

PP/99/0733

ACK - Support

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SPORT ENGLAND

2 June 1999

Mr Taylor
 Planning & Conservation
 Royal Borough of Kensington & Chelsea
 The Town Hall
 Hornton Street
 London
 W8 7NX

London Region
 PO Box 480
 Crystal Palace National Sports Centre
 London SE19 2BQ

Telephone: 0181 778 8600
 Fax: 0181 676 9812
 Minicom: 0181 676 0821

Website: www.english.sports.gov.uk

Your Ref: DPS/DCC/PP/99/00733/DT
 Our Ref: ACS.cl

Dear Mr Taylor

CAMPDEN HILL LAWN TENNIS CLUB, FORMER THAMES WATER RESERVOIR AND WATER TOWER HOUSE

Thank you for consulting Sport England on the proposal to re-develop the above site for housing, together with both indoor and outdoor tennis.

Sport England is familiar with the proposals and have on a number of occasions visited the site on the invitation of the resident tennis club. We are of the opinion that net benefit to sport (tennis) outweighs any potential loss of open space. Sport England recognises the huge benefits to the sport by the provision of indoor courts and for this reason we are inclined to support this application.

Will you please inform me of any progress on this application and indeed the outcome.

Yours sincerely

AS
 A Sacha
Andy Sacha
SENIOR DEVELOPMENT MANAGER

Direct Line 0181 768 7806
 Email andysa@english.sports.gov.uk

c.c. Mr John Miles, Vice Chairman Campden Hill LTC

Chair: Trevor Brooking CBE
 Senior Vice Chair: Des Wilson Vice Chair: Gerald Dennis
 Chief Executive: Derek Casey
 Regional Director: Andy Sutch

Sport England is the brand name of the English Sports Council which is the distributor of Lottery funds to sport

KENSINGTON HEIGHTS RESIDENTS ASSOCIATION

Kensington Heights
91/95 Campden Hill Road
London W8 7BD

(LOW) (DT) (Handwritten initials)

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Philip Hughes Esq., Policy Team Leader,
Department of Planning and Conservation,
Royal Borough of Kensington and Chelsea,
Room 331, The Town Hall,
Hornton Street,
London W8 7NX.

3rd June 1999.

Dear Mr Hughes,

Re: Campden Hill Reservoirs Site/New Draft List of Major Development Sites.

With reference to the above as a consequence of the disclosures in relation to the Thames Water/St. James's Homes planning applications our attention has been drawn to the draft UDP schedule of major development sites which appears to include the above.

If this is the case, we must express our deep concern and overwhelming objection to this proposal. Without wanting to be presumptuous, according to the advice given to us by both a planning barrister and solicitor as this site comprises of open space used for sporting purposes any development would be a contravention of both the UDP, current and future central government policy.

We, therefore would ask you to remove this site from your proposed list and once and for all clearly indicate to the world at large that it is a protected open space.

With kindest regards and best wishes

Yours sincerely

G. A. Gluck
Chairman.

c.c.-M.-J. French Esq., Director of Planning and Conservation RBK&C.

Anthony Land

Camden Hill Residents Association

Representing Ken Heights / Arbreay Walk
and Airlie Gardens

Large weight of objection — much greater
than the 384 individual letters received

Accept that the tennis club would take a
different view to the Residents Association

Report well prepared and points therein
reflected many of the objections raised
by objectors.

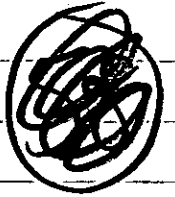
Been in touch with St. James's Homes
regularly — but no material changes
made to the proposal

Loss of open space and bulk and scale,
of the proposal. The report seems to
acknowledge that Kensington Heights is
itself overdevelopment.

Cannot believe that there would be no
traffic and parking impact. Agree that
this and Kings College should not be
seen/considered totally separately.

Extra activity of the t. club would be
intolerable.

(102)



Loss of rural feel in this unique area.

Galced enclosure was an offence, and an astonishing one for a responsible developer.

Differ from Council Officers on Abbeey Walk
— Association does not accept that any development of the site should "address Abbeey Walk" — the Walk is an eclectic mix and should remain so.

Clr. Freeman

Supports report. Wishes to Add the QEC & Atkins bps. to the consideration

Draft list of Major Sites — Planning Brief clearly needed for this site

National Playing Fields Association state that 984 acres of open space should be available for the no. of res. in RBH+C (!)
We only have 100! (?)

Proposals in breach of a large number of

103

~~100~~

~~101~~

↳ Bob Sellwood - for applicants

Wishes to dispel 5 myths

- ① Not green field - is developed and redevelopment is supported by Nat. Evidence
- ② Can one really say that this vast scheme truly reflects the character of this CA
- ③
- ④ Spoke England support
- ⑤ This site is not one where the status quo can be maintained - something must take place here.

Finds it difficult to recognize the reasons for refusal with Officers discussion. Answered all criticisms presented by Officers - deleted nose, moved frontage towards Abbey Walk, re-designed Campden Hill Road block.

No evidence that the club would result in year round activity

"We have no problem to achieve affordable housing on this site" Need to construct an approach to take account of the possibility that provision may need to be made off site

Questions for Bob Sellwood

~~10A~~ 10A

Mr. Shapiro - kids etc

Ans. No objection to examining further links as part of S. 106 discussions. Putting back a better decision.

Chairman

Concerned at the appeal on 8 week mark. Not helpful. Timestable upon us is a result of the applicants decision to appeal so early in a big application.

Clear that Officers started early discussions, and clear that public consultation has strengthened, or even added to, the concerns raised by Officers.

