

AUTUMN 2012 NEWSLETTER

CHAIRMAN'S NOTES

2012 has been notable for a governmental onslaught on the planning process, unfortunately not in one coherent form which would have been welcomed by many of us, but often obscurely tucked away within other, seemingly irrelevant, legislation. The Enterprise and Regulatory Reform Bill scarcely seems likely to contain any revolutionary ideas on planning but Schedule 16 contains a series of proposals including the idea of Heritage Partnerships: these would allow a landowner to enter into an agreement with a Local Authority, giving them a greater degree of freedom to alter listed buildings without the need for consent. Having given a paper on this topic in Cambridge nearly 15 years ago, I welcomed the fact that it is at last a reality but was horrified to see that there is no provision for consultation with local amenity societies or other organisations before the agreement is reached. During the last year, RBKC has launched a series of consultations and is now promoting greater transparency, not least with the regular Newsletter to which you can sign up at planningbulletin@rbkc.gov.uk

You will find more detailed reports on some of the consultations in this Newsletter and we welcome any comments you have on the topics raised in 'RBKC Planning Direct'. We want to be sure that we are reflecting your views in our participation in the consultations.

One major initiative is the review of conservation policies which will be followed by the review of the Conservation Areas. This is something for which we have been pushing for some time and we are pleased to see that it is now underway. We are suggesting that, as part of this process, the RBKC consider starting notes on locally listed buildings. Do read about this on pages

3-4 and let us know your views, by email, essaw8@gmail.com, or by sending me a letter.

You will notice that all these consultation procedures take a long time and that there are many steps to complete to ensure that the outcomes are robust and not open to challenge. It can be frustrating and demanding on your committee's time but it is an essential part of trying to keep our Local Plan, as we are now required to call it, fully up to date.

On our part we have started the new Business Membership and have prepared fliers to distribute to anyone interested. There are more details inside and if you know of a local business which you consider would be interested in membership, please do let Andrew Colville know through essaw8@gmail.com or c/o 4 Iverna Gardens W8 6TN

Success for ESSA very often results in getting an application modified rather than refused so that both the applicant and the community can achieve an acceptable solution. Let us know if you have any particular concerns so that we can take them into account in the various new initiatives.

2013 AGM

★ A very important note for your diary!

The ESSA AGM will be held on **Tuesday 21st May 2013** at Leighton House and our guest speaker giving the annual address will be **Deyan Sudjic**, the Director of the Design Museum. **Please do put it in your diary.**

CONSERVATION AND DESIGN

We have been talking to the planners for some time now about a possible review of the ESSA conservation area. At last they are ready to listen, not least because the National Planning Policy Framework (NPPF), which came into force in March this year, states that if the Local Plan – the new name for what we used to call the Local Development Framework – is not up to date, it can be challenged by an applicant for planning consent and the Policies might not be relied upon. While our Local Plan which was adopted in December 2010 is up to date, some of the Policies related to it were 'saved Policies' from the earlier UDP and there is concern that these may not be sufficiently current and could therefore be challenged at Appeal.

The Conservation Area Policy Statements (CAPS) are significantly out of date: they include some very old legislation and in some cases there have been physical changes which alter the character of the area, resulting in the necessity to review the significance of the various elements and whether the existing level of protection is appropriate.

The Norland Society has carried out an exhaustive analysis of all the properties in their area to set up a range of Article 4 directions. This is one way of providing greater protection but, unless there is considerable uniformity over the issues to be protected, this is a very laborious process. Another means of achieving greater protection is by designating buildings within the area as 'making a positive contribution to the character and/or appearance of the area', either neutral or negative. Another alternative is local listing whereby a list is drawn up by the Local Authority, often based on recommendations from local individuals or associations. This does not offer the level of protection given by national listing but, under the NPPF, it does mean that a building is considered to be a heritage asset and, where the significance is properly identified, the Planning Authority is obliged to take account of any damage in granting planning consent for the building or nearby buildings.

