yard to the rear bounded by further buildings. These buildings are all gone.

The present single storey frontage and large shed building behind do not have their origins in the buildings that were historically present in the 19th century and even the early 20th century.

The existing frontage has the classically-influenced style of the interwar to mid 20th century period and has been much altered, probably in the late 20th century and more recently when the brickwork was painted and it was given u-PVC windows and the timber clad entrance. The whole of the rest of the site behind has been developed with a large undistinguished shed with a pitched roof covered in asbestos sheets. Their heritage interest and their contribution to the 'special interest' of the proposed extended conservation area is negligible if not negative in large part.

We also believe that a strong case could be made that No. 320 Latimer Road and Nos. 8 & 10 Calderon Place should not be included in the conservation area, as this is a 1990s redevelopment of the site of another industrial building, the Osborn Laundry. It was been redeveloped for flats in three blocks. But the designs of the development we would submit are not of the standard that your council would approve for a redevelopment in a conservation area, and in particular the Latimer Road elevation of No 320 is poor and rather than being 'a neutral contribution to the conservation area' should be regarded as 'negative'.

On the other hand to include Nos. 310-314 Latimer Road would be reasonable. In fact these three houses are part of the Snarsgate Street development as are Nos 306-308 on the other side of the Snarsgate Street opening. This was a development by one builder in the period form 1873-1895, and fits in with the character of housing in other parts of the conservation area.

Further observations on the blanket inclusion of the east side

It was surprising that the consultation document indicates the proposal is to include all buildings from Nos 322 to No 222 on the east side. We would respectfully suggest that other buildings further south on the east side should be excluded on similar grounds to the reason No 320 and No s 316-318 should be excluded, namely:

- Nos 302-4, Westview Close and Nos 298-300 – as modern housing of indifferent quality;
- Nos 386-296 – modern development that is different in character to the conservation area;
- Designers Guild at the back of Latimer Place and the warehouse buildings on its site including No 3 Latimer Place – a modern warehousing development without distinguishing design qualities.

Agreement with inclusion of west side as far as No 455

Your comments relate to the consultation on the extension of the Oxford Gardens and St. Quintin's Conservation Area. We will transfer your comments to this consultation.

We support the inclusion of the North Pole Road properties west of Latimer Road and the terraced houses on the west side of Latimer Road down as far as No 455 (No 453 no longer exists).

Our Evidence

The historic maps in the appendices below show that Latimer Road was developed in a piecemeal fashion from the north end, starting around 1860 when North Pole Road was laid out and Latimer Road running from it. The first buildings shown are the North Pole Public House on the corner of the two streets and then, after an empty plot, Globe Villas on the site that is now Nos 320-22.

By the 1890s most of the road was built up: all the west side, and the east side including Nos 316-8, and 310-14, Snarsgate Street and Nos 306-8 (one development) but south of this were only part- developed sites down as far as Nos 274-284 and Latimer Place.

The early 20th century maps show how many of the early developments of pairs of villas now had buildings on their back gardens, and this shows the arrival of laundries in the area.

According to records held by North Kensington Community (<https://northkensingtonhistories.wordpress.com/2012/10/04/latimer-road-laundries-and-shops/> Posted on October 4, 2012 by northkenhistories), before the Second World War Nos 320-22 was the Osborn House Laundry but Nos 316-18 was Hattons Starch Makers.

The form of the buildings on the Nos 316-18 site changes from the 1938 map (surveyed in 1913-14) to the 1961 map, and this indicates that the site was cleared and the building was replaced. The style of the existing frontage accords with this period of change.

The 1961 map indicates that a large shed spanned the entire site at the east end, but that an open passage reached through the central arch to Latimer Road deep into the heart of the site.

Photographic records show that by 1974 the building had changed and was similar to its present form. The large shed now extended all the way to the back of the Latimer Road block, and the open yard had disappeared.

Overall therefore it is clear that the existing buildings on the site are not 19th century or pre-1914 in origin, unlike the fundamental character of the conservation area.

Streetscape Analysis

The north end of Latimer Road is defined by late 19th century development of brick buildings with stucco details and slate roofs. At the top are the 3 storey late 19th century terraces with shops on the ground floor on the west side, and stuccoed ground floors with large windows on the east side. The west side Nos 455-493 are a varied terrace of late 19th century artisans' cottages of two storeys.

The east side has an interrupted streetscape with Nos 320-22 of 1993 and the single storey façade of Nos 316-18, both of which do not positively contribute to the original historic character of the street.

Beyond is Nos. 310-314, Snarsgate Street, and the Nos 306-308 development of late 19th century artisan cottages (similar to Nos 455-493).

South of this development is the Westview Close development of the 1990s which is a poor mimic of the Snarsgate Street development and is typical of the late 20th century reinvention of the terraced house built of brick with concrete roof tiles. Though in scale with the street, this development makes a neutral contribution at best.

Farther south is a relatively recent development in grey brick, glass and cladding which is striking but not contextual to the street, Nos 290-96. Attached to which is No 286-88 which is a poor 1970s building that has little architectural interest.

Conversely, though altered, Nos 274-284 is a late 19th century terrace that re-establishes the character of the street. This leads into Latimer Place, which apart from Nos 1 & 2 attached to No 274 does not contribute to the streetscene, as the Designers Guild has a low frontage with railings and rendered buildings.

Beyond this on the east side from Nos 272 on the development is back to terraces of late 19th century housing.

Conclusion

We firmly believe that using the requirement in Paragraph 186 of the NPPF and the existing March 2000 Conservation Area Appraisal, a balanced evaluation of the proposal to extend the conservation area would suggest that the proposals in this consultation should be reviewed and a number of the sites proposed for inclusion omitted: Nos 316-22 Latimer Road, Nos 298-304 & Westview Close, Nos 286-96 Latimer Road and Designers Guild. We have set out the suggested revised boundaries in the appendices below.

Please do not hesitate to contact me if you have any queries or wish to discuss this further

We have lived in Eynham Road for Almost 27 years, and made it our home for life, raising our 2 children here.

We would like to strongly object to the current design code for development proposals in Latimer road on the following grounds:

A terrace of 14 Units at 4 or 5 storeys at least 14.3 meters high will rob us of our sunlight and cast our road into permanent shadow. The design code does not even commit to any maximum building height, but allows for possible excessive heights provided light studies are favourable, when we know these light studies are flawed, and only have to provide for 2 hours sunlight per day.

At least 75 new dwellings on the road with no affordable housing, is not sustainable.

All our windows on Eynham and Latimer will be overlooked with an overbearing sense of enclosure.
Noise pollution from air conditioning units and increased reverberation when trains pass

No green space on either side for Latimer or Eynham residents, just a wall of high rise development with noisy aircon.
There has been no direct consultation with Eynham Road residents, whom this would greatly affect
Contravenes Policy CL12 Building Heights, which requires new buildings to respect the setting of the borough's townscapes and landscapes through appropriate building heights.

The Design Code completely disrespects all of the prevailing building heights within and throughout the street and its effect on local scale and context.
Contravenes Policy CL5 - Living Conditions - the application contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings. and reduces standards of daylight and sunlight in the existing residential houses nearby and opposite.

Contravenes CL5 "no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces": the proposed size, plot density, width and height of buildings taking up entire plots of land, will cause a deeply harmful increase in the sense of enclosure to existing buildings and spaces around and opposite, and to neighbouring gardens, balconies and terraces.
Contravenes CL5 point e, as it will harm the "reasonable enjoyment" of the use of existing buildings, gardens and other spaces directly opposite and nearby - significant increase in traffic, parking, noise and disturbance given that this much larger building creates a very large increased amount of residential accommodation- 75 new homes, and enlarged commercial building in a street where parking is already exceptionally challenging for residents.

Finally, We will lose the amazing sunrise every morning, which we have enjoyed over the last 26 years and was one of the main reasons for buying this property and living in this wonderful community.