Agreed - Refuse + Refuse CAC

Minded to Refuse + Minded to

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15 Campden Hill Square
Kensington
London
W8 7JY
Tel: 0171 727 4348
Fax: 0171 221 2830

[Handwritten scribble]

10th June 1999 ✓

Mr Michael French
Director of Planning
RBK&C
Town Hall
Hornton Street
London
W8 7WT

RECEIVED BY PLANNING SERVICES							
EUR	HDC	N	G	SW	SE	ENF	AO ACK
11 JUN 1999							32
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Dear Mr French,

RE: THAMES WATER RESERVOIR SITE

Naturally I am delighted that the Planning Committee endorsed your recommendation to refuse the Developers application on Tuesday. It is of course easy to congratulate someone when things have gone your way but I should like to record the fact that, biased as I may be, in twenty years as a property developer I do not recall having seen such a comprehensive and well-considered report as the one you and Derek Taylor prepared for the Committee.

Understandably in such a lengthy report there are a number of points with which we are not entirely in agreement, but it would be churlish to mention these in this letter. Thank you for all the hard work you must have put in to the compilation of this report.

Funds are already flowing in to enable our local residents action group to be represented at the Public Enquiry on 20th July, if the Developers insist on proceeding and our Counsel is now confident that the Inspector will endorse the decision of the Planning Committee.

I should be grateful if Derek Taylor could contact me as soon as possible with the name and address of the Inspector in case we wish to write to him/her prior to the enquiry.

Yours sincerely,

Hamish Watson



HAMISH WATSON

cc: Councillor Mrs Iain Hanham, CBE, JP. Leader of the Council c/o Room 343/5 The Town Hall, etc.
Councillor Christopher Buckmaster, 23 Kensington Place, W8 7PT
Councillor Robert Freeman, 12 Pitt Street, W8 4NY

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Mr. Hamish Watson,
15 Campden Hill Square,
LONDON, W8 7JY.

Switchboard: 0171-937 5464
Extension: 2944
Direct Line: 0171-361-2944
Facsimile: 0171-361-3463



**KENSINGTON
AND CHELSEA**

16 June 1999

My reference: EDPC/MJF/TP/
98/2129,
TP/99/0733

Your reference:

Please ask for: Mr. French

Dear Mr. Watson,

Thames Water Reservoir Site

Thank you for your letter of 10 June regarding the recently determined planning application on the above site. May I thank you for your kind comments with regard to the planning report and I will pass them on to Mr. Taylor.

With regard to the public inquiry which is to commence next month, I would inform you that the Inspector is Mr. Christopher A. Thompson, RIBA, MRTPI, and he can be contacted at The Planning Inspectorate, Room 12/02 West, Tollgate House, Houlton Street, Bristol BS2 9DJ; reference: APP/K5600/A/99/1022704.

Yours sincerely,

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

c.c. Councillor Mrs. Iain Hanham, CBE, JP - Leader of the Council
Councillor Christopher Buckmaster
Councillor Robert Freeman

MEMORANDUM





To: Transportation and Highways
cc:

From: Director of Legal Services

Your Ref: Gillian Palmer

My Ref: LP/10018473
Ext: 2180

Date: 30 June 1999

Campden Hill Reservoir

Please find attached a copy of the Proof of Evidence received from the Campden Hill Lawn Tennis Club in support of the Appeal.

I should be grateful if you could look at the Proof and let me have any comments.

LeVerne Parker
for Director of Legal Services

c.c. Derek Taylor

RE: APPEALS BY ST. JAMES HOMES LTD.

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CHLTC.1



RE: SITE AT FORMER THAMES WATER RESERVOIR
& TOWER HOUSE, CAMPDEN HILL ROAD, KENSINGTON,
LONDON W.8

References: APP/K5600/E/99/1016054 (appeal (a))

APP/K5600/A/99/1022704 (appeal (b))

Inquiry date: 20 July 1999

Inspector: Mr C.A. Thompson

**Proof of evidence of J C T Foster
on behalf of CHLTC**

INTRODUCTION

1. I am John Christopher Tijou Foster of 22 Kensington Park Gardens, London W11. I am the Chairman of CHLTC Ltd ("CHLTC"), a company limited by guarantee which functions as The Campden Hill Lawn Tennis Club ("the Club"). The Committee of CHLTC has formally authorised me to present evidence on behalf of the Club at this Planning Inquiry on 20 July next and all the members of the Committee have read this statement in its final draft and have approved it. In this statement I shall treat the Club and CLHTC as synonymous.
2. I have been a full playing member of CHLTC since 1975; I was elected to the Committee of CHLTC in October 1995 and became Chairman in October 1997. I have played tennis for almost 50 years. I am a member of 2 other tennis clubs - the Hurlingham Club which has over 4,000 tennis members with 37 outdoor courts and 3 indoor courts; and the Queen's Club which has over 2000 tennis members, 8 indoor courts and 24 outdoor courts. I have played at or visited a number of tennis clubs in



the London area, the US, France and Australia and I have watched major tennis competitions in France, Australia and the US.

3. In this statement I shall explain why the Club supports the Appeals by St James Homes by describing the Club and its features, the Club's response to the development proposals and the Club's position if the Appeal were to fail.

CHLTC AND ITS FEATURES

4. The Club has been in existence as a tennis club since 1884 and is thus one of the oldest tennis clubs in Britain. Throughout its life, it has been situated on the top of the two reservoirs owned by the Club's landlords, Thames Water. It has 12 outdoor tennis courts 4 of which are floodlit, plus a practice court divided into 2 mini courts around a practice wall. The playing surface is artificial grass. It is a good quality tennis facility.
5. The Club is a members' club in that it is owned by its members and run by its members for its members' benefit. It is non-profit-making. The rules of the Club and an outline of how the Club operates are set out in the Club's 1999 Handbook & Rules, a copy of which is now attached as appendix 1.
6. In the 1998/99 year, CHLTC had a total of 1252 members of whom:
 - 667 were full playing members in one or other of the following categories: full, country, student and veteran. Full playing members are entitled to play at all times, and vote on the Club's affairs.
 - 156 were mid-week - this category can play on weekdays until 5 pm and on the floodlit courts in winter and do not have to pass a play-in test to join.



