Portobello Scheme

Planning Statement

February 2017
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Contact
Ian Fergusson
ian.fergusson@turley.co.uk
27 Feb 2017
1. Introduction

1.1 The Portobello Scheme is a mixed-use development under and next to the Westway flyover in North Kensington, West London. It is being brought forward by Westway Trust, a charity established in response to the destruction to the community caused by the construction of the flyover in the 1960s. The Trust now own and manage 23-acres of land in one of the poorest and most culturally vibrant parts of the country.

1.2 The Portobello Scheme advances development that is specifically supported by the Council’s ‘Land underneath and close to the Westway Planning Brief’ (2012) and in the Council’s emerging local planning policy. The proposals have undergone a significant and detailed process of local consultation, over a circa two year period. The proposals have also evolved in response to the pre-application advice received and to further work undertaken by the Trust and its team.

1.3 The Scheme seeks to provide new arts and cultural opportunities, workspace, a market hall, independent shops and affordable housing. It builds on the existing use of the area to weatherproof and provide permanent facilities in popular, informal spaces, as well as soundproofing them for the benefit of neighbours. It will support the existing but struggling market stallholders in the famous vintage market by creating a seven-day, all-day, all-weather environment for visitors and residents. And, it will improve a dark shopping arcade with little passing traffic by turning the shops round on to a new shopping street with an expanded public realm.

1.4 The Trust is part of the community and it very much values the area’s distinctiveness and individuality. It has tried to reflect and celebrate important historic and cultural facets in the plans to provide continuity and enhance its connection to the roots and identity of the area. The Spanish mural in the arcade area will be protected. The Trust is seeking to preserve the street art and murals in the Acklam Bays too.

Proposals

1.5 Turley has been instructed by our client the Westway Trust (the ‘Applicant’) to submit an application for planning permission for the following development. The Applicant has a long leasehold interest across all parts of the Application Site. The Applicant is a charity and its charitable aims are outlined in Section 2 below.

‘Mixed use development under and next to the Westway flyover in North Kensington, West London (Portobello Scheme) to provide the potential for new arts, culture, enterprise and affordable housing, including: refurbishment (including demolition) at Site A for Class A1 shops use, Class A1 shops and/or Class A3 restaurants and cafes use, Class A1 shops and/or Class B1 business use; demolition of building accommodating market storage and outdoor advertising board, erection of 4 storey building at Site C for Class A1 shops use and 13 x Class C3 dwellinghouses, including change of use of private car park; refurbishment (including demolition) at Site D for Class A1 shops and/or Class B1 business use, Class B1 business and/or Class D1 non-residential institutions use; Class A4 drinking establishments and/or Class D1 non-residential institutions use, market facilities and associated new access from Acklam Road; public
realm works, including demolition of existing planters and hoarding; retained use of public realm for market stalls and tables and chairs; new cycle parking; and other associated works’ (the ‘Proposed Development’).

1.6 The Proposed Development site (the ‘Application Site’) is defined in the Site Location Plan submitted in support of this application. The Application Site comprises part but not the whole of the ‘Thorpe Close and Portobello Road’ zone that is defined in the Council’s ‘Land underneath and close to the Westway Planning Brief’ (2012).

1.7 As per the description of development above, new or refurbished floorspace will be created across three sites (Sites A, C and D). These definitions appear across the planning application drawings and are used throughout this submission. Works are also proposed to parts of the adjoining public realm.

1.8 The proposed design is depicted in the application drawings and the design approach explored in the Design and Access Statement.

1.9 With respect to the proposed residential tenure the Applicant is in advanced joint working with Octavia for the assignment of a 125 year lease to the 13 new homes. Under this arrangement all 13 homes would be provided as intermediate affordable housing.

Context

1.10 No works are proposed at a ‘Site B’ as part of this planning application. ‘Site B’ historically referred to an area adjoining the adjacent external canopy. As part of a local consultation held in March 2015 ideas were presented for works at Site B. However, Site B does not now form part of the Application Site.

1.11 Pre-application advice relating to an earlier iteration of these proposals was provided by the Council on 26 October 2015 (ref: PRE/PP/15 /00988/LEV 3). As set out in the Statement of Community Involvement, a comprehensive process of pre-application consultation has been held by the Applicant. Milestones have included public exhibitions held in March 2015 and November 2016.

1.12 The Proposed Development has evolved in response to the pre-application advice received, consultation feedback and to further work undertaken by the Applicant and its team.

Parallel Planning Applications

1.13 The Applicant has recently submitted a planning application proposing works (including temporary ‘pop up’ units) to the south-east of the Application Site. The Proposed Development is wholly compatible with those proposals and is also compatible with parallel proposals being brought forward at Portobello Green. These proposals will together, through the quality of physical works and through their use, make a significant contribution to the local community and the Town Centre.
2. The Applicant

Context

2.1 The Westway flyover was constructed between 1964 and 1970. In 1971 the Westway Development Trust (today the Westway Trust) was established, charged with delivering community based facilities within the area underneath the flyover (circa 9 hectares) that stretches across the Royal Borough of Kensington and Chelsea (RBKC) to Westbourne Park in the east.

2.2 In 2012 RBKC published a planning brief which identifies development opportunities at land underneath or immediately adjacent to the Westway within the Borough. This Brief, entitled ‘Land underneath and close to the Westway Planning Brief’, envisages a 20 year development programme across this 9 hectare area. It observes that this programme will support the Council in pursuing its planning policy objectives, including the delivery of a significant quantum of new mixed retail, community, sport and employment floorspace. Emerging local planning policy also specifically refers to the Applicant’s aspirations for the Application Site.

2.3 The Application Site measures 0.512 hectares and represents approximately 6% of the land to which the Brief applies.

2.4 Overall, RBKC’s Brief sets a supportive context for the Applicant pursuing its charitable aims through the Proposed Development at the Application Site.

The Applicant’s Charitable Aims

2.5 The Applicant’s main charitable aims are as follows:

‘To promote the benefit of the inhabitants of the Royal Borough of Kensington and Chelsea by such charitable means as the trustees think fit, including:

- The advancement of education in the Royal Borough,
- The provision of facilities for recreational, sporting and other leisure activities in the interests of social welfare, with the object of improving the conditions of life of inhabitants and the inhabitants of adjoining London boroughs (including the protection and preservation of their health).
- The development of the capacity and skills of members of socially disadvantaged communities within the Royal Borough.
- The maintenance, improvement or provision of amenities and the promotion of community art projects.’

2.6 In pursuing these aims the Applicant endeavours to fill gaps in provision and seek innovative solutions to local problems. The Applicant aims to do this through sustainable projects, which are not exposed to the vagaries of changing funding regimes. The
Applicant ensures its viability and sustains its projects primarily through value generated by its commercial property portfolio.

**The Applicant’s Vision for the Application Site**

2.7 The purpose of the Proposed Development is to support the Applicant’s pursuit of its charitable aims.

2.8 Following completion of the Proposed Development the Applicant will remain the landlord of all commercial (non-residential floorspace) property delivered. This will enable the Trust to both generate new employment and business opportunities for local people (on and off site, including through indirect employment) and to secure a reliable income which better enables the Trust to pursue its charitable aims, both on and off site.

2.9 The Applicant does not intend to be a landlord for any residential property delivered across its estate. This applies to the new homes proposed at Site C. As stated above, at Site C the Applicant is in advanced joint working with Octavia for the assignment of a 125 year lease to the 13 new homes. Under this arrangement all 13 homes would be provided as intermediate affordable housing.
3. Planning Application Material

3.1 This planning application, submitted electronically via the Planning Portal under reference PP-05388098, is supported by the following material.

3.2 The required planning application fee of £16,555 will be paid following submission.

Table 1: Planning Application Material

<table>
<thead>
<tr>
<th>Document</th>
<th>Author</th>
<th>Reference</th>
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<tbody>
<tr>
<td>Planning application form</td>
<td>Turley</td>
<td>27 February 2017</td>
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<td>CIL form</td>
<td>Turley</td>
<td>27 February 2017</td>
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<td>Trevillion</td>
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<td>Management Plan, Travel Plan, details of parking</td>
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<td>and access arrangements</td>
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<td>Air Quality Assessment</td>
<td>AQC</td>
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<td>Daylight and Sunlight Report</td>
<td>Chancery Group</td>
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<td>Statement of Community Involvement</td>
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<td>Affordable Housing Statement</td>
<td>DS2</td>
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4. Site and Surroundings

Planning Brief

4.1 The Application Site occupies land in North Kensington which RBKC has identified as a development opportunity in the adopted ‘Land underneath and close to the Westway Planning Brief’ (2012). The land falls within the ‘Thorpe Close and Portobello Road’ zone.

4.2 This Brief envisages the following development taking place at the Application Site:

- Site A (Portobello Green Arcade): ‘Employment/leisure/retail’
- Site C (Acklam Car Park): ‘Residential’
- Site D (Acklam Village): ‘Employment/retail’ with an annotation noting ‘flexible workshop space, start up units’

4.3 Please see Appendix 3 for further commentary.

Portobello Green

4.4 Site A lies next to Portobello Green. This is under-used open space, accessed by the public but owned on a long lease by the Applicant.

4.5 Portobello Green is often ill-treated. The improvements to Site A in particular will help that part of the Application Site better engage with its surroundings, including Portobello Green.

4.6 Proposals relating to Portobello Green will be subject to a separate planning application.

Town Centre

4.7 RBKC’s Proposals Map depicts part of the Application Site (including Site A) within the Portobello Special District Shopping Centre (a District Centre in the London Plan and a ‘higher order centre’ in RBKC’s Consolidated Local Plan (Local Plan Policy)). The current Town Centre designation in the Proposals Map broadly follows the outline of where uses are currently located. It does not necessarily outline where RBKC envisages town centre uses might be appropriately provided. For example, at the ‘Thorpe Close and Portobello Road’ zone, land is identified for town centre uses (including retail use) which currently lies on the edge of the Town Centre. This is the case for Site C and Site D.

4.8 Elsewhere in the Local Plan, Site A’s retail frontages along Portobello Road and Thorpe Close are identified as ‘secondary shopping frontages’. The commercial units at Bay 54 (on the opposite side of Portobello Road from Site A) are subject to the same designation.
4.9 In June 2015 the Applicant commissioned a survey of Portobello and Westway retailers and (market) traders (see Appendix 4). The survey area is indicated on page 5. The survey’s findings (page 25) include the following:

- ‘shoppers are typically female, aged 25-44, with both locals and tourists key visitor groups’;
- ‘market is widely considered to be a very important visit driver’;
- ‘current trading climate is challenging for the majority’; and
- ‘three improvement areas considered to be of most benefit; general environment, signage / way-finding and more community and cultural activities’.

4.10 Clearly development (such as the Proposed Development) which can help support the market(s) and improve the visitor experience is to be welcomed.

Heritage

4.11 No part of the Application Site is listed or lies within a conservation area.

4.12 The south-eastern boundary of the Oxford Gardens Conservation Area lies on the opposite side of Cambridge Gardens and, to the west of Portobello Green, on the opposite side of Thorpe Close.

4.13 There are no listed buildings located close to the Application Site whose setting would be materially affected by the Proposed Development.

Environmental and Transport Designations

4.14 The whole of RBKC is a designated Air Quality Management Area.

4.15 No part of the Application Site is located in Flood Zone 2 or 3 or in one of RBKC’s Critical Drainage Areas.

4.16 Our understanding is that there are no Tree Preservation Orders that might influence development proposals at the Application Site.

4.17 The elevated Westway is a ‘red route’.

4.18 TfL’s WebCAT service confirms that the Application Site has a Public Transport Accessibility Level (PTAL) of 4 for the 2011 Base Year.

Existing Uses

Site A

4.19 The existing building at Site A (Bays 49-52) is an inward facing retail arcade with just 3 entrances from the street. It contains a mixture of Class A1, Class A3 and Class B1 uses. In some instances units are used for a combination of activities, for example a unit that houses a tea shop but is also the office for a business that primarily trades online.
4.20 To simplify matters, for the purpose of this submission the Design Report categorises all first floor uses as Class B1 and all ground floor uses as Class A1, except for two ground floor food and drink units which are categorised as Class A3. On this basis the existing floorspace at Site A comprises:

- 849 sq m GIA (884 sq m GEA) of Class A floorspace (mostly Class A1)
- 1,189 sq m GIA (1,221 sq m GEA) Class B1 floorspace; and
- 157 sq m GIA (172) other floorspace
- Total - 2,212 sq m GIA (2,277 sq m GEA).

Site C

4.21 Site C adjoins the Norfolk Mews housing development. Vehicular access to Norfolk Mews is via Site C.

4.22 Site C currently accommodates:

- 15 car parking spaces in a gated car park - these are currently leased (on a space-by-space basis) by the Applicant on short-term commercial leases; and
- a utilitarian building used for market storage which measures 70 sq m GIA (82 sq m GEA).

4.23 An outdoor advertisement attached to the side elevation of 1 Blagrove Road will be demolished as part of the Proposed Development.