We wake up to this wonderful view, along with the presence of the iconic Trelick Tower, which means so much to us (please see attached pics) I even got tattoo !
If the design code allows for them proposed 4/5 floors all this will be lost, having a really detrimental affect on our life here.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each or your points below, in the order set out in your comments.

Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road.

Section 4.1.3 of the draft Design Code commits to prescribing a maximum proposed building height of 14.3m. Where applicants are proposing 5 storeys (four storeys with a set back fifth storey), the draft Design Code notes that this will be acceptable, provided that applications are supplemented with a detailed sunlight/daylight study, evidencing there would be no adverse impact on neighbouring properties. Applicants will also be required to evidence how adverse impacts to the sunlight and daylight of neighbouring residential properties have been mitigated.

The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.

We have looked at what the privacy and sense of enclosure implications of proposed development to units 1-14 might be on the properties to Latimer Road as privacy, overlooking and sense of enclosure would be a material consideration in the assessment of any planning application. Section 3.5.2 of the draft Design Code prescribes that External amenity should not be positioned on the Latimer Road elevations. This is to avoid issues with potential overlooking.

We have looked at what the privacy and sense of enclosure implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy, overlooking and sense of enclosure would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. We therefore consider that the design guidance in the draft Design Code would not result in proposals which will unacceptably overlook the properties on Eynham Road or create an unacceptable sense of enclosure.

We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.' We have also updated to draft Design Code to revise section 3.5.2 on Amenity to note that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."

Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code. Furthermore, section 4.7.14 notes that "The proposed design should consider roof spaces for biodiversity provision, either green roofs and / or brown roofs. Green roofs should be designed to be visually appealing through the year."

Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. In addition to this, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would cause an unacceptable reduction to the sunlight and daylight of neighbouring properties. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

We have looked at the sense of enclosure implications of proposed development to units 1-14 might be on the properties to Latimer Road. The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development and to ensure there is not a harmful increase in the sense of enclosure to neighbouring properties. We do not believe that the design guidance in the draft Design Code would result in proposals that would create an unacceptable sense of enclosure.

We have looked at the sense of enclosure implications of proposed development to units 1-14 might be on the properties to Eynham Road. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. We therefore consider that the design guidance in the draft Design Code would not result in proposals that would create an unacceptable sense of enclosure.

The prescribed footprints to units 1-14 Latimer Road do not occupy the entire plots. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. In addition, The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, so there would be unoccupied space in front of the units facing the street. Finally, section 4.1.7 of the draft Design Code prescribes that "all units should not build within two metres of the Network Rail land running north/south behind units 1-14. Refer to the diagrams in the Plot by Plot Code in section 6.0." There would therefore be a 2 metre section of unoccupied space to the rear of each unit. Our response to comments on sense of enclosure are noted above.

Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement

with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1. Our response to comments on noise are noted above.

While the sunrise datum would be raised by the increase in height prescribed in the draft Design Code the sunrise would not be lost. We also note that the sunrise datum would likely remain as existing where there are gaps between the units as prescribed in section 3.6.7 of the draft Design Code.

Text volume can not support. See attached.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We have responded to each of your points below, in the order set out in your comments.

Inappropriate Scale and Massing:

We consider that the building heights and massing prescribed in the draft Design Code adhere to the London Plan Policies that you have referenced (note the London Plan 2016 has been superseded by The London Plan 2021) and will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

We agree that diagram 4.2 could be misinterpreted and we have amended the key to note the purple sections as '3 storey Victorian flats and houses - some with other uses as ground floor and some with basements.'

We disagree that any development above 3 storeys, would be disruptive to the street scene. As noted above, we consider that the heights prescribed in the draft Design Code would improve the current imbalanced building heights to Latimer Road.

We do not consider a maximum of 14.3 metres to be excessive for a 4 storey building with commercial and residential uses, given the floor slab depths and services that will need to be factored into this height (especially on wider plots where floor slab depths are likely to increase to achieve structural loads).

We disagree that the photograph of the partially constructed unit 1 building appears overbearing and excessive as the three storeys that are shown relate well to the adjacent three storey building in the photo. We do not believe it is possible to ascertain whether the building appears "well out of place" as the photo shows its construction as incomplete with no front façade and only the structural framing and floor slabs visible.

Design and Impact on the Local Character:

Your comment in paragraph 26 of your letter refers to the draft Design Code as a poorly designed development scheme. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road. Further more, we believe that the design guidance in the draft Design Code is in accordance with the policies you have referenced in the NPPF, The London Plan, RBKC's Local Plan and the St Quintin and Woodlands Neighbourhood Plan.

We consider that the draft Design Code gives sufficient guidance to ensure compliance with RBKC Policy 4.4.4. We note that section 3.3.13 of the draft Design Code notes that "Inactive frontage should be minimised to create safe environments with natural surveillance." We note that the draft Design Code prescribes residential accommodation to the upper levels of proposals to ensure that housing density is used to optimise site density. We further note that the draft Design Code does not propose tower blocks, but prescribes relatively low rise development. Section 2.5.1 recognises that the prevailing material language of Latimer Road is brick, while section 4.5.2 prescribes that brick should be used as the primary material in the middle zone of proposals to form an appropriate contextual response.

Loss of Community Space and Impact on Local Businesses:

Your comment that the commercial spaces proposed to be replaced as part of any development of the site, "would not be without disturbance to the businesses who would no doubt will have relocate (or face closure altogether)" is conjecture, as is your comment that "This would detrimentally impact the area's designation as an employment zone." Development could be phased so as to not detrimentally impact these businesses. We note that the draft Design Code does not impose development on these businesses, but sets up a framework to work within, should one of these business feel they are in a position to redevelop.

We disagree with your comment that the design code would not encourage the growth of the businesses in the area, but rather push them out of the area all together. While the draft Design Code prescribes commercial units at ground floor level only with a view to re-providing the equivalent existing commercial floor space, the design code does not prohibit the use commercial floor space at the upper levels, should an applicant come forward with this proposal. Furthermore, the provision of additional commercial floor space over and above the re-provision of existing floor space is not inextricably linked to generating new employment. Good architecture can be a catalyst for business growth, therefore, it would be perfectly possible for a business of the same commercial floor space within a new development to grow and generate more employment. This is particularly true of business who operate on shifts, where more staff might be required depending on busyness. We therefore, disagree that the draft Design Code is unsupportive of the employment zone designation.

The draft Design Code prescribes designated space for servicing commercial units at ground floor level and suggested dimensions for these spaces. Should an applicant come forward with alternative dimensions for servicing space that is intrinsic to their business operation, this would be reviewed and assess as part of the application.

The draft Design Code is suitably flexible to allow deviation from the prescribed guidance, provided that deviation would result in an equal or improved outcome. Your comment that "Given the lack

	<p>of access and parking, it is unlikely that few, if any, of the existing commercial occupiers would return to the area", is conjecture.</p> <p>Lack of Affordable/Social Housing: The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>Impact on Eynham Road: Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:</p> <p>A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east.</p> <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone." We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road." We note that National Rail and TfL have been consulted on the draft Design Code.</p>
<p>I welcome the concept of a Design Code but this Draft Consultation Document sets proposed heights as unnecessarily high. They do not take into account the existing homes opposite, nor the nature of the Employment Zone. I believe that they contravene RBKC's own published Development policies and Constitution, which prioritise residents and existing businesses over development.</p> <p>Conservation Area Consultation:</p> <p>I absolutely agree that Latimer Road should be afforded Conservation Area status, and included in a revised Oxford Gardens St Quintin Conservation Area as outlined in this consultation document.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. Section 1.4.3 of the draft Design Code acknowledges the nature of the employment zone along with the aspiration of its enhancement with improved employment floor space in RBKC Policy CV1. Section 1.4.7 of the draft Design Code hopes to deliver on this Policy by by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses, including the creative uses that Latimer Road is known for. The draft Design Code has been prepared in consultation with local residents and existing business owners. In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. Members of the community were invited to engage in the process and inform the draft Design Code. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community at the meeting. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code.</p> <p>We note your comments on the consultation for the Oxford Gardens and St Quintin's and Woodland Conservation Area extension.</p>
<p>I am writing to object to the Latimer Design code. As a resident of Latimer road, with 3 children. I am outraged of the possibility of 14 huge units/ blocks on the street. The implications of these units will devastating for our community. One of the very reasons we moved to Latimer road was the afternoon/evening light and low level units and feel of the road. The imposing mass of these tower blocks completely disrespects the rest of the buildings on Latimer Road. I not only find the height offensive but the fact that any gaps in the buildings will disappear. The sense of claustrophobia in our community will be engulfing. The proposal for 75 new dwellings with no affordable housing only highlights the capital over community and get rich quick nature of RBKC. After the recent events in North Kensington would have expected more consideration in the community.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.</p>

