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RECEIVED 14 JUL 1999

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ENGLISH HERITAGE

LONDON REGION

McCoy Associates  
31 Station Road  
HENLEY ON THAMES  
Oxon  
RG9 1AT

Your ref: DMcC/pw/CHR

Our ref: LRS/3120/0

13 July 1999

Dear Mr McCoy,

**FORMER THAMES WATER RESERVOIR AND WATER TOWER HOUSE  
97 CAMDEN HILL ROAD, W8**

Thank you for your letter of the 12 July 1999.

Point 2 of my letter dated 21 January 1999 should also be read in conjunction with the full contents of paragraph 3. The same point is made on 8 April 1999 (Point 3)

To answer the question in your letter of 12 July 1999 English Heritage has less concern about the **internal** spaces and architecture of the development than the fact that both '*spill into the neighbouring street*'. I believe Aubrey Walk would be less disturbed by the proposed development if the central space (which is simultaneously defined by buildings and planting) were not to create such a formal feature on Aubrey Walk. I have suggested this may be achieved through informal planting, and in the means of detailing and enclosing this space. A better solution would be to redesign the entire development so that it does not require to be screened. Such advice, however, extends beyond the remit of English Heritage in this matter.

I trust this clarifies the situation so far as English Heritage is concerned. It seems essentially to repeat the points already made, but I trust you will feel you have the answer that your letter requests.

Yours sincerely

**DAVID STABB**  
Inspector of Historic Buildings  
Kensington and South London Team

cc: Department of the Environment, Inspectorate ( Room 12/2West)  
Tollgate House  
Houlton Street  
BRISTOL BS2 2DJ Ref K5600/A/99/1022704

**McCoy Associates Chartered Town Planners**

31 Station Road · Henley-on-Thames · Oxon RG9 1AT · Tel: 01491 579113

Fax: 01491 410852 · VAT No. 363 3525 59

**D**

Your ref: LRS/3120/0  
Our ref: DMCC/pw/CHR  
Please ask for: Denis McCoy

12 July 1999

**BY FAX (0171-973 3792) - THIS PAGE + 5**

David Stabb Esq  
English Heritage, London Region  
23 Savile Row  
LONDON W1X 1AB

Dear Mr Stabb

**Former Thames Water Reservoir and Water Tower House  
97 Camden Hill Road, W8**

As you know from our telephone conversation I am appearing on behalf of the Royal Borough of Kensington and Chelsea at a Public Inquiry starting on Tuesday 20 July into redevelopment proposals for this site.

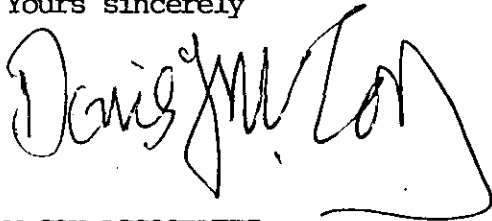
You offered advice to the Council on 21 January, 8 April and 28 April 1999.

From that correspondence I see that you remain unsatisfied about point 2 in the first letter. Paragraph 3 of the 8 April letter suggests that "the central garden should be treated less formally" and comments that "The village scale of Aubrey Walk is disturbed by the layout as currently proposed".

It is not clear to me whether these two observations relate to the architectural concept of a formal square of grand terrace houses - or solely to the planting, and detail and means of enclosure of the central amenity space.

It would be most helpful if you could please clarify the matter. I have copied this fax to Derek Taylor in the Royal Borough - and as requested am faxing to you the three letters so as to assist in an early reply.

Yours sincerely

**MCCOY ASSOCIATES**

cc: Derek Taylor, DC Central, RBKC (Fax: 0171-361 3463)

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# Inspector's Report March 1994



**The Royal Borough of  
Kensington and Chelsea**

## CHAPTER 9

### LEISURE AND RECREATION

#### INTRODUCTION

i. With regard to the overall layout of Chapter 11, the lack of sub headings and general section headings is confusing. For example the sub heading "Existing Open Space" encompasses policies on the loss of existing public and private open space, garden space, the wider use of private open space, sitting out and amenity areas, public rights of way and nature conservation sites. It would assist the reader if consideration was given to sub dividing the Chapter and introducing more sub headings where relevant.

ii. Before going on to consider in detail all the duly made objections to the Leisure and Recreation Chapter I shall comment on the objections made regarding perceived omissions from this chapter of the Plan.

#### OBJECTIONS TO OMISSION OF PARAGRAPHS AND MAPS SETTING OUT OPEN SPACE DEFICIENCY

9.1.1 An objector seeks the inclusion of paragraphs to explain the degree of deficiency of access to open space within the Borough and maps of open spaces and areas of deficiency, which is considered would strengthen the Council's case both to protect and increase the provision of open space.

#### Inspector's Comments

9.1.2 PPG17 on Sport and Recreation advises that local plans should provide the appropriate context in which to assess local needs for recreational facilities and identify deficiencies. The UDP gives only a very broad description and no quantitative or qualitative assessment of open space deficiency. As the Council has carried out a detailed Open Space Survey (October 1992 Reference ZA62) it would add weight to the overall conclusion set out in para 3.1, that the Borough is extremely deficient in public open space, if reference were made to this survey in the text of the Plan.

9.1.3 PPG17 does not explicitly recommend local planning authorities to prepare an open space deficiency map. I share the Council's concern that in this particular highly developed urban area, simplification for purposes of legibility might lead to challenges as to those areas which are or are not areas of deficiency, and also the possibility of disputes about the importance to be attached to private open space, indoor recreation facilities, etc. Similarly I am not convinced there would be any benefit in showing existing open spaces on the UDP Proposals Map.

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Recommendation

9.1.4 That the text of the Plan is amended to include reference to the results of the Council's Open Space Survey.

**OBJECTION TO OMISSION OF REFERENCE TO NEEDS OF SUB TEEN AND TEENAGE POPULATION**

9.2.1 The Earl's Court Neighbourhood Associations consider the Plan should make specific reference to the particular needs of young people aged between 8 and 14 years, who form a higher than normal percentage of the population of certain parts of the Borough, such as Earl's Court and South Stanley where family homes tend to be cramped and suitable recreational facilities are very limited.

Inspector's Comments

9.2.2 The Census summaries provided by the Council show that the proportion of young people resident in South Stanley is average for Inner London, while that in Earl's Court is lower than normal in the Borough. Bearing in mind the land use nature of the Plan and the diverse open space and recreational needs of those within this age group, I consider these are reasonably addressed by the policies in the UDP, in both the Leisure and Recreation and Social and Community Services chapters.

9.2.3 I do not accept that this group should be highlighted as having particular leisure and recreational requirements in Objective (D) in para 1.1 and para 5.1. Objective (D) has regard to the full range of people's leisure and recreational requirements and it would be inappropriate to single out young people for special mention without adequate justification. The only group identified throughout the Plan as a special case are those with special mobility needs as this is an issue of particular importance to land use planning, involving the layout and physical design of buildings and land.

Recommendation

9.2.4 No modification.

**GENERAL POLICIES**

**OBJECTIONS TO PARA iv. OF REASONED JUSTIFICATION**

9.3.1 Objections have been made to various words in this paragraph, and the apparent preference in favour of giving wider access to private open space.

