

Book in PK.  
Kelsey

# BroadwayMalyan

Architects & Designers

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Chief Planning Officer  
Royal Borough of Kensington & Chelsea  
Planning and Conservation  
The Town Hall  
Hornton Street  
London W8 7NX

For the attention of Mr P Kelsey

Our Ref: IA/IsW/8130/0603

27 June 2003

EX DIR	HDD	TP	CAC	AD	CLU	AO AK
R.B.	71 JUL 2003				PLANNING	
K.C.	N	SW	SE	APP	IO	REC
			ARB	PPLN	DES	FEES

62

Dear Sir

## Town & Country Planning Act 1990 Campden Hill Reservoir Site : External works and Hard landscaping

Further to our recent conversation, we have now finalised proposals for the hard landscaping at the Campden Hill development. Principally, materials follow the high quality palette used elsewhere on the development and are buff stock brick to match existing, reconstituted Portland stone granite-type sett paving and black metal railings to match those used on the town houses.

We will forward a planting plan under separate cover when the scheme is finalised, but in the interim would be grateful for your approval of the enclosed drawing, no. 10337/125Y, which schedules the materials proposed.

Yours faithfully

Ian Apsley

Enc.

Copy (+ enclosure) to:

- C Park - St James Group
- S Bradbery/S Collins - GTMS
- M Gibbs/R Lomas - BM Landscape

Other Offices:  
London, Manchester, Reading,  
Southampton, Lisbon, Madrid, Warsaw,  
Frankfurt & Paris

Certified to ISO 9001

Broadway Malyan Limited  
Registered in England No. 3540940  
Registered Office: 3 Weybridge Business Park  
Addlestone Road, Weybridge, Surrey KT15 2BW

A list of Directors and Senior Staff is available from any office.

BroadwayMalyan.com

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## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Broadway Malyan  
3 Weybridge Business Park  
Addlestone Road  
Weybridge  
Surrey KT15 2BW

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Email: Paul.Kelsey@rbkc.gov.uk  
Web: www.rbkc.gov.uk

24 May 2002

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PK/PP Your reference: IA/sw/8130/0603 Please ask for: Paul Kelsey  
/99/0733

Dear Sirs,

**Town and Country Planning Act 1990  
Amendment to Chimney Design, and Revised Layout to Aubrey Walk Block,  
Campden Hill Reservoirs Site, Aubrey Walk, W8**

I refer to your letters dated 10 and 25 April 2002 regarding the above.

I can confirm that I am of the opinion that the amendment to the chimney design as shown on your drawings 7650/102H, 103J, 104F, 106F, 107J, 108G, 109E, and 110M and the amendment to the internal layout to the Aubrey Walk Block as shown on your drawing 7650/P113 Rev F, can be treated as non material amendments to the planning permission granted on 14 October 1999.

I hope the above is the information you require.

Yours faithfully

  
M J French  
Executive Director, Planning and Conservation

1105J

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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24 May 2002

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Yours faithfully

  
M J French  
Executive Director, Planning and Conservation

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

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Royal Borough of Kensington and Chelsea  
Planning and Conservation  
Town Hall  
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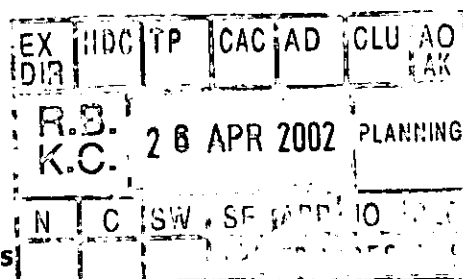
For the attention of Mr P Kelsey

Ref: IA/lsw/8130/0603

25 April 2002

Dear Sir

**Town & Country Planning Act 1990**  
**Campden Hill Reservoir Site : Aubrey Walk Apartments**



Please find enclosed four copies of drawing no. 7650/P113 Rev. F, which shows revised internal layouts for the Aubrey Walk Apartment block.

This includes minor layout adjustments in the change from affordable to private units, although the number of apartments remains the same at seventeen. Elevational treatment and materials remain unchanged from the consented proposal.

We trust the above can be considered as a non-material amendment, as discussed in a previous conversation.

Yours faithfully

Ian Apsley

Enc.

cc. K Parrett/ M Simms - St James Homes Ltd  
S Bradbery - GTMS  
R Sellwood - Sellwood Planning

**Other Offices:**  
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**BroadwayMalyan.com**

*Book L  
Main Bx*

**BroadwayMalyan**

Architects & Designers

*[Handwritten signature]*

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Royal Borough of Kensington and Chelsea  
Planning and Conservation  
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London W8 7NX

For the attention of Mr P Kelsey

Ref: IA/lsw/8130/0603

10 April 2002

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	15 APR 2002			PLANNING		
N	C	SW	SE	APP	IO	REC
		ARB	FPLN	DES	FEES	

*[Handwritten initials]*

Dear Sir

**Town & Country Planning Act 1990  
Campden Hill Reservoir Site : Minor amendment to chimney  
design**

Further to our telephone conversation last week, please find enclosed revised drawn information detailing a proposed amendment to the chimney design of the terraced houses at the above. Each chimney stack now has ten chimney pots arranged in two double banks of five, replacing the current design for one single bank of six pots. This has been brought about by the need to increase the number of flues to each dwelling.

This creates a minor visual change to the roofscape of the buildings but remains characteristic of period houses within the Conservation Area. I enclose a photograph of a house close to the site in Campden Hill Road which is typical of the area and uses a similar chimney profile.

The submission comprises four copies of the following drawings:  
7650/102H, 103J, 104F, 105J, 106F, 107J, 108G, 109E & 110M.

I trust the above can be viewed as a non-material amendment to the consented scheme as previously discussed. However, if you require any further information please contact us.

Yours faithfully

*[Handwritten signature: Ian Apsley]*

Ian Apsley

Enc.

*04*  
**COPY OF PLANS  
TO INFORMATION  
OFFICE PLEASE**

Other Offices:  
London, Manchester, Reading  
Southampton, Lisbon, Madrid & Warsaw

Certified to ISO 9001

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**BroadwayMalyan.com**

cc. K Parrett/M Simms - St James Homes Ltd  
S Bradbery - GTMS

OFFICE PLEASE  
TO THE EXTENSION  
COPY OF PRINTS

PK

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

**THE ROYAL  
BOROUGH OF**

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



Mr. Clive Thomas,  
9 Norland Place,  
LONDON, W11 4QG.

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**KENSINGTON  
AND CHELSEA**

11 December 2002

My reference: EDPC/MJF

Your reference:

Please ask for: Mr. French

Dear Mr. Thomas,

**Thames Water Reservoir Site, Campden Hill Road, W.8.**

I write with reference to my letter of 4 December regarding the above site. I have spoken to Mr. Wilson, the Director of Transportation and Highways, and he informs me that during the construction period, it was agreed with the contractor that lorries would stage in Holland Park Avenue and be called up by radio to the site when conditions were ready for them. Unfortunately, the contractor is having trouble with his sub-contractor and officers have been trying to resolve the situation by dealing with the main contractor. There have, as you know, been a number of suspensions in Aubrey Walk and Campden Hill Road and the Director of Transportation and Highways is of the opinion that any further suspensions would make little difference to the current situation; there have apparently been very few complaints regarding this arrangement.

Finally, I am advised by the developers that shell completion will take place by June 2003 with all other works completed by February 2004.

