



**ROLFE JUDD**  
**/ PLANNING**

# **/ Project Flourish – Ladbroke Grove**

**PLANNING STATEMENT**

**29 September 2023**

# / Project Flourish – Ladbroke Grove

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

P7891  
29 September 2023

On behalf of Ballymore (London Arena) Limited and  
Sainsbury's Supermarkets Limited

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# 01. INTRODUCTION

## 01.1 INTRODUCTION TO THE PLANNING APPLICATION

- 01.1.1** This Planning Statement has been prepared by Rolfe Judd Planning Ltd on behalf of Ballymore (London Arena) Limited and Sainsbury's Supermarkets Limited ("the Applicant"). It is submitted in support of a 'hybrid' planning application (part Detailed, part Outline) to the Royal Borough of Kensington and Chelsea (RBKC) ("the Council") for the proposed redevelopment of Sainsbury's and surrounding former utilities land, Canal Way, London, W10 ("The Application Site").
- 01.1.2** The Application Site forms part of the largest brownfield site in the Borough (RBKC), comprising 7.6ha of former utilities land, a large Sainsbury's store with surface level car park and associated Petrol Filling Station and existing residential and commercial buildings (Canalside House and The Boathouse). The Site was first designated as a suitable site for significant redevelopment in 2011 by the Mayor within the London Plan as part of the Kensal Canalside Opportunity Area and has been reallocated as an Opportunity Area for development over several years, including within the most recent London Plan 2021. The London Plan 2021 requires an indicative 3,500 new homes and 2,000 jobs to be delivered across the Opportunity Area.
- 01.1.3** The Site has further been allocated as a suitable site for significant development at a Local (Borough) level, within the adopted RBKC Local Plan (Policy CA1) (2019) and more recently, within the draft Local Plan (Policy SA1).
- 01.1.4** The Council has been working on a New Local Plan Review (NLPR) since late 2020. On 1<sup>st</sup> February 2023, Full Council approved the NLPR for submission to the Secretary of State, with the Examination in Public Hearings being held through June and July 2023. As such, the NLPR and Allocation SA1 is considered to be a Material consideration which now holds moderate weight within the decision-making process.
- 01.1.5** The Council have confirmed through these allocations that the Site is suitable for a high-density major development. Policy specifically requires the Opportunity Area (which includes in part, the Site) to provide a *minimum* of 3,500 new homes, the relocation and reprovision of the existing Sainsbury's supermarket, 12,000sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities in line with the site's Policy allocation as a Neighbourhood Centre and on-site renewable energy sources. The site allocations also identify the Opportunity Area as being appropriate for tall buildings and proposes a height strategy for the Opportunity Area with taller buildings towards the railway tracks which should not exceed 98m from the ground level to the top of the building (or approximately 31 storeys).
- 01.1.6** This is further supported by a site-specific SPD which provides the Council's desired approach for the delivery of the Site. The SPD's vision for the Site includes delivering high-quality homes for over 3,500 households, including affordable homes; improving access to and embracing the biodiversity and benefits of the canal; delivering new social and community facilities; delivering environmentally sustainable approaches to development; building on the Site's industrial heritage; minimising the need for private vehicle use; creating new

job opportunities; delivering high-quality architecture and public open and green spaces; and responding to the historic setting of the Kensal Green Cemetery and dockside development.

**01.1.7** The above demonstrates that Planning Policy at all levels promotes this brownfield former utilities site to be redeveloped for a high density, residential-led redevelopment.

**01.1.8** This application seeks to align with the requirements of these allocations and deliver a high quality new mixed-use redevelopment on this underutilised brownfield site. The high-quality and carefully developed Scheme seeks to achieve the aspirations of the London Plan and the Local Plan, creating a vibrant place to live, work and socialise.

## **PROPOSED DEVELOPMENT DESCRIPTION**

**01.1.9** This application seeks a hybrid planning permission (part Outline, part Detailed), for the following description of development (“the Proposed Development”):

*A hybrid application for the demolition of all existing buildings and structures to facilitate a mixed-use development comprising residential, retail, commercial and community uses with associated infrastructure.*

*The Outline element of the scheme will include residential floorspace and ancillary residential facilities (Class C3) and non-residential floorspace comprising flexible commercial, community and sui generis floorspace (Class E / Class F2 / Sui Generis), the provision of new pedestrian and vehicular access, open space, landscaping, car and cycle parking and other associated infrastructure works with all matters reserved for future consideration.*

*The Detailed element of the scheme will comprise of a large retail store and ancillary facilities (Class E(a)), small units at ground floor level for Commercial, Business and Service uses (Class E), Leisure floorspace (Class E(d)), residential facilities (Class C3), improvements to existing site access at Ladbrooke Grove, provision of new pedestrian and vehicular access, internal roads and associated landscaping, car and cycle parking and associated infrastructure works including remediation.*

## **01.2 EXECUTIVE SUMMARY**

**01.2.1** The Application Site comprises a very large former utilities site with an existing low density Sainsbury’s store in the eastern portion of the Site and open storage at the western end. At the front of the Site (fronting onto Ladbrooke Grove), are Canalside House, a 3-storey office building and associated car park, and the Boathouse Centre, a 4-storey building housing the London Sports Trust and 16 affordable homes above managed by Peabody.

**01.2.2** Ballymore and Sainsbury’s Supermarket Limited (SSL) formed a joint venture in August 2021 to collaboratively redevelop a large portion of the northern Opportunity Area including reprovision of the existing Sainsbury’s store and a significant number of new homes.

**01.2.3** The existing Sainsbury’s store comprises a large, two storey retail building, with surface level car park providing space for 396 vehicles. A Petrol Filling Station is also located on Site which includes 8 pumps. The store opened in 1989 and has since served as an important retail destination for the local community and wider RBKC area.

- 01.2.4** The Application Site is bounded to the north by the Grand Union Canal and Kensal Green Cemetery, to the south by the Great Western trainline and to the east by Ladbrooke Grove. The Site covers a total area of 7.6 hectares.
- 01.2.5** The Application Site is designated for high density redevelopment as part of the Kensal Canalside Opportunity Area, which contains the Site, land to the west on which the former gas holders were located (owned by Berkeley St William) and largely vacant land to the south of the railway lines. The land to the south of the railway lines is owned by Department for Transport.
- 01.2.6** The adopted London Plan (2021) identifies the Opportunity Area as a whole to have the potential to deliver 3,500 new homes and 2,000 new jobs by 2041. Further, the Council's current Local Plan Policy CA1 allocates Kensal Canalside Opportunity Area to deliver a minimum of 3,500 new homes, 10,000 sqm of new offices and 2,000 sqm of new non-residential uses. The Site allocation also requires the relocation and reprovision of the existing Sainsbury's supermarket. As part of this allocation, it is advised that, '*comprehensive development of the site in accordance with an urban design framework that will be set out in the Kensal Canalside Opportunity Area SPD*' will be required.
- 01.2.7** The Kensal Canalside Opportunity Area SPD was adopted in July 2021. This document provides additional guidance on the application of the adopted Development Plan policies and is a material planning consideration in the assessment of any scheme that comes forward within the Opportunity Area. While the SPD goes into further detail regarding the redevelopment of the Opportunity Area, it echoes the Site Allocation requirements as set out within the London Plan and Local Plan.
- 01.2.8** RBKC are currently preparing their New Draft Local Plan, in which the Opportunity Area has retained its allocation for mixed use redevelopment in which a minimum of 3,500 new homes and 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket) should be provided (Policy SA1). The Draft Local Plan is currently at Examination stage and as such its policies and allocations are considered to carry moderate weight in the consideration of this application. However, it is likely that the NLPR will have progressed further by the determination of this planning application and therefore should be afforded more weight with the passage of time.
- 01.2.9** The submitted hybrid planning application is in line with the Council's aspirations for the Opportunity Area, as set out in the adopted Kensal Canalside Supplementary Planning Document (SPD) and New Draft Local Plan. This includes the delivery of a new high quality residential neighbourhood (accommodating up to 2,519 new homes), alongside the reprovision of the existing Sainsbury's store (with continuity of trade secured throughout the construction period), a new Neighbourhood Centre providing retail, food and beverage, community and leisure uses and major new public open spaces with two new publicly accessible parks, the reinstatement of a historic canal basin and high-quality public realm and landscaping throughout.
- 01.2.10** For clarity, where this Planning Statement refers to the 'Masterplan' – this relates to the wider Opportunity Area aspirations including the Application Site, land to the west (owner by St William – Plot 3) and south (North Pole Site, owned by the Department for Transport), however when discussing the Application Site and submitted proposals in isolation, it will reference to the 'Proposed Development' or 'Scheme'.

- 01.2.11** Table 4.1 of the London Plan identifies a ten-year housing target for RBKC of 4,480 new homes (448 new homes per annum). Furthermore, the Application Site is within the Kensal Canalside Opportunity Area which seeks to deliver up to 5,000 new homes (and a minimum of 3,500 new homes) as set out within the adopted Kensal Canalside Opportunity Area SPD, Site Allocations CA1 of RBKC's Local Plan and SA1 of the Draft Local Plan.
- 01.2.12** The Government's Housing Delivery Test 2021 (published 14 January 2022) covers the years 2018/19, 2019/20 and 2020/21. During the relevant three-year period (2018-2021), the Royal Borough of Kensington and Chelsea delivered only 809 homes, in comparison to their Government target of 1,892 new homes. The Borough therefore only managed to achieve 43% housing delivery.
- 01.2.13** There is clearly an urgent need to provide new homes in RBKC, as identified through both the London Plan and the Local Plan. The inclusion of the Application Site within a Strategic Site Allocation and Opportunity Area that is specifically identified as appropriate for strategic housing of a minimum of 3,500 homes sets a clear expectation for housing delivery across the Opportunity Area.
- 01.2.14** The Applicant has been in detailed discussions with the Royal Borough of Kensington and Chelsea (RBKC), the Greater London Authority (GLA), the local community and other key stakeholders to bring forward a comprehensive mixed-use, high-quality redevelopment of the Application Site in line with the above policy designations and requirements. Further to this, the Applicant has sought to work collaboratively with other landowners within the Opportunity Area to ensure a well-considered comprehensive masterplan is brought forward.
- 01.2.15** This major redevelopment scheme will provide a high quality new mixed-use redevelopment on an underutilised brownfield site. The high-quality and carefully developed scheme seeks to achieve the aspirations of the Kensal Canalside SPD, creating a vibrant place to live, work and socialise.

## **01.3 SUMMARY OF KEY BENEFITS**

- 01.3.1** A detailed assessment of the Proposed Development in light of planning policy is set out in the further sections of this Statement. However, by way of a summary, the redevelopment of the Application Site will deliver a number of substantive benefits to the local area. These include:
- / The opportunity to transform an existing underutilised brownfield site into a high quality new urban neighbourhood in line with the adopted Opportunity Area framework, Local Site Allocations and SPD;
  - / Regeneration of the largest brownfield site in the Borough to deliver up to 2,519 new homes to greatly assist in meeting the urgent need for housing within RBKC and across London;
  - / The provision of high quality affordable and family homes which integrate into the wider design, including social rent and intermediate units;
  - / The provision of a modernised, larger, Sainsbury's store with additional amenities and improved shopping experience;

- / Existing Sainsbury's store to remain open throughout the construction period and retention of existing staff within the new store;
- / The delivery of significant public open space across the Application Site, including a Canalside Park and public green space at the entrance of the Site for use by the local community and new residents;
- / A high-quality development, externally and internally, which takes inspiration from local character and distinctiveness;
- / Replacement of the existing roundabout at the Site entrance with an improved signalised junction onto Ladbroke Grove, improving pedestrian and cyclists' safety and access into the Site;
- / Opportunity for new pedestrian and cycle connections between the Site and the surrounding areas in the form of new pedestrian routes and two bridges;
- / The provision of two new community leisure facilities, for use by incoming residents and the existing surrounding community;
- / Flexible commercial and retail units across the Development, creating a new Neighbourhood Centre to meet the needs of existing and incoming residents;
- / The provision of flexible workspace units, including affordable workspace, providing significant employment opportunities;
- / Pedestrian priority streets to create a safe environment for pedestrians and cyclists;
- / Enhanced biodiversity through new public open space, biosolar roofs and significant soft landscaping, including tree planting, throughout the public realm;
- / Re-opening of the historic canal basin to provide leisure space for all;
- / The provision of sustainability technologies, resulting in an estimated overall CO2 reduction of 59.9% across the Site;
- / The provision of 3% on street blue badge parking spaces from the outset, alongside resident long stay cycle parking spaces, commercial staff cycle spaces and short stay cycle spaces for visitors;
- / The creation of apprenticeships and jobs through both the construction and operational phases; and
- / The inclusion of a number of substantial financial contributions through Mayoral CIL and S106 obligations, contributing towards local infrastructure including education and healthcare.

## 01.4 HYBRID APPROACH

- 01.4.1** As noted above, this application seeks a hybrid planning permission where part of the scheme is submitted in Detail with the remainder of the scheme submitted in Outline. All Outline Elements of the scheme will be subject to future Reserved Matters applications requiring approval of the detail across these plots by RBKC.
- 01.4.2** This approach seeks to respond to the predicted programme of Development and the requirement to ensure that the Development can respond to changing regulations within the industry, when required. An example of this is the recent change to fire legislation and building regulations, to improve safety within new developments, as well as the recently updated Building Regulations. This also includes allowing flexibility to improve sustainability measures as the development progresses, through the inclusion of new technologies.
- 01.4.3** While the Outline Element seeks to allow flexibility for such changes to regulations and technology, the Application is supported by strict Design Code principles, Parameter Plans and a Development Specification, which provide limited flexibility within the built footprint and scale of development.
- 01.4.4** The illustrative scheme associated with the Outline Element shows one way in which the Outline Elements could be delivered and adopts the aforementioned site-wide principles to establish the overall character and design ethos of the wider site's redevelopment, while allowing the necessary flexibility for the Outline blocks to be designed and constructed in the future with due consideration to the changing context and regulations.

## 01.5 LAND OWNERSHIP

- 01.5.1** There are several different landowners within the wider Opportunity Area. These include:
- / Ballymore and Sainsbury's who are the majority landowner;
  - / Royal Borough of Kensington and Chelsea who own the north-eastern parcel of land within the Application Site (part of Plot 6) which includes Canalside House, the Boathouse Centre and associated parking area;
  - / Private landowner who owns the Water Tower situated to the northeast of the Application Site, outside the Site Boundary;
  - / National Rail who own a compound within the centre of the Application Site;
  - / St William who own the land to the east of the Application Site (former Kensal Gasworks – known as Plot 3);
  - / National Grid who own operational land further to the east of Plot 3;
  - / Department for Transport who own land to the south of the railway line, also referred to as the North Pole Site.

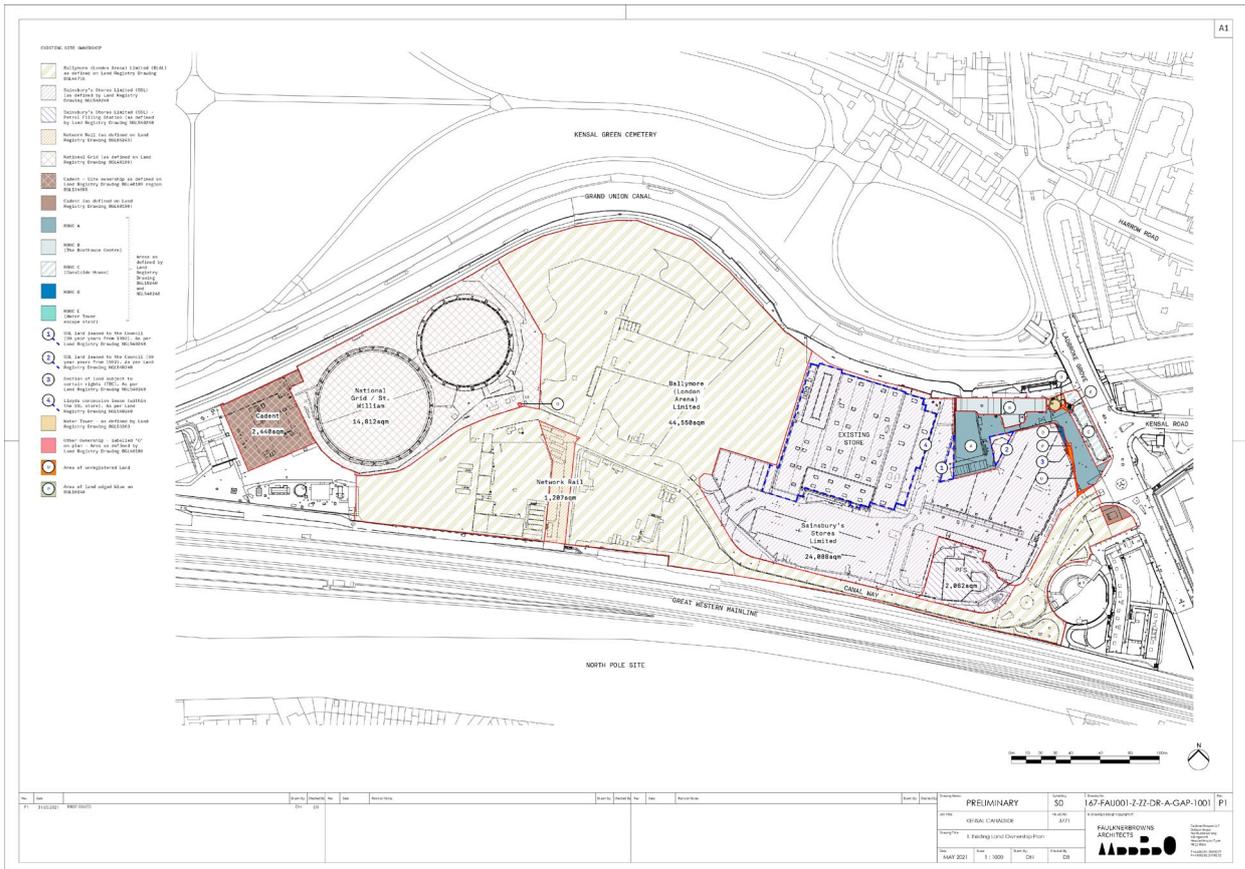


Figure 1: Existing Site Land Ownership Map

## 01.6 PLANNING STATEMENT

**01.6.1** The purpose of this statement is to examine the planning issues raised by the current development proposals for the Application Site. It provides a comprehensive analysis of the relevant planning policy framework at national, strategic and local levels and identifies and describes the key opportunities presented by the redevelopment of this underutilised brownfield site to provide a sustainable mixed-use development. As such, our planning statement is structured as follows:

- Section 1: Introduction
- Section 2: The Application Site and Surrounding Area;
- Section 3: Pre-Application Consultation;
- Section 4: The Proposed Development;
- Section 5: Planning Policy Context;
- Section 6: Planning Considerations;
- Section 7: Draft Heads of Terms, S106 and CIL; and
- Section 6: Conclusion.

## 01.7 SUPPORTING APPLICATION DOCUMENTS

**01.7.1** This Planning Statement should be read in conjunction with the following additional documents, which accompany the application. These include 'Control Documents' which are documents and drawings which future Reserved Matters Applications must be brought forward in compliance with.

REPORT TITLE	PREPARED BY
<b>CONTROL DOCUMENTS</b>	
Parameter Plans	FaulknerBrowns
Detailed Planning Drawings (Plot 2 Detailed Element)	Hutchinson & Partners
Detailed Landscape Drawings	Spacehub
Development Specification	Rolfe Judd Planning
Design Code	FaulknerBrowns, Hutchinson & Partners and Spacehub
<b>SUPPLEMENTARY DOCUMENTS</b>	
Planning Statement	Rolfe Judd Planning
Design & Access Statement	FaulknerBrowns
Existing Planning Drawings	FaulknerBrowns
Landscape and Public Realm Strategy	Spacehub
Statement of Community Involvement	CommComm
Community Space Audit	Volterra
Internal Daylight and Sunlight Assessment	GIA
Flood Risk Assessment	RMA Environmental
Drainage Strategy	Walsh
Integrated Water Management Strategy	Walsh
Basement Impact Assessment	Walsh
Arboricultural Impact Assessment & Method Statement	Tamla Trees Consulting
Energy Strategy	Hoare Lea
Sustainability Assessment	Hoare Lea
BREEAM Pre-Assessments <ul style="list-style-type: none"> <li>/ Plot 2 Sainsbury's</li> <li>/ Plot 2 Leisure and Community</li> <li>/ Plot 2 Office</li> <li>/ Plots 1, 4, 5 &amp; 6 Retail</li> <li>/ Summary Statement</li> </ul>	Hoare Lea
Whole Life Carbon Assessment	Hoare Lea

Circular Economy Statement	Hoare Lea
Construction Logistics Plan (CLP)	T Arnold-Consulting Ltd
Construction Environmental Management Plan (CEMP)	T Arnold-Consulting Ltd
Construction Management Plan (CMP)	T Arnold-Consulting Ltd
Site Waste Management Plan	T Arnold-Consulting Ltd
Pre-Demolition Audit	T Arnold-Consulting Ltd
Outline Delivery and Servicing Plan	WSP
Delivery and Servicing Plan (Sainsburys)	Mayer Brown
Framework Travel Plan	WSP
Travel Plan (Sainsburys)	Mayer Brown
Car & Cycle Parking Management Plan	WSP
Car Park Management Plan (Sainsbury's)	Mayer Brown
Transport Assessment	WSP
Waste Management Plan	WSP
Town Centre Uses Assessment	Stantec
Financial Viability Assessment	Gerald Eve
Outline Fire Strategy (Plots 1, 4, 5 and 6)	Hoare Lea
Fire Strategy (Plot 2)	Hoare Lea
Fire Statement – Gateway One	Hoare Lea
Heritage Impact Assessment	Turley
Environmental Statement including the following technical chapters: <ul style="list-style-type: none"> <li>/ Demolition and Construction</li> <li>/ Socio Economics</li> <li>/ Traffic &amp; Transport</li> <li>/ Air Quality</li> <li>/ Noise &amp; Vibration</li> <li>/ Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare</li> <li>/ Wind Microclimate</li> <li>/ Ground Conditions (Contamination)</li> <li>/ Ecology and Biodiversity</li> <li>/ Built Heritage</li> <li>/ Townscape Visual Impact Assessment</li> <li>/ Archaeology</li> <li>/ Climate Change</li> </ul>	Trium Environmental Consulting

## 01.8 GLOSSARY / ACRONYMS

- / AIA – Arboricultural Impact Assessment
- / APA – Archaeological Priority Area
- / AQMA – Air Quality Management Plan
- / ASHP – Air Source Heat Pump
- / CA – Conservation Area
- / CEMP – Construction Environmental Management Plan
- / CIL – Community Infrastructure Levy
- / DAS – Design and Access Statement
- / DIFS – Development Infrastructure Funding Study
- / DSP – Delivery and Servicing Plan
- / EA – Environmental Agency
- / EIA – Environmental Impact Assessment
- / ES – Environmental Statement
- / FRA – Flood Risk Assessment
- / FVA – Financial Viability Assessment
- / GEA – Gross External Area
- / GIA – Gross Internal Area
- / GLA – Greater London Authority
- / GOL – Goods Online
- / HE – Historic England

- / HGV – Heavy Goods Vehicle
- / HS2 – High Speed Rail (London – West Midlands) Act 2017
- / KCOA – Kensal Canalside Opportunity Area
- / LAC – London Advisory Committee
- / LB – London Borough
- / LGV – Light Goods Vehicle
- / LHMA – London Strategic Housing Market Assessment
- / LNR – Local Nature Reserve
- / LST – London Sports Trust
- / MVHR – Mechanical Ventilation with Heat Recovery
- / NLPR – New Local Plan Review
- / NO2 – Nitrogen Dioxide
- / NPPF – National Planning Policy Framework (2023)
- / NPPG – National Planning Policy Guidance
- / OA – Opportunity Area
- / OPDC – Old Oak and Park Royal Development Corporation
- / PEA – Preliminary Ecological Appraisal
- / PM10 – Particulate Matter
- / PTAL – Public Transport Accessibility Level
- / PV – Photovoltaic
- / QDR – Qualitative Design Review
- / QRP – Quality Review Panel
- / RBKC – Royal Borough of Kensington and Chelsea

- / RPA – Root Protection Areas
- / SAC – Special Areas of Conservation
- / SBINC – Site of Borough Importance for Nature Conservation
- / SCI – Statement of Community Involvement
- / SINC – Sites of Importance for Nature Conservation
- / SLINC – Site of Local Importance for Nature Conservation
- / SMINC – Site of Metropolitan Importance for Nature Conservation
- / SPD – Supplementary Planning Document
- / SSL – Sainsbury’s Supermarket Limited
- / SuDS – Sustainable Urban Drainage Systems
- / TCU – Town Centre Uses
- / TfL – Transport for London
- / THVIA – Townscape, Built Heritage, and Visual Impact Assessment
- / TW – Thames Water
- / UGF – Urban Greening Factor

## **02. THE APPLICATION SITE AND SURROUNDING AREA**

### **02.1 SITE DESCRIPTION & LOCATION**

#### **HISTORIC CONTEXT**

- 02.1.1** Kensal Green historically dates to 1550 and by the 18<sup>th</sup> Century, it was identified as a minor settlement along the Harrow Road within a wider rural or countryside setting. In the 19<sup>th</sup> Century, Kensal Green area was transformed by transport infrastructure which in turn encouraged urban development, particularly industrial and supporting residential.
- 02.1.2** The Canal, to the north of the Site, originally named the Paddington Canal, opened in 1801. In 1832, land to the north of the canal was developed for Kensal Green Cemetery and in 1838 a railway line was installed to the South.
- 02.1.3** The General Cemetery Company bought fifty-four acres of land for use as a burial ground in 1831. This cemetery was a direct response to the cholera epidemic of the late 1820s and the poor conditions of central London graveyards. The All Souls Cemetery was opened at Kensal Green in 1832; planned as the first of seven “magnificent” new cemeteries out of the centre and city wide, it brought more employment and encouraged building in the area.
- 02.1.4** As the development of London spread out from its centre, development in this area focused along Harrow Road. Kensal Green, Kensal New Town, and Westbourne Green were, at that time, distinct villages within the local area. From the mid-19th century, the area rapidly expanded and terraced housing was built to the north and south of the site. The western edge of Queens Park being a significant development.
- 02.1.5** The Kensington Gasworks were established in 1845 and expanded quickly on the site and neighbouring St William plot. Over the years, the Gasworks changed and developed according to the intensity of its use and the methods and technology related to create gas from coal. Large gasholders were placed across the site and first installed in the 1920s. Of the 6 gasholders erected, two large gas holders (pictured below), situated to the west of the Application Site, remained until they were demolished recently in 2020. The Gasworks closed in 1970 and the Site was cleared, with the existing Sainsbury’s store opening on Site in 1989.



Figure 2: Historic image of the Kensington Gasworks

- 02.1.6** A Water Tower was erected to the northeast of the site (outside of the Site boundary) in the 1930s and was historically used to store approximately 5000 gallons of water in case a nearby gas structure caught fire. The tower has since been converted into three floors of residential accommodation, designed by local artist, Tom Dixon.

#### **WIDER OPPORTUNITY AREA**

- 02.1.7** As set out above, the Application Site is designated as part of a larger strategic Site in the Council's Local Plan (2019) and associated Proposals Map (Policy CA1). The wider Opportunity Area consists of land to the south, known as the North Pole Site and land to the west, comprising the former Kensington Gas Works.
- 02.1.8** The Kensal Canalside Opportunity Area is a 15.4ha brownfield site, the majority of which was formerly used as a gas works, with the southern part used as a train depot.
- 02.1.9** At the current time, the Opportunity Area comprises the following distinct plots of land:
- / An existing supermarket and petrol station owned by Sainsbury's Supermarkets Ltd;
  - / An area of former gas works land owned by Ballymore and in temporary use;

- / An office building and a community/sports/affordable housing building, owned by the Royal Borough of Kensington and Chelsea (RBKC);
- / A former gas holder site owned by St William;
- / Various Network Rail assets;
- / The North Pole depot, owned by the Department of Transport
- / A National Grid infrastructure site.

**02.1.10** The North Pole Site is situated to the south of the railway lines and comprises largely vacant land. This area is owned by Department for Transport and is used as a compound for rail infrastructure. There is a marked change in levels with the North Pole Site sitting generally 6m below the level of the Application Site to the north of the railway.

**02.1.11** The Kensington Gasholders is situated to the west of the site. This part of the Opportunity Area is owned and planned to be redeveloped by Berkeley St William (known as Plot 3). Until recently, the St William Site contained two large gas holders which were installed on site in the 1920s. These gasholders were removed in 2020 and the Site has been cleared.

#### **APPLICATION SITE BOUNDARY**

**02.1.12** The Application Site lies within the administrative area of the Royal Borough of Kensington and Chelsea (RBKC) but is close to the Borough boundary with LB Brent to the north, LB Hammersmith & Fulham to the west and the City of Westminster to the east.

**02.1.13** The Application Site is approximately 7.6ha in size. The site is relatively flat and is bounded by the Grand Union Canal to the north (with Kensal Green Cemetery immediately to the north of the canal), the Great Western railway to the south, the former gasholders site to the west and Ladbroke Grove to the east.

**02.1.14** Canal way provides vehicular access to the Site and the existing Sainsbury's store via a roundabout off the B450 Ladbroke Grove. Pedestrian access can also be gained to the Site from the adjoining canal path to the north.

**02.1.15** Within the Site boundary, to the east, currently comprises a two-level Sainsbury's store at the eastern end of the site which sits with a substantial customer car park comprising approximately 396 spaces on two sides. Sainsbury's is accessed via the existing roundabout access from Ladbroke Grove. It also includes associated access roads and a Petrol Filling Station. The existing store is 8,823sqm gross in area and comprises 4,393sqm of net sales area. The store also includes concessions, an in-store Argos and a grocery online operation. The store currently employs approximately 300 staff members.

**02.1.16** At the front of the Site, further to the east, is Canalside House which is a 3 storey (plus basement) non-designated heritage asset providing business floorspace, home to several charities. Access to Canalside House is via the principal frontage of the building (western façade) which faces into the Site and can be accessed via the existing

roundabout at the entrance of the Site off Ladbroke Grove. Car parking for the property is also situated at the western façade of the property and comprises 17 spaces.

- 02.1.17** Adjacent to Canalside House and fronting onto the canal is the Boathouse Centre, a 4-storey building operated by the London Sports Trust (LST) for outdoor activities including kayaking and water sports. Within the Boathouse Centre are also 16 affordable homes, managed by Peabody. This part of the Site, referred to as 'Plot 6' is currently owned by RBKC but forms part of the critical gateway to the Site. As such, this land has been included within the Application Site boundary to ensure comprehensive redevelopment of the Opportunity Area.
- 02.1.18** There are several storage compounds in current use across the Site behind the existing Sainsbury's store. The western parcel of the Site was previously used by Crossrail and now includes temporary office buildings used by businesses such as Keltic Traffic Management, Magic Scaffolding and M&S Floorcreed. Areas to the west of the Site also include spaces used for rail access, vehicle storage, waste, parking, and shipping containers used for material storage.
- 02.1.19** A small memorial garden associated with the Ladbroke Grove train disaster lies at the southeast corner of the Site. Pockets of the western part of the Site (towards the centre and north) are currently disused and fenced off. These areas are dominated by a mixture of grassland and self-established vegetation.
- 02.1.20** Two basins are situated on site. The Boathouse residential development was built over the earlier of the two basins (No. 1 Basin) that served the gasworks, which although later enlarged, is thought to date from the first decade of the gasworks. A later basin (No.2 Basin), west of the Sainsbury's supermarket, has been infilled but the mouth of the basin survives. Hump-backed bridges, which carry the towpath, have been retained and are situated across both basins.
- 02.1.21** As set out in the Old Oak Outline Historic Area Assessment, the canal and towpath are enhanced by features such as these bridges, wharves and basins, which provide insights into the historical use and development of the canal. It concludes that "*the basins would contribute to the potential designation of a Conservation Area relating to the Kensington and Chelsea portion of the Grand Union Canal.*"
- 02.1.22** There is a gas governor and medium-pressure gas main within the site boundary that requires diversion and relocation during the Proposed Development's construction period. There is also a high-pressure gas main which runs north-south along the front of the Site, to the rear of Canalside House, which will be retained and protected during the works. There are also five existing substations on Site which will require decommissioning and removal.
- 02.1.23** Further, a Thames Water (TW) deep sewer currently runs across the Site. The sewer is approximately 350m in length and 200m of this will be subject to diversion works to avoid the location of the proposed Sainsbury's store in Phase 1 of the Proposed Development.
- 02.1.24** The Site topography is relatively flat, however the adjacent railway line to the south falls approximately 6m below site levels.

**02.1.25** The Application Site has a Public Transport Accessibility Level (PTAL) rating which ranges from 5 (very good) at the eastern section of the Site adjacent to Ladbroke Grove to 0 (worst) at the west of the Site. The Site is within walking distance of several London Underground stations. These include Kensal Green which is a 12-minute walk to the northwest (Bakerloo line and London Overground), Kensal Rise which is a 12-minute walk to the north (London Overground) and Ladbroke Grove which is a 16-minute walk to the southeast (Circle and Hammersmith and City Lines).

**02.1.26** Within the Site, to the immediate south of the main access junction on Canal Way is a Transport for London (TfL) bus stand and bus passenger waiting facilities including two stops served by buses that travel both north and south along Ladbroke Grove. Several buses operate from this stop and seven services run to/from Vauxhall, Victoria, Temple, South Kensington, White City, Clapham Junction and Park Royal. The bus routes 295 and 452 (temporarily) are terminating routes within the site. The remaining routes (23, 52, 70, 228 and 18 are through routes). The status of Route 452 may change. The bus facilities are owned by the applicant and leased to TfL.

## **02.2 PLANNING DESIGNATIONS AND CONSTRAINTS**

### **OPPORTUNITY AREA**

**02.2.1** The Application Site forms part of the Greater London Authority's (GLA's) Kensal Canalside Opportunity Area, which was first designated in 2011 and most recently designated within the London Plan (2021). The designation of the Opportunity Area means the Site is a strategic site for growth within London given the Site's "significant development potential", targeting the provision of 3,500 new homes and the creation of 2,000 new employment opportunities across the total 15.4ha designated area.

**02.2.2** The Site also forms part of Policy CA1 (Kensal Canalside Opportunity Area) within RBKC's Local Plan which covers the Kensal Canalside Opportunity Area. Policy CA1 allocates development on the Opportunity Area to deliver a minimum of: 3,500 new residential (C3) units; 10,000sq.m of new offices; 2,000sq.m of new non-residential floorspace, including social and community and local shopping facilities in addition to the supermarket; a station on the Elizabeth Line; and the relocation and re-provision of the existing Sainsbury's supermarket; on-Site renewable energy sources to serve the Site with the potential to contribute to the heat and energy demand of the wider community as part of a district heat and energy network; and the provision of on-site waste management facilities to deal with the development's waste arisings from the new uses of the Site (including recycling facilities and/or anaerobic digestion).

**02.2.3** RBKC has been working on a New Local Plan Review (NLPR) since late 2020. On 1<sup>st</sup> of February 2023, Full Council approved the NLPR for submission to the Secretary of State, with the Examination in Public Hearings being held through June and July 2023. As such, the NLPR is considered to be a material consideration which now holds moderate weight within the decision-making process.