St George's Church  
Aubrey Walk  
LONDON W8 7H

15<sup>TH</sup> July 1999

BY FAX AND POST (0117 987 8443)

Mr D Shoreland  
The Planning Inspectorate  
Room 1003  
Tollgate House  
Houlton Street  
BRISTOL BS2 9DJ

Dear Mr Shoreland,

Campden Hill Reservoirs Development

Ref: APP/K5600/E/99/1016054  
APP/K5600/A/99/1016054  
APP/K5600/A/99/1022704

I attach a report prepared by Mr Martin Caroe of Caroe & Partners. He is St. George's retained architect and a renowned church architect. This refutes comments by Mr J Thomas of Rotherwell Thomas' proof of evidence. I should like this to form an appendix to my submission dated 21<sup>st</sup> June. Please pass to the Inspector.

Yours sincerely,



Mrs Angela Lascelles

Enc.

c.c. Mr D Taylor  
Royal Borough of Kensington & Chelsea

Mr T Blaney  
Messrs Lawrence Graham

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**Caroe & Partners**

CHARTERED ARCHITECTS

1 Greenland Place London NW1 0AP  
tel 0171 267 9348 fax 0171 267 9344**CAMPDEN HILL: St. George**  
**by Bassett Keeling - Listed Grade II**

This representation is submitted by M.B. Caroe BA (Cantab), D. Arch (King) FSA.

I am a third generation conservation architect, my firm having been founded when my grandfather left J.L. Pearson's employment in 1884. The firm continues to specialise in the care of old buildings, including Cathedrals (6), National Trust and other similar houses in private hands (some 15), timber framed buildings and the conservation of mediaeval paintwork, monument and statuary. I spent some 12 years working on the West Front of Wells Cathedral and over the last five years have been working at Her Majesty's Tower of London.

My father purchased 15 Campden Hill Square in 1944, I lived there from 1945-1959. The family sold in 1982.

---

M.B. Caroe FSA RIBA P.F. Bird FSA RIBA P.W. Cartford FSA J.R. Saunders RIBA  
Senior Associate J.F. Deane FSA Associates H.J.A. Strik RIBA R. Pittelli-Gamboni RIBA J. Lunn RIBA  
Archaeological Consultant J.C. Simpson Partnership Secretary Iona Stoddart  
Also at  
Parliament Porch Market Place Wells Somerset BA5 2RB tel 01749 677561  
VAT REG. No. 292 1265 07



1. In his submission, Mr J Thomas of Rothermel Thomas sets out descriptions of St. George's taken from:

- The listing description.
- "Parish Churches of London".  
Basil Clarke 1966.
- "London 3 North West"  
Pevsner and Cherry 1991.
- Survey of London  
Vol. XXXV11.

and also of his unpublished thesis:

- "Victorian Churches In London"  
University College of London 1956.

2. The published accounts describe the purpose for which the Church was built, its huge early popularity, and makes amusing references to a liveried beadle with wand of office whose role was to open the carriage doors.
3. The designer is described as a "quirky-rogue architect", his style as "muscular Gothic" "atrocious" (Pevsner).
4. Finally, changes to the building are recorded including the:
- Removal of the upper west gallery and side galleries, coupled with the cladding of the columns by Ryan Tenison.
  - Demolition of the apse and spire.
  - Whitewashing of the interior.
5. Mr Thomas' thesis takes these criticisms further:

He includes Keeling, amongst a group of architects whose work has a strange wildness and ugliness. The churches all "manifest an amazing coarseness of design and are very unattractive ...". He includes amongst the group, Peacock, Teulon, Keeling and Lamb, also on occasions Street and even Pearson. In describing the church, he states that the Chancel is west of the Nave and suggests "this is a most ungracious Church, awkward and uneasy to live with; the texture of the materials is hard and uncompromising.... It must have been amazing when it was new and all the shapes and materials were crisp and shiny".

*In fact the Church lies north of the Nave, none of the original materials appear to have been shiny. Teulon's church of St. Saviour Rosslyn Hill is Listed as Grade I, desperate efforts have been made to save the building over the last twenty years.*

6. Later he states that "the Church makes a brave show to the front, but the standard of ostentation and quality of materials drops off to an extraordinary extent at the sides which are much simpler, bleaker and cheaper with coloured brickwork and very little stone!

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*Keeling is hardly to be criticised for designing in this way, as his Church is closely surrounded by pre-existing buildings on all three sides, he thus concentrated expensive materials on the only elevations which are visible from the street.*

7. He concluded by stating "as the result of extensive internal alterations to Bassett Keeling's "ornate and somewhat barbarous style" beginning in the late 19th century, "the highly personal character of the Church has been lost". ".....the integrity of this listed building has been harmed by extensive alterations. For instance the removal of the broached spire and its replacement by a copper pyramidal cap, the demolition of the apse, the whitewashing of much of the interior and the removal of galleries".
8. Taste changes as do patterns of use, St. George was badly damaged by the V2 that landed at the south-west corner of Camden Hill Square. This probably accounted for the demolition of the spire, the displacement of the roof structures and probably the weakening of the apse that led to its demolition. In the late 1940s, this was a sad and uninspired building smelting of stale ecclesiastical gas.
9. The submission by the Deputy Church Warden of Kensington describes in ecclesiastical and social terms the transformation of the building over recent years.
10. Here it is pertinent to point out what has been achieved in architectural terms.
11. The works have included:
  - Cleaning of the West Front and Tower.
  - Exposure of Keeling's cast iron columns in the Church itself, along with the restoration of the springers that support the upper brickwork.
  - Partial cleaning of the arches to the crossing, exposing original coloured brickwork and polychrome designs.
  - Re-siting of Keeling's West Gallery Front.
12. Listed building consent was required for the recent alterations, control being exercised by English Heritage and the Royal Borough of Kensington and Chelsea. At no stage did English Heritage officers indicate that the building had been so altered that it was no longer of importance. They were immensely supportive to the PCC and their architects during design development.
13. In contrast to Thomas' views, it can be argued that the building has regained some at least of its original character and integrity. The interior is a fine space, peaceful, colourful and appropriate for worship.
14. Keeling's use of polychromy inside and out is, once again, apparent. His idiosyncratic detailing of joinery is there to be enjoyed, the relationship between his taught cast iron piers and the masonry they support once again makes sense.
15. Past comments on St. George's have castigated its architect as a quirky rogue, the west front as "atrocious"; "his style is ornate and somewhat barbaric". There have been claims that the interior has been completely de-Keelingised, that the integrity of the building has been harmed by extensive alterations.

16. Notwithstanding the above, it is also fair to claim that Keeling's design is significant and appealing to our taste at the turn of the century. This is NOT a building that has been altered so as to have lost its integrity or architectural importance.
17. Finally, in the weeks when broadsheets have been full of pictures contrasting Battersea Parish Church with the massive new housing block to the south, it is at least pertinent to raise the issue as to whether the best preserved of Bassett Keeling's churches should suffer a similar fate.

*Monty Lawe*

**M B Caroe BA (Cantab), D. Arch (King) FSA**  
Architect, St. George's Camden Hill

Dated: 14 July 1998

Copy for Henry & Sara Mannoty -  
Reverse version sent today:

Proposed Development for the Thames Water Reservoir Site on Campden Hill.

Ref APP/K5600/A/99/1022704

Christopher A. Thompson, RIBA MRTPI,  
The Planning Inspectorate,  
Room 12/02 West,  
Tollgate House,  
Houlton Street,  
Bristol BS2 9DJ

16, Aubrey Walk,  
London W8 7JG.



21. 6. 99.