Site D

4.24 Bays 55-58 under the Westway currently accommodate the following uses:

- temporary uses at 3 of 4 bays which together measure 982 sq m GIA (1,007 sq m GEA); and
- the other bay accommodates 181 sq m GIA market storage (193 sq m GEA) and a disused WC which was previously maintained by RBKC but closed at least 15 years ago.

4.25 Together Site D accommodates 1,251 sq m GIA (1,283 sq m GEA) floorspace

Public Realm

4.26 The Proposed Development encompasses works to parts of the public realm. The public realm between Sites C and D and in front of Site A currently accommodates market stalls but also includes hoarding (which screens Site D) and planters. The existing quality of the public realm can be seen in the photographs provided in the Design and Access Statement.
5. Planning Policy Context

5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 A review of the key planning policy and guidance is provided below at Appendix 3.

5.3 Table 2 below sets out the development plan and other material considerations as applied at the time pre-application advice was provided by RBKC and as at the time of writing.

Table 2: Planning Policy Documents

<table>
<thead>
<tr>
<th>When pre-application advice issued (26 October 2015)</th>
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<tr>
<td><strong>Development Plan</strong></td>
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<td>RBKC Consolidated Local Plan (Local Plan Policy) (2015), RBKC</td>
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<td>Saved Unitary Development Plan (UDP) Policies (2002, as amended), RBKC</td>
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<tr>
<td><strong>Other Planning Guidance (Material Considerations)</strong></td>
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<td>Online National Planning Policy Guidance (PPG)</td>
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<tr>
<td>Proposed alterations to the London Plan (2015), Mayor of London</td>
<td>Alterations proposed as of 26 October 2015 are now integrated into London Plan and there are no outstanding proposed alterations</td>
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<tr>
<td>Initial rounds of consultation to inform emerging Local Plan</td>
<td>Local Plan Partial Review - Publication Policies - Regulation 19 (February 2017)</td>
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<td>Draft Interim Housing Supplementary Planning Guidance (2015), Mayor of London</td>
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<td>Town Centres Supplementary Planning Guidance (2014), Mayor of London</td>
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<td>Access Design Guide SPD (2010), RBKC</td>
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5.4  As advised by RBKC, proposed changes to Local Plan policies are to be afforded no weight at this stage. As such they are not referred to in the assessment which follows.

5.5  Beyond the above, as Table 2 indicates there has been little change to the relevant planning policy context since pre-application advice was issued in October 2015. Where there has been change the Proposed Development is assessed against the relevant up to date documents.
6. Assessment

Principle of Development

6.1 The Proposed Development seeks to optimise the potential of the Application Site, as sought by the NPPF, the London Plan and Local Plan Policy CL 1.

6.2 The pre-application response confirmed at paragraph 1.1 i. that ‘the principle of redevelopment of the various sites would be supported’ and at paragraph 4.34 that ‘Officers would support the thrust of the proposals which would add vibrancy to the northern end of the Portobello town centre’.

Local Benefits

6.3 The Proposed Development helps deliver the Local Plan objectives for North Kensington, the Westway area and the Portobello Special District Shopping Centre. These objectives are expressed in the Local Plan inter alia at Policies CV 1, CP 2, CV 7, CP 7, CV8 and CP 8. It fundamentally supports the objectives of the Westway Planning Brief SPD. It is aligned with the London Plan and mayoral guidance, including the Mayor of London’s Town Centres SPG.

6.4 The Proposed Development helps deliver these objectives through inter alia delivering new homes and a substantive quantum of non-residential floorspace that together will:

- contribute to the Borough meeting its Local Plan Policy CP 1 targets for new homes, retail and office floorspace;
- provide new non-residential floorspace that will accommodate new jobs;
- help to enhance the reputation of the Portobello Special District Centre (a national and international destination) through
  - addressing the ‘particular negative impacts’ of the Westway, a piece of infrastructure which 40 years later continues to sever the north and south of Portobello Road;
  - replacing the existing tired and inward facing arcade at Site A with a modern and outward facing building where active frontages face onto an improved public realm;
  - enabling underused spaces (i.e. Sites C and D) to make a more substantive contribution to North Kensington, including at Site D, increasing footfall along Acklam Road and supporting wider objectives further to the east;
  - exerting more of an attraction to visitors (whether local, national or international) than the existing offer, increasing dwell times and visitor trips throughout the week (whereas the area can currently be very busy
2 or 3 days a week and otherwise quiet) and encouraging movement northwards towards Golborne Road;

- supporting the ongoing vitality and viability of the Portobello Road market and other adjacent street markets (e.g. the vintage market), including through providing replacement market storage and new facilities such as WCs for traders, as well as maintaining all the existing market trading space across the Application Site, and in so doing also emphasising the unique qualities of Portobello as a destination; and

- supporting pedestrian and cycle movement.

6.5 The proposed improvements (including public realm improvements) to the Application Site will in themselves help to increase dwell times and the appeal of the Town Centre (including the street market) more generally, which will create more demand for the non-residential floorspace amongst shoppers and occupiers.

6.6 For the reasons outlined above we consider that the Proposed Development will underpin the Council’s objectives and support the vitality of the Portobello Special District Shopping Centre.

6.7 Finally, the Mayor’s Town Centres SPG strongly supports making better use of edge of centre sites, to help enable the Town Centre to perform to its optimum.

**Non-Residential Uses**

**Flexible Uses**

6.8 The description of development refers to and the application drawings depict different uses that may occupy the same space.

6.9 Such flexible uses can be authorised by Part 3, Class V of the General Permitted Development Order (2015, as amended). This provision allows for fluidity in how premises may be used across approved uses, for at least a period of ten years, with the use at the end of that period then becoming the lawful use.

6.10 However, as a charity which is the landlord over commercial property holdings and which uses these holdings to fund its pursuit of its charitable aims within the Borough, the Applicant’s preference is for the Council to grant a planning permission that permits more long-term flexibility across a range of proposed uses.

6.11 The Applicant stated at the pre-application stage that its preference is for the Council to permit the relevant parts of the Application Site to enjoy such flexibility in perpetuity. The Applicant noted that while this 10 year time limit would initially provide the Applicant with flexibility when making lettings, it would not later enable the Applicant to respond either to changes in demand or, should its own priorities change, to delivering its own programme on its own property.
On this point the pre-application advice commented at paragraph 1.1 iii. that ‘full flexibility of uses would not be appropriate; however officers would be receptive to further discussions on a degree of flexibility’.

The Applicant suggests that it and the Council may agree appropriate parameters via a planning condition. To clarify what is being proposed, Appendix 1 indicates uppermost and lowermost amounts of floorspace that could potentially be delivered at the Application Site via the Proposed Development, based on what is depicted in the application drawings.

The Applicant also seeks flexibility, which may be confirmed via planning condition, relating to the subdivision or amalgamation of units.

Town Centre Uses

Site A is located in the Portobello Special District Shopping Centre. Sites C and D are located immediately adjacent to the Town Centre as currently defined. Turley has previously made representations to the Local Plan consultation highlighting that it would be sensible for the Town Centre boundaries to be formally extended, given that the Westway Planning Brief specifically seeks the delivery of town centre uses at these two parts of the Application Site.

Less than 400 sq m GEA Class A1/A3 floorspace is proposed at Site C and this scale of provision is specifically supported in the pre-application advice, as noted below.

1,948 sq m GEA floorspace is proposed at Site D. The Westway Planning Brief identifies this part of the Application Site for ‘employment/retail’ with an annotation noting ‘flexible workshop space, start up units’. The proposed uses at Site D accordingly directly support the ambitions of the Planning Brief (i.e. as per what paragraph 4.21 of the pre-application advice noted for the proposed uses at Site C).

At the time of the pre-application submission an arrangement was proposed at Site D which could have led to the provision of up to 2,028 sq m Class A1 retail floorspace. Officers commented at paragraph 4.33 that:

‘Whilst the Council would support the principle of the creation of additional retail floorspace in this location, 2,000 sq m of floorspace is a not inconsiderable amount, which could potentially have an adverse impact on the vitality of existing centres. As such officers would expect an impact assessment to be carried out were the full 2,000 sq m of floorspace to be sought for retail use.’

This is the only reference to a Retail Impact Assessment or Town Centre Impact Assessment in the body of the pre-application advice. The list of ‘information to accompany your application’ at paragraph 6.1 refers to the potential for a ‘Retail Impact Assessment (if required)’. It accordingly may not be, dependent on what is proposed. For Officers the concern at the pre-application stage was the uppermost amount of Class A1 floorspace that might be delivered.

In light of the above we do not consider that a Retail Impact Assessment or Town Centre Impact Assessment is necessary in this instance. The maximum amount of
Class A1 floorspace that could be delivered under the Proposed Development has now been much reduced to 983 sq m GEA. The Applicant will also, as emphasised elsewhere, discuss appropriate controls on the scale of this use which may be secured by planning condition.

**Class A1 Retail Use**

6.21 The pre-application advice considered the merits of the Proposed Development against development plan policy, including Local Plan Policy CF 1.

6.22 The pre-application response confirmed the acceptability in principle of the proposed Class A1/A3 use at Site C (paragraph 4.21).

6.23 At Site D, the pre-application advice suggested ‘the Council would support the principle of the creation of additional retail floorspace in this location’ (paragraph 4.33), although with reservations about the maximum amount of floorspace that could have materialised in that iteration (since revised downwards). Policy CF 1 (e) (ii) is clear that the Council will ‘require, where proposals for new retail development do not comply with parts (a) to (d), that it is demonstrated either… ii. that the new floorspace would underpin the Council’s regeneration objectives and the vitality of any existing centre will not be harmed’. The former has been addressed above. With respect to the latter, the Portobello Special District Centre has, as the 2016 Annual Monitoring Report demonstrates the joint-second lowest levels of vacancy and the highest percentage of independent retailers (by number) of the Royal Borough’s higher order centres. It is evidently, as the Monitoring Report implicitly recognises, a healthy centre.

6.24 At Site A there is existing Class A1 floorspace. The pre-application response advised at paragraph 1.1 ii. that ‘the retention of retail use as the main use of Site A is essential to support the vitality of the town centre’ and, at paragraph 4.14, that ‘the primary use must remain as Class A1 retail’. Paragraph 4.17 commented that ‘it would be expected most of the retail floorspace to be at ground floor level’.

6.25 Addressing the Applicant’s preference for flexibility, the pre-application advice commented at paragraph 4.19 that

‘…Should a condition(s) be imposed, it is likely to refer to the approved floor plans, and would require a certain number of units to be in A1 use which together amounts to an acceptable quantum of retail space. There should then be flexibility to alter the use of units above that minimum to meet the needs of the Trust whilst still, through the condition(s), complying with planning objectives and policies.’

6.26 Approximately half of Site A will accommodate a double-height market hall, which will accommodate mobile stalls, with fixed units and flexible uses anchoring and surrounding these. These stalls will provide a high quality and intensively used retail venue. Their mobile nature will also allow for alternative configurations of the space. This also allows for ancillary activity. The relevant application drawing for example indicates a stage at the eastern end of the hall.
The creation of an indoor market hall will bring a new type of flexible and accessible space to the Portobello area, its dynamic market environment is intended to be a signature development within the overall scheme.

The Applicant envisages agreeing a planning condition that will ensure appropriate Class A1 retail provision whilst providing the Applicant with the operational ability to locate and relocate tenants without need to revert to the Council, including through the subdivision or amalgamation of units.

**Class A3 Restaurant/Café Use**

The pre-application response confirmed the acceptability in principle of the proposed Class A1 and/or A3 use at Site C (paragraph 4.21). The application drawings indicate 5 independent units. We understand however that there would be no reason based on planning policy why this arrangement could not be revisited (i.e. units amalgamated or disaggregated) provided the principle of any change of use was acceptable, as per the above. Confirmation of this by the Council is welcomed.

Flexible Class A1/A3 floorspace is proposed at Site A. This can provide a desirable mix of town centre uses whilst retaining the ‘primary’ retail use sought in the pre-application advice.

**Class A4 Drinking Establishments Use**

The application drawings indicate a modest area in which Class A4 use may take place. Such use might equally be ancillary to a Class D1 use or a standalone operation. With respect to the latter, a Class A4 use already operates at this location on a limited 2 days a week basis. We accordingly suggest that such an operation could be carried out at this location without materially adverse effects.

**Class B1 Business Use**

The Application Site is wholly an ‘accessible’ area where Class B1(a) office floorspace is supported in principle under Local Plan Policy CF 5. This is the most likely form of Class B1 use to be accommodated at the Application Site. However, under Policy CF 5 Class B1(c) light industrial use will equally be acceptable so long as amenity would not be harmed. The Town and Country Planning (Use Classes) Order 1987 (as amended) in any case specifies that a light industrial use falls within the Class B1 use only if it is a ‘use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit’. Similar points apply to Class B1(b) research and development activities, should these take place.

The pre-application advice was clear at paragraph 4.31 that the potential scale of Class B1 business use indicated was supported at Site D.

The principle of the provision of Class B1 business use at Site A is less clear-cut, with paragraph 4.51 of the pre-application advice stating that ‘loss of office space to class A1 floorspace may therefore be appropriate; however loss to A3 café/restaurant use would
not’. Appropriate planning conditions relating to Class B1 business use will accordingly be considered in the round.