- 274 were junior (under 18), 7 were honorary and 148 were dormant or social (non-tennis playing)

7. The features of CHLTC are:

- (i) it is, as stated above, a members' club. This distinguishes CHLTC from clubs such as the Vanderbilt in Shepherds Bush, the Riverside in Chiswick and the Harbour Club in Fulham which are commercial clubs run in order to make a profit for their owners/shareholders.
- (ii) proficiency at tennis is a prerequisite for full playing membership. In practice this means that intending full members must pass a play-in test and it is not possible to play at the Club at busy times - weekends throughout the year and evenings between April and October - without some ability at tennis.
- (iii) courts cannot be booked, except for floodlit tennis and three courts on weekend mornings. Members are encouraged to "cut in" at the end of a set and play with others of similar standards. The effect of this, at busy times, is that players cannot expect to retain a court for more than a set without having other players (of similar ability) joining in their game.
- (iv) it is solely a tennis club. No other sports are played at the Club. There is no gym or sauna. The only games played there in addition to the tennis are bridge (about 12 organised evenings in winter) and chess.
- (v) its entry fee and annual subscription are low for an inner London tennis club (full membership is £225 to join and £365 p.a; mid-week is £100 to join and £205 p.a.) and its membership is drawn from a wide cross-section of the community.

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- (vi) local schools, including Fox Primary, Lady Eden and Glendower use the Club's courts and it runs a Lawn Tennis Association junior tournament each year, open to non-members.
8. The Club is a great asset for its immediate and wider locality in that it provides an accessible, affordable quality tennis facility. It is the largest of only 3 tennis centres or clubs in the Royal Borough of K&C, the others being Holland Park LTC with 8 outdoor courts (including 4 grass courts used in the summer only) and Westway Sports Centre (run by RBK&C) with 4 indoor courts.

THE CLUB'S RESPONSE TO THE DEVELOPMENT PROPOSALS

The Club's lease with Thames Water

9. In order to understand the Club's response to the development proposals it is necessary to appreciate the Club's tenure of its site. In January 1994, CHLTC entered into a lease with Thames Water for the clubhouse and tennis courts which is current today. The relevant features of this lease are that the current rent is £50,000 pa; the Club's tenure may be terminated by Thames Water on 6 months' notice for any reason whatsoever (clause 7); and by clause 6, Reading County Court (on 27 January 1994) approved that the lease would not be subject to the provisions of Part 2 of the Landlord & Tenant Act 1954. The effect of this is that, at any time and for any reason, the Club's occupancy of its clubhouse and tennis courts could be brought to an end by Thames on 6 month's notice.

Negotiations with Thames Water

10. In about 1996, Thames Water notified the Club that as the 2 reservoirs below the Club's tennis courts were redundant, it was considering other uses for the site. In December 1997, a representative of Thames Water informed the Club, at a special meeting of members in the clubhouse (after appropriate notice), that it was proposing to develop much of the

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site for housing and that the Club could not expect to carry on in its present form. The overwhelming view of the membership, on a show of hands, at that meeting, was that the Committee should resist Thames' proposals and do all that was possible to ensure that the Club could continue to exist in its present form.

11. Following this meeting, negotiations were held with Thames Water for a new long-term arrangement for the Club and members were kept informed of progress. Proposals were put forward by Thames Water, including an 8 court solution (4 indoor and 4 outdoor above) which were considered unacceptable. Eventually, Thames put forward the 12 court proposal which is, in part, the subject of the Appeal.

The Club's EGM and Voting

12. The Committee carefully considered the details (set out below) of Thames' proposal and in July 1998 recommended its acceptance to the membership of the Club because:

- (i) it believed that this was the best arrangement that could be achieved in the negotiations with Thames;
- (ii) it would be affordable;
- (iii) most importantly, it would secure the Club's future;

At an Extraordinary General Meeting of CHLTC on 28 July 1998, the voting was 192 votes for and 12 against entering into an agreement with Thames.

The Agreement with Thames Water

13. This agreement was signed on 25 September 1998. Its key points are:
 - (i) Subject to planning consent, Thames will build a new tennis facility of 6 indoor courts (to recreational standard) and 6 outdoor

courts on the roof of the new structure (to championship standard);

- (ii) on completion of the structure, CHLTC will take up a new lease of the new facility and the existing club house of just under 35 years with two options to renew, in all a total of 99 years;
- (iii) the rental will be £50,000 per annum for the first 5 years (the same as the current rent) increasing to £100,000 per annum for the next five years, and then increasing by an RPI formula;
- (iv) there would be no early termination rights for Thames under the new lease; use to be restricted to the Club; and the Club will be responsible for repairs (as it is at present).
- (v) the Club agreed to support Thames' application for planning consent for the new tennis facility and the residential scheme.

14. It remains the view of the Committee that the agreement with Thames Water is in the best interests of the Club for the reasons set out above. The Committee's position remains that it supports the Appeal because of the prospect of a secure long-term lease replacing the insecurity of the Club's current tenure; and because the proposed quality tennis facility will enable the Club to operate just as it is now.

The proposed tennis facility

15. If the new tennis facility is built I do not believe that there will be many changes to the tennis playing activity at the Club, to the numbers of members or to the social life of the Club. The features of the Club, outlined in paragraph 7 (above) have operated successfully for many years (at least 25 years in my personal experience). I would expect them to continue with the new facility because they are, I believe, supported and appreciated by the bulk of members. Most importantly, the Club will

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remain a members' club and there is no prospect of it changing into a commercial club with profit interests. It is the current Committee's intention that the new facility will be run as the Club is at present, so that the Club will continue to be an affordable quality tennis facility and an asset to the immediate and wider locality.