**02.2.4** Within the NLPR, the Site is proposed to be re-allocated as part of the wider Opportunity Area under draft Policy SA1 – Kensal Canalside Opportunity Area. This Policy identifies the Site and other land in the Opportunity Area as suitable for a minimum of 3,500 new homes (Class C3), 12,000sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with

the site's Neighbourhood Centre designation of which 5,000 sqm should be E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre; the provision of affordable workspace; the relocation and re-provision of the existing Sainsbury's supermarket; and on-site renewable energy sources. The emerging site allocation also identifies the Opportunity Area as being appropriate for tall buildings and proposes a height strategy for the Opportunity Area with taller buildings towards the railway tracks which should not exceed 98m from the ground level to the top of the building (or approximately 31 storeys).

**02.2.5** To provide further guidance on what the Council expects to see within the proposed redevelopment of the Kensal Canalside Opportunity Area, RBKC prepared the Kensal Canalside Opportunity Area Supplementary Planning Document (SPD) which was formally adopted in July 2021. Compliance with the SPD is set out within the emerging Site Allocation for the Opportunity Area.

**02.2.6** The SPD requires landowners to work collaboratively with the Council, local businesses, and residents to bring forward comprehensive development of the Opportunity Area and is a material planning consideration in the assessment of any scheme within the Kensal Canalside Opportunity Area.

**02.2.7** The SPD sets out key principles for development within the Opportunity Area. It requires the Opportunity Area to:

- / Provide a high-quality home for over 3,500 households
- / Optimise the number and quality of affordable homes
- / Improve access to and embrace the biodiversity and benefits of the canal
- / Bring new social and community facilities
- / Deliver environmentally sustainable approaches to development
- / Build on its industrial heritage, linking into the local creative economies
- / Minimise the need for private vehicle use
- / Bring new job opportunities
- / Ensure that high-density development delivers high-quality architecture and public open and green spaces
- / Respond to the historic setting of the Kensal Green Cemetery and dockside development

**02.2.8** Furthermore, in addition to the Site Allocations, the SPD sets out specific targets for development within the Opportunity Area. These include, but are not limited to, the protection or re-provision of the 16 affordable homes within the Boathouse, a minimum of 2,000 new jobs, and a minimum of 2,000sqm of community space which includes at least three 500sqm community spaces.

## OTHER RELEVANT DESIGNATIONS

- 02.2.9** Within the Local Plan, the Site is located with the Kensington and Chelsea 'Air Quality Management Area' (AQMA) for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). The whole borough was declared an AQMA due to road transport in 2000.
- 02.2.10** The Site is within Flood Zone 1 as designated by the Environment Agency (EA), which is land considered to have less than a 1 in 1,000 annual probability of river or sea flooding.
- 02.2.11** Part of the Application Site is designated as a Site of Local Importance to Nature Conservation (SLINC), the Kensal Gas Works SLINC, which remains designated although habitat was removed to allow for the use of the area as a Crossrail compound, and then Euro Storage facility, and has not been allowed to re-establish.
- 02.2.12** The Site is also bordered by London's Canals Site of Metropolitan Importance to Nature Conservation (SMINC) to the north and Kensal Green Cemetery SMINC is approximately 25m north of the site on the opposite side of the canal. British Rail Western Region Land Site of Borough Importance to Nature Conservation (SBINC) is located adjacent to the southern boundary of the site. There are a further 14 SBINCs and 11 SLINCs within 2km of the Site.
- 02.2.13** The Site is not within a Conservation Area, nor does it contain any statutory Listed Buildings.
- 02.2.14** Across Strategic and Local Planning Policy, the Site is subject to the following planning designations:
- / Greater London Authority Kensal Canalside Opportunity Area
  - / Local Plan Site Allocation CA1 (Kensal Canalside Opportunity Area)
  - / New Draft Local Plan Site Allocation SA1 (Kensal Canalside Opportunity Area)
  - / Non-Designated Heritage Assets – Ladbroke Grove Rail Disaster Memorial & Canalside House
  - / Brownfield Land Register (2022): Kensal Gasworks – Canal Way – Ladbroke Grove
  - / Air Quality Management Area (AQMA)
  - / Flood Zone 1
  - / Kensal Gas Works Site of Local Importance for Nature Conservation (SLINC)
  - / PTAL range of 5 (very good) on the eastern section of the Site to 0 (worst) at the west of the Site

## 02.3 HERITAGE INTERESTS

- 02.3.1** The Application Site is not within a Conservation Area, nor does it contain any statutory Listed Buildings, or other designated heritage assets.

**02.3.2** There are two non-designated heritage assets located on the Site: in the south-west corner of the Site is the Ladbroke Grove Rail Disaster Memorial (which is a memorial to the victims of the 1999 Ladbroke Grove Rail Disaster). Canalside House, located on the eastern boundary of the site is also a non-designated heritage asset, which houses several charities. The heritage significance of Canalside House is derived from its local historic interest as former offices to the gas works on site and also some lesser local architectural interest in a typical Neo-Classical style for the period.

**02.3.3** The Kensal Green Cemetery to the north of the Site is a Grade I Registered Historic Park and Garden, as designated by Historic England. It is also included on Historic England's Heritage at Risk Register across the range of designated heritage assets. The General Cemetery Company bought fifty-four acres of land for use as a burial ground in 1831. This cemetery was a direct response to the cholera epidemic of the late 1820s and the poor conditions of central London graveyards. The All Souls Cemetery was opened at Kensal Green in 1832.

**02.3.4** There are several Listed Buildings within 1km of the Site (primarily within Kensal Green Cemetery), totalling 36 structures, buildings or building clusters. The Cemetery includes the Dissenters Chapel (II\*), The Anglican Chapel (I), The Northern Colonnade (II), Perimeter Walls and Railings including Entrance Gateway opposite Wakeman Road (II) and groups of various mausolea, funerary monuments, vaults, and chapels (II or II\*). These are typically Grade II or II\* Listed; however, The Anglican Chapel, located within the Kensal Green Cemetery is Grade I Listed.

**02.3.5** The Kensal Green Cemetery Conservation Area is located immediately to the north of the Site. Several other Conservation Areas (CA) are located within 1km of the Site including:

/ Oxford Gardens & St. Quintin CA;

/ Queens Park Estate CA;

/ Kensal Green CA;

/ Queens Park CA;

/ St Mary's CA;

/ Grand Union Canal CA; and

/ Cumberland Park Factory CA.

**02.3.6** Located immediately southeast of the Site are Kensal House Day Nursery and Kensal House which are both Grade II\* Listed buildings. The Kensal House buildings were designed as a group by F Maxwell Fry and Grey Wornun between 1936-8 as a municipal housing scheme for the gasworks. Today, Kensal House provides residential accommodation while Kensal House Day Nursery is run by a Charity named Full of Life which provides support to families and children with additional needs.

**02.3.7** The Site does not fall within a designated Archaeology Priority Area, but the Kensal Green Cemetery to the north of the Site forms part of the larger Kensington and Chelsea Cemeteries Archaeological Priority Area (APA).

## **02.4 SURROUNDING AREA**

### **IMMEDIATE CONTEXT**

**02.4.1** As noted above, the area immediately southeast of the Site includes Kensal House Day Nursery and Kensal House which are both Grade II\* Listed buildings.

**02.4.2** Immediately to the northeast of the Site is a disused Water Tower which has been converted to a residential dwelling, comprising accommodation over three floors. The Water Tower is accessed via an external staircase off the canal towpath.

**02.4.3** As noted above, the Grand Union Canal runs along the northern boundary of the Site. Several residential moorings are located along the Canal, with approximately 10 permanent residential moorings along its northern bank, and temporary moorings on the southern side of the canal.

**02.4.4** The Canal is principally used for leisure boating and as a popular pedestrian and cycling route along the towpath to Old Oak Common.

**02.4.5** The Kensal Green Cemetery is situated further north of the site and is a Grade I Registered Historic Park and Garden, as designated by Historic England.

**02.4.6** Further north, beyond the Grand Union Canal and Kensal Cemetery, sits the A404 Harrow Road and the predominantly residential area of Kensal Green, where Kensal Green Underground Station is located.

**02.4.7** The Great Western Railway runs along the southern boundary of the Site which provides services from London Paddington Station to west London and the Thames Valley region, as well as long-distance services to Southwest England and South Wales.

**02.4.8** To the east of the site is a mixed-use area which includes a designated industrial zone named Kensal Road Employment Zone. Several businesses are situated within this area, including coffee shops, workspaces, fitness studios and non-profit organisations. Further to the east is Maida Vale and Paddington which further provide a wealth of commercial, retail and leisure uses.

### **WIDER CONTEXT**

**02.4.9** Further west of the Site, beyond the former Kensal Gas Works Site, sits St Mary's Catholic Cemetery. Beyond this area, sits an industrial and commercial zone containing several warehouses operated by a large car dealer, Car Giant.

**02.4.10** To the south of the Site, beyond the railway line and North Pole Site, lies the predominantly residential Dalgarno Estate. This area also includes Sunbeam Gardens recreation area, St Francis Community Church, Dalgarno Pre-school, and Ladbroke Hall.

- 02.4.11** To the southwest of the Site lies Little Wormwood Scrubs Recreation Ground, with Wormwood Scrubs open space located adjacent to this across the railway line to the west. These areas of open space are approximately a 20-minute walk from the Site. The areas east and further south of the Site are dominated by residential uses.
- 02.4.12** The nearest neighbourhood centre is Ladbrooke Grove North to the Site's southeast. Portobello Road is also located further to the south and includes an array of shopping and leisure opportunities.
- 02.4.13** The Site has Strategic links with other major developments in the area including Old Oak Common and Park Royal Opportunity Area to the west and Earls Court Opportunity Area to the south. These are discussed further below.
- 02.4.14** Trellick Tower is a Grade II\* Listed Building situated east of the Site. It was first listed in 1998 as "the ultimate expression of Goldfinger's philosophy of high-rise planning" (Historic England List Description). It is a 33-storey residential tower, with shops, office and youth and women's centres at lower floors, with a 35 storey semi-freestanding service tower. The entire scheme, set on an 11-acre site, is architecturally unified and the lower blocks are finished to the same standard as Trellick Tower, with detailed bush-hammered concrete and high-quality brickwork.

## **02.5 RELEVANT PLANNING HISTORY**

- 02.5.1** RBKC's online planning archives show no current planning applications at the Site.
- 02.5.2** A planning application for redevelopment of part of the Site (to the rear of the existing Sainsbury's store) was submitted to RBKC in 2006 (application reference: PP/06/01619). This application sought Outline planning permission for redevelopment of the site to provide 790 residential units, 9 residential moorings and 14,859sqm of non-residential floorspace alongside car parking, highways improvements, a new inner canal basin and reconfigured outer canal basin. The scheme was eventually considered as withdrawn following a change in ownership of the site and a decision was never issued by the Council.
- 02.5.3** There is also a historic planning permission on the same parcel of land which was submitted in 1997 and approved in 2002 (application reference: TP/97/02707). Planning permission was granted for the provision of 15,989 sqm of Class B1 (Business) accommodation, and 308 residential units together with restaurant and cafe facilities and associated car parking together with highway improvements, reconfiguration of canal basin and provision of ecology garden. There is no evidence that this permission was ever implemented.
- 02.5.4** There have also been several minor applications relating to the Sainsbury's store on Site since its construction in the 1980s, including advertisement consents, minor extensions to the store and the erection of taxi kiosk.

### **SURROUNDING DEVELOPMENT CONTEXT**

- 02.5.5** The Site forms part of a wider network of major developments in the area. Several large developments are situated within close vicinity of the site. These include, but are not limited to:

- / **Earls Court Opportunity Area** (approx. 4 miles south of the Site) – This is an allocated Opportunity Area at both Strategic and Local (Borough) level (Local Plan Policy CA4, Draft Local Plan Policy SA2 and London Plan Policy SD1). The Site is allocated for a residential-led development providing a minimum of 1,050 residential dwellings, a minimum of 40,000sqm of non-residential floorspace (20,000sqm of which should be for office/research – Class E(g)), a new cultural facility, public green spaces and a new public park and an on-site early year’s education facility.
  
- / **Old Oak and Park Royal Opportunity Area** (approx.1.5 miles to the west of the site) - This is also an allocated Opportunity Area at both Strategic and Local level. To aid the delivery of this Site, the Old Oak and Park Royal Development Corporation (OPDC) was established by the Mayor of London as it covers 650 hectares of land in three London boroughs – Ealing, Brent and Hammersmith & Fulham. Park Royal forms one of the largest industrial estates in Europe while Old Oak is an area of industrial and railway land. It is allocated to deliver approximately 25,500 new homes and 65,000 jobs. Combined this level of development would make a major contribution to London’s growth over the next few decades. Since the Opportunity Area was first designated in 2004, over 3,500 new homes have been completed.
  
- / **Old Oak Common Station** (approx. 2 miles west of the Site) – The construction of a new high-speed railway between London and the West Midlands was granted by Parliament through the High Speed Rail (London – West Midlands) Act 2017 ('the HS2 Act'). This includes a new station at Old Oak Common, which will become one of the country's largest rail interchanges.
  
- / **Wornington Green Estate Redevelopment** (approx. 0.7 miles southeast of the Site) – The Council initially granted planning permission for the redevelopment of the Wornington Green Estate in 2010. The estate originally had 538 flats and houses, built between 1964 and 1985 in predominantly large deck-blocks. The proposals seek to demolish the existing homes and replace with approximately 1,000 new units. An application for Phase 3 of the development (final phase) is currently under determination by the Council (PP/21/07028).
  
- / **Rear of 341-351 Ladbroke Grove** (approx. 0.4 miles south of the Site) – A planning application was approved in January 2023 for the demolition of buildings/structures and redevelopment of site to provide four new buildings, between 3 and 7 storeys in height, providing new residential accommodation (Use Class C3), with indoor sports facility (Use Class E), extension to dentist on Ladbroke Grove, landscaped garden, extension to Community Garden on Treverton Street and creation of pedestrian route from Barlby Road to Treverton Street (PP/21/07030).
  
- / **115 – 129A Scrubs Lane** (North Kensington Gate - approx. 1 mile west of the site) – A planning application was approved for the demolition of existing buildings and redevelopment of the site to provide residential units (Use Class C3) within a new residential-led building ranging in height from 7 to 24 storeys (above ground), over ground floor commercial floorspace (Use Class A1/A2/A3/A5/B1A/B1C) with basement car parking, cycle parking and plant space, landscaping and associated works (20/0088/FUMOPDC). A Section 73 application to vary several conditions was subsequently approved in November 2022 (22/0006/VAROPDC). The Site has been cleared for development and is under construction.

- / 93-97a Scrubs Lane (approx. 1 mile west of the site) – A planning application has been approved for the demolition of existing buildings and redevelopment of the site to provide a new building at 4 storeys and 11 storeys in height, comprising 165sqm of ground floor commercial floorspace (use class A1/A2/A3) and 47 residential units (use class C3), with landscaping and associated works (16/0118/FULOPDC).
  
- / **Mitre Yard, 104-108 Scrubs Lane** (approx. 1 mile west of the site) – A planning application was approved for the demolition of existing buildings and structures and redevelopment of the site to provide two new buildings comprising ground floor flexible non-residential floorspace (Use Classes A1/A2/A3/A4/B1/D1/D2), ground floor workspace (Use Class B1/Artist Studios) and residential units (Use Class C3) with disabled car parking, plant space, amenity space, landscaping and associated works (19/0104/VAROPDC). A Section 73 application was then approved in August 2022 to primarily: increase the number of residential units (Use Class C3) from 200 to 241; increase the maximum height of the scheme from 19 storeys to 22 storeys; and increase the provision of accessible car parking (21/0130/VAROPDC). Development has commenced at the site.
  
- / **M&S White City Site** (approx. 2 miles southwest of the Site) – The original planning application sought the comprehensive redevelopment of the site (granted December 2015) for the demolition of all existing buildings and structures and the redevelopment of the site for residential and mixed uses comprising the erection of new buildings ranging from 11 to 30 storeys to provide up to 1,465 residential units (Class C3) and use classes (A1-A5, B1, D1 & D2), the provision of a new publicly accessible open space, new pedestrian and vehicle routes, accesses and amenity areas, basement level car park with integral servicing areas and other associated works (2014/04726/OUT). Several applications have been submitted since proposing variations and approval of reserved matters. The most recent significant application at the site was approved in September 2022 for a Section 73 seeking variations of Planning Conditions pursuant to planning permission Ref: 2017/04377/VAR (dated June 2018) for amendments to vertical and horizontal parameter plans of Phases 4&5 (Condition 3), amendments to Design Codes (Condition 4) increase in unit numbers (Condition 7) and in the maximum floorspace (Condition 8) – (2021/02896/VAR).

**02.5.6** The above demonstrates several significant developments coming forward in the surrounding context. The Application Site is therefore viewed as part of a wider network of strategic redevelopment.

## 03. PRE-APPLICATION ENGAGEMENT AND CONSULTATION

### 03.1 OVERVIEW

- 03.1.1 The NPPF (September, 2023) states that early engagement between stakeholders has significant potential to improve the efficiency and effectiveness of the planning system, with good quality discussions enabling better coordination between public and private resources and better outcomes for the community (Paragraph 39, NPPF). Paragraph 40 states that that the more issues that can be resolved at pre-application stage, the greater the benefits. Paragraph 42 of the NPPF encourages the participation of other consenting and statutory bodies, to enable early consideration of all the fundamental issues.
- 03.1.2 The proposals relating to the Site have been shaped by extensive engagement with key stakeholders, including RBKC, the GLA, Historic England, TfL, and the local community (including local Councillors and residents).
- 03.1.3 The pre-application process was also held collaboratively with adjoining landowners St William who are progressing a planning application to redevelop the Kensal Gasholders site immediately to the west of the Application Site (also known as Plot 3). As such, several meetings have been held jointly with St William through the pre-application process including meetings with the Council, Historic England and public consultation, as well as regular Design Team meetings to ensure a co-ordinated approach across both land ownerships.
- 03.1.4 This section of the Planning Statement has been split into two, covering consultation undertaken on the emerging proposals in 2021 and consultation undertaken on the revised (current) scheme in 2023 in the lead up to submission of this planning application. While a summary of the public consultation undertaken is included below, full details of the public consultation events and feedback are outlined within the supporting Statement of Community of Involvement.
- 03.1.5 A summary of the key comments received (at the most recent consultation event) and how the applicant has responded to these are outlined in Figure 3 below.

ISSUE IDENTIFIED DURING CONSULTATION FEEDBACK	PROJECT TEAM RESPONSE
<p><b>Housing</b></p> <p>Attendees were keen to ensure that the local community benefit from the affordable housing provision and new homes more generally, and that these homes would be accessible to local residents.</p> <p>Some wanted a greater percentage of affordable homes.</p>	<p>The Application Scheme has sought to optimise the amount of housing which can be delivered on site without impacting on the wider area and in line with Strategic and Local Plan Policy Allocations.</p> <p>This includes the provision of 25% affordable housing (by habitable room).</p> <p>If the maximum amount of housing proposed is delivered on site (i.e. 2,519 homes), this would equate to 56% of the</p>

	Council's ten year housing target with the affordable homes all meeting the definition of being 'genuinely affordable' as set by the Mayor of London.
<p><b>Height and Massing</b></p> <p>Many local residents were concerned with the proposed heights in comparison to the existing local context and about the impact the proposals would have on the adjacent conservation areas and neighbouring properties. More specifically, concerns focused on the possible impact on views of the area.</p> <p>Yet, others recognised the need for height in order to provide the appropriate levels of housing in line with the Site Allocation and appreciated that there is a need for housing in RBKC.</p> <p>Some residents appreciated the reduction in massing since the last designs were shown in the previous consultation.</p>	<p>The proposed scheme has evolved throughout the planning process and responded to comments from members of the public and other stakeholders. Sections 3.4 and 4.2 of the accompanying Design and Access Statement set out the evolution in detail however by way of summary, the proposed height and massing strategy is based on the broad principle that tall buildings will be positioned at the southern side of the site towards the railway line and lower level buildings positioned on the northern side of the site towards Kensal Green Cemetery.</p> <p>The proposed heights of the buildings have been driven by the requirement to deliver high density housing on the Site, as required under the Strategic and Local Plan Allocations (CA1 and SA1). The maximum heights do not exceed 29 storeys (98m AOD), in line with planning policy and the Site Allocations (CA1 and SA1).</p> <p>The tallest buildings sit within clusters identified as part of the adopted SPD by the Council as areas where taller buildings could be located. These include:</p> <ul style="list-style-type: none"> <li>- A marker building is placed at the site entrance adjacent Ladbroke Grove junction. This acts to frame the new public park to the east. The height steps towards the canal edge (maximum of 12 storeys) to create a distinct site marker in keeping with the scale and character of buildings on Ladbroke Grove.</li> <li>- One of the two tallest buildings on site has been placed at the Sainsbury's store marker (Plot 2). The building acts to signal both the end of The Avenue (Neighbourhood Centre) and the position of the new store. The building is also placed to articulate the potential new bridge crossing position across the railway line which will become one of 2 main pedestrian thoroughfares into the site, alongside The Avenue.</li> </ul>

	<ul style="list-style-type: none"> <li>- The second tallest building, Plot 4.1, has been placed to the west of the Site and addresses the shift in site geometry, driven by the canal and the potential river crossing to the west, where the Site is at its widest. This also acts to signal the large public park at its base, which opens towards the canal edge.</li> </ul>
<p><b>Transport Capacity</b></p> <p>Attendees were concerned about how the increase in population would affect the transport network in the area, particularly along Ladbroke Grove. Respondents were also concerned about the impact this would have on the levels of traffic in the area, including the environmental impact of emissions.</p> <p>Concern was also expressed over the low levels of parking to be provided on-site. Others also pointed to the need for a new Elizabeth Line Station to come to the area to support this increase in number of residents in the area.</p>	<p>The application is accompanied by a Transport Assessment which analyses the relevant related points in detail. The accompanying Transport Assessment confirms that there is sufficient capacity within the area to accommodate the quantum of development proposed in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the buildings.</p> <p>The Proposed Development makes key efforts to improve active travel and reduce the reliance on car use such as improving the existing bus network at the site. Buses are central to the transport strategy, as they provide a high-quality connection to multiple destinations within a 20 minute bus journey from the main site access on Ladbroke Grove. Key efforts include bringing bus routes with proposed bus stops into the site.</p> <p>The scheme also seeks to prioritise pedestrian safety to and within the Site. The proposals seek to replace the existing roundabout into the site with an all-movements signalised junction which will improve safety of pedestrians and cyclists entering and exiting the site. This principle of the junction was adopted within the Council's Kensal Canalside SPD (2021) and provides dedicated and controlled pedestrian and cycle facilities.</p> <p>The Scheme is 'Car-Lite' in line with London and Local Plan Policy. Retail car parking has been designed to ensure that the Sainsbury's Store can continue to serve the needs of the local area and maintain the goals of promoting sustainable transport. The Proposed Development will provide 227 car parking spaces for customers which is a reduction of 169 spaces from the existing 396 spaces</p>

	<p>however is appropriate to cater for customer and town centre demand.</p> <p>Residential car parking has been designed to accord with the parking standards set out within the London Plan (2021), with a maximum total of 346 residential parking spaces provided for the maximum 2,519 units (0.14 spaces per unit). The London Plan advises that development within Opportunity Areas or within a PTAL of 5 and 6 should be car free, except for disabled parking. Given the Site has a PTAL of between 2-5, the level of parking proposed is considered appropriate.</p> <p>There has been a long-term aspiration of RBKC to include an Elizabeth Line station on the Site. Since the Site was first designated, work has been undertaken to consider the viability of a new Elizabeth Line station from an operational and cost perspective. The Council, working with Network Rail and Transport for London, has not yet been able to prove that the delivery of an Elizabeth line station at Kensal Canalside is feasible. No further feasibility work on the station is anticipated within the lifetime of the Local Plan, and this is recognised within the Draft Local Plan (paragraph 8.35). The supporting Transport Assessment has therefore assessed the impacts of the scheme without the delivery of an Elizabeth Line station to ensure a robust assessment.</p>
<p><b>Infrastructure</b></p> <p>Many local residents had concerns around how the increase in population would impact local services, including schools and GP surgeries. There were several suggestions that there was a need to increase capacity at schools and GP surgeries to accommodate additional people living in the area or requirement to provide such facilities on site.</p>	<p>The application is accompanied by a Socio-Economic Assessment which reviews the proposed scheme in light of potential impacts on community facilities including education and healthcare.</p> <p>The Assessment confirms that primary schools are expected to have sufficient capacity for the Proposed Development, however there is limited capacity within secondary schools in the area. The Applicant is committed to mitigating the effects of the Proposed Development on secondary education in the Borough. In order to do this, the Applicant could provide funds towards secondary education as part of the S106 contributions.</p>

	<p>With regard to healthcare, consultation with NHS North West London ICB confirmed that the Proposed Development would not create an exponential increase in the primary problem concerning primary healthcare in the Borough. Notwithstanding this, the Applicant is committed to mitigating the effects of the Proposed Development on primary healthcare in the Borough. The Applicant will use reasonable endeavours to commit to providing an additional healthcare facility on-site. In the absence of this, due to the possible difficulties involved in establishing a new healthcare facility, the Applicant will provide a financial contribution to support existing primary healthcare facilities in the Borough.</p>
<p><b>Sainsbury's Store and Petrol Station</b></p> <p>The majority of respondents were keen to see the retention of the Sainsbury's store and were positive about the development of a new store of modern standards with a new café and concessions. Whilst a minority of respondents were disappointed to see the removal of the petrol station, others recognised that transport modes in London were shifting.</p>	<p>The proposed scheme seeks to deliver a brand-new Sainsbury's store which seeks to meet the changing needs of the area and responds to new market conditions. The store will continue to support the Area and will ensure retention of existing employees.</p> <p>The proposed location of the store has been carefully considered as part of the Development proposals to ensure it comes forward in the initial phases of development and to allow continuity of trading throughout the construction period. The existing store (and Petrol Filling Station) employees over 300 people, the majority of whom live in the locality. The design and location of the store has therefore been carefully considered to ensure these jobs are retained at all times through the construction and operational phases of the development.</p> <p>The proposed phasing strategy of the Site ensures that the existing store will remain open and operational for customers until the new store is built, where an instant switchover will occur. This strategy seeks to minimise any potential impact to the local community, employees and store visitors.</p>

Figure 3: Key Consultation Comment and Applicant Response

## 03.2 2021-2022 PRE-APPLICATION ENGAGEMENT

**03.2.1** During 2021, a scheme was produced for the Site which was subject to a detailed pre-application process with the Council, GLA, key consultees and the local community. The scheme sought to adhere to the aspirations of the Opportunity Area as set out within the Local Plan and London Plan, proposing a hybrid application to provide a residential-led mixed use scheme. The Proposed Development included up to 2,536 residential units, up to 44,085sqm GEA (41,994sqm GIA) of non-residential floorspace (including a replacement Sainsbury's store, flexible commercial and retail uses, community uses, and leisure uses) and significant public open space. At this time, the heights of the development were proposed as maximum 36 storeys.

**03.2.2** As part of this design development, the scheme was subject to numerous pre-application meetings with the Council (RBKC) which focussed on design principles, with a shift towards more plot specific and detailed technical matters as discussions progressed. Officers confirmed their support for the following key aspects of the scheme which have been included within the revised iteration, proposed within this Application:

- / The proposed location of the replacement Sainsbury's store within the Development and the importance of continuation of trade throughout the construction period;
- / The creation of a new Neighbourhood Centre which provides a variety of commercial and retail uses to serve the needs of the incoming residents and the existing community, with the new centre anchored by the replacement Sainsbury's store;
- / A general height strategy which seeks to align with the Kensal Canalside SPD, proposing buildings with isolated points of height acting as marker within the Development (e.g., at the entrance to the new Sainsbury's store);
- / The proposed design intent and material palette which seeks to reflect the distinctive character of the Borough;
- / The re-opening of the historic basin adjacent to Plot 4 providing additional access to water.

**03.2.3** In addition to meetings with RBKC, the scheme was subject to detailed design meetings with the GLA, relating primarily to matters concerning transport and connectivity; quantum, height and massing; historic environment impacts; and residential quality. The GLA strongly supported the proposed land uses on this under-utilised Opportunity Area in principle however highlighted challenges of the Development including the proposed height strategy across the Masterplan.

**03.2.4** Four Quality Review Panels (QRP) hosted by RBKC and organised by Frame Projects were also conducted during this time. A QRP allows Applicant teams to present emerging development proposals to a panel of independent experts in the design of the built environment, including architects, landscape architects, urban designers and sustainability experts who assess the scheme and provide constructive feedback to improve the

design and overall success of the proposal. The four sessions focussed on key topics across the Development including:

- / 18<sup>th</sup> February 2021 – Masterplan principles
- / 30<sup>th</sup> April 2021 – Masterplan design development
- / 23<sup>rd</sup> July 2021 – Transport & Connectivity and Plot 2 detailed design
- / 4<sup>th</sup>, 7<sup>th</sup> and 14<sup>th</sup> October 2021 – three full day sessions covering:
  - o Day 1: Open space, landscape and streetscape, massing and building heights and Housing typologies and tenure
  - o Day 2: Transport and connectivity, and Environmental sustainability
  - o Day 3: Individual plot review with input from neighbouring St William developers

**03.2.5** The development proposals were also presented at a Development Forum on the 24<sup>th</sup> of November 2021. The Development Forum is a public meeting arranged by the Council, which allows developers to present emerging development proposals and gather feedback from local residents, businesses and consultees before submitting a planning application.

**03.2.6** Applicant teams for both the Application Site and the neighbouring St William Site (Kensal Gas Works – Plot 3) were in attendance and presented the wider Masterplan to residents.

**03.2.7** Key concerns raised during this Development Forum related primarily to the provision of affordable housing, building heights, and congestion along Ladbroke Grove. Social infrastructure was also noted as a local concern, including the provision of GP surgeries and educational facilities.

**03.2.8** In addition to the above, the Proposed Development was also presented to the community on four occasions at public exhibition events in the current Sainsbury's car park (two events in July and two events in September 2021). The consultation process also included community workshops, online engagement and Q&A events to gain as much community feedback as possible. Consultation was conducted in person, via print and digitally to account for COVID restrictions at the time and to ensure as many people as possible were consulted.

**03.2.9** In addition to the public consultation events, a number of stakeholders and local groups were invited to engage in the process, through smaller presentations and meetings, as well as being provided with updates on how the plans were progressing. These stakeholders include RBKC Officers (outside of the Planning and Design Officers met with on a regular basis), the Member of Parliament for Kensington, neighbouring London Boroughs, neighbouring Residents' Associations and nearby Community Groups.

**03.2.10** The 2021 scheme was therefore subject to an extensive consultation process which was beneficial to understand the requirements and concerns of the key consultees and local stakeholders.

**03.2.11** In February 2022, the Council published the Regulation 18 draft of their Local Plan Review, which included an updated site allocation for the Opportunity Area. Taking into consideration all comments received during the pre-application process, and the emerging Local Plan, it was decided that the project would be paused, and the scheme would be subject to a full review against comments received and the emerging changes within the draft Local Plan.

### **03.3 2023 PRE-APPLICATION ENGAGEMENT**

**03.3.1** The pre-application process and engagement restarted at the end of 2022, following this period of design review. The proposals outlined within this planning application therefore are the outcome of a substantive design process over the course of several years.

**03.3.2** The key changes from the 2021 scheme include:

- / Height of the two tallest buildings reduced by 7 storeys from 36 storeys to 29 storeys (98m from ground) to align with emerging site allocation;
- / Removal of a 'finger block' in Plot 1 to allow greater separation distances between buildings;
- / Residential blocks added to Plot 2 (above the store) to reduce density elsewhere in the Development;
- / Inclusion of RBKC owned land at the front of the Site (Plot 6) to ensure comprehensive redevelopment of the Opportunity Area;
- / A new community hub and activity centre that will be accessible to all residents and the wider community proposed within Plots 2 and 6;
- / The provision of two staircases, fire lifts (evacuation and fire fighting) and sprinklers in each residential block (regardless of building height);
- / Increased the number of green spaces and play areas by increasing the planting and including the land on Ladbroke Grove (RBKC owned land) for a new public park;
- / A charity strategy including two local organisations London Sports Trust and Full of Life Charity within the Site.

**03.3.3** A summary of the pre-application process of the revised scheme is included below.

### **03.4 ROYAL BOROUGH OF KENSINGTON AND CHELSEA (RBKC)**

**03.4.1** As set out above, a revised detailed scheme was produced towards the end of 2022, which enabled regular pre-application meetings and design workshops to re-commence with RBKC Officers, including Planning Officers, Transport, Design and Conservation. The Council provided regular written feedback throughout this pre-

application period covering strategic issues, such as design priorities, height and massing, open space and non-residential uses.

**03.4.2** A summary of the meetings held with RBKC and topics covered from 2022 to submission of this planning application is outlined below:

- / Wednesday 7 December 2022 (RBKC Officers)
- / Thursday 15 December 2022 (Briefing with RBKC Councillors and officers)
- / Monday 23 January 2023 (Pre-App with RBKC No1 – Design and Key Updates)
- / Tuesday 7 March 2023 (Pre-App with RBKC No2 – Open Space and Planning Strategy)
- / Tuesday 21 March 2023 (RBKC Chief Executive)
- / Wednesday 12 April 2023 (RBKC Head of Content, Channels and Digital & Head of News)
- / Wednesday 19 April 2023 (Pre-App with RBKC No3 – Plot 06 and Residential Quality)
- / Tuesday 9 May 2023 (Pre-App with RBKC No4 – Residential Quality & Heritage)
- / Wednesday 10 May 2023 (Briefing with RBKC councillors and planning team)
- / Wednesday 7 June 2023 (Pre-App with RBKC No5 – Non-Residential Uses)

**03.4.3** In addition to meeting with RBKC Officers, meetings were held with Ward Members and Cabinet Members from the Council where the Applicant team presented emerging proposals for the Site to ensure Members were kept up to date with the proposals and could provide advice on key local issues to be considered and addressed within the Proposed Development.

**03.4.4** Meetings were also held with other neighbouring Borough members and officers from Westminster, Brent and Hammersmith & Fulham to present the scheme and answer any queries regarding any effect the scheme may have on their Borough.

**03.4.5** Meetings were also held with the Council's viability consultants, Carter Jonas, to streamline the viability process and agree several key viability principles and inputs prior to submission of the planning application. This included meetings and reports issued by both Carter Jonas (acting on behalf of RBKC) and the Applicant's viability team, Gerald Eve.

## **03.5 GREATER LONDON AUTHORITY (GLA)**

**03.5.1** Three further meetings were held with the Greater London Authority (GLA) in the lead up to submission of this application. These included:

- / Friday 3<sup>rd</sup> March 2023 – Design and Key Updates
- / Wednesday 28<sup>th</sup> June 2023 – Design, Affordable Housing and Heritage
- / Tuesday 25<sup>th</sup> July 2023 – Non-Residential Uses and Energy Strategy

**03.5.2** The GLA continued to strongly support the proposed land uses on this under-utilised Opportunity Area in principle and acknowledged the changes undertaken since 2021 to address previous concerns. The GLA however noted some challenges which could be resolved through further detail i.e., mitigation measures for the cemetery and provision of affordable housing.

## **03.6 HISTORIC ENGLAND**

**03.6.1** Given the sensitive historic setting of the Application Site, particularly in relation to the Kensal Green Cemetery to the north which is a Grade I Registered Park and Garden and also includes a number of Listed Buildings and Monuments, the Applicant Team has engaged with Historic England throughout the pre-application process to fully understand the potential heritage impacts and any necessary mitigation measures.

**03.6.2** Meetings, site visits and a presentation to Historic England’s London Advisory Committee (LAC) were conducted in 2021. Written feedback was issued by Historic England which provided further comments on the proposed scheme, the potential heritage impacts and considerations for how to mitigate these impacts. In summary, Historic England considered the harm to nearby heritage assets (including the Kensal Green Cemetery) to be ‘less than substantial’ as set out in Paragraph 199 of the NPPF, therefore the overall acceptability of the scheme in heritage terms rests on whether the less than substantial harm is outweighed by the public benefits of the scheme in accordance with Paragraph 202 of the NPPF.