6.35 The existing Class B1 business use at Site A has an NIA of circa 980 sq m (if the first floor is assumed to have a Class B1 business use). It was constructed in the ‘1945 to 1984’ period for which Drivers Jonas Deloitte’s ‘Employment Densities Guide’ (2010) indicates (at paragraph 4.43) an assumption can be made that each 12.5 sq m NIA can accommodate one full-time equivalent (FTE) employee. Bearing in mind the subdivisions of the existing building this scale of occupancy may not be realistic, but as a proxy it equates to 78 employees.

6.36 The Proposed Development will provide accommodation to modern standards, where the Employment Densities Guide indicates occupancy levels of 8-12 sq m per FTE. Where Class B1 floorspace is provided it is likely to accordingly be more intensively occupied than the existing.

6.37 Spaces will be designed to be flexible and potentially allow a range of unit sizes, as sought by Local Plan Policy CF 5.

Class D1 Non-Residential Institution Use

6.38 Local Plan Policy CF 7 Arts and Cultural Uses provides in principle support for the provision of a cultural / arts space of any scale at the Application Site.

6.39 Public consultation has confirmed local interest in part of Site D being used for Class D1 use. The most likely use would be an arts, culture and civic centre and this represents the Trust’s aspiration.

6.40 The pre-application advice confirmed at paragraph 4.32 that ‘officers would support the creation of an arts and cultural use’.

Tables and Chairs

6.41 Whilst not indicated on the application drawings, it is envisaged that tables and chairs may be laid out in the public realm between Sites C and D, in accordance with the Council’s presumed expectation for a 3 or 4 m ‘clear footway width following the introduction of tables and chairs’ and that ‘no more than one third of the footway must be occupied by tables and chairs’.

6.42 Similar provision already exists, formally or informally, and we accordingly suggest that a modest number of external tables and chairs can be provided without materially adverse effects.

Market Storage and Street Market

6.43 The Proposed Development will provide improved public realm alongside retained street market stalls. It therefore supports the Local Plan Policy CF 4 objective for street markets to ‘remain a vibrant part of the borough’s retail offer’. It likewise supports the objectives of the Mayor’s Town Centres SPG.
6.44 Sites C and Site D currently accommodate spaces where market related material is stored. These together measure 251 sq m GIA. At Site C material C is stored in an unorthodox space while at Site D 181 sq m GIA is located is at the rear of disused WCs with a somewhat convoluted access arrangement.

6.45 The Proposed Development allows for a purpose-built storage facility with dedicated vehicular access. While it will be smaller in plan (at 189 sq m GIA) than the existing storage areas, it can and will be laid out to provide more than 'equivalent re-provision' of storage areas, as sought by Local Plan Policy CF 4. Moreover, it will benefit from direct access via Bay 59.

**Housing**

**Principle of New Homes**

6.46 The delivery of 13 new homes at the Application Site is strongly supported by development plan policy and supplementary planning guidance.

6.47 The pre-application advice confirmed in principle support for the proposed new homes at Site C (paragraph 4.24). The quantum of new homes proposed is as per the pre-application submission. The density of new homes enjoys in principle support under London Plan policy.

**Tenure (Affordable Housing)**

6.48 Local Plan Policy CH 2(i) states that the Council will 'require developments to provide affordable housing at 50 per cent by floor area on residential floorspace in excess of 800 sq.m gross external area'. The Proposed Development will deliver 1,350 sq m gross external residential floorspace at Site C. Under Policy CH 2(i) 275 sq m of affordable housing is accordingly sought on-site.

6.49 In Golborne ward (where the Application Site is located) Local Plan Policy CH 2 (q) states the Council will 'require that affordable housing includes a minimum of 15 per cent intermediate housing'. There is no minimum social housing provision indicating that all of any affordable housing may be intermediate housing only. There is no indication that any mix between shared ownership or affordable rent units will be sought.

6.50 All in all, planning policy accordingly requires around one-fifth of the proposed floorspace to be designated as intermediate affordable housing and requires no social housing.

6.51 The Applicant is however in advanced joint working with Octavia for the assignment of a 125 year lease to all 13 new homes. Under this arrangement all 13 homes would be provided as intermediate affordable housing. The Applicant has discussed this provision with the Council's Housing Department. This includes the mix of home sizes, the mix of intermediate rent (8 homes) and shared ownership (5 homes) and the eligibility criteria for new residents. Details of the above are provided in the Affordable Housing Statement submitted with this application.
6.52 In exclusively delivering affordable housing the Proposed Development will exceed policy expectations and make an enduring and positive contribution to North Kensington.

**Mix**

6.53 The mix of unit sizes proposed accords with Mayoral guidance which recognises that homes for smaller households may be more appropriate at and alongside Town Centre locations. Local Plan Policy CH 2 does not set prescriptive requirements on housing mix.

6.54 The pre-application advice commented at paragraph 4.28 that

*The mix of unit sizes proposed appears somewhat 'small unit heavy', with just one of the 13 units proposed being three bedrooms. The Local Plan notes that the main identified short fall for market housing is for “three and four bedroom units” (Para 35.3.10). The Council has commissioned a new Strategic Housing Market Assessment (SHMA), and expects the findings by the end of this year. This will provide more up-to-date details of housing need. The Council would expect a future application to take account of this need. I do, however, note your points regarding the location of the site, and your concerns over the marketability of larger units within this area. The final amount, size and layout of units may yet change with design evolutions, discussed further below."

6.55 The Proposed Development involves an additional 3 bed family-sized home.

6.56 The Applicant has subsequently discussed the proposed housing mix with the Council’s housing department.

6.57 Table 3 below compares the proposed housing mix at the time of the pre-application submission and that now proposed.

**Table 3: Housing Mix**

<table>
<thead>
<tr>
<th>Number of Bedrooms</th>
<th>Pre-Application Scheme</th>
<th>Units</th>
<th>Proposed Development</th>
<th>Units</th>
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<tr>
<td>Studio (1b1p)</td>
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<td>105#1, 205</td>
<td>2</td>
<td>102, 103</td>
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<tr>
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<td>4</td>
<td>104, 105#3, 1002, 204</td>
<td>4</td>
<td>101, 104, 206, G02</td>
</tr>
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<td>4</td>
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<td>2</td>
<td>105#2, 206</td>
<td>5</td>
<td>105, 201, 202, 203, 204</td>
</tr>
</tbody>
</table>
### Housing Quality and Amenity Space

6.58 The Proposed Development accords with what is sought under the Mayor’s Housing SPG (2016) to the greatest degree feasible and proportionate. Please see commentary in the Design and Access Statement.

6.59 A wheelchair accessible home is provided at ground-floor level. Aside from the provision of a lift, the remainder of the proposed homes all achieve or exceed the M4 (2) criteria. The London Plan (and the Mayor’s Housing SPG) adopts the same language states at paragraph 3.48 that:

‘To address these and future needs, 90 per cent of London’s new build housing should be built to Building Regulation requirement ‘M4 (2): Accessible and adaptable dwellings’ and the remaining 10 per cent of new build housing should be built to Building Regulation requirement ‘M4 (3): Wheelchair user dwellings’.

6.60 The repeated use of the word ‘should’ above accepts that there will be instances at which it is not necessary or appropriate for all requirements set out under regulation M4 (2) (or indeed regulation M4 (3)) to be met. This is considered to be one such instance.

6.61 All homes have access to external amenity space, as sought by Housing SPG Standards 26 and 27. Design constraints mean that Unit 105 must have access to a winter garden, as allowed under the SPG. Beyond this, land currently used for car parking will be converted to shared external amenity space. The aspiration, subject to agreement, is that this space will be shared with residents of Norfolk Mews.

6.62 Playspace is not required in this instance owing to the projected child yield, which according to GLA guidance is likely to be no more than 1 child across the Application Site, notwithstanding whether this scheme contains a mix of market and intermediate affordable housing or intermediate affordable housing only.

### Design and Heritage Considerations

#### Design

6.63 The pre-application advice commented inter alia at paragraph 1.1 that ‘the proposals are welcome in helping to refresh buildings under the Westway and activate the adjacent public realm; and repair a fractured street block and potentially the townscape in Acklam Road/Blagrove Road.’
The Design and Access Statement demonstrates how the Proposed Development addresses the pre-application advice received, as well as how it is evolved in response to consultation feedback and to further work undertaken by the Applicant and its team.

At Site A the Proposed Development replaces the existing inward facing retail arcade with new outward-facing buildings with active frontages are proposed, designed to engage with the street and be capable of accommodating a range of uses. Opening up activity and entrances to face the street (as proposed) will in itself significantly enhance the contribution of the arcade to the Town Centre. High quality architecture and a more appealing environment will encourage visitor trips and longer dwell times. The new buildings will provide a significant amount of additional floorspace at this highly accessible location.

The design approach proposed for Site C is intended to sit comfortably in and positively contribute to its surroundings. It draws upon the historic street pattern and streetscape that preceded the development of the Westway. The Land underneath and close to the Westway Planning Brief (2012) assumes that development will come forward in this form.

Sites A and D are atypical sites within the Borough and so a high quality contemporary design approach is proposed.

The proposed public realm works will substantively improve the local environment.

The overall outcome is a scheme with high quality architecture and public realm which will deliver new outward-facing buildings with active frontages that will complement the local context and streetscape.

Subterranean Development

No floorspace is proposed at basement level as part of the Proposed Development.

Refuse Storage

Storage sufficient to meet requirements is provided across the Application Site.

Ventilation and Extraction

The Proposed Development is designed to accommodate ventilation and extraction, as detailed in the Energy and Sustainability Statement. Further commentary with respect to air quality is provided below.

Heritage

We consider that the Proposed Development will preserve if not enhance the character and appearance of the Oxford Gardens Conservation Area and will not materially affect the setting of any listed buildings.
Highways Considerations

Sustainable Travel

6.74 The Application Site is a highly accessible location (PTAL of 4).

6.75 As stated at paragraph 3.5.1 in the Transport Assessment by TPP, ‘the proposals seek to encourage sustainable patterns of travel by making no provision for car parking and providing cycle parking in accordance with London Plan standards’. As well as no car parking being provided, it is accepted that residents will not have a right to a parking permit. For clarity, 46 long-stay and 52 short-stay cycle spaces are proposed (98 spaces in total).

6.76 The overall conclusion of the Transport Assessment is that

‘This Transport Assessment has demonstrated that the proposed development is not expected to have a significant adverse impact on the local transport network and will support sustainable travel patterns, in keeping with national, regional and local policies. Therefore the proposed development should be supported on transport grounds.’

6.77 The loss of the existing car parking at Site C is justified within the Transport Assessment.

6.78 A draft Travel Plan is also provided with this submission.

Servicing

6.79 The Transport Assessment assesses the Proposed Development and concludes as follows:

‘The additional servicing activity will take place in the area between Sites C and D and it will be managed and controlled. A draft Servicing Management Plan has been prepared which is included in Appendix E. This sets out how delivery and servicing trips to and from the proposed development will be managed in order to minimise the impact of these trips on the surrounding highway network. The 14 additional servicing vehicles equate to around one vehicle an hour and this is not expected to have a significant impact on the servicing provisions.’

6.80 As per the above, a draft Servicing Management Plan is included within this submission.

Environmental Considerations

Energy and Sustainability

6.81 The Applicant intends to deliver a development exhibiting high levels of environmental performance. The Energy and Sustainability Statement produced by TGA for this application details the Applicant’s commitments and intentions, demonstrating that compliance with planning policy and guidance is or can be achieved, wherever feasible and proportionate.
6.82 Site C is a new building for which the design team will have control over all construction elements. Extremely high performance fabric standards are proposed for the residential building to reduce energy demand as much as possible. Photovoltaic cells are also proposed at Site C.

6.83 While this is more challenging for the commercial elements of the proposed development at Sites A and D due to its location beneath the Westway, initial performance assessments have used fabric performance standards that are approximately 20% better than the minimum requirements.

6.84 High efficiency lighting with appropriate controls to reduce energy use will be provided throughout the development. It is likely that a high proportion of light fittings will use LED technology to ensure to minimum possible energy consumption.

6.85 The Energy and Sustainability Statement includes a BREEAM Pre-Assessment and confirms that ‘non-residential elements of the development will meet BREEAM very good with 60% of the unweighted credits available in the energy, water and materials sections.

6.86 The Applicant is committed to advancing the environmental performance of the building at the detailed design stage.

**Air Quality**

6.87 An important aspect of the scheme design process has been and will continue to be responding to local air quality considerations. Across the Proposed Development the Applicant is exploring measures, some of which go beyond requirements.

6.88 At Site C whole house heat recovery ventilation will be provided to each residential unit to ensure an efficient maintenance of internal air quality and to provide good levels of background ventilation. Appropriate filtration of incoming fresh air will be provided where required from an external air quality perspective.

6.89 It is anticipated Sites A and D will each have their own dedicated mechanical ventilation systems. Intake and exhaust terminals associated with the commercial areas ventilation systems will be located on the front and rear elevations respectively, such that vitiated air is exhausted away from any pedestrianised areas.

6.90 The Air Quality Assessment produced by AQC for this application concludes as follows:

> 'The overall operational air quality impacts of the development are judged to be 'not significant'. This conclusion, which takes account of the uncertainties in future projections, in particular for nitrogen dioxide, is based on the concentrations being well below the objectives and impacts all being negligible.