We need your views on this and would be very grateful if you could complete the questionnaire on page 8 and return it to essaw8@gmail.com or to **A.Walker at 4 Iverna Gardens W8 6TN.**

GOLD STANDARD

When the RBKC first announced the Gold Standard for Local Residents and Amenity Societies we felt somewhat cautious. We feared that our role in providing an independent critique on how the Council deals with all the issues in our area might be compromised. Our view has mellowed and we recognise that there is more opportunity to influence developments ahead of any decision rather than following on behind. Our 'grit of sand' may enable the RBKC oyster to produce a pearl.



REPRESENTATIONS ON BASEMENTS

This topic has been a thorn in the side of many of our members for a long time and the RBKC has promised a review of the SPD which started in April this year. It soon became clear that the original time scale, based on having a revised document for discussion towards the end of this year, was very optimistic. As you will already be aware the Council has invited comments from local residents living near basement developments, and local amenity groups have also been invited to submit comments. The overall result is that the Council now intends to publish the policies to be taken to the Secretary of State in March next year for consultation. The consultation will end by May and will be submitted, with necessary amendments, to the Planning Inspector in June. Adoption of any new measures is anticipated in November 2013.



Despite the contractors assertions lorries block the road outside this subterranean development sometimes for a whole day

PUBLIC INVOLVEMENT IN PLANNING

Involving local amenity groups and the residents they represent in planning would seem to be at the core of the much proclaimed 'localism' which the coalition is promoting. However the workshop which was part of the consultation on this topic quickly made it clear that the discussion was about ways in which the planning department would tell residents about planning matters and do it as cheaply as possible. Involving the public should mean much more than just letting them know what is going on although that in itself is a very important part of the process. We argued that involvement means bringing the public and residents' amenity groups into discussions of policy at the earliest stage so that we all understand our mutual concerns and the constraints of legislation. The next stage of consultation is due early next year with a view to adopting policy in March 2013.

MANSION BLOCK GROUP

We are pleased to report that we now have eleven mansion blocks represented in this group. Our recent meeting on 17 October covered general ESSA conservation issues, together with a number of other matters relevant to our buildings. Among these were insurance issues and costs, the pros and cons of different contractors and suppliers, and the benefits of independent versus communal central heating and hot water systems. We also compared service charges and reserve/maintenance charges between the various blocks and discussed the fees and salaries charged by the various professions related to our buildings. The general discussions and the exchange of ideas and experiences are of significant benefit and the sharing of information between the various blocks is extremely useful. It is also helpful in sharing ways to reduce our general costs.

If any other mansion blocks wish to join this group then please do contact Julian Childs at:
julian.childs@talk21.com

BUSINESS MEMBERSHIP

You may remember that we had our first two members of the Business Group in the last edition of the Newsletter. We felt that the initial interest justified preparing two fliers, the first to tell prospective business members about ESSA and the Business membership, and the second for distribution by interested parties to raise awareness of ESSA. These are now ready for distribution and we are starting on the campaign to widen the Business Membership.

We believe that local small businesses are an essential part of our community and often provide

valuable amenities for us all. Unfortunately the pressures of housing values often make it difficult to sustain commercial use. ESSA has successfully objected to several applications which would have resulted in a loss of this type of accommodation and we have welcomed the RBKC proposals to provide greater protection to some of these.

If you have any suggestions as to particular local businesses which you think might want to become members we will provide you with copies of the fliers to distribute.

IMPROVING CONSULTATION ON LISTED BUILDING CONSENTS

One might have thought that the month of August, with the usual exodus for the summer holidays augmented this year by the Olympic Games, was not the time to launch a consultation on a very important aspect of our historic environment: the Protection of Listed Buildings. The government however thought otherwise and, in late July, quietly published a document on Improving Listed Building Consents with a requirement for responses to be returned within four weeks, including asking for Local Planning Authority responses to include statistics to justify the need for improvement! There were some good proposals mixed in with some very bad ones, including allowing applicants to appoint their own 'independent' heritage assessor to deal with their application!