16. I note that concerns have been raised about feared higher levels of activity at the Club. I do not believe that there would be an overall increase in the tennis usage at the Club from that at present. This is because the present level of playing membership is already high for the number of courts and is unlikely to increase. The courts are fairly fully occupied in the busier months of the year (April to October). Indoor tennis does not have a lot of appeal in good summer weather. A number of our members (including me) are members of other tennis clubs with indoor courts but prefer to play at the Club because of its open air courts, ambience and outlook. I would expect less tennis to be played at the Club in the summer with the proposed facility.
17. I would expect more tennis to be played at the Club in the winter months with the proposed facility. Tennis is, however, played throughout the winter at present, although less is played than in summer because of the weather and the shorter day. The pattern is for floodlit tennis on mid-week evenings. A typical winter's weekend will find most of our courts in use throughout daylight hours. There is less tennis played during daylight on weekdays, than in the summer.
18. Furthermore, the Committee has no intention that
 - (i) there should be an increase in the number of parties and functions. We restrict the number held now; or
 - (ii) opening hours would increase. Floodlit tennis ceases at 10.00 pm and the Club is rarely open after 11.00 pm.

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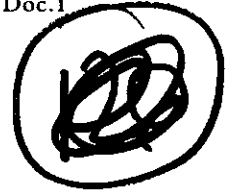
THE CLUB'S POSITION IF THE APPEAL FAILS

19. In the event that St James Homes does not proceed with the proposed development, the Club's Agreement with Thames Water is likely to lapse and the Club's tenure will once again be subject to termination on 6 months' notice. Thames Water has made it clear that the Club's site is surplus to its requirements. In such circumstances, Thames Water could not be expected to maintain the reservoir structure for the sole purpose of enabling the Club's tennis to continue as before. Furthermore, with the Club's future in doubt, members would be unwilling to spend the substantial sum (in excess of £100,000) for the repairs to the courts which are needed and in that event the quality of the Club would deteriorate.

20. Accordingly, if the Appeal were to fail, the future of the Club would be, at the least, most uncertain. At the worst, it could result in the end of the Club and thus the loss of an irreplaceable community asset which has existed at Campden Hill for some 115 years.

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CHLTC.1 Doc.1



RE: APPEALS BY ST. JAMES HOMES LTD.

RE: SITE AT FORMER THAMES WATER RESERVOIR
& TOWER HOUSE, CAMPDEN HILL ROAD, KENSINGTON,
LONDON W.8

References: APP/K5600/E/99/1016054 (appeal (a))

APP/K5600/A/99/1022704 (appeal (b))

Inquiry date: 20 July 1999

Inspector: Mr C.A. Thompson

Appendix 1 to proof of evidence of
J C T Foster on behalf of CHLTC

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Statement of Case

on behalf of

St James Homes Ltd.

Campden Hill Reservoirs
and
Water Tower House, Aubrey Walk/
Campden Hill Road, London W8

Appeal References

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

June 1999

(182)

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1.0

Introduction

1.1

This Inquiry is in respect of the failure of the Royal Borough of Kensington & Chelsea to determine within the statutory period planning and conservation area consent applications relating to the Campden Hill reservoirs site, Campden Hill Road/Aubrey Walk. The references of the two appeals are;

- (a) Planning Application (LPA reference PP/99/073):
Appeal Reference : K5600/APP/A/99/1022704
- (b) Application for Conservation Area Consent (LPA reference PP/98/2127) Appeal Reference : K5600/APP/E/99/1016054

1.2

The application for Conservation Area Consent seeks the demolition of all buildings and structures on site (other than part of the retaining wall of the western and northern sides of the western reservoir). The redevelopment proposals comprise;

- (a) the erection of 19 houses and 48 flats
- (b) the construction of six open tennis courts, six enclosed courts and an open practice court
- (c) underground parking for all the residential units
- (d) the creation of one vehicular access point into the site

1.3

Although these are non determination appeals, the Borough Council put a report to Members on the 8th June 1999 which recommended reasons for refusal had the Council been in a position to determine the appeals. These reasons were;

1. The proposed redevelopment would result in the loss of a significant amount of the existing open space on this site, reducing the value of this site as a visual amenity to be enjoyed by residents

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of nearby property, and harming the character and appearance of this part of the Kensington Conservation Area. As such, the proposal is contrary to policies of the Unitary Development Plan, in particular STRAT 2, STRAT 35, and Policies CD21, CD48, and CD52.

2. The bulk and layout of the proposed development, in particular the bulk of development and the restricted dimensions of the central open space, would result in a densely developed site that relates poorly to the character scale or form of its surroundings. It is considered that the proposed development would result in harm to the character and appearance of this part of the Conservation Area, contrary to Policies of the Unitary Development Plan, in particular STRAT 5, STRAT 6, and Policies CD25, CD52, CD53, and H11.
3. Given that the existing site provides a valuable contribution to the character and appearance and residential amenity of this part of the Conservation Area, and in the absence of an acceptable scheme for the future development of the site, it is concluded that the proposed demolition of the reservoirs is premature, and contrary to Policy CD51 of the Unitary Development Plan.
4. The proposed southern terrace of new houses would appear dominant and overbearing in its relationship with Thorpe Lodge, and the development along Aubrey Walk would significantly affect the setting of St George's Church, harming the setting of these Listed buildings contrary to Policy CD61 of the Unitary Development Plan.
5. The existing site generates a relatively low intensity of vehicular and pedestrian activity through the year, busiest in the summer but relatively quiet in the winter months. The proposed development



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will generate greater levels of such activity throughout the year, with the largest difference being in the presently quieter winter months. As such, the proposed development will lead to a significant reduction in the levels of amenity presently enjoyed by those who reside near the site, contrary to Policies of the Unitary Development Plan, in particular STRAT 1, and Policy CD52.

6. The use of pedestrian and vehicular gates at the entrances to the site would restrict access to the development, separating the site from the surrounding area, contributing little to the amenity of the area, and being out of character with the predominant form of development locally where residential streets are generally accessible to all and at all times. As such, the proposed gates community is contrary to Policies of the Unitary Development Plan, in particular STRAT 1, STAT 5, and CD52.

7. The site is considered suitable for the inclusion of affordable housing, which has not been secured by an appropriate planning obligation as part of the proposed development. As such, the proposals are not considered likely to achieve the provision of affordable housing on this site, and would be contrary to Policies of the Unitary Development Plan, in particular H22 and the proposed draft alterations to this Policy, and fail to respect the advice presented in Circular 6/98.

