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[X] March 2024

Dear Ms Cheryl Saverus

**PLANNING APPLICATION (REF PP/21/07028) RELATING TO THE  
WORNINGTON GREEN ESTATE, LONDON, W10 5LR**

On behalf of our client, Mr Andre Wegner (representing the residents of the Wornington Green Estate), we object to the current planning application (ref PP/21/07028) for the following reasons:

- delay in providing open space;
- quality and quantity of play space and open space; and
- the removal / re-provision of trees within the Estate.

Residents were also concerned about the proposed re-connection of Portobello Road, Wornington Road and Ladbroke Grove. We were therefore pleased to that this re-connection will be removed as part of the latest amendments to the application, and access to the estate via the Barlby roundabout will only be for emergency vehicles, pedestrians and cyclists. This is a positive change to the scheme and we urge Council to ensure the restricted access is reflected in the updated documentation and any future conditions.

The concerns with the application were discussed at a meeting on 12 March 2024 with representatives from RBKC, Peabody, CBRE, local residents and DLBP present.

**Open Space Provision**

[Delay in providing open space](#)

The original planning permission (ref PP/09/02786) included the re-provision of Athlone Gardens such that there would no quantitative loss of open space (totalling 9,186 sq m). This is secured in the section 106 agreement attached to the planning permission.

This re-provision was to be achieved in phases via 'Temporary Open Space Provision'. The section 106 agreement also includes for a scenario where the re-provision of the open space is delayed, or if the whole of the approved development is not progressed under the original planning permission (ref PP/09/02786) by certain dates. In this scenario a 'Default Park' with a single area of not less than 9,186 square metres of open space has to be provided by the applicant.

We note that the project has been delayed beyond the dates specified in the section 106, however, the required area of 'Temporary Open Space' has not been provided. We understand that the Section 73 Application (ref. PP/22/07718) set out the latest position with regards to the timing and provision of the New Open Space and tree planting and in turn updates to the s106 agreement. Under the original section 106 agreement (2010), Council had the opportunity to serve an Open Space Notice on the developer in February 2017 (if the development had not proceeded beyond phase 1) requiring the Default Park to be provided within 15 months (May 2018). We are now well beyond these initial timescales and the delivery timings for the completion of the park have now been extended to March 2025 (for Phase 3) and August 2028 (for Phase 4).

The residents are highly concerned about this delay and the future delay of the open space provision. As discussed in the meeting on 12 March 2024, we urge the Council to serve the 'Open Space Notice' under the section 106 agreement, if required in the future, to avoid timescales extending further.

#### Quality and quantity of playspace and open space

The residents also have concerns regarding the quality of open space being provided in Athlone Gardens. Specifically, the Wornington Green SPD states that the new park should be capable of achieving the Green Flag Award which is seen as the benchmark of excellence in recreational green areas. We urge the applicant to look at improving the quality of the future Athlone Gardens in line with the Green Flag Award criteria.

The current planning application (ref PP/21/07028) includes the provision of further open space / re-provision of outdoor adventure playspace as follows:

- "neighbourhood garden" at the northern end of the site between Wornington Road and Portobello Road;
- "courtyard garden" surrounded by Block 9 to be used only by residents or public using the ground floor spaces of Block 9; and
- "adventure playground" re-provided to the rear of terraced housing fronting Ladbroke Grove, adjacent to proposed community centre.

Policy S4 of the London Plan relates to play and informal recreation and states the following:

*for residential developments, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child.*

In response to the policy above, the applicant has given consideration to the playspace requirements in their application, as follows:

*A total of 1,847.5 sq m of child play space is required, including 842 sqm is for Under 5s.*

*The proposals provide 758 sq m of 'doorstep' play space for Under 5s within the neighbourhood square and courtyard garden, connected by an incidental play trail. Within Athlone Gardens (Phase 2), a further 100 sq m of 'doorstep' play is provided for Under 5s, as well as 1,075 sq m of play space to meet the requirements for 5-11 year olds and 12-17 year olds. The total play space provision for residents is 1,933 sq m, therefore exceeding policy requirements. A further 1,195 sq m of outdoor play*

*space is proposed within the adventure playground, delivered as part of the community centre re-provision.*

The figures quoted above in the Planning Statement are inconsistent with the figures in Section 12 of the updated Landscape and Public Realm Strategy. Further, as discussed in more detail below, the neighbourhood garden and courtyard garden have the potential to be unpleasant spaces with poor amenity due to potential wind and shadow impacts and the fact there is limited greenery in both spaces. An overshadowing assessment has been submitted as part of the application, however, this does not appear to specifically consider any overshadowing of the proposed open space on the site. A pedestrian level wind assessment has been submitted as part of the application which concludes that at the ground level wind conditions will be suitable. However, upon review the assessment looks to be largely focused on the residential balconies and terraces and we would query if the open space will genuinely be suitable in wind terms.

The areas nominated as play space are also small in size and disconnected. The proposal provides greater than the minimum play space required, however, part b) of the London Plan Policy S4 requires the open space to be accessed safely from the street. The fact that the playspace is spread across opposite sides of a street creates a safety risk for children moving between the different areas.

The RBKC Local Plan Policy CR5 Parks, Gardens, Open Spaces and Waterways requires “new high quality outdoor spaces to be provided”.