We are pleased to see that Government has now declared that this proposal will not be allowed so perhaps it was just a stalking horse for other changes. The timescale justifiably raised howls of protest and a large number of responses, particularly from Planning

Authorities. We worked with the Kensington Society to produce the draft document which constituted their response. Our planners deserve credit for producing an excellent and robust response to the proposals, welcoming some and rejecting others with good, well reasoned responses. We now await government action.



St Sarkis Iverna Gardens Listed grade II

PUBLIC HOUSES

Consultation started at the beginning of the year, focusing on the loss of public houses in the Borough. When the LDF was drawn up it was recognised that public houses are an important element in creating and maintaining local identity within our communities but at that time so few had been lost that it was felt that there was no need for any special protection. Over the last few years however the rate of loss has increased dramatically, due in principle to the substantial increase in value to the building owners with change of use to residential. It was clear at the first Workshop that concern among local groups

was not restricted to the loss of public houses but also applied to other services and amenities which help to create the environment which we all value. The proposals emerged as having a wider application and the final result which the Council intends to submit to the Secretary of State was published in September. This contained a proposal for a clause which would resist 'change of use' for any building where the current use contributes to the character of the surrounding area and to its sense of place. A further clause would specifically protect public houses and other drinking establishments but has been extended to include restaurants, cafes and financial and other services outside the town centres. There is some final tweaking to be done but we consider that this has been a successful exercise which now has to go to a Planning Inspector. It is anticipated that he/she will conduct an examination in public in February next year, possibly leading to the adoption of new policies at the beginning of 2014. In the meantime we must remain alert concerning any more threats to local amenities.



Kensington Arms - Local Public House - one of the losses

PLANNING REPORT - BT PAYPHONE

The advertising company JCDecaux has submitted 42 applications on behalf of BT for 42 new BT Payphones in the Borough, four of them along Kensington High Street. Why should JCDecaux do this? Take a look at what is to be provided: large slabs, nearly three metres high and just under one and a half metres wide, with a telephone and equipment taking up a small proportion of one side, a small canopy above and, guess what on the other side: an illuminated rolling advertisement display. These are substantially larger than the existing telephone kiosks. They will be very visually intrusive, clutter the pavements, restrict the movement of pedestrians and, being located close to the curb, reduce visibility between pedestrians and car drivers. We consider that this is detrimental to our environment and, what is possibly worse, a health and safety hazard. Many of the amenity societies including ESSA have registered strong objections. Thank you to all our members who have registered individual objections or supported the ESSA one.



Actual image size: Backboard is 2.75m (h) x 1.36m (wide)

BT BROADBAND

The need for faster broadband does present some difficult decisions. Although Virgin appears to provide their service without the need for large cabinets, BT are quite adamant that a whole new generation of bigger cabinets will be required in addition to the existing ones. We and a number of other amenity societies have been looking at the 150 or more applications in some detail and, where possible, suggested alternative locations to minimise the impact both visually and physically.

In view of the alerts about a company who was interested in renting out the backs of these cabinets for advertising, we have asked that where consent is granted for a cabinet there should be a condition preventing it's use for advertising. It is also vital that any redundant cabinets be removed.

2 ABINGDON VILLAS

The steady stream of planning applications for subterranean development continues. Many do take note of the requirements of the SPD but the most common cause for concern is the means of construction and the traffic management plan. All too often these are dealt with on condition that a traffic management plan will be agreed with the Highways Department; they however are not generally concerned with the quality of the environment. Much of our time is now spent trying to ensure that comprehensive controls are put in place.

The application for No. 2 Abingdon Villas showed a compound in Marloes Road and a standing place for a grab-lorry to remove the spoil with the comment that it would not stand there for more than 20 minutes. We leave it to your imagination what a lorry standing in Marloes Road for twenty minutes would do to the traffic flow in our area and to drivers' tempers! We objected and many neighbours joined us and the proposal was amended so that a similar arrangement was proposed in Abingdon Villas. This was done at the last minute and no drawing showing the impact was provided. The officer's report recommended approval with a condition that the applicants would carry out the work strictly in accordance with the consent which would have made it more or less impossible to modify the arrangement. We asked to speak at the meeting and were refused consent. Because we were seriously concerned about the safety of pedestrians and vehicles we emailed all the committee setting out these concerns and we have been advised that the application has been withdrawn and a new traffic plan will be submitted.