> The proposed development is consistent with the NPPF and does not conflict with the requirements of Policy CE 5 (Air Quality) of the Consolidated Local Plan (Royal Borough of Kensington and Chelsea, 2015) or the Air Quality; Supplementary Planning Document (The Royal Borough of Kensington and Chelsea, 2009); nor does it conflict with, or render unworkable, any elements of the Air Quality and Climate Change Action
Plan (The Royal Borough of Kensington and Chelsea, 2016). The proposed development is better than air quality neutral and is thus compliant with Policy 7.14 of the London Plan.

Drainage and Water Use

6.91 The Proposed Development will result in a decrease in the impermeable area across the total site area. Proposed discharge rates are as low as considered technically feasible, and will result in a reduction in off-site discharge rates for all return periods upwards of the Qbar storm event. This will ensure that the runoff is controlled on site up to the 1 in 100 year plus 40% climate change storm event.

6.92 The Sustainable Drainage Systems (SuDS) Strategy produced by RSK outlines the following.

- Surface water attenuation is proposed for Site C and Acklam Road, to ensure that surface water runoff from the site is reduced from the existing scenario. This includes modular storage and permeable paving.

- The strategy for Acklam Road also includes modular storage and may also include landscaped features such as tree pits or rain gardens, which can be confirmed at the detailed design stage.

- The roof of Sites A and D is formed by the A40 Westway carriageway, and as such, surface water runoff from this area is the responsibility of TfL. Consequently, no surface water attenuation is proposed for these areas and it is proposed that they drain as per the existing scenario.

6.93 In addition to the above, the Proposed Development will include water conservation measures. Water efficient fixtures and fittings (such as dual flush WCs and aerated taps) will be specified to ensure significant levels of potable water efficiency are achieved, with a 40% saving relative to standard sanitary fittings currently estimated. The specification of mains water meters with pulsed outputs, water metering/monitoring equipment for supplies to relevant plant/building areas and flow control devices for each sanitary area are also anticipated.

Land Contamination

6.94 The Land Contamination Assessment produced by Curtins for this application concludes as follows:

‘In conclusion, the potential for contamination to be present on the proposed development sites is not assessed as being over and above what would be expected on any other urban development sites.

In fact, based on the absence of a water bearing stratum, immediately underneath the site, with respect to controlled waters, the sensitivity of the site is considered low.

As detailed by the respective ‘Phase 1 - Preliminary Risk Assessment reports, risks from contamination generally range between ‘moderate / low’ to ‘low’, requiring limited to no
special measures (e.g. standard health & safety precautions and measures to prevent the likely generation of fugitive dust) as part of construction groundworks of the proposed development.’

Trees

6.95 As recognised by the pre-application advice at paragraph 4.82, there are no existing trees which would be affected by the Proposed Development.

Amenity

Noise

6.96 The Proposed Development is being designed to ensure it provides appropriate acoustic conditions for future occupants and within its local context. For example, at Site D further detailed design will ensure the suitability of the acoustic treatment for the artistic content and operations that may take place within.

6.97 The Noise Impact Assessment produced by Accon and submitted with this application concludes as follows:

‘Noise from the proposed development, with the proposed noise mitigation and plant specification, is not expected to result in any significant adverse effects on health or quality of life for existing residential receptors or for the residential units proposed as part of the development. On this basis the proposed development will achieve the aims of paragraph 123 of the NPPF.’

Privacy and Sense of Enclosure

6.98 The design approach proposed for Site C draws upon the historic street pattern and streetscape that preceded the development of the Westway. The Land underneath and close to the Westway Planning Brief (2012) assumes that development will come forward in this form.

6.99 The purpose of the development at Site C is to optimise the delivery of affordable homes. Achieving this and following the design approach advocated for the Application Site, together with the expectation to address the standards set out in the Mayor’s Housing SPG (e.g. aspect, external amenity space) and the site-specific constraints (for example the location of the Westway), makes effects in terms of sense of enclosure and overlooking unavoidable. Given the above, it is considered these matters have been addressed through the design as far as is feasible and proportionate at the planning application stage. Commentary is provided in the Design and Access Statement.

Daylight and Sunlight

6.100 At the pre-application stage the Applicant proposed and Officers agreed that circumstances require a nuanced approach to be taken to assessment in this instance. At the pre-application stage a ‘mirror massing’ approach was suggested.
6.101 Subsequent detailed work carried out by the Applicant however revealed weaknesses in the mirror massing approach.

6.102 In this context, the Applicant’s consultant the Chancery Group has instead referred, as per the above, to the historic street pattern and streetscape that preceded the development of the Westway.

6.103 The Chancery Group’s methodology is outlined in the submitted Daylight and Sunlight Assessment but instead uses relevant baseline information to project the scale of the buildings that occupied Site C prior to the development of the Westway. Its assessment concludes that in absolute terms the design of the Proposed Development means that it will have lesser effects in terms of daylight and sunlight received by neighbouring windows than the original structure.

6.104 For the reasons outlined above we consider that the Proposed Development should be supported on this basis.

Construction Impacts

6.105 A draft Construction Traffic Management Plan (CTMP) accompanies this application, prepared in accordance with the Council’s standards and in response to the Council’s pre-application advice at paragraph 4.64.

6.106 The application is also supported by a Site Waste Management Plan.

Planning Obligations

6.107 It is accepted that residents of the Proposed Development will not be entitled to a resident’s parking permit.

6.108 Appendix 2 provides a Planning Obligations Statement, as sought by the Council. The figures cited assume the most onerous scenario, in which all floorspace that could be used as Class A1 or Class A4 is used as such (Retail and Leisure Development: Town/City Centre). Notwithstanding the figure generated by this pro forma, our understanding is that all items bar Annex D3, Annex G1, Annex G2 and a monitoring fee are now covered by CIL.

6.109 In addition to the matters covered in Appendix 2, the Proposed Development is liable to contributions to the Mayor of London’s Community Infrastructure Levy (CIL) and to RBKC’s CIL.

6.110 In terms of the calculations, in our view the existing floorspace at Sites A, C and Site D (market storage space only) should be netted off as part of the CIL calculations. The remainder of Site D is occupied by meanwhile uses on a temporary basis. Given the nature of the proposed uses, the latter applies to Site C only. The proposed affordable residential floorspace will however be exempt from CIL contributions.
7. **Conclusions**

7.1 The Portobello Scheme is a mixed-use development under and next to the Westway flyover in North Kensington, West London. It advances development that is specifically supported by the Council’s ‘Land underneath and close to the Westway Planning Brief’ (2012) and in the Council’s emerging local planning policy. The proposals have undergone a significant and detailed process of local consultation, over a circa two year period. The Proposed Development has also evolved in response to the pre-application advice received and to further work undertaken by the Applicant and its team.

7.2 The Scheme seeks to provide new arts and cultural opportunities, workspace, a market hall, independent shops and affordable housing. It builds on the existing use of the area to weatherproof and provide permanent facilities in popular, informal spaces, as well as soundproofing them for the benefit of neighbours. It will support the existing but struggling market stallholders in the famous vintage market by creating a seven-day, all-day, all-weather environment for visitors and residents. And, it will improve a dark shopping arcade with little passing traffic by turning the shops round on to a new shopping street with an expanded public realm.

7.3 The Trust is part of the community and it very much values the area’s distinctiveness and individuality. It has tried to reflect and celebrate important historic and cultural facets in the plans to provide continuity and enhance its connection to the roots and identity of the area. The Spanish mural in the arcade area will be protected. The Trust is seeking to preserve the street art and murals in the Acklam Bays too.

7.4 This Statement considers the Proposed Development against the variety of development plan policy and material considerations. All in all, it is considered that on balance the Proposed Development should be supported and planning permission granted.

7.5 The Proposed Development will replace underused or unused spaces with high-specification new buildings that can substantively contribute to the vitality of the Portobello Special District Shopping Centre, making this part of the Centre more appealing for visitors and the local community alike, supporting activity throughout the week and not just at weekends. The design quality will enhance the experience and the sense of place.

7.6 The flexibility sought for the non-residential uses will ensure the activities at the Application Site can adjust to respond to local demand and help the Trust to pursue its charitable aims. The 13 new intermediate affordable homes will address local need and make an enduring contribution to this part of North Kensington. This provision is in excess of what is required by local planning policy. That only requires around one-fifth of the floorspace to be designated as intermediate affordable housing and which requires no social rented affordable housing.

7.7 Lastly, the Applicant has recently submitted a planning application proposing works (including temporary ‘pop up’ units) to the south-east of the Application Site. The Proposed Development is wholly compatible with those proposals and is also compatible with parallel proposals being brought forward at Portobello Green. These
proposals will together, through the quality of physical works and through their use, make a significant contribution to the local community and the Town Centre.
### Appendix 1: Maximum and Minimum Floorspace Provision by Use

<table>
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<tr>
<th>GIA</th>
<th>Site A</th>
<th>Site C</th>
<th>Site D</th>
<th>Total</th>
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Appendix 2: Planning Obligations Statement
The Planning Obligations Calculator is a tool to give developers a summary of financial contributions relating to the impact of the proposed development. Some obligations will require an individual scheme assessment to determine the mitigation measures for a development impact.

Others are determined by standard formulae and these are automatically calculated on this spreadsheet, after all relevant information is entered. This Planning Obligations Statement must be printed out and submitted with the application. Note that further site-specific measures may be necessary in order for the development to proceed.

This toolkit is provided without prejudice to any decision the Council may take in the future. The results are not binding on the Council or any of its committees.

<table>
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<th>Supplementary Planning Document Ref</th>
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<td></td>
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* £500 fixed for non-financial obligations, or up to £15,000, and 2.5% of total, over £15,000

For RBKC Use only:
1. Copy forwarded to Legal
2. Insert relevant Development Management Team: NORTH / SOUTH
Planning Obligations Statement

<table>
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<th>Section 1 Site Details</th>
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<td>Site Address Line 1</td>
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<td>Site Address Line 2</td>
<td>(Acklam Car Park) and Site D (Acklam Village)</td>
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<td>those with an interest in the</td>
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<td>Proposed Development</td>
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<tr>
<td>Solicitor Contact Details (if</td>
<td>Jamie Huard, BWB, 10 Queen Street Place, EC4R 1BE</td>
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<tr>
<td>known)</td>
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I/We confirm that all of those with an interest in the land to be bound by the planning obligations confirm that they will enter into the S106 agreement or undertaking:

Signature: [Signature]

Date: 27/02/2017

Once you have completed the Development Inputs screen, save and print the form and submit it with your planning application ensuring that you have signed and dated the form.

Should you need further assistance, please contact the Royal Borough of Kensington & Chelsea.
### SUMMARY OF DEVELOPMENT INPUTS

<table>
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<th>(i) Floorspace (GEA)</th>
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#### Housing Type

**Market Units (Owner Occupied)**

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</tr>
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<td>3 bed</td>
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<tr>
<td>4+ bed</td>
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#### Affordable Housing

**Intermediate**

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**Social Rented Housing**

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</tr>
<tr>
<td>3 bed</td>
<td>0</td>
</tr>
<tr>
<td>4+ bed</td>
<td>0</td>
</tr>
</tbody>
</table>

**Total Residential Development**

|         | 13      |

**Total Commercial Floorspace Gained**

|         | 1592    |

**Total Commercial Floorspace Lost**

|         | 0       |

**Total Employees**

|         | 55      |

**Gross Development Costs**

|         | 0       |
1 Introduction Page

The calculator is updated periodically, and so you will need to ensure you are using the most up-to-date calculator, which will always be made available on the Council’s website.

2. Development Inputs

Development Inputs : Section 1 Site Details

Enter the basic development information (address, post code, names and addresses of those with an interest in land, a brief description of the development and solicitor contact details) in section 1 of the calculator. The solicitor contact details is required to obtain an undertaking to meet the Council’s legal costs, and so inserting as much information (name, address, email, telephone number) will speed up the whole process.

Development Inputs : Section 2: Residential Floorspace (GEA) and unit composition

Where the development involves a net residential gain in units, the details of the scheme must be entered, as far as is known. This requires: The Gross external Area of the development in square metres, and the mix of units by tenure and size (bedroom numbers). If these details are not known, for example if the development is in outline stage, then you may provide the best estimates, and revise the details through the process.

The GEA is required in order to determine the development costs and the liability for provision of affordable housing. The definition for GE measurements is provided by the Royal Institution of Chartered Surveyors (RICS)

Development Inputs : Section 3: Other Development (Commercial)

Where a development is determined to be a major development, the commercial element will also need to be provided. To complete the relevant section (section 3) you will need to provide details on the gain or loss of commercial floorspace, as best aligned to the category of use. This section provides an estimate of the intensity of use by number of jobs provided, using estimates of floorspace to employee density ratios from the Homes & Community Agency.

Development Inputs : Section 4: Development Costs

Finally, certain planning obligations relate to development costs (e.g. public art or construction training). This information needs to be provided at section 4, as realistic as possible. The calculator will provide an estimate of development costs for both residential and commercial components of the scheme, and combine these where both are provided. This total can be input into the blue box. If accurate development costs are known, and vary from the estimates, you may use these.