**03.6.3** Discussions with Historic England have continued as the Development design progressed in 2023. A meeting with Historic England was held on the 9<sup>th</sup> of June 2023 to discuss the revised scheme and potential cemetery mitigation measures required as a result. A subsequent meeting was arranged with Historic England on the 10<sup>th</sup> of August.

**03.6.4** The Applicant has also engaged with the Owners of the Cemetery, the General Cemetery, most recently meeting on the 19<sup>th</sup> of June.

## **03.7 QUALITY REVIEW PANEL (QRP)**

**03.7.1** As noted above, RBKC host a Quality Review Panel (QRP) which is organised through Frame Projects where Applicant teams can present emerging development proposals to a panel of independent experts in the design of the built environment for comment. In addition to the four QRP sessions conducted in 2021, the scheme was subject to a further full day QRP on 29<sup>th</sup> June 2023, held at RBKC’s Town Hall.

**03.7.2** This QRP focussed on the key changes to the scheme since 2021, including the introduction of Plot 06 and updated Plot 02 design. It also included discussions on the scheme’s landscaping, public realm and streetscape strategy, scale, height and massing design, and land use provisions (housing, community and commercial uses).

**03.7.3** Following the QRP, written feedback was received from the Panel which provided concise advice on how to progress or improve the scheme. The design team has sought to respond positively to address comments raised by the Panel throughout the design process which has resulted in considerable amendments since 2021. The supporting Design and Access Statement provides further detail on how the scheme has responded to comments made by the QRP.

## **03.8 DEVELOPMENT FORUM**

**03.8.1** The Applicant Team returned to present at a Development Forum on the 10<sup>th</sup> of July 2023. The forum was organised and chaired by RBKC with an introduction to the Site and planning context first given by RBKC’s Director of Planning and Place, followed by a presentation from the Applicant team and then open questions by members of the public.

**03.8.2** The forum was held at Barlby Primary School and attended by 85 members of the public. Many questions raised by attendees related to the potential impact on traffic and the surrounding infrastructure as a result of the Proposed Development. Questions also related to site contamination and remediation as well as the proposed provision of affordable housing and whether this provision could be increased.

## **03.9 COMMUNITY ENGAGEMENT**

**03.9.1** Public consultation has been at the heart of the pre-application process. As noted by CommComm within the supporting Statement of Community Involvement (SCI), over 24,000 people have been consulted on the Scheme since 2021.

**03.9.2** The overall strategic aims of the public engagement carried out throughout the pre-application process were to:

- / Ensure key local groups and neighbours were aware of and understood proposals.
- / Collect and review feedback provided by the community.
- / Address questions and potential objections to the proposals, including construction concerns.
- / Establish strong lines of communication with the local community.
- / Review the plans in line with feedback and make meaningful changes.

### **CONSULTATION EVENTS**

**03.9.3** A four-week Exhibition Event, through the format of a ‘Drop in Hub’ was held through May and June 2023 where the revised scheme was presented to the local community with key members of the design team available to

answer questions. The Event focussed on the Proposed Development, as opposed to the wider Opportunity Area Masterplan and as such other neighbouring landowners were not present. This 'Drop-in hub' was located at Canalot Studios, 222 Kensal Road, W10 5BN (a 6-minute walk from the Application Site).

- 03.9.4** The hub opened for four weeks from Friday 12<sup>th</sup> May to Saturday 3<sup>rd</sup> June 2023 and was open on Thursdays and Fridays from 12pm – 6pm, and Saturdays from 10am – 1pm.
- 03.9.5** The public exhibition provided opportunities for political and community stakeholders, residents, local businesses and the wider public, to visit the hub to view the revised Scheme and how changes were made to reflect feedback received in 2021. A physical model of the proposed scheme and surrounding area was also made available and used to explain the Site context and proposed to attendees. It also allowed attendees to visit the hub on more than one occasion and meet the different members of the project team and to ask questions and discuss the revised proposals.
- 03.9.6** The plans to include the land at the front of Ladbroke Grove (Plot 6) were presented as first-time consultation.
- 03.9.7** A total of 204 attendees visited the Drop-in hub over the four-week period. Visitors gave positive feedback on the format of the exhibition. Many visitors expressed they found the model of the Site particularly helpful as a visual aid in understanding the proposals. Visitors appreciated having members of the team available to answer specific queries and generally left the exhibition feeling more positive and better informed about the project than when they arrived.
- 03.9.8** The key concerns raised during the Exhibition related to the height and density of the buildings, transport and potential congestion (notably along Ladbroke Grove) both during construction and operational phases of Development and affordable housing provision.
- 03.9.9** Following the four-week period, the Hub was made available to hold follow up meeting with interested individuals and groups.
- 03.9.10** In addition to public consultation events, a number of stakeholders and local groups were invited to engage in the process. These stakeholders include, neighbouring London Borough Councillors and Planners, neighbouring Residents Associations and Community Groups. Virtual and in person meetings at Canalot Studios were held to present the revised scheme and answer any queries on the development and how it could impact their area.
- 03.9.11** Engagement has also been undertaken with existing businesses and residents on the Application Site, including the businesses within Canalside House and residents located within the Boathouse, both on Plot 06 (RBKC owned land). Ballymore and SSL have also met with residents of the adjoining Kensal House throughout the engagement process to discuss the proposals.
- 03.9.12** Further, workshops have been held with the London Sports Trust, who currently operate the Activity Centre on Plot 6, to discuss the provision of a new Activity Centre as part of the Development. Workshops were also held with Full of Life Charity who currently use the Kensal House Day Nursery, to understand what fundamental

elements could be included in the scheme that would mutually benefit the newly created neighbourhood and the existing community in the area.

- 03.9.13** A project specific website, Project Flourish, was published at the beginning of the process in 2021 and has been updated regularly throughout as the scheme evolved. To date, the website has received 9,500 unique visitors (2,800 from 2021-2022 and 6,700 from January 2023 to present).
- 03.9.14** A detailed summary of the pre-application consultation process and feedback received is provided within the accompanying Statement of Community Involvement prepared by CommComm.

## 04. THE PROPOSAL

### 04.1 INTRODUCTION

#### DESCRIPTION OF DEVELOPMENT

**04.1.1** This section of the Planning Statement describes the Proposed Development and its key design elements and principles. This should be read alongside the submitted Design & Access Statement, Development Specification and other supporting documents.

**04.1.2** The description of the Proposed Development is as follows:

*'A hybrid application for the demolition of all existing buildings and structures to facilitate a mixed-use development comprising residential, retail, commercial and community uses with associated infrastructure.*

*The outline element of the scheme will include residential floorspace and ancillary residential facilities (Class C3) and non-residential floorspace comprising flexible commercial, community and sui generis floorspace (Class E / Class F2 / Sui Generis), the provision of new pedestrian and vehicular access, open space, landscaping, car and cycle parking and other associated infrastructure works with all matters reserved for future consideration.*

*The detailed element of the scheme will comprise a large retail store and ancillary facilities (Class E(a)), small units at ground floor level for Commercial, Business and Service uses (Class E), Leisure floorspace (Class E(d)), residential facilities (Class C3), improvements to existing site access at Ladbroke Grove, provision of new pedestrian and vehicular access, internal roads and associated landscaping, car and cycle parking and associated infrastructure works including remediation.'*

#### MASTERPLAN PRINCIPLES

**04.1.3** The SPD sets out key masterplan principles for wider development within the Opportunity Area. Development within the Opportunity Area must:

- / Provide a high-quality home for over 3,500 households;
- / Optimise the number and quality of affordable homes;
- / Improve access to and embrace the biodiversity and benefits of the canal;
- / Bring new social and community facilities;
- / Deliver environmentally sustainable approaches to development;
- / Build on its industrial heritage, linking into the local creative economies;
- / Minimise the need for private vehicle use;

- / Bring new job opportunities;
- / Ensure that high-density development delivers high-quality architecture and public open and green spaces;  
and
- / Respond to the historic setting of the Kensal Green Cemetery and dockside development.

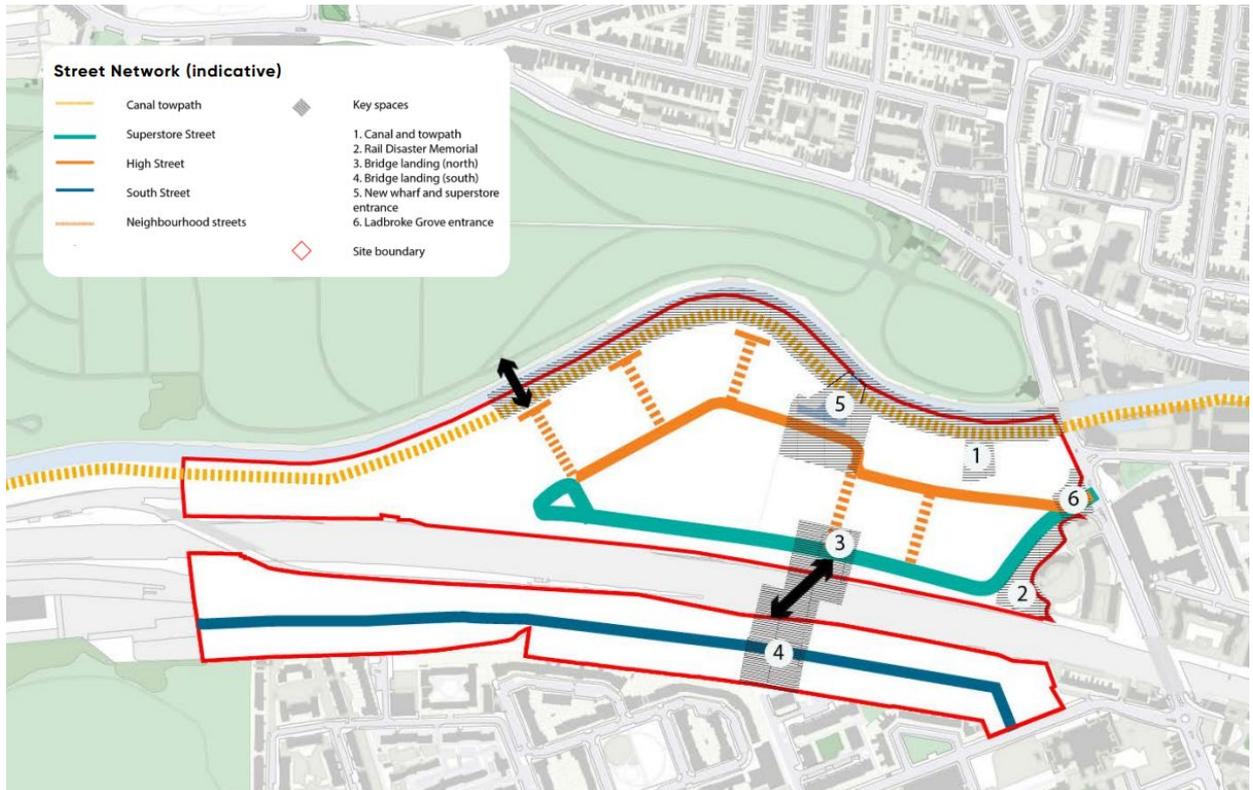


Figure 4: Kensal Canalside OA SPD - Indicative Masterplan (key streets and spaces)

## KEY PROPOSAL PRINCIPLES

**04.1.4** The Application Site sits within this wider masterplan, and this Planning Application relates to Plots 1, 2, 4, 5 and 6. In line with the SPD principles, the Proposed Development seeks to deliver the following key principles:

- / The demolition of all existing buildings and structures on site to facilitate a mixed-use development;
- / The delivery of up to 2,519 new high-quality homes, including the provision of affordable and family housing (including social rent and intermediate units);
- / A total of 5 plots ranging in height up to 29 storeys with taller heights located towards the railway line and lower heights and gable ends located towards the Canal. The height strategy also includes isolated points of height in line with the SPD;

- / The provision of a new, larger, Sainsbury's store with additional amenities and improved shopping experience;
- / Creating a new Neighbourhood Centre through the provision of flexible commercial and retail uses, community uses and leisure uses;
- / The provision of flexible workspace units, including affordable workspace, providing significant employment opportunities;
- / The re-provision of existing businesses (charities currently located within Canalside House) and homes (Boathouse Centre) on Site within the Development;
- / Improved pedestrian and vehicular access, through an improved junction onto Ladbroke Grove and pedestrian priority streets improving pedestrian and cyclists' safety and access into the Site;
- / New internal roads and associated landscaping, car and cycle parking;
- / The delivery of significant public open space across the Application Site, including re-opening of the second historic canal basin, a Canalside park and public green space at the entrance of the Site for use by the local community and new residents alike; and
- / Proposed associated infrastructure works including remediation.

## **HYBRID APPLICATION**

- 04.1.5** This application seeks a hybrid planning permission where part of the scheme is submitted in Detail with the remainder of the scheme submitted in Outline. All Outline Elements of the scheme will be subject to future Reserved Matters applications requiring approval of all of the detail within these plots.
- 04.1.6** The development is distributed over 5 plots (numbered 1,2,4,5,6) as outlined on the Parameter Plans. Plot 3 comprises the former Kensington Gasholders and is expected to be subject to a separate planning application for redevelopment, brought forward by Berkeley St William development. Full details of the Proposed Development are detailed within the Development Specification document which is a formal document of this planning application.
- 04.1.7** In summary, the key elements of the Proposed Development applied for under this hybrid planning application include:
- / Detailed Elements
    - o Partial ground, mezzanine and basement levels of Plot 2 comprising the replacement Sainsbury's store and associated infrastructure, as well as ancillary residential facilities (Class C3) and non-residential floorspace.

- 8,244.5sqm GEA ancillary residential floorspace (Class C3);
- 24,350.9sqm GEA of non-residential floorspace comprising:
  - 23,248.9sqm GEA replacement Sainsbury's retail floorspace and ancillary services;
  - 369.3sqm GEA leisure floorspace (Class E(d)); and
  - 732.7sqm GEA commercial floorspace (Class E).
- Improvements to the main access into the Site (Ladbroke Grove Junction), as well as the proposed main vehicular and pedestrian route through the Site and associated landscaping are also submitted in detail.

#### Outline Elements

- Demolition of the existing Sainsbury's store following the completion of the new Sainsbury's store located within the Detailed area;
- Development of 5 residential-led plots (including remaining upper levels of Plot 2) providing a maximum of 2,519 residential units;
- The provision of up to 15,950sqm (GEA) non-residential floorspace for the provision of community, commercial, workspace and leisure facilities (excluding the new Sainsbury's store);
- Provision of detailed landscaping and public realm across the site, including the introduction of new green open spaces, public parks and re-opening of the canal basin.
- Provision of a new access strategy into the site, in combination with new pedestrian and vehicular access and associated new open space, landscaping, car and cycle parking and infrastructure works.

**04.1.8** All matters within the Outline Element will be reserved for future consideration.

**04.1.9** The below Parameter Plan (Figure 5) shows the extent of Detailed and Outline proposals.



Figure 5: Parameter Plan – Planning Strategy

- 04.1.10 This approach seeks to respond to the predicted programme of Development and the requirement to ensure that the Development can respond to changing regulations within the industry, when required. An example of this is the recent change to fire legislation and building regulations, to improve safety within new developments. This also includes allowing flexibility to improve sustainability measures where possible, through new technologies.
- 04.1.11 While the Outline element seeks to allow flexibility for such changes to regulations, the Application is supported by strict Design Code principles, Parameter Plans and a Development Specification, which provide limited flexibility within the built footprint and scale of development.
- 04.1.12 The illustrative design associated with the Outline Element shows one way in which the Outline Elements could be delivered and adopts the aforementioned site-wide principles to establish the overall character and design ethos of the wider site's redevelopment, while allowing the necessary flexibility for the Outline blocks to be designed and constructed in the future with due consideration to the changing context and regulations.
- 04.1.13 To support this hybrid approach, the application is accompanied by Parameter Plans (prepared by FaulknerBrown) which will regulate the future Reserved Matters Application(s). The Parameter Plans contain sufficient detail to enable the approval of the range of uses proposed, minimum and maximum heights, and maximum floorspace areas.
- 04.1.14 Although the Outline Element does not seek approval for the exact layout or scale of the buildings at this stage, proposed maximum building footprints and heights are provided within each development plot to demonstrate the maximum parameters for the Proposed Development and how the floorspace areas proposed will be accommodated within the Outline plots.
- 04.1.15 Masterplan architects, FaulknerBrown, Plot 2 architects Hutchinson & Partners, and landscape architects, Spacehub, have produced a Design Code document which, along with the Parameter Plans, Development

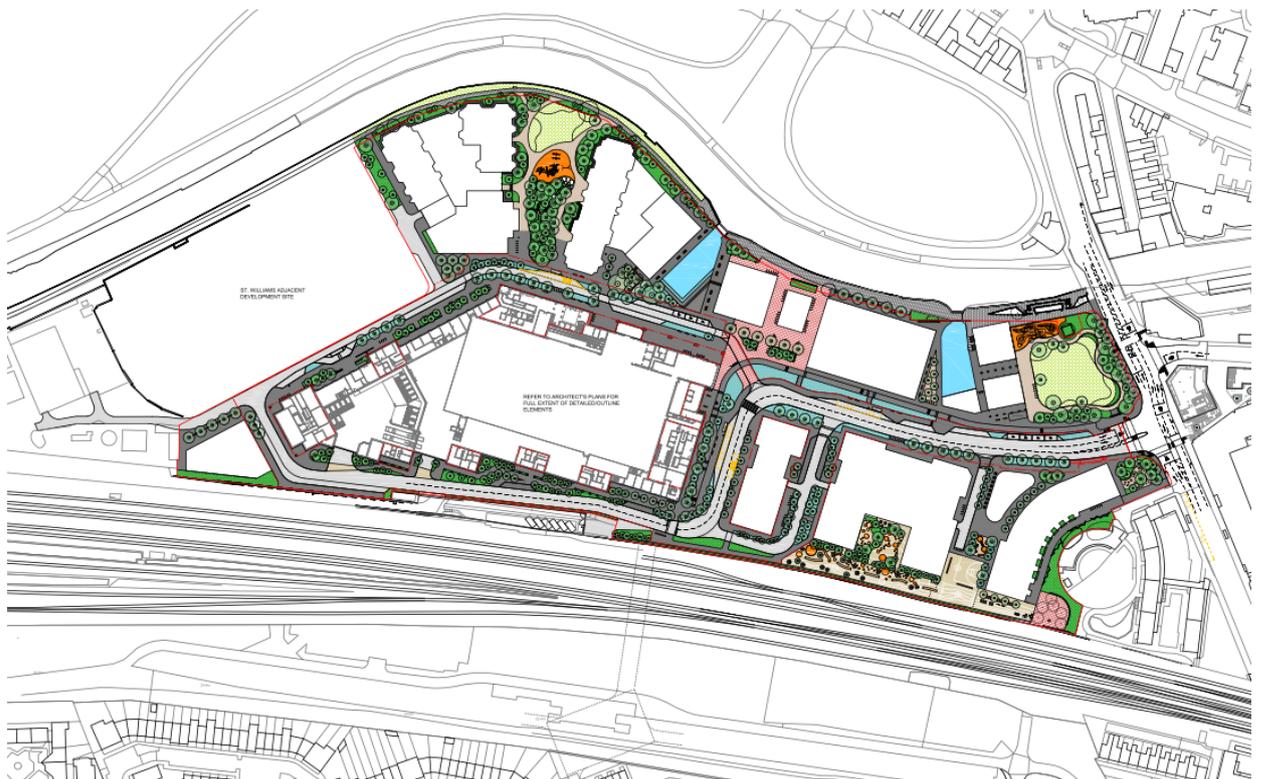
Specification and Design and Access Statement, form part of the formal documents for approval. The purpose of these documents is to provide structure and guidance for the development when preparing future Reserved Matters Application(s).

**04.1.16** The Design Codes will ensure that future details to be approved pursuant to the Outline Element are well designed and built to a high standard.

**04.1.17** The Development Specification and Parameter Plans provide sufficient information to define the Proposed Development for the purposes of the Environmental Impact Assessment (EIA) and provide the Council with sufficient information to determine the likely significant effects of the Proposed Development

### MASTERPLAN DEVELOPMENT

**04.1.18** As part of this proposal, Faulkner Brown, in conjunction with Maccreanor Lavington (Plot 4) have produced an illustrative design which covers the whole Application Site. FaulknerBrowns is an award-winning architectural practice with experience delivering large scale residential-led redevelopments. The Proposed Illustrative Design (Ground Floor) is shown in Figure 6.



*Figure 6: Proposed Illustrative Design (Ground Floor Layout)*

**04.1.19** The illustrative scheme adopts site-wide principles to establish the overall character and design ethos of the wider site's redevelopment, while allowing the necessary flexibility for the Outline blocks to be designed and constructed in the future with due consideration to the changing context and regulations. These site-wide principles include:

- / Connections (east to west and north to south links across the site);
- / Character and context (the way in which the Site responds to the varied surrounding context);
- / Phasing and locating the replacement supermarket (ensuring continuation of trade throughout the construction period);
- / Activation (providing a new Neighbourhood Centre which is capable of supporting the incoming population as well as the existing local community);
- / Streets and open space (providing a network of spaces for a wide variety of activities and a wide variety of users);
- / Height and massing (broadly positioning tall buildings at the southern side of the Site towards the railway tracks and lower-level buildings on the northern side towards the cemetery).

**04.1.20** The Detailed Elements of the scheme have been designed by Hutchinson & Partners (Plot 2) in conjunction with masterplanners FaulknerBrowns to ensure a high quality and cohesive design approach across the entire Site.

## **04.2 THE PROPOSED DEVELOPMENT**

**04.2.1** The Proposed Development is subject to a hybrid application for the demolition of all existing buildings and structures on the Application Site to provide a residential-led mixed use scheme.

**04.2.2** The Proposed Development will include up to 2,519 residential units (maximum GIA floorspace 271,963sqm), up to 40,300.9sqm GEA (38,443.2sqm GIA) of non-residential floorspace (including a replacement Sainsbury's store, flexible commercial and retail uses, community uses and leisure uses) and significant open space. As noted above the application is submitted as part-Outline, part-Detailed across 5 plots. These proposals are discussed in detail below.

**04.2.3** Within this Planning Statement reference is made to plot numbers as identified in Figure 7 below. The location and scope of these plots is set out in greater detail in the Parameter Plans (for the Outline Element) and planning application drawings (for the Detailed Element).

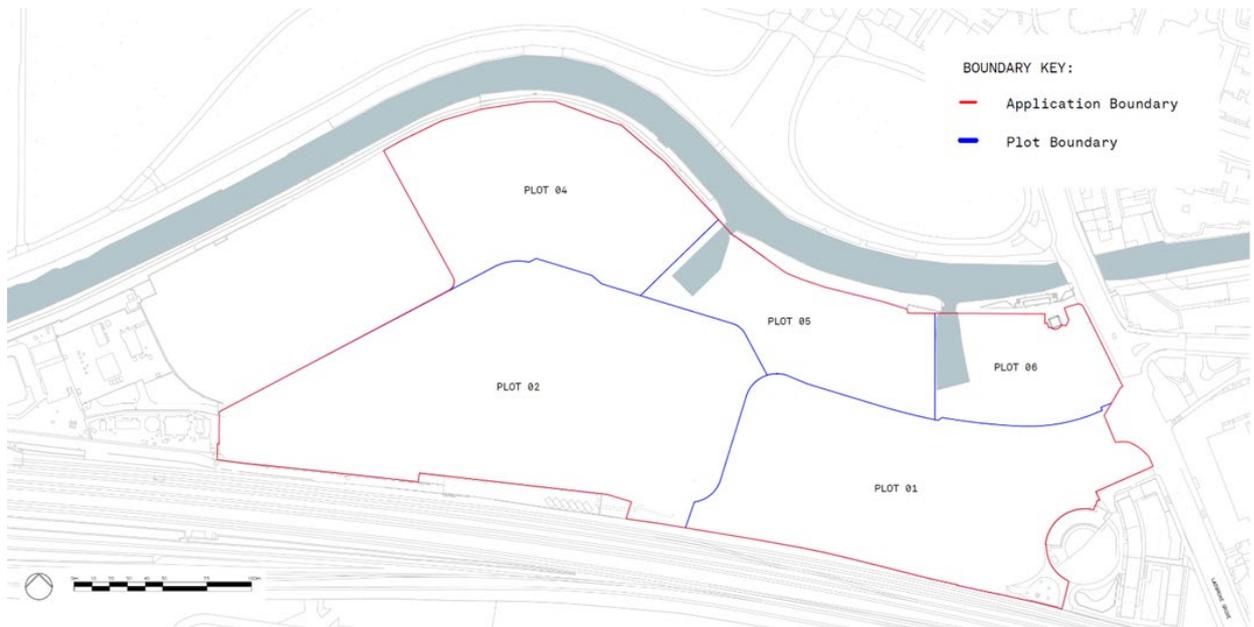


Figure 7: Parameter Plan - Plot Boundaries

## 04.3 DETAILED ELEMENT

- 04.3.1** The Detailed Element of the scheme comprises the partial ground, mezzanine and basement levels of Plot 2 comprising the replacement Sainsbury's store and associated infrastructure, as well as ancillary residential facilities (Class C3) and non-residential floorspace. The main access into the Site, as well as the main vehicular and pedestrian route through the Site are also submitted in detail. These include 'The Avenue' which runs east-west from the entrance of the Site to the new Sainsbury's store and will function as the main high street for the new Neighbourhood Centre; 'South Drive' which runs along the southern boundary of the Site and provides vehicular access to Plot 2; and 'West Drive' which provides access to the residential blocks at the western and northern ends of the Site.
- 04.3.2** While ancillary residential accommodation is included at ground and basement levels (including an estate Management Suite), no homes are provided within the Detailed Element.
- 04.3.3** The detailed floor breakdown is outlined below:
- / Basement Level 02 – cycle parking for the residential element of Plot 2 as well as plant and ancillary uses;
  - / Basement Level 01 – car parking for the Sainsbury's store and residential blocks above (part of the Outline Element) as well as plant and ancillary uses. The Sainsbury's car park includes 227 car parking spaces, including 14 accessible spaces, 9 parent and toddler spaces, and 12 active electric charging spaces. The residential car park includes 24 spaces (100% accessible).
  - / Ground Floor – the Sainsbury's store with associated café, groceries online service, back of house (BOH), service yard as well as ancillary residential spaces and commercial Class E floorspace;

- / Mezzanine Level – comprising commercial floorspace (Class E), estate management for the residential element (Class C3) and plant;

**04.3.4** Figure 8 below confirms the proposed floor area of each use within the Detailed Element.

LAND USE	PROPOSED FLOOR AREA	
	(GIA)	(GEA)
<b>Residential – Class C3</b>	7,756sqm	8,244.5sqm
<b>Sainsbury’s (Food retail Class E(a))</b>	22,955sqm	23,248.9sqm
<b>Leisure (Class E(d))</b>	340.3 sqm	369.3 sqm
<b>Commercial (Class E)</b>	647.9sqm	732.7sqm
<b>Total sqm</b>	<b>31,699.2sqm</b>	<b>32,595.4sqm</b>

Figure 8: Detailed Element – Land Use Floor Areas

### SAINSBURY’S STORE

**04.3.5** The new Sainsbury’s store is located within Plot 2 which will be the first block delivered as part of the Proposed Development. The new store will be provided over three levels with customer car parking at basement level, the main store / sales area and the service yard located at ground level and ancillary spaces at mezzanine level (colleague areas and plant space).

**04.3.6** The proposed Sainsbury’s store will comprise of 13,341sqm retail floorspace (22,955sqm total GIA including parking and servicing). This represents an increase of 4,518sqm GIA retail floorspace when compared to the existing foodstore (8,823sqm GIA) on the Site.

**04.3.7** This brand new store is based on a modern Sainsbury’s store format and will provide an improved customer experience, including the following amenities:

- / A range of concessions including an Argos, Sainsbury’s café and an expanded range of clothing and non-food items;
- / Enhanced online shopping and Click and Collect facilities;
- / Provision of a modern spacious well-lit store – increased ceiling height of the store will create a light and uncluttered store environment;
- / Increased circulation space and wider aisles (3.5m) which will reduce congestion within the store and conflict between customers, replenishment colleagues and Click and Collect. It will also allow daytime replenishment to be undertaken which reduces the need for colleagues to work anti-social hours;
- / A relocated warehouse, with a proportion to the rear of the sales floor which will allow stock to be moved within the back of house area reducing the movement of stock on the shop floor, as well as offering operational efficiencies;

/ Reduced car parking for customers – ensuring viability of the store continues but also encouraging active travel; and

/ Provision of an enclosed service yard well integrated into the design of the development – improving the operation of the store and the amenity of future adjacent neighbours.

**04.3.8** The Sainsbury’s Store front will be defined through the introduction of a colonnade, which will comprise off-white glazed faience. The Sainsbury’s store BOH and service yard entrances will comprise of a brown tone of brick to contrast with the off-white and London stock bricks identified for the adjacent residential buildings.

**04.3.9** The road that runs to the south of the store is South Drive. The customer car park and service yard are both accessed from the southern elevation of the Plot, from South Drive. The main pedestrian access to the store is located at the northern elevation, from The Avenue.

**04.3.10** In order to meet online grocery orders, Sainsbury’s picks products from its existing shop floors. The net sales area of the store is proposed to increase to accommodate wider aisle widths. This provides a better customer experience while also allowing staff to assemble online orders efficiently. Parking for Goods Online vehicles is also proposed to increase, alongside the removal of the petrol filling station. The existing and proposed store areas are shown in Figure 9 below.

	EXISTING	PROPOSED
<b>STORE FOOTPRINT</b>	2.6ha (incl. car park & service yard)	1.2 ha (store footprint at ground level only. Excl. residential, offices and retail)
<b>TOTAL FLOOR AREA (GIA)</b>	8,823sqm	Total GIA = 22,955sqm <i>This comprises:</i> <i>Building footprint area: 13,341sqm</i> <i>Covered Service Yard: 1,620sqm</i> <i>Covered car park: 7,994sqm</i>
<b>NET SALES AREA</b>	4,393sqm	5,509sqm
<b>CONCESSIONS (AND ASSOCIATED AREAS)</b>	Argos – 134sqm Vacant Concession – 265sqm Other Concessions – 75sqm	Argos – 153sqm Concession – 365sqm
<b>NUMBER OF EMPLOYEES</b>	Approx. 300	Approx. 300 (no change)
<b>GOODS ONLINE</b>	5 Goods Online vans	15 Goods Online vans
<b>CAR PARKING SPACES</b>	396 car parking spaces	227 spaces (including 14 Accessible, 9 Parent & Toddler, 12 EV)
<b>SERVICE YARD SPACE</b>	946sqm (external yard, not Covered)	1,619sqm (area included as part of total GIA above)
<b>PETROL FILLING STATION</b>	8 pumps	0 pumps

Figure 9: Sainsbury’s Store Areas

## ACCESS ROUTES

- 04.3.11** The Detailed Element also includes pedestrian and vehicular access, internal road and associated landscaping, car and cycle parking and associated infrastructure.
- 04.3.12** Vehicular access to the Site is proposed from Ladbroke Grove to the east of the Site. The primary route across the centre of the site will comprise a High Street, named The Avenue which connects Ladbroke Grove to the proposed Sainsbury's store entrance. This will accommodate all vehicle movements into the site (with the exception of the emergency vehicle access route).
- 04.3.13** The primary access route from Ladbroke Grove to the Sainsbury's store will accommodate two way vehicle movements. The secondary access routes, around Plot 2 and between Blocks 1.3 and 1.4 will accommodate one-way vehicle movements. Tertiary access and emergency vehicle access are to be provided within the Outline Element of the Proposed Development.
- 04.3.14** There are seven bus routes proposed to serve the site. Bus routes 295, 23, 228 and 452 are proposed to extend within the site providing a connection to the proposed Sainsbury's store, The Avenue and Neighbourhood Centre before continuing their journey north south along Ladbroke Grove. Routes 52, 70 and 316 are proposed to remain on Ladbroke Grove due to potential impacts on the current level of service and passengers.
- 04.3.15** One existing bus route (route 295) will be extended to the far west of the site to connect the neighbouring residents to the bus network. Routes 295 and 452 are terminating routes and require use of a bus standing facility and driver welfare facilities, which are not currently available on Site. These are proposed in the south-western corner of the Site. These driver facilities will allow drivers to rest and for interchange of drivers without impacting public safety.
- 04.3.16** A new bus interchange is also proposed adjacent to the eastern edge of the Sainsbury's store for the 23 and 228 services. This brings passengers directly to the front door of Sainsbury's store. The proposed bus routes and infrastructure fall within the Detailed Element.
- 04.3.17** Cycle routes are also proposed throughout the Development. The main cycling access into the site is via the proposed junction situated within the far east of the site. Further cycling access into the site is provided from the east and west directions along the Grand Union Canal. This provides a natural entrance to the site which avoids the main junction.
- 04.3.18** The Proposed Development includes dedicated cycle facilities, and several secondary streets which are car-free or car-lite. The 3m two-way segregated cycle lane on the northern section of the access road, the dedicated southern cycle connection, and north south cycle connection along the eastern façade of Sainsbury's provide dedicated off network cycle routes for new residents and users of the site. Further, the Proposed Development includes a mix of shared cycle and pedestrian footway paths for use.
- 04.3.19** The proposals also seek to improve the safety of the Site's vehicular and pedestrian access routes through a new signalised junction at the primary entrance of the site to replace the existing roundabout. The proposed junction aligns with the Council's aspirations as set out within the Kensal Canalside Opportunity Area SPD.

**04.3.20** Further, associated landscaping and public realm relating to the internal roads is proposed. This includes landscaping surrounding Plot 2 and along the secondary route at Plot 1. Please view the accompanying Landscape Design Strategy, prepared by Spacehub, for further details.

## **04.4 OUTLINE ELEMENT**

**04.4.1** In accordance with Article 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, the following 'Matters are Reserved' for future determination within the Outline area:

- / Appearance – aspects of the proposed buildings which affect the way it looks, including the exterior of the development;
- / Means of access – covering accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the Site;
- / Landscaping – the existing and proposed landscape to either be retained or provided as part of the development within and around the Site;
- / Layout – including the positioning of buildings, routes and open spaces within the development and the way they are laid out in relation to buildings and spaces outside the development;
- / Scale – including the information on the size of the development, including the height, width and length of each proposed building.

**04.4.2** Nevertheless, to aid the consideration of the Outline area development and to ensure it responds positively to the site opportunity and wider context, a series of development parameters have been defined. The parameters identify the positioning of buildings, maximum parameters for height and massing, access and vehicle routing, location of public spaces and pedestrian routes and the proposed land use of each building.

**04.4.3** These parameters are set out on the Parameter Plans and within the Development Specification and Design Code Document which accompany this Planning Application.

**04.4.4** Hence, the Outline Element of the scheme will be delivered within a set of minimum and maximum criteria. With this in mind, the Environmental Statement (prepared by Trium) assesses the Outline area development proposals in the light of the defined maximum parameters (including block locations, building envelopes and development quantum) to ensure a reasonable 'worst-case' scenario is assessed.

**04.4.5** The Outline Element of the Proposed Development comprises Plots 1, 2 (residential element and community facility), 4, 5, and 6. The Outline Element (Plots 1, 5 and 6) has been designed by FaulknerBrown Architects, Maccreeanor Lavington (Plot 4) and Hutchinson and Partners (Plot 2). The illustrative scheme for these plots is discussed in detail below.