We did not oppose the application in principle but worked, successfully, to protect a tree at the front and to seek the least disruptive and safest means for the construction.

ODEON

Consent was granted nearly five years ago for the redevelopment of the Odeon site. This was a great disappointment to many of us and when the landowners sought a renewal of the consent many residents hoped that might mean a change of heart. The difficulty for any Planning Authority is that unless the circumstances have changed for example new planning policy has been adopted there are no grounds to refuse a development which has been previously approved. One particular aspect we considered had changed and that related to the magnificent trees at the front which the arboriculturalist had called some of the best in the Borough. At the time that the original consent was granted the loss of the trees opposite on the Commonwealth Institute site was not a fact and we considered that this was sufficient to justify an objection which we lodged. In the event as we expected the consent was renewed although at the time of writing the 106 agreement has not been signed.

DOGS: FAIR OR FOUL...

Residents may have noticed that the Council has recently tried to raise awareness about issues concerning dog fouling, using temporary signs. ESSA and other amenity groups have been asking the Council for greater clarity that it is mandatory for dog owners to dispose of the plastic bags that are often left littering the streets or, worse still, crushed beneath car tyres. ***Dog waste is supposed to not only to be put in a bag but to be taken home or binned.***

We have also urged the council to extend the Dog Control Order to include all areas to which the public have access, including the carriageway. When we make use of the main roadway, either to cross or to get access to a vehicle, we often have to squeeze between parked cars with little opportunity to see quite what we are stepping on. People do not walk exclusively on the footway, and especially at night, there is a high probability of treading on the faeces.

Under the Clean Neighbourhoods and Environment Act 2005, it is an offence if a dog owner fails to clean up after their dog, involving a fine of up to £1,000.

So fasten the plastic securely bag before disposing of it in the nearest bin, or taking it home with you. To report an incidence of dog fouling, contact Street line on **020 7361 3001** or by email: streetline@rbkc.gov.uk or by letter to **Waste Management, Culture and Leisure at The Council Offices, 37 Pembroke Road, WE PAW.**

The Head of Waste and Street Enforcement is Kathy May, whose role includes overseeing teams of Contracts and Enforcement Officers and ensuring 'proper use of the public realm (for example in terms of highways obstructions, littering and dog fouling)', which is one of her 'key accountabilities'.

Tel: **020 7361 5616** E-mail: kathy.may@rbkc.gov.uk

On a slightly different note, residents have also complained about piles of household rubbish and bin bags being left on the pavements for hours before being removed by the refuse collectors. Kathy May explained that when rubbish is collected, it gets taken out from basements and piled in the street, while the truck follows behind. If the truck gets full, it has to turn back to empty, but the men have to keep going which can cause a time lapse between the rubbish being put on the street and subsequently picked up by the truck. If the lapse is more than an hour, do call or email Kathy. May@rbkc.gov.uk

There is a specific officer assigned to each ward. Our ward officer for waste, whom we may contact in the first instance is Demetrius Antoniadis, at demetris.antoniadis@rbkc.gov.uk Telephone: **020 7361300**

Many people have complained about the lack of bins on the streets, but we won't be getting new ones, as they are considered to attract rubbish, especially dumping!

PRONTAPRINT

We welcome our latest Business Member Prontaprint 39 Earls Court Road. Prontaprint are our regular printers and have printed this Newsletter.



WE REALLY NEED YOUR VIEWS

Please read and print out the following page 8, fill in the three boxes, it will only take a few minutes - and return it to the address below:

Anthony Walker
4 Iverna Gardens
W8 6TN



Edwardes Square Scarsdale and Abingdon CONSERVATION AREA REVIEW

The current Conservation Area Proposals are substantially out of date. They include legislation which is no longer in existence and the area has changed, as have some of the interests. Over the period of its existence there have been several significant alterations to the boundaries and it is appropriate to review the current situation.