Dear Sir,

I should like to express my strong objection to the development proposed by Thames Water/ St James' Homes for the decommissioned reservoir site on the top of Campden Hill. The plans submitted by the developers seem to be totally inappropriate for the site for the following reasons :

1. **Loss of open space, moreover of open space currently used for recreation purposes protected by RBKC's own UDP.**

In this densely crowded part of central London, the twelve open-air tennis courts belonging to Campden Hill Lawn Tennis Club represent a vital green lung, rightly cherished by both the tennis club members and local residents alike. Under the current plan, half of the open-air courts would be lost, to be replaced by indoor courts which would be a poor substitute. The tennis club currently provides a marvellous outdoor facility for local children, including the following schools :

1. Fox Primary School
2. Glendower
3. Lady Eden's

Under the current arrangement, two outdoor courts are reserved for the use of children, and, as the mother of two young tennis-players (aged 13 and 5) I can honestly say that this facility is of enormous benefit. The courts currently reserved for children are among those that will be axed in the development plan. It is my great fear that when

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the outdoor courts are severely reduced, during the summer months, the (low fee paying) junior members and their guests will not have such ready access to these sought-after courts. Campden Hill Lawn Tennis Club is hugely attractive to young players precisely because of the outdoor facilities. Many parents feel happy to allow young teenagers to visit the club unaccompanied as it provides a secure environment in which to allow them a measure of independence, making it an invaluable asset to this part of Kensington.

It is surprising that the Chairman and committee of the Tennis Club are officially backing the development. From my personal acquaintance in the Club (among teachers and members, senior and junior) I do not believe that the small percentage of members who were strongly encouraged to vote for the development are representative of the whole Club. When a vote was taken, a caucus of members was made to feel – under direct pressure from Thames Water - that they had to accept the development scheme with all of its drawbacks, or face extinction. If you care to check, you will see that most of the letters from Club Members in favour of the development written to RBKC Planning Department took the form of a xeroxed specimen letter which Club members were advised to sign by the Tennis Club Committee. **In fact, there is enormous resistance within the Club to the proposed changes and I do not think that this opposing view has been given an adequate voice. The several hundred junior members, for example, have no vote.**

**2. Loss of green, semi-rural character of Aubrey Walk and inappropriate architecture of the development, adversely affecting the setting of adjacent listed buildings and impacting on the surrounding streets in a Conservation Area.**

Aubrey Walk is outstanding for its semi-rural character, which provides a uniquely appropriate setting for the Grade 1 listed Aubrey House (with its accompanying listed Erith Terrace). There is a marvellous ivy and tree-clad bank, veiling the Victorian pumping station, opposite St George's Church and the charming listed Georgian Terrace. This green bank is one of the most important features of Aubrey Walk. Not only does this untamed greenery lend the whole street a rustic charm, offsetting the listed buildings opposite, but it also forms a **vital part of the setting for Aubrey**

**House, one of the architectural gems of the Borough,** greatly enhancing its 'country house in the middle of London' feel as you approach it along Aubrey Walk.

The developers propose to sweep away the green bank together with the pumping station. These will be replaced by a row of uninspiring flats, whose monotonous 'landscaped' frontage will not compensate for the loss of the wild bank. The flats are too tall and will visually overpower the delicate, Georgian terrace opposite, surely removing light from these low-built houses.

Under the proposed scheme, Water Tower House (on the corner of Aubrey Walk/ Campden Hill Road) is to be replaced by a block of flats of monstrous proportions. The design of this red-brick and plate-glass edifice is uncompromisingly stark, no doubt intended to agree with its immediate neighbour, the block of flats on Campden Hill Road, 'Kensington Heights.' *Kensington Heights is generally regarded as one of the ugliest buildings on Campden Hill Road and it would surely be a mistake to allow the ruination of this road to continue piecemeal.* The proposed block would be bigger than the present Water Tower House, and taller by far than the handsome white building which would face it on Aubrey Walk (25 Campden Hill Gardens). It would be visually overpowering, and its brutally dreary style would form a most unsuitable counterpoint to the mellow charms of Aubrey House at the opposite end of the street.

To erect such a huge building on this important corner will make an undesirable impact upon the whole surrounding area. The architects have adopted the principle of stepping the façade of this corner building down towards Aubrey Walk, but seen from any distance at all, the full height will always impress. One has only to view Kensington Heights from Peel Street ( Figure ) and see the huge block looming over the end of this attractive little street, to appreciate the ineffectiveness of this stepping-down device; and to realise that the new corner block would have a far-reaching visual impact.

Similarly, the town-houses proposed for the centre of Aubrey Walk are outsized in relation to the surrounding buildings both on Aubrey Walk and Airlie Gardens. From the Airlie Garden side, these large houses would adversely affect the setting for the listed Thorpe Lodge. The elevation along Aubrey Walk in the developers' plans

shows that the relative height of the existing, low Clubhouse and the gigantic town-house next to it would create a most uncomfortable juxtaposition. Although on the front of their brochure the developers show an artist's impression of the central close set back from the road amidst green trees, this drawing is misleading. Under the latest plans the Western terrace has moved uncomfortably close to Aubrey Walk. Once again, the 'stepping-down' of the frontage facing Aubrey Walk will not be effective in softening the impression of the sheer bulk of the rest of the square.

Finally, the whole design, composed of vast wedges of uniform structures seems unsuited to the mews-like charm of Aubrey Walk, with (with the glaring exception of the ugly buildings so far erected by Thames Water) its pleasing, motley assortment of small houses. This charm rests largely upon the seemingly random assortment of small houses – the result of many years of 'natural development' - and the presence of some unusually wild green spaces (the tree-clad bank opposite the Georgian Terrace and another patch next to the Tennis Club) fronting the street. These spaces were ominously described by the developers in one meeting as 'missing teeth' but it is precisely the untamed (unspoilt !) spaces which make Aubrey Walk uniquely attractive. **The scheme as envisaged would entirely remove the intimate, rural feel of this street and leave it devoid of its present charm.**

3. **Concept of the development unsuitable for the location, providing inadequate facilities and placing an intolerable strain upon the infrastructure.**

The whole concept of this development as a vast, densely populated 'estate' is inappropriate to this part of Kensington and would be more suited to a suburban setting. The centrepiece of the scheme, the 'square' of town houses is actually a close, with a thin strip of green down the centre. If you compare ( Figures & ) the ratios of the garden to house density and bulk in existing Campden Hill Square to that of the proposed new 'square', it is evident that the grotesquely large houses of the new scheme would be ill-served by the little strip of grass allotted to them. This could not function as a square. At the moment, inhabitants of Aubrey Walk and other neighbouring streets enjoy the privilege of access by subscription to Campden Hill Square, where our children can play every day, and can attend Bonfire Night and a Summer Garden Party. In short, Campden Hill Square provides a focus for communal

activity for the surrounding streets. **The new Close will not provide a local amenity** : the many extra residents from the new town houses and blocks of flats will understandably wish to join Campden Hill Square, placing a further strain on this heavily subscribed garden.

#### **4. Increased traffic.**

The first traffic survey submitted by the developers amazingly purported to show that the imposition of hundreds of new residents ( with their inevitable guests and visiting tradesmen) would not place an intolerable strain upon the dense local traffic. This survey was of doubtful value because a) it was made during the private school holidays, entirely removing the 'school-run' factor, and at a time when many families were away altogether; b) the level of traffic supposedly normally generated by the existing reservoir was estimated for a functioning reservoir. In fact the site has not been fully operational for some years and, during my residency (16 years) the industrial traffic has been minimal.

Under the current plan, the traffic from the new estate would **all** have only one access point, from Aubrey Walk. This seems utterly ludicrous. Aubrey Walk is obviously far too narrow to cope with extra traffic. To drive my children to school each morning, I am regularly forced to back up or am compelled to mount the pavement several times just getting out of Aubrey Walk. The roads feeding Aubrey Walk, namely Campden Hill Square, Hillsleigh Road and Aubrey Road are also far too narrow to cope with extra cars, so that any attempt to widen Aubrey Walk or introduce traffic-calming measures would not solve the problem of congestion.