## **PLOT 1 (1.96HA)**

- 04.4.6** Plot 1 is located at the south-eastern end of the site and is highly visible from the junction with Ladbroke Grove, making it a Gateway Plot. The railway line is located to south of this plot and to the east sits the Grade II\* listed Kensal House which contains residential dwellings and the adjacent Grade II\* Listed Kensal House Day Nursery.
- 04.4.7** Occupying over 19,585sqm on the south-eastern corner of the site, Plot 1 constitutes an important presence in the Development. The plot shares a key position as site Gateway along with Plot 6 and, offers a 200m long elevation towards The Avenue, providing key street activity.
- 04.4.8** Within the illustrative scheme, Plot 1 seeks to provide up to 748 new homes, of which up to 194 are proposed as affordable. Plot 1 also includes flexible commercial uses (Class E).
- 04.4.9** The illustrative Plot is arranged into 4 blocks (Blocks 1.1 to 1.4) across four buildings. The four buildings are separated by streets and courtyards (with the exception of Blocks 1.2 and 1.3 which are linked around a shared courtyard). The orientation of the blocks allows for natural light to filter through the plot and reach the North of the site, as well as the configuration of varied streetscapes around the plot.
- 04.4.10** Block 1.1 is curved into a crescent shape, reflecting the curvature of nearby Kensal House and responding to the semi-circular existing buildings and courtyard. Blocks 1.2 and 1.3 are located within the centre of the plot and share a podium and ground level and will be joined by a lower linking block on the north side. Block 1.4 is located to within the west of the plot. These blocks seek to provide both residential and flexible workspace.
- 04.4.11** Blocks 1.2 to 1.4 are all taller buildings, compared to Block 1.1, raised by podiums, which will comprise commercial uses and residential lobbies and BOH. The residential towers above the podium will form around a clustered communal garden.
- 04.4.12** With regard to height and massing, the South-facing elevation of Plot 1 stands across the railway taking the void as an opportunity to grow in height. The North elevation however is scaled down to offer a more pedestrian-sized experience towards The Avenue. The Plot is arranged in varying heights to adapt to the surrounding context and built environment. This includes in the East-West section, where heights are gradually scaled down to respect the neighbouring Kensal House.
- 04.4.13** The appearance of the buildings is informed by the historic character of the area. Round street corners, ornate corncicing and large bay windows stand out as one of the most characteristic features in Victorian grand terraced housing in North Kensington. These elements are brought into the design and translated to shape volumes at an urban scale as well as to add grain and depth to the elevations. The proposals use a contemporary interpretation of the traditional rounded shapes and curved corners which soften the building's edges but stand out as strong street markers. The Plot incorporates the Crescent, one of the most representative residential typologies in the Borough as one of its strongest design principles.
- 04.4.14** Residential is located in all blocks apart from Plot 1.1.3 which is proposed as a Pavilion building, likely providing a café/bar/restaurant space. This building is proposed as a reinterpretation of a Victorian steel frame pavilion and a celebration of the area's industrial heritage. Its key location between buildings 1.1 and 1.2 offers a break-

out area near the entrance of the site and draws visitors into the pedestrian Avenue. The building will complement both the residential and flexible workspace surrounding it in Plot 1, as well as provide a street marker for visitors.

#### **PLOT 2 (2.86HA)**

- 04.4.15** The lower floors of Plot 2 are captured within the Detailed Element, discussed above, and primarily includes the new Sainsbury's store, ancillary residential uses and non-residential floorspace.
- 04.4.16** Plot 2 is located to the south-west of the site, with Plot 4 to the north, the St William Development to the west, Plot 1 to the east and the railway line to the south. Plot 2 will comprise nine blocks (Block 2.1 to 2.9) across two buildings. The ground floor comprises of the Sainsbury's store and other commercial uses (forming part of the Detailed Element, discussed above).
- 04.4.17** As part of the illustrative scheme, Plot 2 allows up to 947 residential dwellings. The Plot also allows space for leisure and commercial uses, in addition to the replacement Sainsbury's store and associated facilities. Residential uses are located across the upper levels within Blocks 2.1 to 2.8. Plot 2.9 comprises a low-rise building in the south-west corner of the Plot, which will provide community leisure uses.
- 04.4.18** Plot 2 places several buildings in key gateways within the wider Development. The distinct form and massing of each building has been developed in response to its function and context. One of the tallest buildings within the Development, Block 2.1 is located in the heart of the Site, on the eastern edge of Plot 2. This acts as a visual marker for the new store within the wider context.
- 04.4.19** Building 2.6 is visible on the main approach from Ladbroke Grove, and contrasting in scale and architectural style, the building celebrates the end of The Avenue. The distinct base of the building denotes the Sainsbury's store entrance, while Leisure Facilities are proposed above the store to activate the building frontage. A separate dedicated entrance is proposed for the indicative Leisure use located at Podium level of Building 2.6. The entrance frontage is located between Building 2.1 and Building 2.6 on The Avenue, providing public access to the leisure facilities.
- 04.4.20** The Outline element also includes the provision of the Community Lobby on West Drive. The lobby provides a shared vertical connection to the residential buildings on the Podium level as well as Concierge and Post Rooms.
- 04.4.21** Due to the nature of the residential accommodation above the store, three large interconnecting podium gardens are also allowed for on Plot 2, which are accessible from all residential buildings.
- 04.4.22** The Podium Buildings on Plot 2 are a key aspect of the scheme as they connect the whole design into a single form. Residential ancillary spaces are located within these buildings and could include Residential Estate Management, Sainsbury's Back of House areas, Substations and Refuse Store access. Residential ancillary requirements for maintenance of the buildings as well as providing firefighting access and emergency egress are also accommodated in these buildings.
- 04.4.23** As noted above, Plot 2.9 is proposed to include community uses. This has been developed as a new Sports Pavilion building. This building has been designed in collaboration with the London Sports Trust to provide a

community sports facility in the south-western corner of the Development. The facility has been designed to accommodate a range of functions and will complement the other proposed sports pavilion building (Plot 6.2) located on the existing canal basin.

- 04.4.24** It is proposed that Plot 2.9 focuses on providing facilities for the Trust to deliver sports and leisure activities within a building which will operate flexibly. The illustrative proposals indicate a range of main uses, including a full-size basketball court at level 02, indoor activity hall at level 01 and multi-use flexible space at ground level. These functions would be supported by ancillary functions such as dining space, changing and workshops.

#### **PLOT 4 (1.36HA)**

- 04.4.25** Plot 4 sits at the northwest of the Development near the canal opposite Kensal Green Cemetery. The site is bounded by Plot 3 (St William site) to the west, Plot 2 (the supermarket) to the south, Plot 5 with its reinstated basin to the east and the Canal towpath to the north.

- 04.4.26** Occupying over 13,550sqm on the northern-most section of the site, Plot 4 constitutes an important presence in the Development by signalling the change in geometry to Plot 3 and the western edge of the Development. The Plot also acts as a gateway between the busier eastern commercial end of the Development, to the more residential focus at the western edge. This transition begins at the reinstated basin and becomes more pronounced as we progress westwards.

- 04.4.27** Within the illustrative scheme, this Plot seeks to provide up to 501 new homes, up to 1,196sqm of flexible commercial (Class E) and community (Class F2) uses and a new Canalside Park. A basement is also proposed to accommodate necessary plant space, cycle storage and vehicular parking (up to 134 spaces).

- 04.4.28** The site will also provide a variety of new green spaces and attractive public realm with soft and hard landscaped areas, canal side leisure opportunities, as well as opportunities for businesses and services catering for the local community.

- 04.4.29** Plot 4 is arranged into 5 blocks, namely, 4.1, 4.2, 4.3, 4.4 and 4.5 east to west. The five buildings are separated by raised courtyards and a Canalside Park. Together the Park and the residential courtyards form an ensemble of splayed landscape spaces opening out towards the canal, maximising the views across to the cemetery, and offering a green edge to the towpath. The progressive change in orientation of the buildings facilitates the transition between the buildings of Plot 3 (the St William site) and 5 that sit either side.

- 04.4.30** The illustrative building massing of Plot 4 is positioned around two raised courtyards, set on either side of the central Park. Plot 4's shoulder buildings range in height from ground plus 7 to 9 storeys. The massing of the blocks allows for natural light to filter through the plot and for views to open up to the canal and cemetery from the principle pedestrian routes within the centre of the Development.

- 04.4.31** The Tower (Plot 4.1) is an important marker in the Development, sitting at its heart and responding to the change of orientation of the main axis. The Tower's maximum height is set at 98m above ground level. The upper part of the tower is read 'in the round' and therefore has no front or back, the lower 'shoulder' block is the same height

as the adjacent Mansion Blocks and responds to the street, wrapping around to create a corner of appropriate urban scale.

**04.4.32** The ground floors of the blocks have been designed to maximise active frontage to the public realm. In the most prominent locations facing the superstore and adjacent to the reinstated wharf, the ground floor is devoted to commercial uses that are occasionally interspersed with residential entrances. These spaces create excellent opportunities for cafés and restaurants that will animate the waterfront and landscape spaces that they spill out onto. The rest of the ground floors are raised up by 800mm and contain residential accommodation. The raised ground floors ensure a reasonable balance is achieved between safeguarding residents' privacy and making a positive contribution to the character and the activation of the public realm.

#### **PLOT 5 (0.84HA)**

**04.4.33** Plot 5 sits to the north of the Site. It occupies a prominent edge that fronts onto the existing canal and sits opposite to the listed Kensal Green Cemetery.

**04.4.34** In contrast with the classical architecture that inspires other buildings across the Development the character of Plot 5 is marked by the industrial nature of historical wharf buildings. Grand Union Canal offers a unique landmark on which to base the architectural principles that shape these buildings.

**04.4.35** Within the illustrative scheme, Plot 5 will comprise four blocks (Blocks 5.1 to 5.4) across three buildings proposing up to 235 homes and up to 2,965sqm of non-residential space, including a new Pavilion building intended for community use. Commercial, retail and community uses will be located along the ground floor, with residential uses on the upper levels of Blocks 5.1 to 5.3.

**04.4.36** The former canal basin is also proposed to be reinstated within this Plot to provide a new wharf and to reinforce the significance of the existing towpath bridge. The New Wharf will be framed by commercial frontages and will be suitably proportioned to allow barges into the wharf. These could provide additional retail or market opportunities here. The wharf will contain well-proportioned edges, providing the opportunity for alfresco dining by the waterfront, creating a vibrant Canalside destination.

**04.4.37** Largely the canal facing buildings within the Development are designed between 9 and 10 storeys. This height is intentional to allow more light onto the canal edge and the cemetery beyond. In strategic locations, such as the new Plot 5 basin, the building heights have been extended slightly to 14 storeys. The tower aesthetic is reminiscent of the coal shoots and industrial chimneys that once existed along the canal edge.

**04.4.38** The appearance of Plot 5 has been driven by the historic industrial character of the Site. The repetition employed on the window positions and horizontal subdivision of the facade reference historic warehouse aesthetics such as the Pall Mall Building, to the southern edge of the Great Western Mainline, and the Rookery Building in Chicago which has inspired the appearance of 5.2 to 5.3 in particular.

**04.4.39** A robust palette of materials employing both brick and patinated concrete is proposed which seeks to provide a lasting quality to these buildings.

**04.4.40** Plot 5 also incorporates a new public realm design. Carefully landscaped seating areas and stepped corridors define the threshold between an active ground floor and the peacefulness of the canal. The area engages both banks of the canal, creating an enriched experience towards the water.

#### **PLOT 6 (0.60HA)**

**04.4.41** Plot 6 is located at the entrance of the site, within the north-east of the Development. Grand Union Canal is located to the north, a canal basin to the west, Ladbroke Grove Road to the east and Plot 1 to the south. Plot 6 forms a key part of the arrival sequence into the Masterplan. The plot shares a key position as site Gateway along with Plot 1 and frames the new public park to the east, known as Ladbroke Gardens.

**04.4.42** Within this plot, the existing buildings and facilities, including Canalside House, the Boathouse Activity Centre and residential dwellings, will be removed and replaced within the scheme.

**04.4.43** Within the illustrative scheme, Plot 6 will provide one building comprising up to 88 residential units and space for circa 2 commercial units (1,010sqm). This Plot also includes a new activity centre for the London Sports Trust. The dominant feature of the plot is a large public park.

**04.4.44** To maximise the site's potential, the Plot 6 block has been strategically placed along the western edge, of the plot enabling a large part of the area to be dedicated to a publicly accessible landscaped garden, named Ladbroke Gardens. This deliberate design choice creates an inviting and landscape-focused entrance into the Development, providing much needed open space to the existing community, as well as the incoming population.

**04.4.45** The Plot 6 block seeks to provide active frontages at ground level with residential proposed above. The design incorporates flexible commercial units, strategically positioned to face the park and basin. The selection of the type of commercial units in this area is of critical importance as well. They will be chosen carefully to ensure they contribute to the envisioned activity and engagement within the space, creating a vibrant and inviting atmosphere.

**04.4.46** The proposed illustrative massing of the building on Plot 6 steps from 7 to 12 storeys in height to address the canal edge from its southern to northern facade. This is visible in the site sections where its height makes it distinct against the predominantly 9 and 10 storey buildings against the canal towpath. The lower edge of the building, on the southern edge is intended to respond to the reduced massing of the crescent building (Plot 1.1) on the opposite side of The Avenue. The illustrative scheme includes an open arcade through the centre of the building which allows views from the new public park to the existing canal basin.

**04.4.47** The facades facing Plot 6 is inspired by Regency architecture's vertical and horizontal arrangements. Residential facades feature a simple yet effective articulation of vertical and horizontal elements, enhancing the facade with a grid pattern. The top serves as a crowning element, with large bay windows offering panoramic views. The use of a light material palette allows for depth and architectural definition that enhance the building's human scale as one approaches it. The selected materials are solid and durable and exhibit textural and tonal variations within a single material rather than incorporating multiple materials, creating distinct definitions, and detailing.

**04.4.48** Moreover, a smaller pavilion building is proposed at the basin's southern edge and will serve as the London Sports Trust's base, replacing the existing Boathouse Centre. This pavilion provides the necessary facilities for

the trust to continue offering water sports activities on the canal, such as kayaking and replaces their existing facilities on site. The existing facilities run by London Sports Trust will not be demolished until the new facility has been constructed.

**04.4.49** The pavilion's size and three level design is purposeful so that it does not overwhelm or overshadow the basin in its proposed setting. The building will be recessive in terms of its design and massing, so that it does not compete with the grander scale of Plots 5 and 6 which surround it.

**04.4.50** Full details on the Outline Element, including maximum parameters, are detailed within the supporting Development Specification which is submitted in support of this application.

## **BASEMENTS**

**04.4.51** The extents of the proposed basements within the Outline Element are shown in the Basement Extents Parameter Plan (Drawing No. FAU001-Z-ZZ-DR-A-GAP-9503). Two basements proposed within Plot 1 and Plot 4 comprise of car parks for the residential element of the Proposed Development. The remainder of the basements across the site will comprise service uses, including BOH and ancillary storage.

## **LANDSCAPING, PUBLIC REALM AND PLAYSPACE**

**04.4.52** As noted above, part of the landscaping and public realm strategy associated with the internal roads around Plot 2 is submitted in Detail, however the remaining detail is submitted in Outline and is set out within the Landscape and Public Realm Design Code. This is accompanied by the Landscape and Public Realm Strategy which sets out the overall landscaping strategy for the Proposed Development.

**04.4.53** The proposed landscape approach includes the creation of overarching landscape character areas, which are as follows:

- / **Canal Walk and Basins** – encompasses the existing canal, basin and towpath with both temporary and permanent moorings. Includes the re-introduction of a historic basin and activation around the basin edges;
- / **Streets** – includes several street typologies with varying characters. The streets form a major part of the Sustainable Urban Drainage Systems (SuDS) strategy for the site;
- / **Sports Centre** – newly proposed sports centre which will provide a number of activities catered towards young people of the borough;
- / **Courtyards** – private communal spaces that provide amenity and playspace;
- / **Rooftops** – biodiverse roofs with measures to encourage wildlife. Which will include a mix of wildflower meadows, open mosaic habitat, and bio-solar roofs.

**04.4.54** Key landscape character areas are parks, gardens and civic spaces. These are main public spaces with a strong community focus. These have been referenced within the Outline plot descriptions above but for completeness, across the Development, include:

- / **Ladbroke Gardens:** a new park at the front of the site, within Plot 6. This will provide space to accommodate a Notting Hill Carnival sound stage, as well as areas of play and tree planting;
- / **Ladbroke Basin:** the existing basin with additional activation at ground level, with existing community water uses reprovided;
- / **Pavilion Square:** a new community pavilion building, within Plot 5, with surrounding areas of public realm and new routes through to the canal;
- / **West Basin:** located within Plot 5, a restored historical basin with spill out areas and activation surrounding the basin;
- / **Canalside Gardens:** new gardens within Plot 4 for local residents, providing a new woodland area and dedicated play spaces;
- / **Canalside Pocket Park:** a small pocket green spaces adjoining the canal within Plot 4;
- / **South Terrace:** active promenade with play, trim trails and sun loungers, as well as ecological grassland areas, located within Plot 1;
- / **Memorial Garden:** an existing memorial stone and plaque to be retained with new paving and seating areas within Plot 1 (details to be secured through future RMAs in agreement with the Friends and Survivors); and
- / **Sensory Garden:** wildlife friendly garden with sensory planting palettes, located within Plot 1.

**04.4.55** The Proposed Development provides an indicative playspace strategy for children aged 0-4 years, 5-11 years and 12+ years. Given the nature of the scheme, the playspace provision is indicative at this stage, based on the illustrative mix. Updated playspace figures will be provided at Reserved Matter(s) stage.

## **04.5 PHASING AND DELIVERY**

**04.5.1** Phase 1 of the scheme includes the Detailed and Outline Elements of Plot 2 and Plot 4 at the western end of the Application Site, with Phase 2 comprising the remaining Outline Element (Plots 1, 5 and 6). It is anticipated that Plot 6's proposed park at the entrance of the site will also be developed within Phase 1 to provide a new public open space for the community. A summary of the two phases are outlined below.

**04.5.2** Phase 1 includes the following Detailed and Outline Elements:

- / Enabling works (including relocation of existing gas main and TW Sewer and required S278 works).
- / Localised decontamination for Plot 2 and 4.
- / Removal of all structures on site including petrol filling station.

- / Temporary works to store delivery facility and bus stands.
- / Construction of new Sainsbury's store and car park.
- / Demolition of old store (upon opening of new store)
- / Reopening of existing canal basin.
- / Construction of new homes within Plots 2 and 4.
- / Temporary bus and vehicle logistics.
- / Construction of new primary roads and pavements.
- / Subject to final agreement (and the current owner securing vacant possession), relocation of Canalside House tenants, demolition of Canalside House and construction of public park (Plot 6).

**04.5.3** Phase 2 includes the following Outline works:

- / Construction of remainder of Plots 2 and all of Plots 1, 5 and 6.
- / Construction of new public parks to Plots 4 and 6 and completion of all open spaces.
- / Delivery of up to 15,950sqm (GEA) of non-residential space for retail, leisure, workspace and community uses.
- / Relocation of Canalside House back into new Grade A office within Plot 1.
- / Construction of new Activity Centre and Boat Club within Plot 6.
- / Construction of the new leisure and sports centre building within Plot 2.

**04.5.4** Figure 10 below shows the proposed phasing of the development (with Phase 1 shown in blue and Phase 2 shown in orange).

**04.5.5** For the avoidance of doubt, whilst there are two main construction phases, the Proposed Development may be split into smaller sub-phases for CIL purposes.



Figure 10: Proposed Phasing Strategy

## 04.6 REPROVISION OF EXISTING USES WITHIN THE SITE

- 04.6.1** As set out above, the Proposed Development includes re-provision of the existing Sainsbury's store within the centre of the Site, ensuring continuity of trade throughout the construction period.
- 04.6.2** As part of the redevelopment of Plot 6 at the front of the Site, the proposals seek to demolish the existing Canalside House and Boathouse Centre (including London Sports Trust activity centre and 16 affordable homes) and replace the existing office floorspace, activity centre and affordable housing within the Site.
- 04.6.3** The replacement uses and homes will form part of the Outline Element of the scheme. The Canalside House office re-provision is anticipated to be located within Plot 1 and the affordable homes will be located within the affordable plots, situated in Plot 2. A new Activity Centre is proposed to be provided within Plot 6, adjacent to the existing canal basin.
- 04.6.4** The re-provision of these 16 affordable homes is in addition to the affordable housing offer proposed (i.e., 25% by habitable room), and all residents will be provided with a new home of at least the same size as existing. The new homes will be of higher quality, meeting modern standards with access to private and communal amenity space. The Boathouse Centre will not be demolished until the replacement homes have been built, ensuring residents aren't required to leave the Site to temporary accommodation while their new homes are built.

- 04.6.5** The proposed replacement Canalside House floorspace will be provided as Grade A office space, of higher quality than existing and will provide a better space for the continued operation of the existing businesses of Canalside House.
- 04.6.6** The demolition of these existing buildings on Site will allow for Plot 6 to provide public open space for social and community use. This includes providing a space for the continued use of the site by Notting Hill Carnival which has historically used the site as part of the celebrations.

## 05. RELEVANT PLANNING POLICIES

### 05.1 INTRODUCTION

**05.1.1** The legal framework for determining planning applications is set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. These state that a local planning authority must have regard to the provisions of the development plan and other relevant material considerations when considering an application for planning permission; and that determination of the application must be in accordance with the development plan unless material considerations indicate otherwise.

**05.1.2** We summarise below the core planning policy context considered to be directly relevant to the current development proposal. This comprises three levels of adopted policy and guidance at national, regional and local levels. This Planning Statement refers to policy requirements within each section of the detailed planning considerations where they are relevant.

**05.1.3** The Statutory Development Plan for the purposes of the Application Site is set out within the following documents:

/ The London Plan (2021);

/ The Royal Borough of Kensington and Chelsea's Local Plan (2019).

#### EMERGING POLICY

**05.1.4** For the purpose of emerging policy, it is clearly set out within Paragraph 48 the National Planning Policy Framework (NPPF, September 2023) that local authorities may give weight to relevant policies in the emerging plans according to:

*a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan are to the policies in the in the NPPF, the greater the weight that may be given).*

**05.1.5** The Council has been working on a New Local Plan Review (NLPR) since late 2020. On 1<sup>st</sup> of February 2023, Full Council approved the NLPR for submission to the Secretary of State for examination. The Secretary of State has appointed a Planning Inspector to hold an independent examination of the New Local Plan Review. The Examination in Public (EiP) was held through June and July 2023 and the Planning Inspector's recommendations are awaited. The Planning Inspector will consider the soundness of the NLPR based on the 'tests of soundness' set out in Paragraph 35 of the NPPF which reads as follows:

*“Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:*

*a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*

*b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*

*c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*

*d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”*

**05.1.6** The most up to date version of the New Local Plan is the Submission Version (Proposed Main Modifications) Policies which was published in January 2023. As the NLPR has progressed to examination, the Draft Local Plan is considered to hold moderate weight at present and is a material consideration in the determination of this application.

## **05.2 SITE ALLOCATION – KENSAL CANALSIDE OPPORTUNITY AREA**

**05.2.1** The site is subject to a number of key planning policy designations, including the Site Allocation CA1 – Kensal Canalside Opportunity Area within the RBKC’s Adopted Local Plan which allocates the Site and surrounding area as suitable for a minimum of 3,500 residential units (Class C3), a replacement Sainsbury’s store, 10,000sqm new office accommodation and other non-residential floorspace (2,000sqm) including social, community and local shopping facilities.

**05.2.2** The Site also forms part of the Kensal Canalside Opportunity Area as identified by the Mayor of London which identifies the whole Opportunity Area as having an indicative capacity for 3,500 homes and 2,000 jobs. The site was first allocated as an Opportunity Area in 2011.

**05.2.3** To support the above site allocation, the Kensal Canalside Supplementary Planning Document (SPD) was prepared and adopted by RBKC in July 2021. The SPD provides additional guidance on the application of Development Plan policies for the comprehensive redevelopment of the Opportunity Area. The SPD is a material planning consideration in the assessment of any scheme within the Kensal Canalside Opportunity Area, including the Proposed Development.

**05.2.4** Within the new RBKC Draft Local Plan, the site is proposed to be re-allocated for redevelopment under draft Policy SA1 – Kensal Canalside Opportunity Area. This Policy allocates the Site and surrounding area as suitable for a minimum of 3,500 new homes (Class C3), 12,000sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the

site's Neighbourhood Centre designation; the provision of affordable workspace; the relocation and re-provision of the existing Sainsbury's supermarket; and on-site renewable energy sources. It also proposes a height strategy which does not exceed 98m from the ground level to the top of the building or approximately 31 storeys.

## 05.3 NATIONAL PLANNING POLICY FRAMEWORK

**05.3.1** The Government adopted a new National Planning Policy Framework (NPPF) which was revised in July 2021, replacing the February 2019 revision. The NPPF was further updated on 5 September 2023.

**05.3.2** The NPPF has a presumption in favour of sustainable development (Paragraph 11). It requires that, in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. This means that development which is sustainable and accord with the up-to-date plan should be approved without delay.

**05.3.3** The Proposed Development has been designed in accordance with the principles set out within the NPPF and represents sustainable development that utilises an existing brownfield site which is currently underutilised. The NPPF recognises that sustainable development should support the three overarching objectives of: the economy, society and the environment. These objectives give rise to the need for the planning system to perform a number of roles, which are mutually dependent and should not be undertaken in isolation:

**an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

**a social objective** – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

**an environmental objective** – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

**05.3.4** The relevant NPPF Paragraphs and Policy are referred to within the following Planning Considerations Section (Chapter 6).

## 05.4 THE LONDON PLAN

**05.4.1** The London Plan was adopted in March 2021. It is the statutory Spatial Development Strategy for Greater London prepared by the Mayor of London ("the Mayor") in accordance with the Greater London Authority Act 1999 (as amended) ("the GLA Act") and associated regulations.

**05.4.2** The policies and guidance within the London Plan are consistent with both national and local objectives in terms of the need to promote sustainable forms of development. While the majority of the London Plan policies are relevant to the Proposed Development given the scale and nature of the proposals, the policies listed below are considered to be key considerations in the determination of this planning application:

- / Policy SD1 Opportunity Areas
- / Policy SD6 Town centres and high streets
- / Policy D1 London's form, character and capacity for growth
- / Policy D3 Optimising site capacity through the design-led approach
- / Policy D4 Delivering good design
- / Policy D6 Housing quality and standards
- / Policy D7 Accessible Housing
- / Policy D9 Tall Buildings
- / Policy D12 Fire Safety
- / Policy D13 Agent of Change
- / Policy H4 Delivering Affordable Housing
- / Policy H5 Threshold Approach to Applications
- / Policy H6 Affordable Housing Tenure
- / Policy H8 Loss of existing housing and estate redevelopment
- / Policy H10 Housing Size Mix
- / Policy S4 Play and Informal Recreation
- / Policy E3 Affordable workspace
- / Policy HC1 Heritage conservation and growth
- / Policy HC5 Supporting London's culture and creative industries
- / Policy G1 Green infrastructure

- / Policy G5 Urban greening
- / Policy G6 Biodiversity and access to nature
- / Policy SI 1 Improving air quality
- / Policy SI 2 Minimising greenhouse gas emissions
- / Policy SI 7 Reducing Waste and supporting the circular economy
- / Policy T3 Transport capacity, connectivity and safeguarding
- / Policy T4 Assessing and mitigating transport impacts
- / Policy T5 Cycling
- / Policy T6 Car parking (T6.1 Residential, T6.2 Office, T6.3 Retail, T6.4 Hotel & Leisure, T6.5 Non-residential)

## **05.5 RBKC LOCAL PLAN (2019)**

- 05.5.1** RBKC adopted its Local Plan in September 2019. The Plan sets out the future development of the Borough looking ahead to 2028 and identifies where the main developments will take place, and how places within the borough will change – or be protected from change – over that period. It contains the Council's planning policies.
- 05.5.2** As set out above, the Application Site forms part of Site Allocation CA1 – Kensal Canalside Opportunity Area which allocates the Site and surrounding area as suitable for a minimum of 3,500 residential units (Class C3), a replacement Sainsbury's store, new office accommodation and other non-residential floorspace including social, community and local shopping facilities.
- 05.5.3** While the majority of the Local Plan policies are relevant to the Proposed Development given the scale and nature of the proposals, the policies listed below are considered to be key considerations in the determination of this planning application:
- / Policy CO1 Strategic Objective for Keeping Life Local
  - / Policy CO3 Strategic Objective for Better Travel Choices
  - / Policy CO4 Strategic Objective for an Engaging Public Realm
  - / Policy CO6 Strategic Objective for Diversity of Housing
  - / Policy CR3 Street and Outdoor Life
  - / Policy CA1 Kensal Canalside Opportunity Area

- / Policy CH1 Increasing Housing Supply
- / Policy CH2 Affordable Housing
- / Policy CH3 Housing Size Mix and Standards
- / Policy CL2 Design Quality
- / Policy CL3 Heritage Assets - Conservation Areas and Historic Spaces
- / Policy CL4 Heritage Assets Listed Buildings, Scheduled Ancient Monuments and Archaeology
- / Policy CL11 Views
- / Policy CL12 Building Heights
- / Policy CE4 Biodiversity
- / Policy CE5 Air Quality
- / Policy CE6 Noise and Vibration
- / Policy CE7 Contaminated Land

## **05.6 KENSAL CANALSIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

- 05.6.1** The Kensal Canalside Supplementary Planning Document (SPD) was adopted by RBKC in 2021. The SPD provides additional guidance on the application of Development Plan policies for the comprehensive redevelopment of the Kensal Canalside Opportunity Area. The SPD is a material planning consideration in the assessment of any scheme within the Kensal Canalside Opportunity Area, including the Proposed Development.
- 05.6.2** The SPD recognises that the Kensal Canalside Opportunity Area is the largest brownfield site within RBKC and represents a significant opportunity to transform the area into a high-quality, well-connected, attractive and sustainable Canalside neighbourhood for people to live in, work in and visit.
- 05.6.3** The SPD states that development of the Opportunity Area should provide a minimum of 3,500 new homes and 10,000 sqm of office space providing new jobs and opportunities. The SPD identifies a series of key principles of the Opportunity Area which any future planning applications of the Site will be assessed against.
- 05.6.4** The principles contained within the SPD are summarised in the relevant sections below, and within Appendix 1 which includes an assessment of how the Proposed Development complies with these principles, along with appropriate justification when the proposals deviate from the SPD principles. The key SPD Objectives are listed below:

- / **Connected:** A well-connected place for all users - pedestrians, cyclists, public transport and cars.
- / **Active:** A neighbourhood formed of a series of safe, inviting, and attractive streets and spaces offering opportunities for all to meet, play and spend time.
- / **Liveable:** A high-quality neighbourhood where people have equal access to homes, workspace and local amenities.
- / **High quality:** A high-quality place with new architectural character that reads as a natural extension of the borough.
- / **Sustainable:** A resilient and sustainable development that strives to achieve carbon neutral targets throughout its lifecycle.
- / **Healthy:** A neighbourhood that enriches the local area, promotes healthy living, healthy streets and physical and mental wellbeing.

## 05.7 RBKC NEW LOCAL PLAN REVIEW (NLPR)

**05.7.1** As noted above, The Council has been working on a New Local Plan Review (NLPR) since late 2020. On the 1<sup>st</sup> of February 2023, Full Council approved the NLPR for submission to the Secretary of state for examination. The Secretary of State has appointed a Planning Inspector to hold an independent examination of the New Local Plan Review.

**05.7.2** Within the NLPR, the Site is re-allocated for redevelopment under draft Policy SA1 – Kensal Canalside Opportunity Area. This Policy allocates the Site and surrounding area as suitable for:

- / *A minimum of 3,500 new homes (Class C3);*
- / 12,000sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site's Neighbourhood Centre designation;
- / The provision of affordable workspace;
- / The relocation and re-provision of the existing Sainsbury's supermarket; and
- / On-site renewable energy sources.
- / It also proposes a height strategy for buildings which should not exceed 98m from the ground level to the top of the building or approximately 31 storeys.

**05.7.3** Similarly, to the adopted Plan, while the majority of the policies are relevant to the Proposed Development given the scale and nature of the proposals, the draft policies listed below are considered to be key considerations in the determination of this planning application:

- / Policy GB2 – Circular Economy
- / Policy GB3 – Whole Life-cycle Carbon
- / Policy GB4 – Energy and Net Zero Carbon
- / Policy GB6 – Air Quality
- / Policy GB7 – Construction Management
- / Policy GB8 – Noise and Vibration
- / Policy GB15 – Green infrastructure
- / Policy GB16 – Parks, Gardens and Open Space
- / Policy GB17 – Biodiversity
- / Policy GB20 – Contaminated Land
- / Policy HO1 – Delivery and Protection of Homes
- / Policy HO3 – Community Housing
- / Policy HO4 – Housing Size and Standards
- / Policy CD1 – Context and Character
- / Policy CD3 – Heritage Assets – Conservation Areas
- / Policy CD4 – Designated Heritage Assets – Listed Buildings
- / Policy CD6 – Registered Parks and Gardens
- / Policy CD7 – Tall Buildings
- / Policy CD15 – Fire Safety
- / Policy BC2 – Creative and Cultural Businesses

- / Policy BC3 – Affordable Workspace
- / Policy T5 – Land use and transport
- / Policy T6 – Active Travel
- / Policy T8 – Car Parking
- / Site Allocation SA1: Kensal Canalside Opportunity Area

## **05.8 OTHER SUPPLEMENTARY PLANNING DOCUMENTS (SPD)**

**05.8.1** Other Supplementary Planning Documents (SPD) by RBKC are also considered material considerations in the determination of this planning application. The relevant guidance includes:

- / Access Design Guide SPD (Adopted December 2010)
- / Air Quality SPD (Adopted June 2009)
- / Building Height SPD (Adopted September 2010)
- / Community Housing SPD (June 2020)
- / Designing Out Crime SPD (January 2008)
- / Greening SPD (June 2021)
- / Noise SPD (May 2009)
- / Planning Contributions SPD (September 2019)
- / Transport and Streets SPD (April 2016)
- / Trees and Development SPD (April 2010)

**05.8.2** In addition to RBKC's supplementary planning documents, the Mayor of London has adopted the following Supplementary Planning Guidance and Local Plan Guidance which also comprise material considerations:

- / Accessible London SPG (October 2014)
- / Planning for Equality and Diversity SPG (October 2007)
- / Character and Context SPG (June 2014)

- / Public London Charter LPG (September 2021)
- / Characterisation and Growth Strategy LPG (June 2023)
- / Housing Design Standards LPG (June 2023)
- / Optimising Site Capacity: A design – led Approach LPG (June 2023)
- / Affordable Housing and Viability SPG (August 2017)
- / Housing SPG (March 2016)
- / Play and Informal Recreation SPG (September 2012)
- / Social Infrastructure SPG (May 2015)
- / Urban greening factor LPG (February 2023)
- / Air Quality Positive LPG (February 2023)
- / Air Quality Neutral LPG (February 2023)
- / 'Be seen' energy monitoring guidance LPG (September 2021)
- / Circular Economy Statements LPG (March 2022)
- / Whole Life-Cycle Carbon Assessments LPG (March 2022)
- / Control of Dust and Emissions during Construction and Demolition (July 2014)
- / Sustainable Transport, Walking and Cycling LPG (November 2022)

## 06. PLANNING CONSIDERATIONS

### 06.1 SUMMARY

**06.1.1** This section assesses the key planning considerations relating to the proposals, taking in the planning policy as well as material considerations.

