

The Chairperson
Public Realm Scrutiny Committee
Royal Borough of Kensington and Chelsea

Francis O'Connor
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4th May 2011

Re: Kensington Academy and Leisure Centre SPD Key Decision

Dear Cllr Gardner,

I am writing on behalf of a coalition of local community groups - Lancater West Estate Management Board, Lancaster West Residents Association, Grenfell Tower Leaseholders Association and The Grenfell Action Group – to appeal to you, as Chair of the Public Realm Scrutiny Committee, to call-in for scrutiny the Kensington Academy And Leisure Centre Supplementary Planning Document Key Decision currently before your members for comment.

Because only a select few local 'stakeholder' groups were invited to participate, the Lancaster West community was effectively excluded from the decisive stages of the Core Strategy consultation, and most particularly from the consultation on the Strategic Sites document, which determined the site allocation for the Kensington Academy and Leisure Centre development.

For this and other reasons, the 'Kensington Sport Centre' chapter of the 'Strategic Sites' document misrepresented the nature and composition of the site by failing to acknowledge that a significant proportion of it is comprised of public open space/green space, including the Royal Borough park known as Lancaster Green. Consequently, we believe the site allocation in Policy CA 4 'North Kensington Sport Centre' was determined without proper regard to the provisions of PPG 17 and RBKC Policy CR 5 'Parks, Gardens, Open Spaces and Waterways', both of which provide for the protection of parks and open spaces.

We have been advised that it is now too late to contest the site allocation policy in the Core Strategy. However, the flawed Strategic Sites consultation has had repercussions that continued through subsequent stages of the planning process, and only in the consultation draft of the KALC SPD was the open-space on this site finally recognised in planning documents. The right to the protection of our open space and residential amenity, offered by a number of Core Strategy policies, and by National Planning Policy, has thus been fatally compromised.

Residential Amenity

Paragraph 3.2 of the SPD acknowledges that the site in question contains 3, 500 sq metres of open space, most of which comprises Lancaster Green, and a further 1,100 sq metres of playspace (ie a childrens playground). All of this is essential amenity space, the loss of which would severely impact local residents:

"Lancaster Green and the other informal open spaces are considered valuable assets, especially to those living in Grenfell Tower where there are no balconies. These green areas are therefore the only external amenity space in immediate proximity to their homes". (KALC SPD 5.2.1)

Policy CL 5 of the Core Strategy requires new developments to ensure;

“...that the conditions of existing adjoining buildings and amenity spaces are not significantly reduced or, where they are already substandard, that there should be no worsening of the conditions...”

It further states that there should be;

“...no harmful increase in the sense of enclosure to existing buildings and spaces..(and) no significant impact on the use of buildings and spaces due to increases in traffic, parking, noise, odours or vibration..”

The importance of amenity space is also acknowledged in the ‘Planning Obligations’ SPD which states that;

“...family-sized dwellings should have access to their own amenity space, which may be shared or private, to allow informal leisure and recreation activities by all the members of a household, particularly children...” (38.9)

During consultation there were many expressions of concern that the SPD provided insufficient protection of residential amenity. The siting of the development in an already densely developed residential area, and encroaching on essential residential amenity space, were key concerns. The impact of the development on local residents is addressed on page 24 of the SPD, which suggests various measures, mostly design-based, aimed at mitigating this. However, we believe that the SPD underestimates the severity of the impacts, and that the suggested remedial measures are inadequate.

For example, the SPD suggests locating the school buildings away from Grenfell Tower and along Silchester Road, at the opposite edge of the site. However, this would effectively concentrate all the external activities associated with the school on the most sensitive part of the site, in the area around Grenfell Tower, currently occupied by the Lancaster Green open space. Furthermore, given the severe spatial constraints of the site, design-based measures are unlikely to be successful in significantly alleviating negative impacts like noise and congestion, and we believe that the only way to effectively safeguard residential amenity is by fully preserving the existing open space. This would also act as a buffer to create separation between the high density residential area and any new development on the site.

It is noteworthy that the Latimer Masterplan from July 2009, and the McAslan Feasibility Study from July 2010, both fore-warned the Council that the north-eastern portion of the site, which is allocated for the academy, is not big enough to satisfy BB 98 minimum recommendations for a school of this size. Consequently all the early modelling for this project completely ignored the amenity-space needs of the existing community, in favour of the spatial needs of the school. The last-minute compromises offered in the SPD, in an attempt to mitigate these failings, are wholly inadequate.

Open Space and Play Space

Although paragraph 5.3.8 commits the Council to retention of the playground, paragraph 5.3.3 commits to retention of only a fraction of the existing open space. Furthermore, paragraphs 5.3.5 and 5.3.10 are highly ambiguous, appearing to suggest shared use of both the retained open space and the retained children’s playground. Additionally paragraph 5.1.6 suggests relocating both open space and playground away from their existing locations close to Grenfell Tower;

“...the Council will in principle support plans that successfully demonstrate that a larger area can be developed for the Academy, if improved play facilities and open space can be reprovided to a high quality elsewhere on site.” (5.1.6)

Given such equivocal statements it is hard to judge whether the intention is really to safeguard these community assets, or rather to create loopholes for the architects to exploit when drawing up detailed plans. We suspect the latter rather than the former.

