



Dear Planning Committee member,

April 27th 2025

**Unit 9, Latimer Industrial Estate, 343 453 Latimer Road, LONDON, W10 6RQ
PP/24/05920 – agenda item for Planning Committee May 1st**

The StQW Neighbourhood Forum is submitting this further representation on application PP/24/05920 because we feel that the published committee report for the May 1st Planning Committee does not include important information which is material to a decision on whether the application should be consented, refused or (as we suggest) deferred for reasons set out at the end of this letter.

Brief background

RBKC development plan policies for Latimer Road consist of those in the 2024 Local Plan coupled with those in the StQW 2018 Neighbourhood Plan (adopted by RBKC following 91% support of 23% of registered voters in the area who voted in a local referendum). Both sets of policies must be taken into account in determining this application.

It was the StQW neighbourhood plan which introduced policies for mixed use in the Employment Zone sections of the Latimer Road. Back in 2015 local residents had become concerned at the lack of re-investment in the 1970s and 1980s commercial buildings in the street. A high level of vacant office floorspace, poor public transport access and lack of any amenities for employees had led to a street that manifestly failed to meet employment objectives, and was providing no sites for new housing.

At the time, ideas of introducing mixed use in the EZ sections of the street were strongly opposed by the then RBKC Director of Planning. The independent examiner of the draft neighbourhood plan took a different view, based on evidence from the Forum at an examination hearing. RBKC has subsequently supported the NP policies. The 2024 Local Plan includes Site Allocation SA9 for Units 1-14, which assumes that a series of individual redevelopments will come forward to create 75 new homes built above commercial floorspace.

Earlier this year the Forum suggested to RBKC planning officers that the Planning Committee would find it helpful for the proposals for Unit 9 Latimer Road to be considered alongside the application from Imperial College to construct the long awaited ped/cycle underpass between the College's Wood Lane campus and the southern end of Latimer Road. This piece of infrastructure (if completed as planned)

has the potential to improve the financial viability of Latimer Road for E1 commercial floorspace as well as for residential development.

At present, viability for any development in the street remains very marginal. This has been evidenced in the past by a series of RBKC studies, and by the slow pace at which development proposals of any form have come forward in the 9 years since the scope for mixed use became possible.

Based on our Forum's long involvement with building owners and potential developers who have considered proposals in the street, **we feel that there are a series of considerations which are not covered in the committee report NO29.** Some of these were covered in our 9 page objection submitted in December 2024. Others are new. **We ask that the committee takes full account of the points below in reaching its decision.**

- a) The only mixed use redevelopment to be implemented to date at Units 1-14 is that at Unit 1. Consented in April 2019 this includes 8 apartments above ground floor commercial space in a 4 storey building. The design includes a simple brick flat façade with industrial 'warehouse' fenestration matching a neighbouring residential rebuild. A second residential rebuild in the same style is nearing completion at 341A in this group towards the southern end of Latimer Road.



- b) A mixed use redevelopment of Unit 10 was granted consent by the Planning Committee on a 3 to 2 vote at its 12 December 2023 meeting. **This scheme has not been implemented.** The existing industrial building is being marketed by Savills at a guide price of £4.5m (with its extant consent) as a 'development opportunity'. We consider the guide price to be excessive (see at [Unit 10 Latimer Road, Notting Hill, London, W10 6RQ | Property for sale | Savills](#)).

c) Unit 10 was envisaged by the developers/applicants for Unit 9 as being an immediate neighbour, and as setting a precedent for building height and massing. **There is now no certainty that Unit 10 will be built in the form consented.**



CGI images of Units 9 and 10 showing the contextual relationship between the two developments

d) In January 2021, the Planning Committee refused application PP/20/05721 at Unit 11 for redevelopment of a four-storey building with a set back 5th floor, comprising B1 at ground and first floor and residential units above. The grounds of refusal were as below:

‘By virtue of its vertical emphasis and largely commercial character the proposed design would be overly dominant and inappropriate for this location. By virtue of their number and difference from the surrounding townscape the proposed materials are unacceptable. As such the proposals would conflict with StQWNP policy LR5, as well as Local Plan policies CL1, CL2 and CL12.