Yours sincerely,

M. J. French,  
Executive Director, Planning and Conservation.

- c.c. Mr. D. Myers, Town Clerk and Chief Executive
- Mr. C. Wilson, Director of Transportation and Highways
- Mr. P. Kelsey, Area Planning Officer

# Memorandum

**Date:** 05 December 2002  
**To:** Mike French, Executive Director, Planning & Conservation  
**Cc:** Doug Donald, Tony Putt, Derek Myers  
**From:** Craig Wilson, Director of Transportation and Highways  
**RE:** Lorries in Holland Park Avenue

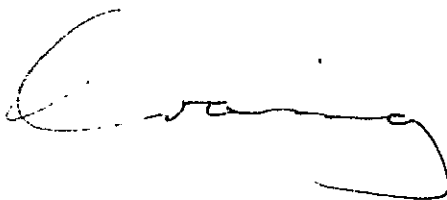
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In order to protect the residents of Aubrey Walk during the construction, it was agreed with the contractor that lorries would stage in Holland Park Avenue and be called up by radio to the site when conditions were ready for them. This was done during the excavation of the big shaft by Thames Water and worked well for all concerned.

The present contractor is having trouble with his sub-contractor and my officers have been trying to bring some sense to the situation by dealing with the main contractor. It is never going to be perfect, because the lorries can't always tell how long they are going to take to get from A to B, but we know they can do better if they tried.

There is no mechanism to charge for congestion, and there is no suspension in Holland Park Avenue involved either. The only alternative is more lorries and more suspensions in Aubrey Walk and Campden Hill Road which is unacceptable.

We have had relatively few complaints but that would soon change if we opted for the Aubrey Walk solution.





**French, Michael: PC-GrpSvc**

---

**From:** Wilson, Craig: ES-HwayTraf  
**Sent:** 05 December 2002 17:06  
**To:** French, Michael: PC-GrpSvc  
**Subject:** RE: Thames Water Site

There have been suspensions in Aubrey walk, but is it relevant? It would be difficult to extract as it is not a constant number and would not serve any purpose as I see it. The suspension IT system is not user friendly in this respect, as it is mainly a booking system. The sort of answer one uses in those daft Council Questions we used to get!

-----Original Message-----

**From:** French, Michael: PC-GrpSvc  
**Sent:** 05 December 2002 17:00  
**To:** Wilson, Craig: ES-HwayTraf  
**Subject:** Thames Water Site

Craig: Thank you for your memorandum of 5 December which helps. Have there been any suspensions in either Aubrey Walk or Campden Hill Road and, if so, how much money have we secured from the developers?

M. J. French,  
Executive Director, Planning and Conservation.  
020 7361 2944

PLC

**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

04 December 2002

My reference: EDPC/MJF

Your reference:

Please ask for: Mr. French

Dear Mr. Thomas,

**Thames Water Reservoir Site, Campden Hill Road**

Thank you for your letter of 2 December addressed to the Town Clerk and Chief Executive; as this relates to a planning matter, Mr. Myers has referred your letter to me for reply.

I will make enquiries regarding the length of the development contract and will reply more fully as soon as the information becomes available.

Yours sincerely,

M. J. French,  
Executive Director, Planning and Conservation.

- c.c. Mr. D. Myers, Town Clerk and Chief Executive
- Mr. P. Kelsey, Area Planning Officer
- Mr. C. Wilson, Director of Transportation and Highways

*Paul*  
Do we know when collection is  
expected.

*White*  
Street completion  
June '03 -  
Put out - Feb 04 Complete (Block of flats get CH  
+ Aubrey walk last to  
finished.)  
*Paul*

Craig Wilson

**PLANNING AND CONSERVATION**

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**KENSINGTON  
AND CHELSEA**

04 December 2002

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Your reference:

Please ask for: Mr. French

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Yours sincerely,

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Executive Director, Planning and Conservation.

c.c. Mr. D. Myers, Town Clerk and Chief Executive  
Mr. P. Kelsey, Area Planning Officer  
Mr. C. Wilson, Director of Transportation and Highways

03 DEC 2002

2nd December 2002

The Chief Executive,  
The Royal Borough of Kensington,  
The Town Hall,  
Hornton Street,  
LONDON W8 7NX

The Royal Borough of Kensington

No 9 NORLAND  
PLACE, W114QG

Dear Sir,

Re Campden Hill Development

I live in Norland Place and quite often I either cycle or drive up Holland Park Avenue to Hyde Park.

There is a development that has been in progress for probably six months or more in Campden Hill which causes a line of lorries to be parked on the hill obstructing one lane from probably 7.30 to 9.00 most mornings.

Firstly it is extremely dangerous overtaking the trucks on a bicycle and secondly the congestion is significant and I would like confirmation from you that the development company has made a capital contribution to Kensington Council for the congestion it is causing on a daily basis. When replying perhaps you could let me know how much longer the situation is to continue.

Yours faithfully,

  
Clive Thomas



0171 727 6336

ROBERT J. FREEMAN  
20 HARCOURT HOUSE  
19 CAVENDISH SQUARE  
LONDON W1G 0DY  
TELEPHONE: 020-7460 5454  
FAX: 020-7460 5460

8 May 2002

by fax and post  
7 361 3463

M J French Esq  
Executive Director Planning and Conservation  
The Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
London W8 7NX

Your ref: DPS/DCC/PK/PP/99/0733

Dear Mr French

**Campden Hill Reservoirs Site**

EX	HDC	TP	CAC	AD	CLIAO
DIR					AK
R.B.	10 MAY 2002			PLANNING	
K.C.				ST	
N		SW	SE	APP	IO REC
			ARB	FPLN	DES FEES

Thank you for your letter of 3 May.

I believe that the alterations do significantly increase the massing of the building, but I have forwarded a copy of your letter to the local residents without comment for their views.

Councillor Buckmaster is away until the middle of next week, so it may not be possible for a response to be with you by Monday 13 May.

Yours sincerely

Robert Freeman

*Mick*

cc: Councillor Tim Ahern  
Councillor Barry Phelps

*The change only further a  
single attention to the  
chimneys. I don't think  
he can have had a  
proper look at the plans  
I sent him.*

*Paul  
10/5/02*

ROBERT J. FREEMAN  
20 HARCOURT HOUSE  
19 CAVENDISH SQUARE  
LONDON W1G 0DY  
TELEPHONE: 020-7460 5454  
FAX: 020-7460 5460

*Plb*  
*Let's want till end  
of next week  
RJ*

8 May 2002

by fax and post  
7 361 3463

M J French Esq  
Executive Director Planning and Conservation  
The Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
London W8 7NX

Your ref: DPS/DCC/PK/PP/99/0733

Dear Mr French

**Campden Hill Reservoirs Site**

EX DIR	HDC	TP	CAC	AD	CLU	AO
R.B. K.C.		10 MAY 2002			PLANNING ST	
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Yours sincerely

*Robert Freeman*  
Robert Freeman

cc: Councillor Tim Ahern  
Councillor Barry Phelps

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Councillor Christopher Buckmaster  
23 Kensington Place  
London W8 7PT

Switchboard: 020 7937 5464  
Extension: 2084  
Direct Line: 020 7361 2084  
Facsimile: 020 7361 3463  
Email: Paul.Kelsey@rbkc.gov.uk  
Web: www.rbkc.gov.uk

03 May 2002

---

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PK/PP Your reference:  
/99/0733

Please ask for: Paul Kelsey

Dear Councillor Buckmaster,

## Campden Hill Reservoirs Site

I have received two letters from the developer of the above site requesting amendments to the scheme. The first involves a change to the design of the chimneys of the terraced houses. Each chimney stack now has ten chimney pots arranged in two double banks of five. This has been brought about by the need to increase the number of flues to each dwelling. I enclose an extract showing a typical elevation as approved and as proposed.

The second change is a revised layout to the proposed Aubrey Walk Apartment Block. This follows from the change from affordable to private units. The number of units remains the same, that is 17, as does the elevational treatment and materials.

I am of the opinion that these changes are non material amendments to the development, but before confirming this to the developer, I would welcome any views you might have. I have also written to Councillor Freeman to see if he has any views. A response by next Monday 13 May would be appreciated.