**06.1.2** Section 38(6) of the Planning and Compulsory Purchase Act (2004) states the following:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.*

**06.1.3** In considering the merits of the Proposed Development, this Planning Statement will consider the following key considerations relating to the proposals:

- / Principle of Development;
- / Delivery of New Homes;
- / Provision of a New Sainsbury's Store;
- / Delivering a New Neighbourhood Centre;
- / Residential Quality;
- / Housing Mix;
- / Affordable Housing;
- / Scale and Massing;
- / Density;
- / Appearance and Layout;
- / Open Space / Public Realm / Landscaping
- / Heritage Considerations;
- / Impact on Amenity (daylight and sunlight, wind, noise and air quality);
- / Transport and Highways;

- / Energy and Sustainability;
- / Environmental Considerations; and
- / Fire Safety.

## **06.2 PRINCIPLE OF DEVELOPMENT**

### **POLICY CONTEXT**

- 06.2.1** The Application Site comprises 7.6ha of former utilities, brownfield land, providing an existing low density Sainsbury's store, with a large surface level car park and 8 pump petrol filling station, and a large area of open storage to the west. At the front of the Site, currently within the Council's ownership, are two additional buildings: Canalside House and the Boathouse Centre.
- 06.2.2** Kensal Canalside Opportunity Area has been an allocated site for development and an aspiration for the GLA since 2011, when it was first designated as an Opportunity Area. Kensal Canalside Opportunity Area is the largest brownfield site in RBKC and was re-selected by the Mayor of London as one of 48 Opportunity Areas for development in the London Plan 2021. In this time, it has also been supported by RBKC on a local (Borough) level through Site Allocation CA1, adopted Kensal Canalside SPD (2021) and Draft Local Plan Allocation SA1, evidencing its longstanding policy designation. Until now there have been no viable development opportunities proposed for the Site to deliver its longstanding Allocation.
- 06.2.3** The proposed development presented by Ballymore and SSL is the first realistic proposal for redevelopment at the site since its allocation in 2011 which demonstrates the significant challenges in bringing forward development on this site. The proposals will provide many benefits for the local community, including thousands of much-needed new homes, including affordable homes, attractive public areas and landscaped green parks, a new and improved Sainsbury's store and a number of affordable workplaces and shops. The development will also create thousands of permanent jobs, as well as local construction jobs and apprenticeships. The development overall represents a significant contribution to the local economy and housing need, which ultimately align with the key principles outlined within the Opportunity Area and Site Allocation designations, discussed below.
- 06.2.4** Kensal Canalside Opportunity Area contains the Application Site, land to the west on which the former gas holders were located (owned by Berkeley St William) and largely vacant land to the south of the railway lines (owned by the Department for Transport).
- 06.2.5** Site Allocation CA1 (from RBKC's adopted Local Plan) allocates the whole Opportunity Area to deliver a minimum of:
- / 3,500 new residential (C3) units;
  - / 10,000sqm of new office floorspace;

- / 2,000sqm of new non-residential floorspace, including social and community and local shopping facilities in addition to the supermarket;
- / a station on the Elizabeth Line;
- / the relocation and re-provision of the existing Sainsbury's supermarket;
- / on-site renewable energy sources to serve the site with the potential to contribute to the heat and energy demand of the wider community as part of a district heat and energy network;
- / the provision of on-site waste management facilities to deal with the development's waste arisings from the new uses of the site.

**06.2.6** Site Allocation SA1 (from RBKC's New Local Plan Review) seeks to re-allocate the whole Opportunity Area to deliver a minimum of:

- / 3,500 new homes (C3).
- / 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site's Neighbourhood Centre designation of which 5,000 sqm is E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre.
- / The provision of affordable workspace.
- / The relocation and re-provision of the existing Sainsbury's supermarket.
- / On-site renewable energy sources.

**06.2.7** The Site is the largest remaining brownfield site within the Borough and thus provides an excellent opportunity to provide much needed housing, accessible open space, community, leisure and retail uses. There is strong directive in National policy for redevelopment of brownfield sites to meet the country's housing need. The London Plan 2021 states that reusing large brownfield sites will remain crucial, although vacant plots are now scarce. As such, this site is a key opportunity to deliver much needed housing, key non-residential uses and areas of significant accessible open space.

**06.2.8** The Kensal Canalside Opportunity Area SPD (2021) recognises that the Opportunity Area is the largest brownfield site within the Borough and there is therefore an opportunity to transform the area into a high-quality, well connected, attractive and sustainable Canalside neighbourhood for people to live, work and visit.

**06.2.9** All levels of planning policy place a priority on redeveloping brownfield land, such as the Application Site. In particular, the NPPF at Paragraph 120 states that planning policies and decisions should "*promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for*

*housing where land supply is constrained and available sites could be used more effectively (for example...building on or above service yards, car parks, lock-ups and railway infrastructure)”.*

- 06.2.10** This theme is picked up within the London Plan (2021) which places a strong emphasis on delivering ‘Good Growth’ (defined as growth that is socially and economically inclusive and environmentally sustainable). To achieve this, Policy GG2 requires new development to make the best use of land by enabling *“the development of brownfield land, particularly in Opportunity Areas”*. The policy goes on to state that development must *“proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well connected”*.
- 06.2.11** The Application Site forms the majority part of the Kensal Canalside Opportunity Area which, as set out above, has a longstanding allocation at all policy levels for a mixed-use redevelopment that is primarily residential-led with a replacement supermarket and new commercial, employment and retail uses providing a new Neighbourhood Centre.
- 06.2.12** The Proposed Development seeks to deliver up to 2,519 new homes alongside a replacement Sainsbury’s store (22,955sqm GIA) and further maximum non-residential floorspace of 17,052sqm (GEA) including other community, workspace, leisure and retail uses, thus achieving the key principles of the Site Allocation, Opportunity Area and Kensal Canalside SPD.
- 06.2.13** Appendices 1 and 2 further set out how the scheme has responded in turn to each criterion outlined within Site Allocation SA1 and SPD Policies. It is therefore considered that the principle of developing the Site is in line with its allocation in Local and Strategic Planning Policy and is therefore considered acceptable on this basis.
- 06.2.14** The key principles of the proposed uses are assessed below.

## **06.3 DELIVERY OF NEW HOMES**

- 06.3.1** Paragraph 60 of the NPPF supports the Government’s continued objective to significantly boost the delivery of homes. The NPPF makes it clear that in order to achieve this objective it is important to ensure that a sufficient amount and variety of land can come forward.
- 06.3.2** The London Plan evidences (through the GLA’s new Strategic Housing Market Assessment) that London has a need for approximately 66,000 additional homes a year. The Plan’s ten-year housing target is 520,870 homes and is based on the findings of the new Strategic Housing Land Availability Assessment (London Plan (2021) Paragraph 2.3.3). This London wide target indicates a significant requirement for Boroughs to deliver much needed housing as part of their Local Plans.
- 06.3.3** London Plan Policy H1 clearly sets out the need for Boroughs to achieve their ten-year housing targets and *“optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions”*.

- 06.3.4** Table 4.1 of the London Plan identifies a ten-year housing target for RBKC of 4,480 new homes (448 new homes per annum). Furthermore, the Application Site is within the Kensal Canalside Opportunity Area which seeks to deliver up to 5,000 new homes (and a minimum of 3,500 new homes) as set out within the adopted Kensal Canalside Opportunity Area SPD, Site Allocations CA1 of RBKC's Local Plan and SA1 of the Draft Local Plan.
- 06.3.5** There is clearly an urgent need within RBKC, as identified through both the London Plan and the Local Plan, to provide new homes. The inclusion of the Application Site within a Strategic Site Allocation and Opportunity Area that is specifically identified as appropriate for strategic housing of a minimum of 3,500 homes sets a clear expectation for housing delivery across the Opportunity Area.
- 06.3.6** Paragraph 4.10 of the London Plan (2021) encourages boroughs to "set out a realistic and, where appropriate, stepped housing delivery targets over a ten-year period." To support this therefore, as part of the Draft Local Plan evidence base, the Council have prepared a Stepped Housing Trajectory (2022). It states that, the homes completed in the Borough in 2021-22 are 191 net homes which is below the target by 257 homes. Paragraph 5.3 of the report concludes that: "in short, our housing supply is largely reliant on the two Opportunity Area sites which will deliver homes later in the plan-period" confirming that RBKC is reliant on successful delivery of this Site for its housing delivery.
- 06.3.7** In addition to the above policies, the NPPF sets out (within the presumption in favour of sustainable development policy in Paragraph 11) that local policies should be considered out of date when the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years. Paragraph 11 states that this means planning permission should be granted unless:
- / the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - / any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 06.3.8** The Government's Housing Delivery Test measurement is an annual, standardised measurement of housing delivery across England, the most recent Housing Delivery Test 2021 (published 14 January 2022) covers the years 2018/19, 2019/20 and 2020/21. Due to the unprecedented events as a result of the COVID-19 pandemic, including the first national lockdown being announced on 23 March 2020, there was temporary disruption to local authority planning services and the construction sector. This has therefore been reflected in the 2020 results and reduced the 'homes required' within the 2019 to 2020 year in the Housing Delivery Test by one month and within the 2020 to 2021 year by four months.
- 06.3.9** Despite this reduction, during the relevant three-year period (2018-2021), the Royal Borough of Kensington and Chelsea delivered only 809 homes, in comparison to their target of 1,892 new homes. The Borough therefore only managed to achieve 43% housing delivery and is therefore subject to a presumption in favour of sustainable development as set out in Paragraph 11 of the NPPF.

- 06.3.10** While this means current local policies relating to housing should be considered out of date and forthcoming developments within the Borough should be assessed against their compliance with the NPPF only, it will be confirmed below that the scheme complies both with the NPPF and also with current and draft Local Plan housing policies.
- 06.3.11** The Council has subsequently produced a Housing Delivery Test Action Plan (dated August 2022) which sets out the actions it will take to increase housing supply. This was required to be produced given the Council's significant failure to meet its housing targets. One of the key actions identified by the Housing Action Plan to boost housing delivery within the borough is to "prioritise the delivery of key sites", with the Kensal Canalside Opportunity Area being the first key site mentioned within the document, recognising that the Opportunity Area will "make by far the largest contribution to future housing supply in Kensington and Chelsea". To achieve this, the Council set up the Growth and Delivery Team to promote good growth through proactive planning and focus on site delivery and good community engagement, recognising that speeding up the delivery of Kensal Canalside can go a long way in closing the gap between the number of houses built and the housing target for the Borough.
- 06.3.12** The importance of housing delivery on this site is therefore recognised within documents produced by the Council and represents the Borough's last opportunity to secure a significant number of homes on an underutilised brownfield site. The significance in securing the successful redevelopment of this site is therefore great.
- 06.3.13** The Proposed Development seeks to deliver up to 2,519 new homes. All residential homes are proposed within the Outline Element of the Application which will be subject to future Reserved Matters Application(s). Phase 1 (Plots 2 and 4) however will include the construction of approximately 1,290 homes comprising 982 market homes, 148 social rent homes and 160 intermediate homes.
- 06.3.14** The Current and Draft Site Allocations (Policies CA1 and SA1) require a minimum of 3,500 new homes across the whole Opportunity Area, including the area owned by St William and the North Pole Site (owned by the Department for Transport). This application proposes up to 2,519 new homes within the land owned by Ballymore, SSL and RBKC. In line with the Site Allocations (Policies CA1 and SA1), this would result in approximately 981 homes left required to be delivered across the remaining Opportunity Area to reach the minimum 3,500 homes. Based on schemes produced to date and subject to discussions and approval by RBKC, it is anticipated that circa 700 homes can be accommodated on the St William site (Plot 3). This means that almost 300 homes would need to be delivered on the North Pole site to meet the minimum allocation of 3,500 homes.
- 06.3.15** This housing provision would therefore contribute significantly towards meeting the Borough's housing needs and help make up for the significant under delivery of housing in the Borough while making effective use of this existing brownfield site. The principle of a residential-led scheme is therefore fully compliant with national, strategic and local policy and is considered acceptable in this regard.

#### **REPROVISION OF EXISTING HOUSING**

- 06.3.16** In addition to the delivery of new homes on the Application Site, the development seeks to re-provide the 16 existing homes located within the Boathouse Centre situated within the eastern portion of the Site.

- 06.3.17** Policy H8 of the London Plan relates to the loss of existing affordable housing. It states that before considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. They should balance the potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts and consider the availability of Mayoral funding and any conditions attached to that funding.
- 06.3.18** It also notes that affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants. Replacement affordable housing should also be integrated into the development to ensure mixed and inclusive communities.
- 06.3.19** Local Plan Policy CH1 and Draft Policy HO3 seeks to protect existing affordable homes across the Borough. It echoes the London Plan, noting that where it is accepted that affordable housing is to be re-provided, it must be provided on a like-for-like basis i.e., social rent with social rent and intermediate with intermediate.
- 06.3.20** It is acknowledged that all schemes involving demolition and replacement of affordable housing will be required to follow the viability tested route and should seek to provide an uplift in affordable housing in addition to the replacement of affordable housing floorspace in accordance with the London Plan.
- 06.3.21** The scheme, in line with above Policies H8, CH1 and HO3, will re-provide the existing 16 affordable homes within the Development. This re-provision will be in addition to the proposed affordable housing offer of the development. The re-provision within the site, as opposed to retention of the building has been considered as the most appropriate option as this enables the wider comprehensive redevelopment of the Masterplan. The proposed re-provision of residential accommodation within the Site will be of better quality and will surpass modern standards including energy efficiency and access to private and communal amenity space. The tenure will also remain as existing, in line with Policy requirement.
- 06.3.22** It is important to note also that the existing building is not proposed to be demolished until the new homes are built to ensure residents are not placed in temporary accommodation, thus directly moving from one home to the other. It is therefore considered that the principle of re-provision of the existing affordable homes are in line with Policies H8, CH1 and HO3.

## **06.4 PROVISION OF A REPLACEMENT SAINSBURY'S STORE**

- 06.4.1** Site Allocation CA1 of the Current RBKC Local Plan (Kensal Canalside Opportunity Area) requires “(c) *the relocation and re-provision of the existing Sainsbury's supermarket*”. This requirement is continued through into the Kensal Canalside Opportunity Area SPD, with Policy LWV12 requiring “*re-provision of the supermarket*”. This is also required within RBKC's New Draft Local Plan Site Allocation Policy SA1 which requires “(E) *The relocation and re-provision of the existing Sainsbury's supermarket*”.
- 06.4.2** The SPD provides an indicative plan showing the preferred location of the Store within the centre of the site (Figure 11). This aspiration has been reflected within the Proposed Development.

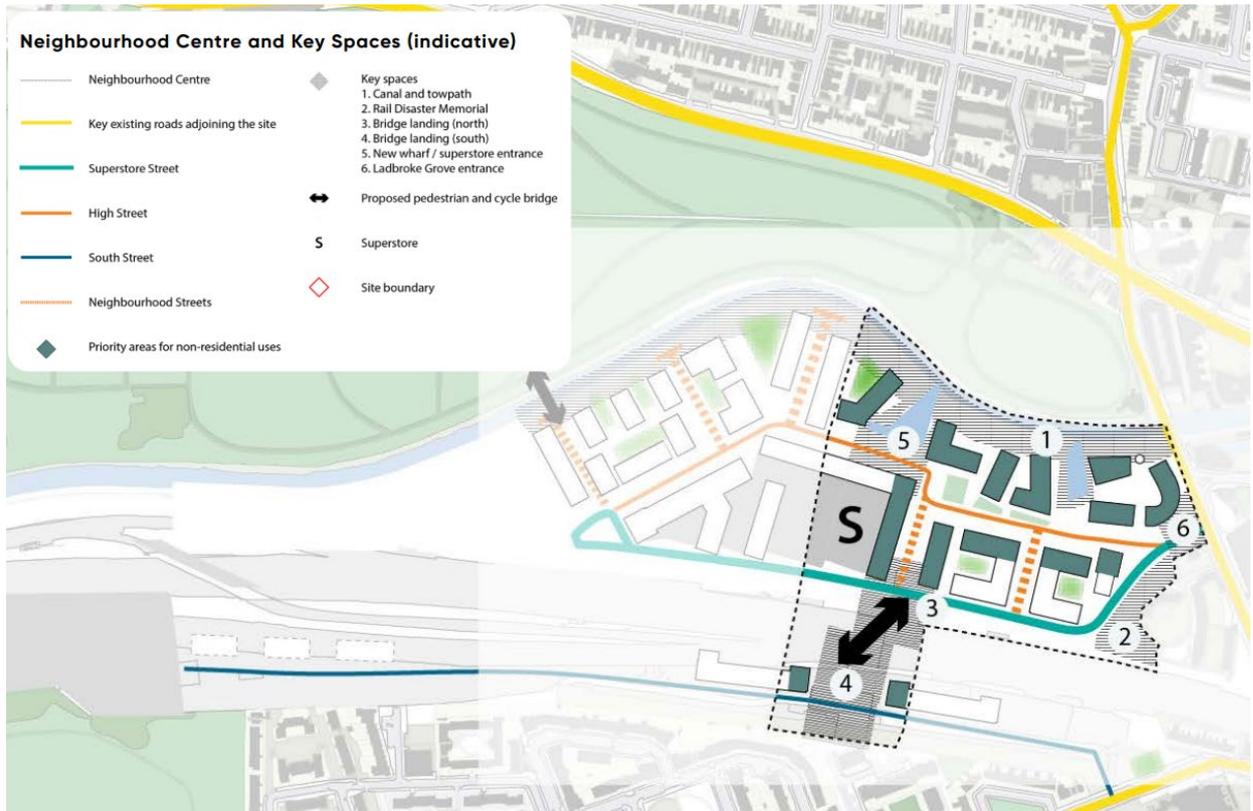


Figure 11: KCOA SPD Indicative Spaces Plan

- 06.4.3** The principles of locating the proposed replacement food store in the centre of the Site is therefore fully compliant with local planning policy and the aspirations of the Kensal Canalside Opportunity Area SPD.
- 06.4.4** The existing Sainsbury's store located on site is a popular convenience facility and is viewed by Sainsbury's as performing well. However, the store opened in 1988 and no longer reflects modern retailing standards and customer expectation. For instance, the aisle widths, product ranges and internal layout are no longer consistent with Sainsbury's modern store format, which has limited the ability of the store to adapt to consumer demand and current shopping patterns.
- 06.4.5** The existing Groceries Online (GOL) offer from the store (limited to 5 vans) is also a popular facility but is not of sufficient size to cater for current demand. Each GOL van can carry shopping for up to 10 households and will typically make 3 delivery trips per day. This falls short of meeting the predicted demand for online shopping.
- 06.4.6** The Council have undertaken a household survey (2021), which is considered within the supporting Town Centre Uses Assessment. The household survey shows a marked preference for the store in comparison to other shopping destinations within the Study Area (Zone 1 and adjacent Zones 4, 5 and 10). It is the most popular destination for convenience shopping in Zone 1, attracting almost a third (31%) of the market share in this Zone, which is indicative of its status as one of the few, large food stores in this part of north west London.
- 06.4.7** Residents clearly rely on its presence as an option for their food and non-food shopping needs. This demonstrates that in addition to meeting policy requirements of providing the replacement food store, there is a clear need in the area from local residents.

- 06.4.8** The Application Scheme responds to the above policy objectives by providing a new Sainsbury's store positioned centrally within the site which will effectively bookend the proposed new Neighbourhood Centre, drawing customers into the Site and helping to ensure the vitality and viability of the new High Street.
- 06.4.9** The proposed location of the store has been carefully considered as part of the masterplan proposals to ensure it comes forward in the initial phases of development and to allow continuity of trading throughout the construction period. The existing store (and Petrol Filling Station) employs over 300 people, the majority of whom live in the locality. The design and location of the store has therefore been carefully considered to ensure these jobs are retained at all times through the construction and operational phases of the development.
- 06.4.10** The proposed phasing strategy of the Site ensures that the existing store will remain open and operational for customers until the new store is built, where an instant switchover will occur. This strategy seeks to minimise any potential impact to the local community, employees and store visitors.
- 06.4.11** This requirement is specifically recognised within the adopted SPD in which the following is stated, "*The new superstore will be built early in the development to ensure continuous trading for customers. Once the new store is open work will begin to dismantle the current store for redevelopment as part of the wider masterplan.*" It is therefore recognised by the Council that the replacement store must be located to the rear of the existing store to ensure this continuity of trade.
- 06.4.12** Importantly, the existing store employs circa 300 jobs. All employees of the existing store will be retained and relocated to the new store, once operational. Supporting job creation is a key aspect of strengthening the local economy and is a relevant consideration in weighing the planning balance of the proposals. If the Sainsbury's store was to close or replaced by a smaller store, these jobs would be lost to the area.
- 06.4.13** The proposed Sainsbury's store will comprise of 13,341sqm (GIA) retail floorspace (22,955sqm GEA including parking and servicing), this represents an increase of 4,518sqm GIA retail floorspace when compared to the existing foodstore (8,823sqm GIA) on the Site. The increase in floorspace allows for the following:
- / A range of concessions including an Argos, café and an expanded range of clothing and non-food items;
  - / Enhanced online grocery shopping and Click and Collect facilities;
  - / Provision of a modern spacious well-lit store – increased ceiling height of the store will create a light and uncluttered store environment;
  - / Increased circulation space and wider aisles (3.5m) – will reduce congestion within the store and conflict between customers, replenishment colleagues and Click and Collect. It will also allow daytime replenishment to be undertaken which reduces the need for colleagues to work anti-social hours;
  - / A relocated warehouse, with a proportion to the rear of the sales floor which will allow stock to be moved within the back of house area reducing the movement of stock on the shop floor, as well as offering operational efficiencies;

- / Reduced car parking for customers – ensuring viability of the store continues while encouraging active travel; and
- / Provision of an enclosed service yard well integrated into the design of the development – improving the operation of the store and the amenity of future adjacent neighbours.

	EXISTING AREA	PROPOSED AREA	DIFFERENCE
<b>STORE FOOTPRINT</b>	2.6 hectares	1.2 hectares	- 1.4 hectares
<b>STORE GIA</b>	8,823sqm	13,341sqm	+4,518sqm
<b>SERVICE YARD GIA</b>	946sqm	1,619sqm	+673sqm
<b>CAR PARK</b>	396 spaces	227 spaces	-169 spaces
<b>GOODS ONLINE</b>	5 vans	15 vans	+10 vans
<b>PETROL FILLING STATION</b>	8 pumps	N/A	-8 pumps

Figure 12: Sainsbury's Store Comparison Table

- 06.4.14** Within the proposed Store, approximately 25% of the additional floor space proposed (4,518sqm over and above the existing store) will comprise additional net sales area (1,116msq). As set out in the table below, the proposed additional sales area is broadly split between convenience (c.60%) and comparison (c.40%) goods.

	EXISTING (GIA)	PROPOSED (GIA)	VARIANCE
<b>GROSS INTERNAL AREA</b>	8,823sqm	13,341sqm	+4,518sqm
<b>NET SALES AREA</b>	4,393sqm	5,509sqm	+1,116sqm
<b>CONVENIENCE STORE AREA</b>	3,537sqm	4,199sqm	+662sqm
<b>COMPARISON STORE AREA</b>	856sqm	1,310sqm	+454sqm

Figure 13: Sainsbury's Store - Comparison and Convenience Areas

- 06.4.15** A modest increase in convenience sales area (662sqm) is proposed. The impact of this increase in floorspace for the replacement Sainsbury's Store is further assessed in the Town Centre Uses Assessment, which is considered further in the section on 'Commercial and Retail Uses' below.
- 06.4.16** The new Sainsbury's store will clearly offer an enhanced retail offer which will not only protect but enhance the vitality and viability of Kensal Area and will better meet the needs of the local community (and provide an enhanced and more sustainable GOL service), in line with Policies CA1 and SA1.

## 06.5 DELIVERING A NEW NEIGHBOURHOOD CENTRE

- 06.5.1** As highlighted above, the Application Site is subject to an allocation under Local Plan Policy CA1 for a minimum of 10,000 sqm of new offices; 2,000 sqm of new non-residential floorspace, including social and community and

local shopping facilities in addition to the relocation and re-provision of the existing Sainsbury's supermarket. The need for a new centre at Kensal is additionally required under Current Local Plan Policy CF1.

- 06.5.2** The KCOA Area SPD reinforces the need for development on the site to deliver 'a minimum of 2,000 sqm non-residential floorspace centred within a neighbourhood centre that serves the needs of the new and existing local community' (Policy LWV11).
- 06.5.3** However, RBKC's New Local Plan Review seeks to amend the commercial requirement of the Opportunity Area, recognising that a high proportion of office floorspace is not appropriate for the Site, and instead the commercial uses provided should serve the needs of the existing community and incoming population, rather than becoming an office destination. While the existing Local Plan and SPD seek to secure 10,000sqm of office floorspace and 2,000sqm of other non-residential floorspace, the emerging Site Allocation SA1 instead requires: '*A minimum of 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site's Neighbourhood Centre designation of which 5,000 sqm is E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre*'.
- 06.5.4** Given the NLPR is at an advanced stage and shows the direction of travel of Local Policy, the uses proposed within the New Neighbourhood Centre have sought to address the requirement of the emerging Site Allocation (i.e. 5,000sqm of office floorspace).
- 06.5.5** In line with the above, in addition to the proposed replacement Sainsbury's store, the Proposed Development will deliver up to 15,950sqm (GEA) of non-residential floorspace within the Outline Element, in addition to 1,102sqm (GEA) Commercial (Class E) and Leisure (Class E(d)/F2(d)) floorspace within the Detailed Element.
- 06.5.6** The proposed Neighbourhood Centre, as shown on the Illustrative Layout, will be located towards the eastern part of the Site with Main Town Centre Uses focussed along The Avenue and along the Canal frontage. The proposed replacement food store is more centrally located and will effectively bookend the Neighbourhood Centre.
- 06.5.7** The scheme seeks to expand employment opportunities into the Site, acknowledging the existing Employment Zone allocation to the east of the Site along Kensal Road.
- 06.5.8** Due to the hybrid nature of the planning application, and a large quantity of non-residential floorspace being submitted in Outline, a greater level of flexibility is sought over the future use of this floorspace. It is therefore proposed to be flexible Class E / F2 and / or Sui Generis (Drinking Establishment) uses. This is particularly relevant within Plots 1, 5 and 6 of the proposals.
- 06.5.9** It is envisaged that a wide range of uses will need to be accommodated within the new Neighbourhood Centre to ensure its attraction and vibrancy, including shops, cafes, restaurants and key local services alongside workspaces and community uses. As such, minimum and maximum floorspace parameters are used to aid the consideration of the Outline Element and to ensure it responds positively to the site opportunity and wider context. These parameters are outlined within the table below (Figure 14).

LAND USE	PROPOSED MINIMUM FLOOR AREA (GEA)	PROPOSED MAXIMUM FLOOR AREA (GEA)
<b>COMMERCIAL SPACES – RETAIL</b>		
Retail – Class E(a)	1,100	2,750
Food and Beverage (Restaurant / Café / Drinking Establishment) – Class E(b) / Sui Generis	1,650	3,850
Cycle hub – Class E	0	275
<b>COMMERCIAL SPACES – LEISURE</b>		
Leisure – Class E(d) / Class F2(d)	550	2,200
<b>COMMERCIAL SPACES – WORKSPACE</b>		
Flexible workspace – Class E(g) (including re-provided Canalside House floorspace)	4,400	6,380
<b>COMMUNITY SPACES</b>		
Community – Class F2	550	1,650
Community leisure – Class E(d) / F2 (including indoor sports facility and re-provided Boat House facilities)	1,100	2,200
Creche – Class E(f)	0	385
Health – Class E(e)	0	330
<b>MAXIMUM CAP FOR NON-RESIDENTIAL FLOORSPACE</b>		<b>15,950sqm (GEA)</b> <b>14,500sqm (GIA)</b>

Figure 14: Proposed Floorspace Parameters

**06.5.10** While the distribution of these uses across the masterplan has been proposed to allow flexibility to ensure the new Neighbourhood Centre can respond to changes in market conditions and trends, the illustrative scheme does identify an indicative distribution of these uses determined by the different character areas.

- / **The Avenue (High Street)** – The Avenue forms a key piece of the masterplan, connecting Ladbroke Grove to the centre of the site and the entrance to the new store. The intention here is to line The Avenue with shops and workplaces that connect to the public realm via welcoming open shop frontages.
- / **The New Wharf** – is seen as a leisure destination and a place for cafes and restaurants to congregate and enjoy the relationship with the waterfront.
- / **Southside** – The ground floor spaces within Plot 1 are seen as providing space for a wide variety of uses. It is intended that these spaces could be offered to a wide variety of users as either start up workspace or workshop space for creative businesses. There is also space here for services such as dentists or a creche.

## COMMERCIAL AND RETAIL USES

- 06.5.11** Current Local Plan Policy CF1 requires due consideration to be given to the appropriateness of scale of the new Neighbourhood Centre within the KCOA, including potential implications for the vitality and viability of existing centres. While the needs of the new residential community are the primary driver for the Neighbourhood Centre allocation, the adopted Local Plan also acknowledges a particular deficiency in local retail provision in this part of the Borough which is also relevant.
- 06.5.12** The Current Local Plan sets out the objective for walkable neighbourhoods and identifies a deficiency in local retail provision in the Kensal Area. It is also noted at Paragraph 18.3.11, that the proposed new centre in the KCOA would help to address this deficiency and ensure that the new population within the KCOA would be adequately served. The proposed development would deliver on this objective.
- 06.5.13** This is further explored in the Council's recently published Retail and Leisure Impact Assessment (2021) which predicts the need for additional retail floorspace up to 2043. The study suggests that there will be a modest need of 8,918sqm of additional convenience floorspace by the end of the plan period. The Council acknowledge that some of this need is likely to be accommodated through the creation of the new neighbourhood centre within the Kensal Canalside Opportunity Area.
- 06.5.14** The NPPF advocates a town centres first approach and in doing so requires all applications for main town centre uses outside of defined centres or not in accordance with an up-to-date Development Plan to demonstrate compliance with the sequential test.
- 06.5.15** In order to understand the network of existing centres within proximity of the Application Site, the supporting Town Centre Uses (TCU) Assessment identifies all defined centres within a 15-minute walking radius of the Site. These include:
- / **Ladbroke Grove (North) Neighbourhood Centre (Zone 1)** – located approximately 210m to the south of the Application Site. Based on a recent audit (June 2023), the centre comprises 12 units arranged in two clusters. Reflecting its scale. The centre's offer is relatively limited and includes a small convenience store, laundrette, hair salon, two fast food takeaway outlets, two art galleries, a dentist practice and taxi office. There is also a single vacant unit.
  - / **Golborne Road Special Neighbourhood Centre (Zone 1)** – located approximately 550m to the south-east of the Application Site. The centre extends along the northern part of Portobello Road (between Telford Road and Golborne Road) and along Golborne Road (up to the railway bridge). Comprising 99 units, the centre has a somewhat niche comparison shopping offer (36% of all units) which includes representation from several higher-end and designer outlets. The centre is recognised for its attraction to tourists and visitors which justifies its 'special neighbourhood centre' designation.
  - / **Kensal Rise Local Centre (Zone 4)** – located approximately 600m to the north of the Application Site within the London Borough of Brent. The linear centre comprises a variety of shops and services located along Chamberlayne Road, between Kilburn Lane to the south and Leigh Gardens/Wrentham Avenue to the north. Kensal Rise Overground Station is centrally located within the centre with access into the station achievable

off Chamberlayne Road and Station Terrace. Based on a recent audit (June 2023), the centre comprises 103 units. The centre's offer is largely service based, with units in this sector comprising 63% of all units. By comparison, convenience units (which includes two Tesco Express stores) equate to 9%, and comparison units to 14% of all units.

- / **Harrow Road District Centre (Zone 10)** – located approximately 800m to the east of the Application Site and north of the canal, within the City of Westminster. Shops and services within the centre are concentrated along Harrow Road (from Second Avenue in the west) and around the junction with Elgin Avenue and the Great Western Road to the east. The area is also known as Maida Hill. Based on the recent audit (June 2023) the centre comprises 112 units. The centre has a strong ethnic offering, particularly for convenience goods which contribute significantly towards the centre's overall convenience offer (equating to 27% of all units). The centre also has a reasonably strong (and again, largely specialist and ethnic-based) comparison offer (19% of all units) alongside a range of key local services (40% of all units) and relatively few vacancies (5 units in total, equating to 4% of all units).
- / **Golborne Road (North) Neighbourhood Centre (Zone 1)** – located approximately 750m to the south-east of the Application Site. The centre comprises 14 units within a precinct setting located to the east and west of Golborne Road. The centre is anchored by a Costcutter convenience store whilst other uses include a newsagent, restaurant/café, a hair salon, barbers, pharmacy, opticians, and household goods store. There is also a library and NHS health centre.
- / **Ladbroke Grove Station Neighbourhood Centre (Zone 1)** – located approximately 900m to the south of the Application Site. The linear centre comprises a variety of shops and services located along Ladbroke Grove, between Oxford Gardens and Lancaster Grove. Ladbroke Grove Underground Station (which is served by the Circle and Hammersmith and City Lines) is centrally located within the centre. Based on the recent audit (June 2023), the centre comprises 43 units. The centre's offer is largely service based (particularly within the food and beverage sector), with units in this sector comprising 65% of all units. By comparison, convenience units (which includes a Sainsbury's Local) equate to 9%, and comparison units comprise 14% of all units. We identified just three vacancies in June 2023, equating to a vacancy rate of 7%.
- / **Barlby Road Neighbourhood Centre (Zone 1)** – located approximately 800m to the south-west of the Application Site. Barlby Road is a very small centre comprising a single parade of seven units fronting onto Barlby Road (at the junction with Dalgarno Gardens). The centre is anchored by a Nisa Local convenience store whilst other uses include two fast food takeaway outlets, a barbers, bookmakers, and tanning salon.
- / **Portobello Road Special District Centre (Zone 1)** – located approximately 1km to the south-east of the Application Site. Portobello Road is designated as a 'Special District Centre' recognising its particularly niche retail offer (which includes the famous Portobello Market). Drawing on the data set out within the RLNA the centre comprises 304 units, of which 45% are within the comparison goods sector. The centre has a more limited convenience retail offer (13%) (including Tesco Metro and Sainsbury's Local) but a reasonably strong service offer (31%), particularly in terms of food and beverage outlets.

- / **St Helens Gardens Neighbourhood Centre (Zone 1)** – located approximately 1.2km to the south of the Application Site, St Helen’s Gardens is a small centre comprising 12 units fronting onto St Helens Gardens. The centre’s offer includes a small independent convenience store, dry cleaners, several eateries, an optician, and estate agents. There is currently a single vacant unit within the centre.
- / **North Pole Road Neighbourhood Centre (Zone 1)** – located approximately 1.2km to the south-west of the Application Site, the centre comprises 20 units concentrated around North Pole Road and Latimer Road. The centre offers a reasonable range of goods and services and includes a Tesco Express, local butchers, post office, several cafes and restaurants, pharmacy and other key local services including dry cleaners and hair salon. There is currently just one vacant unit within the centre equating to a low vacancy rate of 5%.

**06.5.16** As set out above, the Application Site is subject to an allocation under Local Plan Policy CA1 and Draft Local Plan Policy SA1 which both require the delivery of a new Neighbourhood Centre within the Opportunity Area. The need for a new Centre in Kensal is also required under Local Plan Policy CF1. This is reinforced in the adopted SPD (2021) which states redevelopment must deliver a new neighbourhood centre that serves the needs of the new and existing local community (SPD Policy LWV11).

