

# Local Plan Partial Review – Examination Matters, Issues and Questions Hearing Statement

Matter 2: Spatial Strategy  
Issue 2c: Places and Site Allocations  
(Policy CP2, Visions CV5-6, CV8-9 and  
CV11-15, and Site Allocations CA1,  
CA3-4, CA6-7 and CA9-12)

February 2018





## Matter 2 – Spatial Strategy

### Issue 2c: Places and Site Allocations

#### Policy CP2 – Places

1. **Is the strategic Policy CP2, in combination with the visions and principles, priorities and delivery expectations in each of the place chapters, consistent with national policy and is it capable of being applied effectively in future development management decisions?**
- 1.1 As set out in the Policy Formulation Report for Places and Site Allocations the National Planning Policy Framework (NPPF) states Planning “should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives”.
- 1.2 The National Planning Guidance on Preparing a Local Plan reiterates this point. It states the Local Plan should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered.
- 1.3 The place chapters are how spatial planning and place shaping is delivered in this borough and they provide a framework to guide development management decisions relating to the place. They identify opportunities to proactively consider ways to improve the Royal Borough’s identified “places” and create a positive vision for the area to shape development.
- 1.4 The umbrella policy CP2 sets out that ‘the Council will ensure that new development contributes to the visions, principles and priorities identified within the place chapters of the Local Plan’. This will be effective because planning powers not only relate to development management but they work within a wider context – the wider context of sustainable development, whether this is in terms of economic, social or environmental considerations. The most immediate way that this policy will be applied is through the site allocations that are included in each place chapter. However, in also setting the wider spatial planning context for each area the place chapters will be used to guide all development management decisions in that location.
- 1.5 In their response to the submission consultation the GLA stated: ‘Chapters 5-15 Site Allocations -These chapters set out a range of site allocations which provide for 8100 new homes over the plan period, plus a range of other land uses and infrastructure. These allocations include appropriate references to the strategic areas of change for London, (namely Earls Courts Court/West Kensington Opportunity Area and Kensal Canalside Opportunity Area) and several of the borough's town centres as well as a range of more local scale sites. Overall this

represents a positive approach to planning for and delivery of new development within a borough which must be recognised as being already relatively densely built up’.

- 1.6 Concerns were expressed that the Council’s ambition to build ‘conservation areas of the future’ was too prescriptive and commitment should be made to increase densities to towards the top of, or even exceed, the London Plan density matrix. The Council’s ambition to create conservation areas of the future relates to design quality and is not considered too prescriptive, while policy CH1d links to the London Plan density matrix and requires densities to be optimised. The promotion of a high standard of design as part of high density development is not incompatible in any way, indeed the mansion block typology of the borough demonstrates this.

### Vision for Kensal (CV5) and Kensal Canalside Opportunity Area (CA1)

2. **Given the strategic importance of Kensal for the delivery of housing and new transport infrastructure in the borough, are the updated vision for Kensal to 2028 (CV5) and the allocation for the Kensal Canalside Opportunity Area (CA1), as proposed to be modified in SUB6 and CED004, sound? In particular:**
- a. **Have they been positively prepared and is the mix of uses proposed justified as the most appropriate strategy for this area?**

***Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;***

- 2.1 The Council’s long term vision for Kensal (CV5) and the strategic allocation for Kensal Canalside Opportunity Area (CA1) is based on a strategy that prioritises the delivery of housing in a residential-led redevelopment the borough’s last large brownfield sites. The allocation includes a new neighbourhood centre and community facilities aimed at meeting the day to day needs of this new community and provides for an element of employment that will create local jobs, support the local economy and nearby employment zone. The site also delivers a replacement supermarket on site to reflect the requirements of one of the major landowners.
- 2.2 The Council’s Development Plan must be in general conformity with the London Plan.<sup>1</sup> The strategic allocation Policy CA1 for Kensal Canalside

---

<sup>1</sup> Section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004

expects a minimum of 3,500 new dwellings to be provided. This brings the Council's draft Local Plan allocation into alignment with the London Plan (March 2015) Annex One allocation for Kensal, which also identifies a minimum capacity of 3,500 homes (p.350). The quantum of development proposed in the London Plan is based upon an assessment of capacity at the site undertaken as part of the GLA's SHLAA process. The notional capacity outlined in the SHLAA is based on the site area (adjusted to reflect the proportion of a site anticipated to deliver residential development) and system default densities.

- 2.3 The allocation at Kensal CA1 and the broader vision for the Place must be viewed within the wider strategy to meet the development requirements across Kensington and Chelsea. The Council's overall strategy (including other allocations and policies options) for retail and employment floorspace across the plan period delivers a modest surplus against the identified need in both cases. The Council can therefore demonstrate that the residential led approach at Kensal, which forms part of the Borough's Development Plan already, does not have a detrimental effect on the borough's ability to meet the identified development requirements for other B Class and A class uses. Indeed, the proposed mix of uses allows the borough to contribute much needed housing to help address the shortfall between housing completions and housing need at a London wide level.
- 2.4 The importance of housing delivery is further underlined by the direction of travel at national level. The Housing White Paper<sup>2</sup> (February 2017) states that Councils "have a responsibility to do all they can to meet their housing requirements" (paragraph 1.22), that "We must make as much use as possible of previously development ('brownfield') land for homes" (paragraph 1.24) and "Going further, the presumption should be that brownfield land is suitable for housing unless there are clear and specific reasons to the contrary... To make this clear, we will amend the NPPF to indicate that great weight should be attached to the value of using suitable brownfield land within settlements for homes" (paragraph 1.25).
- 2.5 Kensal Canalside remains an important site in meeting the borough's housing targets in the medium to long term (years 6-10 and 10-15). The strategy is positively prepared in helping the borough to meet and exceed the identified housing need (as outlined in the borough's SHMA) without jeopardising the Council's ability to meet the need for other commercial uses.

---

<sup>2</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590464/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_print\\_ready\\_version.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)

- b. **Are they based on effective joint working which addresses cross boundary strategic priorities, including the relationship with Old Oak Park Royal?**

***Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities;***

- 2.6 NPPF Paragraph 156 sets out what strategic priorities local plan policies should address. These include; homes and jobs, retail, leisure and other commercial development, provision of infrastructure for transport, telecommunications waste management, water supply, waste water flood risk, provision of health, security community infrastructure, climate change mitigation and adaptation and the conservation and enhancement of the natural and historic environment including landscape.
- 2.7 As has been explained in the answer to Q2a, CV5 and CA1 contribute to meeting housing needs in the borough. In relation to offices, the proposed allocation helps to meet the borough's needs and does not have a significant impact upon the OPDC or other neighbouring boroughs. Similarly, the approach to retail is to allocate sufficient quantum of development to meet the day to days needs of the new community and the wider local area. The proposed levels are not sufficient to have any significant impact on the OPDC or other neighbouring boroughs.
- 2.8 The vision CV5 addresses the relationship seeking to make connections and links with Old Oak Park Royal whilst the Delivery Section of the Place chapter includes a commitment to work closely with Old Oak Park Royal Development Corporation (OPDC) to deliver a coordinated approach to the regeneration of Old Oak and Kensal. This commitment is manifest in frequent meetings between the two organisations to discuss issues and cross boundary priorities. The Council have responded to comments received by the OPDC in relation to this Plan and amended specific wording within Chapter 5. This is evidenced in the Consultation Statement (p.105).
- 2.9 The key cross boundary priority for the Kensal site remains the delivery of strategic transport infrastructure at the site and the impact this might have on the transport services at Old Oak and across the Crossrail route more generally. This has required significant joint working across a number of separate government agencies to address how the potential wider regeneration benefits for North Kensington arising from a future Crossrail Station at Kensal can be delivered without disrupting the wider Crossrail network. A more detailed description of how the Council has been effective in jointly working with duty-to-cooperate partners and others to understand and resolve these cross boundary issues is available at Q2d.

**c. Are they in general conformity with the London Plan and are they consistent with national policy in enabling the delivery of sustainable development?**

2.10 The amended allocation quantum of development of housing for the site (3,500) directly reflects the proposed minimum quantum outlined in the current London Plan<sup>3</sup> (March 2015). The Greater London Authority's Letter of General Conformity (SUB9) states in relation to Kensal Canalside that "*the policy approach to Kensal Canalside is supported*". The letter confirms that the RBKCLPPR is in general conformity with the London Plan.

2.11 Paragraph 151 of the NPPF states that "*Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the principles and policies set out in this Framework, including the presumption in favour of sustainable development.*"

2.12 Paragraph 14 of the NPPF states that the presumption in favor of sustainable development should be seen as the golden thread running through both plan-making and decision-taking. For plan-making this means Local Planning Authorities seeking opportunities to meet the development needs of their area with sufficient flexibility to adapt to rapid change. The answer to question 2a outlines how the allocation at Kensal contributes to meeting the development needs of the borough whilst the answer to question 2f explains the Local Plan's approach to building in flexibility into CV5 and CA1.