Yours sincerely

M J French  
Executive Director, Planning and Conservation

cc Councillor Barry Phelps, Co-Chairman, Planning Services Committee  
Councillor Tim Ahern, Co-Chairman, Planning Services Committee

R

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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Councillor Robert J Freeman  
The Town Hall  
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Facsimile: 020 7361 3463  
Email: Paul.Kelsey@rbkc.gov.uk  
Web: www.rbkc.gov.uk

03 May 2002

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BOROUGH OF



KENSINGTON  
AND CHELSEA

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My reference: DPS/DCC/PK/PP Your reference:  
/99/0733

Please ask for: Paul Kelsey

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Yours sincerely

  
M J French  
Executive Director, Planning and Conservation

cc Councillor Barry Phelps, Co-Chairman, Planning Services Committee  
Councillor Tim Ahern, Co-Chairman, Planning Services Committee

R



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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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Woburn Hill, Addlestone  
Weybridge  
Surrey  
KT152QA

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Facsimile: 0207-361-3463  
Email: plndmt@rbkc.gov.uk  
Web: www.rbkc.gov.uk  
Mr.: D. Taylor

01 June 2001

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoir redevelopment**

I write with reference to our recent telephone conversations and your letter and enclosures of 30<sup>th</sup> April 2001, concerning the removal of a section of tree covered embankment and retaining wall at the South-West corner of the above site.

I understand that the development approved on appeal last year has run into technical difficulties in this corner, and that the desired construction methods require the removal of this further section of retaining embankment. You have proposed a planting scheme to replace the trees that would be lost, and request that this package can be treated as a non-material amendment to the existing approved scheme.

However, I am afraid I see a number of problems in this.

I cannot accept this as a "non-material" amendment, for two reasons. Firstly, the existing planning permission was accompanied by Conservation Area Consent (ref. TP/98/2189) for the demolition of the majority of the buildings on the site including large parts of the reservoir retaining walls and embankments; this Consent did not include the corner now being considered, however. As a matter of fact, therefore, Conservation Area Consent does not exist for the removal of retaining wall and embankment now proposed. Secondly, by virtue of the planting existing on the embankment, including ash, sycamore and oak trees of more than 30ft in height, the embankment makes a considerable contribution to the character and appearance of the area, and it's loss (and the loss of the trees) would clearly have a considerable impact upon the character and appearance of the area.

An application for Conservation Area Consent is therefore necessary, and I enclose the relevant application form. Such an application should be accompanied by a full supporting statement (including photographs) to explain (a) why the loss of the embankment is now proposed and (b) how in your view the proposed planting scheme would mitigate the harm caused by the loss of the existing much larger trees. Such an application will be considered in terms of the effect upon the character and appearance of the Conservation Area, the effect upon the setting of Aubrey House to which this embankment forms the eastern boundary, and in the light of the representations and comments submitted to the public inquiry, and the Inspector's conclusions, regarding the role and amenity value of the supporting embankments.

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1901-2001

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B

I am sure that I need not remind you of the sensitive nature of this site, and the fact that one of the factors that the Inspector took into account in granting permission for the development was that the western retaining wall, embankment, and its trees, were being retained in the scheme. You should not necessarily assume that Conservation Area Consent will be granted for the further removal of the embankment, and I do strongly advise you to explore alternative methods of construction that would not necessitate such further removal.

Yours faithfully,



Derek Taylor  
Area Planning Officer  
For  
Executive Director, Planning & Conservation

cc. Chris Colwell, Senior Arboriculturist  
Paul Kelsey, Area Planning Officer

---

## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

JS McIntosh  
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Woburn Hill, Addlestone  
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Facsimile: 0207-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor

23<sup>rd</sup> April 2001

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PP/00/ 01850 Your reference: JSM/Isw/8130TC/ 0603 Please ask for: Mr D. Taylor

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoirs Tennis Clubhouse – Condition 2c**

I write with reference to your letter of 28<sup>th</sup> March 2001, in connection with the requirements of Condition 2 (c) of the Planning Permission PP/00/1850 for the above site, which relates to the provision of proper disabled access to the new development. I think there is a typing error in your letter, which refers to Condition 2 (e) in the first line!

You have submitted copies of drawings nos. TC(03), 02, 03, 04 and 05 in discharge of the requirements of this Condition.

I confirm that the facilities for disabled access to the new clubhouse, as indicated in these drawings are acceptable under the requirements of Condition (c).

Yours faithfully,

---

M. J. French  
Executive Director, Planning & Conservation

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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Andrew Pritchard  
Broadway Malyan  
Woburn Hill, Addlestone  
Weybridge  
Surrey KT15 2QA

Switchboard:  
Extension: 2057  
Direct Line: 0207-361-2057  
Facsimile: 0207-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor



KENSINGTON  
AND CHELSEA

---

13th September 2000

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My reference: DPS/DCC/PP/99/ Your reference: AP/lsw/8130/6.0 Please ask for: Mr D. Taylor  
0733

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoirs - Further Amendments to Approved Drawings**

I write with reference to your letter of 14<sup>th</sup> August 2000, and our meeting of 10<sup>th</sup> August, in connection with further amendments to the previously approved plans for the above site.

As with our previous discussions, this correspondence is without prejudice to the events that may take place at the High Court in September, or events thereafter.

With your letter of 14th August you enclosed four copies of drawings 7650/P099 to P113, together with a Schedule of the drawings and an accommodation schedule which draws a comparison with the appeal scheme currently scheduled for hearing at the High Court. Rather than repeating the numbers and descriptions of these new plans I have simply appended a copy of the Schedule of Drawings to this letter to avoid any confusion.

The amendments essentially involve the addition of a roof top handrail, extended lift over-run in an obscured position at the centre of the Campden Hill flats, internal revisions to those flats, altered glazing details to the tennis courts, parking arrangement changes, and minor changes to the external details of the Aubrey Walk flats to bring them in line with the nearby houses. The accommodation schedule shows that 67 residential units are still proposed, with 17 of them remaining affordable units, but with two units effectively shifting from Campden Hill to Aubrey Walk. Therefore, the number of flats in the Campden Hill block reduces from 29 to 27, and the number of flats on the Aubrey Walk side is increased from 2 to 4.

I confirm that these changes are acceptable as non-material amendments to the drawings previously approved by the Inspector on appeal.

Yours faithfully,

M. J. French  
Executive Director, Planning & Conservation

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## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Phil Hull  
Senior Planning Manager  
St. James Homes  
102 The Green  
Twickenham  
Middlesex TW2 5AG

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Extension: 2057  
Direct Line: 0171-361-2057  
Facsimile: 0171-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor

3rd August 1999

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoirs - Proposed Grampian style Condition**

I refer to our recent telephone conversations and your letter of 3<sup>rd</sup> August 1999, in connection with the wording of a "Grampian" style Condition that would be appropriate in the event that planning permission is granted for housing redevelopment of the above site.

You agree in your letter that Condition 19 should now read:

"Not more than 29 of the units to be constructed in accordance....."

I confirm that this wording is acceptable, and that an agreed position can be presented to the Inspector on this basis.