**06.5.17** With regard to retail floorspace, the proposals seek to provide a maximum of 6,250sqm (GIA) of retail commercial floorspace (excluding the replacement Sainsbury’s store), contributing reasonably to this need and serving the day to day needs of the immediate community.

**06.5.18** There is no maximum floorspace cap set out in adopted and draft policy for the proposals to adhere to. Given the Site is allocated as a new Neighbourhood Centre, there is no policy requirement to demonstrate compliance with the sequential test (NPPF paragraph 87). Notwithstanding this, the Town Centre Uses Assessment demonstrates that the Proposed Development would in any event pass the sequential test on the basis that the only suitable location to meet the needs arising from the new communities is within the KCOA itself.

**06.5.19** As noted above, Local Plan Policy CF1 requires due consideration to be given to the appropriateness of scale of the new Neighbourhood Centre within the KCOA, including potential implications for the vitality and viability of existing centre.

**06.5.20** The Application proposes a replacement food store (comprising an additional 662 sqm net convenience goods floorspace and 454 sqm net comparison goods floorspace); alongside up to 2,361 sqm net (3,1488 sqm GIA) Class E(a) floorspace; up to 3,500 sqm Class E(b)/sui generis floorspace; and up to 2,000 sqm general leisure (Class E(d)/F2(d)) floorspace. The TCU Assessment states that it is evident that the new resident population (based on the overall KCOA allocation of a minimum 3,500 new homes) would generate sufficient expenditure to support the enlarged Sainsbury’s store alongside other Class E(a) retail floorspace without any reliance on inflows of trade from the wider area. Whilst it is acknowledged that there will inevitably be outflows of expenditure given the draw of higher order centres, it identifies a significant surplus of both convenience and comparison goods expenditure which would allow for this.

**06.5.21** Similarly, the new resident population would generate a significant level of expenditure to support a range of leisure facilities including up to 24 units within the F&B sector. It is also noted that such provision would be

broadly consistent with the composition of other centres within the catchment area. Based on the on-site needs generated by the new population, in addition to the existing deficiencies acknowledged by the Council in this part of the Borough, the TCU assessment concludes that the scale of non-residential floorspace proposed to be entirely appropriate to serve the new community in a sustainable manner.

**06.5.22** The supporting TCU assessment also assesses the proposed floorspace against the following impacts:

- / 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 the wider retail catchment (as applicable to the scale and nature of the scheme).

**06.5.23** The potential for impact on town centre investment is assessed in relation to the trade diversion and impact on Town Centre vitality and viability. The assessment identifies only marginal levels of trade draw from existing centres. Furthermore, the percentage impact on certain centres is likely to be overstated as the assessment has not captured the full extent of the turnover of these centres, only what they draw from within the defined Study Area. On this basis, the overall level of impact on these centres is likely to be less than identified by the assessment. Correspondingly the assessment does not consider it likely that the level of impact will result in a significant adverse impact upon existing and planned investment in these centres.

**06.5.24** The Assessment finds that existing centres within the vicinity of the Application Site are generally performing well with no obvious or significant concerns regarding their ongoing vitality and viability. Given their regional centre status and London-context (including, in some cases, the additional appeal as tourist destinations), the higher order centres are not considered to be particularly vulnerable, and on the basis that the assessment identifies only marginal levels of trade draw from these centres, it is unlikely that the levels of impact identified on these centres will give rise to a significant adverse (or any) impact on their overall vitality and viability. It concludes therefore that there is no evidence that the proposal will lead to significant adverse impacts on Town Centres in terms of investment, trade /turnover and overall vitality and viability.

**06.5.25** It is therefore also concluded that the requirements of Local Plan Policy CF1 are also met. Further, the provision of the proposed retail and commercial uses (including the replacement Sainsbury's store) to allow the provision of a Neighbourhood Centre would meet Local Plan Policy CA1 and Draft Local Plan Policy SA1.

## **COMMUNITY USES**

**06.5.26** Current Local Plan Policy CK1 supports the provision of new – and expansion of existing – social and community uses.

**06.5.27** Draft Local Plan Policy SI1 repeats this Policy CK1. It also states that where new facilities are provided, they should seek to make the best use of land and co-locate a range of social and community uses where possible. The new provision should be well-designed, inclusive and easily accessible.

- 06.5.28** Policy CD7 of the adopted Local Plan states that the Council will permit new arts and cultural uses, or the expansion of these uses, which are likely to generate large numbers of visitors. These uses should be focussed 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.
- 06.5.29** In addition to the commercial and retail uses proposed within the Development, a maximum of 4,200sqm (GIA) of community space is proposed. This is proposed through the provision of various community facilities including a new community leisure hub, reprovided Boathouse facilities, indoor sports facility and floorspace to accommodate other uses such as health facilities and creches. The proposed maximum 4,200sqm of community floorspace will be accessible for all existing and new Borough residents as part of the redevelopment. It is considered that the location of these uses, across the development, make the best use of land, being accessible, well-designed and inclusive, in line with Policies CK1, S11 and CD7.
- 06.5.30** The supporting Development Infrastructure Funding Study (DIFs) identifies that the different growth scenarios outlined within the SPD suggest at least three 500sqm community spaces will be required depending on the scenario. This equates to at least 1,500sqm of community space. The Proposed Development complies and exceeds this requirement, proposing a maximum of 4,200sqm of community space.
- 06.5.31** Several large public open spaces are also proposed within the development, including accessible and inclusive dedicated flexible space for activities such as football, basketball, climbing, kayaking. The Applicant has held discussions with local charities, including the Full of Life Charity, located within Kensal House to the south east of the Site, to incorporate further interactive play into community spaces within the Development. The proposed community uses seek to expand on existing, social and community uses and propose new community uses which will serve and provide significant benefits to existing and incoming borough residents.
- 06.5.32** As part of serving the existing community events, Ballymore and SSL have also been in discussions with the Notting Hill Carnival to continue use of the site focused on Ladbrooke Grove Gardens (Plot 6) during the Carnival. The use of this public area for the Carnival aligns with the Council's aspirations for arts and cultural uses, and the expansion of these uses, which are likely to generate large numbers of visitors, as outlined within Policy CD7. These proposals also seek to make the best use of land and co-locate a range of social and community uses in line with Draft Policy CK1.

## **WORKSPACE AND OFFICE USES**

- 06.5.33** As noted above, the new Draft Local Plan Site Allocation SA1 requires the Opportunity Area to deliver at least 5,000sqm of the 12,000sqm of non-residential floorspace to be E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre.
- 06.5.34** In line with the above, up to 5,000sqm (GIA) of flexible workspace (Class E(g)) is proposed within the development with a commitment to deliver a minimum of 3,300sqm within the Application Site boundary. This does not include the re-provided Canalside House workspace. This flexible workspace is proposed primarily within Plot 1.

- 06.5.35** Within the adopted Local Plan, it states that there is a forecast demand of 45,000sqm of additional office floorspace between 2016 and the end of the plan period in 2028. When including the B1(a) floorspace which has been lost since 2016 this translates to a net demand of 47,100sqm. This demand has increased in the Draft Local Plan to 60,500sqm of net additional office floorspace by 2043 (Council's Employment Land Study 2021). To deliver this, the Council directs new large office premises to town centre locations, other accessible areas, Opportunity Areas or Employment Zones, unless the development would meet the requirements of the sequential test.
- 06.5.36** Policy CF6 of the current Local Plan states that the Council will promote and protect the workspaces needed to support the creative and cultural industries across the Borough.
- 06.5.37** The development seeks to provide a significant amount of Office space which will contribute to the above Council targets for the Borough, located within an Opportunity Area. It is therefore considered that the application complies with Site Allocation SA1 and Local Plan Policy CF6.

#### **REPROVISION OF CANALSIDE HOUSE WORKSPACE**

- 06.5.38** Canalside House is an existing 3 storey building located at the front of the site, within Plot 6. It currently houses space for businesses (approximately 11 charities) and has been identified as a non-designated heritage asset.
- 06.5.39** Current Local Plan Policy CF5 (Business Uses) seeks to protect existing office space throughout the Borough except where the office is within a town centre and is being replaced by retail floorspace, by a social or community use which predominantly serves Borough residents of by another town centre use. This is adjusted slightly in Draft Policy BC1 which seeks to protect existing office space except where it is being replaced by an alternative town centre use or a social and community use.
- 06.5.40** As part of the redevelopment of Plot 6 at the front of the Site, the proposals seek to demolish the existing Canalside House and replace the existing office floorspace within the Site. This office re-provision will form part of the Outline Element and is anticipated to be located within Plot 1. This provision is in addition to the 3,300-5,000sqm of proposed workspace noted above.
- 06.5.41** The principle of demolition of Canalside House is discussed within the Demolition Section below.
- 06.5.42** The proposals seek to re-provide the existing Canalside House office space within the new development. The proposed new office floorspace will be of higher quality than existing and will provide a better space for the continued operation of the existing businesses. There will be no loss of existing office space which complies with Policies CF5 and BC1 of the Local Plan. Notwithstanding the re-provision of the existing office space, the use of the majority of Plot 06 for public open space and social and community uses aligns with the above criteria.

#### **AFFORDABLE WORKSPACE**

- 06.5.43** Draft Local Plan Policy BC3 (Affordable Workspace) outlines the requirements for Kensal Canalside Opportunity Area, in line with the Site Allocation SA1. It requires a minimum of 500sqm of affordable workspace, or a minimum of 10 per cent of any E(g) business floorspace provided on the Opportunity Area, if more than 5,000sqm of E(g)

floorspace is provided. This affordable workspace must be provided at a capped rate of at least 50 per cent less than the prevailing market rate for a period of at least 20 years.

**06.5.44** The Proposed Development includes a commitment to deliver 10% affordable workspace as a percentage of the total workspace proposed (excluding the re-provided Canalside House floorspace). The exact quantum of affordable workspace will be determined through future Reserved Matters Application(s) when the final overall workspace provision is known. It is therefore considered that the provision is in accordance with the Site allocations CA1 and SA1, and Policy BC3 of the Draft Local Plan.

## **06.6 DEMOLITION OF EXISTING BUILDINGS**

**06.6.1** As set out above, the Application Site comprises part of a former gas works site, while large expanses of the Site have been cleared as part of earlier clearance and remediation works, there are still existing buildings on site. These include the Sainsbury's Store (with surface level car park, petrol filling station and service yard), Canalside House (office space) and the Boathouse Centre (16 affordable residential apartments above a sports activity centre). Given this historic use, the Site is known to be contaminated and further remediation work is proposed across the whole site, including within those parts of the Site occupied by buildings.

**06.6.2** While the uses which occupy these buildings are proposed to be re-provided within the new Development, the principle of demolition of these buildings are discussed below.

**06.6.3** Policy SI7 of the London Plan outlines the requirements to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible. The adoption of circular economy principles means creating a built environment where buildings are designed for adaptation, reconstruction and deconstruction. This intends to extend the useful life of buildings and allow for the salvage of components and materials for reuse or recycling. Further, London Plan Policy D3 requires development to aim for high sustainability standards and take into account the principles of the circular economy.

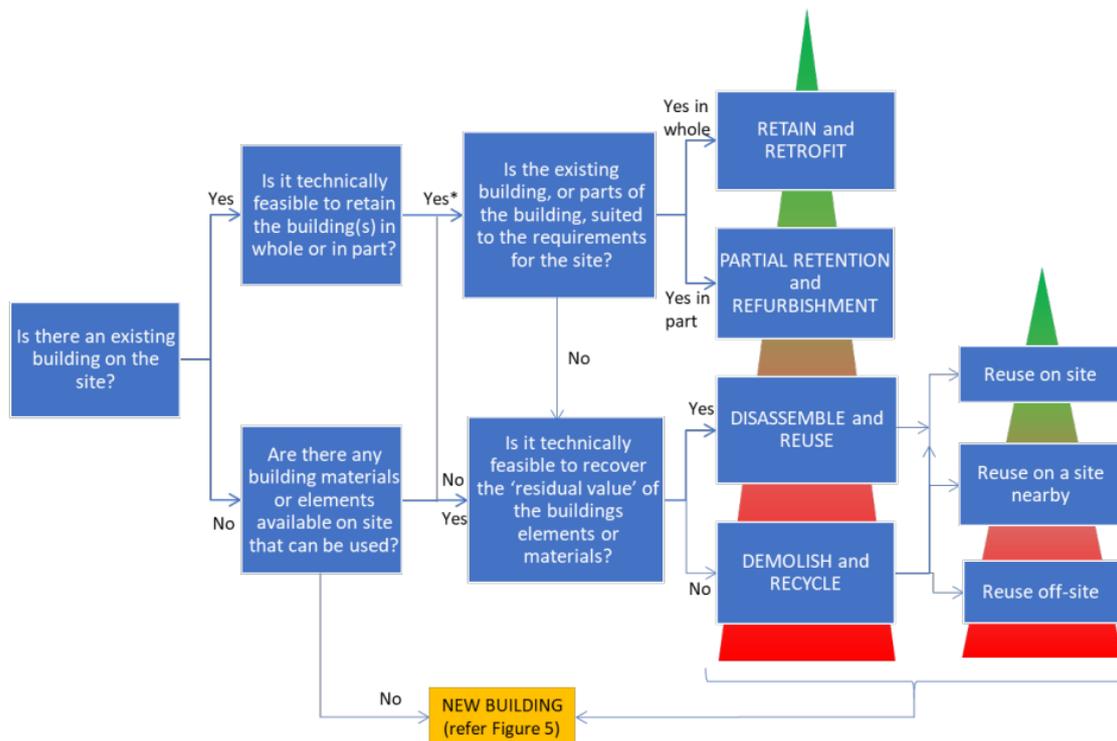
**06.6.4** The six Circular Economy principles include:

- / building in layers – ensuring that different parts of the building are accessible and can be maintained and replaced where necessary;
- / designing out waste – ensuring that waste reduction is planned in from project inception to completion, including consideration of standardised components, modular build, and reuse of secondary products and materials;
- / designing for longevity;
- / designing for adaptability or flexibility;
- / designing for disassembly;

/ using systems, elements or materials that can be reused and recycled.

**06.6.5** Where a development includes existing buildings, the following decision tree should be followed to inform the design process. London Plan Policy D3 states that the best use of the land needs to be taken into consideration when deciding whether to retain existing buildings in a development. Retaining existing built structures totally or partially should be prioritised before considering substantial demolition, as this is typically the lowest carbon option.

**Figure 4: Decision tree for design approaches for existing structures/buildings**



*Figure 15: London Plan Circular Economy Decision Tree*

**06.6.6** When assessing whether existing buildings are suited to the requirements for the site, London Plan Guidance requires applicants to robustly explore the options for retaining existing buildings (either wholly or in part). Where disassembly or demolition is proposed, applicants should set out how the options for retaining and reconstructing existing buildings have been explored and discounted; and show that the proposed scheme would be a more environmentally sustainable development.

**06.6.7** As noted above, the Proposed Development includes the demolition and reprovion of the existing buildings on Site (including Sainsbury’s store, Canalside House and the Boathouse). The supporting Circular Economy Statement prepared by Hoare Lea addresses the sustainability benefits of demolishing these existing buildings, however, as noted within the London Plan Guidance – Circular Economy Statements (2022), there may be other planning reasons that necessitate the demolition or retention of existing buildings and these are discussed below for completeness.

- 06.6.8** In addition to the relevant circular economy policies, as set out above, the Site forms part of a wider Opportunity Area within the London Plan and a strategic site allocation within the emerging and adopted Local Plan. These policies require the comprehensive redevelopment with a masterplan approach to the entire Opportunity Area including key issues such as movement, open space, height, community space and heritage (Kensal Canalside SPD).
- 06.6.9** It is recognised within the emerging Site Allocation that development should include “*The improvement and relocation of facilities currently provided by Canalside House and the Boathouse Centre on-site if relocation is required to achieve comprehensive redevelopment along the canalside and Ladbrooke Grove*”.
- 06.6.10** It is therefore considered that the adopted and emerging site allocation (as well as the adopted Kensal Canalside SPD) envisage the demolition of all buildings on site to deliver a significant number of public benefits.
- 06.6.11** Earlier development options for the redevelopment of the Ballymore and Sainsbury’s land did exclude the Boathouse Centre and Canalside House (identified as Plot 6 within the proposals) due to this land being under the ownership of RBKC. However, it has long been considered that Plot 6 should be considered alongside the wider development of the Ballymore and Sainsbury’s land (subject to the land being acquired from RBKC). The entirety of Plot 6 has therefore been brought into the Application Site boundary to ensure comprehensive redevelopment of the front of the Site.

#### **SAINSBURY’S STORE DEMOLITION**

- 06.6.12** The existing store is designed as a predominately single storey supermarket. It is therefore not designed structurally to include substantive additional extensions (particularly in the airspace above the store). The petrol filling station is designed for a single purpose and is not capable of retention.
- 06.6.13** Further, its location centrally within the Site (with external car parking areas and service yard) significantly constrain the Site development and prevent the required masterplan approach towards achieving a mixed-use development across the Opportunity Area.
- 06.6.14** As such, the existing Sainsbury’s store is proposed to be demolished. This ultimately enables the new Sainsbury’s store to replace it in a position in accordance with the SPD along with the additional of significant residential development above the new store. In turn, this unlocks the redevelopment potential of the whole Site as required under both current Site Allocation CA1 and draft Site Allocation SA1. Both allocations require the replacement (and as such, demolition) of the existing Sainsbury’s store. The existing building is therefore not suited for the requirements of the Site and demolition of the existing store is considered appropriate.
- 06.6.15** The existing Sainsbury’s store has been identified as no longer reflecting modern retailing standards and customer expectation. For instance, the aisle widths, product ranges and internal layout are no longer consistent with Sainsbury’s modern store format, which has limited the ability of the store to adapt to consumer demand and current shopping patterns. It is considered that the existing store is less sustainable in its current form and will benefit from a new building within the Development.

- 06.6.16** Consideration has been given to retaining and extending the existing building in line with London Plan guidance, however this is not considered feasible due to its location within the Site and the restriction this would provide in terms of providing residential accommodation above the store. The existing building is also not listed or located within a Conservation Area and therefore not protected under Local Plan Policy (CL3, CL4 and draft Policies CD3 and CD4) from a heritage perspective.
- 06.6.17** The principle of demolition of the existing Sainsbury's store is therefore considered acceptable as it ultimately enables the wider redevelopment of the Site, in line with strategic and local Policy (CA1 and SA1). The existing building is not suited for the requirements of the Site (which requires a replacement store) and demolition of the existing store is considered appropriate. As such, the existing building should not be retained on site within its location.

### **THE BOATHOUSE AND CANALSIDE HOUSE DEMOLITION**

- 06.6.18** The Boathouse Centre and Canalside House are both located within Plot 6 and are currently owned by RBKC. Given the location of these buildings at the front of the Site, they form part of the critical gateway to the wider Opportunity Area. As set out above, given the different land ownerships at the front of the site, these two buildings were not originally included within the proposed site boundary. However, through agreement with RBKC, this land has been included within the Application Site boundary to ensure comprehensive redevelopment of the Opportunity Area. To deliver this vision, the proposed redevelopment of the Site includes the demolition of the existing properties located within Plot 6 – The Boathouse and Canalside House.

#### ***The Boathouse Centre***

- 06.6.19** The Boathouse Centre comprises 16 affordable residential apartments above a community sports centre which uses the adjacent canal basin for recreational sports. The existing building bridges over the canal basin (at its entrance point into the canal) and includes a galleried access to the residential accommodation on the upper floors (with the predominate outlook of the apartments to the north). The building also includes undercroft car parking (at ground level) and does not allow any permeability through the site or up onto the canal path. The building is not of any particular architectural interest and is of poor quality construction and generally in a dilapidated condition.
- 06.6.20** The environmental performance of the existing building is considered to be moderate to poor and the water sports centre (run by the London Sports Trust) is limited in terms youth activities due to poor layout and facilities. The LST would welcome the opportunity to relocate to better facilities.
- 06.6.21** The proposals for the front of the Site envisage the removal of this building and improvement works to the canal basin, to extend its lifetime and useability. The construction of a new watersports centre with storage (at the southern part of the basin), the provision of a new residential building (with commercial / community uses at ground level) and the new Park (fronting Ladbrooke Grove). These works would not be possible without the demolition of the building.

- 06.6.22** London Plan Policy H8 requires Councils and Developers to always consider alternative options before considering the demolition and replacement of affordable homes. They should balance the potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts.
- 06.6.23** It is considered that their re-provision within the Development (in addition to the 25% affordable housing offer) will ensure that households are offered a high-quality home which surpasses modern standards including energy efficiency and access to private and communal amenity space.
- 06.6.24** Notwithstanding this, the re-provision within the site, as opposed to retention of the Boathouse building has been considered as the most appropriate option as this ultimately supports and enables the wider comprehensive redevelopment of the Masterplan in line with Policy Allocations SA1 and CA1. Part N of the Draft Site Allocation SA1 requires *'the improvement and relocation of facilities currently provided by Canalside House and the Boathouse Centre on-site if relocation is required to achieve comprehensive redevelopment along the canalside and Ladbroke Grove.'*
- 06.6.25** The demolition of the Boathouse (and Canalside House respectively – addressed further below) allows for space for a new public park, Ladbroke Gardens to be delivered which will create public open space at the entrance of the Site, provided early within the delivery timetable. This park will also allow space for the continued use of the site by Notting Hill Carnival which has historically used the site as part of the celebrations. The use of Plot 6 for public open space is discussed further, below. The existing building is therefore not considered suitable for the requirements of the Site.
- 06.6.26** In addition to the affordable homes, the Boathouse also includes an existing Activity Centre (run by the London Sports Trust) which occupies the lower floors for sporting and leisure activities. The London Sports Trust uses the existing canal basin for water sports. As noted above, the demolition of the existing building facilitates the wider redevelopment of the Site, however, to ensure the existing leisure uses are not lost, the Development proposes a new Activity Centre within Plot 6 for the continued use by the London Sports Trust. This new Centre is proposed to provide improved facilities to allow the London Sports Trust to deliver their water-based programs and activities – maintaining their relationship with the canal and basin.
- 06.6.27** It is important to note that the existing Boathouse building will not be demolished until the new homes and activity centre are built to ensure residents and LST are not placed in temporary accommodation, thus directly moving from one home to the other. It is therefore considered that the principle of demolition and re-provision of the existing Boathouse Centre are in line with Policies H8, CH1 and HO3.

### ***Canalside House***

- 06.6.28** As noted above, Canalside House is a small-scale office building which is currently occupied by a number of charities and small businesses. The building has an historic relationship with the former gas works and is recognised as a non-designated heritage asset due to its local history and importance, however, the overall quality of internal accommodation is considered to be low to moderate and the environmental performance of the building is poor (including an EPC rating of E – meaning the building will be unlettable to commercial occupiers from 2025).

- 06.6.29** The existing building turns its back onto Ladbroke Grove and effectively acts as an impermeable block along the northern extent of the site's frontage onto Ladbroke Grove. It also creates a pinch-point on the pavement adjacent to the existing site entrance (which can force pedestrians into the road at busy times). The building has suffered from graffiti and has a large (unsympathetic) fire escape attached externally to the building.
- 06.6.30** Further, the entrance into the building is internal within Site (via a small car park to the rear of the building) and the width of the building restricts the potential uses which could occupy it (largely to SME space).
- 06.6.31** The proposals envisage the removal of this building, with the opening up of the frontage onto Ladbroke Grove, the creation of a new public park (in this part of the site) and the widening off pavement areas around the new junction. These objectives cannot be achieved if the building is retained in its current position.
- 06.6.32** The demolition of Canalside House has been discussed within pre-application meetings with RBKC as an appropriate proposal to deliver the Policy requirements of the Site, which includes the provision of open space at the entrance of the Site. The demolition of the building will allow for a generous public space which invites the new and existing surrounding community into the Site. This aligns with Kensal Canalside SPD's vision for high-density development to deliver high-quality architecture and public open and green spaces at the Site. It also contributes to SPD Policy SS4 which requires an inclusive and accessible neighbourhood for all with safe and well-designed play space integrated. The retention of Canalside House therefore does not align with the requirements of the Site.
- 06.6.33** The principle of the Park within Plot 6 was accepted and welcomed by the Council and to deliver this it was understood that demolition would be necessary. However, during pre-application meetings with the Council, they queried whether there would be opportunity for the retention of Canalside House's fabric, which could include retention of the façade. This has been investigated alongside landscape architects Spacehub, who have proposed a number of measures to retain and incorporate some features / materials of the existing building into the new public park within Plot 6. Please see the supporting Landscape and Public Realm Strategy for further details.
- 06.6.34** Whilst Ballymore and SSL understand the desire for part retention of Canalside House, this is not considered appropriate when assessed against the wider requirements for the Site. The retention of the façade would maintain the cramped relationship between Ladbroke Grove and the property, restricting the sense of 'openness' proposed by the new public park (Ladbroke Gardens). It is considered that retaining a building line in this location would suggest a 'private' park and retract from the welcomed entrance of the Site to the wider community. Notwithstanding this, townscape principle 4 of Local Plan Site Allocation SA1 requires the Development to respond to the coherent range of heights on Ladbroke Grove and avoid overly stark enclosure of the street.
- 06.6.35** It is considered that the demolition of Canalside House and the Boathouse properties enables the best use of this land in line with London Plan Policy D3, noting that the uses within the properties are to be re-provided within the Site. The retention of both properties would compromise the proposed public park and would result in an awkward arrangement within Plot 6 – ultimately reducing the ability to achieve the minimum site requirements as set out within Policies CA1 and SA1, including residential and open space requirements.

**06.6.36** Notwithstanding the above, it is made clear within the Opportunity Area, Site Allocations and KCOA SPD that the demolition of the properties on Site form part of a strategic approach to the Site. To enable the quantity of development sought for the Site, it is expected that such demolition is crucial to its delivery. Therefore, it is considered that the retention of both Canalside House and the Boathouse are not suited to the requirements of the site.

## **ENVIRONMENTAL CONSIDERATIONS OF DEMOLITION**

**06.6.37** For the reasons set out above, demolition is considered the most appropriate measure to enable the Site to deliver the Policy Requirements as set out within Policies CA1 and SA1 of the Adopted and Draft Local Plan. The Proposed Development will demolish and (where feasible) recycle on-site. A Pre-Demolition Audit, prepared by T-Arnold Consulting supports this application. The Audit confirms that overall, there is a 95% target diversion from landfill. On site management options suggested for the various materials include bricks being recycled and used in the concrete aggregate, fill and road base; concrete can be separated from steel elements and crushed on site and reused for structural fill and pile mats; electrical equipment to be reused within the Development (provided they meet latest regulations) and asphalt/tarmac can be taken up and reused onsite for either tarmac hardstanding, capping or for sub-base.

**06.6.38** Notwithstanding the above points, the overall development proposed seeks to produce a highly sustainable development which would outweigh the environmental loss and demolition of the discussed buildings. The Development promotes a simple approach to energy efficient and low carbon buildings, that exploits the benefits of current and future technologies, and delivers performance outcomes in practice, minimising carbon emission now and in the future. An electric-led energy strategy is proposed, using Air Source Heat Pumps (ASHPs) to heat and cool indoor spaces and provide domestic hot water. In addition, available roof spaces will incorporate photovoltaic (PV) panels to generate renewable electricity on-site. Mechanical ventilation with heat recovery (MVHR) systems will be installed within the apartments. The above results in an approximate CO2 reduction of 59.9% carbon dioxide emissions across the Site against Building Regulations Part L 2021.

**06.6.39** Consideration will be given to the opportunity for reclamation and reuse of building materials on and off-site. As such, it is considered that the proposals to demolish the existing buildings on site allow comprehensive redevelopment of the Opportunity Area in accordance with adopted and emerging policy, and therefore the principle of demolition is compliant with the relevant planning policies.

## **06.7 RESIDENTIAL QUALITY**

**06.7.1** Making effective use of land is a long-standing national policy. It is critical to ensure that each site that comes forward is optimised in its potential for housing delivery using a design led approach. This ensures the best use of sites to deliver more homes without compromising on quality.

**06.7.2** The GLA have recently (2023) adopted a new Housing Design Guide for developments in London. It includes a set of standards for new residential development including minimum and best practice space standards, a target that all residential accommodation is dual aspect (except in exceptional circumstances), further requirements on amenity space, residential quality, cycle and car parking.

- 06.7.3** Although only part of the Proposed Development is submitted in detail, a set of Design Codes (both architectural and landscape) are submitted with the application to define 'rules' across the wider masterplan. These rules secure high quality residential accommodation throughout the Proposed Development and will ensure that the Outline Element achieves a high standard of accommodation. Such rules or aspects of the scheme include separation distances between blocks, wide streets, with defined street and pavement widths across the Development, the provision of private amenity space and roof terraces to provide additional communal amenity space.
- 06.7.4** All of these aspects are enshrined within the Design Code for the Outline Element and will ensure that the residential accommodation across both phases of the Proposed Development will be of high quality.

### **INTERNAL SPACE STANDARDS**

- 06.7.5** London Plan Policy D6 requires housing development to be of a high-quality design and provide adequately sized rooms for future residents, with comfortable and functional layouts that are fit for purpose and meet the needs of Londoners without differentiating between tenures. Alongside this policy, Table 3.1 sets minimum space standards for new dwellings, including levels of built-in storage.
- 06.7.6** RBKC use the nationally described minimum space standards as adopted in the London Plan as a benchmark for the size of homes. This optimises sites and meets these space standards but not going above them so significantly as to create very large homes. Draft Local Plan Policy HO1 states that the Council will resist very large homes by benchmarking floorspace against nationally described housing standards. The provision of super prime large homes has an impact on the ability of the Borough to meet its housing supply targets. Local Plan Policy H1 states all new homes should meet the internal space standards of the London Plan.
- 06.7.7** Local Plan Policy CH3 (Housing Size Mix and Standards) requires new residential developments to be designed to meet the housing standards on space and access as set out in the London Plan. Draft Local Plan Policy HO4 states all new homes must meet the minimum space standards as set out in the Nationally Described Space Standards.
- 06.7.8** The proposed residential units are well designed and will fully comply with the minimum internal space standards as set out in the London Plan, thereby providing sufficient and high-quality internal space for future occupants.

### **DUAL ASPECT AND OUTLOOK**

- 06.7.9** London Plan Policy D6 states that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution in relation to optimising site capacity than a dual aspect dwelling and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.
- 06.7.10** The GLA's recently adopted Housing Design Guide includes a target that all residential accommodation is dual aspect (except in exceptional circumstances).

- 06.7.11** The number of dual aspect units within the development has been maximised to ensure a high level of amenity for all future residents, as noted within the submitted Design Code. Furthermore, no single aspect north facing units have been proposed due to the difficulties for these units to achieve suitable levels of natural daylight and sunlight internally.
- 06.7.12** Further, all residential units have been designed to a high quality, regardless of whether they are single, dual or triple aspect.
- 06.7.13** As such, the provision of dual aspect units has been maximised throughout the scheme and single aspect north facing units have been avoided, thereby complying with London Plan Policy D6.

#### **PRIVATE AMENITY SPACE**

- 06.7.14** London Plan Policy D6 requires a minimum of 5sqm of private outdoor space to be provided for 1-2 person dwellings with an extra 1 sqm for each additional occupant and notes that private amenity space must achieve a minimum depth of 1.5 metre.
- 06.7.15** Local Plan Policy CH3 requires new residential developments to be designed to meet the housing standards on space and access as set out in the London Plan.
- 06.7.16** All new homes within the scheme will have their own balcony or terrace which will be designed to meet or exceed the minimum requirements as set out in the London Plan. This is secured through the Design Code for each Plot. The Proposed development will comply with the relevant private amenity space requirements and will provide a high standard of accommodation for future residents, in line with Policy D6.

#### **COMMUNAL AMENITY SPACE**

- 06.7.17** Although the Strategic and Local planning policy for RBKC does not set quantitative requirements for communal amenity space, London Plan Policy D6 states that housing development should be of high-quality design and sets out a number of qualitative aspects of a development that are key to ensuring successful sustainable housing. One such qualitative aspect is the provision of sufficient communal outside amenity space to meet the requirements of the number of residents, which is easily accessible from all related dwellings and is designed to support an appropriate balance of informal social activity and play opportunities for various age groups.
- 06.7.18** Local Plan Policy CH3 requires housing schemes to include outdoor amenity space. As part of the Proposed Development, communal amenity space dedicated to future residents is proposed, through podium courtyards and accessible rooftops, across all plots.
- 06.7.19** Plot 1 and Plot 4 courtyards provide amenity space and doorstep play which include a mix of clay pavers with self-binding gravel under the informal play trails and doorstep play equipment. It is proposed that these courtyards will also include picnic areas and allotment boxes. Planting has also been maximised while maintaining clear pathways through the garden. These courtyards will feature trees where possible and respond to their specific microclimate.

- 06.7.20** Plot 02 has the largest podium gardens within the Development and will include significant areas for children's play. The gardens balance play provision with providing general residential amenity. A membership-based leisure facility has been shown indicatively to include an external swimming pool in this area. As with the other courtyards, a simple palette of clay pavers is proposed with self-binding gravel under the informal play trails. A fire complaint safety surfacing will be used in formal play areas. For soft landscaping, a range of planting types is proposed including kitchen gardens, wildflower grassland and general amenity planting. The planting has been intensified to the south providing good tree canopy cover. The play spaces are shown to have some tree cover to provide shade during summer months.
- 06.7.21** Accessible Rooftops are also proposed for Plots 1 and 5. The rooftops offer good vantage points looking north over the Kensal Green Cemetery. A balance of play and general residential amenity has been proposed within these areas. The final design of the communal amenity spaces, including size and location of courtyard gardens and amenity terraces, will be subject to later Reserved Matters Application(s).
- 06.7.22** In addition to the dedicated communal amenity spaces, the Proposed Development also includes significant areas of public open space in the form of communal accessible parks and green space and improved canal walks and basins, discussed within the landscaping, public realm and open space section below.
- 06.7.23** The scheme seeks to provide accessible outdoor amenity space across the whole development to meet the needs of future residents. It is therefore considered that the proposals comply with Policies D6 and CH3.

## **PLAY SPACE**

- 06.7.24** London Plan Policy S4 sets out principles for developments that are likely to be used by children and young people. These include:
- / Increase opportunities for play and informal recreation and enable children and young people to be independently mobile.
  - / For residential developments, incorporate good-quality, accessible play provision for all ages. At least 10 square metres of playspace should be provided per child that:
    - a) *provides a stimulating environment*
    - b) *can be accessed safely from the street by children and young people independently*
    - c) *forms an integral part of the surrounding neighbourhood*
    - d) *incorporates trees and/or other forms of greenery*
    - e) *is overlooked to enable passive surveillance*
    - f) *is not segregated by tenure*

- / Incorporate accessible routes for children and young people to existing play provision, schools and youth centres, within the local area, that enable them to play and move around their local neighbourhood safely and independently.
- / For large-scale public realm developments, incorporate incidental play space to make the space more playable.

**06.7.25** Local Plan Policy CR5 requires major developments that include residential floorspace to provide on-site external play space in accordance with London Plan Policy S4, including for under-fives. This is repeated within Draft Local Plan Policy GB15.

**06.7.26** The submitted Landscape Design Code outlines the proposed provision of Playspace across the development. The Proposed Development includes a significant area of open space including two new public parks, the first fronting onto Ladbroke Grove at the front of the Site (Plot 6) and the second fronting the canal within Plot 4, the reopening of a historic canal basin within Plot 4 and communal amenity spaces including raised courtyards and roof top amenity terraces and the proposed south terrace play area.

**06.7.27** Taking into account the London Plan requirement that at least 10sqm of playspace should be provided per child, the following indicative requirement, within Figure 16, is calculated for the illustrative scheme.

