

News from Ladbroke

The Newsletter of the Ladbroke Association

Winter 2009/10



The problems of basement developments.

SURVEY OF THE IMPACT OF SUBTERRANEAN DEVELOPMENTS

As we reported in our April newsletter, last spring the Association carried out a survey of people living next to properties where new basements have been excavated to accommodate underground swimming pools etc. This was a major exercise, probably the biggest thing that the Association has ever done.

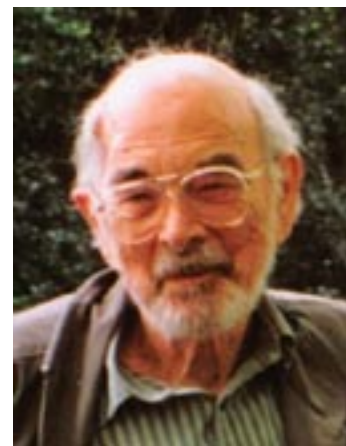
We have now completed our analysis of the 64 responses that we received and have prepared a full report with recommendations on how both the Council and central Government could take action to reduce the appalling problems that many of these developments cause for those living in neighbouring houses. Whilst the survey covers basement excavations in houses in an area of relatively high property values, similar problems are likely to occur in any area with terraced or semi-detached housing where major works are taking place, so

we think that many of our suggestions will be of benefit to anybody living next door to a major development.

We have sent copies of our report to all RBKC Councillors, as well as to the Secretary of State for Communities and Local Government; the relevant Conservative and Liberal-Democrat shadow Ministers; selected other London Boroughs; and other local conservation/residents associations. We decided that it would be too expensive to send copies of the report to all 400 or so members of the Association, but it can be downloaded from our website www.ladbrokeassociation.org or, if you prefer it, emailed to you as a Word document. We have also put on the website an anonymised summary of the responses that we received to our questionnaire.

Ideally, we would like to see changes to the legislation to allow Councils to refuse planning permission for developments that cannot meet agreed noise standards, or where there has recently

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Robert Meadows

An obituary, by our President, is on page 3 of this Newsletter.

NEWSLETTER

We normally aim to send out newsletters in spring and autumn. We held up this 2009 Winter issue of our Newsletter until now, however, so that we could give you a summary of our report on the impact of subterranean developments. We hope to resume our normal rhythm hereafter.

CHRISTMAS PARTY

Our thanks are due to Christopher and Micaela Boas for allowing the Association's Christmas Party to be held in their stunning house in Stanley Gardens. The house is a listed building, and it was fascinating to see how it had been adapted for modern living in a way that left the original features in their full glory.

GARDEN WALK

The 2009 Garden Walk did not take place, but we hope to arrange one next Summer

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been another noisy development in the same street; and to require developers to pay compensation to neighbours for nuisance. But this will not be easy to achieve. In the meantime, our report contains a number of recommendations for measures that the Council could take to reduce the impact of such developments, without any changes in the legislation.

Good Development Guide

One of our main recommendations is that the council should draw up a “Good Development Guide”, setting out what they expect of those undertaking major developments of this sort. The City of London already has just such a document, which they expect developers to abide by. Not all the provisions in the Guide would necessarily be enforceable through the law. But the existence of such a document should make it easier for the Council to take action, for instance under environmental legislation to prevent excessive noise.

The following are the main provisions that might be in such a Guide:

- Applicants should consult neighbours before putting in a planning application and make sure that their application is comprehensible to the lay person without having to resort to obtaining specialist advice.
- Developers should inform neighbours when works are beginning and how long they will last, and of any changes of plan. They should also ensure neighbours have a number that can be called day or night in the case of problems.
- Developers should arrange particularly noisy work at periods when it least incommodes neighbours, and leave periods of peace and quiet. Also, builders should not play radios or other sound systems unless the neighbours agree.
- Developers should clean up regularly and avoid dust, for instance by cutting stone and other materials off-site, and should clear rubbish regularly to avoid vermin;
- Lorries and skips should only be moved within standard work-

ing hours, they should always be parked within agreed areas, and entrances and other access points belonging to neighbouring properties should not be blocked.