2.0

The Appeal Site and The Surrounding Area

2.1

Both the appeal site and the surrounding area will be described in detail. With regard to the character of the surrounding area evidence will be presented demonstrating that whilst the local area is not entirely residential in character, this is the predominant use. As such, the Water Utility use of the site and the presence of two large elevated brick reservoirs is not



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part of the predominant land use character of the area. Evidence will also be presented on the historical development of the area and how this is reflected in the character and appearance of the Conservation Area. Reference will also be made to the good public transport accessibility of the site.

2.2. The historical development, current appearance and use of the appeal site will be analysed and placed in the context of the local area. This will include references to:

- (a) Water Tower House which is described in the Council's Conservation Area Statement as "a dreadful building in all respects" (p.31).
- (b) The Pump House which was originally connected to the water tower. The water tower was demolished in 1970 to allow the construction of Water Tower House. The Pump House had its original machinery removed many years ago and has been used as a depot in recent years. The Department of Culture Media & Sport have issued a Certificate of Immunity of Listing in respect of this building (March 1999).
- (c) The two brick reservoirs (the 'middle' and 'west' reservoirs) were constructed in the middle of the nineteenth century. They have a roof area of 8,760m² (0.876h or 2.16 acres), an internal floor to ceiling height of 7.84 metres and a cubic capacity of 66,728 m³. The reservoirs are partially sunken into the ground, therefore the roof level varies between 3 and 4 metres above the prevailing ground level. The roof of the reservoirs is covered by a synthetic playing surface and is leased to the Campden Hill Lawn Tennis Club. There are earth embankments around the reservoir which in some areas have been colonised by trees and shrubs. The

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Department of Culture Media & Sport has issued a Certificate of Immunity from Listing in terms of both reservoirs (March 1999).

3.0 **Planning & Operational History**

3.1 Evidence will be provided on the operational history of the appeal site by both the Metropolitan Water Board and Thames Water. This will explain how, following the completion of the London Ring Main, both reservoirs and the Pump House are now redundant. Whilst of limited relevance to the redevelopment proposal, reference will also be made to the Holland Park 'Pipetrack' scheme which entails Thames Water constructing an 8.5 metre diameter shaft on the appeal site. This work is currently underway and will be completed in the year 2000.

3.2 The planning history of the appeal site is very limited. Reference will be made to the applications in the 1960's to construct Water Tower House and Kensington Heights (which adjoins the appeal site to the east).

4.0 **The Current Development Proposals**

4.1 The current development proposals will be placed in the context of the discussions carried out by both Thames Water and St James Homes since 1997. Particular reference will be made to the chronology of discussions with Council officers since June 1998 and the series of amendments to the scheme which were made at the suggestion of officers. The current Conservation Area consent application was submitted on the 4th November 1998 and accompanied the original planning application scheme of that date. The current planning appeal relates to the planning application submitted on the 19th March 1999 which incorporated all the amendments agreed with officers since November 1998. On the 21st April 1999 this application was amended by the addition of five flats in the Aubrey Walk



building (an increase from 12 to 17). This amendment facilitates the provision of 17 affordable housing units in the building.

5.0 **The Principle of Development**

5.1

The Appeal site is almost entirely occupied by existing buildings, access ways and car parking. The reservoirs and the Pump House are redundant and the Borough Council has encouraged the redevelopment of Water Tower House. The draft Alterations to the Kensington UDP (1999) identify the appeal site 'as a major development site' comprising housing, affordable housing, tennis courts and open space. Since this mix of uses precisely accords with that proposed in the appeal scheme, it is clear that there is no difference between the Council and the Appellants on the principle of development. The only issue is the balance of these uses and their disposition on the site.

5.2

Evidence will be presented to demonstrate how the appeal scheme has struck the correct balance between maximising the residential potential of the site, retaining and enhancing the recreational facilities provided by the tennis club whilst meeting policy requirements to preserve or enhance the character and appearance of the conservation area. This balance will be explained in the context of existing and emerging guidance in PPG's, RPG's and the UDP.

6.0

Reasons For Refusal

6.1

The report that was placed before Members on the 8th June 1999 proposed seven reasons for refusal of the appeal scheme. The Appellants response to each of these proposed reasons for refusal is provided below.

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188

three and four metres above the prevailing ground level. The appeal proposals will replace the same number of courts in an enhanced facility which is part open and part enclosed. For this reason the Council accept that the proposal is not contrary to policies LR1 to LR7 of the UDP. It is considered that the replacement of part of the elevated reservoirs with a carefully conceived and high quality residential scheme will enhance the character and appearance of the Conservation Area.

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- 6.3 The layout and massing of the scheme was extensively discussed and agreed with officers of the Borough Council and English Heritage. In particular, all significant layout amendments suggested by officers have been incorporated in the scheme before this Inquiry. Evidence will be presented which demonstrates that the scheme will relate well to the scale and form of the local area and will enhance the character and appearance of the Conservation Area.

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- 6.4 For the reasons explained elsewhere in this Statement of Case it is submitted that the scheme before this Inquiry is acceptable and should be permitted. On this basis, the granting of Conservation Consent for the demolition of the reservoirs is not premature.

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education. The replacement of these detracting elements with a carefully designed terrace of town houses will, therefore, enhance the setting of Thorpe Lodge.

Reason 5: Impact of Year Round Activity on Residential Amenity

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DOCUMENTS

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By

Statement of Case

on behalf of

St James Homes Ltd.