	PLOT 1	PLOT 2	PLOT 4	PLOT 5	PLOT 6	TOTAL
<b>DOORSTEP PLAY AGES 0-4</b>	1,445sqm	1,246sqm	405sqm	270sqm	83sqm	3,449sqm
<b>LOCAL PLAY AGES 5-11</b>	1,176sqm	1,024sqm	282sqm	201sqm	60sqm	2,743sqm
<b>YOUTH PLAY AGES 12-18</b>	966sqm	861sqm	137sqm	130sqm	35sqm	2,129sqm
<b>TOTAL</b>	3,587sqm	3,131sqm	824sqm	601sqm	178sqm	8,321sqm

*Figure 16: Illustrative Playspace Requirement*

**06.7.28** The total required provision of playspace results in an indicative total requirement of 8,321sqm based on the illustrative housing mix prepared by FaulknerBrowns (assuming the maximum number of homes are delivered).

**06.7.29** The table below summarises the proposed playspace provision for the development, noting that this is indicative and the final playspace requirement for each plot will be determined through future Reserved Matters Applications. The below confirms that the scheme's indicative provision aligns with London Plan Policy for ages.

**06.7.30** While there is a noted shortfall in youth play provision (12+ years), the below assessment does not include the proposed Sport Facilities on site (Plots 2 and 6) which include indoor sports provision for youth ages, through the provision of multi-game courts. These areas will provide all-weather play facilities for the local community, contributing to the provision of play proposed. Notwithstanding the above, the nearest play spaces to the Site

include Emslie Horniman's Pleasance Park to the east of the Site, Queens Park Gardens to the north-east, Athlone Garden playground to the south east and Little Wormwood Scrubs to the southwest of the Site. These play spaces are all easily walkable from the Site, ranging from a 10-20 minute walk.

	INDICATIVE REQUIREMENT	INDICATIVE PROVISION	SURPLUS
DOORSTEP PLAY AGES 0-4	3,449sqm	3,706sqm	+257sqm
LOCAL PLAY AGES 5-11	2,743sqm	3,061sqm	+318sqm
YOUTH PLAY AGES 12-18	2,129sqm	2,436sqm	+307sqm
TOTAL	8,321sqm	7,708sqm	+882sqm

Figure 17: Proposed Illustrative Playspace Provision

## ACCESSIBILITY

- 06.7.31** London Plan Policy D5 states that development proposals should achieve the highest standards of accessible and inclusive design, providing high quality, people focussed spaces that are convenient and welcoming with no barriers to use by disabled people and designed to incorporate safe and dignified emergency evacuation for all building users.
- 06.7.32** London Plan Policy D7 also relates to accessibility and states that developments should provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Residential development must ensure that:
- / at least 10% of dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings'
  - / all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'
- 06.7.33** Draft Local Plan HO4 also states that all new homes must be designed to be accessible. To ensure this, 90% of new homes must meet Building Regulations requirement to be M4 (2) "accessible and adaptable dwellings". A minimum of 10% of new homes must meet Building Regulations requirement M4(3) "wheelchair user dwellings" in line with London Plan Policy D7 above.
- 06.7.34** The Application Scheme will provide a minimum of 10% wheelchair units (M4(3) standard) across a variety of tenures and unit sizes. This has been secured within the Design Code for each Plot. Within the affordable homes, all social rent homes will meet Building Regulations requirement M4(3) "wheelchair user dwellings" and market and intermediate homes will be wheelchair adaptable (M4(3) compliant) in line with Policies D5, D7 and HO4. The Proposed Development therefore complies with policy.

## INTERNAL DAYLIGHT AND SUNLIGHT

- 06.7.35** Under Local Plan Policy CL5, the Council requires all development ensures good living conditions for occupants of new, existing and neighbouring buildings. This includes ensuring that good standards of daylight and sunlight are achieved in new development.
- 06.7.36** Given the final massing and internal layouts of the residential dwellings will be subject to detailed design at Reserved Matters stage, a Daylight and Sunlight Potential Assessment, prepared by GIA, has been undertaken to understand the likely levels of internal daylight and sunlight for the Proposed Development and the sunlight availability for the proposed areas of amenity within the site.
- 06.7.37** To this end, Vertical Sky Component (VSC) for an illustrative scheme has been undertaken. VSC is a metric to evaluate the level of obstruction faced by a building and the potential for good daylight indoors. The VSC may also be used to appraise the daylight quality in the early stages of the design, when room layouts or window locations are still undecided. In addition, a typical internal arrangement for the illustrative plots' design was assessed in detail. Overshadowing assessments were also carried out for all proposed open spaces at ground and roof level within the site.
- 06.7.38** Overall, the results of the daylight assessments show that the proposed indicative scheme has very good daylight potential. Daylight levels are generally higher on the outer façades and at the upper floors. Mid-range VSC levels are typically seen in the areas of the facade below, or behind balconies, or at the lowest floors, where blocks face one another. The report notes that design mitigations can be implemented to respond positively to these instances where daylight levels are lower. These will be explored during detailed design, at Reserved Matters Stage.
- 06.7.39** All the areas of amenity, as detailed by the landscape strategy, have been tested for overshadowing. This includes areas at ground, podium and roof levels. The Building Research Establishment (BRE) guidance recommends that, in order for an area to appear well sunlit throughout the year, at least half of it ought to see a minimum of two hours of sunlight on 21st March. The overshadowing assessments show that the majority of the tested spaces meet or exceed the recommendations set out by the BRE on 21<sup>st</sup> March.
- 06.7.40** Some areas located in the more constrained areas to the north of the Development fall short of the recommendation, these areas are affected by the shadows from the plots located to the south. Although falling short of the recommendation, these areas achieve over 1.5 hrs of direct sunlight on the 21<sup>st</sup> March and the BRE 2 hours recommendation is met just a few days later than the 21<sup>st</sup> March. This is therefore considered a marginal shortfall. The levels of sunlight in the summer period are excellent in all areas, when open spaces are mostly likely to be used.
- 06.7.41** Overall, the assessment indicates that the indicative scheme, as proposed within the Outline Elements has the potential to deliver very good daylight and sunlight levels. The sunlight availability within the vast majority of the proposed areas of public or communal amenity is considered to be equally good. The scheme allows for maximised daylight and sunlight levels while still providing optimum density and thermal comfort, among many other benefits. The indicative scheme meets Policy CL5.

**06.7.42** Further, with regard ensuring good living conditions for occupants of existing and neighbouring buildings, the Daylight Sunlight and Overshadowing chapter of the ES assesses the impact on the surrounding sensitive receptors including Kensal House, the Water Tower and existing canal boats on the Grand Union Canal. The assessment concludes that overall, the residential buildings currently receive very high levels of daylight, owing to the underdeveloped nature of the existing site. It concludes that there are potential daylight and sunlight effects arising from the Proposed, however, the retained levels of daylight should be considered adequate in the context of an urban area undergoing regeneration. The Proposed Development will therefore not have an undue impact on the quality of surrounding residential properties and living conditions and is acceptable in this regard in line with Policy CL5.

## **06.8 COMMUNITY HOUSING / AFFORDABLE HOUSING**

### **POLICY CONTEXT**

**06.8.1** Policy H4 (Delivering Affordable Housing) of the London Plan sets a strategic target of 50% affordable housing across London, while Policy H5 (Threshold Approach to Applications) sets a threshold level of 35% affordable housing (measured by habitable room) to benefit from the Fast Track Route (except for development on public land or resulting in a net loss of industrial capacity, where the threshold is set at 50%). Where an application does not meet the requirements set out in this policy to follow the Fast Track Route, this policy stipulates that developments must follow the Viability Tested Route.

**06.8.2** Current Local Plan Policy CH2 (Affordable Housing) states that the Council will seek the maximum reasonable amount of affordable housing. Developments must provide a minimum of 35% of all residential floorspace as affordable housing on sites that provide 650sqm or more of gross residential floorspace (gross internal area) once the threshold is met, all gross residential floorspace is liable for an affordable housing contribution.

**06.8.3** Within the new Draft Local Plan, Policy HO3 (Community Housing), developments should provide at least 35 per cent community housing by floorspace on-site on private land and at least 50 per cent by floorspace on-site on public land where there is no portfolio agreement with the Mayor. All exceptions to this will be required to follow the viability tested route as set out in the London Plan to demonstrate the maximum deliverable amount of community housing through an open book financial viability assessment.

**06.8.4** The New Draft Local Plan states that as of 31<sup>st</sup> July 2022 there are approximately 3,090 households on the housing register with 2,133 in temporary accommodation. The Council require the maximum reasonable amount of community homes on its sites, and this is reflected within the Policy requirements (HO3), as set out within Draft Local Plan.

### **THRESHOLD APPROACH TO AFFORDABLE HOUSING**

**06.8.5** Footnote 59 of the London Plan recognises that *“surplus utilities sites are subject to substantial decontamination, enabling and remediation costs. If it is robustly demonstrated that extraordinary decontamination, enabling or remediation costs must be incurred to bring a surplus utilities site forward for development, then a 35 percent*

*affordable housing threshold could be applied, subject to detailed evidence, including viability evidence, being made available.”*

- 06.8.6** The Application Site comprises former utilities land and the supporting FVA and associated cost plan demonstrates significant remediation and decontamination costs required to successfully deliver a residential-led development on this Site. As such, it is considered that the Ballymore and SSL owned portion of the Application Site should be subject to the 35% threshold approach.
- 06.8.7** It is recognised that the RBKC owned land at the front of the Site (Plot 6) comprises public sector land and therefore this element of the Site is subject to the 50% threshold level. The GLA’s Practice Note on the Threshold Approach to Affordable Housing on Public Land sets out the calculation for the overall Affordable Housing threshold level when a Site comprises a mix of public and private owned land.
- 06.8.8** Given the relatively small proportion of the Site which comprises public sector land, the threshold approach for the Application Site increased marginally to 35.7%.

#### **PROPOSED AFFORDABLE HOUSING OFFER**

- 06.8.9** The Proposed Development will seek to achieve a minimum of 20% affordable housing by unit (25% by habitable room) which is the maximum that can be reasonably delivered on-site as demonstrated by the supporting Financial Viability Appraisal prepared by Gerald Eve. In addition to this, the Proposed Development will re-provide the 16 existing affordable homes currently within the Boathouse Centre. The 16 re-provided homes are not included within the 20% provision.
- 06.8.10** RBKC’s adopted Community Housing SPD (2020) sets out the required tenure for affordable homes in the Borough. It states that “Where on-site affordable housing is secured, the tenure mix should be provided in-line with Policy H6: Affordable Housing Tenure of the NLP and the latest evidence of need as follows:
- / 70 per cent social rent in most circumstances or affordable rent at London Affordable Rent levels in some cases as set out in the SPD.*
  - / 30 per cent intermediate at London Living Rent levels at lowest ward level of LLR in the borough (currently Notting Dale ward).”*
- 06.8.11** The Proposed Development will therefore seek to deliver 25% affordable housing (by habitable room) on site, with a tenure split of 68% social rented and 32% intermediate.
- 06.8.12** The location of the affordable housing is within Plot 2 (Phase 1) and Plot 1 (Phase 2). The high-quality design of these plots makes no distinction between affordable and open market homes. This tenure blind approach integrates the affordable homes into the scheme seamlessly.
- 06.8.13** No residential units are proposed within the Detailed Element; therefore all of the affordable housing is located within the Outline Element of the scheme. Notwithstanding this, the majority of the affordable homes will be delivered within the first phase of the development.

**06.8.14** The table below summarises the illustrative affordable housing provision, assuming the maximum number of homes are delivered.

	UNITS	% OF UNITS	HAB ROOMS	% of HAB ROOMS
<b>TOTAL HOMES</b>	2,519	100%	7,023	100%
<b>AFFORDABLE (TOTAL)</b>	500	20%	1,767	25.24%
<b>SOCIAL RENT</b>	342	14%	1,382	19.7%
<b>INTERMEDIATE</b>	158	6%	385	5.5%
<b>PRIVATE</b>	2,019	80%	5,256	74.8%

Figure 18: Illustrative Affordable Housing Provision

**06.8.15** RBKC’s Community Housing SPD states that, with regard to Opportunity Sites, it expects 50 per cent affordable housing on such sites to enable them to follow the Fast Track route. However, footnote 59 of the NLP recognises that *“if it is robustly demonstrated that extraordinary decontamination, enabling or remediation costs must be incurred to bring a surplus utilities site forward for development, then a 35 percent affordable housing threshold could be applied, subject to detailed evidence, including viability evidence, being made available.”*

**06.8.16** Notwithstanding the above, the SPD further notes that given the scale and complexity of the Opportunity Area sites, it is likely that a Viability Tested Route will be applicable for any planning applications. Any departure from planning policy will need to be robustly justified and supported by evidence.

**06.8.17** Within the Kensal Canalside Opportunity Area SPD, Section 5.1 states that, while Policy targets the provision of 35% (by floorspace and habitable room) of new residential accommodation to be affordable, it is recognised that even these levels of affordable housing may be difficult to achieve. Initial capacity testing by the Council indicated that the high decontamination and infrastructure costs mean that it may only be possible to achieve 30% (by habitable room) within the higher development scenario of 5,000 new homes without additional funding. The Council therefore recognises that, even if the overall delivery of homes with the Opportunity Area were increased to the maximum envisaged by policy to 5,000, 35% affordable housing levels may still not be achievable.

**06.8.18** As noted above, Gerald Eve have prepared a full Financial Viability Appraisal (FVA) supports this planning application. The FVA has undertaken a present-day analysis using realistic residential sales values and costs to determine the maximum reasonable quantum of affordable housing that can be delivered on site.

**06.8.19** The FVA demonstrates that, with appropriate sensitivity testing, the maximum reasonable quantum of affordable housing that the Proposed Development can support is 25% affordable housing (by habitable room), 20% (by unit) and 20% (by floorspace).

**06.8.20** The supporting FVA evidences the KCOA SPD assumption, outlining the exceptional development costs relating to contamination and remediation of the Site which ultimately result in the 20% provision.

**06.8.21** The FVA demonstrates that the Applicant has provided the maximum reasonable amount of affordable housing. The provision of affordable housing has been maximised in line with London Plan and Local Plan policies and the proposal should therefore be considered acceptable in this regard. In accordance with the London Plan, we anticipate there will be review mechanisms within the S106 agreement used to reassess viability at a later stage in the development, in order to establish whether any additional contributions to affordable housing can be afforded.

#### **DEVELOPMENT INFRASTRUCTURE FUNDING STUDY (DIFS)**

**06.8.22** As part of the Kensal Canalside Opportunity SPD, the Council commissioned a Development Infrastructure Funding Study (DIFS) to understand the cost of ensuring the Opportunity Area is developable and reflecting the likely off-site infrastructure improvements to accommodate the quantum of development. In part, this reflects the fact that the Opportunity Area is not liable for Local CIL and therefore allows a more bespoke approach to redevelopment of the Opportunity Area. The DIFS report was first prepared in 2016 and updated in 2021 (Kensal Canalside Development Infrastructure Funding Study Refresh). The DIFS reports also form part of the evidence base for the Strategic Site Allocation within the emerging Local Plan.

**06.8.23** Further work has been undertaken by the Applicant Team in reviewing the infrastructure requirements for the Site and associated costs as set out within the DIFS. This includes an apportionment of the costs between the different landholdings across the Opportunity Area based on the number of residential units proposed.

**06.8.24** For the purposes of the Financial Viability Assessment (FVA), the sums in the 2021 DIFS have been utilised to demonstrate that the required infrastructure can be delivered. However, it should be noted this has been based on 2021 cost estimates (as per the DIFS Refresh) and therefore should be subject to further review.

**06.8.25** The FVA includes an allowance for DIFS items that are expected to be delivered on-site, directly by the Applicant as development costs is £34.6 million, in addition to a financial contribution £29.78 million towards DIFS costs that have been categorised as planning related contributions (i.e. S106 obligations).

**06.8.26** The Applicant would welcome further discussions with the Council to determine the priority funding areas for the DIFS contribution and how the appropriate financial contribution across all land parcels within the Opportunity Area can be appropriately determined and secured.

### **06.9 HOUSING MIX**

**06.9.1** London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and developments should determine their appropriate mix of uses based on robust local evidence of need (London Strategic Housing Market Assessment – LHMA) alongside other context factors.

**06.9.2** Local Plan Policy CH3 (Housing Size Mix and Standards) aligns with London Plan objectives, requiring “new residential developments to include a mix of types 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.” This is echoed within Draft Local Plan Policy HO4.

**06.9.3** In regard to housing mix, the Kensal Canalside Opportunity Area SPD notes that “it is important that the size of homes that are built at Kensal Canalside meets the needs of our communities. A mix of types and sizes of homes will be sought taking into account current evidence in relation to housing need”. However, the SPD does not set a prescriptive housing mix for the redevelopment of the Opportunity Area.

**06.9.4** According to the LHMA (2022) the Borough is likely to see a 7% decrease in households with children. By 2040 the Borough will have lost 13% of its younger households. At the same time, it finds that there is a high level of under occupancy around 44% particularly (though not exclusively) in the owner-occupied sector.

**06.9.5** Therefore, Draft Local Plan Policy HO4 states that there is a higher need for smaller homes, with a market housing bedroom size need of:

*/ 1 Bedroom – 35%*

*/ 2 Bedroom – 40%*

*/ 4 Bedroom – 20%*

*/ 4+ Bedroom – 5%*

**06.9.6** And an affordable housing bedroom size need of:

*/ 1 Bedroom – 16%*

*/ 2 Bedroom – 44%*

*/ 3 Bedroom – 28%*

*/ 4+ Bedroom – 12%*

**06.9.7** The Outline Element of the scheme seeks permission for a maximum level of residential floorspace of 290,913.5sqm (GEA). There is 8,244.5sqm (GEA) ancillary residential floorspace proposed within the Detailed Element (comprising spaces such as lobbies and cycle parking), but there are no homes provided within the Detailed Element.

**06.9.8** The maximum provision of residential floorspace within the Outline Area could accommodate up to 2,519 units depending on the precise mix of unit sizes.

**06.9.9** In line with local need, the Proposed Development seeks to deliver a higher percentage of one- and two-bedroom homes. The below figures sets out the proposed range of percentages of types of residential unit per tenure to be delivered across the Site through future Reserved Matters Applications. These ranges will be secured through the Development Specification to ensure an appropriate mix of housing is delivered. The lower number within each cell indicates a minimum percentage of units to be achieved across the whole scheme per tenure. Please note these figures are indicative and will be finally set by the subsequent Reserved Matters Applications.

UNIT SIZE	% OF UNITS (PRIVATE TENURE)	% OF UNITS (INTERMEDIATE TENURE)	% OF UNITS (SOCIAL RENTED TENURE)
<b>STUDIO</b>	10-15%	0%	0%
<b>1 BED</b>	25-35%	40-60%	15-20%
<b>2 BED</b>	30-40%	40-60%	25-35%
<b>3 BED</b>	12-22%	0-5%	30-45%
<b>4 BED</b>	0-5%	0%	8-15%

Figure 19: Illustrative Housing Mix

**06.9.10** The above figures evidence a mix of types and sizes of homes to reflect the varying needs of the borough, with a larger proportion of 2-3 bed homes proposed, in line with the SHMA findings (suggesting a higher need for smaller homes). The proposed indicative housing mix is appropriate and complies with Policies H10, CH3 and HO4.

## **06.10 APPEARANCE AND LAYOUT**

**06.10.1** London Plan Policy D4 states that masterplans and design codes should be used to help bring forward development and ensure it delivers high quality design and place-making through a design-led approach.

### **THE DEVELOPMENT (SITE LAYOUT)**

**06.10.2** Policy CL1 of the Adopted Local Plan requires all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions, including being inclusive for all. It requires development to:

- / contribute positively to the townscape through the architecture and urban form, addressing matters such as scale, height, bulk, mass, proportion, plot width, building lines, street form, rhythm, roofscape, materials and historic fabric as well as vistas, views, gaps, and open space;
- / respond to the local context;
- / ensure the density of development is optimised and sensitive to context;
- / to enhance the waterside character and setting when located next to rivers and canals, including opening views and securing access to the waterway; and
- / adopt a comprehensive approach to site layout and design including adjacent sites where these are suitable for redevelopment, resisting schemes which prejudice future development potential and/or quality.

**06.10.3** Within the current Site Allocation, CA1, the Site is allocated for a comprehensive development of the site which is in accordance with an urban design framework set out in the Kensal Canalside Opportunity Area SPD. This is repeated within the Draft Local Plan Site Allocation SA1 which requires a comprehensive development of the site in accordance with the Kensal Canalside Opportunity Area SPD.

- 06.10.4** The Proposed Development consists of 5 Plots which are primarily residential in nature on upper floors with ground floor activation throughout the scheme providing the new Neighbourhood Centre.
- 06.10.5** The plots are arranged with internal streets separating each plot and a central spine road from Ladbrooke Grove to the new Sainsbury's store at the end of the High Street. The proposed street layout has sought to create clear and legible routes through and around the Site which make it easy for residents and visitors to find their way and draw people through the Site to the key features, such as towards the Neighbourhood Centre, Sainsbury's store and the Canal frontage.
- 06.10.6** The series of plots begins with Plot 6 at the entrance of the site, which been designed as to welcome visitors into the Site, through the provision of a new publicly accessible green space and improved signalised junction which improves pedestrian safety into the Site.
- 06.10.7** Plots 1 and 5 then lead visitors through the Neighbourhood Centre, via The Avenue towards the centre of the Site, which includes Plot 2's Sainsbury's store and an array of commercial, leisure and retail uses. Visitors from here are able to explore the wider site, either to South Drive's landscaped edge to the South, or to Plot 4 and the canal frontage which includes the reopened canal basin. The Proposals have safeguarded land within Plot 2 to the South, to allow for a potential pedestrian and cycle bridge to be delivered, linking the Site to the North Pole Site, across the railway. Ballymore and SSL remain committed to working with the Council and other stakeholders to ensure successful delivery of the railway bridge, including a substantial financial contribution and guaranteed landing area for the bridge.
- 06.10.8** Plot 4 sits at a strategic point in the Development, where the canal to the north curves and the geometry of the Development shifts from a grand central boulevard to a neighbourhood-scale series of streets. This is also the point at which the character changes from a busy high street to the East, with commercial ground floors and active frontage lining the approach from Ladbrooke Grove to the quieter and more residential character to the West.
- 06.10.9** Plot 3 is situated to the west of the Masterplan and comprises the former Gasholder Site, owned and expected to be developed by Berkeley St William. Whilst this sits outside of the Application Boundary, the Development has sought to provide a comprehensive approach which safeguards and enables the delivery of this Plot. This is demonstrated through the proposed road and street network which enables access to Plot 3, integrating the Plot into the wider Masterplan and adjacent Neighbourhood Centre. The Proposed Development also safeguards the delivery of Plot 3 through infrastructure proposals including the provision of a drainage/ foul water connection.
- 06.10.10** Overall, it is considered that the layout of the Proposed Development will deliver a high-quality development that is clear and legible for both residents and visitors and respects the surrounding pattern of development. The Proposed Development therefore complies with the relevant planning policies and should be considered acceptable in this regard.

## ARCHITECTURAL DESIGN

- 06.10.11** The National Design Guide (2021) provides a range of principles and guidance to ensure how well-designed places can be achieved in practice. Well-designed places and buildings are defined as visually attractive and aim to delight their occupants and passers-by. They cater for a diverse range of residents and other users. The design guide promotes that all design approaches and architectural styles are visually attractive when designed well.
- 06.10.12** Well-designed places contribute to local distinctiveness. This may include:
- / adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area;
  - / drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings;
  - / using local building, landscape or topographical features, materials or planting types;
  - / introducing built form and appearance that adds new character and difference to places, with particular attention to how buildings meet the ground and sky;
  - / creating a positive and coherent identity that residents and local communities can identify with.
- 06.10.13** Policy CL2 of the Adopted Local Plan also provides a series of Design Quality criteria to ensure development is of the highest architectural and urban design quality to improve the character of the area and the way it functions. Development should be functional, robust, attractive, locally distinctive, sustainable, inclusive and secure. This is repeated in Draft Policy CD2 (Design Quality, Character and Growth).
- 06.10.14** RBKC's Draft Local Plan broadly aligns with the above as Draft Policy CD1 (Context and Character) requires development to be beautiful, respecting the existing context, character and appearance, including historic characteristics. For strategic development sites, such as the Borough's Opportunity Areas, this Policy requires development to relate positively to existing context, even where development is at a scale that it can set a new character in itself.
- 06.10.15** The KCOA SPD (2021) also states that the Proposed Development must seek to deliver a well-designed neighbourhood that delivers a well-considered layout and exceptional architectural quality, drawing from the high-quality pattern of development within the borough and local context.
- 06.10.16** The SPD recognises that the scale and density of the development required at Kensal Canalside will be a step change from the existing pattern of development in much of the Borough. However, there is an opportunity and expectation that Kensal Canalside maintains this legacy of delivering high quality architecture and public realm within a modern context. Inspiration should be taken from the distinctive elements of the wider borough to ensure that Kensal Canalside clearly reads as a modern natural extension of the borough.

- 06.10.17** As noted previously, the application follows a ‘hybrid’ approach with part submitted in Outline and part in Detail. As such, a set of Design Codes (both architectural and landscape) are submitted with the application to define ‘rules’ across the wider Development. These rules secure high quality residential accommodation throughout the Proposed Development and will ensure that the Outline element achieves the same high-quality accommodation as shown in the Detailed Element.
- 06.10.18** The scheme design seeks to tap into a range of characteristics from the surrounding context to bring a sense of diversity within a collection of distinct buildings. The Proposed Development incorporates pastel, tonal shades alongside darker brick. The lighter colour palette allows daylight through the streets while some blocks have a darker coloured building to ground each building and create variety in the streetscape. Along with a limited colour palette, the Proposed Development has sought to use materials that are robust, and when combined with high quality detailing, will provide a sense of high-quality attractiveness.
- 06.10.19** The design incorporates elements of Regency architecture at both a macro and micro scale as part of a recipe for a contemporary interpretation of the classical architecture of the area. For example, the Crescent building (Plot 1) reflects one of the most representative residential typologies in the Borough as one of its strongest design principles. The crescent at the eastern end follows the curved wall of Kensal House showing due regard to the listed building and tying the development into the existing urban form. Looking further into North Kensington’s architecture, the rounded street corner appears as one of its key streetscape features. This urban shape is incorporated to the design as another way of showcasing the area’s architectural tradition in urban design.
- 06.10.20** The proposed Townhouses facing Kensal House offer a balance between architectural heritage and 21st century living. The result is a design language that evokes its North Kensington counterparts and creates a contextual extension of the surrounding streets.
- 06.10.21** Plot 6 captures elements of Regency architecture through a series of arches at ground-level effectively interacting with the landscaped gardens and the canal basin.
- 06.10.22** Plot 4’s design varies from Plot 1 taking its design cues from post-industrial revolution dockside warehouse buildings found across London’s rivers and canals, as well as the typical residential mansion block typology found across west London. This design optimises views both into and out of the commercial frontages, fostering a strong relationship between the shops and the public garden. Of the five buildings on Plot 4, there are three building types. These are: a wharf building (next to the reinstated canal basin), three mansion blocks that define public and semi-private gardens, and the tower.
- 06.10.23** The indicative wharf building (Building 4.5) has a distinctive upright, pitch-roofed redolent of post-industrial revolution dockside warehouse buildings found across London, found along both rivers and canals. The mansion blocks (Buildings 4.2, 4.3 and 4.4) recall the genteel red and white residences of West London, such as in Maida Vale and Marylebone, and help to define the domestic character of the park and gardens. The tower (Building 4.1) sits at the heart of the Development and marks the change of orientation of the avenue. It is similarly comprised of masonry and distinctly architectural details and so sits comfortably alongside the mansion blocks, but its overall expression is more abstract.

**06.10.24** This architecture is continued into Plot 5 which reflects the coal gas Retort Building typology. With the disappearance of the steel framed Gasholders, the memory of the Retort Building is brought back to the present as a Scheme marker to celebrate the industrial spirit of the site. A robust palette of materials employing both brick and patinated concrete is considered suitable in this location to ensure permanence and a lasting quality to these buildings.

**06.10.25** While the layout of Plot 2 aims to discretely integrate the new Sainsbury's store within the mixed-use proposals, it is critical that the Store frontage is visible and clearly legible to customers. These components have informed the detailed design of the colonnaded Storefront addressing the new Avenue and West Drive. While the use of architectural form and detailing on other buildings within Plot 2 cohesively complement the rest of the scheme, the store is proposed to introduce the use of off-white glazed faience to define the colonnade and provide a backdrop to the Store signage. The use of this material aims to define the grander scale from a distance, while the detail and setting out introduce a more human scale when viewed up close. The finish of the glazed tiles adds texture and depth, suggestive of the glazed tiles commonly used in Victorian shopfronts (as shown in Figure 20 below).



*Figure 20: Historic Photograph of Sainsbury's shopfront*

**06.10.26** Based on the above, it is considered that the Proposed Development, through its strict parameters within the design code, seeks to respect the existing context, character and appearance, including historic characteristics of the Borough and wider area.

**06.10.27** The scheme, while principally in Outline, has been developed within strict parameters to ensure a high-quality design which respects the context, character and appearance of the area can be delivered, in line with Policies CL1, CL2, CD1 and the KCOA SPD.

## **06.11 SCALE AND MASSING – TALL BUILDINGS**

### **POLICY CONTEXT**

**06.11.1** There is a requirement in the London Plan and Site Allocations (adopted and emerging) for a significant number of homes on the wider Opportunity Area. The Application Site forms a large portion of the wider Opportunity Area, and therefore is required to deliver a significant proportion of the total number of homes required by policy.

**06.11.2** Policy D9 of the London Plan requires Boroughs to determine suitable locations where tall buildings may be an appropriate form of development. This process should include engagement with neighbouring boroughs that may be affected by tall building developments in identified locations. Any such locations and appropriate tall building heights should then be identified on maps in Development Plans. Policy D9 also requires Boroughs, within their Development Plans, to define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.

**06.11.3** To achieve the level of homes required, Local Plan Policy acknowledges that tall buildings will be required on Site (paragraph 10.8 of the Draft Site Allocation SA1). The adopted Site Allocation states in Paragraph 10.10 that the Opportunity Area is a suitable location for tall buildings because of the development capacity potential identified through the site's designation in the London Plan as an Opportunity Area, and regard to local capacity studies undertaken.

**06.11.4** The KCOA SPD states in Section 6.1 that the scale and density of the development required at Kensal Canalside will be a step change from the existing pattern of development in much of the Borough.

**06.11.5** As part of the New Local Plan Review, the Council commissioned a building heights study to assess the visual impact of redevelopment of the Opportunity Area upon the townscape in the immediate and wider context. This work has been used to set out a townscape response to scale and building heights.

**06.11.6** Draft Site Allocation SA1, part (I) states that tall buildings and the site wide building heights strategy must not exceed the parameters set out in in Figure 10.1. Where tall buildings are deemed appropriate, they must not exceed 98m from the ground level to the top of the building or approximately 31 storeys.

**06.11.7** The Kensal Canalside Opportunity Area SPD states that:

*“The impact of any tall building development proposal (above 18 metres) will be assessed in line with Policy D9 (C) and (D) of the London Plan which will involve (amongst other criteria) an assessment of visual impacts from different distances; whether a group or stand-alone tall buildings are reinforcing the spatial hierarchy of the local and wider context to aid legibility and wayfinding and that architectural quality and materials are of an exemplary standard. Proposals for any tall buildings (above 18 metres) that will result in harm to designated heritage assets, particularly the setting of the listed Kensal Green cemetery will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.”*

**06.11.8** The SPD also includes a diagram which indicates an indicative height strategy across the Opportunity Area. This shows a general height strategy of 4-20 storeys, with four areas identified where taller buildings might be acceptable outside of the general height strategy. This is shown below in Figure 21.

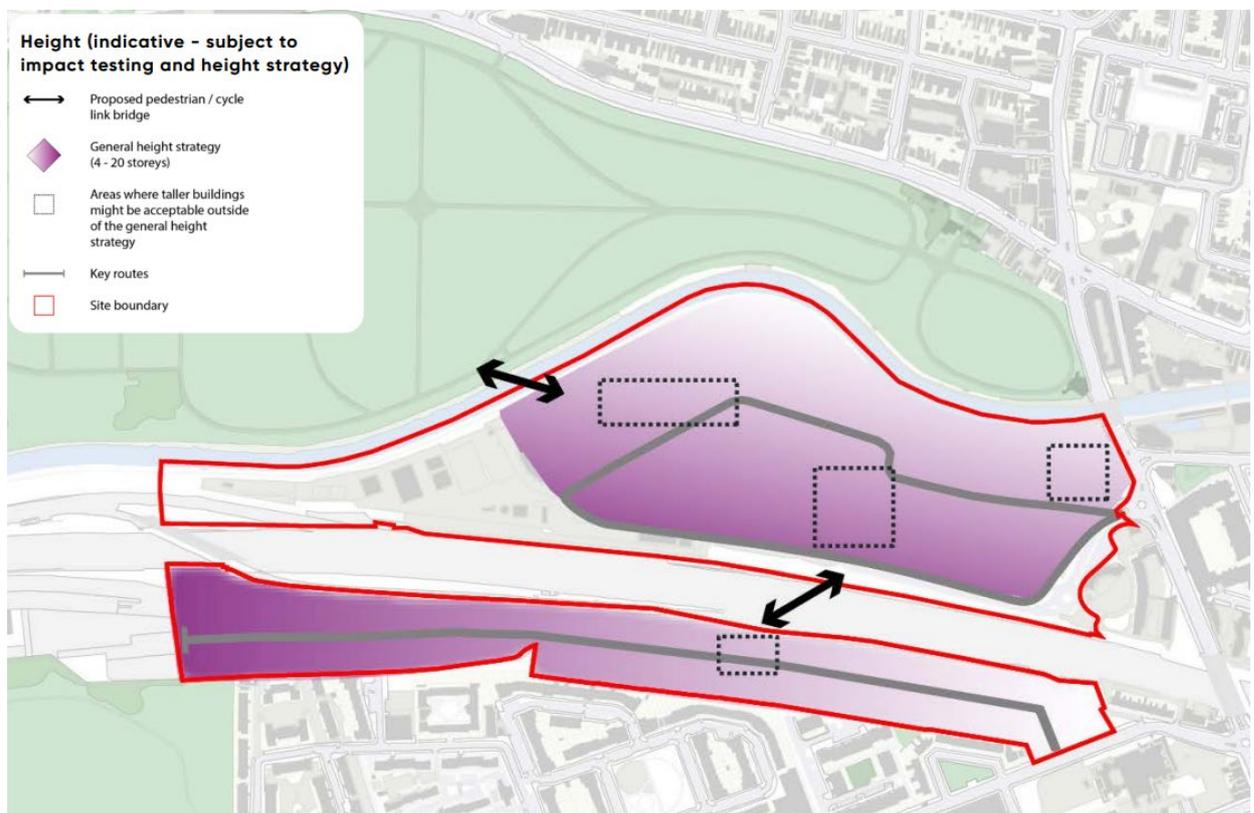


Figure 21: Kensal Canalside OA SPD - Indicative Height Strategy

**06.11.9** While the SPD does not form part of the Development Plan (being a guidance document rather than adopted policy), the Site Allocation within the Local Plan does form part of the adopted Development Plan and this requires compliance with the SPD and the urban design framework contained within the SPD. The Local Plan therefore requires compliance with the height strategy set out in the Kensal Canalside Opportunity Area SPD.

**06.11.10** The London Plan defines tall buildings as generally those that are substantially taller than their surroundings and cause a significant change to the skyline. Boroughs' definitions should not be less than 6 storeys, or 18 metres measured from ground to the floor level of the uppermost storey.

