

News from Ladbroke

The Newsletter of the Ladbroke Association

Autumn/Winter 2010

PRIVATE TREES

Many are the streets in our area that are embellished by trees; and many are the passions that trees arouse. This article is about what the Council call "private trees", i.e. the trees in private and communal gardens as opposed to the street trees that are maintained (or some would say too often mutilated) by the Council.

These private trees make a major contribution to the beauty of our area, as they peep over walls and appear in gaps between buildings. Although the Ladbroke area is pretty well supplied with street trees, there is still quite a number of streets that have no public trees, and for these in particular garden trees are an important amenity. For instance, a large part of Kensington Park Road is without street trees, but still has a pleasantly leafy appearance because the flanks of no fewer than five communal gardens run along the street.

Trees of course also absorb carbon dioxide and thus help combat global warming; absorb noise; provide shade; and are good for wildlife.

The value of these private trees is recognised in the legislation that controls them, and many people may not be aware of how restricted their freedom of action is when it comes to pruning or felling trees in their own gardens.

In the Ladbroke area, as in other conservation areas, all trees with a trunk diameter of 75 mm (three inches) or more, at a height of 1.5 metres or more above the ground, have a degree of protection. Any person who wishes to prune them or cut them down must notify the Council six weeks in advance of the work. In the vast majority of cases there is no objection from the



Trees in gardens along Ladbroke Grove.

Council and it will reply saying so. If the Council is concerned about the work, it applies for a Tree Preservation Order (TPO). This gives full protection to the tree – it is an offence to cut any part of it, including the roots, without express permission from the Council. Many of the larger trees in our local private and communal gardens are already subject to TPOs. You can find out if any trees in your garden are covered by a TPO by ringing the planning help line on 020 7361 3012 or by visiting the Planning Information Desk at the Town Hall.

The majority of the 1,200 applications that the Council receives each year are for pruning rather than felling. But there are quite a few applications for felling unwanted self-seeded saplings in people's gardens. It does not take long for a young sycamore to develop a three-inch trunk. So it pays to keep an eye out for such interlopers and to weed them before they have a chance to grow – although in practice the

Council rarely objects to taking such trees down. Other acceptable reasons for felling are that the tree is dying, or that it is a fast-growing leylandii that is taking the light. For larger trees that need felling or pruning, the Council recommends the use of tree surgeons on the 'Approved Contractor' list of the Arboricultural Association.

Anybody undertaking development work also has to avoid damaging trees. The council has recently adopted a 'Supplementary Planning Document' that sets out in detail its policy on trees and development. If trees are likely to be affected by the development, the developer will need to do a "tree survey"; and the Council can and does require the retention of trees as a condition of planning permission, even if they are not subject to a TPO, and also requires physical protection to be given to trees where appropriate during the construction. It also encourages new trees to be planted as part of major developments.

There are also rules on overhanging trees. If your tree overhangs the highway, you are supposed to ensure that it is at least 2.5 metres above the pavement and 5.5 metres above the carriageway; below these heights it must be cut back to the boundary (hedges protruding over the pavement must also be cut back sufficiently to allow pedestrians to pass freely).

If your tree overhangs a neighbour's property, he can cut it back to his boundary, although he must ask you whether you want the timber – and, if it is over the minimum width of trunk described above, he must seek permission from the council (which, oddly, can be done without the agreement of the owner of the tree).



A magnificent communal garden tree overlooking Kensington Park Road.

OUR NEW CHAIRMAN

David Corsellis is standing down after some five years as our chairman, and Graham Child has agreed to take over from him as acting chairman (he cannot be formally elected as chairman until the Annual General Meeting next summer).

Graham is a retired solicitor who has lived in Elgin Crescent for over 20 years. He read law at Oxford and joined the leading city firm of solicitors, Slaughter and May, in 1969, becoming a partner in 1975. During his time at Slaughter and May, he became one of the country's main experts on competition law. In 1995 he reinvented himself as an academic, and became a visiting fellow of Lincoln College Oxford, of which he has been an emeritus fellow since 2002. He also spent two years at the University of Paris as a visiting professor of law.

He has always had a strong interest in architectural history and is a member of the Society of Architectural Historians of Great Britain. His other interests are travel, reading, walking, politics and law.

He was Treasurer and then Chairman of the Lansdowne Road and Elgin Crescent Garden Committee from 2001 to 2008.

Graham takes over from David Corsellis on 1 January.

He comments: "I am honoured if daunted to be taking over the chairmanship of the Ladbroke Association.

David Corsellis will be a hard act to follow. He himself took over the chairmanship at short notice in 2006 when Charles Levison, the previous chairman, died unexpectedly and has done a brilliant job. In particular, he oversaw the Ladbroke Association photographic project which has left us with a complete photographic record of the housefronts in the area, and also the survey of underground developments and the subsequent report which is now with the Council.

I love this area and aim to do my very best in my new role to ensure that it is conserved and enhanced."