<p>I cannot support this design code</p> <p>The whole of the Western side of the street will be out of context with the rest of our road and ruin our views and also blocking our light,</p> <p>In the RBKC statement of community involvement, you claim to engage more with the community, This hasn't happened.</p> <p>Why did we get 2 consultations together with deadlines on the same date?</p> <p>The conservation area document is meant to protect us? How are we being protected when the Design Code is suggesting buildings at over 14 metres?</p> <p>In CL5 we will certainly be experiencing an increase in sense of enclosure, and the design code meant to come up with a cohesive plan on context with the area has failed as it currently stands.</p> <p>Our creative businesses are here because of the light and ease of parking for deliveries. Why are you building office spaces and replicas of Unit 1? This will drive out all our valued creatives.</p> <p>Why is Latimer Road marked for meeting RBKCs housing targets? The neighborhood is massive. This needs to be evenly distributed across the ward.</p> <p>The original plans for Latimer Road from St Q and St Helens referenced building heights meeting opposite building heights. The Design Code has clearly dismissed this. Why?</p> <p>You have contravened your Statement of Community Involvement. Businesses and residents directly affected have not been properly informed or consulted. We are angry that you only consider developers and not residents.</p> <p>For projects of this size it is not enough to let St Helens and St Quentin know and decide what is best for Latimer Road, and that we are expected to have applied for membership to their group, to know what is going on.</p> <p>Why are our businesses and residents being ignored?</p> <p>The few consultations that have been posted are tucked away and not clear or obvious to residents.</p> <p>We have not been leafleted or sent important letters. Also we have been in lockdown for this consultation.</p> <p>In CL5 e - our reasonable enjoyment Of our properties should be respected. We will have increases in traffic which is bad enough, less parking, too many residents on a small street, and our gardens will be overlooked with a decrease in natural sunlight and not just light from above.</p> <p>This design code is only positive for developers. Please stop this, and please start communicating and considering with your residents as you pledge.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between to two by suggesting heights that relate well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.</p> <p>The residents of Latimer Road and other stakeholder were consulted on the draft Design Code for units 1-14 Latimer Road and on the extension of the Oxford Gardens St. Quintin's Conservation Area (OGStQCA). Stakeholders were made aware that the draft Design Code would be going to consultation during the pre-consultation workshop sessions between July 2020 and January 2021. During these workshops, residents of Latimer road requested that the OGStQCA be extended to include the properties to the east side of Latimer Road. The preparatory work to extend the Conservation Area was done concurrently with the pre-statutory consultation workshops and completed around the same time as the draft Design code was completed.</p> <p>The report on the extension of the OGStQCA analyses the historic townscape qualities of the traditional terraces and related buildings lying to the west and east of Latimer Road, between North Pole Road and the Westway (excluding the industrial units). It proposes that they be incorporated into the OGStQCA by the westward extension of its boundary.</p> <p>The prescribed heights in the design code mediate between the existing varied building heights on the street by suggesting heights that relate well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>The draft Design Code prescribes designated space for servicing commercial units at ground floor level. In section 3.4. Furthermore the draft Design Code prescribes a mix of uses, including commercial accommodation at ground floor level and residential accommodation to the upper levels. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p> <p>Units 1 -14 form part of the designated employment zone in the borough and the provision for housing in this location is one of several sites identified for housing in the borough.</p> <p>The adopted St. Quintin's and Woodland's Neighbourhood Plan (St.QWNP) notes in Policy LR5 that "In order to restore the original urban form of the street, to allow increased building heights on the western side of Latimer Road subject to:</p> <p>i) Consideration of heights of nearby buildings which range from four storey at the southern end to two storey at the northern end, and taking account of building heights in LBHF". We have considered the heights of nearby buildings and prescribed a sensitive response that mediates between the varied building heights on the street.</p> <p>Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' gardens. The gardens to the properties on the east side of Latimer Road will not be overlooked by units 1-14 as these gardens are on the east side of their host properties and therefore do not face units 1-14. When considering privacy, RBKC's Local Plan policy CL5 notes that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to an acceptable degree and further notes that there may be instances in the borough of distances less than this. The distance between the rear boundary lines of the units and the properties to Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' parking. The design guidance in the draft Design Code prescribes car-free development in sections 3.1.6 and 3.1.7.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' pedestrian space. The prescribed design guidance in the draft Design Code relates only to the land within the boundaries to 1 -14 Latimer Road. IT does not relate to public pedestrian pavements.</p> <p>We believe that the draft Design Code carefully balances the interests of all stakeholders.</p>
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<p>And wish to strongly object to the design codes plans for Units 1-14.</p> <p>Unit 1 is already out of context with Latimer Road, and residents were made aware of this monstrosity far too late, after planning had been approved.</p> <p>These contravenes policy CL1 – Context and Character. The height of the buildings in Design Code contravenes Policy CL1 which requires all development to “respond to the local context” and 14.3 metres is double the height of low rise homes opposite</p> <p>It breaches Policy CL12 as Building Heights requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. 14.3 metres is not appropriate. The minimal gaps are not appropriate.</p> <p>In Policy CL5 - Living Conditions - the design code does not ensure good living conditions for occupants of existing and neighbouring buildings, and removes our heralded Western sunsets, as well as light to our properties. Some people live in basement apartments. Why have these not been considered and factored into the drawings?</p> <p>4. CL5 promises no harmful increase in the sense of enclosure to existing buildings and spaces, but the DC completely ignores this. Our homes will be overlooked from a ridiculous and unnecessary height, and because of the plots being built to their borders, despite our uninterrupted Right To Light for over 100 years, it certainly will create a sense of enclosure! Also our property values will decrease as the road will become darker and more imposing from units 1-14.</p> <p>With no parking, traffic will increase and refuse trucks will block our already congested street.</p> <p>How can businesses function without parking?</p> <p>How can children be safe with bikes, traffic, delivery vans, utility repair vans, business and residential refuse collectors, food delivery blocking our street?</p> <p>75 new homes- none affordable housing is not in context and overwhelming. It will ruin the symmetry Of our street and drive our valued creatives out.</p> <p>You need to Stop it now!</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>Unit 1 is constructed in brick, which is the prevalent material to the existing buildings on Latimer Road. In addition, the height of unit 1 relates well to the existing adjacent heights on the south end of the street. It therefore relates relatively well to it's context.</p> <p>Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application. The existing basements to adjacent properties on Latimer Road have been considered. Please refer to diagrams 6.20 and 6.22.</p> <p>4. RBKC Policy CL5 requires that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be in increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>See comments above on traffic.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>The draft Design Code prescribes designated space for servicing commercial units at ground floor level. in section 3.4.</p> <p>The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p>
<p>I wish to vehemently object to the design code document, and the building scale and mass of the design code.</p> <p>I live a house of small proportions when compared to the proposed 14 units at 14.3 metres is completely out of context with the area, and no gaps for Units 1-6 and 3 metre gaps for Units 7-14 and not in context with the street and will make the units overbearing, and create a sense of enclosure.</p> <p>Latimer Road is a special and creative street, and the proposals in the DC will dwarf our homes, overburden our road with traffic, with 75 new homes, 14 high commercial spaces, and no parking.</p> <p>Please see below breaches of policy:</p> <p>Policy CL1 – Context and Character. The height of the buildings contravenes Policy CL1 which requires all development to “respond to the local context” and character and appearance of nearby buildings and the area.</p> <p>2. Policy CL12 Building Heights requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. The Design Code completely Ignores current building heights within and throughout the street and its effect on local scale and context.</p> <p>3. Policy CL5 - Living Conditions - contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings, and also reduces standards of both daylight and sunlight in the existing residential houses and businesses.</p> <p>4. The proposed Design Code contravenes CL5 “no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces”: the proposed size of the buildings taking up the entire plot of land will increase the the sense of enclosure to existing buildings and spaces, as well as residents gardens and balconies.</p> <p>It contravenes CL5 point e, as it will harm the “reasonable enjoyment” of the use of existing buildings, gardens and other spaces directly opposite and beside.</p> <p>There is no green space provided Or trees to break up the monotony of brickwork for residents in lieu of removal of gaps.</p> <p>It will be overbearing on every level, in a small low rise Victorian street steeped in history.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be in increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>Policy CL1 – Context and Character. Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>2. See comments above on building heights.</p> <p>3. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the</p>

