

Cover Letter

Ballymore (London Arena) Limited and Sainsbury's
Supermarkets Limited

Date: March 2025

Revision : P01

NJ/AC/JR/P7891

The Planning Department
Royal Borough of Kensington and Chelsea
Kensington Town Hall
Hornton Street
London
W8 7NX

17 March 2025

For the attention of Emma Gore

Dear Emma

Sainsbury's and surrounding former utilities land, Canal Way, London, W10

Planning Application Reference: PP/23/06575

We write on behalf of the applicant, Ballymore (London Arena) Limited and Sainsbury's Supermarkets Ltd, in response to the application feedback received from the Royal Borough of Kensington and Chelsea (RBKC) on 25th October 2024 relating to the submitted planning application for proposed redevelopment of the above site (application reference: PP/23/06575).

The response received comprises comments from RBKC internal consultees, however we note that comments have also been received from external reviews undertaken by Waterman on the Environmental Statement chapters and by CPW on the Energy Strategy.

We enclose a full and comprehensive response to address all matters raised by RBKC internal consultees, as well as those matters raised within the GLA's Stage 1 Report. Our client is keen to work proactively with the Council and therefore proposes appropriate revisions to the scheme in response through the updated application material.

RESPONSE TO RBKC INTERNAL CONSULTTEE COMMENTS

RBKC provided their internal consultee comments on the planning application on 25th October 2024 which set out the various substantive and non-substantive issues to be addressed. Subsequent meetings have been held with RBKC officers and The Leader of the Council on the 30th October 2024 and 28th January 2025 to discuss progress made on the application, as well as meetings between November 2024 and March 2025 with planning and technical officers to discuss comments and applicant responses to the key substantive matters raised.

All key consultee responses have been addressed within this submission, through updated application material and supplementary information/addendums where necessary.

The supporting documents included with this submission are listed in Appendix 1.

SUBSTANTIVE COMMENTS

The planning application feedback received confirms that there are substantive concerns about the safety and quality of the development, which relate primarily to Transport, Fire Safety and Design Quality. Each of these substantive issues are discussed further below.

Fire Safety

Comments have been raised by officers with regards to the detail provided within the submitted Fire Statements. A request has been made to write the revised fire reports in the RBKC template.

In response, a revised detailed Fire Statement for Plot 2 has been prepared by Hoare Lea using the prescribed template and includes details on the fire strategy for basement, ground and mezzanine floors. This updated Fire Statement includes layout plans showing protected routes with respect to the detailed elements.

RBKC's comments included the need for a site wide fire strategy which justifies a single point of access to the development for fire-fighting. As part of the updated Plot 2 Fire Statement, a Site Wide Fire Design Note has been prepared, which sets out the access arrangements for each plot (including Plot 3 within the Berkley St William site) by fire appliances, clarifies the location of all buildings greater than 30m in height and provides justification for the access point into the Site. This details the routes which are available to emergency services in the event of a fire and various traffic incidents on the adjacent Ladbroke Grove to demonstrate that the access arrangement is appropriate from a fire safety perspective. It also includes commitment for the scheme to deliver gold-standard firefighting access, beyond minimum standards. The report has been prepared following a meeting with RBKC Fire Officers.

Plans showing the protected routes for all outline plots have been included within the appendices of the updated Statement, which include plans for ground floor, podium level and typical upper floors.

The submitted information demonstrates compliance with London Plan Policies D5 and D12.

Design

Parameter Plans

The submitted parameter plans have been revised to accommodate a change to the boundary between the detailed and outline elements of the scheme. This change ensures that within the detailed boundary, a continuous shared footpath for pedestrians and cyclists is provided on the entire northern side of The Avenue and continuing west along West Drive, as well as a larger setting area for the (safeguarded) bridge landing point.

Other minor changes to the parameter plans have also been made to respond to various other points including clarification on height parameters for roof plant, amendments to pedestrian and cycle routes, definition of active (non-residential) frontages, delineation of public realm space and provision of a new existing levels plan.