- Developers should make compensation payments for nuisance and for loss of use of gardens, according to a scale of recommended payments to be worked out by the Council.

Other actions by the Council

We also recommend that the Council should require the “Construction Methods Statement” which must be completed for major developments to address how noise, vibration and dust effects are to be minimised. Deviation from the standards in the Construction Methods Statement could then be the basis for enforcement action under S.60 of the Control of Pollution Act 1974. We accept that it is not always possible to avoid all minor damage to neighbouring properties while undertaking basement excavations next to party walls. But we are not convinced that enough is being done to minimise such damage. So we also suggest that the Construction Methods Statement should include calculations demonstrating that any damage to adjacent buildings will not exceed the “very slight” category.

In addition, we recommend that the Council should:

- draw up, perhaps with the help of outside experts, guidelines on acceptable noise levels;
- put in place better arrangements for hotlines to handle calls or emails relating to ongoing building works;
- put greater restrictions should be put on the use of skips in narrow streets or where parking is difficult; instead the requirement should be for debris to be bagged up and removed by lorry;
- minimise the length of parking suspensions for building works.

Although most of the damage to neighbouring properties revealed by the survey was fairly minor, there were possibly four cases where really serious damage had been caused. This is a lot in a

small sample. We also recommend, therefore, that the Council should commission a study of what went wrong in these cases, and what lessons can be learnt.

Party Wall Agreements

Our survey showed that pretty well everybody who lived next door to a property undertaking a subterranean development had a Party wall Agreement in place (although in a couple of cases not until after the works had actually started). But there was a lot of dissatisfaction with how Party Wall Agreements worked in practice. We think that this may partly be because the Agreements themselves were inadequate.

There is a lot that could be included in Party Wall Agreements to make them more effective – for instance, one of the respondents to our survey had a provision requiring the person undertaking the development to place a sum of £10,000 in escrow to cover the cost of any damages.

It is not always easy for the average householder, when faced with the sudden prospect of major works next door, to know what should be in the Party Wall Agreement. We therefore intend to draw up our own model agreement that householders could in future draw on.

Conclusion

Most of the above recommendations are for fairly small changes. But we believe that, if they were all implemented together, they could make a real difference.

The Council has indicated that it is taking our report seriously and will give us a considered reply early in the New Year. We hope that it will stick to that.

But if you agree with what we propose, you may wish to write to or email your local Councillor to say so (and to the local M.P. in respect of legislative changes). The more support we can show, the more likely we are to see progress in achieving the improvements and changes that we recommend.

PLANNING MATTERS

New Director of Planning

David Prout, the Executive Director of Planning for the Royal Borough, has left after only some two and a half years in the post, to take up a job in central government.

We regret this, as we believe he was making a number of improvements to the planning process. We hope a successor will be appointed soon.

Cycle docking stations

The Mayor of London's scheme for free bicycles involves the creation of a large number of "Cycle Docking Stations". These need planning permission from the relevant boroughs.

Three applications have been made for docking stations in or just outside the Ladbroke area: one in Ladbroke Grove by Ladbroke Square (for which the Council has already refused permission); one in Notting Hill Gate by Boots; and one outside 35-51 Chepstow Villas. We have told the Council that we think this last is a bad site on a busy road very near a difficult road junction.

Flooding

Although flooding was not an issue that arose in our survey of subterranean developments, we remain concerned that there is a potentially serious problem of inadequate drainage to deal with major rainstorms.

The Ladbroke estate drains into the Counter's Creek sewer (Counter's Creek being one of the ancient lost rivers of London, rising in Kensal Green and flowing into the Thames near Lot's Road).

There was serious basement flooding in the Norland area and in some north-western parts of the Ladbroke Estate in 2007 when the sewer could not cope with the heavy rainfall.

Although Thames Water is planning to upgrade the sewer, this will take some years, and in the meantime basements in the lower lying part of our area continue to be at risk.

We are concerned that the Council may not be taking sufficient account of this risk in dealing with planning applications.