3 Planning Obligations Statement

The Planning Obligations Statement, together with the summary information, is required to be submitted with a planning application. The statement advises on the formulae based approach contributions, and their relevant heads of terms.

Note that there may be other necessary obligations that are related to the development, and these will be identified through the planning application process. The total is therefore, subject to some alteration through the process, and you should note that it excludes the Council’s legal fees which cannot be calculated in advance. For this reason, a solicitor’s undertaking to cover reasonable fees is required, and hence the need for the information on the development input screen, and are re-provided within the Planning Obligations Statement (see below).

The document must be signed and dated and submitted for planning application validation purposes – see the Council’s Local List Validation requirements. Hard copies of the SPD can be obtained by contacting the Planning Policy team on 020 7361 2732 or by email planningpolicy@rbkc.gov.uk

Should you need to discuss any of these points further, please contact Jon Medlin, the Council’s Development Contributions Officer on 020 7361 2732.
Planning Obligations Statement – supplementary sheet - names and addresses of all those with an interest in the land to be bound by the planning obligations

Signatories to be confirmed but will include Westway Trust, 1 Thorpe Close, London W10 5XL and may include Certificate B parties identified on the planning application form.
Appendix 3: Planning Policy and Guidance Analysis

Optimising Potential

1. NPPF Paragraph 6 clarifies that ‘the purpose of the planning system [in England] is to contribute to the achievement of sustainable development’. This has economic, environmental and social dimensions.

2. A core land use planning principle set out under NPPF Paragraph 17 (reiterated at Paragraph 111) is that planning should ‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’.

3. NPPF Paragraph 58 states that ‘planning policies and decisions should aim to ensure that developments… optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks’.

4. Paragraphs 1.52 and 1.53 of the London Plan set out the Mayor of London’s vision and objectives for the sustainable development of London. London Plan Policy 1.1 translates these into development plan policy.

5. Paragraph 1.47 of the London Plan emphasises that ‘the only prudent course is to plan for continued growth… Any other course would either require fundamental changes in policy at national level or could lead to London being unprepared for growth’.

6. London Plan Paragraph 1.48 emphasises that ‘this means planning for:

‘Substantial population growth, at least in the short to medium term, ensuring London has the homes, jobs, services, infrastructure and opportunities a growing and ever more diverse population requires. Doing this in ways that do not worsen quality of life for London as a whole means we will have to ensure we make the best use of land that is currently vacant or under-used’.

7. What the Mayor of London means by ‘optimisation’ is best expressed in paragraph 1.3.1 of the Mayor’s Housing SPG which states the following. This refers to housing but the same point could be made about development for any land use. The emphasis is as per the original text.

‘One of the key themes of the London Plan is the recognition that while the best use should be made of development opportunities, proper account must be taken of the range of factors which have to be addressed to “optimise,” rather than simply maximise, housing potential. Of particular importance are ensuring good design and taking into account public transport capacity and local context and character. Other relevant factors include access to social infrastructure, open space and play provision. This balanced approach to optimising output is supported by the London Plan’s broad design policies
in Chapter 7 and the specific housing standards proposed in Policy 3.5. Taking all these factors into account independent consultants suggest that for the purposes of the Plan, ‘optimisation’ can be defined as ‘developing land to the fullest amount consistent with all relevant planning objectives’.

8. Local Plan Policy CL 1 likewise states the Council will ‘require the density of development to be optimised, sensitive to context’.

**Place-Specific Policy**

**North Kensington**

9. The Application Site lies within North Kensington.

10. Local Plan Policy CV 1 Vision for the Royal Borough: Building on Success seeks to ‘build on success’ and sets out three key objectives.

   - The first of these seeks to ‘stimulate regeneration in North Kensington through the provision of better transport, better housing and better facilities’.

   - The second of these seeks to ‘enhance the reputation of our national and international destinations’ such as Portobello Road by ‘supporting and encouraging retail and cultural activities in particular’.

   - The third is to ‘uphold our residential quality of life so that we remain the best place in which to live in London, through cherishing quality in the built environment, acting on environmental issues and facilitating local living, including through strengthening neighbourhood centres’.

11. Paragraph 4.42 of the Local Plan emphasises however that the first of the above objectives is the most important, emphasising how the Local Plan has a ‘particular focus’ on the ‘regeneration’ of North Kensington.

12. The Local Plan’s strategic objectives expand upon how the above is to be achieved. It includes *inter alia* the following:

   - **CO1 Strategic Objective One for Keeping Life Local** – ‘Our strategic objective to keep life local is for strong, effective local centres…’

   - **CO 2 Strategic Objective for Fostering Vitality** – ‘Our strategic objective to foster vitality is that the quality of life of our predominantly residential Borough is enhanced by a wide variety of cultural, creative and commercial uses which can significantly contribute to the well being of residents and to the capital’s role as a world city’.

   - **CO3 Strategic Objective for Better Travel Choices** – ‘Our strategic objective for better travel choices is that walking, cycling and public transport are safe, easy and attractive, and preferred by our residents to private car ownership and use.’

   - **CO4 Strategic Objective for An Engaging Public Realm** – ‘Our strategic objective for an engaging public realm is to endow a strong local sense of place
by maintaining and extending our excellent public realm to all parts of the Borough.’

- At page 5 the Local Plan asks the question ‘What will we do to Stimulate Regeneration in North Kensington?’ One of the answers set out to this question is that the ‘Westway will be transformed from an oppressive negative influence into one which celebrates public life and creativity’ (page 5).

13. In terms of intended outcomes, in response to the above question the Local Plan also comments that ‘Portobello Road will have maintained its position as both a vibrant local centre, and as an international centre for the antiques trade’ (page 5) and that:

- ‘the stretch of the Portobello Road north of the Westway will become an attractive and vibrant area to link the Portobello Road Market with the Golborne Market’ (page 6); and
- ‘wayfinding to Portobello from Notting Hill Gate, Ladbroke Grove and Westbourne Park underground stations will have been improved’ (page 6).

14. Also at page 7, the Local Plan sets out the aspiration that ‘Portobello Road will continue to offer a unique retail character and its antique and street market will be centrepiece of this’. There is also the intention (again page 7) that ‘the centres of national and international reputation [e.g. Portobello Road] will continue to serve local communities’.

15. Later Local Plan Policy CV 1 Vision for the Royal Borough: Building on Success sets out as part of its vision how ‘the unique character of Golborne and Portobello Roads will have flourished, including the antiques and street market, adding to the vitality of the area’. CV 1 also refers to how ‘in the Borough as a whole our reputation as a national and international destination will have been further enhanced’ and how ‘our top retail destinations of Knightsbridge, King’s Road, Kensington High Street and Portobello will have been maintained and enhanced’.

16. Page 6 of the Local Plan also sets out the target to deliver ‘more than 2,500 homes’ in the North of the Borough (i.e. including the Application Site).

17. Local Plan Policy CP 2 North Kensington states that ‘the Council will ensure opportunities for change in North Kensington deliver the widest possible regeneration benefits commensurate with the scale of the development’.

18. Local Plan Policy CP 3 Places states that ‘the Council will protect, promote and enhance the local distinctiveness of the Places of the Borough, and improve their character and quality and the way they function.’

**Portobello / Notting Hill**

19. Local Plan Policy paragraph 7.1.4 comments that

‘Portobello Road is an internationally celebrated cultural asset and tourist destination, but only for, at most, two days of the week. The antiques and flea markets attract very high footfall to the road on Friday and during the weekend’.
20. The Portobello / Notting Hill diagram on page 57 of the Local Plan identifies the broad area where Portobello Road runs underneath the Westway as having a *predominant retail character*.

21. Local Plan Policy Vision CV 7 Vision for Portobello/Notting Hill in 2028 sets out as aspirations *inter alia* that:

- ‘Running the length of the Portobello Road, the street market, with its antiques, fashion, crafts, and fruit and vegetables will act as both a key driver to achieve this vision and an opportunity to strengthen the existing close links with the Golborne Road Special Neighbourhood Centre to the north.’

- ‘Portobello Road is, however, more than a shopping street, it will continue to be the international antiques market, and an inspiration for designers and a seed-bed for new entrepreneurs.’

22. Local Plan Policy CP 7 Portobello/Notting Hill states that

*The Council will ensure the long term success of Portobello Road, with its antiques and street market, and Notting Hill as unique local and international centres by promoting their retail character and supporting small format retail units, more suitable for independent businesses and antiques arcades, and by improving wayfinding and access.*

**Westway**

*Local Plan*

23. The Local Plan sets out place-specific policy for the Westway.

24. Paragraph 4.5.2 of the Local Plan comments that the Westway has *particular negative impacts, which need to be addressed as part of the programme of regeneration in North Kensington*. The Westway is considered to be a *key component of the regeneration of North Kensington* (Local Plan Policy para 1.3.5).

25. Chapter 8 of the Local Plan provides dedicated objectives and planning policy for the Westway.

26. Local Plan Policy CV 8 Vision for Westway in 2028 states that:

*The Westway Flyover will no longer be an oppressive negative influence, but one which celebrates public art and creativity, using this and the land assets beneath the Flyover. Problems of community safety have been overcome, and improved pedestrian linkages have made the area under the Flyover into something wonderful.*

27. Local Plan Policy CP 8 Westway states that:

*The Council will ensure the negative impacts of the Westway are ameliorated by requiring development to include appropriate measures to improve the quality of the environment.*
Elaborating on the above, the supporting text to Chapter 8 comments that:

'The trauma caused by the creation of this urban motorway flyover is still evident today, despite the passage of time… The flyover has not been assimilated into the urban fabric, but still remains an alien imposition and gives rise to a number of physical and environmental problems' (para 8.1.2).

Chapter 8 continues to observe that:

'At Portobello Road the presence of the Westway Flyover provides a false signal to visitors to the area that the Portobello Road 'ends' at this point. The proposed installation of electricity points for the market pitches in the stretch of the Portobello Road north of the Westway could help to overcome this. The underside of the Westway has recently been painted white at Portobello Road, to help to improve the feel of the area. But more could be done here to enhance the quality of the environment and better integrate the area into its surroundings through the introduction of new uses and investment in the public realm, public art and lighting, which would help to turn the Westway from a 'liability' into an 'asset' (para 8.1.3).

In terms of how to address the above, para 8.1.12 of the Local Plan comments as follows:

'The Council supports the charitable and community activities under the Westway and the Trust's ambition of using its property portfolio to subsidise these, while ensuring that this is not to the detriment of the wider interests of the area'.

Later at para 8.3.9 the Local Plan comments that

'The land uses under the Westway are crucial to the area's success. They are also a way in which the Westway Development Trust can raise funds to cross-subsidise its charitable and community activities, but the Council will continue to refuse planning permission or advertisement consent for any land usage such as illuminated advertising hoardings, which damage the built environment.'

In terms of uses, para 8.3.12 of the Local Plan suggests that 'the eastern end of the Westway should offer small commercial start-up workshop units'. Para 8.3.13 comments that 'the Council will support initiatives to help unify the Portobello Road and Golborne Road markets and which will draw visitors north up the Portobello Road to Golborne Road'. Para 8.4.2 observes that 'the land along and under the Westway itself offers a number of opportunities for community use developments and business opportunities'.

Chapter 8 of the Local Plan concludes with 'monitoring objectives' for the Westway, which include the following:

- 'Has the 'gap' in activity in Portobello Road beyond the Westway been closed, through initiatives such as public art, wayfinding and environmental improvements?'
- 'Has an improved cycle and pedestrian path running the length of the Westway been created?'
‘Have cultural industries taken advantage of small business workshop space provided to the eastern end of the Westway?’

*Land underneath and close to the Westway Planning Brief SPD*

34. The purpose of this Brief is to:

- ‘provide site specific planning guidance for the future development of the land under and adjacent to the Westway Flyover’ (para 1.1.1); and

- provide ‘a long term, comprehensive approach for the future development of the area over the next 20 years’ (para 1.1.2).

35. Its stated ‘underlying aim is to utilise the space beneath the Westway and land adjacent to it for a more sustainable mix of uses and activities, which will benefit surrounding residents and the wider community’ (para 1.1.3).

36. In addition to this, para 1.2.7 comments that:

‘For the Trust to continue to generate the necessary funding to support local community based activities and facilities, it is recognised that there is a need to optimise the existing landholdings, to reduce the negative environmental effects associated with the motorway and enhance safety and security.’

37. Section 3 of the Brief (‘Westway Today’) provides observations including the following:

- ‘The established retail areas around Portobello Road and Ladbroke Road are identified as providing an opportunity to focus new retail and leisure activity’ (para 3.1.3).

- ‘A number of existing buildings are reaching the end of their economic and design lives. There is an opportunity to improve the quality of the built environment through the replacement of poor quality, redundant buildings with new, robust and adaptable buildings of a higher architectural quality that respond to the opportunities and constraints presented by the location’ (para 3.1.3).

- ‘The severance problems created at the time of the Westway’s construction are ongoing. North/south movement under the Westway is complicated and a number of the uses and activities under the Westway are not as well integrated into their surroundings as they might be. The opportunity exists to enhance these north/south connections, create an environment which is easier to move through and to better integrate the uses and activities under the Westway into their surroundings’ (para 3.1.4).