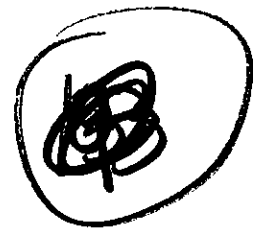
**Campden Hill Reservoirs
and
Water Tower House, Aubrey Walk/
Campden Hill Road, London W8**

Appeal References

**APP/K5600/E/99/1016054
APP/K5600/A/99/1022704**

June 1999

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1.0

Introduction

1.1

This Inquiry is in respect of the failure of the Royal Borough of Kensington & Chelsea to determine within the statutory period planning and conservation area consent applications relating to the Campden Hill reservoirs site, Campden Hill Road/Aubrey Walk. The references of the two appeals are;

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The application for Conservation Area Consent seeks the demolition of all buildings and structures on site (other than part of the retaining wall of the western and northern sides of the western reservoir). The redevelopment proposals comprise;

- (a) the erection of 19 houses and 48 flats
- (b) the construction of six open tennis courts, six enclosed courts and an open practice court
- (c) underground parking for all the residential units
- (d) the creation of one vehicular access point into the site

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Although these are non determination appeals, the Borough Council put a report to Members on the 8th June 1999 which recommended reasons for refusal had the Council been in a position to determine the appeals. These reasons were;

1. The proposed redevelopment would result in the loss of a significant amount of the existing open space on this site, reducing the value of this site as a visual amenity to be enjoyed by residents

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of nearby property, and harming the character and appearance of this part of the Kensington Conservation Area. As such, the proposal is contrary to policies of the Unitary Development Plan, in particular STRAT 2, STRAT 35, and Policies CD21, CD48, and CD52.

2. The bulk and layout of the proposed development, in particular the bulk of development and the restricted dimensions of the central open space, would result in a densely developed site that relates poorly to the character scale or form of its surroundings. It is considered that the proposed development would result in harm to the character and appearance of this part of the Conservation Area, contrary to Policies of the Unitary Development Plan, in particular STRAT 5, STRAT 6, and Policies CD25, CD52, CD53, and H11.
3. Given that the existing site provides a valuable contribution to the character and appearance and residential amenity of this part of the Conservation Area, and in the absence of an acceptable scheme for the future development of the site, it is concluded that the proposed demolition of the reservoirs is premature, and contrary to Policy CD51 of the Unitary Development Plan.
4. The proposed southern terrace of new houses would appear dominant and overbearing in its relationship with Thorpe Lodge, and the development along Aubrey Walk would significantly affect the setting of St George's Church, harming the setting of these Listed buildings contrary to Policy CD61 of the Unitary Development Plan.
5. The existing site generates a relatively low intensity of vehicular and pedestrian activity through the year, busiest in the summer but relatively quiet in the winter months. The proposed development

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will generate greater levels of such activity throughout the year, with the largest difference being in the presently quieter winter months. As such, the proposed development will lead to a significant reduction in the levels of amenity presently enjoyed by those who reside near the site, contrary to Policies of the Unitary Development Plan, in particular STRAT 1, and Policy CD52.

6. The use of pedestrian and vehicular gates at the entrances to the site would restrict access to the development, separating the site from the surrounding area, contributing little to the amenity of the area, and being out of character with the predominant form of development locally where residential streets are generally accessible to all and at all times. As such, the proposed gates community is contrary to Policies of the Unitary Development Plan, in particular STRAT 1, STAT 5, and CD52.
7. The site is considered suitable for the inclusion of affordable housing, which has not been secured by an appropriate planning obligation as part of the proposed development. As such, the proposals are not considered likely to achieve the provision of affordable housing on this site, and would be contrary to Policies of the Unitary Development Plan, in particular H22 and the proposed draft alterations to this Policy, and fail to respect the advice presented in Circular 6/98.

2.0

The Appeal Site and The Surrounding Area

2.1

Both the appeal site and the surrounding area will be described in detail. With regard to the character of the surrounding area evidence will be presented demonstrating that whilst the local area is not entirely residential in character, this is the predominant use. As such, the Water Utility use of the site and the presence of two large elevated brick reservoirs is not

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part of the predominant land use character of the area. Evidence will also be presented on the historical development of the area and how this is reflected in the character and appearance of the Conservation Area. Reference will also be made to the good public transport accessibility of the site.

2.2. The historical development, current appearance and use of the appeal site will be analysed and placed in the context of the local area. This will include references to:

- (a) Water Tower House which is described in the Council's Conservation Area Statement as "a dreadful building in all respects" (p.31).
- (b) The Pump House which was originally connected to the water tower. The water tower was demolished in 1970 to allow the construction of Water Tower House. The Pump House had its original machinery removed many years ago and has been used as a depot in recent years. The Department of Culture Media & Sport have issued a Certificate of Immunity of Listing in respect of this building (March 1999).
- (c) The two brick reservoirs (the 'middle' and 'west' reservoirs) were constructed in the middle of the nineteenth century. They have a roof area of 8,760m² (0.876h or 2.16 acres), an internal floor to ceiling height of 7.84 metres and a cubic capacity of 66,728 m³. The reservoirs are partially sunken into the ground, therefore the roof level varies between 3 and 4 metres above the prevailing ground level. The roof of the reservoirs is covered by a synthetic playing surface and is leased to the Campden Hill Lawn Tennis Club. There are earth embankments around the reservoir which in some areas have been colonised by trees and shrubs. The

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Department of Culture Media & Sport has issued a Certificate of Immunity from Listing in terms of both reservoirs (March 1999).

3.0 **Planning & Operational History**

3.1 Evidence will be provided on the operational history of the appeal site by both the Metropolitan Water Board and Thames Water. This will explain how, following the completion of the London Ring Main, both reservoirs and the Pump House are now redundant. Whilst of limited relevance to the redevelopment proposal, reference will also be made to the Holland Park 'Pipetrack' scheme which entails Thames Water constructing an 8.5 metre diameter shaft on the appeal site. This work is currently underway and will be completed in the year 2000.

3.2 The planning history of the appeal site is very limited. Reference will be made to the applications in the 1960's to construct Water Tower House and Kensington Heights (which adjoins the appeal site to the east).