**d. Will they be deliverable over the plan period, including the quantum of residential development proposed to 2031/32 and the proposed new road and rail infrastructure?**

**Introduction**

2.13 The Council's Housing Trajectory anticipates that development will not come forward at Kensal Canalside OA within the first five years of the plan period in recognition that a number of issues must be addressed prior to development commencing at the site. The Council therefore is not dependent on development coming forward at Kensal to meet its five-year housing land supply.

2.14 The NPPG makes clear that "*The Local Plan should make clear, for at least the first 5 years, what infrastructure is required, who is going to fund and provide it, and how it relates to the anticipated rate and phasing of development. For the later stages of the plan period less detail may be provided as the position regarding the provision of infrastructure is likely to be less certain.*"<sup>4</sup>

---

<sup>3</sup> GLA, London Plan, March 2015, p.350

<sup>4</sup> NPPG, Paragraph: 018 Reference ID: 12-018-20140306

## Road and Rail Infrastructure

- 2.15 The Council has lobbied for a Crossrail Station at the Kensal Canalside for many years and has worked hard to explore with the government how technical barriers can be overcome. This strategy recognises the huge benefits the station would bring in terms of houses and jobs at the Council's largest brownfield site and the wider regenerative benefits that would accrue to residents in North Kensington.
- 2.16 A station at Kensal was not included in the original Crossrail Act in 2008 but Crossrail Ltd advised the Council at that time further analysis on the business case for delivery of a station at Kensal would take place as part of the Crossrail work.
- 2.17 In 2013, the Government advised the Council that it would not support plans for a Crossrail "turnback" station near Ladbroke Grove, to be serviced by trains that would otherwise have terminated at Paddington. In response to this decision, the Council developed an alternative proposal for a station at the same location, that would be serviced by four to six trains per hour, with all other trains running non-stop on new, parallel outer tracks.
- 2.18 The Council shared these proposals with TfL, the Mayor's Office and other interested parties along with supporting evidence produced by Cushman and Wakefield that demonstrated a large uplift in development providing confidence to TfL and Mayor of London that the station and additional track could be funded through the development.<sup>5</sup>
- 2.19 This led the Deputy Mayor for Transport to ask Network Rail (NR) to carry out initial feasibility work and report on the Council's proposals. NR reported in March 2016 that although there were technical issues that would need to be investigated, it could find "no showstoppers". This led to the publication of press releases by the Council and the GLA and a positive response from the Mayor at the time who stated, *"by looking again at the options for this station we firmly believe that it could have a similar impact, triggering a much-needed fillip for this part of the capital. We are now delving into the detail to see just what may be possible in North Kensington to ensure it does not miss out on the much-needed regeneration Crossrail will bring"*.<sup>6</sup>
- 2.20 Following this positive response, NR committed to a more detailed feasibility study into the Kensal Portobello station scheme. Network Rail entered into a Basic Services Agreement (BSA) with the Council to produce this work. Network Rail will produce what is called a GRIP 1 report, where "GRIP" stands for Governance for Rail Investment Projects. There are eight GRIP stages. In terms of reaching a decision on whether a station should be built, the critical stage is GRIP 3, by the end of which a single option is selected for detailed design and implementation. Prior to reaching the end of GRIP 3, completion of each

---

<sup>5</sup> Cushman and Wakefield, [Development Uplift and Infrastructure Study](#), September 2015

<sup>6</sup> GLA, [Press Release](#), 11 March 2016

of GRIP stages 1 and 2 will give increasing levels of confidence in whether, and how, a station could be built.

- 2.21 At the end of the GRIP 1 stage, Network Rail would provide the Council with an Output Definition Report that would provide a range of important deliverables. Of particular interest to the Council, and to the several landowners of the Kensal Canalside sites, will be the assessment of the costs of, and the programme for, the successive GRIP stages of the project - culminating, it is hoped, in the opening of a station. Following the Basic Services Agreement NR placed the Kensal proposal into its Portfolio of Development, giving a degree of formal recognition of the Council's plans.<sup>7</sup>
- 2.22 The proposal for station at Kensal therefore is being actively investigated by the key delivery body with positive initial findings. The Council continues to strongly support the delivery of a station as a key corporate objective. Whilst not a certainty a Crossrail station remains a realistic aspiration for the site.

### Infrastructure Costs, Viability and Deliverability

- 2.23 The Council has commissioned a Development Infrastructure Funding Study (DIF)<sup>8</sup> to test the costs associated with CA1 and CV5, most notably road and rail infrastructure, and the impact this has on the viability of the site and ultimately the deliverability of CV5 and CA1.
- 2.24 The following table from the DIF study outlines the development scenarios that were tested for viability at Kensal. Scenario A closely matches the proposed land uses at CA1. Figure 2 provides a breakdown of the infrastructure costs associated with CA1.

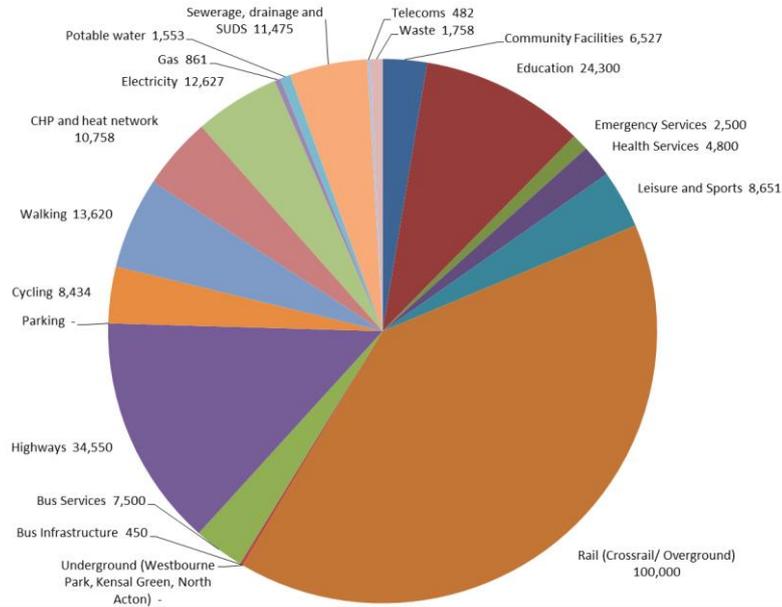
Development type	Scenario A Masterplan density at Canalside and North Pole	Scenario B Masterplan density on Canalside only (excludes North Pole)	Scenario C High density at Canalside and North Pole	Scenario D High density at Canalside only (excludes North Pole)
Homes (no. units)	3,516	2,310	5,000	3,284
Workspace / office (sqm)	9,408	9,408	10,000	10,000
Retail/ social / community (sqm)	14,170	13,870	14,170	13,770
College / primary school (sqm)	10,670	0	10,670	0

Table 1 of Q2: Summary of Development Scenarios tested by the Development

<sup>7</sup> Cabinet [Executive Report](#), Full Cabinet, 23 February 2017

<sup>8</sup> Peter Brett Associates, [Development Infrastructure Study](#), October 2016

**Funding Study. [Source Table 5.1, [DIF Study](#), p.23**



**Figure 1 of Q2: Breakdown of infrastructure costs for the proposed allocation CA1 (Scenario A), [Source: Figure 5.8, [DIF Study](#), p.32]**

- 2.25 Unsurprisingly, the transport projects outlined dominate infrastructure costs at the site. The DIF explains that ability of the development to meet the proposed infrastructure costs is dependent on two factors. The first factor is the level of affordable housing contribution required. The second factor is the assumed property value uplift resulting from the presence of the Crossrail station (the DIF tested an uplift of 10-15% and 20% uplift).
- 2.26 The DIF study indicates that the proposed development in all possible development scenarios would be unviable if required to contribute 40% affordable housing. The study concluded that the Proposed Allocation CA1 (Scenario A) is capable of delivering all the necessary infrastructure requirements, including the proposed highways improvements, road bridge and Crossrail Station, as well as 20% affordable housing (assuming an uplift of 10-15% development value due to a Crossrail Station) or 30% affordable housing (assuming a 20% uplift in development value). This is illustrated by the following tables.