- ‘The area under the Westway and the adjacent land support a number of spaces, which serve the needs of a wide range of people. Whilst these spaces are well maintained they look tired, unexciting and are of a poor quality. The opportunity exists to upgrade the existing and create new spaces and routes for people to use and enjoy, whether they are moving into, through and around the
area or because they wish to spend time there. In addition the nature of the
environment under the Westway also provides an opportunity to introduce bold
designs using colour, lighting, planting and public art in order to make the area a
more comfortable and inviting place to be and to move through’ (para 3.1.4).

38. The Brief sets out the following development objective across the subject land:

‘The Council estimates that, based on the component parts of the framework the area
has the potential to deliver in excess of 13,000sqm of new mixed retail, community,
sport and employment floorspace and that this new floorspace has the potential to
generate up to 335 additional new jobs’ (para 4.0.2).

39. The Brief breaks down the Westway into ‘five distinct zones’ (para 4.0.5). The Proposed
Development involves works to the ‘Thorpe Close and Portobello Road’ zone.
Paragraph 4.4.1 identifies this as the ‘most active of the five character areas’. This zone
/ character area is interchangeably also described as just ‘Thorpe Close’ or as
‘Portobello Green’. This Statement refers to the zone/area as Thorpe Close and
Portobello Road. The Brief makes the following observations about Thorpe Close and
Portobello Road at para 4.4.2:

- ‘A number of the existing buildings under the Westway are of a poor quality, are
  not sufficiently flexible to accommodate alternative uses and are in need of
  replacement.

- Portobello Market is not visible and there is a lack of signposting from the
  station.

- The existing arcade, located at the junction of Portobello Road is inward looking
  and not prominent or inviting to visitors.

- At the corner of Portobello Road, there are a number of issues associated with
  the operation of the market. These issues include lack of market storage, poor
  way finding and car parking.

- The open space situated at the western end of Thorpe Close is dominated by
  parked cars. This gives rise to conflicts with pedestrians and cyclists.

- The open spaces and places that comprise the public realm are looking tired
  and do not reflect the vibrancy of the location. In addition, there are problems of
  congestion on Market days and there is an opportunity to better integrate and
  utilise the existing spaces that are currently underused in the vicinity of the main
east-west pedestrian thoroughfare.’

40. The Brief sets out the following vision for the zone at para 4.4.3:

‘Portobello Green will continue to be a focus for the arts, cultural, administrative office
and retail activity. Existing poor quality buildings will be replaced with new high quality
floorspace that is capable of accommodating a wide range of new uses and activities.’

41. In terms of land use at Thorpe Close, para 4.4.8 supports inter alia the following:
• ‘The replacement of the existing buildings on Thorpe Close with new high quality, flexible buildings that make the best use of the space available and which introduce an active frontage to the public realm. The provision of retail uses at ground floor and office uses at first floor level will be supported.’

• ‘Provision of a greater street presence to the existing arcade by introducing improved access from Thorpe Close and through creation of shop openings fronting onto Thorpe Close.’

42. In terms of public realm the Brief notes as follows:

‘This is an area that attracts a substantial amount of visitors, with the market extending into Thorpe Close at the weekends. There is a need to improve pedestrian movement in Thorpe Close. The amount of on-street car parking could be reduced, with the exception of disabled car parking.’

43. Lastly, Figure 11 ‘Thorpe Close and Portobello Road – Development Framework’ and Figure 13 ‘Acklam Road – Development Framework’ together indicate that the following uses will be supported at the subject sites. It is necessary to read the two together as some annotations are missing from Figure 11.

• Site A: ‘Employment/leisure/retail’

• Site C: ‘Residential’ with a ‘new retail frontage’

• Site D: ‘Employment/retail’ (an annotation notes ‘flexible workshop space, start-up units’) with a ‘potential location for market storage’ indicated at the eastern boundary

Emerging Planning Policy (Local Plan Partial Review Publication Policies Regulation 19 Consultation, February 2017)

44. Emerging Vision ‘CV10 Vision for Portobello Road in 2028’ seeks inter alia that:

• ‘The link between Portobello and Golborne markets will have been strengthened and links between Ladbroke Grove and Portobello Market will also be improved.’

• The land underneath and adjacent to this part of the Westway will have been developed by Westway Trust with sensitivity to the history of the area to provide a multi-use cultural venue and indoor and outdoor market space that is flexible and can adapt to changing fashions over time.’

45. The priorities outlined at paragraph 10.4 seek inter alia to:

• ‘Continue to improve links between Portobello Road, Golborne Road and Thorpe Close markets.’

• ‘Enhance the public realm underneath the Westway to create safe and attractive routes.’
• ‘Ensure the ‘Portobello Village’ development beneath the Westway provides a multi-use cultural venue, benefits all local residents and businesses and provides lavatories for visitors and market traders, while allowing the area’s vibrant street culture to evolve.’

• ‘Support a new pop-up market in Thorpe Close.’

• ‘Ensure market traders have adequate storage facilities.’

Town Centres

Mayor’s Town Centres SPG (2014)

46. This states at page 5 that ‘the London Plan and this SPG promote strong, successful, vibrant and viable town centres as the preferred locations beyond the Central Activities Zone for commercial development and intensification, including housing development (London Plan policy 2.15)’.

47. At page 6 the SPG also advocates supporting ‘the potential for centres to adapt and evolve to becoming thriving community hubs accommodating a diverse range of uses including leisure, culture, tourism, night time economy, employment and housing alongside traditional retailing, civic functions, community services and social infrastructure (policy 2.15Cc)’.

48. In terms of how town centres can perform this role, the SPG notes at page 9 that ‘this SPG reaffirms a strong town centres first approach in the London Plan to accommodating new retail, leisure and commercial development, encouraging development within town centres, or in well integrated edge of town centre locations (Policy 4.7) where car dependency is lower and accessibility better’. The latter applies to the Application Site.

49. The SPG strongly supports the delivery of housing in Town Centres noting that:

‘Housing plays a key role in the current life and future growth potential of London’s town centres and is promoted as such in London Plan policy 2.15Aa. Housing intensification (London Plan policy 2.15Cb) in and around town centres can help accommodate London’s growing population, address housing need and generate footfall to support town centre vitality and viability. This will capitalise on the accessibility of town centres, which underpins their capacity for intensification and higher density development. Housing can also complement other town centre activities - physically in terms of utilising air space above commercial uses, functionally in terms of adding to their vitality and viability and perceptually by strengthening the ‘sense of place’ and quality of life which they provide for local communities.’

50. The SPG strongly supports market trading noting at paragraph 3.5.1 that:

‘Markets can deliver tangible social and economic benefits to communities and local business. They can support regeneration, economic development and tourism and provide access to culture, fresh food and specialist foods. Markets can also make a significant contribution to the vitality and diversity of London’s town centre offer. Some
street markets (e.g. Portobello Road, Borough, Columbia Road) are tourist attractions of international significance.'

**Class A1 Use**

51. The Local Plan has a number of policies which refer to retail uses. The Glossary explicitly defines 'retail' as follows: 'for the sake of this document the Council considers a retail use to equate to a shop use (Class A1 of the Use Classes Order (as revised 2005)).'  

52. Local Plan Policy CF 1 Location of New Shop Uses states that 'the Council will ensure vital and viable town centres through a town centre first approach to new retail floorspace'. It states that the Council will 'support the creation of new shop floorspace within town centres' and 'require new retail development with a floor area of 400sq.m (4,300sq.ft) (gross external) or more to be located within existing higher order town centres or within sites adjoining Knightsbridge, King’s Road (East and West), Fulham Road, Brompton Cross and South Kensington where no suitable sites can be identified within these centres'. When development of more than 400 sq m GEA is proposed, this policy requires it to be demonstrated that:  

i. 'the development would meet the requirements of the sequential assessment; and that the development will not have an unacceptable impact on existing centres; or  

ii. that the new floorspace would underpin the Council’s regeneration objectives and the vitality of any existing centre will not be harmed.'  

53. Supporting paragraph 31.3.4 comments that:

‘PPS4 notes that in assessing proposals for new town centre uses, local planning authorities must take into account the impact that proposals will have upon the physical regeneration, employment, economic growth and social inclusion in an area. This may be of particular relevance in the north of the borough, an area which is named within the Local Plan’s vision as requiring regeneration.’  

54. PPS4 has been replaced by the NPPF. Paragraph 26 of the NPPF clarifies that an assessment of impact should include assessment of:

- ‘the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and  

- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.’  

55. RBKC’s Annual Monitoring Report from 2016 includes the following pertinent points with respect to impact:
Paragraph 6.27 - ‘Despite difficult trading conditions nationally, there is no evidence of any long-term decline of the Borough’s Higher Order Town Centres. Some retailers have gone out of business or reduced their presence on the high street, but the centres themselves remain healthy. Indeed, in their report on Inner City Vibrancy, Experian identified Kensington as the second most ‘vibrant’ centre in the UK after Manchester, with Chelsea and the King’s Road as the fourth.58 ‘Vibrancy’ here was a broad notion, largely based on the characteristics of those using the centre. This study is now two years old, but there is nothing to suggest that this position will have changed significantly.’

Paragraph 6.28 – ‘Vacancy rates are a useful indication of the health of a town centre. Table 6.6 shows the vacancy rates for ground floor units in the Borough’s Higher Order Centres. This indicates that whilst vacancies have increased slightly in the last year they still remain well below both the national average for town centres (13.2%) or London (9.2%).’ Under Table 6.6 the Portobello Special District Centre has the joint-second lowest levels of vacancy of the Royal Borough’s higher order centres.

Paragraph 6.34 – ‘Whilst the Council cannot control the nature of what a particular shop sells, it is useful to monitor the number of independent retailers within a given centre as this does give an indication of the particular character of that centre. Table 6.8 below includes figures for the Borough’s Higher Order Centres. The Council has used the standard definition of a multiple retailer, namely a shop which is part of a chain of at least nine units. As might be expected, multiple retailers tend to be concentrated within the larger centres. It is also worth noting that despite continued protestations to the contrary, the Portobello Road centre remains dominated by the independent sector.’ Under Table 6.8 the Portobello Special District Centre has the highest percentage of independent retailers (by number) of the Royal Borough’s higher order centres.

56. Local Plan Policy CF 2 Retail Development within Town Centres states that ‘the Council will promote vital and viable town centres and ensure that the character and diversity of the borough’s town centres is maintained’.

57. Local Plan Policy CF 3 Diversity of uses within Town Centres states that ‘the Council will secure the success and vitality of our town centres by protecting, enhancing and promoting a diverse range of shops and by ensuring that these uses will be supported, but not dominated by, a range of complimentary town centre uses’. This includes protecting ‘all shops and shopping floorspace at ground floor level within the secondary retail frontages’ at centres including Portobello Road ‘unless the change is to a town centre use and where 66 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and there are no more than 3 non-A1 uses in a row’.

58. Local Plan Policy CF 3 also seeks to ‘protect retail uses above or below ground floor level within town centres unless it is successfully demonstrated that their loss will not adversely affect the essential shopping character and function of the centre’.
Class A3 Use

59. Local Plan Policy CK 2 Local Shopping and Other Facilities which Keep Life Local states that ‘the Council will... resist the loss of restaurants and cafes (Class A3) and financial and professional services (Class A2) outside of higher order town centres’. There is no policy resisting the loss of existing Class A3 uses within higher order town centres.

60. There is likewise no local planning policy otherwise supporting or resisting the creation of new Class A3 uses in principle.

Class B1 Use

61. Local Plan Policy CF 5 Location of Business Uses seeks to ‘ensure that there is a range of business premises within the borough to allow businesses to grow and thrive’.

62. Policy CF 5 seeks to protect all Class B1(a) office uses where these are located in ‘accessible’ areas (i.e. areas with a PTAL of 4 or higher). An exception exists where ‘the office is within a town centre and is being replaced by a shop or shop floorspace, by a social and community use which predominantly serves, or which provides significant benefits to, borough residents; or by another (not residential) town centre use where this allows the expansion of an adjoining premises’. Paragraph 31.3.41 clarifies that ‘the protection of offices as set out in policy CF5 includes the protection of both units and floor space’.

63. Under Policy CF 5 office development is supported across the Application Site so long as it does not:

   • result in a ‘shared communal residential/business entrance’

   • result in ‘the net loss of any residential units or floorspace’

   • ‘in the case of a town centre’ harm ‘the retail function of that centre’

64. Policy CF 5 (e) requires ‘all new business floorspace over 100sq.m to be flexible, capable of accommodating a range of unit sizes’.

65. Policy CF 5 allows light industrial Class B1(c) uses at the Application Site so long as ‘amenity is not harmed’.

Arts and Cultural Uses

66. Local Plan Policy CF 7 Arts and Cultural Uses states that ‘the Council will welcome new cultural institutions and facilities across the borough’ and that ‘in particular the Council will support proposals which enhance the cultural draw of South Kensington, King’s Road/Sloane Square, the Notting Hill Gate and Portobello Road area and Kensington High Street’.