4.0 **The Current Development Proposals**

4.1 The current development proposals will be placed in the context of the discussions carried out by both Thames Water and St James Homes since 1997. Particular reference will be made to the chronology of discussions with Council officers since June 1998 and the series of amendments to the scheme which were made at the suggestion of officers. The current Conservation Area consent application was submitted on the 4th November 1998 and accompanied the original planning application scheme of that date. The current planning appeal relates to the planning application submitted on the 19th March 1999 which incorporated all the amendments agreed with officers since November 1998. On the 21st April 1999 this application was amended by the addition of five flats in the Aubrey Walk

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building (an increase from 12 to 17). This amendment facilitates the provision of 17 affordable housing units in the building.

5.0 **The Principle of Development**

5.1

The Appeal site is almost entirely occupied by existing buildings, access ways and car parking. The reservoirs and the Pump House are redundant and the Borough Council has encouraged the redevelopment of Water Tower House. The draft Alterations to the Kensington UDP (1999) identify the appeal site 'as a major development site' comprising housing, affordable housing, tennis courts and open space. Since this mix of uses precisely accords with that proposed in the appeal scheme, it is clear that there is no difference between the Council and the Appellants on the principle of development. The only issue is the balance of these uses and their disposition on the site.

5.2

Evidence will be presented to demonstrate how the appeal scheme has struck the correct balance between maximising the residential potential of the site, retaining and enhancing the recreational facilities provided by the tennis club whilst meeting policy requirements to preserve or enhance the character and appearance of the conservation area. This balance will be explained in the context of existing and emerging guidance in PPG's, RPG's and the UDP.

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Reasons For Refusal

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The report that was placed before Members on the 8th June 1999 proposed seven reasons for refusal of the appeal scheme. The Appellants response to each of these proposed reasons for refusal is provided below.

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on behalf of

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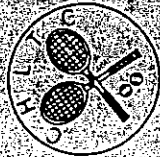
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THE CAMPDEN HILL LAWN TENNIS CLUB

1999

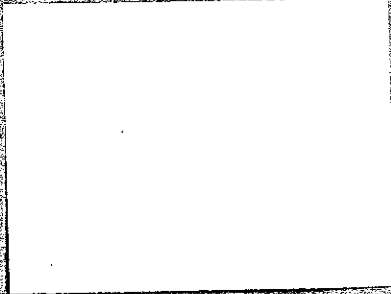
Handbook
&
Rules

9 AUBREY WALK, LONDON W8 7JH
0171 727 4050 Fax 0171 792 0394
Email: tennis@chltc.prestel.co.uk

~~Handbook~~
~~Rules~~

Membership Card
(1 April 1999 to 31 March 2000)

Name:



Category:

THE CAMPDEN HILL LAWN TENNIS CLUB

The Club was founded in 1884, soon after the first Wimbledon Championships and throughout its life has been situated in the Campden Hill area of Kensington on the top of a reservoir owned by the Club's landlords, Thames Water. The Club is non-profitmaking, owned by its members and run for the benefit of its membership of about 1200 ranging from juniors to veterans. An elected Committee of 10 members has overall responsibility for the Club, with a manager and 9 other full or part-time staff. There are also 3 professional coaches associated with the Club.

The Club prides itself on its friendly and informal atmosphere, welcoming newcomers and encouraging members to socialise as well as play tennis. In addition to friendliness and informality, the cardinal features of the Club are:

- Courts cannot be booked, except for floodlight tennis and three courts on weekend mornings
- Members are encouraged to "cut-in" and play with others of similar standard
- There is no payment for playing (additional to subscriptions) other than for floodlights
- Proficiency at tennis is required for full playing membership

Thames Water is planning a residential development on the area of the eastern half of the Club's courts and on the

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adjoining land to the east. If this project is carried out the Club will be without courts for about two years and the existing 12 outdoor courts will be replaced by a new building of 6 indoor courts with 6 outdoor courts above.

The Club's constitution is set out in the Articles of Association of CHLTC Limited (which is available for inspection at the Club's office). This deals with, amongst other things, the conduct of the Club's meetings, the nomination and election of the Committee and its powers.

In the second half of this handbook the rules of the Club are set out. These cover the relationship between members and the Club, its day to day operation and minimum standards of behaviour. They are designed for the benefit of members and the better running of the Club. Members are requested to read the rules and observe both the spirit and the letter of them.

TENNIS INFORMATION

BOOKING

The only bookable courts are nos 3, 9 and 10 which may be booked one week ahead in the book at the bar or by telephone for weekend mornings between 9 am and 12 noon. Sessions are of 1½ hours.

CLUB MORNING

A "club morning" is held each Wednesday morning (starting at about 10.30 am), which is popular with midweek members. Games are arranged on an informal basis and there is no need to book in advance.

CLUB NIGHT

From about April to October a "club night" is held on Thursday evenings (from 6.30pm) when courts are reserved, according to demand, for players of all standards. Games are arranged by the Office. This is followed by a BBQ, subject to the weather. Club night is a good occasion for new members to play and meet others.

COACHING

The Club retains 3 coaches, 2 of whom are virtually full time. Court 8 is permanently reserved for coaching. During the day and at less busy times, other courts are also used for coaching but at busy times - generally weekends throughout the year and evenings between April and October - only court 8 is used. Most coaching is by individual lessons or small groups. Depending upon demand, weekday group sessions are arranged throughout the year. Lessons may be booked through the Office or at the bar. Coaching fees are set out in this handbook in the fee sheet. In return for the exclusive use of the court a proportion of the coaching fee is retained by the Club.

COMPETITIONS

Tournaments - the main tournaments, which are open to all playing members except mid-week members, commence in late April with the finals in June on the Saturday immediately preceding the Wimbledon Championships. The Club's senior tournaments (full members, over 39 and over 50) are held in early autumn.

Singles League - this is run throughout the year, generally in 6 week sessions. Players (both sexes) are placed in groups

of 5 of similar standard and in each session, play 4 matches each of 2 sets, with promotion and relegation following the finishing order. Playing members (except for mid-week members) may join the league by adding their name to the appropriate notice or by contacting the Office.