**WITH KENSAL CROSSRAIL STATION, ASSUMING 10-15% VALUE UPLIFT**

(AND THEREFORE ASSUMING BETTER ENVIRONMENT)

**40% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of Social infrastructure	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>£131,055</b>	<b>£79,996</b>	<b>£232,054</b>
comprised of Mainstream funding assumed (£000s)	20,775	15,815	29,455
Developer contributions (S106/S278) available (£000s) at 4	57,602	28,405	141,125
Direct Developer delivery assumed (£000s)	52,196	35,405	60,992
MUSCO/ESCO/utility funding assumed (£000s)	482	311	482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>-£119,792</b>	<b>-£111,594</b>	<b>-£57,417</b>

**30% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>£246,379</b>	<b>£156,621</b>	<b>£396,329</b>
comprised of Mainstream funding assumed (£000s)	20,775	15,815	29,455
Developer contributions (S106/S278) available (£000s) at :	172,926	105,090	305,400
Direct Developer delivery assumed (£000s)	52,196	35,405	60,992
MUSCO/ESCO/utility funding assumed (£000s)	482	311	482
Other funding sought (£000s)	nil	nil	nil
innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>-£4,469</b>	<b>-£34,909</b>	<b>£106,858</b>

**20% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of Social infrastructure	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>£361,420</b>	<b>£233,121</b>	<b>£660,202</b>
comprised of Mainstream funding assumed (£000s)	£20,775	£15,815	£29,455
Developer contributions (S106/S278) available (£000s) at :	£287,967	£181,589	£469,273
Direct Developer delivery assumed (£000s)	£52,196	£35,405	£60,992
MUSCO/ESCO/utility funding assumed (£000s)	£482	£311	£482
Other funding sought (£000s)	nil	nil	nil
innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£110,572</b>	<b>£41,590</b>	<b>£270,731</b>

Table 2 of Q2: Assuming 10-15% property value uplift from Crossrail: estimated headline costs and funding, showing funding gap / surplus (assuming developer contributions at 40%, 30% 20% affordable housing £000s. [Source Table 5.9, [DfT Study](#), p.34]

**WITH KENSAL CROSSRAIL STATION, ASSUMING 20% VALUE UPLIFT**

(AND THEREFORE ASSUMING BETTER ENVIRONMENT)

**40% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>231,415</b>	<b>154,992</b>	<b>375,034</b>
comprised of Mainstream funding assumed (£000s)	20,775	15,815	29,455
Developer contributions (S106/S278) available (£000s) at 4%	157,962	103,461	284,105
Direct Developer delivery assumed (£000s)	52,196	35,405	60,992
MUSCO/ESCO/utility funding assumed (£000s)	482	311	482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£19,432</b>	<b>-£36,538</b>	<b>£85,563</b>

**30% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>355,372</b>	<b>238,134</b>	<b>551,608</b>
comprised of Mainstream funding assumed (£000s)	20,775	15,815	29,455
Developer contributions (S106/S278) available (£000s) at 3%	281,919	186,602	460,679
Direct Developer delivery assumed (£000s)	52,196	35,405	60,992
MUSCO/ESCO/utility funding assumed (£000s)	482	311	482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£104,524</b>	<b>£46,603</b>	<b>£262,137</b>

**20% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£250,848</b>	<b>£191,530</b>	<b>£289,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£164,554	£129,833	£174,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>479,046</b>	<b>321,090</b>	<b>727,780</b>
comprised of Mainstream funding assumed (£000s)	£20,775	£15,815	£29,455
Developer contributions (S106/S278) available (£000s) at 2%	£405,593	£269,558	£636,851
Direct Developer delivery assumed (£000s)	£52,196	£35,405	£60,992
MUSCO/ESCO/utility funding assumed (£000s)	£482	£311	£482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£228,199</b>	<b>£129,559</b>	<b>£438,309</b>

**Table 3 of Q2: Assuming 10-15% property value uplift from Crossrail: Estimated headline costs and funding, showing funding gap / surplus (assuming developer contributions at 40%, 30% 20% affordable housing £000s. [Source Table 5.9, [DIF Study](#), p.34]**

**WITHOUT KENSAL CROSSRAIL STATION**

(THEREFORE ASSUMING ENVIRONMENT INFLUENCED BY HEAVY ROAD INFRASTRUCTURE)

**40% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£150,848</b>	<b>£91,530</b>	<b>£189,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£64,554	£29,833	£74,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>-£3,326</b>	<b>-£2,532</b>	<b>£40,648</b>
comprised of Mainstream funding assumed (£000s)	£20,775	£15,815	£29,455
Developer contributions (S106/S278) available (£000s) at 4%	-£76,779	-£54,063	-£50,281
Direct Developer delivery assumed (£000s)	£52,196	£35,405	£60,992
MUSCO/ESCO/utility funding assumed (£000s)	£482	£311	£482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£154,173</b>	<b>£94,062</b>	<b>£148,823</b>

**30% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£150,848</b>	<b>£91,530</b>	<b>£189,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£64,554	£29,833	£74,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>£100,438</b>	<b>£67,059</b>	<b>£188,458</b>
comprised of Mainstream funding assumed (£000s)	£20,775	£15,815	£29,455
Developer contributions (S106/S278) available (£000s) at :	£26,985	£15,528	£97,529
Direct Developer delivery assumed (£000s)	£52,196	£35,405	£60,992
MUSCO/ESCO/utility funding assumed (£000s)	£482	£311	£482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£50,409</b>	<b>£24,471</b>	<b>£1,013</b>

**20% affordable housing**

	Scenario A	Scenario B	Scenario C
<b>Total infrastructure cost</b>	<b>£150,848</b>	<b>£91,530</b>	<b>£189,471</b>
comprised of Social Infrastructure	£46,778	£35,614	£66,607
Transport	£64,554	£29,833	£74,422
Utilities	£39,516	£26,083	£48,442
<b>Total identified infrastructure funding</b>	<b>£209,919</b>	<b>£136,464</b>	<b>£335,866</b>
comprised of Mainstream funding assumed (£000s)	£20,775	£15,815	£29,455
Developer contributions (S106/S278) available (£000s) at :	£130,467	£84,933	£244,937
Direct Developer delivery assumed (£000s)	£52,196	£35,405	£60,992
MUSCO/ESCO/utility funding assumed (£000s)	£482	£311	£482
Other funding sought (£000s)	nil	nil	nil
Innovative funding	nil	nil	nil
<b>Funding gap (-) /surplus</b>	<b>£53,072</b>	<b>£44,934</b>	<b>£146,395</b>

**Table 4 of Q2: Assuming no Crossrail: estimated headline costs and funding, showing funding gap / surplus (assuming developer contributions at 40%, 30% 20% affordable housing £000s. [Source Table 5.9, [DIF Study](#), p.34]**

2.27 The DIF demonstrates that development scenarios with a Crossrail station are more viable than those without, even when the Crossrail costs are factored in. This rise in developer contributions available from development exceeds the cost of the Crossrail Station. The report concludes that it would be “*rational to build a Crossrail station if Scenario A [proposed allocation] was to be implemented, particularly given that a new station would bring wider societal benefits.*”<sup>9</sup>

2.28 The NPPG states: “*A Local Plan is an opportunity for the local planning authority to set out a positive vision for the area, but the plan should also be realistic about what can be achieved and when (including in relation to infrastructure). This means paying careful attention to providing an adequate supply of land, identifying what infrastructure is required and*

<sup>9</sup> PBA, [DIF Study](#), p.36, Section 5.83

*how it can be funded and brought on stream at the appropriate time; and ensuring that the requirements of the plan as a whole will not prejudice the viability of development.”<sup>10</sup>*

- 2.29 The Council has demonstrated that the proposed road and rail infrastructure at the site is deliverable at the quantum of development allocated. What is more, the Crossrail option actually improves the viability of the overall scheme and will deliver the same level of affordable housing numbers as other alternative options that do not include a Crossrail Station.

#### **Other actions taken to address delivery**

- 2.30 The Council is seeking to be proactive in taking a number of actions that demonstrate a commitment to speed up delivery and ensure that the planned homes, jobs and other facilities at the KCOA are delivered within the timetable set out in the Housing Trajectory.

#### **Kensal Delivery Manager**

- 2.31 A new senior position, equivalent to a Team Leader, within the Planning Department has been created to act as a single point of contact between the landowners at the KCOA site and the Council. The principal responsibility of this officer is to identify barriers to development at the site and to work with the landowners, the Council and other government agencies to ensure the homes, jobs and other facilities planned at the site are delivered as speedily as possible. This position provides a focal point to drive progress and is a full time post working solely on bringing forward development at Kensal Canalside. The post will be funded until development is delivered at the site and will help to improve coordination between the landowners and the Council. This role is designed to implement part of the recommendations within the Development Infrastructure Funding study to set out a road map to delivery and identify tasks on the critical path, set dates for issues to be resolved and to clarify delivery roles and responsibilities for different organisations and individuals.<sup>11</sup>

#### **Revocation Hazardous Substances Consent**

- 2.32 An extant Hazardous Substances Consent (HSC) at the KCOA currently acts as a significant constraint on development in the KCOA as it prevents new development coming forward on most of the site. Failure to revoke this consent is highlighted as a potential risk to delivery in the draft site Allocation CA1.
- 2.33 The presence of an HSC is required, following the Buncefield explosion, wherever a site is used for the storage of controlled substances above a

---

<sup>10</sup> NPPG, Paragraph: 018 Reference ID: 12-018-20140306

<sup>11</sup> PBA, [DIF](#), Section 6

defined limit. The designation results in Inner, Middle, and Outer classification zones. The HSC process ensures that necessary steps are taken to prevent incidents and ensure the safety of people and the environment and is a key tool for managing hazardous substances. Where a site is within a hazard zone, the HSE will object to any proposals within this zone and unless there are exceptional circumstances, local planning authorities would be expected to follow the recommendation of the HSE. With the presence of the HSC, and the consequential impact of the associated inner, middle, and outer hazard zones, it would be extremely difficult for the Council to conceivably achieve its ambitions for the KCOA. This HSC was last granted a continuation by the Council on 15 March 2000 and remains extant.