Yours faithfully,

---

M. J. French  
Executive Director, Planning & Conservation

---

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

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**Executive Director** M J FRENCH FRICS Dip TP MRTPI Cert TS

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Phil Hull  
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Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor3rd August 1999

---

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

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My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

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Executive Director, Planning & Conservation

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

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Facsimile: 0171-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor

3rd August 1999

---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA *B*

---

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

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**Campden Hill Reservoirs - Proposed Grampian style Condition**

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Yours faithfully,

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 M. J. French  
Executive Director, Planning & Conservation

## AFFORDABLE HOUSING

### Proposed Grampian Style Condition

#### Condition xx

(A) Not more than 26 of the units to be constructed in accordance with this permission shall be occupied unless and until 17 units have been transferred to a social landlord registered under the Housing Act 1996 Part I such transfer being subject to the following requirements:-

- (a) the transfer shall comprise an interest being not less than 125 years leasehold
- (b) the consideration shall not exceed 100% of the Total Cost Indicators for affordable housing as defined from time to time as defined by the Housing Corporation in its annual guidance notes or if such indicator ceases to exist such equivalent indicator as shall be substituted by the local planning authority
- (c) the service charge per unit shall not exceed £250 per annum subject only to an increase in line with the All Items Retail Prices Index published by the Office for National Statistics or if such index ceases to be published such other equivalent index as shall be substituted by the local planning authority
- (d) the units shall be constructed in accordance with the scheme development standards of the Housing Corporation in force at the date of exchange of contracts for disposal of the units to a registered social landlord
- (e) the units shall be occupied only by tenants of a registered social landlord being tenants in need of affordable housing in the area of the local planning authority and which for the avoidance of doubt shall exclude the right to occupy under the terms of a shared ownership lease provided that this restriction ((d)) shall not apply to those persons mentioned below in the following circumstances:-

- (i) the mortgagee of the registered social landlord or any receiver of such mortgagee or any persons deriving title under them in the event that the mortgagee of the registered social landlord seeks to dispose of the units or any part thereof (as to such part) pursuant to its power of sale exercised pursuant to default of the terms of the mortgage or any such receiver seeks to dispose of the units or any part thereof (as to such part)



(ii) an occupant of a unit who has exercised a statutory right to acquire under the Housing Act 1996 or otherwise ("the Occupant") or any person other than a registered social landlord deriving title under that Occupant

(iii) the mortgagee of the Occupant or any receiver of such mortgagee or any person deriving title under them in the event that the mortgagee of the Occupant seeks to dispose of the unit pursuant to its power of sale exercised pursuant to default of the terms of the mortgage or any such receiver seeks to make a disposition

**(B)** In the event that a mortgagee of a registered social landlord wishes to exercise its power of sale or such receiver wishes to dispose of the units or any part thereof such person shall first use reasonable endeavours to sell the units to another registered social landlord provided that if after a period of 2 months (having used all reasonable endeavours as aforesaid) such person shall not have sold the units to another registered social landlord the mortgagee of the registered social landlord or such receiver shall thenceforth be under no obligation to sell the units to a registered social landlord and shall be entitled to exercise its powers of sale or make a dispositions as the case may be free of this condition which shall thereupon determine and be of no further effect

### **Reasons**

To ensure the provision of on site affordable housing

# FAX FROM

NAME: \_\_\_\_\_

THE DIRECTORATE OF PLANNING SERVICES

DATE: \_\_\_\_\_

MAIN TELEPHONE NUMBER: 0171 937 5464

DIRECT LINE: 0171 361 \_\_\_\_\_

FAX NUMBER (if different from below): \_\_\_\_\_

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

## TO

NAME: Tim Farrow

OF: St. James Homes

ADDRESS: \_\_\_\_\_

POSTAL CODE \_\_\_\_\_  
FAX NUMBER: 0181 - 755 - 3355

NUMBER OF PAGES TO FOLLOW: 2

COMMENTS AND/OR INSTRUCTIONS (if any)

Proposed Crampian style  
Condition

OUR FAX NUMBER IS: 071 361 3463

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## PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Bob Sellwood  
Sellwood Planning  
Highgate House  
Bambers Green, Takeley  
Bishop's Stortford  
Herts. CM22 6PE

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Direct Line: 0171-361-2057  
Facsimile: 0171-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor

26 July 1999

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---

THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoirs W8**

Further to the current Public Inquiry relating to the above site, I write to enquire whether your clients are in possession of any other photographs, montages, or artists impressions that have not yet been made available to the Inquiry?

The Inspector has shown an interest in these supporting items, and it might be that any others existing could be of further assistance to him.

Yours faithfully,

Derek Taylor  
Area Planning Officer  
for  
Executive Director, Planning & Conservation

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Bob Sellwood  
Sellwood Planning  
Highgate House  
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Bishop's Stortford  
Herts CM22 6PE

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Facsimile: 0171-361 3463

15th July 1999

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

## Town and Country Planning Act 1990 Campden Hill Reservoirs

Further to our meeting yesterday and other recent discussions, I set out below my understanding of the position regarding affordable housing at the above appeal site:

- (1) There is no question over viability;
- (2) It is physically possible to provide 17 units of affordable housing on site;
- (3) There are no significant management problems or other practical obstacles to providing the affordable housing;
- (4) The only major area of difficulty arises over the amount of service charge to be levied in respect of the affordable housing units

I would be grateful if you could confirm whether or not, within the appeal scheme, you can cap the level of service charge for each affordable unit £250 (subject to any inflation supplement) without bringing the viability of the site into question.

I await your urgent response to this question.

Yours faithfully,

Derek Taylor  
Area Planning Officer  
for  
Executive Director, Planning & Conservation

Grove House  
27 Hammersmith Grove  
London W6 0JL

**NOTTING HILL** 

**Fax message**

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To	<b>JOHN ZUKOWSKI</b>	Date/Time	<b>14 JULY 1999 - 11.35AM</b>
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Company	<b>RBKC - LEGAL DEPARTMENT</b>	Fax No	<b>0171 - 361 3488</b>
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From: Name and Company	<b>STEVE RAWLINGS NHHT</b>
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Total number of pages including this page	<b>9</b>
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In case of difficulty please telephone sender on	<b>0181 - 357 5035</b>
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Message

Letter and attachments as discussed earlier this morning.

Notting Hill Housing Trust  
 Grove House  
 27 Hammersmith Grove  
 London W6 0JL  
 Tel 0181-357 5000 Fax 0181-357 5299  
 DX 32758 Hammersmith 2 Exchange

**NOTTING HILL  
 HOUSING TRUST**



Mr John Zukowski  
 Solicitor  
 Legal Department  
 Royal Borough of Kensington and Chelsea  
 Horton Street  
 London W8 7NX

Our ref : SR/HH  
 Your ref :

Direct Line : 081-563 5035  
 Direct Fax : 081-563 5050  
 email: [srawlings@notting.org](mailto:srawlings@notting.org)

14 July 1999

Dear John

### **CAMPDEN HILL RESERVOIR SITE**

Thank you for a copy of the draft Section 106 and the Affordable Housing Agreement.

I have not had the opportunity to study it in great depth or asking my solicitor's opinion on how it affects NHHT. Therefore my approach is as a reasonably informed layman.

I am not sure whether you saw Allan Maguire's notes on the first draft and I attach these.

### **Definitlons**

I have the same comments as Allan on t he definition of affordable housing.

### **Plans**

I have not adequately studied these and presume that when a final line is drawn round the affordable housing land that there will be an adequacy of amenity space for the occupants.

### **Definition - Nominated Registered Social Landlord**

A similar comment. Notting Hill Housing Trust is the chosen RSL of the Royal Borough and it is to us that the Social Housing Grant will be dedicated. Therefore references to two nominated housing associations and the listing of those on RBKC's panel appear to be irrelevant. I suggest it is purely Notting Hill or such other RSL nominated by the Royal Borough.

A charity incorporated as an Industrial  
 and Provident Society limited by shares  
 registered in England (1655BR)  
 Registered at the Housing Corporation (L0035)  
 Registered office Grove House 27 Hammersmith Grove London W6 0JL

c:\wordocs\vet\gwild.doc 30.1.95

Patron: HRH The Duchess of Gloucester GCVO  
 Founder and President: The Reverend Bruce Kenrick  
 Chairman: Lionel Morrison MIPR  
 Group Chief Executive: Peter Redman

*Providing affordable rented homes for people in housing need*

## **Car Parking Spaces**

I assume that .66 car parking spaces is acceptable to the Planning authority. It is from Notting Hill.