The alterations to the Tennis Club, providing indoor courts, would also adversely affect traffic and parking on Campden Hill. At present, there is more traffic in summer than at other times of the year. The Tennis Club forbids members to park in Aubrey Walk, but this has proved completely unenforceable. Local residents put up with the seasonal inconvenience but it would impose an intolerable strain if the problem existed all year round.

**Any increase to the traffic on Campden Hill would be undesirable . Campden Hill Road, linking the two arterial routes of Kensington High Street and Holland**



**Park Avenue, is intolerably clogged up several times a day and could not possibly sustain any more cars.**

**Health and safety** should be a major concern here. Campden Hill Road is a vital pedestrian route for the Fox Primary School and for Holland Park Comprehensive School. Many hundreds of children cross this street every day, some in a woefully reckless manner ! Access from Campden Hill Road to Fox Primary School is perilously close to the junction of Campden Hill Road with Aubrey Walk. Traffic from the new development would directly affect the safety of these schoolchildren.

**5. Affordable housing – concern for the residents of Water Tower House.**

No provision has apparently been made to provide the residents of Water Tower House and of the other block of flats owned by Thames Water in Aubrey Walk with affordable housing on site. These residents of long-standing, who have been good neighbours to us all, are being turfed out of their homes to make way for the development. They are apparently not being offered enough money to buy comparable homes in this neighbourhood. The ‘cleansing’ of these residents seems to be one of the most reprehensible features of the scheme.

In conclusion, the development proposed by Thames Water/ St James’ Homes for the Campden Hill Reservoir site would have a far-reaching detrimental effect upon Campden Hill. First of all, there is the loss of open space, and also the loss of open-air recreational facilities. In terms of architecture, the proposed buildings are visually unsuited to their surroundings and would positively detract from the listed buildings around them. The loss of the wild, semi-rural greenery of Aubrey Walk in favour of a soul-destroying mass of uniform new buildings set amidst suburban landscaping would be an irreversible evil. The addition of so many new residents to Aubrey Walk, bringing so much traffic to this part of Campden Hill cannot be supported by the existing road system, and the increase in traffic would surely have an undesirable impact upon health (pollution) and safety (road accidents). Finally, no provision has been made to re-house on site the many long-term residents who will be unceremoniously ejected to make way for the development.

RBKC Planning Committee has acted wisely in rejecting this flawed planning application, and I only hope that the Department of the Environment will do the same.

Yours sincerely,

Lisa Monnas (Mrs)

**On the next few pages, you will find my own photographs of Aubrey Walk and of the surrounding streets.**

K1

# UNITARY DEVELOPMENT PLAN

DISPOSITIVE  
MARCH 1992



Royal Borough of  
Kensington and Chelsea

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- 2.3 Increased demand combined with more diverse and discerning user groups will increase pressure on existing levels of provision, and will act as a spur to the development of additional facilities.

### **Retaining Existing Provision**

- 2.4 The majority of the sporting activities in the Borough are provided by educational institutions, clubs and voluntary organisations. These include cricket, bowls, tennis and squash. The Council provides facilities for football, tennis, swimming, squash and a range of indoor sports but the Borough lacks sufficient facilities to meet the growing demands of its residents. The local circumstances affecting London generally and Kensington and Chelsea in particular make it inappropriate to include quantified national standards of recreational provision. Locally sensitive standards will be developed as part of the monitoring process to identify areas and types of deficiency. The Council will also take account of any standards produced by the Sports Council or other organisation.

### **LR1 TO RESIST THE LOSS OF PLAYING FIELDS, PITCHES AND OTHER SPORTS AND RECREATIONAL PROVISION.**

- 2.5 Exceptions to this policy will only be justified if leisure and recreation needs are met by other similar provision nearby.

### **Encouraging New Provision**

- 2.6 The London Council for Sport and Recreation is the only organisation able to influence the provision of sport and recreation over the whole of Greater London. One of the functions of the regional Council is to produce regional strategies to provide guidance for local authority development plans. For Kensington and Chelsea this guidance is contained in "A Capital Prospect" and sets out recommendations for new provision to meet minimum requirements for different types of facility:

- (a) One new sports hall in Chelsea;
- (b) Two full size, intensive use, artificial sports pitches, one in Chelsea and one in North Kensington (proposals are in hand for an intensive use artificial sports pitch at Crowthorne Road, Westway, W10.);
- (c) Dual use of Holland Park School;
- (d) One synthetic 6-lane athletics track;
- (e) One indoor bowls rink (2,400 m<sup>2</sup>), possibly included as part of a mixed development.

**LR5** TO ENCOURAGE THE FULL AND EFFECTIVE USE OF ALL EXISTING SPORTS AND RECREATIONAL PROVISION, INCLUDING THE SHARED USE OF EXISTING SCHOOL FACILITIES.

### **3 OPEN SPACE PROVISION**

#### **Existing Open Space**

**3.1** One of the major factors contributing to leisure and recreation is open space, which is used both informally (eg. for sitting, walking and general relaxation) and formally, for team games. Parts of the Borough are extremely deficient in public open space. Judged by crude numerical standards and excluding parks beyond the Borough boundary, the Borough has the second lowest provision, in terms of hectares per thousand persons, of any London borough. The Borough is well-endowed with private open space, particularly communal gardens and garden squares. However, this does not lessen the deficiency in public open space as, in many instances, communal gardens and garden squares do not have public access.

**3.2** The Council and the Government attach great importance to the retention of accessible recreational open spaces in urban areas, where demand is concentrated. It is important that people, particularly children, the elderly and people with physical disabilities and/or sensory impairment, have access to open space close to where they live. Once built upon, an open space is likely to be lost to the community for ever.

**LR6** TO RESIST THE LOSS OF EXISTING PUBLIC AND PRIVATE OPEN SPACE WHICH MAKES, OR IS CAPABLE OF MAKING, A CONTRIBUTION TO AN AREA'S CHARACTER OR AMENITY, OR MEETS THE LEISURE AND RECREATION NEEDS OF RESIDENTS, WORKERS OR VISITORS.

**3.3** Some open land within the built-up area has a wider than borough significance which justifies its designation as Metropolitan Open Land (MOL) and should be conserved and protected. In Kensington and Chelsea the following are identified as Metropolitan Open Land: Holland Park, Kensington Gardens and Brompton and Kensal Cemeteries. The detailed boundaries of these areas are shown on the Proposals Map. (See also Conservation and Development Chapter, Policy CD11).

- 3.4 Loss of open space may create new areas of deficiency and will only be justified if a replacement open space is provided. Existing open spaces may provide wildlife habitats that would be lost on redevelopment, or special characteristics that could not easily be replicated. However, the overall shortage of open space and the difficulty of finding appropriate new sites, make it essential to resist the loss of permanent open spaces.
- 3.5 In order to make the most of existing open spaces, the Council will identify possible "green chains" as a means of linking them together, and seek to establish routes to fulfil their potential as a leisure and recreational resource (See also Monitoring and Implementation Chapter, Table 1).
- 3.6 Small open spaces, especially domestic gardens, contribute to meeting open space needs (especially in areas of deficiency) and the particular needs of the less mobile, eg. children, elderly people and people with physical disabilities and/or sensory impairment. Furthermore, they provide, individually and collectively, significant visual amenity. Small open spaces contribute to the nature conservation and ecology of the Borough in their own right, and as part of more extensive nature conservation and ecological networks. (See also Conservation and Development Chapter, Policies CD23 and CD24).