The revised pack of parameter plans is included with the submission as Revision P2.

Design Quality

Officers have raised concern over the ability for the Design Code to secure high quality design. To respond to this comment, significant additional detail has been added to the Design Code through creation of a new 'Overarching Design Code' chapter which sets out design elements which apply to the entire scheme. This includes more detail on the character areas within the development, proposed materiality and tone, building articulation, layouts and requirements for clear base, middle and crown on tall buildings.

The mandatory design elements have been further bolstered so that the Design Code will function as a more robust tool for assessing design quality in subsequent reserved matters applications. In particular, the mandatory elements have been better secured through new Design Code 'policies' within the Design Code.

Further, the Landscape Design guidelines have been strengthened to include further detail on mandatory elements within each landscape character area including the level of inclusivity, accessibility and sustainability, and the provision of play spaces. The document demonstrates how playspace has been maximised within each plot and phased across the development. The proposed play opportunities aim to accommodate play for all ages. Recreational features, such as landscaping and public art, will also be strategically inserted in key areas to facilitate informal and incidental play.

The Design Code also includes separate chapters on Sustainability, Workspace and Cultural Strategies so it is clear what the approach to these aspects will be. The DAS Addendum document provided by FaulknerBrowns provides further detail on the cultural strategy for the site, including the interim position during construction through meanwhile uses (short and medium term) and the end phase (long term).

Housing Quality

Council officers have expressed concern regarding the quality of housing within the outline elements within the development with respect to single aspect homes, overlooking/privacy, natural light/ventilation into corridors and safe exit routes.

Firstly, significant consideration has been given to the proposed site layout to ensure that the building blocks are designed to have good aspect and orientation, and with consideration of relevant environmental consideration. A detailed assessment of the quantum of dual aspect homes within the scheme has been undertaken within the DAS Addendum documents prepared by FaulknerBrowns and Hutchinson & Partners. These assessments confirm that whilst the overall quantum is slightly underperforming compared to other schemes, when you break this down further, it is clear that a large proportion of these homes are studio or 1-bedroom homes, which due to their small size usually perform well in terms of sunlight, ventilation, and overheating even when they are single aspect. Further, the social rent homes have a much higher proportion of dual aspect homes, with 66.2% dual aspect within Plot 2 and 60% across Plots 1, 4, 5 and 6. There are no north-facing single aspect units, and any units which are single aspect, are generally oriented east or west to take advantage of the morning or afternoon sun. Further, a large number of homes (particularly within Plot 4) benefit from an 'enhanced aspect' through a bay window design which allows orientation in different directions and takes advantage of long views from living spaces.

A section has been included within the DAS Addendum document prepared by FaulknerBrowns which sets out the steps taken to ensure compliance with the housing quality standards as listed within London Plan Policy D6, as well as National Design Space Standards, and Part M4(3) of the Building Regulations. This exercise has been undertaken to demonstrate how the site layout, orientation, built form and massing will ensure high quality housing for each Plot. Details on building separation, defensible space and balcony placements are also explored further to explain the approach to mitigate against privacy and overlooking concerns.

The 'Overarching Design Code' chapter has been updated to include a residential quality section which secures mandatory requirements relating to tenure blind principles, accessible homes, maximising green roofs, PV panels and compliance with strategic design policies.

The DAS Addendum provides further detail on safe access routes and how the internal corridors have been designed to ensure ventilation within corridors without compromising the internal layout of blocks and reducing the quantum of dual aspect homes.

Public Realm

The consultee responses raise concern over the pedestrian experience of South Drive and The Avenue. Further visuals have been included within the supporting DAS and Landscape Addendum documents to showcase the public realm and landscaping proposed which will support a positive pedestrian experience.