	<p>four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.</p> <p>4. See comments above on sense of enclosure.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes due to the points noted above on sunlight/daylight.</p> <p>Section 4.7.14 notes that "The proposed design should consider roof spaces for biodiversity provision, either green roofs and / or brown roofs. Green roofs should be designed to be visually appealing through the year." We note that Latimer Road has a regular pattern on mature trees running along the pavements on both side of the street.</p> <p>The draft Design Code does not prescribe the omission of any of the existing gaps between the units. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>We do not believe that the design guidance in the draft Design Code would result in development that would be overbearing. While we agree that Latimer Road is a street steeped in history that should be respected, the analysis in the draft Design Code indicates that the street has a mix of heights that are imbalanced.</p>
<p>The design code is shocking in height, mass and scale.</p> <p>The whole of the Western side of the street will be out of context with the rest of our beautiful low rise road and ruin our views and vistas. It will push our our creatives, and devalue our homes on the Eastern side. Our sunsets will be obliterated.</p> <p>In the RBKC statement of community involvement, you claim to engage more with the community, and use less jargon. This hasn't happened.</p> <p>In CL5 we will certainly be experiencing an increase in sense of enclose, and the design code meant to come up with a cohesive plan on context with the area has failed as it currently stands.</p> <p>The businesses that exist here are here because of the light and ease of parking for deliveries. Why are you building office spaces and replicas of Unit 1? This will drive out all our valued creatives.</p> <p>The original plans for Latimer Road from St Q and St Helens referenced building heights meeting opposite building heights. The Design Code has clearly dismissed this. Why?</p> <p>You have contravened your Statement of Community Involvement. Businesses and residents directly affected have not been properly informed or consulted. We are angry that you only consider developers and not residents.</p> <p>For projects of this size it is not enough to let St Helens and St Quentin know and decide what is best for Latimer Road, and that we are expected to have applied for membership to their group, to know what is going on. Why are our businesses and residents being ignored?</p> <p>The few consultations that have been posted are tucked away and not clear or obvious to residents.</p> <p>We have not been leafleted or sent important letters. Also we have been in lockdown for this consultation.</p> <p>In CL5 e - our reasonable enjoyment Of our properties should be respected. We will have increases in traffic which is bad enough, less parking, too many residents on a small street, and our gardens will be overlooked with a decrease in natural sunlight and not just light from above.</p> <p>This design code is only positive for developers. Please stop this, and please start communicating and considering with your residents as you pledge.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p> <p>In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. Members of the community were invited to engage in the process and inform the draft Design Code. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community at the meeting. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code.</p> <p>RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>The draft Design Code prescribes designated space for servicing commercial units at ground floor level. in section 3.4. Furthermore the draft Design Code prescribes a mix of uses, including commercial accommodation at ground floor level and residential accommodation to the upper levels. The draft Design Code hopes to deliver on the creative quarter mentioned in section 1.4.7, by prescribing commercial units on the ground floor that are flexible enough to accommodate a range of uses (including creative uses).</p> <p>The adopted St. Quintin's and Woodland's Neighbourhood Plan (St.QWNP) notes in Policy LR5 that "In order to restore the original urban form of the street, to allow increased building heights on the western side of Latimer Road subject to: i) Consideration of heights of nearby buildings which range from four storey at the southern end to two storey at the northern end, and taking account of building heights in LBHF". We have considered the heights of nearby buildings and prescribed a sensitive response that mediates between the varied building heights on the street.</p> <p>Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>The gardens to the properties on the east side of Latimer Road will not be overlooked by units 1-14 as these gardens are on the east side of their host properties and therefore do not face units 1-14. When considering privacy, RBKC's Local Plan policy CL5 notes that a distance of about 18 metres between opposite habitable rooms reduces inter-visibility to an acceptable degree and further notes that there may be instances in the borough of distances less than this. The distance between the rear boundary lines of the units and the properties to Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres.</p> <p>The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. We therefore note that the draft design code cannot prescribe that building heights be capped at 4 storeys.</p> <p>We believe that the draft Design Code carefully balances the interests of all stakeholders.</p>

<p>I would like to to strongly object to the design code I truly believe that the whole code has been drawn up from incorrect ordnance survey maps, the only visit that was made here was by yourself and when realising your drawings were in fact incorrect you amended a whole units size ,we ran out of time sadly, but I will be pursuing this line, with a professional body to challenge the councils design code.</p> <p>Unit 1 is already out of context with Latimer Road, and residents were made aware of this monstrosity far too late, after planning had been approved.</p> <p>These contravenes policy CL1 – Context and Character. The height of the buildings in Design Code contravenes Policy CL1 which requires all development to “respond to the local context” and 14.3 metres is double the height of low rise homes opposite</p> <p>It breaches Policy CL12 as Building Heights requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. 14.3 metres is not appropriate. The minimal gaps are not appropriate.</p> <p>In Policy CL5 - Living Conditions - the design code does not ensure good living conditions for occupants of existing and neighbouring buildings, and removes our heralded Western sunsets, as well as light to our properties. Some people live in basement apartments. Why have these not been considered and factored into the drawings?</p> <p>4. CL5 promises no harmful increase in the sense of enclosure to existing buildings and spaces, but the DC completely ignores this. Our homes will be overlooked from a ridiculous and unnecessary height, and because of the plots being built to their borders, despite our uninterrupted Right To Light for over 100 years, it certainly will create a sense of enclosure! Also our property values will decrease as the road will become darker and more imposing from units 1-14.</p> <p>With no parking, traffic will increase and refuse trucks will block our already congested street</p> <p>75 new homes- none affordable housing is not in context</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>The drawings in draft Design Code are accurate and based on ordinance survey data.</p> <p>Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a ‘minor-adverse’ reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that ‘the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.’ In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were ‘minor adverse’, this would not be grounds alone for refusing the application. The existing basements on the east side of Latimer Road have been factored into the drawings. Please refer to diagrams 6.20 and 6.22.</p> <p>4. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1.</p> <p>The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot.</p>
<p>I wish to vehemently object to the design code document, and the building scale and mass of the design code. I live at 457 Latimer Road a small cottage, 14 units at 14.3 metres is completely out of context with the area, a not in context with the street and will make the units overbearing, and create a sense of enclosure. Please see below breaches of policy:</p> <p>Policy CL1 – Context and Character. The height of the buildings contravenes Policy CL1 which requires all development to “respond to the local context” and character and appearance of nearby buildings and the area.</p> <p>2. Policy CL12 Building Heights requires new buildings to respect the setting of the borough’s townscapes and landscapes through appropriate building heights. The Design Code completely ignores current building heights within and throughout the street and its effect on local scale and context.</p> <p>3. Policy CL5 - Living Conditions - contravenes the stated requirement for all development to ensure good living conditions for occupants of existing and neighbouring buildings, and also reduces standards of both daylight and sunlight in the existing residential houses and businesses.</p> <p>4. The proposed Design Code contravenes CL5 “no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces”: the proposed size of the buildings taking up the entire plot of land will increase the the sense of enclosure to existing buildings and spaces, as well as residents gardens and balconies.</p> <p>It contravenes CL5 point e, as it will harm the “reasonable enjoyment” of the use of existing buildings, gardens and other spaces directly opposite and beside.</p> <p>these developments will be of historic heights and will forever blight our wonderful street</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>1. We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the design code mediate between the varied heights on Latimer Road by relating well to the taller buildings on the south end of the street, and suggesting the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street. In addition to this, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:</p> <p>A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east.</p> <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."</p> <p>2. The design guidance on the draft Design Code respects the setting of units 1-14 Latimer Road and the townscape through the prescription of buildings heights that mediate between the existing varied heights on the street. The prescribed heights relate well to the taller buildings on the south end of the street and we have suggested the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>3. RBKC Policy CL5 required that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an</p>

increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

4. The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development and to ensure there is not a harmful increase in the sense of enclosure to neighbouring properties. Furthermore, the prescribed footprints to units 1-14 Latimer Road do not occupy the entire plots. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. In addition, The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, so there would be unoccupied space in front of the units facing the street. Finally, section 4.1.7 of the draft Design Code prescribes that "all units should not build within two metres of the Network Rail land running north/south behind units 1-14. Refer to the diagrams in the Plot by Plot Code in section 6.0." There would therefore be a 2 metre section of unoccupied space to the rear of each unit.

We do not believe that the prescribed design guidance in the draft Design Code would lead to proposals that would damage the reasonable enjoyment of the use of the current residents' homes. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application.

I write as a concerned resident of Eynham Road about your proposals for building on the west side of Latimer road. While I agree that these sites need development and could be much improved, I fear that your current proposals show a complete disregard for the quality of housing and for the integrity of the existing area. The units are too high and too dense for quality of living for both new and existing residents. Buildings of such height will deprive us on the Eastern side of Eynham Road of morning sunlight as well as of the peaceful enjoyment of our gardens. These buildings are simply too high. I am concerned also that you have failed to consult directly with residents of Eynham Road, and feel that if you had done so, you would have had many more objections along the lines that I am offering now.

Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.

We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.

Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:

- A. Junction of Snarsgate Street with Latimer Road looking south.
- B. South side of Latimer Road looking north.
- C. East side of Caverswall Street looking east.
- D. East side of Glenroy Street looking east.
- E. East side of Nascot Street looking east.
- F. East side of Shinfield Street looking east.
- G. Junction of North Pole Road with Eynham Road looking south-east.

Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."

<p>I am a long term resident of Eynham Road and strongly object to the RBKC proposals for the development of Latimer Road West. I agree that these sites could benefit from development that is sensitive to the surrounding buildings, but the current proposals show a complete disregard for the quality of housing and for the architectural integrity of the Latimer road and Eynham road communities, and they contravene policy CL5 and CL12 ;of the council's planning policy. Five storeys at 14.3metres are too high and too dense and comprise the quality of living for both new and existing residents. Eynham Road residents will be deprived of morning sunlight as well as of the peaceful enjoyment ofThere has been no direct consultation with residents of Eynham Road, and consultation with local communities has been woefully inadequate. concerns of Latimer road residents have not been listened to either.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>As a general point, your comments refer to the draft Design Code as a proposal. We note that the draft Design Code is not a development proposal, but is design guidance. The purpose of the draft Design Code is to provide practical, robust and informed guidance to any applicant that comes forward with a proposal for the development of any one of the 14 units on Latimer Road.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>Sections 2.4 and 2.5 of the Spatial Analysis chapter in the draft Design Code acknowledge the existing character of the street and prescribes appropriate materials, height, elevational principles and greening in chapter 4.0 of the draft Design Code.</p> <p>RBKC Policy CL5 requires that "there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces". While there would be an increase in sense of enclosure, the increase would not be deemed harmful, given that units 1-14 are approximately 18 metres away from the properties on the east side of Latimer Road and high level setbacks have been prescribed in the draft Design Code to ease townscape fit.</p> <p>With regard to Policy CL12 on building heights, We believe that the building heights and massing prescribed in the draft Design Code will improve the current imbalanced building heights to Latimer Road. The prescribed heights in the draft Design Code mediate between the varied building heights on the street by prescribing heights that relate well to the taller buildings on the south end of the street, and prescribing the introduction of high-level set backs to relate well to the shorter properties in the middle section of the street.</p> <p>At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road.</p> <p>In addition to the 6 week statutory consultation, a series of workshops with the community took place between July 2020 and January 2021. Members of the community were invited to engage in the process and inform the draft Design Code. An example of this is the independent sunlight and daylight study that was commissioned by RBKC at the request of a member of the community at the meeting. Further feedback from the community was given during these sessions, which have directly informed the content of the draft Design Code.</p>
<p>I am writing to object to the design code proposals for Latimer Road in the strongest possible terms. As a resident of neighbouring Eynham Road, we will be directly impacted, but have had no direct consultation with the planners, developers or councillors on this.</p> <p>I object to the proximity of overlooking buildings, which will be overbearing.</p> <p>Lack of gaps. (draft code 4.14)Gaps between buildings are essential to ensure sunlight/skyview onto street and pavements - they will also provide relief to the volume of massing, a typology which works well in this part of London and for us on Eynham Road.</p> <p>The sole amenity spaces for the proposed residential space are the proposed balconies on the west elevation - hence the numerous balconies all situated on the west elevation facing the railway and the Eynham Road gardens and amenity space. However, mitigating noise from trains for the occupiers of those flats is in direct conflict with large openings required for the balconies! It is questionable if the balcony space even complies with London Plan C4.2. It should be a requirement to design in some external spaces at ground level for the future residents. This could perhaps be achieved as mentioned in point 3 - i.e. through relaxation of the need for commercial use.</p> <p>I am concerned that the noise from passing trains will reverberate off the proposed 4 storey buildings and massively increase the noise pollution. At the very least an acoustic study should be made available to understand this impact before any further action is taken.</p> <p>Please urgently reconsider</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:</p> <p>A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east.</p> <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."</p> <p>Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that there are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13.</p> <p>We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.'</p>

