



THE KENSINGTON SOCIETY

AUTUMN NEWSLETTER 2011

This time last year we expected great changes, a new dawn or as the Conservative Party called it - the Big Society. At that time the words on the tin said that the Big Society would give power to neighbourhood groups and boost social action. We all hoped for greater control of our built environment.

Since then we have seen proposals presented and luckily scrapped. The proposal to allow any building to become a school or any office building to become residential without planning approval or change of use permission, has been shelved, but these may re-appear. The licensing report within this newsletter outlines the Government's proposals which will affect any of us who live near a pub, a café or a hotel.

We are now faced with even more aggressive challenges. Many large organisations have attacked proposed changes to the planning system: the National Trust, the Campaign to Protect Rural England, the Royal Town Planning Institute and many others. Few seem to have focused on the effect these proposals will have on urban life. It is obviously true that planning controls are too complicated and should be improved, but that does not mean they should be scrapped.

The emphasis appears to be only on economic growth. That seems to be the sole criterion for public benefit and the only aim of the altered structure. The Conservative manifesto said "Communities should be given the greatest possible opportunity to have their say and the greatest possible degree of local control". It is not happening. The planning proposal would limit the means for local control; the policy changes dictated by government would override our wishes or needs. A distorted version of sustainable

SAVE THE DATE!

The Annual General Meeting of The Kensington Society will be held on Monday 30 April 2012 in the Great Hall, Kensington Town Hall, Hornton Street, W8 7NX - 6.30pm (wine) for 7.00pm.

The speaker will be Baroness Tanni Grey-Thompson, Britain's best-known and most successful Paralympic athlete, winner of 16 Paralympic medals, six gold medals in the London Marathon and a comprehensive set of British and World Records.



development has kicked aside the original, though vague, slogan of Big Society.

Over 75 concerned residents attended the appeal meeting for the Prince of Wales with over 380 signed petitioners. The Inspector still allowed the pub to change to a private residence. Further, Portobello Road arcades are still under threat. No action has appeared to protect our post offices, small retail units or our pubs. The election manifesto promised the government would "introduce measures to protect wildlife and promote green spaces" however; we are still losing green spaces to development. The manifesto also promised it would "take forward the findings of the Pitt Review to improve our flood defences". We have seen some progress in the installation of residential flood devices by Thames Water, but planners still allow development which covers surfaces and increases the potential for water runoff in areas with limited water/sewer capacity. ▶



The Kensington Society would like to thank Gordon French for allowing us to reproduce his beautiful drawings of the eastern elevation of Kensington Palace. Gordon is the Director of Gallery 19, 19 Kensington Court Place, London W8 5BJ. The original is ink and acrylic on paper.

► The premise behind the Big Society was “a society where the leading force for progress is social responsibility, not state control”. Politicians have not noticed that the Big Society already existed. Volunteering has always been here – just look at this Society. We have been here since 1953 and we will still be here after the dust settles.

Amanda Frame, Chairman

PLANNING REPORT

Operating in an uncertain climate

No sooner have we received approval for a full set of up-to-date development plans – a revised London Plan was formally adopted on 29 July to accompany the Royal Borough’s Core Strategy adopted last December – than the Government has pulled the rug from under our feet.

On 25 July the Government issued a new draft National Planning Policy Framework (NPPF). This 52-page document was meant to provide a condensed version of some 1,000 pages in 25 existing planning policy documents – which might average out at 2 pages per document. Shorter, clearer documents are to be welcomed – but not at the expense of our urban character and long fought for quality.

Most of the hysteria in the media has been about whether this document would involve “concreting over the countryside”. It is true that the document dumps the previous emphasis on reusing previously-developed land and buildings and it does not give much of a clue as to which are the most sustainable locations for development.

But what does it mean for us in Kensington? What has changed? The biggest change is that after having put huge effort into producing the Council’s new plan (Core Strategy), the Government proposes to downgrade its importance. At present the law requires that the Council must determine planning applications in accordance with “the development plan, unless material considerations indicate otherwise”. What this means is that the Council may refuse an application because it is contrary to RBKC’s own Core Strategy, unless good reasons are given for overriding the plan.

The Government now propose to reverse the onus of proof and substantially raise the bar. It will no longer be sufficient to refuse applications that are contrary to policies. Councils will have to prove that the “harm” caused will “significantly and demonstrably” exceed the benefits from the project. The playing field now has a big “tilt” sign – we are just waiting for it to say “game over”!

