

## St Quintin and Woodlands Neighbourhood Forum

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Stephanie Malik  
Planning Department, RBKC  
(by email)

July 9th 2020

Dear Ms Malik,

**Unit 10 Latimer Road 343-453 Latimer Road London W10 PP/20/03048**

The St Quintin and Woodlands Neighbourhood Forum and the St Helens Residents Association **wish to object to this application**. The association and forum have the same current membership of 376 residents and businesses in the neighbourhood area designated by RB Kensington and Chelsea in 2013.

Over 70 residents have submitted objections setting out their views on how the proposals will impact on Latimer Road, and why the application fails to conform with RBKC Local Plan policies. Our objection focuses on why the application is contrary to the policies in the StQW Neighbourhood Plan.

### Planning context

The StQW Neighbourhood Plan was 'made' (adopted) by the Council in July 2018 and includes a set of policies on Latimer Road which carry significant material weight as being specific to the street. The neighbourhood plan and its policies were supported by a 92% majority on a 23% turnout at the local referendum held in February 2016. As stated in the NPPF at paragraph 30 *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently*. The RBKC 2019 Local Plan acknowledges the StQW policies for Latimer Road.

In mid 2019, the RBKC planning department discussed with the StQW Forum the idea of preparing a Supplementary Planning Document (SPD) for Latimer Road with a 'design code' or set of design guidelines for the street. MHCLG in October 2019 issued revised National Planning Practice Guidance on the use of design codes and the relevance of these to neighbourhood planning. Government encourages the use of such codes to be read alongside the new [National Design Guide](#) which sets out the characteristics of well-designed places and demonstrates what good design means in practice (see at <https://www.gov.uk/guidance/design#design-codes>).

An initial meeting between RBKC planning officers, StQW/SHRA committee members, and a number of building owners in Latimer Road was held on October 15<sup>th</sup> 2019. This discussed the idea of preparation of a SPD and design code and agreed in principle that the area concerned should extend to cover North Pole Road. This latter street has experienced long-term problems of vacant shop units, excessive traffic, and a poor physical environment.

It is important to note that this meeting in October 2019 did **not** discuss the detail of design guidelines for the street or any proposals for redevelopment of Unit 10.

The StQW Forum was contacted some months later on 14<sup>th</sup> January 2020 by Salisbury Jones Planning as the consultants for Unit 10, after these applicants had sought and obtained in December 2019 a first set of pre-application advice from RBKC.

At the October 2019 RBKC/StQW discussion on the scope for preparing a SPD and design code for Latimer Road, it was agreed that this would need to be followed by a wider meeting involving residents of the street.

Regrettably further work on this initiative stalled at the RBKC end, as a result of competing workload priorities and (since March 2020) the Covid lockdown.

The Forum's management committee are very disappointed that this work has not progressed. Back last October this felt like a real opportunity for some 'co-design' between residents, building owners, and the Council. We were promised serious input from the two urban designers on secondment to RBKC via the Public Practice scheme.

We had hoped that the outcome would be a SPD that would look not only at design guidelines for new buildings, but at the streetscape and public realm, at traffic and transport issues, and provide a future vision for this small part of North Kensington that would reflect new thinking on how mixed use urban areas can flourish. Looking ahead to a post Covid period (we hope) this feels all the more important. A real opportunity is being missed.

We are where we are. The StQW Forum strongly supports the idea of work being swiftly resumed on a set of basic design parameters for Units 1-14 (leaving aside for the time being the existing offices at the southern end of the street, and North Pole Road). The output from such work could take the form of a RBKC design brief for redevelopment of Units 1-14 or supplementary views from the StQW Forum on the interpretation of StQW policies and how these should be applied to redevelopment proposals for this row of light industrial/warehouse units.

We believe that through a swift consultation process with building owners and local residents, a greater level of consensus could be achieved than at present, on core planning parameters for future redevelopment proposals that are likely to come forward at Units 1-14.