OBITUARY: ROBERT MEADOWS

One of our founder members, Robert Meadows, died last year. He was a highly distinguished man: one of the seminal figures in the development of the discipline of urban design, and one of the founder members in the 1970s of the (still influential) Urban Design Group, born out of a concern that architects were thinking too much in terms of individual buildings and not of the wider urban environment. He also helped start the post-graduate Diploma in Urban Design at what is now the University of Westminster. As the Ladbroke Estate is a striking example of early urban design, our present Association is perhaps itself a fitting memorial to him.

Tribute by the Hon. President of the Association.

Robert Meadows was not only a founder member of the Ladbroke Association. He was in many ways the person above all others who brought a professional approach to the Association's purposes from the beginning. An architect himself, it was Robert who voluntarily undertook the essential role of going in person to the Kensington Town Hall and scrutinising every planning application within the Ladbroke Conservation Area that it was the Committee's job to consider and comment upon.

From its inception the Association had no intention of adopting a "preservation at all costs" policy. It set out to preserve the character and features of this beautiful part of London, with its mid-19th century designed layout of terraces, fine town houses, pairs of villas, wide streets, trees, open spaces and communal gardens. But it also took account of the validity of well-thought-out adaptation and change that respected these qualities. Robert Meadows attended the very first meeting of the newly-formed Association, in our own house in Ladbroke Grove, in 1964. He was instrumental in creating the principles by which it has operated ever since. He had a wonderfully sensitive, acute appreciation of what seemed allowable and what should be properly resisted.

It was in large part due to Robert's experience and good sense, combined with professional understanding of architectural design and planning, that the Borough Council's planning department came to respect the Ladbroke Association's contribution. Indeed, as time went on the Council looked to the Association, and to Robert in particular, for their comments on applications within the Ladbroke Conservation Area. That it retains its special and much valued character today owes a great deal to Robert's judgment and wisdom.

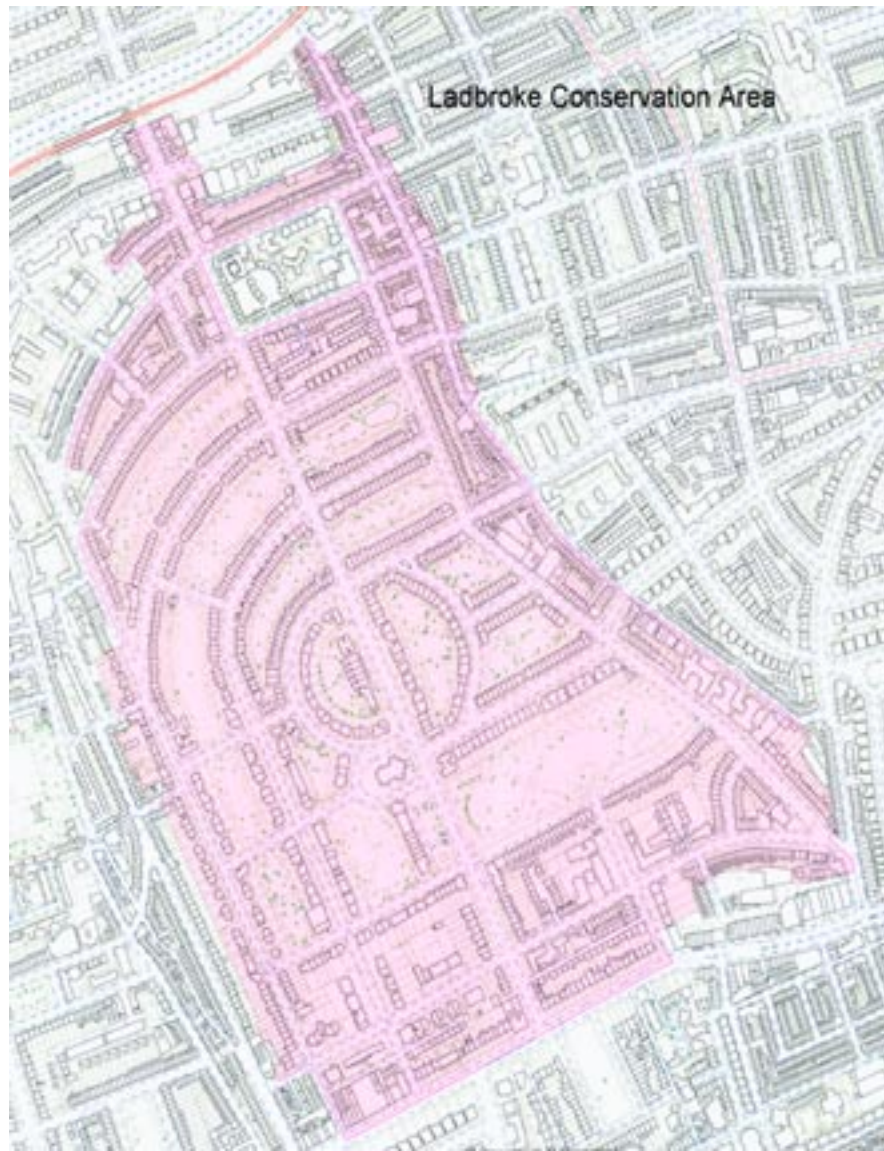
It is hard to think of the Association without Robert Meadows. He served on its Committee for more than 40 years. Early on he had to undergo a serious operation for the removal of a brain tumour. Fortunately it was benign, and Robert returned to the fray with undiminished zest.