Graham Child

ESTATE AGENTS' BOARDS

For some years, the Council had authority from the Government to ban estate agents' boards outside residential premises in certain areas of the borough, including the Ladbroke area. A couple of years ago, their authority to do so expired. Residents may have noticed that, as a result, over the last few months boards have been creeping back in.

We are happy to say that the Council has now obtained the necessary renewed authority to ban these boards, with effect from 27 September. So if you see any boards on residential properties in the Ladbroke area, do report it to the Council. The contact details are: Bruce Coey, Enforcement Team leader; Bruce.Coey@rbkc.gov.uk 020 7361 3012

NOTTING HILL GATE

The property grouping who own most of the north side of Notting Hill Gate and significant chunks of the south side have sold their holdings to a partnership of two other property companies, William Pears and LaSalle Investment Management. What this will mean for the area is not clear, but Council policy is to resist the opening of more hot food takeaways, exchange bureaux and estate agents and to encourage offices and "high quality" shops.

PORTOBELLO ROAD

We must apologise for the glitch in the editing of the last issue of *Ladbroke News* that led to the omission of the last part of the article on the Portobello Road.

The omitted part of the article was about the new shop-fronts (with the sewing machines in the window) that have replaced Lipka's Arcade on the corner of Portobello Road and Westbourne Grove. Although planning permission was given for new shop-fronts, those that have been built are not in accordance with the detail of the planning permission (and are in a style to which many have strong objections). The developers also went much further than in the original drawings for the plans for the Portobello façade. Instead of two shop-fronts near the corner and a modest doorway at the other end of this façade (where there used to be a door down into the lower arcade), there are now shop-fronts extending all the way along the Portobello façade.

All Saints put in a new planning application in February 2010, seeking retrospective permission for the non-conforming elements. The *Ladbroke Association* urged the Council to refuse this.

A meeting of the Planning Applications Committee was held in April to consider the application. Such was the passion aroused by the disappearance of the Lipka's Arcade that it was attended by several hundred people. To general welcome, permission was firmly refused for the unauthorised elements. All Saints could have appealed against the decision, but did not do so within the timetable. So they will now have either to put in yet another planning application for a different sort of shop-front, or to rebuild the shop-front to conform to the original planning application, i.e. in wood rather than "glass-reinforced plastic", the artificial material now used. They will also have to remove some shop-fronts from the Portobello façade and the three projecting illuminated signs in the form of sewing machines which were also put up without planning permission.

2011 CENSUS: TOO POSH TO REGISTER?

The next census will take place on March 27th 2011. The Council are concerned that, at the last census in 2001, there was a very low response rate in the borough – they estimate is that only 64% of Kensington and Chelsea residents completed a census return. This was the lowest figure in the whole of the U.K. and was 10% lower than the next worst local authority.

It seems, moreover, that it was not just people in the poorer parts of the borough who failed to fill in a return. We have been told that there are people in top end properties or in flats who think these things do not concern them, as they are part-timers in London and they feel no particular connection with RBKC.

Many decisions on how funds should be distributed in local and central Government are based in large part on census data. If a particular sector or of the population or area is under-represented in the census returns there is a real risk of funding needed by that group or area not being allocated. So the Council are keen that every household completes a return in 2011, with details of everyone staying in the house or flat on the night of 27 March.

It is a legal requirement to do so, and this requirement applies regardless of nationality or residence status, or whether the house or flat is one in which you normally reside. Although the general data revealed by the census is passed to Government Departments, none of the names is revealed to them and this information remains completely secret for almost 100 years. The 1911 names were published last year and have been seized by family historians looking for their ancestors, and the 2011 data will be of interest to our descendants.