### **RBKC pre-application and contact with the applicants at Unit 10**

Given that incorrect assumptions have been included in many of the objections on the Unit 10 application, and also in the second set of pre-application advice issued in March 2020 by RBKC to the applicants at Unit 10, we would like to clarify briefly this background.

At the request of the applicants, several members of the StQW and SHRA management committees met with Salisbury Jones Planning in January 2020. The note of this meeting prepared by the developer is amongst the planning documents published online. This is not an agreed note, and no other meeting between StQW/SHRA committee members and the applicants has subsequently taken place.

The applicants in January provided the StQW Forum with a copy of the December pre-application advice letter from RBKC on the Unit 10 proposals at that time. This advice indicated that the scheme would not be granted planning consent without changes.

The applicants were invited to present their revised proposals at an open meeting of the StQW Forum held on March 12<sup>th</sup> 2020 at St Helens Church hall. This meeting was notified to all StQW/SHRA members. There were questions, comments and criticisms on the Unit 10 proposals.

The Forum did not see a copy of the second RBKC pre-application advice note until after the application for Unit 10 has been submitted (both sets of pre-application advice were published the RBKC planning file only on July 3<sup>rd</sup>.) We have made clear to RBKC officers that we are not happy with several statements in this second advice letter. In particular we disagree strongly with the RBKC statement *The prototype of four storeys office with a set back two storeys of residential above would be also broadly in line with the StQWNP and the borough's design aspirations for these 14 industrial units at the western boundary. As such it remains the case that the demolition and rebuild would be acceptable.*

This planning assessment, as provided by RBKC planning officers, has never been discussed with the StQW Forum. For reasons detailed below, we do not consider that the current application at Unit 10 is 'broadly in line with the StQW Neighbourhood Plan' and do not see this scheme as an acceptable 'prototype' for the further redevelopment proposals for Units 1-14.

## Grounds for objection to the current application at Unit 10

The Planning Statement from Salisbury Jones Planning, as submitted with the application, refers to the StQW Neighbourhood Plan at page 13 and repeats the 'Objective' for Latimer Road from the Plan (this reads **Objective 8 To regenerate Latimer Road as a successful mixed use street, combining commercial and housing use, keeping buildings occupied and in active use, and restoring its original street form**).

While this Planning Statement addresses the detail of relevant policies in the NPPF, the London Plan, and the RBKC Local Plan 2019, it makes no attempt to evaluate and demonstrate compliance with the Neighbourhood Plan's policies for Latimer Road. Policy LR1 is briefly referred to. The remaining StQW policies are not mentioned or addressed.

These are policies specific to the street, which form part of the Borough's statutory development plan. As such they carry as much (and arguably more) material weight in determining applications than the generic Borough-wide policies in the Local Plan.

The primary relevant StQW policy is Policy LR5 as set out below in bold text, with its several sub-sections and the 'reasoned justification' as included in the StQW Neighbourhood Plan. We have then set out the reasons why we consider the application at Unit 10 fails to comply with individual parts of Policy LR5.

**LR5) In order to restore the original urban form of the street, to allow increased building heights on the western side of Latimer Road subject to:**

- i) Consideration of heights of nearby buildings which range from four storey at the southern end to two storey at the northern end, and taking account of building heights in LBHF.**
- ii) Meeting RBKC and national requirements on standards of daylight, sunlight, and visual privacy for occupants of new development and for occupants of existing properties affected by development**
- iii) No harmful increase in the sense of enclosure to existing buildings and spaces and neighbouring gardens**

**Reasoned justification: the current urban form of the street is incoherent and unsatisfactory, with Victorian housing on the east site higher than light industrial/warehouse units on the west. For sections of Latimer Road, development across the borough boundary in LBHF is eliminating the previous open skylines to the west. A limited increase in building heights on the western side is needed to incentivise redevelopment of existing buildings and to encourage additional housing into the street. Policy LR5 is calibrated to protect residents on the eastern side of Latimer Road (and in Eynham Road in LBHF) from excessive increases in building heights while achieving sufficient financial viability for redevelopment of Units 1-14.**

The wording of StQW Policy LR5 was discussed and voted on at an open meeting of the Forum on February 5<sup>th</sup> 2015. This and previous meetings had considered the sensitive issue of future building heights in Latimer Road, reviewing slides of existing buildings including the Morelli building with its distinctive recording studio at the top of the building. At one stage a maximum building height of 14m was discussed as a possible StQW policy. The final wording of LR5 was included on the basis that an independent examiner of the draft neighbourhood plan would find a 14m height limit to be too prescriptive.