Apart from being a lawyers’ and consultants’ heaven, any idea that the planning system would be more responsive to what local communities want will disappear. The proposed NPPF is quite deliberately and unashamedly being skewed to favour development. We already have enough development pressure – it can only become worse!

Earl’s Court, White City and Kensal

Some of the largest developments in London are on our horizon. The London Plan identifies 33 Opportunity Areas, where significant amounts of housing and commercial development will be linked to improvements in public transport. Kensington has or is directly affected by three such Opportunity Areas: Earl’s Court/West Kensington, White City and Kensal.

Earl’s Court is the largest and most advanced and is rushing ahead much faster than the Boroughs – RBKC and London Borough of Hammersmith and Fulham (LBHF) and the GLA can handle. The site consists of land owned by LBHF, TfL and Capco, the developers for the site; however the majority is within LBHF. The three authorities produced a draft Supplementary Planning Document (SPD) on which they consulted earlier this year and a second round in due next month. The final version will not be ready before the end of the year.

Meanwhile Capco have produced a master plan, and have recently submitted three applications, the consultation period for which expired on 30 September. There is a mismatch between the issue of SPD and the developer’s timescale.

Capco is designing a scheme based on Ken Livingstone’s London Plan rather than Boris Johnson’s, and is proposing to “maximise” the development on the site, it appears with the support of LBHF, who is happy to see the housing estates redeveloped for very high-density, high-income housing, with the tenants from the estates being crammed onto the coach park for the exhibition centre in Seagrave Road.

Both the density of the scheme and scale of the buildings is immense. Earl’s Court is the most densely developed area in London, yet this scheme puts it in the shade both metaphorically and literally. The only constraints to this juggernaut are transport issues, congestion on both the roads and public transport and the market. The crunch will come next year when the SPD is completed and the two Boroughs and the Mayor have to make a decision – just in time for the Mayoral election.

The **White City** Opportunity Area stretches northwards from Westfield between Wood Lane and the West London Line. There are several aspects of this scheme that will affect Kensington. Firstly, the tall buildings as part of the sites owned by Imperial College north of the Hammersmith and City Line would have a huge impact on the North Kensington skyline.

Second, is the plan to increase the size of Westfield shopping centre by 40%. Plans include 1700 - 2000 new homes, a large department store, a supermarket and multiple new shops and restaurants and a 20 storey ‘wayfarer’ tower. Westfield traffic is already bringing this part of West London to a standstill. The prospect of more traffic is horrific.

Finally, there is the Council-backed scheme for **Kensal**. This scheme is highly dependent on securing a new station

on Crossrail. The Council has offered to put up the funding for the station- over £30 million – but since then the prospect of a further station at Old Oak Common as an interchange with the High Speed rail proposal could prove to be a preferred option. If this happened, Kensal would be a much more modest scheme.

Tesco, West Cromwell Road

Successive schemes for the “Tesco Tower” site have failed and another scheme has come forward. Most previous schemes were almost exclusively housing plus a leisure facility that was required in an earlier phase.

The latest scheme includes, in addition to a large amount of housing and a leisure facility, the doubling of Tesco’s floor space at ground floor level by spreading into the current car park and the current car park spreading downwards to displace one of the few coach and lorry parks in the Borough, one of the original requirements for this site. This contentious scheme is likely to be decided shortly.

Notting Hill Gate

Previous attempts to produce a planning brief for redeveloping Notting Hill Gate came to a halt when the owners failed to agree the future direction for this area. The land on both sides of the road have recently been sold to the William Pears Group who are determined to drive up the value of the estate which they bought for £140m.

They are already refurbishing units and bringing in new tenants and, through the upward-only rents regime, seeking to raise the rental levels. This is likely to push out some of the long-term tenants, such as WH Smith, Tylers and possibly the Coronet Cinema. This could free up the area for a major redevelopment of the 1960s former LCC road-widening scheme.

But there are other pressures. The Pears Group sold Newcombe House, the tall office block near the station to Development Securities, for £52m at a very low yield, which suggests that somebody considers that it has huge potential for redevelopment.