<p>I am not at all happy with the following proposals;</p> <ol style="list-style-type: none"> 1. The construction of a terrace of 14 units to 4 or 5 storeys (at least 14.3 meters high), which will block out the sunlight and cast a permanent shadow over our road. 2. The construction is such that there will be not gaps between the units, further reducing access to daylight on the street. 3. The introduction of at least 75 new dwellings on the road. N.B. The developer's scheme does not include affordable housing. 4. The development will narrow the street, by extend pavements into the already congested street. 5. Removal of all on site parking for all units, the street is already packed with parked cars. 6. All windows in this street and Eynham will be over looked by the over powering terrace development. This is both intimidating and confining. 7. No green space is proposed ? On either our street or Eynham street. The proposal will feb like a wall of high-rised accommodation over bearing and noisy with associated air conditioning units. <p>This unbelievable development contravenes many council policies;</p> <p>Contravenes Policy CL5 (E)</p> <p>It will harm the 'REASONABLE ENJOYMENT' of use of the existing buildings, gardens and other spaces directly opposite and nearby. It will significantly increase the traffic, parking, noise and disturb the peace and quite currently afforded to the street's residents and occupiers. The huge increase in residents and large commercial accommodation will be extremely challenging for the existing inhabitants of the road an issue that has to be considered.</p> <p>Contravenes Policy CL1 - 'Content & character' and Policy CL12</p> <p>The height of the development is not in keeping with the surrounding accommodation at double the height of the current modest homes opposite. The development's design code is totally out of character and completely disrespects all the prevailing building heights within and throughout the street and its effect on local scale and contents.</p> <p>Contravenes Policy CL5. - 'Living Conditions' and 'Sense of Enclosure'</p> <p>Reducing the standard of daylight and sunlight in the street contravenes the policy to ensure good living conditions for existing occupiers and neighbouring buildings.</p> <p>This development will harmfully increase in the sense of enclosure to existing buildings and spaces with such an overbearing construction.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <ol style="list-style-type: none"> 1. The independent daylight and sunlight study that was commissioned indicated that 4 storeys with high level set backs would have little to no impact on the sunlight/daylight of neighbouring buildings. It also indicated that 5 storeys would result in some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight that would not significantly impact neighbouring buildings. While we appreciate that any reduction in sunlight/daylight may be unwelcome to neighbouring residents, the assessment concluded that 'the negligible to minor impacts created by the four massing options that were tested (including an option incorporating 6 storeys) are considered to be within the intention and application of the BRE guidelines and therefore should be considered acceptable from a Daylight and Sunlight perspective.' In planning terms, if an applicant came forward with a 5 storey proposal that evidenced its sunlight/daylight impacts were 'minor adverse', this would not be grounds alone for refusing the application. No daylight and shadow modelling has been included in the design code although this work was undertaken during the pre-statutory consultation workshops with stakeholders that took place between July 2020 and January 2021 and we have used this modelling to inform the context of the draft Design Code. The result of this modelling showed that on the longest day of the year (when shadows would be at their longest), no shadows would be cast onto the properties on the east side of Latimer Road between 6am and 6pm. 2. Section 3.6.7 of the draft Design Code prescribes 3 metre gaps between units. We note that are currently two gaps between the existing units (between units 10 + 11 and between units 6 + 7). The draft Design Code prescribes an increased number of gaps between units (four in total). These are between units 6 + 7, 8 + 9, 10 + 11 and 12 + 13. 3. The building heights and volumes prescribed in the draft design code will not trigger the requirement for affordable housing. This has been tested on the largest unit plot. 4. The draft Design Code prescribes that all new proposals do not build beyond the building line of the existing industrial units at 1-14 Latimer Road, therefore the street width should not be narrowed. 5. Section 3.1.9 of the draft Design Code prescribes that any proposed development should demonstrate that their proposals would not result in any material increase in traffic congestion or on-street parking pressure, in line with RBKC Policy CT1. It is a standard expectation for any sizable development to comply with this Policy and we would expect applicants to submit a Transport Statement with their applications that evidences how the Policy is met. The draft Design Code promotes car free development in the preceding sections 3.1.6 and 3.1.7 as well as prescribing the incorporation of dedicated servicing areas that should not impact on neighbouring properties or the highway, in section 3.4.1. 6. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals: <ul style="list-style-type: none"> A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east. Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone." 7. Section 4.7.12 of the draft Design Code clearly states that any new development proposals should encourage and support new biodiversity. We note that there is already a planted parcel of land that runs north/south along the west side of units 1 -14, which includes trees. The prescribed elevational setbacks and roof set backs in the draft Design Code break up the elevational mass to avoid a continuous wall of development. We have added a new section 3.1.10 on noise, which states 'In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line.'
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<p>1. We have already stated in our previous response to this planning application that Eynham Road has not been considered at all. It remains the case that we have not been consulted at all, and despite concessions made to the front of the proposed buildings, our flats will still be facing a four storey building.</p> <p>2. The 14.3 metres mentioned for the rear of the building is misleading, as air conditioning units, flues and other units will most likely be placed on the roof and then screened off, making the roof even higher. We strongly object to this extra height.</p> <p>3. Gaps between buildings are essential to ensure relief from the solid mass of buildings being proposed, and to ensure that sunlight and views of the sky remain. As it is we will never see a sunrise again from our windows once these buildings go up.</p> <p>4. The proposed design code contravenes planning policy CL5 which states; 'no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces.' The density, size and height of these buildings will do exactly that.</p> <p>5. Our peaceful communal garden, established now for decades, will be overlooked, as will our bedrooms and living spaces. Whilst care has been taken in the design code to prevent balconies being built on the front of the buildings, the privacy of Eynham Road residents has been given no such consideration.</p> <p>6. RBKC's insistence that commercial space is not necessary. If this stance was relaxed, the buildings could be a whole storey lower and less obtrusive.</p> <p>7. The balconies of these flats will be extremely close to the trains as they are passing, and extremely noisy for the occupants. It is doubtful this complies with London plan C4.2. If the relaxation of commercial use mentioned in point 6 was achieved, space at ground level could be utilised for the residents, negating the need for balconies.</p> <p>8. The balconies themselves project over the 2 metre 'no build' corridor required by Network Rail, and are incompatible with the London Plan minimum requirements for provision of "home as a place of retreat," CS referring to privacy, overlooking and acoustic design.</p> <p>9. Paragraph 4.3.14 of the code states that all "rainwater pipes, balconies, balcony drainage and sanitary waste pipes should not be visible on primary or secondary elevations fronting Latimer Road." We on Eynham Road will no doubt be looking at these service pipes instead, as well as a mass of balconies.</p> <p>10. We are extremely concerned about the train noise which will be bounced back at us off the proposed four storey buildings. No acoustic study has been made available to us to understand the impact of this.</p> <p>To conclude, Eynham Road has very much drawn the short straw in this Design Code. We have not been considered at all, and are not even mentioned within the text. Of course Latimer Road needs redevelopment but we ask that you respect the objections and concerns of Eynham Road residents. The draft code is an opportunity to build quality homes sustainably, without blighting the lives of people in the adjoining borough who appear not to matter at all.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>1. Businesses and residents have been properly engaged, informed and consulted with, through the workshop consultation sessions that took place between July 2020 and January 2021, as well as through the statutory consultation period that was also extended at the request of residents. Between September and December last year, we have looked carefully (through site visits and digital modelling) at the potential impacts of the development of units 1-14 Latimer on its context, including neighbouring properties on Latimer Road, as well as the properties to the west side of the units on Eynham Road. At a workshop meeting with stakeholders on 28th September 2020, we shared images of a digital model showing what the shadow and daylight impacts to Eynham Road would be on the longest day of the year (when shadows would be at their longest). The model showed that the shadows of the proposed units would fall eastwards away from Eynham Road between 12 and 6pm. It also showed that shadows casted westwards between 6 and 12pm did not stretch as far as the rear boundaries to the properties on Eynham Road. At their furthest point at around 6am, the shadows reach the railway and continue to fall eastwards away from Eynham Road as the day progresses. This would strongly suggest that there would be little to no impact of sunlight and daylight from development of units 1 -14 on Eynham Road. We also looked at what the privacy implications of proposed development to units 1-14 might be on the properties to Eynham Road, as privacy and overlooking would be a material consideration in the assessment of any planning application. RBKC's Local Plan Policy CL5 notes that a distance of approximately 18 metres between habitable rooms reduces indivisibility to an acceptable degree. The distance between the rear boundary lines of units 1-14 and the properties on Eynham Road is approximately 43 metres. The distance between the rear wall to the units and the rear wall of the properties (where any impact would be measured from) is approximately 55 metres. Both are well in excess of 18 metres. While all of the above would strongly suggest that the guidance on massing and building heights within the draft Design Code would result in proposals to units 1-14 that have little to no impact on the sunlight, daylight and privacy to the properties on Eynham road, we do acknowledge that the rear of the properties to Eynham Road form part of the wider context of the units and as such, we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:</p> <p>A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east.</p>
<p>General commentary</p> <p>London Borough of Hammersmith and Fulham support the use of design coding to establish development parameters to inform the future development of the cluster of sites referred to as 1-14 Latimer Road.</p> <p>Guidance within the draft SPD relates to a cluster of sites which are situated adjoining our borough boundary; and which form a sensitive edge to adjacent railway infrastructure and residential properties within Eynham Road. The scale of the sites covered within the southern extent of the coding also interface with the Imperial North Campus development.</p> <p>Considering this context, the main focus of our representations relates to townscape and heritage considerations, alongside residential amenity and detailed design considerations.</p> <p>Other considerations of issues including sustainability and general design quality are well detailed within the current document. There are therefore no detailed observations to make on these elements of the SPD.</p> <p>Detailed commentary</p> <p>Townscape and Heritage</p> <p>The location and scale of development envisaged within the draft design code document, would not impact upon the setting of either designated or non-designated heritage assets. As such, it is not considered that there would be any impact/harm to heritage assets within Hammersmith and Fulham.</p> <p>In townscape terms, the parameters of the design code document promoted development of buildings with a maximum scale of between 4/5 storeys in height. Given intervening land-uses; comprising railway infrastructure and the existing terraces within Eynham Road, the scope of any townscape impact requires careful consideration moving forward. Revisions to the design code SPD could assist in assessing these impacts through the development management process.</p> <p>Introduction of an additional section within the SPD to cover key townscape views would be beneficial in this regard.</p> <p>For Hammersmith and Fulham, the following townscape views should be considered as part of this approach:</p> <ul style="list-style-type: none"> • Eastbound views – Caverswall Street, Glenroy Street, Nascot Street and Shinfield Street • South-eastern views – junction of North Pole Road/Eynham Road <p>Residential amenity</p> <p>It is noted that given the substantial interface distances between the sites subject to design coding, and closest facing elevations of Eynham Road properties, (approximately 55 metres); when coupled within intervening land uses, the extent of impact upon these existing residential developments will be limited in nature; to impacts of outlook and sense of enclosure. However, as currently drafted the design code, makes limited reference to these considerations. As such the guidance would benefit from being updated to reference considerations of outlook/enclosure from adjacent residential developments.</p> <p>It is suggested that the coding is updated to include specific reference of the need to consider outlook/enclosure from properties from properties within Latimer Road and Eynham Road at an early stage of design development.</p> <p>Detailed design</p> <p>Tripartite design</p> <p>The design coding as drafted makes reference of the need to new developments to have a tripartite design, with a clearly defined base, middle and top. Whilst this approach is clear in principle, the coding could be strengthened with additional/updated guidance relating to the western extent of site coverage/approach to elevation treatment.</p> <p>Incorporation of additional guidance would be welcomed, to update the approach to design; seeking that the entire 'top' element of any developments, (either at third or fourth storey), is set back from all edges of the development. This approach could result in the following improvements to building design:</p> <ul style="list-style-type: none"> • Reducing the overall bulk and massing of individual developments; • Support development of a light-weight character to the 'top' of individual developments and support the introduction of a prominent lower parapet datum, (on all elevations); • Reduce the impact of building cores/lift overruns in adding additional height/dominance to the western elevations of individual development schemes. <p>External Amenity</p> <p>It is also suggested to revise of the approach of coding in relation to projecting external balconies.</p> <p>Given the potential noise issues from the railway for future occupiers; integration of guidance supporting either the use of recessed balconies or winter gardens within the western façades of individual developments may be an effective manner in which to provide higher-quality private amenity space to residential developments.</p> <p>Cumulatively these amendments to the detailed design coding would assist in creating a series of appropriate developments adjacent to the prominent western extent of the site.</p> <p>Noise Considerations</p> <p>The spatial analysis section of the draft Design Code SPD makes limited reference to wider noise considerations. Given the proximity of the operational railway line, the need to consider noise reverberation from these operations within the building facades should be considered from the outset and the coding updated to highlight the need for mitigation, (if required).</p> <p>Noise impacts from the external amenity areas of the new developments and their wider impacts upon existing residents should also be reviewed as part of this approach.</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the numerical order set out in your comments.</p> <p>Townscape and Heritage: we have added a section in the draft Design Code on townscape views, which notes, "The following townscape views should be considered in the approach to all development proposals:</p> <p>A. Junction of Snarsgate Street with Latimer Road looking south. B. South side of Latimer Road looking north. C. East side of Caverswall Street looking east. D. East side of Glenroy Street looking east. E. East side of Nascot Street looking east. F. East side of Shinfield Street looking east. G. Junction of North Pole Road with Eynham Road looking south-east.</p> <p>Given the substantial interface distances between units 1-14 and east elevations of the properties on Eynham Road (approximately 55 metres), coupled with the intervening railway line and steeply banked land form, the extent of impact upon these existing residential properties will be limited. However, all proposals should consider the outlook from these adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."</p> <p>Residential Amenity: We have updated to draft Design Code to revise the section 3.5.2 on Amenity to that that new proposed external amenity spaces should "take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."</p> <p>Detailed design: Additional guidance on the elevational design of the rear elevations has been added to new section 3.7.2, noting that "all proposals should consider the outlook from adjacent properties. As such, the top zone of all proposals (which are likely to be visible in long views) should read recessively either by way of material language or by setting back this element from all edges of the middle zone."</p> <p>Noise considerations: We have added a new section 3.1.10 on noise, which states "In accordance with RBKC Policy CE1, development should meet local noise and vibration standards. Any proposed plant should not have an unacceptable noise and vibration impact on surrounding amenity. Proposals should also consider mitigation measures for noise reverberation from the railway line." In addition, section 3.5.2 of the draft Design Code has been revised to note "Private residential amenity should be provided for each residential unit and should face the rear (west facing) elevation as indicated in Diagrams 3.8. This should take the form of recessed balconies or winter gardens to mitigate potential issues with noise reverberation from the adjacent railway line and to sensitively consider the outlook of neighbouring properties on Eynham Road."</p>