**Clause 4** - See above.

## **Clause 5**

This appears to be an agreement to agree. From the Housing Department point of view, and therefore our own, I wish to see a spread of dwellings with a predominance of 2 bedroom units. I think it is a reasonable working assumption that an adequate mix of 17 units can be contained within 1,210 square metres. The original St James mix was perfect.

## **Clause 5.1**

Should it not be an absolute requirement on the developer to provide the affordable housing rather than have the triggers of "failing to agree" which then set in course the downgrading of the affordable housing through the sequential test.

## **Clause 6**

The level of the commuted sum is a matter for the Council if sequentialism is accepted. At face value it does not appear to equate to the cost of the foregone opportunity which might be measured as the difference between the open market value and the value of the affordable housing units, ie what would be the cost to the Council of having to provide the affordable housing units itself.

**Clause 6.2** - The same comment applies.

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**Clause 9** - The mortgagees in possession clauses at face value seem okay.

## **AFFORDABLE HOUSING AGREEMENT -**

### **"Off site Affordable Housing Units"**

Again the whole issue about the sequential test applies here but it seems to me that the definition including the words "previously occupied ... residential units ..." would permit the use of existing residential units. Obviously this is an issue for the Council but the use of these units would not create a housing gain and merely a transfer of tenure.

The mix included in the definition would be acceptable to us but you may wish to consult Stan Logan.

#### **“On Site Purchase Price”**

I am not sure whether I have adequately understood the structure of the agreement but it appears that we are paying a single purchase price for the affordable housing units. This is acceptable to us but at a quick glance I cannot see how the JCT contract comes into play. This will in turn affect the TCI and consequentially the purchase price.

#### **“On Site Service Charge”**

I have not had an opportunity to do a calculation but obviously the total cost to the RSL must be kept within the Housing Corporation rent caps. Paying £250 per annum service charge for estate service charges is entirely acceptable within the comprehensive funding, ie what goes out of revenue will have the corresponding effect on what is affordable in capital terms. This then goes on to what is the price and how much SHG your Housing Department is prepared to recommend is invested in the scheme. I understand that the Department's current policy is to apply 100% of TCI. I have not had the opportunity of putting in the £250 service charge plus what will be our own service charge for what remains as our responsibility into our spreadsheet.

#### **“Total Cost Indicator”**

The Housing Department will be awarding the Social Housing Grant this financial year and I don't think we can predict what this will be at the point of exchange. I therefore think that the TCI should be that operating for the year 1999/2000. You may wish to consult Stan Logan on this.

**3.1.1. - Sale Price and Build Contract** - see comment on **Definitions**.

~~3.1.3 - This appears to be in conflict with the exclusion clauses in the draft Section 106, eg Right to Acquire.~~

**3.1.4. - Caveat** - This puts the decision in the hands of the developer or Kennett and again, surely it ought to be an absolute requirement that the housing is provided.

**3.1.5** - I think we should have an absolutely certain time for the delivery of the units. The Social Housing Grant and the Council's own housing obligations will require a definite time for the production of the dwellings.



**3.1.8** - This will probably have to be covered in the lease but in the case of destruction by fire etc we cannot have the situation that the developer or Kennett have an absolute veto on redevelopment.

**4.2. - "Commercially Sensible Endeavours"** - Again, it ought to be an absolute requirement for the provision of affordable housing if the Council accept the provision of off site. The use of commercially sensible endeavours would very much weaken the requirement.

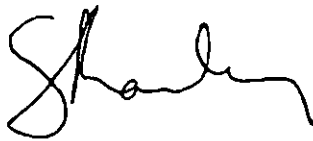
**4.4.1** - The trigger for the provision of off site affordable housing (if permitted) appears to be rather generous.

### **Purchase Contract**

I have not looked at this in detail but a quick glance would seem to indicate that it is a standard agreement for an owner/occupier. Normally when we acquire property to be built, we go to great lengths to specify precisely what we are getting. This may be inappropriate in this case but simply relying on an agreement to agree on 17 units not defined and only to the Housing Corporation scheme development standards, I would regard as rather skimpy.

What are the Council getting for its Social Housing Grant, when is it being got and what it looks like are normal requirements for grant confirmation.

I trust the above has been of some assistance.



S Rawlings  
**Director of Development**

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Attachments

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

P. D. Stork  
Walters Farm  
Three Leg Cross  
Ticehurst  
East Sussex  
TN5 7LU

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Direct Line: 0171-361 2057  
Facsimile: 0171-361 3463

07 July 1999

My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

## Town and Country Planning Act 1990 Campden Hill Reservoirs

I write in reply to your letter of 20th May 1999, and your earlier letter of 31st March. Your earlier letter of 11th February objected to the proposed redevelopment of the above redundant reservoirs together with Water Tower House and 3, 5, and 7 Aubrey Walk.

I apologise for the delay in replying to your letters; they were filed as objections and the grounds of objection noted, but the fact that you had also raised a question was overlooked. Over four hundred objections have now been received to the proposals for the reservoir site.

Although you raised a number of grounds of objection, the question you wished further advice upon related to loss of light to your property at no. 6 Aubrey Walk.

When the application was first submitted, this Council requested the applicants to commission a full sunlight and daylight study so that the proposals could be assessed in that regard. In particular, the Council was concerned at the possible implications for no.s 2 to 24 Aubrey Walk, and the ground and first floors of Kensington Heights. At a pre-application stage in discussions, the applicants were advised that a storey should be deleted from the block proposed for the South side of Aubrey Walk, for both townscape and daylight reasons.

The study duly submitted on behalf of the applicants revealed that a material (defined as 20% or more) loss of daylight would result to several first floor flats within Kensington Heights. It predicted a much smaller effect upon no.s 2-24 Aubrey Walk. Although the study was helpful, the Council then commissioned it's own, independent, report into the applicants' analysis. This further study prepared for the Council agreed with the broad conclusions drawn in the applicants' study, although some of the detailed figures varied from their study.

Taking the Council's own daylight study, the predicted loss of daylight to no. 6 Aubrey Walk would be slight, with windows in the South elevation retaining between 86.91% and 98.57% of their existing values.

Guidance for the assessment of light loss, prepared on behalf of the government, regards a loss of sunlight or daylight of 20% or less as being, normally, of insufficient significance to be termed

R

material. In other words, the guidance for local authorities is that a loss of light of the order predicted for your house would not be significant enough to justify a refusal of planning permission.

Notwithstanding this, the Council has still raised concern regarding the impact of the scale of development proposed for the site, one result of the proposed scale being impact upon existing levels of light available to surrounding property. Although the main objections raised by the Council relate to townscape and Conservation Area issues, loss of light remains a relevant consideration.

The whole development proposal will be examined before an Inspector at a Public Inquiry scheduled to commence in the Town Hall on 20th July, to run for up to two weeks. The Inspector will take daylight problems, and objections raised in that regard, into account in reaching his decision upon the applications. You can also write separately to the Inspector, quoting reference APP/K5600/A/99/1022704, at:

**Room 12/02 West  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ**

I hope that this is helpful.