- 2.34 The Council is currently reviewing an application submitted by Fortress Limited and Sainsbury's Limited to revoke the HSC for Kensal in order to remove this identified barrier to delivery. The application is due to be heard and decided at the Council's Planning Committee at the end of February 2018.

#### **Kensal Canalside OA SPD and supporting evidence base**

- 2.35 In order to provide greater certainty to the landowners and improve delivery the Council is committed to developing a Supplementary Planning Document (SPD) for the Kensal Canalside OA. This document will provide further guidance and address issues such as height, massing, indicative layout and design principles.
- 2.36 The document will also address complex issues such as financing, funding and provide a phasing strategy. This document will be supported by further evidence base documents that will help to shape development at the site. To take one example, the Council has recently commissioned Alan Baxter's to undertake a Heritage Assessment to help to provide greater detail in how the proposed quantum of development in CA1 can be designed in a way that is sensitive to the adjacent Grade 1 listed Kensal Cemetery.

#### **Evidence from Landowners on Delivery**

- 2.37 The Council has a Statement of Common Ground with the landowners (Ballymore and Sainsbury's) that confirms that Ballymore Group and Sainsbury's Supermarkets support CV5. It also confirms that Ballymore and Sainsbury's agree the draft Policy CA1 sets out the appropriate uses and minimum levels of development. Some minor modifications (ref: Minor/209 to Minor/213, CED009) have been progressed with the Council to reflect the need for phasing and triggers for infrastructure and the quantum of development. The intention is that the Council will work with the landowners as part of the SPD process to provide the detail and appropriate guidance.

**e. Should the vision allow greater flexibility for residential uses within the Kensal Employment Zone to support the delivery of the housing target?**

- 2.38 CV5, the vision for Kensal, is concerned with the Council's ambition for the wider Kensal Area. This reflects the key role that this part of the borough will have in meeting our housing target. Indeed the Borough's housing target reflects capacity of the Kensal area to provide new homes.
- 2.39 The Kensal Employment Zone is just a small part of the wider Kensal Area. Its function differs from the Canalside Opportunity Area, in that it is to bring economic vitality to the area rather than housing. The vision is clear in this regard in that the Employment Zone will, "*provide flexible workspace, and supporting uses that bring vitality, building on the area's existing strengths in the creative sector.*"
- 2.40 The Council does recognise that the Employment Zone may indeed provide housing, housing that will support the delivery of its housing target. However, this is not its key function.
- 2.41 It is important to note that the Council has established that it has a five-year housing supply, and that this is not dependent on the delivery of housing within the Employment Zone. The ability of the Council to meet its housing target is considered in some detail in the Council's response to Issue 3a, Diversity of Housing.
- 2.42 Appendix 1 to the PRF for Policy CH1 (Increasing Housing Supply) (SUB 43.1) sets out all those sites which will contribute to the five-year supply. Only one, No. 326 Kensal Road, lies within the Employment Zone. This will provide 25 units.
- 2.43 Policy CF5 sets out the Council's position with regard new residential uses within all the Employment Zones. Again this is clear. Some housing will be acceptable, but the *raison d'être* of these zones remains as concentrations for businesses.
- 2.44 As such it would not be appropriate to amend the vision to allow greater flexibility for residential uses within the Employment Zone. This would be at odds with the Council's ambition for the Employment Zone. This would be counter-productive.

**f. Should the vision and site allocation policy be modified to allow for the development of the Kensal Canalside with or without a new railway station?**

- 2.45 The National Planning Policy Guidance states that Local *Plans* "*should focus on the key issues that need to be addressed and be aspirational*"

***but realistic*** in what they propose.”<sup>12</sup> The NPPF states Local Plans should “*plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework*,”<sup>13</sup>

- 2.46 CV5 and CA1 are based upon an aspirational strategy centering on a Crossrail station, which in turn helps to secure the highest quality development at the site, improves the viability of the overall development and brings much wider benefits across North Kensington by improving employment opportunities and access to jobs and services across London.
- 2.47 The Vision for Kensal and the associated site allocation is rightly aspirational. It is the duty of the Local Plan to seek to maximise the benefits that might accrue from future developments to address specific social economic and environmental issues within the Borough.<sup>14</sup>
- 2.48 The Council recognises that the delivery of a Crossrail station at Kensal is not a certainty at this stage but remains a realistic aspiration, which is capable of being funded through the proposed development.<sup>15</sup> It is therefore appropriate to include in a place vision and site aspirations scheduled to come forward toward the latter stages of the of the plan period (in years 6-10 and 10-15).

#### **LPPR treatment of alternative options at Kensal without a Crossrail Station**

- 2.49 The NPPG states that, “*Where the deliverability of critical infrastructure is uncertain then the plan should address the consequences of this, including possible contingency arrangements and alternative strategies.*”
- 2.50 The LPPRRBKC does recognise and address the potential risks to delivery within the text for the site allocations (CA1). For Kensal Canalside OA a number of risks are identified including a scenario where NR confirm that a Crossrail Station cannot be accommodated on site.
- 2.51 The LPPRRBKC goes on to address contingency arrangements and outlines alternative strategies in greater detail at Chapter 39. This Chapter sets out alternative strategies or ‘Plan B Options’ for Kensal Canalside OA. The Plan B Option for Kensal is to increase the PTAL rating through other public transport options such a more extensive bus strategy.
- 2.52 The DIF study confirms that the Plan B option without a Crossrail station is technically deliverable from a transport perspective but not desirable.

---

<sup>12</sup> (NPPG Ref ID 12-002-20140306)

<sup>13</sup> NPPF, Para 157

<sup>14</sup> NPPF, Para 154

<sup>15</sup> For full details of the context and ongoing work relating to Kensal Crossrail station see answer to Question 2d

The outcomes fail to create the wider regenerative benefits associated with a Crossrail station in North Kensington. This option also fails to deliver any increase in affordable housing provision and would result in a development that would be overwhelmed by heavy road infrastructure.<sup>16</sup> The option fails to take the opportunities to maximise the benefits of future development and runs counter to the Local Plans role in seeking to achieve sustainable development.

2.53 The LPPRRBKC does address the potential risks to delivery within the text for the site allocations. Chapter 39 gives a clear indication as to an alternative option for Kensal without a Crossrail station. This is to increased PTAL rating through other, non Crossrail measures, primarily buses. The purpose of CV5 and CA1 is to seek to be realistic but aspirational and to achieve the maximum possible benefits that future development can deliver in line with the long standing corporate objectives for North Kensington. The Council is not relying on CA1 and CV5 to meet development or housing needs in the first five years. The purpose of CV5 and CA1 is to set a framework and to drive positive outcomes. The evidence suggests that the alternative option, while technically deliverable, delivers inferior outcomes to the strategy outlined in CA1 and CV5. As the development is to come forward later on in the plan, the NPPF allows for less detail to be required on issues such as infrastructure funding.

**g. Should reference be made to the Tier II Archaeological Priority Area at Kensal Green Cemetery as part of the site or area constraints?**

2.54 Although the APA does not fall within the site boundary of the site allocation CA1, the Council proposes to include a minor modification to include the designation within the site constraints for the sake of completeness and in recognition that the place chapter does envisage connects between CA1 and Kensal Green Cemetery.

**h. Do any of the 'minor modifications' proposed to Policy CA1 and its reasoned justification materially affect the Plan? Should they be considered as 'main modifications' necessary for soundness?**

2.55 The proposed modifications table (SUB 6) erroneously labels modifications MINOR/014 and MINOR/15 as minor modifications. The amendments to Policy CA1(t) and CA1(v) have both been assessed as part of the Integrated Impact Assessment as main modifications. This is evidenced in Appendix I of Submission Version of the Integrated Impact Assessment (SUB72).

---

<sup>16</sup> See Table 4 of Q2

## Vision for Golborne(CV6) and Site Allocations for Wornington Green and Land adjacent to Trellick Tower (CA3 and CA4)

### **3. Are the updated vision for Golborne to 2028 (CV6) and site allocation policies for Wornington Green (CA3) and land adjacent to Trellick (CA4) sound? In particular:**

#### **a. In the light of the withdrawal of estate regeneration proposals elsewhere in the RBKC LPPR, is the approach to regeneration at Wornington Green(CA3) and the land adjacent to Trellick Tower (CA4) justified as the most appropriate strategy?**

3.1 The Golborne vision to 2028 is considered to be sound. The requirement for sensitive interventions and investment in the area to create additional vitality needs to be acknowledged. The word 'sensitive' is not used lightly, as it is recognised that the local communities will have a significant part to play in how the area evolves. Much work has already been undertaken at the Wornington Green Estate which has provided more homes. As part of phase two shops, offices and social and community facilities are being provided. In terms of accessibility the new Kensal Portobello Elizabeth Line station will have acted as a catalyst for bringing sensitive interventions, both in terms of the public realm and additional homes, where appropriate. In view of the location of the Portobello Road Market it makes sense to strengthen the link to Ladbrooke Grove, particularly in the area close to the underground station. The vision for the borough acknowledges the need for more homes and these will be provided at Wornington Green and on the land adjacent to Trellick Tower. However, the need for a strong sense of place is also required including a commitment to a high standard of public realm. On this basis the vision for Golborne is sound and appropriate for the area.