67. Local Plan Policy CF 7 explicitly seeks to
‘Permit new arts and cultural uses, or the expansion of these uses, which are likely to generate large numbers of visitors in higher order town centres and other areas of the borough which have a PTAL score of 4 or above, or will achieve this level through improvements to public transport during the lifetime of the plan. Smaller scale arts and cultural uses which are likely to attract fewer visitors will be welcomed throughout the borough’.

**Street Markets**

68. Local Plan Policy CF 4 Street Markets states that ‘the Council will ensure that street markets remain a vibrant part of the borough’s retail offer’. This includes seeking the ‘protection of existing storage lockups for street traders, or their equivalent re-provision’.

69. As noted above, the Mayor’s Town Centres SPG similarly supports street markets.

**Tables and Chairs**

70. Section 12 of RBKC’s Transport SPD (2016) states at paragraph 12.1.6 that:

‘The Council’s guidelines for granting Highway Licences for tables and chairs are the same standards as those set by TfL and reflect the aims of UDP policies TR3, TR36 and S28. They relate to the width of footway that must be left clear of obstacles so that pedestrians can pass without being obstructed. This ‘clear’ footway width will vary from site to site depending on the number of pedestrians using the footway. Tables and chairs will not be permitted if they take up more than a third of the footway. A minimum of 2m (6.6ft) must be left clear to allow pedestrians, prams and wheelchairs to pass without difficulty. In areas with high pedestrian flows the ‘clear’ footway will need to be more than 2m (6.6ft), see Table 3 opposite.’

71. Based on Table 3 of the SPD, the Application Site requires 3 or 4 m ‘clear footway width… following the introduction of tables and chairs’ and that ‘no more than one third of the footway must be occupied by tables and chairs’.

**Residential Use**

**Housing Standards**

72. The key planning policy relating to residential use is Local Plan Policy CH 2 Housing Diversity. This sets out expectations relating to housing standards including that the Council will ‘require new residential developments, including conversions, amalgamations and changes of use, to be designed to as a minimum achieve all the following standards:

i. lifetime homes;

ii. floorspace and floor to ceiling heights;

iii. wheelchair accessibility for a minimum of 10 per cent of dwellings; where compliance with the above standards is not possible because of other policy
requirements, to require new residential developments to demonstrate that all reasonable measures to meet them have been taken;'

73. Detailed guidance on how housing should be designed is provided in the Mayor’s Housing SPG (2016).

74. As set out in paragraph 2.1.12 of the Housing SPG:

75. ‘The 2016 London Plan makes clear that ninety percent of new housing should meet Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and ten per cent of new housing should meet Building Regulation requirement M4 (3) ‘wheelchair user dwellings’, i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.’

Playspace and Amenity Space

76. The Mayor’s Housing SPG outlines expectations for amenity space for new homes.

77. Local Plan Policy CR 5 Parks, Gardens, Open Spaces and Waterways seeks

- ‘All major development outside a 400m radius of the closest entrance to the nearest public open space to make provision for new open space which is suitable for a range of outdoor activities for users of all ages, which may be in the form of communal garden space. Where this is not possible for justified townscape reasons, that a s106 contribution is made towards improving existing publicly accessible open space’. Given that Portobello Green is ‘public open space’ then this part of the policy is satisfied.

- ‘All major residential developments to provide on-site external play space, including for under-fives, based on expected child occupancy’.

78. London Plan Policy 3.6 Children and Young People’s Play and Informal Recreation Facilities also states that ‘development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs’. The London Plan policy is supported by the Mayor’s Shaping Neighbourhoods: Play and Informal Recreation SPG (2012). Table 4.7 of that SPG sets out expected playspace provision and how child yield is to be estimated. It is based on an assumption that a development delivers a minimum child yield of 10.

Density

79. London Plan Policy 3.4 Optimising Housing Potential states that ‘taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2’ and ‘development proposals which compromise this policy should be resisted.’ Based on Table 3.2, this means density standards of 200-700 habitable rooms per hectare are indicatively supported at the Application Site.
80. As per paragraph 3.31, density is calculated at mixed use schemes based on 'net residential area'. This is calculated by following a methodology which takes into account the amount of commercial floorspace provided. The Mayor's Housing SPG (2016) provides guidance on this methodology.

**Housing Mix**

81. Paragraph 7.4.10 of the Mayor’s Housing SPG (2016) states that ‘Boroughs should consider applying local policies on unit size mix flexibly in town centre and edge of centre sites where there is good accessibility, recognising the particular suitability of these locations for 1 and 2 bedroom units’.

82. RBKC Policy CH 2 states that the Council ‘require new residential developments to include a mix of types, tenures and sizes of homes to reflect the varying needs of the Borough, taking into account the characteristics of the site, and current evidence in relation to housing need’. There are no specific percentage requirements for delivering a mix of homes.

83. London Plan Policy 3.8 Housing Choice seeks new developments to ‘offer a range of housing choices, in terms of the mix of housing sizes and types’.

**Affordable Housing**

84. London Plan Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes sets out the strategic policy approach for securing affordable housing. The key part of the policy is that ‘the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes’.

85. Local Plan Policy CH 2 seeks ‘developments to provide affordable housing at 50% by floor area on residential floorspace in excess of 800m² gross external area’. Existing residential floorspace is discounted from this calculation, as well as the first 800 sq m GEA of proposed residential floorspace. A financial contribution of £2,500 per sq m GEA is sought (rather than on-site affordable housing) for schemes measuring between 800 and 1,200 sq m GEA. Policy CH 2 recognises there will be circumstances where such provision would make a scheme unviable and sets out how such an argument should be presented.

86. In Golborne ward (where the Application Site is located) Local Plan Policy CH 2 states the Council will ‘require that affordable housing includes a minimum of 15 per cent intermediate housing’. There is no minimum social housing provision indicating that all of any affordable housing may be intermediate housing only. There is no indication that any mix between shared ownership or affordable rent units will be sought.

**Design and Public Realm Considerations**

87. Local Plan Policy CR 2 Three-dimensional Street Form states that ‘the Council will require that where new streets are proposed, or where development would make significant change to the form of existing streets, the resultant street form and character
must draw from the traditional qualities and form of the existing high quality streets’. The policy states that the Council will inter alia:

b. ‘require the ratio of building height to street width to give a coherent and comfortable scale to the street;

c. require building lines and building scales to be consistent and related to context;

d. require a frequency and rhythm of building entrances and windows that support active street frontages and optimises community safety;

e. require a clear distinction to be maintained between public, private and communal space through the retention and provision of characteristic boundary treatments.’

88. Local Plan Policy CR 3 Street and Outdoor Life states that ‘the Council will require opportunities to be taken within the street environment to create ‘places’ that support outdoor life, inclusive to all, adding to their attractiveness and vitality’.

89. Local Plan Policy CR 4 Streetscape states that ‘the Council will require improvements to the visual, functional and inclusive quality of our streets, ensuring they are designed and maintained to a very high standard, that street clutter is removed and that street furniture, advertisements and signs are carefully controlled to avoid clutter to support the Council’s aim of driving up the quality of the borough’s streetscape’.

90. Policy CR 4 continues to state that the Council will inter alia:

a. ‘require all work to, or affecting, the public highway, to be carried out in accordance with the Council’s Streetscape Guidance’

g. ‘resist pavement crossovers and forecourt parking’

h. ‘require all major development to provide new public art that is of high quality and either incorporated into the external design of the new building or carefully located within the public realm’

91. Local Plan Policy Policies CL1 to CL4 guides applicants towards proposing high quality schemes which are sensitive to their context, preserve or enhance the character and appearance of conservation areas and protect the heritage significance of listed buildings, scheduled ancient and sites of archaeological interest.

92. Local Plan Policy CL10 Shopfronts states that ‘the Council will require shopfronts to relate well to the buildings above and to either side to provide an attractive setting for the display of goods and to drive up the quality of the area’.

93. Local Plan Policy CL11 Views states that ‘the Council will require all development to protect and enhance views, vistas, gaps and the skyline that contribute to the character and quality of the area’.
Local Plan Policy CL12 Building Heights states that ‘the Council will require new buildings to respect the setting of the borough’s valued townscapes and landscapes, through appropriate building heights’.


**Neighbour Amenity**

Local Plan Policy CL 5 Living Conditions states that ‘the Council will require all development ensures good living conditions for occupants of new, existing and neighbouring buildings’ and that ‘to deliver this the Council will’:

a. require applicants to take into account the prevailing characteristics of the area;

b. ensure that good standards of daylight and sunlight are achieved in new development and in existing properties affected by new development; and where they are already substandard, that there should be no material worsening of the conditions;

c. require that there is reasonable visual privacy for occupants of new development and for occupants of existing properties affected by new development;

d. require that there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces;

e. require that the reasonable enjoyment of the use of buildings, gardens and other spaces is not harmed due to increases in traffic, servicing, parking, noise, disturbance, odours or vibration or local microclimatic effects.’

Local Plan Policy CE 6 Noise and Vibration states that the Council will ‘carefully control the impact of noise and vibration generating sources which affect amenity both during the construction and operational phases of development’. This includes through the following:

- requiring that ‘noise and vibration sensitive development is located in the most appropriate location and, wherever located, is protected against existing sources of noise and vibration, through careful design, layout and use of materials to ensure adequate insulation from sound and vibration’
- resisting ‘all applications for noise and vibration generating development and plant that would have an unacceptable noise and vibration impact on surrounding amenity’.

These policies are also supported by RBKC’s Noise SPD (2009).

**Transport Considerations**

CLP Policy CT1 Improving Alternatives to Car Use sets out the following:
• high trip generating development should be located at locations with a PTAL of 4 or more (e.g. the Application Site)

• applicants should demonstrate that schemes will not materially increase traffic congestion or on-street parking pressure and that road safety will not be compromised

• new residential units will not be granted residents’ parking permits and any parking provided should be at or below adopted car parking standards

• non-residential parking should be for essential need only

• new development should provide cycle parking, showering and changing facilities

• proposals should improve the pedestrian environment

• Transport Assessments and Travel Plans are sought for ‘larger scale’ development (‘larger scale’ is not defined but the CLP Glossary states that this means ‘developments likely to have significant transport implications’)

100. CLP Policy CR 7 Servicing states that ‘the Council will require servicing facilities and coach parking to be well designed, built to accommodate the demands of new development and sensitively integrated into the development and the surrounding townscape’.

101. CLP Policy CR 7 further advises that the Council inter alia

a. ‘require sufficient on-site servicing space… to accommodate the number and type of vehicles likely to be generated and to ensure that this can take place without manoeuvring on the highway;’

b. ‘require a Servicing Management Plan for all sites with on-site servicing space that will control the hours of servicing, including detail on how vehicles will be managed, and controls on the types and sizes of vehicles to ensure they are appropriate to the local area and are environmentally acceptable;’

d. ‘require, where developments cannot provide onsite servicing space … that it is demonstrated that the proposal can function satisfactorily without giving rise to adverse effects on traffic congestion, pedestrian safety, residential amenity or impact on bus routes. A Servicing Management Plan… will be required in these instances;’

e. ‘require on-site servicing and coach parking spaces and entrances to be sensitive to the character and appearance of the building and wider townscape and streetscape.’

102. The above is supported by RBKC’s Transport SPD (2016).

103. The following London Plan policies are relevant. There is much similarity with RBKC’s policies.
London Plan Policy 6.3 Assessing Effects of Development on Transport Capacity advises that Transport Assessments should be carried out in accordance with TfL standards. There is no specific guidance on thresholds at which a Transport Assessment (or a lesser Transport Statement) is appropriate in either Mayoral or national guidance. For this, reference may need to be made to Appendix B of the government’s superseded Guidance on Transport Assessment (2007).

London Plan Policy 6.9 Cycling refers to cycle parking standards and sets out other policy objectives such as provision of shower facilities. The policy also seeks schemes to support the delivery of cycling infrastructure.

London Plan Policy 6.10 Walking likewise seeks development to support walking (as per TfL Pedestrian Design Guidance).

London Plan Policy 6.13 Parking advises on maximum car parking standards and sets out expectations for the proportion of disabled parking spaces to be provided and electric charging points (the latter is 1 in 5).

Environmental Considerations

Sustainability (including Energy)

104. Our team’s understanding of the relevant planning policies and guidance is outlined in the Energy and Sustainability Statement.

Air Quality

105. Our team’s understanding of the relevant planning policies and guidance is outlined in the Air Quality Assessment.

Biodiversity and Trees

106. Local Plan Policy CR 5 Parks, Gardens, Open Spaces and Waterways states that ‘the Council will protect, enhance and make the most of existing parks, gardens and open spaces, and require new high quality outdoor spaces to be provided’. The policy text then expands upon the above.

107. Local Plan Policy CR 6 Trees and Landscape states that ‘the Council will require the protection of existing trees and the provision of new trees that compliment existing or create new, high quality green areas which deliver amenity and biodiversity benefits.’ The policy text then expands upon the above.