The proposed design creates an unnecessarily overbearing structure which would harmfully increase the sense of enclosure within properties on the street to its east and would conflict with StQWNP policy LR5(vi) as well as Local Plan policy CL5’

We consider that these same grounds for refusal could equally be applied to the proposals for Unit 9 on your agenda for Thursday evening.

e) The applicants at Unit 11 appealed against this RBKC refusal decision, and the Planning Inspector upheld the appeal. Her report of 17 December 2021 included the

comment *‘However, its excessive height in this location would not respond to the vernacular of the buildings opposite, to which it shares a close relationship. **It would appear as an incongruous feature in this context, failing to respond to local distinctiveness and would not harmonise with the characteristics of the local area, thus failing to create a coherent streetscape**’* (our emphasis).

d) in a first set of pre-application advice issued by RBKC on redevelopment proposals for Unit 10 (dated 30/12/2021) RBKC officers commented as below:

‘The Appeal decision for Unit 11 scheme PP/20/05721 dated 17/12/2021 means that four storeys plus set back fifth storey would no longer be acceptable due to the impact on townscape and the sense of enclosure. This overrides the earlier allowance in the Design Code for this height if supported by a light report. As such the proposed preapplication scheme is too high by one storey and proposals should be for a maximum of three above ground storeys plus set back fourth storey, as shown in the Model Plot diagram in the Design Guide’.

e) This pre-application advice was subsequently weakened in a further set of pre-application advice issued in December 2022 (see for details the red text on pages 4/5 of our previous objection letter on Unit 9 - attached).

f) this disparity between two sets of pre-application advice on Unit 10 shows that building height and ‘sense of enclosure’ remain matters on which the RBKC Design Code (and previous RBKC and Inspectorate decisions) are far from clear-cut. Planning officers have previously changed their position on the subject, even in the period subsequent to the Council’s adoption of a detailed Design Code intended to provide prospective developers with clarity.

g) The RBKC Design Code is a SPD and hence ‘policy guidance’ only. StQW Policy LR5 on building heights on the west side of the street **takes precedence**, as a development plan policy which has not been superseded by any specific 2024 Local Plan policy (NPPF para 31). **While StQW LR5 is referred to in the officer report on Unit 9, the policy wording is not set out in full for committee members. It needs to be assessed carefully as a material consideration.** Along with the policy’s ‘justification’ StQW LR5 reads as below (NB roman numerals are an incorrect sequence in the original Plan but have been repeated below for consistency):

‘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:

iv) 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.

v) 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.

vi) 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 clear intention of this policy is that replacement building heights should range downwards from the four storey office buildings at the southern end of the street to the original two storey cottages at the North Pole Road end. When considering the 'planning balance' we argue that **it is this StQW policy LR5 (which carries full development plan weight and is specific to Latimer Road) against which compliance should primarily be assessed.**

h) In terms of the design and architecture of the proposals for Unit 9, we have read the full advice of the RBKC design officer. Parts of this advice are repeated in the committee report (in our view somewhat selectively). We have a different view of the quality of the architecture and design, reflecting discussion at an open meeting of our members held in December 2024 at St Helens Church.

i) we find the architectural style to be wholly out of character with the existing street, both as it is now and as when built in the 19th century. As set out in the Neighbourhood Plan, Latimer Road has always been 'mixed use' combining homes with joinery firms and several commercial laundries. The west side of the street was built as two storey terraces with some 3 storey sections on the eastern side.

j) We challenge the statement in the detailed design comments which reads *The increased sense of enclosure is mitigated by the setting back of the massing at 2nd to 4th floor levels, which allow contextual roof datum to relate to its context on the advent site to the north and on the east side of the street. This is a comfortable relationship that would reinstate the original massing that was on the site before the industrial units were built.* **This statement is inaccurate**, as the light industrial units at 1-14 replaced original 2 storey terraced properties (see below). There was no 'original massing' at the height now proposed.



Looking north up Latimer Road towards North Pole Road

k) On Massing, the committee report concludes at 6.13 *that the proposed building would sit comfortably within the context of the site and would thereby preserve the character and appearance of the townscape and setting of the Oxford Gardens Conservation Areas. As made clear in many of the objections, local residents do not share this view of RBKC officers.* Many find the design to be as ‘incongruous’ and out of character with the neighbourhood, as was the case for the Inspector in assessing and rejecting proposals for Unit 11.

l) we have concerns that the RBKC Design Code, with its prescriptive principles on a *tripartite arrangement of base, middle and top, which is contextual (paragraph 6.35) is leading to designs for redeveloped buildings at Units 1-14 which will never achieve a coherent streetscape.* ‘Contextual’ of what? These design requirements are also leading to comparatively expensive buildings, whereas simpler façade designs such as at Unit 1 are preferred by many in the neighbourhood.

m) The plans and CGIs of the Unit 9 proposals show balconies facing on to Latimer Road at 3rd and 4th floor and a roof terrace on the 5th. Residents living across the street do not consider these to be acceptable (see section 3.5 of the Design Code on Amenity) and object to the harmful impact on privacy, as being contrary to Local Plan Policy CD9C on Living Conditions.