3.2 The allocations for Wornington Green and land adjacent to Trellick Tower appeared in the RBKC Core Strategy 2010 and were included, unchanged, in the Consolidated Local Plan 2015. The change that has been made in the LPPR is that the allocations now appear within the Golborne 'Place' chapter rather than as standalone chapters. This change was made so that all the relevant information for an area is in one chapter. The site allocations themselves have not been altered.

3.3 It is entirely appropriate to continue regeneration at Wornington Green. It is a postwar housing estate constructed between 1964 and 1985 in predominantly large deck blocks. A planning brief for the Wornington Green Planning Brief was adopted by the Council in 2009. This sets out the time horizon and milestones for bringing forward development. It also outlines how the site came forward for estate regeneration. In 2006 the Kensington Housing Trust (which subsequently merged with others to become Catalyst Housing Ltd) decided to redevelop, rather than refurbish their Wornington Green Estate because it failed to meet Decent Homes standards. The Council's Public Realm Overview and Scrutiny

Committee considered this decision hearing evidence from: local residents; Kensington Housing Trust; and consultants appointed by the Council to assess Kensington Housing Trust's business case. Advised by the Overview and Scrutiny Committee's findings, the Council's Cabinet (Executive) accepted in principle that total redevelopment was the best long-term solution for the future of the Wornington Green Estate. Planning permission for the first phase of the redevelopment of the estate was granted in 2010 and it is due to be completed shortly. Phase two received detailed consent in 2014 and commenced last year and phase three will seamlessly follow on from this.

- 3.4 This estate is not owned by the Council, the decision to redevelop the estate was scrutinised by the Council, a supplementary planning document has been adopted and the development is now in an advanced stage of delivery so withdrawal or alterations to the site allocation are not considered appropriate.
- 3.5 The land adjacent to Trellick Tower is vacant so no resident would be decanted from their home to achieve the objective of providing additional homes. There was a residential use previously in the form of the Edenham Care Home which was demolished in 2008 and part of the site is now being used as a temporary coach park. In view of the proximity of other residential development in the form of the Cheltenham Estate, and the former use of the land, residential use is regarded as the most suitable use for the land. Furthermore, there is a compelling need for housing and particularly affordable housing in the borough as previously outlined.
- 3.6 It is acknowledged that there are constraints that need to be explored carefully. In terms of appropriate design and density the site allocation takes account of the London Plan 'Designs on London' policies and the Mayor's density matrix. However, it is also recognised that the local social, historical and physical context and the adjoining site of nature conservation importance need to be taken into account together with the setting of the grade II\* listed status of Trellick Tower itself. This is reflected in the planning brief adopted for the site – the Edenham-Trellick SPD (2015). The strategy is considered the most appropriate as the main thrust is to provide more homes but employment and other supporting infrastructure is not overlooked. Mention is made at paragraph 6.8.3 of the reasoned justification in the draft Plan to the location of a destination use, such as a leisure facility improving the vitality of the neighbourhood shopping centre at Golborne Road (North). Employment uses are also supported in the form of studio workspace as part of a mixed use development. Whilst this is not formally allocated these are uses which are actively being explored.
- 3.7 Pre-application discussions were held with the Council's appointed architects for the land adjacent to Trellick Tower prior to the Grenfell Tower fire last year and the scheme was evolving as a result. Further discussions will take place during the coming months and the Council is confident that a planning application for the site will be submitted in

2018. This would enable the development to be completed in the first five years.

**b. Is the quantum of housing development proposed at Wornington Green and land adjacent to Trellick Tower deliverable within the first 5 years after adoption of the RBKC LPPR?**

3.8 Planning permission for regeneration of the Wornington Green Estate was granted in 2010 and phase one consisting of 324 new homes (174 affordable and 150 for private sale) is complete. Phase 2 commenced construction in 2017 (168 affordable rent units, 11 shared ownership units and 142 homes for private sale) and is due for completion in 2021. In their response to the submission consultation Catalyst Housing Group suggested that further text should be added to acknowledge the potential for additional units to be provided in Phase 3 of the Wornington Green Estate Regeneration, in line with Paragraph 47 of the NPPF which states that Local Authorities should seek to significantly boost the supply of housing. The Council considers paragraph 6.7.1 gives context and factual information of the development to date. The adopted Wornington Green SPD sets out the Council's requirements for the redevelopment of the Wornington Green Estate, detailing the redevelopment priorities and measures to ensure resident's concerns about the redevelopment are addressed. It is not considered appropriate to introduce further principles here. Whilst it is possible there may be scope for increased densities through a further phase of development, this would be tested as part of a future planning application.

**c. Will the vision (CV6) and site allocation policies (CA3 and CA4), combined with other relevant policies in the Plan, ensure the delivery of sustainable development in Golborne in accordance with national policy, including the protection of heritage assets and open spaces.**

3.9 In terms of plan-making for sustainable development the NPPF states "local planning authorities should positively seek opportunities to meet the development needs of their area". The justification for the site allocations in terms of meeting the social, economic and environmental needs of the area has been explained above.

3.10 In relation to protection of heritage assets the site context identifies that Trellick Tower is an architectural icon and landmark of the area that is Grade II\* listed, while the neighbouring Cheltenham Estate is Grade II listed, which are identified as site constraints in the site information table. Chapter 3.5 of the Trellick-Edenham Planning Brief SPD, adopted in 2015, sets out in detail how the objective to preserve and enhance the character, appearance and setting of designated heritage assets, especially Trellick Tower, should be met.

3.11 In relation to protecting open space Emslie Horniman's Pleasance and Meanwhile Gardens are open spaces which are protected by policy CR5 Parks, Gardens, Open Spaces and Waterways.

## Vision for Earl's Court (CV8) and Site Allocations for Earl's Court Exhibition Centre (CA6) and Warwick Road sites (CA7)

**4. Given the importance of this location for the delivery of new housing and commercial floorspace in the borough over the plan period, are the updated vision for Earl's Court to 2028 (CV8) and the sites allocations for the Earl's Court Exhibition Centre (CA6) and the Warwick Road sites (CA7) sound? In particular:**

**a. Have they been positively prepared and is the mix of uses proposed justified as the most appropriate strategy for this area?**

4.1 The updated vision for Earl's Court to 2028 (CV8) and the site allocations for Earl's Court Exhibition Centre (CA6) and the Warwick Road sites (CA7) are all sound. They all reflect the guidance at paragraph 157 of the NPPF for the need to plan positively for development and infrastructure in an area to meet the principles of sustainable development. The vision and the site allocations all achieve economic, social and environmental objectives. Principally there is a thrust towards housing and employment delivery, not only in the Earl's Court vision but in the site allocations themselves. This reflects the housing and business needs of the area and the borough as a whole. However, the importance of links to the wider area is also recognised together with public realm improvements and a new cultural facility so that Earl's Court remains a lively cultural destination. The need for community infrastructure to support local life is also not overlooked given the significant quantum of new homes that is envisaged.

4.2 In terms of the Earl's Court vision guidance contained in the NPPF paragraphs 56 and 57 acknowledges that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. In relation to being positively prepared paragraph 57 states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. The creation of a vibrant new urban village which reflects the crescents and squares nearby does this.

4.3 In terms of the site allocation for Earl's Court this largely reflects that adopted in the Core Strategy (December 2010). In terms of land use the principal change is to increase the site allocation of homes from a minimum of 500 to a minimum of 900 within the Royal Borough, which reflects the outline planning permission that has been granted for 930 units. In view of the fact that the land in question straddles the boundary between RBKC and LBHF significant work has been done to justify the positive preparation of the allocation and the mix of uses. This was reflected in the wording in the former London Plan (July 2011) when regional policy for the Opportunity Area was outlined. It is repeated here because it is still relevant, "the area presents a significant opportunity for regeneration comprising estate renewal (in LBHF) and housing and

employment growth. A comprehensive approach should be taken to planning the future of the exhibition complex, the Transport for London Lillie Bridge Road depot, the local authority housing estates and other sites in the vicinity. The potential for strategic leisure, cultural and visitor attractions and strategically significant offices should be explored together with retail, hotels and other supporting social infrastructure.”