Natural History Museum

There has been a running battle for several years about the number, scale, lack of design quality and duration of “events” held on the gardens in front of the Natural History Museum, especially the East Lawn. The Council has been trying to draw up guidance for some time, but the Society and local amenity groups in South Kensington were very disappointed by the first draft on which we commented last December.

Nearly a year on, we still do not have the next draft. Whilst recognising the Museum’s desire to raise money, our concerns are the loss of the green lawns, the impact on the local community and the duration and scale of events. We are still waiting to see the final draft.

Commonwealth Institute/Design Museum

The Commonwealth Institute appears to have gone quiet following rumours that a storey might be lopped off the three housing blocks. Now the Design Museum, which may occupy the iconic, listed Commonwealth Institute building, wants to change the conditions on evening use of the building applied at the time of approval. Not only do they want to extend the hours of operation of the restaurant to 11.30pm, they also want to hold large corporate events 61 times a year which would involve up to a thousand at a time staying on until 1am and 12 events until midnight and 48 events until 11pm for 350 to 750 people. This is not what was originally proposed.

South Kensington Station

Transport for London is trying yet again to revive their proposal for this site. It wants to develop over the station “as a way of delivering improvements to the station”. It suggests that the scheme is a “modest development” to fund improvements to relieve congestion by enlarging the ticket hall and providing new stairs and a lift to the District and Circle Line, but step-free access will not be provided to the Piccadilly Line. The Society previously objected to the massing and design of the development. This does not appear to have changed from the last proposal.

Prince of Wales Public House

The Society objected strongly to the proposed conversion of this pub to two flats. The Norland area has lost six pubs in the last decade or so and this closure (which took place on 1 July) means the loss of another. Together with the local community we persuaded the Council to refuse consent and the appeal was held in August.

Feelings were so strong that over 75 residents attended to tell the Inspector why they valued this pub as the centre of the community. Unfortunately the Inspector sided with the appellant, largely because the Core Strategy underestimated the loss of pubs across the Borough over the last decade and how the policy describes easy access (more than one drinking place within 800m – who walks that far to their local?). The appellant’s success will lead to further losses. We are demanding a review of this policy.

Bottom Line

We live in exciting/dangerous times – the Government is determined to drive through developments and change the angle of the playing field to do it. The new policy is about much more than concerns about building in the countryside, but reducing the Council’s scope for refusing developments that are not in line with our own development plan and our own needs and desires.

We now face a bigger onslaught of development than we have ever experienced and we shall have fewer tools and resources to defend ourselves. It is time to put this message across to our politicians.

Michael Bach, Chairman of Planning

LICENSING

Licensing new alert

The Department for Culture, Media and Sport has issued a consultation document proposing to deregulate live and recorded music, dance, plays, films and indoor sports for audiences of 5000 or less.

As proposed, an establishment, such as a pub, a hotel or any such venue, would be able to host the performance of live music and/or play recorded music for 24/7 without needing to secure a licence from the local authority, thus removing the opportunity to impose sensible conditions (such as prohibitions against certain decibel levels being exceeded, sound proofing of venues, restrictions on hours of performance/playing) which are designed to protect the amenity for local residents.

It is not clear as to the extent to which an alcohol licence could still be used to impose sensible conditions in relation to regulated entertainment. The Society will comment and hope if you are concerned, that you take the time to respond to the consultation. The closing date for responses

is **3 December, 2011** and can be found on the weblink: www.culture.gov.uk and follow the link to Consultation on proposal to examine the deregulation of Schedule One of Licensing Act 2003.

Anthony Lee, Licensing

MEMBERSHIP

Martin Frame is the new Membership Secretary. Angela Darwin, after 15 years as the Membership Secretary, has resigned. Her dedication to the members throughout all those years will be missed by all. The annual individual subscription of £15 is due on the 1 January 2012. Those of you paying by cheque are asked to make cheques payable to The Kensington Society and to post them to Martin Frame, The Kensington Society, 23 St James's Gardens, London W11 4RE.

If you are not receiving email alerts, please send him your email address to martinframe@bauencorp.com. If you would like to update your membership details or to introduce a new member, please contact him for a Membership Form by email or write to the above address.

If you would like to contact Amanda Frame, please email her at chairman@kensingtonsociety.com or write to the above address. Thank you for your support.

MEMBERSHIP FORM

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If you have any queries please email:
martinframe@bauencorp.com. Thank you.