**LR7 TO RESIST THE LOSS OF GARDEN SPACE (INCLUDING GARDEN SQUARES), WHICH INDEPENDENTLY OR TOGETHER WITH NEIGHBOURING GARDENS, IS IMPORTANT EITHER TO THE CHARACTER OR AMENITY OF THE PARTICULAR AREA OR TO THE GENERAL CHARACTER OF THE URBAN SCENE.**

- 3.7 Special value is placed upon private communal gardens and garden squares. Private gardens could contribute significantly to meeting deficiency at the Small Local Park level in some areas and this may be achieved through negotiation with landowners or garden square committees. However, it is acknowledged that the granting of access is a matter for each garden owner and/or garden committee. In addition, the following areas of open space do now, or may in the future, afford opportunity for controlled public use:

The garden of the College of St Mark and John, King's Road, Chelsea;  
 Duke of York's Barracks, King's Road, Chelsea;  
 Burton's Court, Royal Hospital Road, Chelsea;  
 Moravian Burial Ground, King's Road, Chelsea;  
 Kensal and Brompton Cemeteries;  
 Kelfield Gardens, W10;  
 Royal Hospital, Chelsea;  
 Jewish Cemetery, Fulham Road.

London Borough of Kensington and Chelsea



# RESPONSE TO THE FACTOR'S REPORT on Proposed Modifications

22

OCTOBER 1994



Para/ Policy	Wording of UDP Deposit March 1992	Proposed Modification	Reason for Modification
2.4	<p>needs of those who live, work and study in the Borough.</p> <p>(C) To resist the loss and encourage the provision of arts, cultural and entertainment facilities to meet the needs of residents, workers and visitors.</p> <p>(D) To have regard to the range of peoples' leisure and recreation requirements and in particular those with special mobility needs.</p>	<p>space to meet the needs of those who live, work and study in the Borough.</p> <p>(C) To resist the loss and encourage the provision of arts, cultural and entertainment facilities to meet the needs of residents, workers and visitors.</p> <p>(D) To have regard to the range of peoples' leisure and recreation requirements and in particular those with special mobility needs.</p>	<p>In accordance with Inspector's Report paragraph 9.1.4</p>
2.4	<p>The majority of the sporting activities in the Borough are provided by educational institutions, clubs and voluntary organisations. These include cricket, bowls, tennis and squash. The Council provides facilities for football, tennis, swimming, squash and a range of indoor sports but the Borough lacks sufficient facilities to meet the growing demands of its residents. The local circumstances affecting London generally and Kensington and Chelsea in particular make it inappropriate to include quantified national standards of recreational provision. Locally sensitive standards will be developed as part of the monitoring process to identify areas and types of deficiency. The Council will also take account of any standards produced by the Sports Council or other organisation.</p>	<p>The majority of the sporting activities in the Borough are provided by educational institutions, clubs and voluntary organisations. These include cricket, bowls, tennis and squash. The Council provides facilities for football, tennis, swimming, squash and a range of indoor sports but the Borough lacks sufficient facilities to meet the growing demands of its residents. The 'Open Space Survey' carried out by the Council in October 1992 shows the distribution and amount of open space and recreation facilities in the Borough. Lewelyn-Davies Planning and Environmental Trust Associates Ltd (1992) report on Open Space in London identifies the Borough as having the least publicly accessible open space of any authority in London and considerably less sports provision than nationally recommended. The National Playing Fields Association (NPF/A) Standards, as laid out in 'Minimum Standards for Outdoor Recreational Playing Space' (1989) suggest a nationally recommended ratio of outdoor publicly accessible sports/play space per 1000 population. The recommended standard ratio of adult recreation is 1.6-1.8 ha per 1000 population. In Kensington and Chelsea the ratio is 0.11 ha/100 population, only 7% of the NPF/A standard ratio. The local circumstances affecting London generally and Kensington and Chelsea in particular make it inappropriate to include quantified national standards of recreational provision. Locally sensitive standards will be developed as part of the monitoring process to identify areas and types of deficiency. The Council will also take account of any standards produced by the</p>	<p>23</p>



Para/ Policy	Wording of UDP Deposit March 1992	Proposed Modification	Reason for Modification
LR3	LR3 TO ENCOURAGE THE PROVISION OF SPORTS AND RECREATIONAL FACILITIES FOR PUBLIC USE, IN ASSOCIATION WITH DEVELOPMENT PROPOSALS.	Sports Council or other organisation.]	In accordance with the List of Proposed Changes
28	28 The Council will require that Planning Obligations are entered into in order to secure the retention of sports and recreational provision included in these schemes, where appropriate.	28 The Council will [require that] <u>seek</u> Planning Obligations [are entered into in order] to secure [the retention of] <u>public access</u> [to sports and recreational provision included in these schemes, where] <u>facilities in appropriate development proposals.</u>	In accordance with Inspector's Report paragraph 9.8.7 and List of Proposed Changes
LR4	LR4 TO REQUIRE THAT, WHERE APPROPRIATE, NEW SPORTS AND RECREATION PROVISION BE DESIGNED TO ENABLE MULTIPLE AND/OR SHARED USE, AND ACCESS BY THE PUBLIC.	LR4 TO REQUIRE THAT, WHERE APPROPRIATE, NEW SPORTS AND RECREATION PROVISION BE DESIGNED TO ENABLE MULTIPLE AND/OR SHARED USE, [AND ACCESS BY THE PUBLIC.]	Necessary clarification to avoid duplication with LR4A.
3.1	3.1 One of the major factors contributing to leisure and recreation is open space, which is used both informally (eg. for sitting, walking and general relaxation) and formally, for team games. Parts of the Borough are extremely deficient in public open space. Judged by crude numerical standards and excluding parks beyond the Borough boundary, the Borough has the second lowest provision, in terms of hectares per thousand persons, of any London borough. The Borough is well-endowed with private open space, particularly communal gardens and garden squares. However, this does not lessen the deficiency in public open space as, in many instances, communal gardens and garden squares do not have public access.	3.1 One of the major factors contributing to leisure and recreation is open space, which is used both informally (eg. for sitting, walking and general relaxation) and formally, for [team] <u>organised games.</u> <u>Open space is also of value in balancing the ecology of the urban environment and in providing a habitat for wildlife.</u> (See also <u>Conservation and Development Chapter Section 8 'The Natural Environment.'</u> ) The Council's 'Open Space Survey', 1992 and the Lewelyn-Davies Planning and Environmental Trust Association Ltd (1992) report highlight the <u>open space deficiencies in the Borough.</u> Whilst it is difficult to <u>make direct comparisons between boroughs of different areas and population, the Lewelyn-Davies report compares both the total amount of public open space in each borough to the total</u>	In accordance with Inspector's Report paragraph 9.8.7 and the List of Proposed Changes.  In accordance with Inspector's Report paragraph 9.1.4 and 9.9.5 and List of Proposed Changes