- 4.4 In terms of the site allocation in RBKC the opportunity has been taken to boost housing delivery but provide appropriate supporting social infrastructure in the form of A Class uses which support day to day needs and social and community facilities. Other non-residential uses have also been allocated to deliver a sustainable and balanced mix use development reflecting the excellent accessibility of the site, such as hotel and leisure uses which are also a useful source of employment.
- 4.5 With regard to the site allocations for Warwick Road the principal thrust for residential use for the sites together with appropriate supporting infrastructure has not changed since the original site allocations in the Core Strategy (December 2010). The changes in the number of residential units proposed for each site either reflects the schemes that have come forward since the Core Strategy was adopted or the opportunity has been taken to increase the number of units based on further design work in line with the new strategic objective of boosting housing supply in the borough. Supporting infrastructure and planning obligations have not changed. As such both the Warwick Road and Earl’s Court site allocations have been positively prepared to reflect the development needs of the area and the borough as a whole and the mix of uses remain the most appropriate strategy.

**b. Are they based on effective joint working which addresses cross boundary strategic priorities with the London Borough of Hammersmith and Fulham?**

- 4.6 In the case of the Earl’s Court Opportunity Area as mentioned this straddles the boundary between the two boroughs so effective joint working has been essential to ensure that on site development is optimised and that it reflects joint strategic priorities such as boosting housing delivery. The London Plan (July 2011) set the regional policy for the Opportunity Area and this was followed up by the production of the Earl’s Court and West Kensington Joint Supplementary Document (produced jointly with LBHF) which was adopted in 2012. This document laid out at Chapter 3 the vision and objectives for the site. As stated in the document the vision reflected and was based on the aspirations for the Opportunity Area of LBHF, RBKC and the Mayor of London and was established by both boroughs’ Core Strategies and the Mayor’s London Plan. Key objectives were produced which cover the three dimensions of sustainable development as outlined in the NPPF. These were expressed in terms of urban form; housing; employment; retail; culture; social and community facilities; transport; energy; environment; section 106 and the phasing strategy.

- 4.7 All of the key objectives are important strategic priorities for both boroughs and in terms of RBKC they were reflected in the outline planning permission for the redevelopment of the site in both RBKC and LBHF granted in November 2012. The planning permission granted for the site in RBKC included all the homes, social infrastructure, commercial floorspace and transport improvements which were included in the Core Strategy site allocation (December 2010). Enabling works have been continuing on site since this time.
- 4.8 However, following the grant of planning permission in 2012, the political administration in LBHF changed and it is understood that negotiations are ongoing between Capital and Counties (CapCo), the principal owners of the site and LBHF regarding future plans for development including the West Kensington and Gibbs Green estates where CapCo have a conditional land agreement with LBHF and have exercised their option under this agreement including payments of £75 million. This is a matter for LBHF to address and it will not affect RBKC strategic priorities or the mix or quantum of development that was granted outline permission in November 2012.
- 4.9 In relation to the Warwick Road sites the thrust is for residential development with supporting social infrastructure. The sites in question are physically divorced from LBHF by the West London railway line and as such any area of influence is limited. The strategic priorities are base appropriately for needs within RBKC. However, the strategic objective to boost housing supply in the borough with much needed affordable housing being delivered on these sites should be beneficial for both boroughs and reflects the wider priorities of the London Plan in terms of housing delivery.

**c. Are they in general conformity with the London Plan and are they consistent with national policy in enabling the delivery of sustainable development?**

- 4.10 The general conformity letter from the GLA dated 16 March 2017 (SUB9) confirmed that the draft Local Plan was in general conformity with the London Plan. In relation to site allocations it was stated that the chapters set out a range of site allocations which provide 8,100 new homes over the Plan period, plus a range of other land uses and infrastructure. These allocations were considered to include appropriate references to strategic areas of change in London which included the Earl's Court/ West Kensington Opportunity Area and several of the borough's town centres as well as a range of more local sites. Whilst the Warwick Road site allocations were not specifically mentioned the conclusion for the site allocations was that they represented a positive approach to planning for and delivery of new development within a borough which must be recognised as already relatively densely built up.
- 4.11 In relation to the Earl's Court Exhibition Centre site the GLA commented that the re-development of Earl's Court is already underway and the

Local Plan policies actively support the continued delivery of this development. The vision and site allocations cover the three dimensions of sustainable development as defined in the NPPF (March 2012). As the economic, social and environmental priorities have already been referred to they will not be dealt with here but they will enable the delivery of sustainable development.

**d. Will the combination of sites be deliverable, including the quantum of residential development proposed within the first 10 years of the Plan period and the quantum of commercial floorspace proposed for the Earl's Court Exhibition Centre site?**

4.12 The combination of all the sites are deliverable within the first 10 years of the Plan period. Rather than deal with each site individually reference is made to the response to Issue 3a question 4 which gives an update to where the different sites are in terms of implementation. However, it is considered appropriate to comment on the Earl's Court Exhibition Centre site within RBKC and delivery timescales.

4.13 As mentioned outline planning permission was granted in November 2012 and since that time the Council has dealt with a further series of detailed applications largely related to environmental controls for the demolition of the Exhibition Centre. A reserved matters application relating to layout, scale, appearance and landscaping was granted in May 2017 (ref:PP/16/07386). For the past four years works have progressed on the RBKC part of the site to demolish the Exhibition Centre and remove 61 portal beams situated over the London Underground lines. This enabling work has taken some considerable time as it entailed the use of a special lifting crane and dispensation from London Underground for night time working.

4.14 In late December 2017, there were some press reports that CapCo were looking to dispose of their interest in the Earl's Court site. They have since confirmed that this is not the case and work continues apace. The Council have no information which would indicate that either the quantum of residential development or the quantum of commercial floorspace would not be delivered during the lifetime of the current Local Plan and the Council are in regular contact with CapCo regarding their intentions. Clearly if a problem or issue arises which might affect delivery and this is within the Council's control to assist in solving, then RBKC would be keen to help.

**e. Are the minimum dwelling numbers for each site justified?**

4.15 Both the Warwick Road sites and the Earl's Court and West Kensington Opportunity Area have been the subject of supplementary planning guidance which has assessed what might be appropriate in terms of height, bulk and massing on each site together with other non-residential uses. Given the context of the sites which are generally not as

constrained as others within the borough the opportunity has been taken to optimise development on all the sites with the proviso that there is appropriate social infrastructure, a high quality of design (appropriate for the context of the area), open space and a mix of uses which are appropriate for sustainable development. The minimum dwelling numbers are justified given the exercise that has been described and it is in line with the new policy to boost the supply of homes in the borough.

**f. Are the site allocation policies CA6 and CA7 justified and consistent with national policy in respect of their approach to infrastructure and planning obligations?**

- 4.16 In relation to Earl's Court exhibition Centre (Policy CA6) a wide range of infrastructure and planning obligations are sought which reflects the scale of the development and its strategic importance to RBKC. The list includes social and community facilities; additional new public open space; highway contributions that include the investigation of returning the Earl's Court one-way system to two way working; public realm improvements; improvements to tube, bus and rail access and better connectivity with the underground network; step free access; improved pedestrian links; affordable housing and a new cultural facility. This list is not exhaustive but it demonstrates the wide range of infrastructure that is being sought. The infrastructure has been viability tested with an appropriate Development Infrastructure Funding study and it is consistent with national policy in so far as it has been positively prepared and it addresses the three dimensions of sustainable development as outlined in the NPPF.
- 4.17 In a similar manner the site allocations for the Warwick Road sites (Policy CA7) are justified and consistent with national policy. Given the fact that the land use allocation is for a minimum of 1,219 residential units across all four sites the infrastructure and planning contributions are largely related to the large quantum of new homes being built. Supporting social infrastructure and public realm improvements in the form of landscaping to the West Cromwell Road and streetscape improvements to Warwick Road are in scale and form to the development coming forward. Affordable housing is being sought across all four sites to ensure a mixed and balanced community. One of the 12 core planning principles mentioned at paragraph 17 of the NPPF is to deliver sufficient community and cultural facilities and services to meet local needs and in this case they are catered for as part of both site allocations. Another core principle is to proactively drive and support sustainable development to deliver (amongst other criteria) the homes, infrastructure and thriving local places that the country needs and it is considered that the approach to infrastructure and planning obligations on both sites do just that.