The Council has recognised the need for a review and has started by reviewing the basic conservation policies. and will then seek a mechanism for reviewing the Conservation Area Appraisals. This is important because the National Planning Policy Framework, which came into effect in March this year, stipulates that if policy documents are not up to date they can be ignored and planning consents should be granted. Several government initiatives to simplify the listed building system are currently underway, with new approaches being brought in through several different forms of legislation. Some of this is good but all of it requires our conservation assessments to be robust and up to date.

One of the questions that will need to be addressed is the way in which we should protect those buildings which help to create the character of the conservation area. There are three basic mechanisms available as follows.

- 1** Article 4 Directions. These allow the planning authority to remove certain permitted development rights. This could provide better control of alterations to doors or windows and restrict paintwork to an agreed range of colours and/or other similar changes. The Norland Society believes this to be useful to them and they have carried out a very detailed review of their area. It can certainly work well in places such as Bath or Edinburgh where the consistency of the terraces makes alterations potentially very damaging and where a simple list of items can be created. You can find out more about the Norland initiative on their website www.norlandconservationsociety.co.uk/
- 2** Within conservation areas there is a mechanism for buildings to be designated as making a positive, a neutral or a neative contribution to the character and appearance of the conservation area. There is usually a presumption in the Conservation Area Appraisal that only neutral or negative buildings can be demolished or substantially changed. This is a more flexible approach which enables account to be taken of the different conditions between say the garden squares and the mansions blocks in our area.
- 3** Local listing of buildings can apply within and outside conservation areas. They are intended to reflect local interests and could for example take particular note of artists' studios or mews areas. They do not provide any additional protection but, under the NPPF, once they are designated by the Planning Authority as being of interest, any harm to the buildings or their setting arising from a planning application has to be taken into account. This fits very comfortably with the notion of localism and provides a very flexible option which has to be supported by a robust analysis of the buildings.

In order to inform our approach this issue we would be grateful if you could fill in the boxes below and return it to the address below. I am sorry but it does need an envelope and a stamp! Please score the following by ticking the appropriate box to show your first, second and third preference:

	1	2	3
Article 4 directions to restrict some forms of alteration			
Designation as making a positive, neutral or negative contribution			
Locally listed buildings			

If you want to know any more about any of these options please do contact Anthony Walker at essaw8@gmail.com by telephone **020 7937 3322** or send your comments to **4 Iverna Gardens W8 6TN**

CROSSWORD

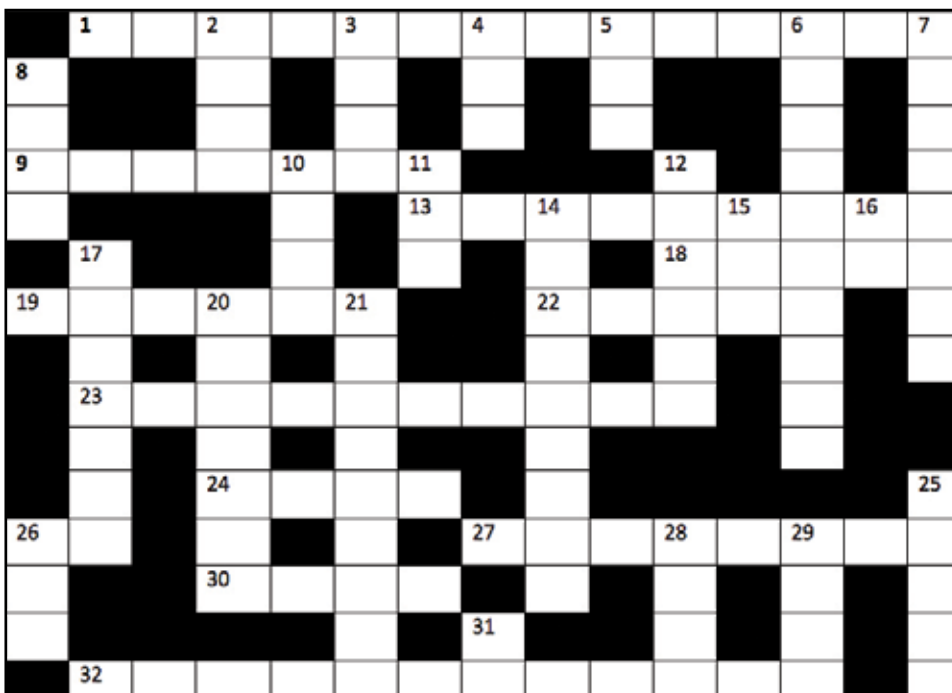
Maha Sarkis our membership secretary has been instrumental in producing our first crossword based broadly on our area. **Robersons** one of our first business members have kindly offered a prize for a completed version or the one nearest to completion. In the event of a tie there will be a draw. Please return your entries by **19th December 2012** either by email to essaw8@gmail.com or to **The Membership Secretary c/o 4 Iverna Gardens London W8 6TN**