<p>Conclusion</p> <p>The approach to design coding this cluster of sites is supported in principle. However, the detailed approach to coding would benefit from additional review to ensure that the detailing of the western facing elements for individual sites promotes high-quality character and detailing overall. This would improve the visual and amenity qualities of individual schemes; alongside avoiding potential detrimental impacts upon the continued amenities of residents within Eynham Road; particularly in terms of outlook and enclosure</p>	
<p>My client is of the view that the industrial units in Latimer Road are in dire need of significant investment. He therefore very much welcomes the Council's initiative in bringing together key stakeholders in the development of a design code in order to facilitate the redevelopment of the industrial units.</p> <p>Our client, however, makes the following specific comments in relation to the current draft of the code:</p> <p>Para 3.2.1</p> <p>This sets out two options for building heights. Option 1 (three floors plus a fourth setback floor) is stated as being the preferred option, without substantiation. Option 2 (four floors plus a fifth setback floor) is also acceptable, provided it can be demonstrated that the proposal complies with the current BRE guidelines. However, there is no need for this caveat regarding compliance with the BRE guidelines because this is local and national planning policy. The Council's policy 22.3.36 states:</p> <p>"In assessing whether sunlight and daylight conditions are good, both inside buildings and in gardens and open spaces, the Council will have regard to the most recent Building Research Establishment guidance, both for new development, and for properties affected by new development."</p> <p>We submit that Option 1 is not adequately argued in the design guide, and it is contrary to the Council's own policies in assessing what is acceptable on a site in terms of massing and height in relation to neighbours. In addition, the Council's own massing studies conducted during the development of the current draft of the code indicated that four main floors with the addition of one further setback floor is acceptable in terms of the overall street scene.</p> <p>Consequently, we would suggest that Option 1 be omitted from the guide, and Option 2 adopted as the default massing for the sites along the west side of Latimer Road.</p> <p>Para 3.5.2</p> <p>This requires that there be no balconies along Latimer Road. No explanation is given for this, and it appears an arbitrary restriction. It also potentially conflicts with the Council's requirement for external amenity space for all new residential accommodation. In addition, there is already precedent in the street for balconies opening onto Latimer Road – see, for example, 29-294 Latimer Road.</p> <p>We submit that the provision of balconies along the Latimer Road frontage should be acceptable in principle, but be assessed in the overall design of a scheme, and how they sit within the design of the east elevation and how they reflect the interior layouts above ground floor level.</p> <p>Para 4.1.6</p> <p>This refers to a side passage, or gap, between two adjacent plots of 3.6m wide overall (a minimum of 1.8m is required for each plot). The justification for this is that it allows alternative means of escape, and a separate access route for bicycle storage, and refuse and plant storage. Yet a loading area is already required on the opposite side of each plot, which could easily provide the same functions.</p> <p>The justifications given for the 3.6m wide gap constitutes a micro-management of the designs of these plots, and are excessive as planning policy. The 3.6m wide gap, for the full depth of each plot, would also create a security nightmare, and is unlikely to comply with the requirement of Secure by Design.</p> <p>If the requirement for these gaps is driven in part by the desire to break up the mass of the combined plots, then this could be achieved by having a combined width of, say 3m between two plots but 3 m deep (and not the whole of the depth of each plot). This would provide the desired effect of breaking up the continual mass of the main building line along the west side of Latimer Road.</p> <p>4.2 Frontage and elevation principles</p> <p>Para 4.2.1</p> <p>This states that the design of all elevations across the 14 units should correspond to a unifying principle which is described as being tripartite: Base, Middle and Top, as illustrated in Diagram 4.1 of the draft code.</p> <p>There is no clear explanation as to why such a bland and restrictive morphology should be applied to all the plots along the entire west side of the street.</p> <p>Para 4.3.15 states:</p> <p>"The horizontal articulation between the tripartite zones should be clearly distinguished and be the ordering principle of the design on the Latimer Road elevation." If adopted, it would create an oppressive linearity to the street, which would contradict the stated aim of the Design Code to provide a lively street presence across the whole of the new development.</p> <p>The development area assessed by the guide is comprised of a series of plots that are modest in scale, and each could be developed within its own terms, provided the overall massing is observed. This would create a far more varied and interesting street scene and would avoid the monotonous character implied in the tripartite proposal.</p> <p>The restrictive nature of the tripartite approach as drafted, and its potential to create a repressive monotony is, in effect, acknowledged by the subsequent micro-management of the design in the draft code, vis:</p> <p>4.3.18</p> <p>"All façades should be layered and composed of parts to reduce bulk and to avoid monolithic reading buildings."</p> <p>and</p> <p>4.3.19</p> <p>"Applicants should use façade depth to articulate the composition whether a glazed/panelled wall or recessed openings within a surface. Uniformly flat and unarticulated façade design should be avoided."</p> <p>This level of prescription should not be necessary, and would stifle imaginative design,</p> <p>Para 4.3.6</p> <p>This requires that main entrances to residential accommodation should be accessed directly from the secondary frontage (diagram 3 3 refers)</p>	<p>Thank you for your response to the consultation and taking the time engage with the process. We value your comments and endeavour to respond to all points raised.</p> <p>We have responded to each or your points below, in the order set out in your comments.</p> <p>Para 3.2.1</p> <p>The option 1 building height of 4 storeys is prescribed in the draft Design Code based on the independent Sunlight and daylight study that was undertaken, which concluded that 4 storey developments with a set back roof storey would result in proposals that had little to no impact on the sunlight and daylight of neighbouring residential properties. The study also concluded that 5 storey proposals (with a set back roof storey would result in transgressions of the BRE guidance with some neighbouring windows experiencing a 'minor-adverse' reduction sunlight/daylight.</p> <p>Para 3.5.2</p> <p>The draft Design Code prescribes that balconies are not positioned on the primary elevations to avoid issues with privacy/overlooking of the residential properties on the east side of the street and also to avoid clutter on the elevations. We note that this could result in units with no external amenity space and have therefore amended the draft Design Code to clarify that balconies will be acceptable on the secondary elevations fronting Latimer Road where the distance between the buildings on the opposite side of the street is increase. However, balconies here should not project beyond the building line to avoid cluttering the elevations.</p> <p>Para 4.1.6</p> <p>The purpose of the gaps are to avoid a continuous wall of development, ensure there is no harmful increase in sense of enclosure and to provide visual connections from the street looking westwards. In addition, they provide a secondary means of escape from the building. We note that the service spaces to the front elevations do not provide a secondary means of escape.</p> <p>4.2 Frontage and elevation principles</p> <p>Para 4.2.1</p> <p>The purpose of the prescribed unifying principle is to avoid piecemeal development of which there are example on the street, which detract from it's overall character. The prescription in the design code intentionally leaves the detail of how the principles might be achieved to the applicants, with a view to encouraging creative, high quality responses.</p> <p>The active frontages prescribed to the ground floor levels in the draft Design Code encourage street activation.</p> <p>Para 4.3.6</p> <p>The purpose of prescribing that the entrance to the residential accommodation be positioned on the recessed secondary elevation is to encourage active frontages on the primary elevation. We note that the guidance in the draft Design code does not give specific details on how the service area should be arrange. This has been left for the applicant to design as the prescribed dimension of these areas are large enough to accommodate a range of functions including cycle parking, cycle freight spaces, vehicular parking for deliveries. It is up to the applicant to determine how this is designed and the relationship between this space and the residential entrance. We note that if applicants were able to demonstrate that an alternative approach would result in an equal or improved outcome, this would be acceptable.</p> <p>6 Plot by Plot code</p> <p>The 25 degree rule is included in the sectional diagram for each plot to give the developer of each unit a basis for proposing the massing to their buildings. It does not dictate a definitive set back, but based on the independent sunlight/daylight testing that we commissioned, we know that the prescribed set backs would be BRE compliant. It may be possible to propose development which goes beyond the prescribed set backs in the draft Design Code, however, developers will be expected to test and demonstrate that any proposals that go beyond the recommended setbacks do not adversely impact on the sunlight/daylight of neighbouring amenity.</p> <p>7 Evidence Base</p> <p>7.1 Viability Report</p> <p>We have undertaken independent professional viability analysis, which at a high level, indicates that the number of floors prescribed in the draft Design Code would be viable. The purpose of the viability report is not to give commercial advice to developers. Its purpose is to ensure that the general approach in the Design Code would not stop development coming forward, and we satisfied that the report demonstrates this sufficiently.</p>