The Design Code evidences that pedestrian safety is a key consideration within the design of South Drive which will provide more than just an access road for servicing vehicles and customers. The footpath along South Drive is wide and meanders through the landscaping in order to create an attractive environment, whilst maintaining a gentle slope of 1:20 for pedestrians without the need for handrails etc. By locating residential entrances along South Drive, this will introduce more activity along the road to increase passive surveillance and security. Having residential buildings and their entrances with commercial frontages or vehicle entrances between them is a common approach to creating a considered street structure in mixed-use developments and is the best approach given the need for servicing and back of house functions which require road access.

The Avenue will provide wide pedestrian footpaths (minimum 2.5m wide) on both sides of the road, with interspersed seating, lighting, cycle parking, planting and trees to provide an attractive and safe environment. An additional zebra crossing point has been added to allow pedestrians to safely cross the road if desired. The parameter plans have now been amended to include all pedestrian footpaths along The Avenue within the detailed phase, and detailed soft and hard landscaping plans are provided which illustrate the quality of this route.

Regarding interim pedestrian and cycle access into the site, the Construction Environmental Management Plan sets out the proposed access routes during construction phasing. The road will be built to an adoptable standard, as required by Network Rail and Sainsbury's which will include wide and unobstructed pedestrian footpaths, lighting and directional signage to ensure safe and secure access to the site is maintained. An appropriately worded condition to this effect would be accepted.

Transport

Officers have raised concerns regarding the junction access at Ladbroke Grove / Canal Way / Kensal Road and consider that the arrangement proposed would not sufficiently cater for walking and cycling, and would have adverse impacts on the performance of the highway network and on bus journey times. There is further concern raised regarding the conditions for pedestrians and cyclists within the application site.

Since receiving the above comments, the proposed junction layout has been subject to workshops with TfL and RBKC and subject to further Road Safety Audits. The updated Transport Assessment Addendum concludes that the revised four-arm signal layout improves junction capacity and provides a better layout for walking and cycling compared to the layout submitted as part of the planning application which is positive.

The updated TAA also addresses cyclist movement through site, including widening of the footway to create a shared cycle/pedestrian route from Ladbroke Grove, across the northern edge of The Avenue and onto West Drive for dedicated and safe cyclist movement. Changes have also been made to the site access junction design to allow for a segregated pedestrian and cycle lane (each 3m wide) to provide an off-carriageway route for cyclists between Canal Way and Kensal Road for less-confident cyclists. Cycle stands for all customers to the Sainsbury's Store have been relocated to ground floor, and staff cycle parking, whilst provided in the basement of Plot 2, are now accessible via a dedicated lift from The Avenue on the eastern side of the store which ensures that cyclists are not dependent on access onto South Drive.

The design team have provided further information on pedestrian experience within the Landscape and Public Realm Addendum and DAS Addendum documents, which showcase that the development will deliver an attractive and successful formation of pedestrian streets as set out above.

NON-SUBSTANTIVE COMMENTS

The non-substantive comments received relate to:

- Environmental quality:
 - Air Quality
 - Arboriculture
 - Ecology / Biodiversity incl. BNG
 - Flooding and drainage
 - Land contamination
 - Noise
 - Energy, Whole Life Carbon, Circular Economy
- Viability and affordable housing
- EIA – clarifications and potentially Further Information Requests are required

The comments received with respect to Environmental Quality have been addressed individually in the supporting Addendums and new documents, listed above. Energy and sustainability matters are currently subject to ongoing independent review by CPW.

The response to the EIA review undertaken by Waterman is included within the Submission and as above is subject to ongoing independent review. Ongoing discussions are also underway between the Applicant's viability consultant (Newmark), RBKC's viability consultant (Carter Jonas) and the GLA, and will be dealt with separately.

CONCLUSION

We trust this provides sufficient information in response to the comments received from RBKC's internal consultees. If any of the submitted responses require further discussion, we would be more than happy to organise a meeting to discuss.

Yours faithfully

Ailish Collins

For and on behalf of
Rolfe Judd Planning Limited