ACROSS

1. On the building site, this main man recruits, teams up and drives the trades (4,10)
9. Horticultural helper, she's elected by residents in Abingdon Ward (7)
13. If you have a listed building, you don't pay vat for approved alterations until the end of this month in 2015.
r: The season of mists and mellow fruitfulness starts this month (9)
18. A geeky person obsessed with something, usually computers. U.S. spelling (5)
19. Marked as structure of special historic interest, heedless development forbidden! (6)
22. You can't build higher than the highest one if you're doing only permitted development (5)
23. My professional instructed to examine my prospective new abode (2,8)
24. Standard Conditions for Special Treatment Licences require floor covering not to do this as would be uneven flooring (4)
26. You need a document providing this to fly abroad (2)
27. Covering one material with another, protects against the elements or gives an eco-look (8)
30. Slim to smarten edges (4)
32. A shuddering development, shakes the neighbours from below (12)

DOWN

2. Integrated project delivery document (4)
3. Commission for Architecture and the Built Environment (4)
4. One runs like Husain, this one grips (3)
5. Vermin of choice for London, you're never far from one (3)
6. Try it on something forbidden by the planning department (3,1,6)
7. Wine merchant business member of ESSA (8)
8. This 70% recycled cooker may increase the value of your house (3)
10. Sign representing duration and pitch (4)
11. Can't build modern without one (3)
12. Was cement or stucco but now a whole house can result if you use a 3d printer (6)
14. Neighbours need an agreement about this or it could become the opposite of a convivial gathering (5,4)
15. If you have thirsty builders you'll need more than one (3)
16. Ours goes incognito (2)
17. ESSA's nearest park just celebrated this anniversary (7)
20. To behave like a peacock or a roof timber connecting to the rafter (2, 4)
21. The Article 4 one prevents a development free- for all
25. It acts on behalf of another, like the one at 13 Stratford Road (5)
26. In atomic terms, a sandwich short of a picnic, or vice versa (3)
28. Dreadful (4)
29. This was first cast in China in 550 BC but hardly used in Europe until the medieval period, and especially popularized in 1851 in the Crystal Palace (4)
31. The Tax Man was known this way, until April 2005 (2)



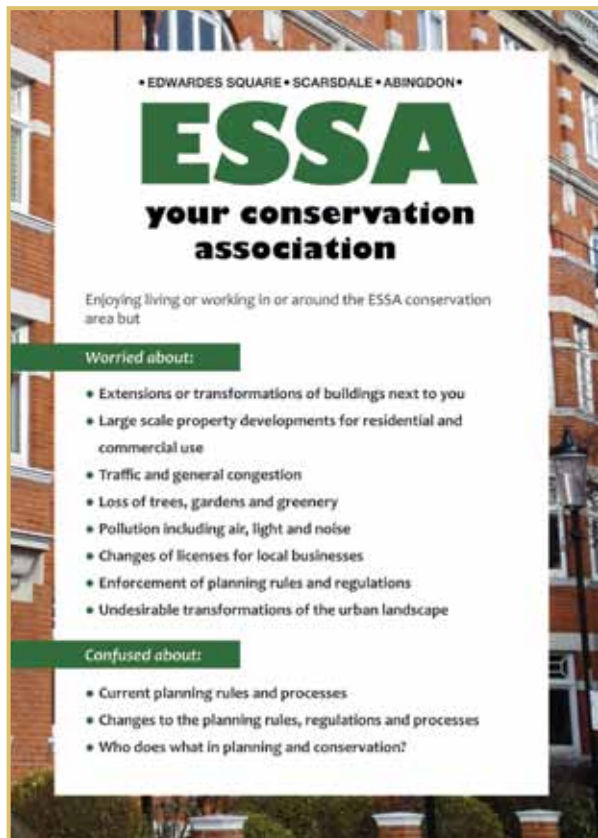
★ Prize from Robersons:

Delicious, red fruit-flavoured fizz from a legendary house. Supremely quaffable and likely to arouse romantic notions in even the hardest of hearts.

This time we have handed the design and layout of the Newsletter to **Laure Design** who have also designed two fliers the covers of which are reproduced below:

info@lauredesign.com

<http://www.lauredesign.com>



ABINGDON DIAMOND JUBILEE STREET PARTY

Looking for ideas for Christmas or just want to support our local traders? Come along on 4th December 5-8pm for what has become the must be there event of the Winter. Buy presents, enjoy the fun or just have a free drink.



The Abingdon Diamond Jubilee Street Party, organised by ESSA members Jenny Botsford and Christina Munday, raised almost £10,000 for The Diamond Jubilee Trust



ESSA ANNUAL MEMBERSHIP RENEWAL

Dear ESSA member,

We appreciate your membership and interest in ESSA, and we hope to serve you well. If you have not renewed your membership this year or would like to recruit a new member please use this form.

- Here's my cheque for £10 for standard family membership for 2012
- Here's my cheque for £5 for senior citizen membership for 2012
- Please change me to a direct debit payer – the form is on the other side
-(enter name here)
is no longer a member, please remove this from the list

DONATION: £.....

Name.....

Address.....

Post Code..... Email.....

I confirm that I am a UK taxpayer as stated and therefore eligible for you to apply Gift Aid.

Signature:

Thanks for your help,

Stuart Brown

Stuart Brown
Treasurer and Membership
8 Pembroke Road, London W8 6NT
stupbrown@btopenworld.com
Edwardes Square Scarsdale & Abingdon Association

• EDWARDES SQUARE • SCARSDALE • ABINGDON •



A charity registered in England and Wales (262019 charity number)



CONTACT US

www.guidestar.org.uk "ESSA"

E-mail: essaw8@gmail.com

CHAIRMAN

Anthony Walker 4 Iverna Gardens London W8 6TN

HON SECRETARY

Mrs Suzy Anderson 8 Phillimore Terrace, W8 6BJ

TREASURER AND MEMBERSHIP

Stuart Brown 8 Pembroke Road London W8 6NT

MEMBERSHIP SECRETARY

Maha Sarkis c/o 4 Iverna Gardens W8 6TN

GETTING MORE FOR YOUR MONEY

★ Remember if you let us have an email address you not only save ESSA money on postage but you will also get more information including updates on the latest issues in our area.

• EDWARDES SQUARE • SCARSDALE • ABINGDON •



A charity registered in England and Wales (262019 charity number)

ESSA BUSINESS MEMBER STANDING AUTHORITY

Note to Bank: please replace all prior ESSA standing orders with this one

Your Bank:.....

Branch:.....

Sort Code:.....

PLEASE PAY AS FOLLOWS:

Bank:	Branch Title:	Sort Code:
National Westminster	55 Kensington High Street, W8	50-30-10
Beneficiary's Name:	Account Number:	
Amount:	Amount in words:	Quoting Reference:
£5 (OAP)/10 (Family) Pounds Sterling	ESSA
Commencing date:	And thereafter every:	Frequency:
	2nd January	Annually

Account to be debited:

Name of Account:	Account Number:

Signature:.....

Name:.....

Date:.....

S. Brown, Treasurer, 8 Pembroke Road, London W8 6NT. stubrown@btopenworld.com



CONTACT US

www.guidestar.org.uk "ESSA"

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