Vision for Lots Road / World's End (CV9) and site allocations for Lots Road Power Station (CA9) and the Site at Lots Road (CA10)

- 5. Are the updated vision for Lots Road/World's End to 2028 (CV9) and the site allocation policies for Lots Road Power Station (CA9) and the Site at Lots Road (CA10) sound? In particular:**
- a. Has the vision for Lots Road/World's End been positively prepared and is it justified and deliverable in respect of its priorities for public transport improvements?**
- 5.1 The place chapter outlines two priorities for public transport improvements that seek to address the poor public transport connectivity of the Lots Road place. The southern sections of Lots Road place has a poor PTAL level (level 2). Future schemes such as the Lots Road Power Station provide opportunities to improve public transport provision and lessen the reliance on the private modes of transport.
- 5.2 There are two priorities outlined in Section 9.4. The first is the creation of a new bus route from Fulham Riverside to Central London. The second, supports initiatives that encourage river transport. These priorities will be delivered via a S106 agreement with the developer of the Lots Road Power Station and are based on detailed transport assessments of the appropriate strategies for improving public transport in the area.
- 5.3 The latest S106 agreement confirms contributions to enhancing bus services and river transport. The contributions for the original S106 scheme in 2006 provides for Bus Stop Contributions - £165,000, Bus Priority Measures - £100,000, contribution to subsidise the Embankment bus (£1,700,000), Riverbus Service Contribution – annual payment of £50,000 for 5 years. The Transport Assessment for the latest planning permission concludes that, “under the previous proposals, a comprehensive package of improvements to the transport network was secured through the Section 106 Agreement. It is intended to maintain the range of measures previously agreed.” The place chapter reflects the S106 and technical work already undertaken as part of the original planning permission and later amendments (see PP/13/04082 for latest information.) References to the extension of Transport for London's cycle hire scheme to Lots Road have been removed as this has already been delivered
- 5.4 The approach to public transport priorities at Lots Road have therefore been assessed and justified as part of the applicant's planning application(s) and will be deliverable via the legal agreement entered into with the Council as a condition of overall scheme coming forward.

**b. Are the vision in CV9 and its supporting text and Policy CA9 for the Lots Road Power Station site in general conformity with the London Plan in respect of the safeguarding of Cremorne Wharf?**

- 5.5 The Council removed text in the Delivery section of Chapter 9 after the Draft Policies (Reg 18). This deleted text stated that the Council will continue to lobby for the removal of Cremorne Wharf's safeguarded status within the London Plan to allow its redevelopment in the longer term.
- 5.6 This change was made in recognition of the fact that there is a shortage of wharf space in west London and Cremorne Wharf's central location offers opportunities for sustainable transport of freight and allows for the reduction in goods vehicles on the road.
- 5.7 This change brings the LPPRRBKC in line with the policy approach for safeguarded wharfs in the London Plan (Policy 7.26) and reflects the conclusions of the Final Recommendations Report of the Safeguarded Wharfs Review 2013. The GLA confirmed they supported this change in their response the Regulation 19 response (see SUB 8).
- 5.8 The information in the Context section of the Chapter 9 regarding Cremorne Wharf provides factual information on the temporary uses at the site. This text does not impact on the safeguarding status of Cremorne Wharf.

**c. Should reference be made to the Tier II Archaeological Priority Area at Chelsea Riverside as part of the site constraints for CA9 given that part of the site falls within it?**

- 5.9 Yes. The Council proposes a minor amendment to reflect the Tier II Archaeological Priority Area constraint at CA9.

**d. Has Policy CA10 for the Site at Lots Road Site been positively prepared in respect of the quantum of commercial floorspace proposed?**

- 5.10 The Council is satisfied that it is meeting the objectively assessed need for office development over the plan period taking into account the proposed quantum of commercial floorspace at CA10.17
- 5.11 CA10 seeks to balance a number of corporate and strategic objectives. The proposed land uses allocated are reflective of these objectives. The Council has committed corporately to use the site to house 55 affordable extra care units (Class C2), which are being relocated from the Thamesbrook site.
- 5.12 The Council also recognises the important contribution the existing auction house makes to delivering the overall Vision (CV5) for Lots Road as a "centre for innovation focusing particularly on art, architecture, antiques and interior design." The allocation therefore allows for some

---

<sup>17</sup> See answer to, Matter 3, Issue 3b, Question 5 of the Council's Response to MIQs for further details.

A1 uses and the retention of the auction house in the principles section to help to achieve this vision.

- 5.13 These policy goals are balanced against the need to protect the employment function of the Lots Road Employment Zones. The borough's employment zones accommodate a range of B class business uses that help to support the local and wider economy. The Council has sought to refine the policy in a proposed modification (Main 002, SUB 6) to seek to ensure that B class use delivers a minimum of 2000 sq m of B class (B1 and B8). This recommendation seeks to ensure that a significant uplift of employment floorspace is achieved through the allocation in line with the Council policy on development in an Employment Zone (see Policy CF5)
- 5.14 These figures are minimum targets and where townscape considerations allow additional capacity, the Council will seek to achieve the primary policy goal within Employment Zones as set out in Policy CF5. Any additional capacity at the site should therefore be given over the B class uses to ensure a significant uplift in the existing employment floorspace.
- e. Does Policy CA10 effectively address the cross-boundary relationship with that part of the site within the London Borough of Hammersmith and Fulham?**
- 5.15 The LPPRRBKC is clear that CA10 only relates to land within Kensington and Chelsea and the site boundary is drawn to reflect this. Whilst the allocation cannot affect land uses and development beyond the borough boundary, there is a recognition that this site must be considered holistically. Due care has been given to the specific policy designations and requirements within the land portion that sits within Kensington and Chelsea. The Local Planning Authority is currently in pre-applications discussions with the developers and architects and a dialogue with the London Borough of Hammersmith and Fulham (LBHF) will form part of this process. There are a number of priorities within the draft plan such as the improving connections between with LBHF that are being pursued through these pre-application discussions.
- 5.16 The Council's approach to the allocation therefore recognises the limits of what Kensington and Chelsea's Local Plan has the power to control but the Council's wider approach to the site will involve close collaboration with LBHF to ensure a high quality well integrated development is achieved at the site.
- f. Do any of the proposed 'minor modifications' to the vision in CV9 and site allocation policies CA9 and CA10 materially affect the Plan? Should they be considered as 'main modifications' necessary for soundness?**
- 5.17 No. The proposed 'minor modifications' in SUB 6 (MINOR/23-MINOR/26) are factual updates or additional information that do not materially affect the Plan. These are not main modifications necessary for soundness.

- 5.18 The only change in the text of the policy or vision is a proposed modification to Policy CA10(b) (MAIN 002, SUB6). This change was assessed at part of the Integrated Impact Assessment (Appendix I, SUB72). The assessment concluded that the change did not affect the previous assessment scores.

### Vision for Notting Hill Gate (CV11)

**6. Is the updated vision for Notting Hill Gate (CV11) sound? In particular:**

**a. Has it been positively prepared and is it justified as the most appropriate strategy for Notting Hill Gate?**

- 6.1 The Council considers The Notting Hill Gate vision (CV11) is sound. It states: Opportunities set out in the Notting Hill Gate Supplementary Planning Document will have been taken to refurbish, or in some cases redevelop, outdated 1950s buildings. The Supplementary Planning Document for Notting Hill Gate was adopted in 2015. It considered the issues and options for the whole area and identified a number of sites within the district centre for refurbishment or redevelopment as well as a sketch proposal for public realm improvements in the area.

**b. Is it effective in identifying opportunities for development and redevelopment?**

- 6.2 The Council has identified a number of specific sites for development and of the seven sites identified in the SPD planning permission has been granted for four and only one, the Gate Cinema site has yet to commence. Given the development status of these sites, they will be effective in delivering the vision for the area. The sites are as follows:
- 92-120 (North Block) Frogmore House was granted planning permission in December 2016 and construction has commenced.
  - 15-35 – (East Block) was granted planning permission in December 2016 and construction is planned to start in winter 2018.
  - 66-74 (Book Warehouse) has planning permission for redevelopment and construction is expected to commence in early 2018.
  - Planning Permission was granted for 47-69 (David Game / South Block) in January 2017, the Council is currently considering minor amendments to that scheme as part of a planning application and construction is planned to start in summer 2018.
  - An application for redevelopment of Newcombe House was refused on appeal on the grounds of insufficient affordable housing provision, although the Inspector accepted the height of the

proposed building, which exceeds that identified in the SPD. A further application was refused by the Planning Committee in January 2018, on grounds relating to the height of the proposed building (which is similar to the previous proposal). This scheme is referable to the Mayor.

- 146-164 (West Block) has had pre-application advice and an application is expected in 2018.

**c. Is it in general conformity with the London Plan**

6.3 The GLA have confirmed that the LPPR is in general conformity with the London Plan. In their response to the submission consultation the GLA state, 'Overall this represents a positive approach to planning for and delivery of new development within a borough which must be recognised as being already relatively densely built up.' In any case the London Plan is part of the Statutory Development Plan for the Borough so its provisions would apply.

**d. Is it consistent with national policy in enabling the delivery of sustainable development in Notting Hill Gate?**

6.4 As set out under point 6.1 above The Council has identified a number of sites for development via the Notting Hill Gate SPD. The SPD was developed in response to residents and businesses expressing a desire for improvement and several landowners wanting to come forward with proposals. All but one of these sites identified have now come forward.

**Vision for Kensington High Street (CV12)**

**7. Is the updated vision for Kensington High Street (CV12) sound? In particular:**

**a. Do the proposed 'minor modifications' MINOR /036 and MINOR /037 materially affect the future consideration of development in Kensington High Street? Should they be regarded as 'main modifications' which are necessary for soundness?**

7.1 MINOR/036

12.4 Ensure any major proposals to redevelop High Street Kensington Station Arcade or adjacent buildings investigate opportunities to secure improved station facilities and, where appropriate, feasible and justified, deliver step-free access at High Street. Kensington Station while also protecting the townscape and the retail offer.