Para/ Policy	Wording of UDP Deposit March 1992	Proposed Modification	Reason for Modification
LR6	<p>LR6 TO RESIST THE LOSS OF EXISTING PUBLIC AND PRIVATE OPEN SPACE WHICH MAKES OR IS CAPABLE OF MAKING, A CONTRIBUTION TO AN AREA'S CHARACTER OR AMENITY, OR MEETS THE LEISURE AND RECREATION NEEDS OF RESIDENTS, WORKERS OR VISITORS.</p>	<p>LR6 TO RESIST THE LOSS OF EXISTING PUBLIC AND PRIVATE OPEN SPACE WHICH MAKES OR IS CAPABLE OF MAKING, A CONTRIBUTION TO AN AREA'S CHARACTER OR AMENITY, OR WHICH MEETS THE LEISURE AND RECREATION NEEDS OF RESIDENTS, WORKERS OR VISITORS.</p>	<p>To prevent duplication with the Conservation and Development Chapter and be consistent with Objectives of Chapter. The Inspector has not specified any changes to LR6 but the middle section would fit better in the Conservation and Development Chapter (policies CD21 and CD22).</p>
3.5 and LR6A	<p>3.5 In order to make the most of existing open spaces, the Council will identify possible "green chains" as a means of linking them together, and seek to establish routes to fulfil their potential as a leisure and recreational resource (See also Monitoring and Implementation Chapter, Table 1).</p>	<p>3.5 In order to make the most of existing open spaces, the Council will identify possible "green chains" (as a means of linking them) to link open land together and seek to establish routes to fulfil their potential as a leisure and recreational resource (See also Monitoring and Implementation Chapter, Table 1.) These will provide extended walkways based on existing public rights of way, linking the Borough's public open space and serving as a Leisure and Recreation resource. The Council will seek to use the "green chains" as a means of targeting green measures for example tree planting and related infrastructure such as benches</p>	<p>In accordance with Inspector's Report paragraph 9.12.5.</p>

2



LAWRENCE GRAHAM

Question as to the submission of further application  
RS has concerns re ① residents response ②  
inspectors response — DT agrees that res. may  
have concerns, but still believes that the Inspector  
may find the greater certainty a comfort.

Viability issue — if the appellants argue that  
this scheme change is necessary, then is it not the  
case that they cannot afford to provide the block  
without it? If so, that is a viability issue  
Form of Documentation

Need one agreement to cover everything,  
under S.106. St. James agree "they've never  
done it any other way" — [now been advised differently]  
Commit does not agree to take land, because we  
want it on site.

Need negative covenant (Crompton) <sup>restoring/presenting</sup>  
We aren't (KAC) concerned with <sup>occupation of some</sup>  
<sup>or all of dev.</sup>  
<sup>to ensure.</sup>

Needs to refer to RSL — but Borough doesn't have  
to actually nominate the RSL.

KAC won't accept a built in time clause — problem  
for St. James is that an open ended agreement  
could run on for

26



LAWRENCE GRAHAM

St. James haven't done a LOB without a time period within which an RSC must enter into an agreement —

Time issue unresolved — KAC won't accept a limit, SJ won't do it otherwise

Capping of the infrastructure service charges — NAPT will accept a service charge of £250 plus inflation.

TCI — Come back to SJ on TCI — They want more than 100%

Para. 5 — affordable housing could be provided in 'definitions'

BS — Why can't the simpler form of LOB simply refer to "17 units and 1200 sq-m" — it doesn't matter if those 17 units are provided under PP/99/0733 or another PP

They want something tied to delivery in 3 years — worded negatively if we can do. — [But still a crusade here?]

Mrs. Lascelles  
(hm) 229 5504  
(wh) 439 4400

earlier the  
letter this  
afternoon

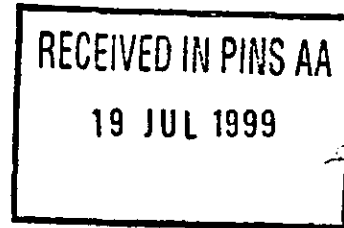
— arriving  
1.45 pm

St George's Church  
Aubrey Walk  
LONDON W8 7H

15<sup>TH</sup> July 1999

BY FAX AND POST (0117 987 8443)

Mr D Shoreland  
The Planning Inspectorate  
Room 1003  
Tollgate House  
Houlton Street  
BRISTOL BS2 9DJ



Dear Mr Shoreland,

Campden Hill Reservoirs Development

Ref: APP/K5600/E/99/1016054  
APP/K5600/A/99/1016054  
APP/K5600/A/99/1022704

I attach a report prepared by Mr Martin Caroe of Caroe & Partners. He is St. George's retained architect and a renowned church architect. This refutes comments by Mr J Thomas of Rotherwell Thomas' proof of evidence. I should like this to form an appendix to my submission dated 21<sup>st</sup> June. Please pass to the Inspector.

Yours sincerely,

*Angela Lascelles*

Mrs Angela Lascelles

Enc.

c.c. Mr D Taylor  
Royal Borough of Kensington & Chelsea

Mr T Blaney  
Messrs Lawrence Graham

Sensitivity analysis

# Campton Hill Block

- ① Take out 4<sup>th</sup> storey      loss: 5 flats
- ② " " " one flat/floor on North part      loss 4 flats

∴ No of units to be built. → (20)

- ③ Anterior Walk - make the block T-shaped on plan, which should allow the addition of 6 units

∴ No of units to be built. → (23)

No of units being lost in Campton Hill Block      12

SO: there is <sup>net</sup> increase of (31)

~~If a terrace or terraces of houses are accepted then the E one could have 7 and W one could have 9 which would involve loss of the other 3 Water Board flats.~~

~~Net area~~  
Aff. housing  
35% -  
10 units

## Tennis units

(4)

Assume 1 terrace to be built.

advantages - preserves more grass

(a) Kettle

(b) Aubrey Walk

(c) Thorpe Lodge

Say 9 horses - approx in line  
with west terrace - involves  
loss of 3 in A. Walk

∴ Net increase 6 - affordable units

Total (12)

2

(5)

2 terraces - 9 units + 7 units

Gain 16 - loss 3 (as in step 4)

13 net increase

affordable - ~~4~~ 4

Total (14)

Advantages for T. Lodge - and  
more spacious char. seen from  
Aubrey Walk if smaller  
horses used.

# Existing Tennis Courts

Assume 1 terrace only - Current  
W. Terrace

Advantage - means greater sense of openness -

(a) Ken Heights.

(b) A. Wall

(c) T. Lodge

9 houses - in W. terrace but are 3 units  
is. extra aff. housing. 2. A. Wall

Total (12)

Assume W + E terrace.

Extra 9 + 7 houses = 16

Less 3 on AW = 13 net increase

Aff. housing = 4.

Total = 14.

Adv. so far as T. Lodge  
concerned

Houses could be smaller.





# Inspector's Report March 1994



The Royal Borough of  
Kensington and Chelsea

## CHAPTER 9

### LEISURE AND RECREATION

#### INTRODUCTION

i. With regard to the overall layout of Chapter 11, the lack of sub headings and general section headings is confusing. For example the sub heading "Existing Open Space" encompasses policies on the loss of existing public and private open space, garden space, the wider use of private open space, sitting out and amenity areas, public rights of way and nature conservation sites. It would assist the reader if consideration was given to sub dividing the Chapter and introducing more sub headings where relevant.

ii. Before going on to consider in detail all the duly made objections to the Leisure and Recreation Chapter I shall comment on the objections made regarding perceived omissions from this chapter of the Plan.

#### OBJECTIONS TO OMISSION OF PARAGRAPHS AND MAPS SETTING OUT OPEN SPACE DEFICIENCY

9.1.1 An objector seeks the inclusion of paragraphs to explain the degree of deficiency of access to open space within the Borough and maps of open spaces and areas of deficiency, which is considered would strengthen the Council's case both to protect and increase the provision of open space.

##### Inspector's Comments

9.1.2 PPG17 on Sport and Recreation advises that local plans should provide the appropriate context in which to assess local needs for recreational facilities and identify deficiencies. The UDP gives only a very broad description and no quantitative or qualitative assessment of open space deficiency. As the Council has carried out a detailed Open Space Survey (October 1992 Reference ZA62) it would add weight to the overall conclusion set out in para 3.1, that the Borough is extremely deficient in public open space, if reference were made to this survey in the text of the Plan.