FLOODLIGHTS

The Club has 4 floodlit courts and there is floodlight tennis from dusk until 10pm from about September to April. Courts may be reserved one week in advance on the booking sheet at the bar or by telephone. Sessions are generally of 1½ hours and a fee is payable - see the fee sheet. There is a charge for cancelled bookings.

JUNIORS

Juniors have priority over adults at all times on court 2. Court 1 is similarly reserved for juniors until 7pm on weekdays and until 12 noon at weekends. Juniors - apart from privileged juniors, a limited category - must give way to adult members on other courts or on court 1 outside these hours. The junior tournament is generally held in the third week in July. An open junior LTA tournament is held at the Club at the end of July.

The Club runs 3 junior teams in the Middlesex competitions (15 and under girls, 15 and under boys, 11/12 and under mixed). Junior squad sessions are held throughout the year - 2 top squads on Sunday evenings and groups up to 12 years on Saturday mornings. Juniors wishing to join these squads or the teams should contact the Office or the coaches. Parents and members are always needed to help with junior teams.

TEAMS

The Club has one ladies and 3 men's teams (each of 6 players) in the Middlesex League Competitions. Each team plays about 6 matches (home and away) commencing at 6.30pm, between April and August. Team practices commence in March, directed by the Club's coaches. Members wishing to play in the teams should contact the Office.

OTHER INFORMATION

ANNUAL GENERAL MEETING (AGM)

The AGM is normally held in October. The main business of the meeting is to review the past year and raise issues for members' views, to present the accounts, to elect committee members (who serve for 2 years, half the Committee retiring at each AGM), to elect team captains and to vote on any resolutions. The rules relating to the AGM are set out in the Club's Articles, which are available for inspection at the Office. A notice to members calling for nominations for the committee, together with a summary of the annual accounts, is sent to members in early August. In September formal notice of the AGM is sent to members together with ballot papers for the Committee elections. Nomination of members willing to serve and work on the Committee are always welcome.

BAR AND KITCHEN

Food and beverages are available each day and in the evening virtually throughout the year. The quality of the food is high and the value is excellent.

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BRIDGE

Bridge evenings are held during the winter, generally on Monday evenings - see the Club's calendar. All standards are welcome. For details contact the Office.

CAR PARKING AND NOISE

The club's good relationship with its neighbours is invaluable and members are asked to observe the parking restrictions set out on the notice at the foot of the outside stairway. These have been agreed by the Club for parts of Aubrey Walk so as not to inconvenience neighbours. Please also be considerate to neighbours at all times and especially when leaving or entering the clubhouse.

CHESS AND CARDS

Chess sets and playing cards are available from the bar for use on the Club's premises.

FUNCTIONS

By arrangement with the Office, members may hold private parties in the clubhouse. Any booking is made on the basis that it is not possible to obtain exclusive use of the clubhouse. Only a limited number of functions may be held each year and bookings are taken at the discretion of the manager and the Committee. It is unlikely that midweek bookings for groups of more than 20 in the busier time of the year (April to October) can be accommodated.

LOCKERS

A number of lockers are available to rent. A fee is payable. Contact the office for details.

MANAGEMENT

The Club has a full time manager and a full time administrator. Both are based in the Club's Office at the foot of the spiral staircase.

SMOKING

Smoking is banned on the playing surfaces but is otherwise permitted on the terrace and in the clubhouse. Members who smoke are asked to be considerate of others.

SOCIAL

Social events are held at the clubhouse for members and their guests, throughout the year. The main events are the Christmas Cocktail Party in December, the Spring Cocktail Party in May and the Summer Party on the tournament finals day in June.

THE COMMITTEE

The Committee consists of 10 elected full members. Each Committee member takes responsibility for one or other of the following: Chairman, Treasurer, Secretary, Thames Water and St James Homes, on court, social, juniors, bar and kitchen. The committee meets once a month throughout the year. Meetings are normally held in the clubhouse. The Committee always welcomes members' views on the running of the Club.



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SCHEDULE OF FEES AND CHARGES

Annual subscriptions and joining

	Pre April	Standard	Joining
Full	£320	£365	£225
Midweek	£180	£205	£150 if under 30 £100
Junior (under 18)	£95	£108	
Under 26	£180	£205	£65
Dormant	£40	£45	
Social	£40	£45	
Veteran	£180	£205	

Floodlights
£3.00 for 1 hour
£4.50 for 1½ hours

Guests
Mon-Fri Weekends

Juniors £2
Adults £4 £8

Lockers £10 per season

Towel Hire 50p

Coaching

Preston Thompson £22 } per hour including £3
Nikki Lusty £27 } payable to Club for
Steve Alger £25 } exclusive use of courts

CALENDAR FOR 1999/2000

HOME FIXTURES AND CLUB EVENTS

DATE	EVENT	TIME
APRIL		
Wed 21	QUIZ NIGHT	7.30pm
Thurs 22	CLUB CHAMPIONSHIP ENTRIES CLOSE	
Sat 24	CLUB CHAMPIONSHIP STARTS	
Thurs 29	BBQ CLUB NIGHTS BEGIN	6.30pm
MAY		
Mon 3	MAJOR'S TOURNAMENT	10.30am
Tue 4	Wycombe House Mens III	6.30pm
Wed 5	W.Middlesex Mens II	6.30pm
Fri 7	SPRING COCKTAIL PARTY	7.00pm
Wed 12	Queens Mens I	6.30pm
Fri 14	WIMBLEDON TICKET BALLOT	8.00pm
Tues 18	NEW MEMBERS EVENING	7.00pm
Mon 24	Lowlands Ladies I	6.30pm
Sat 29	Campden Hill Mens II v III	12.30pm
JUNE		
Tue 8	Paddington Ladies I	6.30pm
Wed 9	Wycombe H Mens I	6.30pm
Wed 16	Parson's Green Mens III	6.30pm
Sat 19	CHAMPIONSHIP FINALS	
Sat 19	FINALS PARTY	7.30pm
Sun 20	CHAMPIONSHIP FINALS	

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