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While the StQW policy accepts the need for increased building heights on the western side of the street, and recognises the need for viability if sustainable development is to take place, we interpret the 'urban form' of the street as one which achieves an acceptable human scale recognisable as an inner London street within a mixed use commercial/residential part of the neighbourhood. The introduction of a full width 6 storey building at the location of Unit 10 cannot, in our view, sensibly be said to comply with StQW LR5.

- ii) Meeting RBKC and national requirements on standards of daylight, sunlight, and visual privacy for occupants of new development and for occupants of existing properties affected by development.**

We are not satisfied that the daylight and sunlight study submitted as part of the application meets national requirements (in terms of commonly accepted BRE standards) or RBKC Policy CL5 on Living Conditions. We note the many other objections that have cited this ground for refusal and that objectors have sought advice on Rights of Light.

Our own assessment on daylight/sunlight (attached) shows that windows in the houses on all floors on the east side of Latimer Road will suffer harmful effects, using the rule of thumb BRE guideline of a 25 degree angle causing no harm. The consented scheme at Unit 1 Latimer Road kept within 30 degrees (by our calculations).

Nor do we consider that the proposed scheme meets requirements for ensuring privacy for neighbouring buildings (RBKC Policy CL5c and StQW Policy LR5ii). Many objections from residents have drawn attention to this.

***StQW Policy LR5 iii) No harmful increase in the sense of enclosure to existing buildings and spaces and neighbouring gardens***

Given the overbearing massing and height of the proposed building at Unit 10, we consider the proposals to cause significant harm to neighbouring spaces and the street as a whole. We do not understand why pre-application advice has been given to the applicants, stating that RBKC wishes to see future redevelopments of Units 1-14 which occupy the full extent of these plots of land, and with party walls, rather than as separate buildings?

Given that these sites and buildings are in multiple ownerships, with redevelopment proposals likely to come forward over several years, any insistence on a 'terraced' set of buildings seems to the StQW Forum to be unwise and likely to lead to party wall issues in the future. In terms of architecture and design, the current office buildings at the southern end of the street are in varied styles, none achieving a very high standard of design.

We do not consider the architecture of the proposed Unit 10 building to achieve a high standard of design, despite the view of planning officers that the design has improved through pre-application advice.

The filling of the entire site to its boundaries on all sides we see as over development. The current external yard spaces at Units 1-14 play an important part in the overall streetscape, in allowing daylight and sunlight into the pavements and the roadway and breaking up building facades.

The sense of enclosure generated by redevelopment of Units 1-14 could be significantly lessened by parts of these sites being left open as at present, using well designed setbacks in coverage of the building plots involved.

**Conclusion**

Consultation with building owners and with residents on a set of core design guidelines for redevelopment of Units 1-14 could, we believe, achieve an outcome that would lead to proposals coming forward that a viable financially for building owners and developers while also minimising harm to residents in the street and the wider neighbourhood.

The StQW Neighbourhood Forum and St Helens Residents Association continue to see great potential in Latimer Road, as a location for commercial users attracted by the prospect of locating alongside small businesses and creative/cultural enterprises (as encouraged by StQW Policy LR3) and in making a significant contribution to the Council's housing targets.