The case for refusal or deferring a decision from the 1st May meeting

We consider that there are sufficient grounds for refusal, based on the Committee’s previous decision on Unit 11 and the Planning Inspector’s report of December 2021.

Alternatively, we suggest that there are good grounds for deferring a decision, for the reasons below:

- The realism of RBKC ambitions in Site Allocation SA9, to see 75 housing units built in this part of the street, is dependent on the existing plots proving financially viable to redevelop. Granting planning consents which prove unviable will not deliver new homes. The last decade does not suggest significant appetite to invest in Latimer Road, from building owners or developers.
- The street has perhaps the most extensive mix of planning constraints of any in the Borough (sections of an Employment Zone border on sections of a Conservation Area, local plan and neighbourhood plan policies apply, along with a detailed design code. These combine to restrict options on building layouts.
- Recognising these constraints, RBKC has removed the Borough-wide requirement for an increase in commercial floorspace in any redevelopments (the 2024 Local Plan introduced policy BC1K, specific to this part of the Freston Latimer EZ).
- In 2023, a change of stance on pre-application advice (see above) opened the way to the consent for a 5 storey redevelopment at Unit 10, contrary (in our view) to StQW policy LR5 and to the strongly expressed views of residents in Latimer and Eynham Roads.
- RBKC Design Code ‘principles’ impact heavily on the amount of ground floor commercial floorspace that can be included in plans for any redevelopment (as a result of requirements for separate access and staircase cores for the residential and commercial parts of the building, along with cycle storage).
- The reduction in the 2019 Local Plan of the floorspace threshold triggering community/affordable housing units from 800sqm to 650sqm constrains the balance of C3 and E1 floorspace in any redevelopment of Units 1-14. Developers are very reluctant to build a 9 or 10 flat scheme with a single community/affordable unit because of the difficulty in finding a RSL willing to take on management. This RBKC policy change has meant that redevelopment of Unit 1 was financially viable (just) whereas viability for redeveloping further units has diminished. The StQW Forum supports the aim of providing affordable housing but recognises that these small plots will not realistically bring forward such units.
- Something has to give in this constrained policy nexus if development is to be incentivised. RBKC officers have chosen to apply a flexible interpretation to policy on building heights, arguably contravening StQW Policy LR5 in doing so. **This is not the policy flexibility that the Forum and local residents would prioritise.**
- We instead argue for flexibility on re-provision of commercial floorspace (while retaining ‘active’ non-residential uses at ground floor level) and on the design code requirements which limit usable commercial floorspace at ground level.

- We believe that discussions between the Planning Department, the owners/developers at Units 9 and 10, and the StQW Forum could come up with revised and viable proposals for both sites at 4 storeys, given willingness to explore some policy flexibility to bring forward viable development. Adjustments to policy could then be consolidated in an updated version of the StQW Neighbourhood Plan.
- A further reason for deferring a decision from May 1st is that Imperial College's two applications for the ped/cycle underpass between Wood Lane and Latimer Road are due to be decided by RBKC and LBHF in the coming weeks/months. A decision on PP/24/05920 at Unit 9 would be better informed by advice from transport officers on the impact of this new connection for future residential and commercial development in a street which lacks connectivity and has become run down in parts.

For all the above reasons, and those set out in our 9 page objection of December 2024, **we ask the committee to consider the options of refusal or of deferring a decision.** The outcome on planning application **PP/24/05920** will have long-term significant implications for the street as a whole, especially when there is now uncertainty over the future of Unit 10.

A decision on this application needs to be made in light of full contextual information. We consider that **significant considerations are missing from the officer report on the agenda** and that these could not easily be addressed by a late supplementary item.

As mentioned at the start of this letter we would have welcomed the Planning Committee having the opportunity at a meeting to consider the Imperial underpass proposals alongside the application for Unit 9, in the light of the marketing of Unit 10. We also think it would have made sense to suspend standing orders and to have allowed for a brief presentation on the 10 year history of the Forum's efforts to bring new sustainable development to Latimer Road. **We are in touch with the owner of Unit 10 and believe there is real scope for a way forward which could maximise prospects for earlier delivery of housing units on both sites than may otherwise be achieved, while reducing the level of objections to the present proposals for Unit 9 (and for the consented scheme at Unit 10).**

I am happy to meet with the Chairman in the days before the committee to expand on any of the above.

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