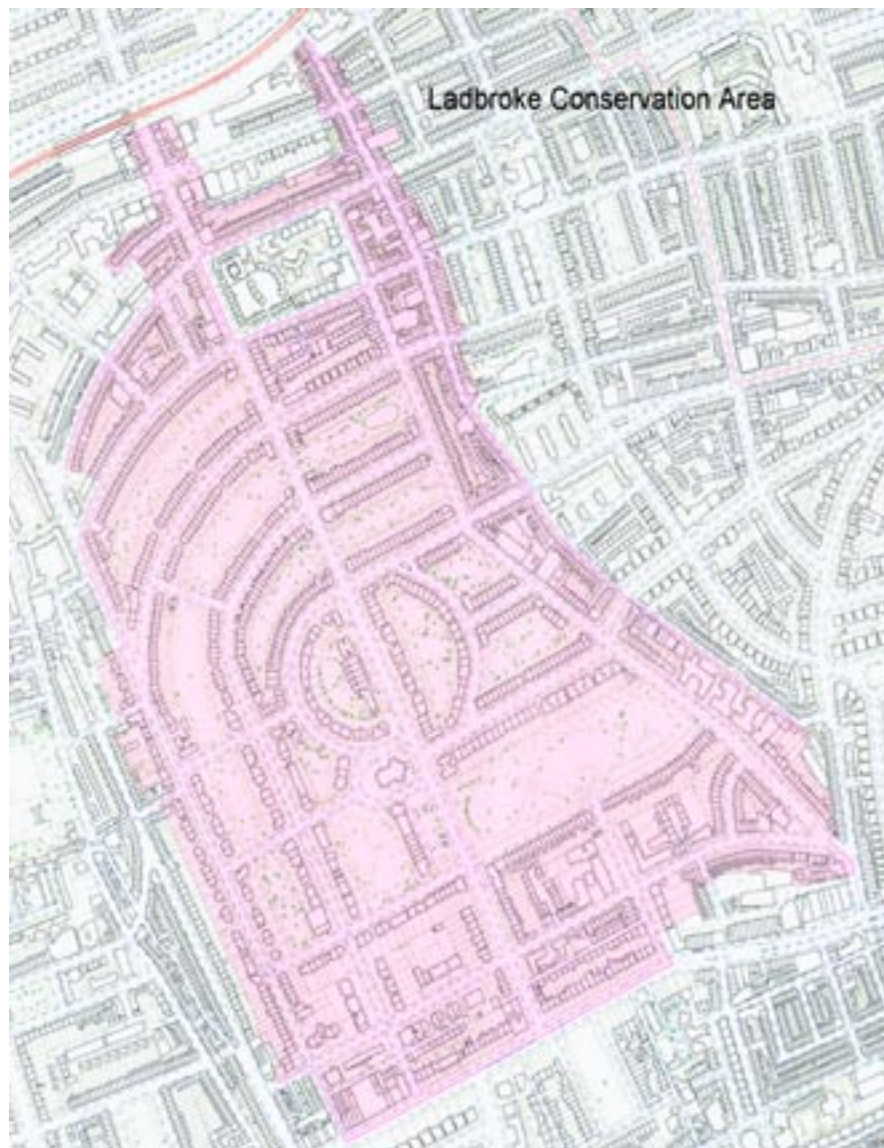
The census also means that a number of temporary jobs will be created in the borough around March next year. Those running the census want them to go to local people who know the area. Details of these jobs are on www.censusjobs.co.uk.

MAJOR RESIDENTIAL REDEVELOPMENTS

We reported in our last issue that the Council had accepted the recommendation in our Report on the Impact of Subterranean Developments on Neighbours, issued in December 2009, that they should publish an advisory "Considerate Builders' Code" setting out what measures builders should take to minimise the impact on neighbours of subterranean and other major residential building developments. We were told that a draft Code would be ready in the autumn, but nothing emerged. We have now had a meeting with Councillor Julie Mills, the Cabinet member taking the lead on this, and it appears that getting agreement within the Council to an acceptable document has not been straightforward. There is particular concern that any printed document would be almost immediately out-of-date as the rules are constantly changing. The current intention is to produce only a very short summary leaflet, accompanied by full information on the RBKC web.

We are not entirely convinced by this approach, but are reserving judgement until we see details - which are unlikely to appear before February 2011.

In the Report we also proposed various legislative changes inter alia to enable Councils to refuse planning permission when appropriate noise standards cannot be met; to balance the nuisance caused by the construction against the desirability of the development when considering whether to give planning permission for major works on buildings in residential areas; and to space out noisy developments in a particular area so that residents are not subject to years of nuisance. The Government's proposed Localism Bill seemed to us a perfect vehicle for making such changes. We are extremely happy, therefore, that both Sir Malcolm Rifkind and the Leader of the Council, Councillor Sir Merrick Cockell, have now written to the Government supporting the inclusion of appropriate provisions in the Bill.



THE OFFICERS AND 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.

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.uk

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.

WE NEED NEW MEMBERS

The Association is still keen to recruit new members. An application form is enclosed with this newsletter. If you are not a member, may we invite you to join. If you are already a member, please could we encourage you to see if any of your neighbours might like to join – especially people who have only recently moved into the area.

The more members we have, the stronger we are and the better equipped to fight on behalf of the area. Membership costs only £15 a year for a family, which even in these hard times is not much. Every year, a number of members die or move out of the area and we badly need to replace them with newcomers to keep up our numbers.

The Association was founded in 1969 and is registered as a charity. Its objectives are listed on the right. We maintain a close dialogue with the local Council. We monitor all planning applications, making representations against those which we believe will adversely affect the character of the area, and we welcome approaches from our members with concerns about particular planning applications (although we must make our own judgements and cannot guarantee to support objections in every case). One of our current campaigns has been to persuade the Council to do more to protect neighbours from the noise, dust and other problems caused by basement excavations and other major works on residential properties – see article on the previous page. Other activities include the newsletter to members to inform them of current plans and activities affecting the area; in most years a guided “Garden Walk” for members around some of the communal gardens; and a Christmas Party for members in one of the private houses in the area.