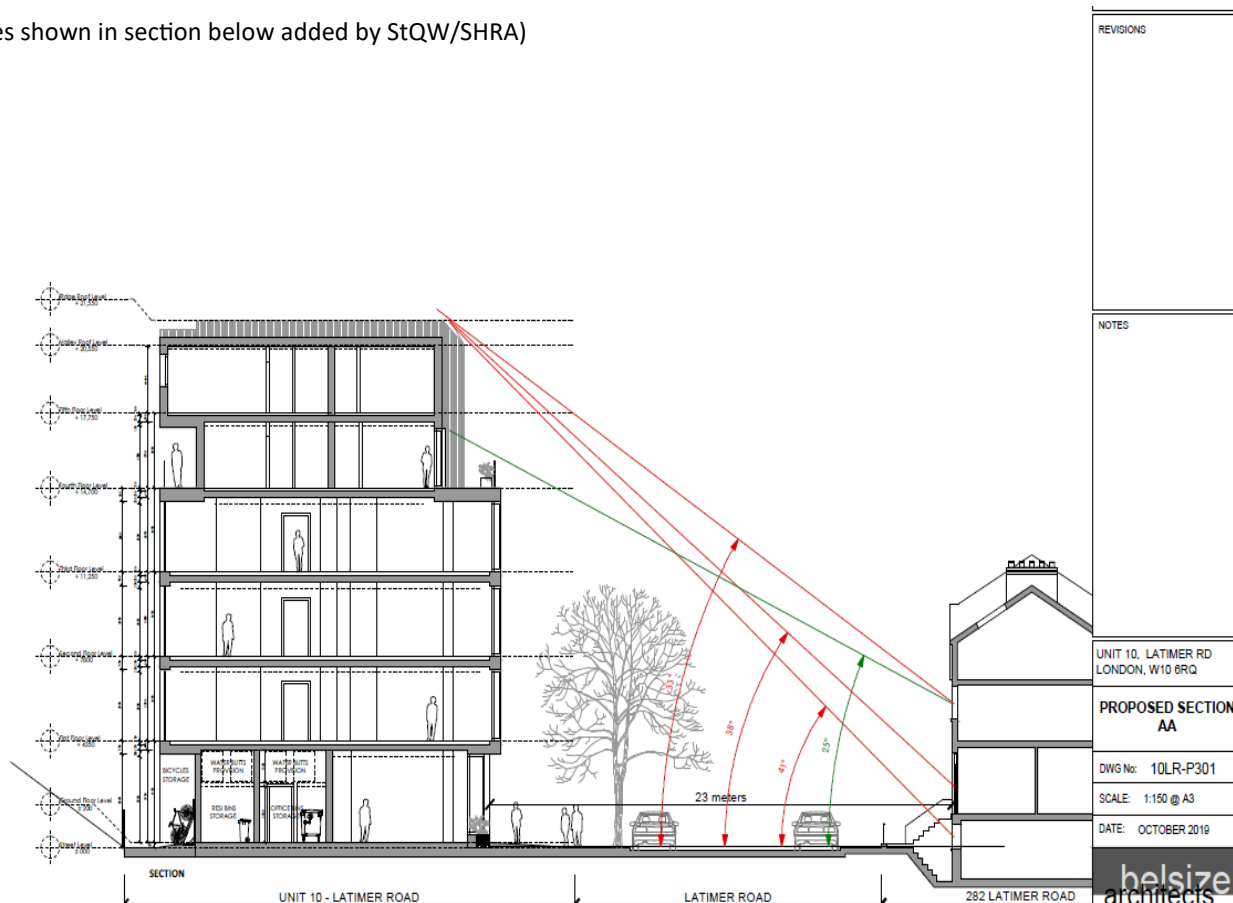
This location could become a very successful example of successful place-making through a combination of policies in the RBKC Local Plan, the StQW Neighbourhood Plan and coupled with a SPD that is drawn up in consultation with all parties involved including building owners and local residents.

We very much hope that it not too late to retrieve a situation in which the StQW Forum and many residents find themselves at odds with a planning department which has given positive encouragement to an application that has not even attempted to demonstrate its compliance with neighbourhood plan policies.

For all the above reasons we ask that that application PP/20/03048 be refused.

Henry Peterson, Chair StQW Neighbourhood Forum and St Helens Residents Association

(Lines shown in section below added by StQW/SHRA)



Building heights on west side of Latimer Road, were planning consent to be granted at Unit 10 and showing the consented 4 storey scheme at Unit 1