The clear presumption of PPG 17 is that open spaces should be protected from development wherever possible. Only when this proves impossible should development be considered, and under such circumstances, a thorough assessment is required to show that the open space is *“surplus to requirements”*. (para 10)

PPG17 also requires that, in circumstances where development is unavoidable, the open space must be reprovided such that it is;

“at least as accessible to current and potential new users, and at least equivalent in terms of size, usefulness, attractiveness and quality”. (para 13)

It is noteworthy here that paragraph 5.3.11 of the SPD recognises that the all weather sports pitches currently on site serve a valuable social and community function, and paragraph 5.3.12 proposes to fund reprovision of this facility at the Westway Sports Centre. This would not satisfy the requirements of PPG 17, as the new facility would not be as accessible as the current facility, particularly to younger children, and the proposed reprovision would effectively exclude many younger children from the informal recreational use of these pitches which they currently enjoy.

Unfortunately, the SPD proposes neither a thorough assessment of the open space on site, nor reprovision of the substantial quantity of open space that will be lost. This is inconsistent with the requirements of PPG 17, and is therefore in breach of National Planning Policy.

Similarly, the SPD also breaches Policy CR 5 of the Core Strategy ‘Parks, Gardens, Open Spaces and Waterways’, which commits the Council to;

“...protect, enhance and make the most of existing parks, gardens and open spaces...(and to) resist the loss of public open space”.

Furthermore, the Council’s ‘Planning Obligations’ SPD describes provision of open-space and play-space as a strategic priority, and states that;

“The Community Strategy seeks to improve the quality and accessibility of all public open spaces within the Borough. Therefore, new developments should assist by providing high quality parks and open spaces that all people can use.” (38.10)

Clearly the Core Strategy recognises the serious deficiency of open space throughout the borough and is seeking to remedy this, by prioritising the retention and improvement of existing open spaces, and by the creation of new high-quality open spaces. The Kensington Academy and Leisure Centre SPD flies in the face of these objectives.

Quality Versus Economy

Concerns were raised in consultation regarding the apparent inadequacy of the funding allocated for the academy, and the impact this would be likely to have on quality. Paragraph 5.1.7 of the SPD hints at the tension between financial constraints and commitment to quality, but appears nonetheless to commit the Council to delivery of a high quality project ;

“The Council is committed to delivering a project within a strict financial framework. The development must be of a high quality of design. The design of the buildings, open spaces and accesses must be of good quality, including their appearance, materials, massing, public realm and their relationship to each other and to their surroundings”.

Unfortunately, the commitment to quality has recently been significantly undermined by the content of another report, scheduled for decision by Cabinet on 5th May. This other report, from the Executive Director of Transport Environment and Leisure Services and the Executive Director of Children’s Services, seeks to progress the project and secure procurement funding for the next stage. It describes the £17.6 Million funding committed by PfS as;

“...a low figure compared to benchmark costs for secondary schools in the area”.

It goes on to list a number of economies that such financial constraints will inevitably necessitate, including substantial reductions in design quality and other aspects of the project;

- *Limited scope for external works such as sports pitches*
- *Simple heating and ventilation strategy relying on traditional radiators and openable windows rather than more elaborate passive or mechanical systems*
- *Limited external glazing – windows rather than glass curtain walls*
- *Design detail oriented more towards value than design – no roof overhangs, slim frame profiles, structure not on display etc.*
- *Traditional internal configuration – separate rooms divided by corridors, rather than large open flexible spaces.*
- *Specification of finishes and equipment towards the more functional and less durable end of the price range.*
- *Plain facades as opposed to aesthetically interesting or articulated surfaces.*
- *Simple constrained form making best use of standard modular shapes and some element of prefabricated building.*
- *In general, the form of the building will dictate the management of the school rather than the school being arranged to accommodate the management of the curriculum*

The content of this report, CAB2011-05-05-A5 ‘North Kensington Academy and Leisure Centre’, appears to contradict the commitment to high quality featured in the SPD, and also undermines and conflicts with paragraph 5.1.4 of the SPD which states that;

“...new schools should provide a learning environment for the 21st Century which is flexible, inspiring, supporting and involving. Designs which support these objectives will be expected at the detailed design stage”

It is very hard to see how the stark differences between these two documents can be reconciled, and this raises serious questions about whether the commitment to high quality in the SPD is in fact deliverable, or whether there is a genuine intention to deliver it. Until these questions are answered, and this contradiction is satisfactorily resolved, the KALC SPD should not be approved.

In Conclusion

For the reasons outlined above we believe the SPD is unsafe and unreasonable in its present form. We believe it breaches both Council and national planning policies in a number of respects, and unreasonably deprives local residents of essential open space and amenity space.

We appeal to you, as Chair of the Public Realm Scrutiny Committee, to call-in the Key Decision for scrutiny by the committee in the hope that the committee will see fit to recommend the following amendments to the final draft of the SPD:

The SPD should contain;

1. A clear and unambiguous commitment to retain the childrens playground (and adjoining amenity space) at its present location adjacent to Grenfell Tower.
2. A clear and unambiguous commitment to retain the full 3,500 sq metres of open space known as Lancaster Green, consistent with National Planning Policy (PPG17) and RBKC policies for the protection of open-space and amenity space.
3. A clear and unambiguous commitment to 'high quality' in delivering the Leisure Centre and Academy project, and a clear and unambiguous assurance that challenges to the funding of the project will not be allowed to undermine or compromise the commitment to quality.

Yours respectfully,

Francis O'Connor

On behalf of;
Lancaster West Estate Management Board,
Lancaster West Residents Association,
Grenfell Tower Leaseholders Association,
Grenfell Action Group.