In response to Policy CR5 we note:

- the proposed Phase 3 open space is only partly publicly accessible noting that the “courtyard garden” referenced in the proposal is mentioned in the planning statement as only being accessible to residents and members of the public using the ground floor spaces in Block 9;
- on-site external playspace has been provided in the form of the adventure playground, noting that the size of this playspace and community centre is slightly reduced compared to the area approved under the original 2010 application;
- when considering whether the proposed outdoor spaces are high quality, the “courtyard garden” is surrounded by 4 to 5 storey buildings, with a 15 storey building located immediately to the north west. Similarly, the “neighbourhood garden” in the north of the site is located immediately to the north west of the 15 storey building with the closest buildings across Wornington Road and Portobello Road proposed to be 6 to 8 storeys. It is anticipated that location of the courtyard and square and scale of the surrounding buildings is likely to result in shadow and wind impacts on the space; and
- despite the updated documentation, we are still concerned there is limited greenery within the outdoor areas in Phase 3. The adventure playground includes a mix of greenery and play equipment space as can be expected. However, the courtyard garden is primarily hardscaped area with smaller pockets of greenery. This impacts the usability and enjoyment of these spaces by both residents and the public.

The proposed 15 storey tower is likely to result in shadow and wind impacts on the areas of open space below. The 15 storey tower exceeds the maximum 8 storeys described in the Wornington Green SPD (2009) and maximum 9 storeys permitted in the Hybrid Consent (as amended by PP/13/04516). The residents would like clarification as to whether this increased massing could be concentrated towards the railway line to avoid impacts on the open space.

Also of relevance is the level of proposed on-street parking which is taking away public space in the Wornington Green Estate which could be additionally used as open space / shared streets. We therefore seek clarification from the applicant on the level of on-street parking proposed, if these parking spaces were previously on private land in the estate and if there is an opportunity to minimise on-street parking to improve areas of open space / shared streets.

The concerns with the playspace and open space were discussed in detail in the meeting held on 12 March 2024. During this meeting Peabody agreed to look at the amenity of the courtyard and neighbourhood space in more detail in relation to shadow and wind impacts. We look forward to receiving clarification on this matter.

## **Removal / Re-provision of trees**

The applicant seeks to remove a number of trees to facilitate the proposed works. The applicant is proposing to retain an additional mature tree following the redesign of the road and public realm.

Within the Phase 3 area, the applicant seeks to remove 31 trees (based on current documentation) noting that 40 trees were previously proposed to be removed under the outline planning permission (2010). It is noted that the Arboricultural Impact Assessment references 31 trees to be removed, however the Planning Statement states 29 trees to be removed. Notwithstanding, the overall tree removal across the site since the original planning permission has been a cause of concern for residents.

The RBKC Local Plan Policy CR6 (trees and landscape) requires the *“protection of existing trees and the provision of new trees that compliment existing or create new, high quality green areas which deliver amenity and biodiversity benefits”*.

Specifically, Policy CR6(b) states to *“resist development which results in the damage or loss of trees of townscape or amenity value”*. Capital Asset Value of Amenity Trees (CAVAT) calculations have been undertaken for the Wornington Green Estate residents. These figures show that the net loss of CAVAT as a result of the new development is in the range of £22.7 million. This valuation of the lost trees across the site demonstrates that at the completion of the development there will be a significant reduction in quality mature trees and therefore reduction in overall amenity for local residents, contrary to Policy CR6(b).

Air quality data for Wornington Green (supplied by Imperial College 2023), shows that Wornington Green Estate has very high air pollution which is in the 95<sup>th</sup> national percentile. This has been a source of real concern for residents over a number of years including how the tree removal may impact pollution levels in the neighbourhood.

The residents urge the applicant to plant as many large-canopied trees as possible as part of the redevelopment of the site. This is supported by London Plan Policy G7 which

references the planting of additional trees, particularly large-canopied species provide a wider range of benefits.

Policy CR6(f) requires landscape design to “be fit for purpose and function” and “be of a high quality and compatible with the surrounding landscape”. There is an opportunity for the applicant to provide further ‘green’ enhancements across the site to benefit residents and offset the tree removal, such as incorporating plantable / permeable pavements, living street furniture, green rubbish bins and green walls / roof etc. This is consistent with the Wornington Green SPD which requires a range of activities and facilities in the open space as well seating and wildlife area.

We are pleased that as part of the approved Section 73 Application reference PP/22/07718, the Deed of Variation will secure £61,150 for new open space consultation. We urge Council’s Parks Team to genuinely and actively consult with the local residents in the design of the new open space. In addition to the consultation on the new open space, we also urge the Council and applicant to provide an opportunity for community input on the tree selection across the site.

We are pleased that at the meeting held on 12 March 2024, Peabody was urged to consider if there is the opportunity to plant more mature trees and retain more trees through changes to the location of the utilities. We look forward to receiving an update on this matter once Peabody has undertaken further investigations.

## Conclusion

As set out above, the proposal will result in adverse impacts as a result of the proposed open space and tree removal on the site.

The development as proposed will have significant impacts which would adversely affect the amenity and quality of living for Wornington Green Estate residents. It will:

- delay the provision of the completed Athlone Gardens;
- result in open space across the site that is not of the highest quality, adversely impacting on amenity of local residents; and
- result in the removal of a significant number of trees across the wider site leading to potential air quality impacts and loss of amenity.

The proposal is contrary to the Royal Borough of Kensington and Chelsea’s development plan and national planning policy.

If the Council has any questions regarding this letter, please do not hesitate to contact me on 020 3713 8503, by email to [matthewjohnson@dlbp.uk](mailto:matthewjohnson@dlbp.uk) or by post at the address above.

Yours sincerely

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**MATTHEW JOHNSON MRTPI**

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