7.2 This amendment was proposed to make it clear that it will only be major developments which will prompt investigations into station improvements or step-free access at High Street Kensington. The change is proposed for clarity and is not considered a soundness issue.

7.3 The s106 agreement for redevelopment of the Boots site, which has

given planning permission in December 2017, will include a contribution towards a feasibility study into how step-free access could be provided.

MINOR/037

12.5 ... supported through section 106 agreements and CIL in accordance with relevant legislation and guidance.

7.4 This amendment was made to clarify that contributions will have to be in accordance with the relevant legislation and are not considered a soundness issue.

**b. Are the other modifications to the vision suggested in representations necessary for soundness?**

7.5 The vision for Kensington High Street was re-written in response to consultation submissions that identified it was not sufficiently distinctive or visionary, did not reflect concerns about the retail offer and it gave undue emphasis to the role of the Design Museum. The Council does not think that any further modifications are required for soundness.

7.6 In respect of concerns that were raised. The Council supports the Kensington Business Forum for businesses in the area which has a new Chair (November 2017) and is actively seeking to enhance the High Street. A series of short and longer term projects have been identified and are being pursued by the Planning Implementation Team and the Business Forum. The former Odeon cinema site now has planning permission for redevelopment which includes two smaller cinemas.

### Vision for Knightsbridge (CV13)

**8. Is the updated vision for Knightsbridge (CV13) sound? In particular is the priority to retain a social and community use in the former fire station justified as the most appropriate strategy for the site, in the light of the centre's national and international role?**

8.1 The Council considers the updated vision for Knightsbridge is sound.

8.2 In relation to the former fire station Policy CK1 protects all social and community uses in the Borough. Knightsbridge is an international centre but it is also a residential area and, as the vision for Knightsbridge sets out, it is important that these two functions exist harmoniously. The Borough's very high land values mean that there is constant pressure to release land from less valuable uses and there is virtually no prospect of new land being made available for social and community uses.

8.3 Any proposals for reuse of the Fire station would be examined on its own merits and in view of the policy protection afforded by Policy CK1 at the appropriate time.

- 8.4 The former fire station is in a side street location (Basil Street) not on the primary frontage in Brompton Road and Sloane Street, so it would not make a significant contribution to the vitality and viability of the centre, which is anchored by Harrods and Harvey Nichols department stores.

### Vision for South Kensington (CV14) and Strategic Cultural Area (Policy CF11)

**9. Is the updated vision for South Kensington (CV14) sound? In particular:**

**a. Is it justified and effective, in combination with Policy CF3, in seeking to protect A1 retail uses and resist a further increase in Use Class A3 and A4 food and drink uses within South Kensington?**

- 9.1 The Council considers that the vision for South Kensington is sound and that none of the changes requested in consultation responses are needed for soundness.

- 9.2 Analysis of retail uses in South Kensington as a whole, from the 2017 Authority Monitoring Report<sup>18</sup>, shows that 43% are in A1 use. This is lower than other centres in the borough and has been static over a number of years. Policy CF3 would protect all of the 49% remaining A1 uses in primary frontages as the policy requires 80% to remain as A1 uses. The proposed change to Policy CF3, reducing the requirement in secondary frontages for A1 uses within a parade from 66% to 50%, would increase the potential loss of A1 units from 2 to 4. This is considered appropriate in an area that serves 12 million visitors as well as the needs of local residents.

**b. Does the proposed 'minor modification' MINOR/038 to paragraph materially affect the vision for South Kensington? If so should it be considered as a 'main modification' which is necessary for soundness?**

9.3 MINOR /038

14.2 ~~The retail area South Kensington District Centre south of Cromwell Road has many small shops, Christies' auction rooms and Bute Street Farmers' Market that give it a village character much valued by local residents. However, there is concern among residents that too many eateries are forcing out local shops.~~ over the last ten years the area to the north of the station has become increasingly dominated by food and beverage outlets predominantly catering for visitors.

---

<sup>18</sup> See

<https://www.rbkc.gov.uk/sites/default/files/atoms/files/2017%20Monitoring%20Report%20FINAL.pdf>

- 9.4 This change is proposed in order to be a statement of fact rather than opinion, to include a reference to South Kensington being a District Centre and the closure of Christie's South Kensington in 2017. It is not considered a main modification.
- c. Is paragraph 14.5 in respect of the delivery of the vision justified and effective and consistent with national policy in balancing the commercial needs and heritage interest of the main institutional buildings in South Kensington?**
- 9.5 Paragraph 14.5 on delivery states "The Council will work with the institutions to achieve a suitable balance reconciling the institutions' need to promote themselves and draw attention to particular exhibitions or sponsors by using their exterior facades and the need to preserve or enhance the character and appearance of the conservation areas and the setting of the listed buildings."
- 9.6 This is considered justified in view of the Council's duty to preserve or enhance conservation areas whilst recognising that the institutions need to be able to develop additional funding streams to support their activities. It does not provide carte blanche for the sort of advertising that is of concern to the residents' association.
- d. Is the vision, in combination with the policy for the South Kensington Strategic Cultural Area (CF11), otherwise positively prepared and justified in respect of its approach to Exhibition Road and the Strategic Cultural Quarter?**
- 9.7 The vision for South Kensington seeks to strike a balance between the concerns of local residents, for whom it is their local district centre, and supporting the South Kensington Strategic Cultural Area where Policy CF11 protects and enhances arts and cultural uses in the South Kensington Strategic Cultural Area.
- e. Does the vision in combination Policy CF3 provide an effective strategy for Brompton Cross as a District Centre?**
- 9.8 The purpose of the place visions is not to provide a separate strategy for every district centre – Fulham Road East and West for example, like Brompton Cross, do not have their own place chapters. Paragraph 2.4.4 of the Policy Formulation Report explains that the option of amalgamating some individual places to create fewer larger sites with a focus on two themes: areas of future development; and areas of international and national significance, was identified as the preferred option. Brompton Cross is referred to in the South Kensington Chapter and shown on the key issues and opportunities map which includes improving pedestrian links from South Kensington to Brompton Cross. No longer having a separate chapter will not prevent Brompton Cross

continuing to develop as a high quality retail centre. The Council is not able to limit vacancies within buildings regardless of whether or not there is a place chapter.

**f. Are the other modifications to the vision suggested in representations necessary for soundness?**

- 9.9 No, not for soundness. However, the Council has considered all the representations and proposed the changes that were considered necessary or appropriate.

**Vision for Sloane Square / King's Road (CV15) and Chelsea Farmer's Market site (CA12)**

**10. Is the updated vision for Sloane Square/Kings Road (CV15) and the Site Allocation for Chelsea Farmer's Market (Policy CA12) sound? In particular:**

**a. Is the vision positively prepared, justified and based on effective joint working in respect of its proposals for a Crossrail 2 station in King's Road?**

- 10.1 The Council has worked closely with TfL and Crossrail 2 on their proposals for the project and the route has been safeguarded since 1991 (as the Chelsea Hackney Line). The safeguarding was updated in 2015 but this identifies the Fire Station and Metrobank as areas of surface interest, rather than the two buildings between them on Sydney Street. Full details of the consultations that have taken place can be seen at <https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/consultations/crossrail/crossrail-2> together with answers to local people's concerns, where these are known.

- 10.2 The next round of consultation is not expected before the end of 2018. Once more details become available the Council's Leadership Team will consider the issue. The Council's final position will be informed by extensive consultation with residents, businesses and other stakeholders.

- 10.3 The London Borough of Hammersmith and Fulham is promoting Imperial Wharf as a potential location for a Crossrail 2 station but the Council understands that this is not being actively considered by TfL. The removal of references to a potential Crossrail 2 station at Imperial Wharf have been discussed with the London Borough of Hammersmith and Fulham at Planning Policy Liaison meetings as set out in the Places and Site Allocations Policy Formulation Report.

**b. Should the policy for Site Allocation CA12 make reference to the safeguarding of Chelsea Farmer's Market for Crossrail 2?**

10.4 The site information table for the Chelsea Farmers' Market site allocation identifies under the "site constraints" heading that the site is covered by a Crossrail 2 safeguarding direction and under the heading "risks" that it has been identified as a construction site for Crossrail 2. This is the way that constraints and risks have been identified for all the site allocations.

**c. Is the updated vision, in combination with existing Policy CK1, effective in its protection of hospitals and centres of medical excellence and research within the Sloane Square/King's Road area?**

10.5 The vision and Policy CK1 cannot enforce, only encourage, retention of hospital use or Chelsea's role as a centre of medical excellence as these are ultimately decisions for the hospital trusts and the NHS. Last December the Royal Brompton Hospital unexpectedly announced its intention to relocate to beside St Thomas' Hospital in Lambeth to create a "global powerhouse" for heart and lung disease. Policy CK1 would protect social and community use of the site.