9.1.3 PPG17 does not explicitly recommend local planning authorities to prepare an open space deficiency map. I share the Council's concern that in this particular highly developed urban area, simplification for purposes of legibility might lead to challenges as to those areas which are or are not areas of deficiency, and also the possibility of disputes about the importance to be attached to private open space, indoor recreation facilities, etc. Similarly I am not convinced there would be any benefit in showing existing open spaces on the UDP Proposals Map.

### Recommendation

- 9.1.4 That the text of the Plan is amended to include reference to the results of the Council's Open Space Survey.

### **OBJECTION TO OMISSION OF REFERENCE TO NEEDS OF SUB TEEN AND TEENAGE POPULATION**

9.2.1 The Earl's Court Neighbourhood Associations consider the Plan should make specific reference to the particular needs of young people aged between 8 and 14 years, who form a higher than normal percentage of the population of certain parts of the Borough, such as Earl's Court and South Stanley where family homes tend to be cramped and suitable recreational facilities are very limited.

### Inspector's Comments

9.2.2 The Census summaries provided by the Council show that the proportion of young people resident in South Stanley is average for Inner London, while that in Earl's Court is lower than normal in the Borough. Bearing in mind the land use nature of the Plan and the diverse open space and recreational needs of those within this age group, I consider these are reasonably addressed by the policies in the UDP, in both the Leisure and Recreation and Social and Community Services chapters.

9.2.3 I do not accept that this group should be highlighted as having particular leisure and recreational requirements in Objective (D) in para 1.1 and para 5.1. Objective (D) has regard to the full range of people's leisure and recreational requirements and it would be inappropriate to single out young people for special mention without adequate justification. The only group identified throughout the Plan as a special case are those with special mobility needs as this is an issue of particular importance to land use planning, involving the layout and physical design of buildings and land.

### Recommendation

- 9.2.4 No modification.

### **GENERAL POLICIES**

### **OBJECTIONS TO PARA iv. OF REASONED JUSTIFICATION**

9.3.1 Objections have been made to various words in this paragraph, and the apparent preference in favour of giving wider access to private open space.

## COMMENTS ON R.M. SELLWOOD'S PROOF OF EVIDENCE

2.1.3 The exceptional public transport accessibility of the site and close proximity of local facilities makes the site particularly well suited to the provision of affordable housing (i.e. low income households benefit from short travel distances to the transport, shopping and community facilities on which they rely). Notting Hill Gate Underground Station is only 400 metres walking distance from Water Tower House (not 600 metres).

4.2.7 The study was commissioned by LPAC and DETR to investigate the contribution that large sites could make to meeting the requirements for housing in London to 2016 (Executive Summary, para. 1, p. 7). The study is effectively a trawl through large land holdings for potential housing sites and is unconstrained by certain policies (e.g. loss of industrial land):

“Potential new large housing sites have been identified by desk study and contacts with landowners and local authorities. The search excluded Green Belt, formal open space, town centres and existing residential areas. All existing industrial and warehousing sites in London were included as potential.” (para. 13, p. 9)

In an LPAC report (23 June 1998) - “Future Sources of Large Scale Housing Land in London: Consultation Response and Interim Advice”, the contentious nature of the Halcrow Fox study was acknowledged in paragraph 17:

“Of the four projects to help Boroughs meet the requirements of RPG3 and investigate additional housing capacity, that on future sources of large scale housing land has proved to be the most contentious. Boroughs expressed reservations over the consultant’s methodology, in particular its treatment of the release of employment land and the derivation of Borough figures. Boroughs were also unhappy about the consultant’s hierarchical approach to site identification, which classified varying degrees of certainty of development.”

With regard to uncertainty, the Halcrow Fox study itself also has misgivings.

Paragraph 9.1.2 states:

“This study has demonstrated that there are few ‘easy to identify’ housing sites left in London and that future approaches to evaluating capacity will need to take a different approach which identifies as many sites as possible, while accepting the inherent uncertainty in identifying which sites will become available.”

Ultimately, the Halcrow Fox study provides a broadbrush approach to housing site identification and does not allow for the local or site specific factors which should determine the appropriate balance of uses on individual sites.

4.2.13 It is agreed that is not possible to identify from Table 8.2 of the report how the appeal site was categorised. No sites likely to be developed were identified by landowners or this Council. 4 sites were otherwise identified by the Study of which only 1 was considered likely to be developed. ~~It is not clear how this information is relevant to the appeal site.~~

*This*

*does not appear*

*information is* relevant to the appeal site.

### **Achievement of the Housing Provision**

- 4.4.2 The latest information on this issue is contained in the Council's Appendix 20 (Residential permissions and completions). These figures are based on the Council's Residential Implementation Monitoring Survey (RIMS) which is available to the public on request..
- 4.4.3 The shortfall in completions is not surprising given that the period 1987 - 1991 coincided with the end of a housing boom and the beginning of one of the deepest housing recessions this century.
- 4.4.4 In relation to the RPG3 target figure, the series of monitoring figures from 1992 to the present are of more relevance as they coincide with the housing provision period in Table 4.1 (of RPG3). The figures used to assess the achievement of the dwelling target are best expressed in the number of completions i.e. housing which has been built or is in the process of being built. On this basis, the Council's up to date completion figures (from 1992 to mid 1998) are the most useful and show a very small shortfall. It is easier to understand if one translates the RPG3 target of 7,750 (1992 - 2006) into a pro rata figure for the period 1992 - mid 1998. The RPG3 target annual rate is 517 dwellings (7750 divided by 15). The pro rata figure is therefore 3360 (517 x 6.5). The total number of completions in the Borough between 1992 - mid 1998 is 3319 (Council Appendix 20). The Borough figure represents a shortfall of only 1% over the period. Furthermore, the LPAC completion figures are based on an **assumed** completion rate of 75% (see Annex 2/22 of

LPAC report: Housing Provision 1987 - 1996) as opposed to the detailed survey work carried out by the Council.

- 4.4.5 Accordingly, the Borough is not “struggling to even approach the minimum figure set down by the Secretary of State.” Paragraph 25 of the LPAC report paints a more optimistic picture generally for housing provision in London and refers to a level of approvals (which are an indication of future housing provision) approaching the level of the last housing boom.

### **Affordable Housing**

- 6.2.5 The effect of the provision of affordable housing on the financial viability of the overall scheme has not been raised as an issue by the developer, notwithstanding the specific point about service charges which the RSL might be expected to pay. No detailed information on either matter has been provided by the developer.

- 6.2.8c Mr Sellwood poses the question of viability to justify off-site provision of affordable housing. However, he fails to address this point in the remainder of his proof.

- 6.4.8 The decision as to where the affordable housing should be located has been made by the Members of the Planning Services Committee based on advice from officers. It is not clear why the developer is anxious “to be at arm’s

length” when he knows (and accepts) the policies of the Council. Indeed in a letter to the Council (Sellwood Planning dated 15 March 1999, Council Appendix 16), Mr Sellwood states in the second sentence:

“Whilst your interim policy on affordable housing does not yet have the weight of an adopted UDP policy, I explained at the meeting that my clients have no particular problem with the suggested sequential approach and its provision.” (My underlining)

This letter has **not** been included in the Appellant’s Appendices.

6.4.9 The service charge is a matter for negotiation with the RSL and is an improper element to be included in a S 106 agreement. It is clearly stated in Circulars 1/97 and 6/98 that instruments of transfer of land should not be included within planning agreements.