108. Local Plan Policy CE 4 Biodiversity states that ‘the Council will protect the biodiversity in, and adjacent to, the borough’s Sites of Nature Conservation Importance and require opportunities to be taken to enhance and attract biodiversity’. The policy states that the Council will ‘require a site specific Ecological Impact Assessment for all major developments in or adjacent to Sites of Nature Conservation Importance, Green Corridors, open space, and the Blue Ribbon Network and their features important for biodiversity’ and ‘require development proposals to create opportunities, where possible,
for attracting biodiversity and habitat creation, having regard to the national, regional and local biodiversity and ecosystem targets’.


110. London Plan Policy 7.19 Biodiversity and Access to Nature Seeks development to ‘wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity’.

**Water Resources and Flood Risk**

111. Local Plan Policy CE2 Flooding requires ‘sustainable urban drainage (SUDs), or other measures, to reduce both the volume and the speed of water run-off to the drainage system ensuring that surface water run-off is managed as close to its source as possible in line with the hierarchy in the London Plan’ and observes that ‘in particular, major development must make a significant reduction in the current volume and speed of water run-off to the drainage system’.

112. Local Plan Policy CE2 also states that the Council will ‘require a site-specific Flood Risk Assessment, including an ‘Exception Test’ for all development in Flood Risk Zone 2 and 3 as defined in the Strategic Flood Risk Assessment, for sites in areas with critical drainage problems and for all sites greater than 1 hectare’. In this instance a FRA is not required because the Application Site is greater than 1 hectare. If a FRA is required then the proposed development should ‘incorporate suitable flood defence or flood mitigation measures in accordance with the recommendations’.

113. London Plan Policy 5.12 Flood Risk Management sets out further guidance if a Flood Risk Assessment is required.

114. London Plan Policy 5.13 Sustainable Drainage provides further policy on what is expected in terms of SuDS.

**Contaminated Land**

115. Local Plan Policy CE7 Contaminated Land sets out requirements where contaminated land is suspected.

116. London Plan Policy 5.21 Contaminated Land similarly states that ‘appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination’.

**Utilities**

117. London Plan Policy 5.4A Electricity and Gas Supply states that ‘developers, especially of major schemes, should engage at an early stage with relevant boroughs and energy companies to identify the gas and electricity requirements arising from their development proposals’.

118. London Plan Policies 5.14 Water Quality and Wastewater Infrastructure and 5.15 Water Use and Supplies set out similar expectations in terms of sewers and water supply respectively.
Waste and Construction Impacts

119. Local Plan Policy CE 3 Waste seeks ‘provision of adequate refuse and recycling storage space which allows for ease of collection in all developments’ and for ‘applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste’.

120. Saved RBKC UDP Policy PU14 ‘encourages the re-use of construction materials in development schemes’.

121. London Plan Policy 7.14 Improving Air Quality seeks development to ‘promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following the best practice guidance in the GLA and London Councils’ ‘The control of dust and emissions from construction and demolition’.’

122. The following Mayoral guidance supports the above:
   - ‘Sustainable Design and Construction SPG’ (April 2014)
   - ‘The Control of Dust and Emissions during Construction and Demolition’ (July 2014) (and Best Practice Guidance of the same name dated November 2006)
Appendix 4: Retailer Survey undertaken by The Retail Group
Portobello and Westway Retailer and Trader Survey 2015

Report Presentation (with expanded graphs) prepared for Phil Dibsdale

June 2015
Contents

• Objectives
• Methodology and Response Rate
• Map of research area
• Results & Findings
• Summary
Objectives

The key objectives of the study were:

- To conduct an independent survey of retail operators and market traders in the Portobello Road and Westway area on behalf of the Westway Trust

- The objective of the research being to understand the current trading environment and to direct improvements for future growth and development of the Portobello / Westway area
Methodology and Response Rate

- Bespoke questionnaire developed for the Portobello / Westway area retailers and market traders
- Face to face, direct distribution method adopted; surveys are handed out direct to managers / owners and collected later the same day
- Individual confidentiality is pledged and responses are analysed collectively
- Surveys were issued on Friday 15 May and Saturday 16 May to market traders and surrounding retailers
- While challenging, the level of response received in the end was very good; 102 completed surveys
- Survey participants were split approximately 60:40, Market Traders to Retailers
- The findings have been reported as a single data set; however where there are notable differences between traders and retailers, these have been highlighted and in some instances additional graphs are provided
- In many instances respondents can provide more than one answer, therefore tables and graphs will not always total to 100; additionally respondents may not have answered every question
- Product categories represented covered a broad range, with comparison goods, vintage goods and convenience goods being the strongest at over two thirds of respondents
- Businesses surveyed are a combination of new and longstanding established businesses; 37% 1-5 years and 30% over 10 years
- Employee numbers (full or part-time) are low, in particular among market traders; retailers on average employ 3 staff
Map of Research Area

Portobello Shops and Market Traders

Includes; Westway Shops
Portobello Green Arcade
All Vintage Market and the Food Market

Portobello Shops and Market Traders
Results and Findings
Can you describe your typical customers?

Slight bias towards female shoppers, typically younger working age groups but with high numbers of 25-44 year olds; local consumers and international visitors are both of equal importance to the area.
Retailers and traders consider the market a very important part of the area’s appeal; shopping, leisure and socialising (eating and drinking) are also visit drivers; local residents are an important group.
**Why do people visit the Portobello area?**

- Live nearby
- Commuting / passing through
- Eating / drinking
- Leisure, incl tourism
- Work nearby
- Visiting your shop
- Visiting market specifically
- Shopping in area

Responses are very similar. There is some evidence that retailers consider their shops mini-destinations in their own right.
Visit Frequency

**How often do customers typically visit your shop or stall? (all respondents)**

- Every trading day: 28%
- 2-3 times a week: 16%
- Once a week: 37%
- Fortnightly: 9%
- Monthly: 9%
- Less often: 8%
- Don’t know / No answer: 2%

Businesses in the area (both traders and retailers) benefit from regular and frequent visits, at least once a week; the market dictates visit patterns.
Visit Frequency

How often do customers typically visit your shop or stall?

Retailers v. Traders

The number of trading days affects visit patterns with the market a clear visit driver; traders typically receive weekly visits and / or every trading day.
Visit Patterns

What days do you and trade / open and which are your busiest?

- Trading days reflect the individual nature of the business; retailers trade 6-7 days a week; while market traders trade 1-3 days towards the end of the week
- The busiest day of the week, as shown in the graph, is unanimously considered to be Saturday

The market has a clear effect on visit patterns with Saturday being the busiest day of the week
Trading Patterns

Would you be interested in extending your trading days and / or hours?

- There is little evidence that there is an appetite for extending trading hours from either retailers or market traders
- There is some interest in trading more days and this (as we would expect) is from market traders; 40% yes, 30% possibly

Which other local markets do your customers visit?

- Portobello Street and the Vintage Market are the most mentioned other local markets visited by customers (mentioned by 70% and 53% respectively)

The majority of Market Traders would be interested (or possibly interested) in trading more days. Portobello Street and the Vintage Market are both considered popular market destinations
Trading Performance

How are you currently trading compared to last year? (all respondents)

- 40% of respondents trading down on last year, with the largest group being more than 10% down.
- 30% trading down 6-10%.
- 20% trading level.
- 11% trading up 0-5%.
- 3% trading up 6-10%.
- 5% trading up more than 10%.

* 22 respondents (21%) did not answer.

Trading appears challenging with the larger proportion of respondents (40%) trading down on last year; with the largest group being more than 10% down.
Retailers v. Traders

How are you currently trading compared to last year?

- Traders are having the more difficult time, with 54% trading down on the year, of which 40% are more than 10% down.
Retailers and traders are on the whole largely positive about the area and their businesses albeit there is room for improvement. Most rate both as satisfactory or above, despite the currently low sales performance for many.
Success Rating

How would you rate the success of your shop / stall and the Portobello / Westway area as a whole?

Retailers v. Traders

More retailers than traders rate the success of their businesses as good or very good (52% v. 41%)

Opinions of the Portobello / Westway area as a whole are similar in both groups.
Future Improvements

Which of the following areas, if implemented, would have the most benefit to your business?

<table>
<thead>
<tr>
<th>Area</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improved signage / way-finding</td>
<td>54%</td>
</tr>
<tr>
<td>More community and cultural activities</td>
<td>54%</td>
</tr>
<tr>
<td>Increased local employment</td>
<td>28%</td>
</tr>
<tr>
<td>Shared marketing (market and shops)</td>
<td>35%</td>
</tr>
<tr>
<td>Shared online trading platform (market...)</td>
<td>25%</td>
</tr>
<tr>
<td>Free area Wi-Fi</td>
<td>31%</td>
</tr>
<tr>
<td>More market trading days</td>
<td>39%</td>
</tr>
<tr>
<td>Improved general environment</td>
<td>60%</td>
</tr>
<tr>
<td>Improved market offer</td>
<td>38%</td>
</tr>
</tbody>
</table>

Considered to be of the most benefit were improvements to the general environment, signage and more community / cultural activities.
Future Improvements

Which of the following areas, if implemented, would have the most benefit to your business?

- Improved signage / way-finding
- More community and cultural activities
- Increased local employment
- Shared marketing (market and shops)
- Shared online trading platform (market...)
- Free area Wi-Fi
- More market trading days
- Improved general environment
- Improved market offer

Retailers v. Traders
While responses were broadly similar there were two notable differences; 47% of market traders cited ‘improved market offer’ and 43% of retailers cited ‘more market trading days’
How would you rate the existing Market Offer on each of the following attributes?

Priority areas for improvement focus on; customer facilities, events / promotions and signage / information (less than 20% consider them to be good). Management and choice rated most positively.
Views and Opinions: Market Offer

How would you rate the existing Market Offer on each of the following attributes?

Retailers v. Traders

While largely similar there were some differences with traders additionally considering quality of stalls, branding / identity and overall presentation to be areas to improve.
Views and Opinions: Portobello Area

**How would you rate the Portobello Road Area for the following?**

<table>
<thead>
<tr>
<th>Category</th>
<th>Priority to improve</th>
<th>Needs improving</th>
<th>OK / good</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer facilities</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail mix / offer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Catering mix / offer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services, banks, etc.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking provision</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customer experience</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ease of use</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Promotional activity</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Signage / information</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cleanliness</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Safety / security</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perception</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transport links</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Transport links and catering rated the most positively, while customer facilities and signage were priorities to improve, followed by parking, cleanliness, promo activity and security.

Retailers v. Traders
Safety / security is more of an issue with retailers than traders, as was promotional activity.
Views and Opinions: Priority Areas

Rate, in order of importance / priority the areas that you consider are the most important for the area?

Priorities are toilets (for both the public and traders), followed by public seating, signage and security; overall retailers and traders would like to see improvements in many areas.

Retailers v. Traders

Signage and information is a higher priority with traders than retailers, as is better weather protection and better storage facilities for the market and toilets for traders.
Views and Opinions: Future Proposals

Finally, would you like to become more actively involved in the future of the area or just be kept informed of proposals?

Most would like to be ‘kept in the loop’, with the higher response level amongst traders than retailers; 10% did not answer / don’t want to be informed.
Summary

- Shoppers are typically female, aged 25-44, with both locals and tourists key visitor groups
- Market is widely considered to be a very important visit driver
- Frequent and regular visits to both shops and stalls
- Saturday is peak trading for both market traders and retailers
- Portobello Street and the Vintage Market are considered the most popular local markets
- Current trading climate is challenging for the majority
- The majority of respondents are positive about the area’s success; and their own
- Three improvement areas considered to be of most benefit; general environment, signage / way-finding and more community and cultural activities
- Priority areas for improvement to the market offer focus on; customer facilities, events / promotions and signage / information
- Transport links and catering offer rate as positive attributes for the Portobello area as a whole, areas for improvement focus on parking, cleanliness, promotional activity and safety / security
- Most (90%) want to be kept informed or even actively involved in proposals for the future of the area

Retailers v. Traders

70% of market traders might be interested in more trading days
Trading is especially challenging for traders
Retailers are more likely to rate their business as a success than traders
Traders identified additional improvements as beneficial; improved market offer and more market days
Traders identified additional areas for improvement to the market offer; quality of stalls, branding / identity and overall presentation
Safety and security more of an issue with retailers than traders as was promotional activity
Future Priorities for the Area: Summary

<table>
<thead>
<tr>
<th>High Priority</th>
<th>Medium Priority</th>
<th>Lower Priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public toilets</td>
<td>Branding and identity for the market / area*</td>
<td>Mix / choice (market and area)</td>
</tr>
<tr>
<td>Better toilet facilities for traders*</td>
<td>Quality of market stalls*</td>
<td>Market Management</td>
</tr>
<tr>
<td>More public seating</td>
<td>Overall presentation of market*</td>
<td>Customer experience</td>
</tr>
<tr>
<td>Improved environment</td>
<td>Better weather protection for the market*</td>
<td>Ease of use</td>
</tr>
<tr>
<td>Customer facilities</td>
<td>Better storage facilities for the market*</td>
<td>Transport Links</td>
</tr>
<tr>
<td>Signage and information*</td>
<td>Safety / security**</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Increased footfall**</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Street cleaning / cleanliness</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parking</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Promotional activity</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Perception</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Events</td>
<td></td>
</tr>
</tbody>
</table>

* Higher priority for traders
* Higher priority for traders
** Higher priority for retailers
The Retail Group
Informed Solutions