This memoir of his work for the Association would be incomplete without a vignette of him as a person. Robert was quietly-spoken almost to the point of diffidence. His whole personality was one of consideration for others; he radiated kindness and was more of a listener than a speaker. At the same time, he possessed an unmistakable gravitas and authority. He had a particularly attractive voice, and his opinions always carried weight.

All this he combined with a lovely sense of often rather puckish humour, and a rather wry outlook on the world around him. He used to come out regularly with observations that could be gently mischievous, always dismantling any signs of pomposity, and laughter was never far away.

The Ladbroke Association would not have established its place in the community or achieved half as much without Robert. He will be warmly remembered for his untiring commitment to this part of London which was his home, and as a real friend and counsellor.

Angus Stirling



THE OFFICERS AND THE EXECUTIVE COMMITTEE OF THE LADBROKE ASSOCIATION

Officers:

President: Sir Angus Stirling

Chairman: David Corsellis

Hon Treasurer: Paul Bastick

Hon Secretary: Anne Chorley

Committee Members:

Alex Bell

David Campion,

Peter Chapman

Maurice Fraser,

Sandra Kamen,

Andrew Lamont,

David Marshall,

Peter Mishcon,

Malcolm Pawley,

Peggy Post,

Robina Rose.

Newsletter: Sophia Lambert

THE OBJECTIVES OF THE LADBROKE ASSOCIATION

The Association is a charitable non-political organisation. Its constitution requires it to promote and encourage the following objectives by charitable means but not otherwise:

- ♦ To encourage and promote high standards of architecture and town planning within the Ladbroke Estate Conservation Area
- ♦ To stimulate and promote public interest in, and care for the beauty, history, and character of the neighbourhood
- ♦ To encourage the preservation, development and improvement of features of general public amenity or historic interest.

The complete constitution of the Ladbroke Association is on its website at:

www.ladbrokeassociation.org

and the website also includes much historical information about the conservation area.

The layout for this Newsletter was composed by David Campion with the Adobe InDesign software. Printing was done by: Prontaprint Notting Hill Gate.

TO JOIN THE LADBROKE ASSOCIATION

If you wish to join or support the Ladbroke Association, please complete this standing order form and send it to Paul Bastick, the Hon Treasurer, 75A Ladbroke Grove, W11 2PD. The minimum subscription is £15 for family or individual membership but many members pay more to support our activities. We would also appreciate it if you could complete a Gift Aid Form which is available from the above address and on the website.

To:.....Bank plc Sort Code:

Address of Bank:

.....

Please pay to Barclays Bank plc, 212 Regent Street, PO Box 4BP, London W1A 4BP Sort Code: 20-71-74, immediately and thereafter on 1st April each year until further notice the sum of £..... for the credit of the Ladbroke Association (Account No: **80522635**)

Name: [Please print]

Signed..... Date.....

Address.....

.....Postcode:.....