The secondary frontage is at the rear of the loading bay that serves the commercial functions of each building. There is therefore a direct conflict between the two uses, and one that has the potential to impact on the safety of people using the residential entrance. In addition, accessing the residential accommodation via a service bay will clearly have an adverse impact on the value of the residential accommodation so served.

It should be left to the individual site owners to determine the relationship between the commercial and residential users, and the access point for the residential accommodation, all within a manner that keeps the residential users safe at all times.

6 Plot by Plot code

The requirement that the top floor of each plot should not sit within a 25 degree line drawn from the lowest habitable window opposite has the potential to create an extremely messy roofscape, which will be fully visible in the medium and long views. This is contrary to the stated principle of the code to create a cohesive urban form along the west side of Latimer Road.

The 25 degree rule is not Council policy and it should be removed from the code.

7 Evidence Base

7.1 Viability Report

The assumptions around construction costs do not appear to take into account the proximity of all the sites to the railway embankment, and the cost risk this imposes. In addition, the median development costs assess the total new build costs at £2,220.00 per sq m/£206.00 per sq ft., together with design fees at 10%; this represents a significant development risk to the site owners, yet forms the core of the viability assessment.

We would ask the Council to clarify the reference in Appendix for of Review of the Viability of Redevelopment prepared by Carter Jonas dated 3 February 2021, where the BCIS Construction Costs index assesses costs as gross internal areas, and not gross external areas, as one would expect. The median cost in this index for a building of 3-5 storeys is given as £2,005.00 per sq m, i.e. around 10% less than the assumed construction cost, which appears to be for the gross external areas.

We hope these comments on the current draft of the Design Code are helpful, and we look forward to working further with the Council and stakeholders to develop the code.