Yours faithfully,



Derek Taylor  
Area Planning Officer  
for  
Executive Director, Planning & Conservation

---

DOCUMENTS

- Document 1 List of persons present at the pre-inquiry meeting.
- Documents 2A-2H List of persons at the inquiry.
- Document 3A Letter of notification of the inquiry and the list of persons notified.
- Document 3B Letters from interested groups and persons.
- Document 4A Statement of common grounds agreed by the appellants and the Royal Borough of Kensington and Chelsea.
- Documents 4B+4C Agreed distances between existing and proposed buildings north of Kensington Heights.
- Documents 5A-5E Appendices to the appellants' witnesses proofs of evidence.
- Document 5F Additional daylight calculations by Mr Ney agreed with the Council's daylight consultant (Sandra Laing).
- Document 5G Extract from RPG3.
- Document 5H The Council's publication *The Notting Hill Walk*.
- Document 5I Draft unilateral undertaking.
- Document 5J Extract from lease between the Metropolitan Water Board and Campden Hill Developments Ltd, dated 21 June 1973.
- Document 6A Appendices to the <sup>Council's</sup> ~~appellant's~~ witnesses proofs of evidence.
- Document 6B Bundle of letters sent to the Council from interested groups and persons.
- Document 6C Planning application reference TP3769/4 (Water Tower House).
- Document 6D RBKC Tree Preservation Order No 5 of 1998.
- Document 6E Council letter to English Heritage dated 23 April 1999.
- Document 6F Bundle of English Heritage letters.
- Document 6G Letter from Sandra Laing dated 27 July 1999.
- Documents 6H+6I Council letters dated 27+28 July 1999.
- Document 6J Council's suggested amendments to the appellant's unilateral undertaking.
- Document 6K Suggested Grampian style condition in regard to the provision of affordable housing.
- Document 6L *Kensington Conservation Area Proposals Statement*.
- Document 7 Appendix to Mr Foster's proof of evidence.
- Document 8A Mr Phillpot's declared list of clients.

- Documents 8B-8D Appendices to the local residents groups' proofs of evidence.
- Document 8E Decision letter, DETR ref T/APP/C5690/A/98/300053/P4.
- Document 8F Disposals of other Thames Water buildings.
- Document 8G Extract from *Evening Standard* Monday 6 December 1993.
- Document 8H Guidance Notes No 1 *Guidelines for the Environmental Assessment of Road Traffic*.
- Document 8I [1999] JPL 498-513.
- Document 8J BRE *Site Layout planning for daylight and sunlight - A guide to good practice*.
- Document 9 Appendices to Councillor Buckmaster's proof of evidence.
- Document 10 Appendix to Mrs Lascelles's proof of evidence.
- Document 11 Agreed transport accessibility
- Document 12 Suggested re-wording of tennis club conditions
- Document 13 ~~Further Loss of Open Space calculations, excluding tennis courts~~  
 Density calculations showing the three elements of the site on plan  
 Density comparison with Kensington Heights  
 Letter from Borough Valuer dated 28<sup>th</sup> July 1999

DOCUMENTS

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**COPY**



**LAWRENCE GRAHAM**

D Shoreland Esq  
The Planning Inspectorate  
Room 1003  
Tollgate House  
Houlton Street  
Bristol  
BS2 9DJ

Our Ref: TDB/S3402/1

1 July 1999

Dear Mr Shoreland

**TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDING AND CONSERVATION AREAS) ACT 1990  
APPEALS BY ST JAMES HOMES LIMITED  
SITE AT FORMER THAMES WATER RESERVOIR AND WATER TOWER  
HOUSE, CAMPDEN HILL ROAD, KENSINGTON, LONDON W8**

We enclose herewith copy letter from Sellwood Planning of 21 April 1999 to the Royal Borough together with copy drawing 7650/P113/B. We note that this increases the number of flats in the Aubery Walk building from 12 to 17. Also enclosed is a letter from Sellwood Planning to the Borough Council of 4 June deleting the reference to the gates. It is understood the Council has agreed that the gates can be deleted by means of a negative condition. With regard to the increase of the number of basement car parking spaces by 5 (to match the 5 additional units) it is understood the Council has indicated that these additional car parking spaces are not required if the flats are affordable units. It is also understood that the Council has indicated that they have no objection to the additional five spaces being provided. Enclosed herewith is a copy of drawing 7650/P110/B which shows the five additional parking spaces. We understand that the Council has agreed that these can be put to the Inspector to illustrate that, if necessary, the further spaces can be provided. The spaces can either come forward by way of a condition or by the Inspector accepting drawing 7650/P110/B in substitution.

Can you please confirm that this correspondence and enclosures will be passed to the Inspectorate.

Yours sincerely  
**TREVOR BLANEY**

cc. LeVerne Parker – Royal Borough of Kensington & Chelsea (without drawings)  
Vanessa Allen – Herbert Smith

190 Strand London WC2R 1JN Tel: 0171-379 0000 Fax: 0171-379 6854 Telex: 22673 DX: 39 London Chancery Lane WC2  
and

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MEMBER OF ABLE (ASSOCIATED BUSINESS LAWYERS IN EUROPE)  
SOLICITORS AUTHORISED BY THE LAW SOCIETY TO CONDUCT INVESTMENT BUSINESS. A LIST OF THE PARTNERS NAMES IS OPEN TO INSPECTION AT THE ABOVE ADDRESS

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

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Wilks Head & Eve  
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Switchboard: 0171-937 5464  
Extension: 2057  
Direct Line: 0171-361-2057  
Facsimile: 0171-361-3463  
Email: plndmt@rbkc.gov.uk  
Mr.: D. Taylor

30 June 1999

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

My reference: DPS/DCC/PP/99/ Your reference: SBL/SM/5230  
0733

Please ask for: Mr D. Taylor

Dear Sandra,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoirs**

I refer to your letter of 29<sup>th</sup> June 1999, and enclosed letter from Mr Ney dated 21<sup>st</sup> June.

The Inspector has requested that we attempt to agree as much as possible, in everyone's interest at the forthcoming Inquiry. I have drafted a "Statement of Agreed matters" which the appellants are currently considering, and the statement quoted in italics is one of those suggested in that draft statement.

I am perfectly happy for you to speak with Mr Ney in an attempt to find some common ground on daylight. Ideally agreement can be reached on the percentages, but if this is not possible then I would hope that they would at least agree that a material loss would occur; as there would, in certain cases, be a loss of more than 20% existing then I don't see how they can fail to agree to that (unless they are trying to suggest that any loss would be within 20% tolerance). If we fail to agree somewhere in this, then evidence may yet need to be submitted to the Inquiry.

The structure of the statement suggested by Mr Ney seems acceptable, subject to agreed figures being inserted. I do not see the last sentence as necessary, as any daylight point would have to be weighed against other material considerations anyway. Importantly, I think that Mr Ney needs at least to agree that a material loss would occur according to the BRE definition of "material" (i.e >20%).

I am meeting the appellants on Friday so it would be helpful to have some form of agreement before then.

Yours sincerely,

Derek Taylor  
Area Planning Officer  
for  
Executive Director, Planning & Conservation

R

Notting Hill Housing Trust  
 Grove House  
 27 Hammersmith Grove  
 London W6 0JL  
 Tel 0181-357 5000 Fax 0181-357 5299  
 DX 32758 Hammersmith 2 Exchange

**NOTTING HILL**  
**HOUSING TRUST**



Mr Martin Simms  
 Land Director  
 St. James Homes Ltd.  
 102 The Green  
 Twickenham  
 Middlesex TW2 5AG

Our ref : AM/IHH  
 Your ref :

Direct line : 0181-357 5022  
 Direct fax : 0181-357 5050  
 email [srawlings@notting.org](mailto:srawlings@notting.org)

18 June 1999

Dear Martin

### **CAMPDEN HILL RESERVOIR SITE**

I refer to your letter of 11 June and Steve Rawlings' reply of 15 June. I understand from Steve that you wanted something a little fuller in order to inform you of any concerns from the Trust's point of view. I believe that Steve told you that it is more for the local authority to be satisfied but here are our comments anyway. At a later stage, our solicitors may make one or two additional points.

#### **Definitions - Affordable Housing**

I appreciate this probably follows Circular 6/98. We would prefer something closer to the definition used by Hammersmith and Fulham Council or by Kensington at the Fenelon Place development. Broadly speaking, affordable housing is housing that is available to local people in housing need at a cost that is equivalent to the rents for assured tenancies charged by local housing associations. Of course, we now have the rent capping figures from the Housing Corporation which precisely prescribe affordability.