6.4.10 It is possible to isolate the Aubrey Walk block by design. Notting Hill Housing Trust has provided an alternative scheme to show how this could be done (Council Appendix 18). Recent discussions (8 July 1999) have been held between officers, the RSL and the developer to devise a suitable scheme using the proposed Aubrey Walk block.

*The Developer has made*

6.4.11 The issue of service charges ~~is~~ central to the provision of affordable housing on this site. This site is entirely suitable for the provision of affordable housing in physical, financial and locational terms. The economics of development must always be applied to the particular circumstances of a RSL. If this site



it begs the question as to:

with its many advantages cannot provide affordable housing/<sup>can</sup> where ~~can~~  
affordable housing be provided/. Failure to provide affordable housing on this  
site would have very serious implications for the provision of affordable  
housing throughout the rest of the Borough.

## COMMENTS ON PROOF BY R. M. SELLWOOD

(By DT)

- 3.1.5 Water Tower House offices were described as "Water Rate Offices" when approved in 1969; today, such space would in all likelihood be included within Use Class B1, with freedom of movement within that Class (The Planning Permission for Water Tower House (04/03/68) carried only one Condition, restricting the office floorspace to not more than 6,094 sq.ft.)

There is no planning record relating to the offices/storage light industrial use of the pumping station and ancillary buildings. They have always been ancillary to the reservoirs.

- 3.2.1 (e)... The appellants have now agreed, in no.s 14 to 17 of the Statement of Agreed Matters, that (i) The size of the site, and number of units proposed, is sufficient to trigger a requirement for the provision of affordable housing, and that Government guidance (in particular Circular 6/98) and the Policies of the Royal Borough encourage the provision of affordable housing as part of the proposed development of this site; (ii) If affordable housing is not provided as part of the proposed development, such a failure could justify the refusal of planning permission (as advised in Circular 6/98); and (iii) The provision of seventeen units of affordable housing on this site will not call the viability of the redevelopment proposal as a whole into question. In Bob Sellwood's Proof he agrees that the site is well placed for housing, and that would include affordable housing.

It is perfectly clear that affordable housing should be sought for this site, and provided on this site, if the site is to be redeveloped. Whatever the views offered in a letter of over two and a half years ago, they were ventured at that time without the benefit of much of the guidance, and information, available now, and are of virtually no importance to this Inquiry that must reflect the situation as we find it today. Circular 6/98, the Committee Report of January 1999, and PPG3 are relevant to this Inquiry, not a letter now two and a half years old.

- 3.2.23 The EH letter of 8th April (also referred to in letter of 28th April) was their last mention of the square. In their recent letter of 13<sup>th</sup> July, they clarify their earlier letter by pointing out that it is the relationship of both the landscaped space and the architecture of the development to Aubrey walk that is the primary concern relating to the "square". All three are inter-connected. The appellants are not correct in thinking that David Stabb's comments were related to the planted area only.

- 3.2.27 "Alternative drafts" of an Undertaking (not an agreement) under S.106 now exist, with probably 80% of the content consistent..... Both will be available for the Inspector.

- 3.2.29 Gates - See Condition 15 in agreed Conditions.

- 3.3.1 Through negotiation, Officers attempted to gain improvements to the submitted scheme. The result of those negotiations is a much improved proposal upon that originally submitted as a planning application, still greater an improvement upon the various pre-application submissions. Notwithstanding the progress made, it was concluded that the proposals still had unsatisfactory aspects to a degree that justified a refusal of planning permission. The Executive Director, Planning & Conservation produced the report for the Planning Services Committee, recommending that the application should be refused. The Committee considered the proposals and concurred with this recommendation.

It actually matters little to this Inquiry whether or not the appellants are surprised at how their application was eventually recommended to, and received by, the Committee. The result of this Inquiry will turn upon the merits of the scheme as it now stands, not upon what one Officer may in the past have thought in comparison to another.

- 4.1.15 From most ground level perspectives the reservoir site has "blended in" very successfully indeed. Are the appellants seriously suggesting that the tennis courts are somehow "out of place?"; from higher level views from surrounding property they look well established and provide an important visual (and recreational) amenity, and do not seem at all out of place.

- 4.1.16 There is an assumption here that (B) applies only to cleared sites, but this is clearly not the case and (B) must also apply to the appeal site. Moreover, the appeal site has been put to (and still functions as such) an important amenity use as a recreational, and visual, amenity.

Bob Sellwood also seems to miss the point that these are "stand alone" exceptions; only one has to be true, although in this case both are clearly applicable.

- 4.1.18 DETR return covered the whole 1.54 ha site

- 5.1.7 The last sentence of this quote from PPG17 is clearly wider in its application than the first part; it is a separate point. Relates to all open spaces whether public or private. Paragraph 4 of the PPG (quoted in BS's proof in 5.1.2) is a crucial paragraph explaining the scope of the PPG (very broad) and linking the matter of open space as an amenity to the natural and built heritage of its surroundings.

- 5.3.4 PPG12 points out that the weight to be accorded to SPG should increase with consultation etc; it does not suggest that *without* consultation *no* weight should be accorded to it. Furthermore, the Open Space Survey was discussed in open session at the Unitary Development Plan Public Inquiry in 1993 and the Inspector made recommendations relating to it, clearly concluding that it was of sufficient weight to warrant references to it in the Plan (para.s 2.4 and 3.1) [does Phil have the Inspector's comments?]

5.3.5 There is no record of the Open Space Survey being consulted upon, or reported to Committee It seems to have been purely an Officer initiative in response to PPG17.

B. Sellwood seems to exaggerate the weight to be accorded to the Survey. The Policies of the UDP (CD21 etc) are the primary consideration here - the Survey is informative and is not a Policy statement.

5.3.6 In my view Sellwood is correct; the OSS is not clear in dealing with open and recreational space [sorry!]

BUT - his conclusion in the final sentence of 5.3.6 is wrong - the Policies of the Plan itself are not confused. Nor should the parties to the Inquiry be confused; the site in question is **both** predominantly open space and predominantly recreational space

5.3.8 Sellwood accepts here that Cavendish Square is “an apparently natural open space” despite sitting above a car park, and tries to argue that the appeal site should be seen differently because the top surface is 3/4m above surrounding levels. BUT surely the 3 or 4m is of little importance; what is important is that from most perspectives (and clearly in the view of most people who live near it) the appeal site appears as an open space. There are many differences between them but if Sellwood insists on comparing the spaces I see *two things in common* between them (1) is that neither space is actually natural, and (2) is that despite being un-natural both spaces play an important role in presenting the appearance of open space...

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**Recommendation That the text of the Plan is amended to include reference to the results of the Council's Open Space Survey."**

*Extract from Inspector's Report attached*

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It is perfectly clear that affordable housing should be sought for this site, and provided on this site, if the site is to be redeveloped. Whatever the views offered in a letter of over two and a half years ago, they were ventured at that time without the benefit of much of the guidance, and information, available now, and are of virtually no importance to this Inquiry that must reflect the situation as we find it today. Circular 6/98, the Committee Report of January 1999, and PPG3 are relevant to this Inquiry, not a letter now two and a half years old.

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B. Sellwood seems to exaggerate the weight to be accorded to the Survey. The Policies of the UDP (CD21 etc) are the primary consideration here - the Survey is *informative* and is not a Policy statement.

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BUT - his conclusion in the final sentence of 5.3.6 is wrong - the Policies of the Plan itself are not confused. Nor should the parties to the Inquiry be confused; the site in question is **both** predominantly open space and predominantly recreational space

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