#### **Affordable Housing Land**

Leaving the definition of the precise location as "the developer could specify" could lead to a situation of the developer identifying an area which threw up particularly high service charges.

#### **"Previously Occupied"**

More one for the planning authority I think but I believe their position has been to see a net housing gain rather than the use of existing properties. I understand that they have not been satisfied in earlier cases of commuted sums of acquiring properties that were existing residential.

A charity incorporated as an Industrial  
 and Provident Society limited by shares  
 registered in England (16558R)  
 Registered at the Housing Corporation (L0035)  
 Registered office Grove House 27 Hammersmith Grove London W6 0JL

Patron: HRH The Duchess of Gloucester GCVO  
 Founder and President: The Reverend Bruce Kenrick  
 Chairman: Lionel Morrison MIPR  
 Group Chief Executive: Peter Redman



### **Off Site Purchase Price - Blank Price**

Obviously a crucial factor. I believe the price that has been on the table is 100% of TCI. Because the TCI incorporates "on costs" such as an RSL's internal administration costs, this might need to be tightened up so there was no room for disagreement.

### **Nominated Registered Social Landlord**

I do not think it is practical for the Council to nominate two RSLs as the grant will only be vested in one. Currently we are the preferred RSL of RBKC and obviously RBKC would have to be agreeable to swapping the grant over to another RSL.

### **Registered Social Landlord**

Again, a follow on point from the above, I suggest the definition means Notting Hill Housing Trust or such other RSL nominated by the Council.

### **Scheme Development Standards**

I suggest SDS for August 1998 as amended at the time of grant consent.

### **Service Charge**

Effectively this puts the determination of the service charge 100% at your discretion as a service charge will be function of the design. This then ties in with the whole issue of affordability and the restrictions through the rent cap on rent and service charges eligible for social housing grant.

### **Substantially Complete**

I suggest the word "substantially" is omitted. The property must be ready for occupation.

### **Total Cost Indicator**

I suggest adding "relevant at the date of this agreement".

### **Clause 4**

Tying in with the definition and the point about grant, I suggest that this is solely altered to Notting Hill or the nominee of the council.

### **Clause 5.1.2**

Again, the issue of the service charge. If we are to have on site provision within the existing proposed scheme then I would suggest from our point of view that clause would need amending to say "the payment of the service charge in respect of each on site affordable housing unit insofar as this is contained within the rent cap set by the Housing Corporation and indexed to RPI". We would then need to amend definitions accordingly.

#### **Clause 5.1.4**

We would like to see a whole chunk of extra things go in here. Normally when we procure housing we are protected by a JCT 81 contract specifying the works and contract and conditions. This is inappropriate in this type of arrangement but nevertheless we would like to have a document which more closely specified the works and materials. We would also wish to see the issues such as standards workmanship, rights of inspection, arrangements for payments, defects liability for the works.

The proviso is solely for the developer to be satisfied about funding and I think that this should solely be a matter for the Council.

#### **Clause 5.1.4.1**

I am sure that this is not what is intended but again it appears that it is at 100% of the developer's sole discretion on whether terms can be agreed with another association.

#### **Clause 5.1.6**

Again, leaving the standards to be specified solely by the developer could lead to unreasonableness. I would suggest that we have the normal leasehold provisions - 5 years external, 7 years internal.

I think at 6.2 and 6.3.1 the numbering has gone somewhat array.

#### **Clause 6.3.1**

Again, this is more for the planning authority than the RSL but we have encouraged the planning authority to look for any off site provision to satisfy them on location, standards and type. At the meeting, Steve outlined the dissatisfaction that could arise if the off site provision were made in areas of existing social stress - Earls Court and parts of North Kensington.

#### **Clause 6.4**

Again, this is more for the Council but it seems rather too niggardly in that there is little hold over St James's in the provision.

#### **Clause 6.5.1**

Again, the same point about service charges applies to the off site provision. The developer could identify, for example, mansion flats with lifts, underground car parking and concierge which would throw up the same service charge difficulties as the existing on site provision.

#### **Clause 6.5.3**

this is more for the Council but £47,500 per unit is not the measure of the additional sale realisation the developer would achieve in not having to provide the on site provision.

**Clause 9**

The exclusions appear to be satisfactory but at a later stage we would ask our solicitors to have a look at them.

Yours sincerely

A handwritten signature in black ink that reads "Allan Maguire". The signature is written in a cursive, slightly slanted style.

Allan Maguire  
**Business Development Director**

---

**ENVIRONMENTAL SERVICES  
INTERNAL MEMORANDUM**

---

**TO:** Derek Taylor **ROOM NO:**  
**CC:**  
**FROM:** Gillian Palmer **ROOM NO:** 317  
**TELEPHONE** 0171-361 3240 **CONNECT:** EHEGMP  
**DATE:** 31 March 1999 **REF:** TP/98/2128, 2128  
**SUBJECT:** Aubrey Walk; revised TIA

---

Further to your Memo of 23 March, I have the following comments

- the TIA does take into account all of my original comments e.g. directional split of traffic from the site, uprating of traffic levels in Aubrey Walk to match RBKC figs, treatment of on street parking layout;
- however, TPK are still of the view that the tennis club activity and therefore traffic / parking associated with it will remain essentially the same;
- **conditions**  
the tennis club will probably require a set of conditions ,depending on what we find out re. nature of existing use, e.g. hours of opening , nos. of people on the premises at any one time, no large scale spectator events;  
there would need to be a S 106 re carriageway works associated with revised access in Aubrey Walk, revised parking layout, also traffic calming measures which would be required in Kensington Place and Aubrey Walk.  
we would need to condition the use of the residents parking spaces for residents of the development only
- depending on the status of the drawings at the time of any inquiry or committee meeting , we will need to think about reserving the details of such things as parking layout ,ramp gradient, cycle parking and other similar items which we are currently discussing with TPK.
- the only outstanding matter from my point of view is the tennis club. Assuming we can control any potential increase in parking demand by condition it is likely that there would be no other transportation objection to the development as a whole.
- there may be some small areas of public highway to be stopped up or land to be dedicated as public highway depending on minor details of layout.

## CAMPDEN HILL RESERVOIR

### Comparative Notes about Various Squares

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The height dimensions are assessed from pavement to parapet or cornice, taking no account of mansard height.

---

#### Brompton Square

East side: Predominantly 4-storey + mansard over a low basement.

West side: The southern portion is 3-storey + mansard, but most is 4-storey + mansard: all over low basement.

North end: 3-storey + mansard over basement (and contrasting architectural style).

length : width ratio - 1 : 0.23

height : width ratio - 1 : 2.7 (13.4m elevations)

---

#### Norland Square

4-storey terraces with basements - 4 or 5 steps up to ground floor level - some not very prominent roof extensions. (A tennis court in the square.)

length : width ratio - 1 : 0.49

height : width ratio - 1 : 5.3 (14.75m elevations)

---

#### Pembroke Square

3-storey grand villas on tall basements and with dormers to additional attic storey.

length : width ratio - 1 : 0.24

height : width ratio - 1 : 4.4 (14m elevations)

**Rutland Gate (Westminster) (the southern portion)**

4 grand storeys + mansard over a low basement (with a 6-storey modern block of same height at SE corner).

length : width ratio - 1 : 0.32

height : width ratio - 1 : 2.2 (17.0m elevations)

---

**Trevor Square (Westminster)**

3-storey + basements, with roof extensions on east side. A street of similar terraces running north from the square adds to its openness - Knightsbridge blocks of a different scale to the south.

length : width ratio - 1 : 0.36

height : width ratio - 1 : 3.0 (10.8m elevations)

---

**Montpelier Square (Westminster)**

Predominantly 4-storey + basement with an attic storey above the parapet. Terraces lining the streets out of the square are lower.

length : width ratio - 1 : 0.74

height : width ratio - 1 : 4.3 (13.5m elevations)

---

**Talbot Square (Westminster)**

5 storeys over a low basement, with roof extensions on NE terrace - northwest end closed by drab 7-storey post-war block on very low basement.

(19m elevations)

---

**Norfolk Square (Westminster)**

Terraces of similar (but less regular) height as Talbot Square.

### Bedford Gardens

3-storey + basement terraces, quite austere with unobtrusive roofs.  
Well planted front gardens.

height : width ratio - 1 : 2.4 (11m elevations)

---

### Camden Hill Square

South side: 4- and 5-storey terrace houses over basements with gardens sloping up to them.

East side: Predominantly 4-storey over lesser basements.

West side: 4- and 3-storey terrace houses (with a couple of 2-storey) over basements.

(Roofs on east and west less prominent than in proposed houses and the sloping ground is a factor contributing to this square's informality.)

(Just outside the SE corner there is a 2-storey detached house, and outside the SW corner from number 26 to the junction with Aubrey Road are postwar unassertive houses. These buildings detract from any arguable 'grand square' concept.)

length : width ratio - 1 : 0.55

height : width ratio - 1 : 5 (e & w sides - say 13.5 av. height)

---

### Camden Hill Place

Also on sloping ground - central densely planted space of similar width as proposal. 7-storey flats to west of entrance, 4-storey building to east - 2- and 2½-storey villas facing the space. Much larger block on high ground to south, unrelated to the space.

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### The Appeal Scheme

length : width ratio - 1 : 0.28

height : width ratio - 1 : 2.3

CHR squares:14.7.99

*The lower the second figure, the more 'enclosed' / the worse the amenity is the square*

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# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

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THE ROYAL  
BOROUGH OF



KENSINGTON  
AND CHELSEA

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

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Web: www.rbkc.gov.uk  
Mr.: D. Taylor

01 June 2001

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My reference: DPS/DCC/PP/99/ Your reference:  
0733

Please ask for: Mr D. Taylor

Dear Sir,

**Town and Country Planning Act 1990**  
**Campden Hill Reservoir redevelopment**

I write with reference to our recent telephone conversations and your letter and enclosures of 30<sup>th</sup> April 2001, concerning the removal of a section of tree covered embankment and retaining wall at the South-West corner of the above site.

I understand that the development approved on appeal last year has run into technical difficulties in this corner, and that the desired construction methods require the removal of this further section of retaining embankment. You have proposed a planting scheme to replace the trees that would be lost, and request that this package can be treated as a non-material amendment to the existing approved scheme.

However, I am afraid I see a number of problems in this.

I cannot accept this as a "non-material" amendment, for two reasons. Firstly, the existing planning permission was accompanied by Conservation Area Consent (ref. TP/98/2189) for the demolition of the majority of the buildings on the site including large parts of the reservoir retaining walls and embankments; this Consent did not include the corner now being considered, however. As a matter of fact, therefore, Conservation Area Consent does not exist for the removal of retaining wall and embankment now proposed. Secondly, by virtue of the planting existing on the embankment, including ash, sycamore and oak trees of more than 30ft in height, the embankment makes a considerable contribution to the character and appearance of the area, and it's loss (and the loss of the trees) would clearly have a considerable impact upon the character and appearance of the area.

An application for Conservation Area Consent is therefore necessary, and I enclose the relevant application form. Such an application should be accompanied by a full supporting statement (including photographs) to explain (a) why the loss of the embankment is now proposed and (b) how in your view the proposed planting scheme would mitigate the harm caused by the loss of the existing much larger trees. Such an application will be considered in terms of the effect upon the character and appearance of the Conservation Area, the effect upon the setting of Aubrey House to which this embankment forms the eastern boundary, and in the light of the representations and comments submitted to the public inquiry, and the Inspector's conclusions, regarding the role and amenity value of the supporting embankments.

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1901-2001

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CC



I am sure that I need not remind you of the sensitive nature of this site, and the fact that one of the factors that the Inspector took into account in granting permission for the development was that the western retaining wall, embankment, and its trees, were being retained in the scheme. You should not necessarily assume that Conservation Area Consent will be granted for the further removal of the embankment, and I do strongly advise you to explore alternative methods of construction that would not necessitate such further removal.

Yours faithfully,

Derek Taylor  
Area Planning Officer  
For  
Executive Director, Planning & Conservation

cc. ~~Chris Colwell~~, Senior Arboriculturist  
Paul Kelsey, Area Planning Officer

**Fax**

To: PAUL KELSEY

Date: 11.04.01

Company: RKBC PLANNING

Project: CAMPDEN HILL RESERVOIR (8130)

Fax N°: 020 7361 3465

Pages: 4

From: IAN APLEY

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Aubrey Walk Houses	
Aubrey Walk Flats	
Campden Hill Flats	✓
Tennis Club	
Marketing Suite	

www.BroadwayMalyan.com

Dear Mr Kelsey,

Please find attached letter approving non-material amendment to add handrails to upper level of Campden Hill Block

Regards

Ian Apley

R.B.K. & C.  
TOWN PLANNING  
12 APR 2001  
RECEIVED

Copied to:	Name	Company	Fax N°
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	Eddie Pinchin	St James Homes Ltd	020 7243 1969
	Roger Fortune	St James Homes Ltd	020 8349 6299
	Jerry Goodwin	St James Homes Ltd (Site)	020 7229 7520
	Raj Ravaliya	O'Rourke (Site)	020 7229 7520
	Paul Hornby/Tim Lohmann	O'Rourke (Site)	020 7229 7520
	Stephen Melville/Graeme Smith	Whitby Bird & Partners	020 7323 4645
	Nick Price/Ian Collins	Whitby Bird & Partners (PHE)	020 7323 4645
	Jeff Wood/Alan Bentley	Roger Preston & Partners	01628 639860
	Alison Clark/Richard Dines	AJC Designs	020 7499 1634
	Nicholas Whitford	Premier Energy Services Ltd	01403 787171
	Glenn Horton	Locke Carey Consulting	01322 272632
	Trevor Curson	Enviros Aspinwall	020 7940 5414
	Derek Taylor	RB of Kensington & Chelsea	020 7361 3463
	Amir Fardouee (BCO)	RB of Kensington & Chelsea	020 7361 3820

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For the attention of Mr D Taylor

Ref: AP/IsW/8130/6.0

14 August 2000

Dear Sirs

**Town & Country Planning Act 1990**  
**Campden Hill Reservoir Site – Appeal to High Court**

Thank you for meeting to discuss the Campden Hill Reservoir Site on 10 August. We hereby enclose the following proposed planning information for your formal consideration. The information illustrates a small number of non-material amendments to the drawings previously agreed in the Royal Borough of Kensington & Chelsea's correspondence of 26 May and comprises:

- Four copies of Planning drawing nos. 7650/P099-P113 inclusive.
- A schedule of the proposed drawings.
- An accommodation schedule with a comparison Appeal Scheme schedule.

The non-material amendments comprise a roof top handrail, extended lift over-run and revised internal planning to the Campden Hill Apartments, clarification of glazing details to the Tennis Courts (lower playing area), improvements/refinements of the Aubrey Walk Apartments in line with the previously agreed refinements to the Aubrey Walk Houses and amendments to the Basement Level Site Plan to indicate an updated below ground substation & updated Aubrey Walk/Campden Hill Flats parking arrangement. The number of dwellings remains unchanged.

We understand that you will consider the above non-material matters by exchange of letter and the likely timetable for this decision will be in the region of 10 working days from 29 August when you return from leave.

Continued .....

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 & Johannesburg

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