**06.11.11** Within RBKC's Current Local Plan, Policy CL12 (Building Heights) restricts buildings significantly taller than the surrounding townscape other than in exceptionally rare circumstances, where the development has a wholly positive impact on the character and quality of the townscape.

**06.11.12** Within the Draft Local Plan, Policy CD7 (Tall Buildings) defines tall buildings based on their location in the borough. Proposals that meet or exceed the definition of a tall building will be assessed in accordance with London Plan Policy D9. The definition of tall buildings are:

- / 21m or more in height from the ground level to the top of the building (as measured externally), and
- / 30m or more in height from the ground level to the top of the building (as measured externally).

**06.11.13** The Local Plan acknowledges that precise locations for tall buildings will be the subject of detailed masterplanning work and an assessment of impact in line with Policy D9 (C and D) of the London Plan, the need to take into account site constraints and other factors such as legibility, sunlight and daylight.

**06.11.14** Within the Draft Local Plan Site Allocation SA1, a series of townscape principles are set out for development to comply with. These include:

- / *Development along the canalside should be smaller scale, finer grain and varied but continuous, with varying height creating a continuous horizontal lower rise frontage, with a finer grain and variation of the skyline when seen close-up from Kensal Green Cemetery;*
- / *In direct line with the main Kensal Green Cemetery entrance through the gate, the development should create a sense of openness and sky view directly opposite the gate;*
- / *Greater height in the development should be located further away from the cemetery towards the railway as shown in Figure 10.1;*
- / *The development should respond to the coherent range of heights on Ladbrooke Grove and avoid overly stark enclosure of the street;*
- / *Tall buildings in the development should address the site's entrance and create distinctiveness;*
- / *The development should allow for setbacks for tree planting along the canal as part of a comprehensive landscaping plan;*
- / *Heights of taller buildings should vary, and the maximum height within the site is limited to distinct points of height;*

- / In views from the east, tall buildings should be clustered along the railway and staggered to allow sky views in between.*

## **PROPOSED HEIGHT STRATEGY**

- 06.11.15** The overarching approach to height and massing across the Development has sought to respond to the adopted SPD height strategy, comprising taller buildings to the south (along the less sensitive railway edge), with lower buildings along the canal to the north. The Development also proposed gable ends of buildings fronting onto the canal to reduce the appearance of massing from the Cemetery.
- 06.11.16** Isolated points of height are proposed in key locations, acting as markers within the Site. These have been carefully placed to assist with wayfinding across the Site and to also minimise visual impacts on the Cemetery.
- 06.11.17** The maximum building heights proposed are defined by the supporting Parameter Plans, which adopt this 98m maximum height limit set out by the Draft Site Allocation. The proposed buildings range up to 29 storeys in height, and therefore comply with the height requirements set out within the Draft Site Allocation Policy SA1.
- 06.11.18** The proposals seek to align with the principles of the SPD, providing a general height strategy up to 20 storeys across the Development with four taller buildings above 20 storeys in isolated locations, thus complying with the SPD requirements.
- 06.11.19** The overall scale and massing of the Proposed Development is determined to be appropriate for the site's location in the Kensal Canalside Opportunity Area. As encouraged by the KCOA SPD, the Proposed Development would exhibit a variety of heights across its length. The distribution of massing seeks to respond positively to the conditions around the site, with blocks generally taller towards the south (and the open space of the railway lines) and lower towards the north (and the canal and Kensal Green Cemetery). The proposed heights do not exceed 98m from the ground level to the top of the building (or approximately 31 storeys) in line with emerging Local Policy requirements.
- 06.11.20** The tallest elements within the Proposed Development, Buildings 2.1 and 4.1, have been designed in line with Policy D9 of the London Plan. They are well-proportioned buildings, located sufficiently far apart such that they typically appear at considerably different heights in views towards the site. They are proposed to be located at key points, adjacent to the replacement supermarket and the main public space (Canalside Park) respectively – to aid wayfinding. Their different forms, alignments and appearances compared to each other would also ensure that they would be readily distinguishable and viewed together would form a visually interesting and elegant composition.
- 06.11.21** The proposed building design allows the Site to deliver the required number of homes while also ensuring excellent quality of life. This is in line with London Plan Policy D6, which requires the design of development to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, while avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.

**06.11.22** London Plan Policy D9 (Tall Buildings) states that development proposals should address the visual impacts, functional impacts, environmental impacts and cumulative impacts of tall buildings within a development. These have been addressed within the scheme and are discussed in detail below.

## **VISUAL IMPACTS**

**06.11.23** A Townscape, Built Heritage & Visual Impact Assessment (THVIA) has been prepared in support of this application which assesses the potential visual impact of the Proposed Development on the surrounding townscape and on 55no. viewpoints agreed with RBKC as part of the EIA Scoping Process.

**06.11.24** These viewpoints include views that have been identified as significant, by RBKC or others, e.g. in planning policy and guidance documents and conservation area appraisals; comprise other locations or views of particular sensitivity, including those viewpoints in which the Proposed Development may significantly affect the settings of designated heritage assets; that are representative townscape locations from which the Proposed Development would be visible; or are locations where there is extensive open space between the viewer and the Proposed Development so that it would be prominent rather than obscured by foreground buildings.

**06.11.25** The THVIA assesses the effects of the completed Proposed Development (based on the illustrative scheme) on visual receptors by studying 55 views (52 viewpoints). The magnitude of the change (impact) resulting from the Proposed Development is assessed as high, medium, low or negligible using the following criteria:

- / High: considerable change to the townscape or view;
- / Medium: an obvious change to the townscape or view;
- / Low: a small change to the townscape or view that would not be readily noticed; or
- / Negligible: there would be minimal change to the townscape or view

**06.11.26** It was found that the Proposed Development's visual impact would largely range from low or no impact to medium impact. As a result, the assessment concludes that, generally, the visual effects were found to be of either a beneficial or neutral nature, except for 6 views experiencing adverse effects as a result of the Proposed Development. These adverse viewpoints include:

- / View 8 – Barlby Road towards Barlby Gardens;
- / View 10 – Shrewsbury Street/ Hillman Drive, south-west corner;
- / View 17 – Berens Road;
- / View 24B – Harrow Road, in front of Kensal Green Cemetery Entrance Gateway;
- / View 44 – Kensal Green Cemetery – north-west corner, path around Dissenters' section; and

/ View 51 – Kensal Green Cemetery – towards Anglican Chapel.

- 06.11.27** In the case of these views, it is considered on balance that the nature of the effect in each case would be a small net 'adverse' effect and when compared to the overall visual improvement of the Site as existing. The THVIA makes clear that the Proposed Development presents a beneficial impact to 15 views, including Ladbroke Grove / Canal Way Junction (View 1), St Marks Road/Barlby Road Junction (View 9), Scrubs Lane Bridge and Hythe Rd footbridge (Views 13,14,15), Harrow Rd/Kilburn Lane Junction (View 22), Ladbroke Grove, looking towards Canalside House and road bridge (Views 25A and 25B), Southern Canal Towpath and Grand Union Canal (Views 26 and 27) and various parts of Kensal Green Cemetery (Views 42,43,45,46,47). The improvements are as a result of the Development's coherent and high quality redevelopment of the site and the manner in which it would improve its relationship to the routes around it. The Proposed Development would appear as a distinct townscape element, of a scale and architectural ambition that signals an important piece of regeneration for the local area and wider Borough.
- 06.11.28** With regard to impact to heritage assets, the accompanying Heritage Statement, prepared by Turley confirms that while the indicative proposals will result in a degree of less than substantial harm, the development's clear public benefits outweigh the identified harm. The public benefits include much needed private and affordable homes, a new Neighbourhood Centre, the regeneration of a major brownfield site, community facilities, improved public realm and substantial accessible open space. The tall buildings form part of a high quality, new residential and Neighbourhood Centre which will positively contribute to the character of the area.
- 06.11.29** Given the scale of development required across the Opportunity Area by the London Plan and site allocation requirements (adopted and emerging), recognise that there will be a 'step change' in the scale of development on the Site, and tall buildings will be required. However, as set out above (and within the supporting DAS) we have sought to minimise visual impacts in the most sensitive or important settings, such as the Kensal Green Cemetery to the north and Kensal House and Day Nursery to the south-east.

## **FUNCTIONAL IMPACTS**

- 06.11.30** London Plan Policy D9 goes on to require an assessment of the functional impact of tall buildings, including servicing and building maintenance; transport infrastructure capacity; jobs and services; and aviation, navigation and telecommunication provision.
- 06.11.31** While the detailed internal and external design of the buildings are subject to future Reserved Matters applications, the accompanying Design Code evidences the key design parameters of the proposed blocks, including their materials, access and exit routes and construction detailing which ensure the buildings have acceptable functional impacts.
- 06.11.32** As confirmed within the accompanying Servicing and Delivery Plans, prepared by WSP, the buildings will be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to the surrounding public realm or highway. This includes servicing of the residential elements and commercial servicing, including the Sainsbury's store. As evidenced within this application, servicing, maintenance and building management arrangements have been considered throughout

the design process and Ballymore intend to retain long term management of the Site to ensure all management and maintenance strategies are implemented long term.

- 06.11.33** It is important to recognise that this site is allocated as an Opportunity Areas (OAs) within both Strategic and Local level Planning Policy. Opportunity Areas are identified as significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity.
- 06.11.34** Further, the accompanying Transport Assessment, prepared by WSP, confirms that there is sufficient capacity within the area to accommodate the quantum of development proposed in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the buildings. The functional impact of these tall buildings with regard to capacity is considered acceptable.
- 06.11.35** The Transport Assessment confirms that the total increase in bus and rail passengers related to the Site have been shown to be satisfactorily accommodated on local bus and rail services. On underground services, a detail station capacity analysis revealed that while some impact exists at these stations in 2041 with future growth, the assessment shows no significant change between the 2041 base and the 2041 with development scenario, confirming the impact would not be as a result of the Proposed Development.
- 06.11.36** Further, given the nature of the development as a mixed-use development, the Site seeks to provide a new Neighbourhood Centre which will sufficiently cater for those living or working in the buildings by way of access to facilities, services and walking/cycling networks. The development will also provide a significant number of new employment opportunities across the Neighbourhood Centre, in addition to the retained jobs within the existing Sainsbury's store.
- 06.11.37** A new Neighbourhood Centre is proposed which will meet the day to day needs of existing and incoming residents, including a range of retail, food and beverage, community and leisure uses. The role of these buildings, by providing commercial, workspace, community and retail uses maximises the benefits that the development could bring to the area and the role of the development as a catalyst for further change in the area.

## **ENVIRONMENTAL IMPACTS**

- 06.11.38** While the proposals for tall buildings form part of the Outline Element and will be subject to future scrutiny on design and impact against Policy D9, the environmental impacts of these tall buildings have been assessed as part of this application. This assessment includes the effects of the tall buildings on wind, daylight and sunlight to ensure they do not compromise comfort and the enjoyment of open spaces within the development and surrounding areas.
- 06.11.39** The accompanying Wind and Microclimate Chapter of the ES confirms that, with suitable minor mitigation, suitable wind conditions can be achieved for the majority of the Application Site and in the surrounding area. Whilst there are identified residual significant effects within the Application Site, these are limited in number and it is expected that further mitigation measures will be capable of mitigating any residual effects, thereby protecting the locality from adverse microclimate effects in accordance with planning policy.

- 06.11.40** Notwithstanding the above, potential wind impacts from the tall buildings will be retested and confirmed at future detailed design stage and Reserved Matters Applications.
- 06.11.41** The Daylight and Sunlight assessment also indicates that the indicative scheme, as proposed within the Outline Elements, has the potential to deliver very good daylight and sunlight levels. The sunlight availability within the vast majority of the proposed areas of public or communal amenity is considered to be equally good. The scheme allows for maximised daylight and sunlight levels while still providing optimum density and thermal comfort, among many other benefits.
- 06.11.42** The Proposed Development has also been confirmed not to have an undue impact on the quality or amenity of surrounding residential properties and should be considered acceptable in this regard.
- 06.11.43** Noise created by servicing machinery, or building uses should not detract from the comfort and enjoyment of open spaces around the building. Upon completion of the Proposed Development, the supporting Noise Assessment confirms that the change in noise is less than 1 dBA, therefore equating to a very low magnitude of impact.
- 06.11.44** At this stage of the project, details of new building services plant and sources and locations of amplified music/entertainment noise cannot be defined in detail, therefore full assessments have not been undertaken. However, considering future background sound levels expected in the area, the mitigation of these sound sources to achieve the required target noise levels will likely comprise standard measures which will achieve the target noise levels. The Proposed Development is therefore considered to be suitable for residential-led development, including tall buildings, and will not result in undue noise disturbance.
- 06.11.45** It is therefore considered that the environmental impacts of these tall buildings, from outline assessments, are negligible.

### **CUMULATIVE IMPACTS**

- 06.11.46** The cumulative visual, functional and environmental impacts of the proposed, consented and planned tall buildings in an area have been assessed throughout the accompanying Environmental Statement, a clear requirement of Policy D9.
- 06.11.47** Cumulative effects, taking into consideration consented or emerging schemes were also considered for each view within the THVIA. Most effects were found to be the same as in isolation (low-medium impact). In some cases, the significance of effect would decrease in respect to the isolated condition, as the forthcoming St William development is expected to obscure the Proposed Development in views.
- 06.11.48** Whilst the significance of the effect is generally the same as for isolated views (low, medium or high), the nature of the effect (neutral, beneficial, adverse) would change from neutral to beneficial in some cumulative scenarios. This is mostly in mid-range and longer views, where the Proposed Development would interact in a positive manner, contributing to the local skyline, in combination with the St. William Development.

## CONCLUSION

**06.11.49** As a result of the above, the supporting documents confirm that the Proposed Development would be in line with the principles set out in the Kensal Canalside Opportunity Area SPD (July 2021) and Policy D9 of the London Plan as the Site will be redeveloped in an ordered and coherent manner. The Development would open up the site and vastly enhance the quality of its public realm, it would improve the way in which the site relates to the routes around it, and it would provide buildings of high architectural quality as set out in the Parameter Plans and Design Code.

**06.11.50** In light of the above, it is therefore considered that the Proposed Development appropriately addresses the various tall buildings policy requirements at a regional and local level and should be considered acceptable in this regard.

## 06.12 OPEN SPACE, PUBLIC REALM AND LANDSCAPING

### OPEN SPACE & PUBLIC REALM

**06.12.1** London Plan Policy G4 requires development proposals where possible to create areas of publicly accessible open space, particularly in areas of deficiency. Within Local Plan Policy CR5, development should make planning contributions towards improving existing or providing new publicly accessible open space which is suitable for a range of outdoor activities and users of all ages. This is repeated in Policy GB16 of the Draft Local Plan.

**06.12.2** Within the development, significant open space is proposed. The quantum of open space proposed can be categorised as follows:

- / Public Realm (Streets and Raingardens)
- / Public Open Space
- / Open Water Space
- / Private Shared Residents Amenity
- / Private Amenity
- / Biodiverse Roofs
- / Bio-Solar Roofs (Biodiverse Roofs with PV Panels)

**06.12.3** The total indicative quantum of open space proposed across the Scheme is 76,1120sqm. A breakdown of this quantum is outlined in Figure 22 below.

OPEN SPACE QUANTUM	
<b>PUBLIC</b>	<b>sqm</b>
Streets	23,976.60
Public Open Space	13,225
Open Water Space	1172
<b>Total</b>	<b>38373.60</b>
<b>PRIVATE</b>	<b>sqm</b>
Shared Residents Amenity	11,739.20
Private Amenity	1,499.20
Internal Community Amenity	1,398.20
<b>Total</b>	<b>14,636.60</b>
<b>NON-ACCESSIBLE</b>	<b>sqm</b>
Biodiverse Roofs	9,805.20
<b>Total site area</b>	<b>76,1120sqm</b>

Figure 22: Indicative Open Space Quantum

**06.12.4** In line with policies G4, CR5 and GB16, publicly accessible open space is proposed in the form of parks, gardens and landscaped public realm. These are split into several character areas and can be found throughout the Development Site. These areas are the main public spaces with a strong community focus, responding to the immediate local context. These spaces include provision for both formal and informal play and include:

- / **Ladbroke Gardens:** New park at the front of the site.
- / **Ladbroke Basin:** Existing basin with additional activation at ground level. Existing community water uses to be retained.
- / **Pavilion Square:** New community pavilion building with surrounding areas of public realm and new routes through to the canal.
- / **West Basin:** Restored historical basin with spill out areas and activation surrounding the basin.
- / **Canalside Gardens:** New gardens for local residents with new woodland area and dedicated play spaces.
- / **Canalside Pocket Park:** Small pocket green space adjoining the canal.
- / **South Terrace:** Active promenade with play, trim trails and sun loungers. Features ecological grassland areas.
- / **Memorial Garden:** Existing memorial stone and plaque to be retained with new paving and seating areas.
- / **Sensory Garden:** Wildlife friendly garden at the south-eastern entrance of the site with sensory planting palettes. Some informal educational play features to be included with sensory theme.

- 06.12.5** In addition to the above, the proposals seek to activate the entire northern canal frontage. The basins and existing towpath will be enhanced, encouraging accessibility, allowing future residents and local people to socialise while enjoying the waterside. This is proposed through activation of ground floor uses, proposed seating and spill out zones near the water, and attractive ecological landscaping.
- 06.12.6** As noted above landscaped public realm is an important principle within the scheme. London Plan Policy D8 sets out a series of criteria relating to Public Realm. The accompanying Landscape and Public Realm Strategy, prepared by Spacehub makes clear that the scheme's proposed public realm adheres to these criteria and that it is well-designed, safe, accessible, inclusive, attractive and well-connected. The public realm seeks to be legible and clutter free, with a clear hierarchy of routes. It will also adhere to 'Secure by Design' guidance to reduce the potential for crime and promote safety and security at all times of the day.
- 06.12.7** While the public realm strategy is indicative, the Landscape Chapter of the supporting Design Code confirms that any landscape treatment, planting, street furniture and surface materials will be of good quality, fit-for-purpose, durable and sustainable.
- 06.12.8** Lighting has been carefully considered and well-designed with three principle elements including:
- / Operational lighting (for safety, security and wayfinding);
  - / Feature lighting (highlighting features within the public realm, landscape and architecture); and
  - / Seasonal/temporary lighting (for specific events or periods of time).
- 06.12.9** The lighting strategy minimises intrusive lighting infrastructure and reduces light pollution and bat disturbance along the Canal. These key elements also align with the principles for streets and spaces as set out within the KCOA SPD (B4).
- 06.12.10** The development also provides policy compliant levels of playspace within these areas of open space and public realm. The proposed playspace provision and requirements are discussed within the residential quality section below.
- 06.12.11** The proposals comply with the open space and public realm requirements as outlined within Policies G4, CR5 and GB15.

## **LANDSCAPING**

- 06.12.12** Local Plan Policy CR6 and Draft Policy GB18 requires landscape design to adhere to the following principles:
1. *Be fit for purpose and function.*
  2. *Be of a high quality and compatible with the surrounding landscape, townscape character and mitigate the effects of climate change and significant rainfall events.*
  3. *Clearly defined as public or private space.*

4. *Optimise the benefit to wildlife habitat including biodiversity net gain as set out in Policy GB17.*
5. *Proactively encourage tree planting where this can contribute to mitigating the effects of climate change and flood risk.*

**06.12.13** The Development's landscaping strategy supports this application. It is intended that the landscape will provide a balance between providing an attractive setting, climate mitigation and habitat creation. On top of these, the proposals also aspire to create an inclusive landscape where people feel comfortable and draws from the identity and character of the surrounding area. While landscaping is proposed across the whole Site, key landscape character areas have been identified and include:

- / **Canal Walk and Basins:** This area encompasses the existing canal, basin and towpath with both temporary and permanent residential moorings. The existing path is well used by pedestrians and cyclists. The proposals include re-introducing a historic basin and activation around the basin edges.
- / **Streets:** Within this landscape component there are several street typologies with varying characters. The streets form a major part of the SuDs strategy for the site.
- / **Parks, Gardens and Civic spaces:** These are the main public spaces and are places with a strong community focus, responding to the immediate local context. These spaces include provision for both formal and informal play.
- / **Sports Centre:** Newly proposed sports centre which will provide a number of activities catered towards young people of the borough.
- / **Courtyards:** Private communal spaces that provide amenity and playspace.
- / **Rooftops:** Biodiverse roofs with measures such as hibernacula to encourage wildlife. These will be a mix of wildflower meadows, open mosaic habitat, and bio-solar roofs.

**06.12.14** The design of the landscape integrates biodiversity and principles of sustainable cities to enhance the quality of the local environment. The proposals optimise opportunities for planting and soft landscape, particularly with the parks but also with the biodiverse planting at roof level. The variety of planting provides valuable ecological enhancement as well as providing a strong visual green structure to help strengthen the character and identity of the area.

**06.12.15** Part X of the Draft Site Allocation (Policy SA1) also requires landscaping, biodiversity and amenity improvements specifically to the Grand Union Canal. As noted, this requirement is met through the proposed activation of the canal, it's existing and reinstated basins and footpath. Proposals seek to create an accessible public space along the Grand Union Canal for users to socialise and enjoy through new seating and spill out zones near the water, and attractive ecological landscaping.

**06.12.16** The indicative proposals seek to retain the canal towpath as is, making good only where necessary to minimise disturbance to wildlife and include new planting at the interface between the Development and the existing towpath which will be beneficial for foraging species, as identified within the supporting Ecological Assessment. For the reinstated and existing canal basins, these will include new natural stone pavers in the surrounding public realm. For the reinstated basin, this area is proposed to have reed beds along the edges with care to maintain room for canal boat access. New tree planting is also proposed to offer shade during summer months.

### **TREE STRATEGY**

**06.12.17** As part of the landscaping strategy and in line with the above Policies, the development incorporates tree planting to mitigate the effects of climate change.

**06.12.18** Local Plan Policy CR6 states that the Council will require the protection of existing trees and the provision of new trees that complement existing or create new, high quality green areas which deliver amenity and biodiversity benefits. Trees must be adequately protected throughout the course of development and where practicable an appropriate replacement is required for any tree that is felled.

**06.12.19** To support Policy CR6, this application is supported by an Arboricultural Impact Assessment (AIA), prepared by Tamla Trees. The report identifies 70 existing trees on Site, of which 13 are categorised as Class B (moderate quality and value), 47 as Class C (low quality and value) and 10 as Class U trees (those in such a condition that any existing value would be lost within 10 years and which should, in the current context, be removed regardless of development). Three of these trees are confirmed to have a group TPO (Tree Protection Order) – TPO reference: 05/2013 (G1).

**06.12.20** The report confirms that many of the existing trees are both close to buildings (generally of a temporary style of construction on west of the site and supermarket to the east) and in places of existing surfaces. These will require careful working practices to remove and transition to the revised layout and surfacing arrangement.

**06.12.21** The proposed indicative landscaping strategy includes the planting of over 700 new trees as part of the development. These will range in type and have been selected based on their aesthetic qualities, their suitability to microclimate, and their value for biodiversity. The indicative Tree Strategy includes:

- / Streetscape trees (comprised of tree species that can withstand the urban environment and will provide medium to long-term canopy cover and seasonal interest);
- / Raingarden trees (comprised of tree species that can withstand brief periods of both flooding and drought);
- / Woodland trees (Comprised of tree species that may typically be found in a native woodland); and
- / Amenity trees – at ground, podium and roof levels (a mix of single stem and multi-stem species to create a rich tapestry made up of varying heights, colours, and seasonal interest).

**06.12.22** As confirmed within the indicative landscaping plans and Tree Report, the proposed trees will replace low quality and value trees and will comprise of high-quality planting stock, planted using current best practice planting

technology and have appropriate establishment aftercare. The above AIA is also supported by a Tree Protection Plan which shows protective fencing relative to existing and proposed works. It concludes that, subject to the working practices detailed within the report, there should be no discernible impact on the retained trees. The removal and replacement of the existing trees on Site is therefore justified and considered acceptable in line with Policy CR6.

## **URBAN GREENING FACTOR (UGF)**

- 06.12.23** London Plan Policy G5 requires major development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. As noted above, the site seeks to incorporate a significant amount of green open spaces of all sizes across the Development.
- 06.12.24** Draft Local Plan Policy GB15 states that major residential development is required to achieve an Urban Greening Factor (UGF) score of 0.4 while major non-residential development is required to achieve a UGF score of 0.3. The Proposed Development is residential led and the UGF score for the Site is 0.4.
- 06.12.25** The illustrative landscape Scheme in the Landscape Strategy Document prepared by Spacehub demonstrates a policy compliant score of 0.4 for predominantly residential developments. While the current calculations adhere to the policy compliant score, it should be noted that a number of elements will be subject to detailed design within future Reserved Matters Applications and may be altered at further development stages. Preliminary coordination exercises have been undertaken with regards to services location and podium build ups to ensure planting is feasible in principle. Please refer to the Urban Greening Factor Plan (ref: 167-SPA001-Z-ZZ-DR-L-LAN-0010) for full details and area calculations.
- 06.12.26** Overall, the carefully considered landscaping, public realm and open space strategies proposed make best use of the site's potential for accessible green space providing for a range of outdoor activities and catering to users of all ages. While the key characteristics of these spaces have been outlined within the proposals, these will be subject to future detailed reserved matters applications which will deliver high quality designs. The above complies with Policies G4, G5, CR5, CR6, GB15, GB18 and Site Allocation SA1.

## **06.13 HERITAGE**

### **POLICY CONTEXT**

- 06.13.1** Paragraph 194 of the NPPF requires “an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.” When determining applications, the NPPF requires Local Planning Authorities to account for:

*“The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

- / *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- / *The desirability of new development making a positive contribution to local character and distinctiveness.”*  
(Paragraph 190).

**06.13.2** NPPF Paragraphs 201-202 further confirms how Councils should assess applications based on the level of harm as a result of the Proposed Development. Paragraph 201 states that where a “Proposed Development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local Planning Authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- / the nature of the heritage asset prevents all reasonable uses of the site; and
- / no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- / conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- / the harm or loss is outweighed by the benefit of bringing the site back into use.”

**06.13.3** Whilst Paragraph 202 of the NPPF discusses Development which result in a less than substantial harm and states that:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

**06.13.4** London Plan Policy HC1 relates to Heritage, Conservation and Growth and states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

**06.13.5** Current Local Plan Site Allocation CA1(M) and Draft Local Plan Site Allocation SA1(Q), both note that the Site should include a suitable setting for the designated heritage assets.

**06.13.6** The Kensal Canalside Opportunity Area SPD also notes that developments should seek to deliver development that sustains and enhances the significance of heritage assets in the vicinity of the site; realises the positive contribution that conservation of heritage assets can make to sustainable communities and makes a positive contribution to local character and distinctiveness; with proposals that include a clear and convincing justification

for any harm caused and which meet the tests set out in paragraphs 193 to 197 of the National Planning Policy Framework (February 2019), as appropriate.

**06.13.7** The SPD also notes that opportunities should be taken where possible to record and to integrate any undesignated heritage assets into the design.

**06.13.8** Current Local Plan Policy CL3 (Heritage Assets – Conservation Areas and Historic Spaces) states that the Council will require development to preserve and to take opportunities to enhance the cherished and familiar local scene. To deliver this the Council will require development to preserve or enhance the character or appearance of the conservation area and protect the special architectural or historic interest of the area and its setting. Draft Local Plan Policy CD3 (Heritage Assets - Conservation Areas) states, similarly to the Current Local Plan that the Council will require development to preserve or enhance the character or appearance of the conservation area and thereby protect the special architectural or historic interest of the area and its setting.

**06.13.9** Current Local Plan Policy CL4 (Heritage Assets – Listed Buildings, Scheduled Ancient Monuments and Archaeology) states that the Council will require development to protect the heritage significance of listed buildings, scheduled ancient monuments and Archaeological Priority Areas.

**06.13.10** To deliver this the Council will:

- / require all development and any works for alterations or extensions related to listed buildings, scheduled ancient monuments and Archaeological Priority Areas, to preserve the heritage significance of the building or site or their setting or any features of special architectural or historic interest;
- / resist the demolition of listed buildings in whole or in part, or the removal or modification of features of architectural importance, both internal and external;
- / require the preservation of original architectural features, and later features of interest, both internal and external;
- / take opportunities to: i. re-instate internal and external features of special architectural or historic significance, commensurate with the extent of Proposed Development; ii. take opportunities to remove internal and external features that harm the architectural or historic significance of the asset, commensurate with the extent of Proposed Development; iii. better reveal or reinterpret archaeological remains and discoveries for the local community;
- / resist the change of use of a listed building that would materially harm its character;
- / require any work to a listed building to sustain the significance of the heritage asset and as such strongly encourage any works to a listed building to be carried out in a correct, scholarly manner by appropriate specialists;

- / require desk-based assessments and where necessary field evaluation for major developments proposed in Archaeological Priority Areas;
- / require desk based archaeological assessments and where necessary field evaluation for small developments within Archaeological Priority Areas and major developments outside of Archaeological Priority Areas unless pre-application advice has been obtained from the Greater London Archaeological Advisory Service that this is not necessary.

**06.13.11** Draft Local Plan Policy CD4 (Heritage Assets – Listed Buildings) also requires development to

- / protect the heritage significance of listed buildings.
- / to preserve the heritage significance of the building, or its setting or any features of special architectural or historic interest it possesses (works for alterations or extensions related to listed buildings).
- / resist the total or substantial demolition of listed buildings and resist the alteration of listed buildings which involves the removal or modification of features of architectural importance, both internal and external, unless a clear and convincing justification can be made for doing so.
- / require the preservation of original architectural features and later features of interest both internal and external.

**06.13.12** Further, Draft Local Plan Policy CD6 (Registered Parks and Gardens) is relevant and requires:

- / Development in or in the setting of Registered Parks and Gardens to preserve their heritage significance or setting.
- / To ensure criterion A is delivered such development should take opportunities to:
  - o Reinstatement of landscape or built features which contribute positively to the historic interest of the park or garden.
  - o Remove landscape or built features that harm the historic interest of the asset.
  - o Where extensions are proposed to properties backing on to registered communal gardens, they must preserve the significance of views into, from, and across the garden, including any impacts from artificial lighting.
- / Developments within a Registered Park or Garden should sustain the significance of the heritage asset and be carried out in a correct, scholarly manner informed by appropriate specialists.

## HERITAGE SETTING

- 06.13.13** The Application Site is not within a Conservation Area, nor does it contain any statutory or non-statutory listed buildings, or other designated heritage assets. The Site contains two non-designated heritage assets, comprising the Ladbroke Grove Rail Disaster (in the south-eastern corner of the Site) and Canalside House (fronting onto Ladbroke Grove).
- 06.13.14** The area immediately southeast of the Site include Kensal House Day Nursery and Kensal House which are both Grade II\* Listed.
- 06.13.15** While the Application Site is not within a Conservation Area, the Kensal Green Cemetery Conservation Area is located to the north of the Site, with several Conservation Areas located within 1km of the site.
- 06.13.16** The Kensal Green Cemetery to the north of the site is a registered Historic Park and Garden, as designated by Historic England. It is also included on Historic England's Heritage at Risk Register. Within the Cemetery are several Listed Buildings and Monuments. These are typically Grade II or II\* Listed; however, the Anglican Chapel is Grade I Listed.
- 06.13.17** The Site does not fall within a designated Archaeology Priority Area, but the Kensal Green Cemetery to the north of the Site forms part of the larger Kensington and Chelsea Cemeteries Archaeological Priority Area (APA).
- 06.13.18** As set out above, the Site forms part of the historic Kensal Green Gas Works site which was opened in 1845 by the Western Gas Company. The expansion of the gasworks included the construction of a further canal basin and the two gasholders that remained until late 2020 / early 2021. Further buildings, including the retort house, were connected by a series of tramways to transport coal and other goods from the canal. In 1928, construction began on new offices for the gasworks, fronting Ladbroke Grove, now called Canalside House.

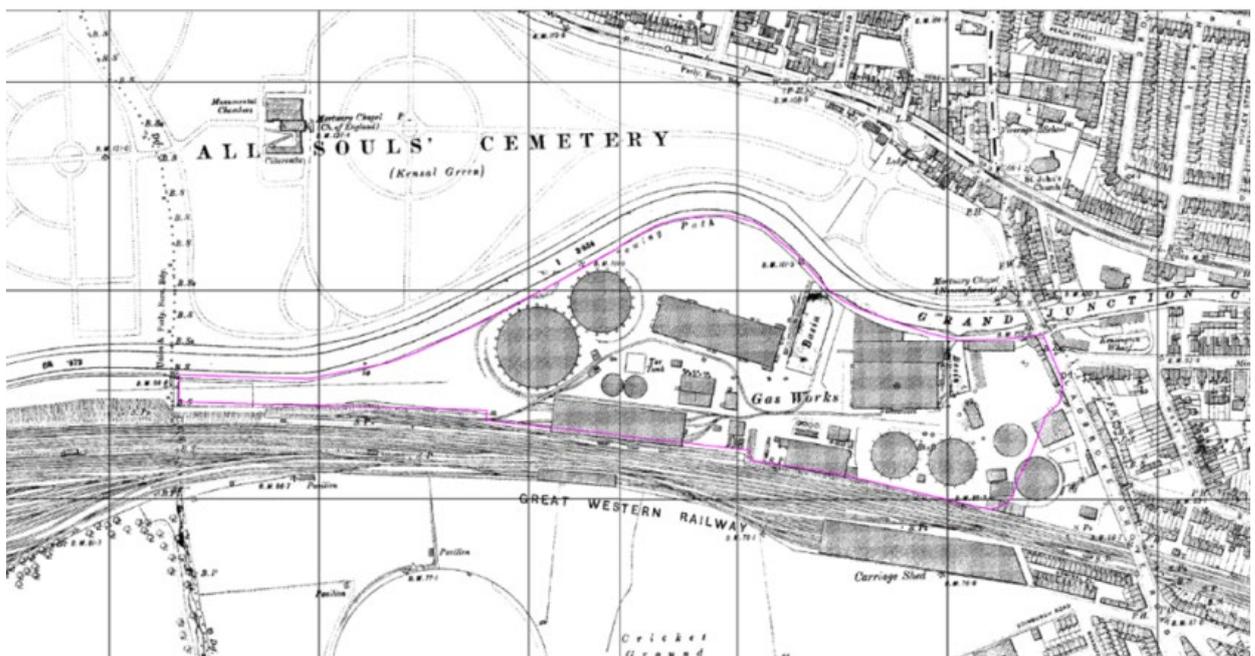


Figure 23: Extract of 1895 Ordnance Survey showing gas infrastructure on the Site.



Figure 24: Aerial photography of Kensal Green Gasworks, 1938



Figure 25: View from the cemetery towards the gasholders (Plot 3), 2008

## DESIGNATED ASSETS

- 06.13.19** The supporting Heritage Chapter of the ES confirms that the relevant considerations in the determination of this application are indirect impacts on the understanding and appreciation of the significance of several designated and non-designated heritage assets within the local or wider surrounding area, through change to the character and appearance of a part of their shared setting / views.
- 06.13.20** The assessment confirms that the Proposed Development would likely cause a less than substantial degree of harm to a number of designated heritage assets within its local and or wider surrounding area. The heritage assets where harm has been identified by the Heritage Chapter are:
- / Kensal Green Cemetery Conservation Area
  - / Kensal House and Kensal House Day Nursery (Grade II\* Listed Buildings)
  - / Dissenters' Chapel (Grade II\* Listed Building)
  - / Entrance Gateway Opposite Wellington Road (Grade II\* Listed Building)
  - / The Anglican Chapel (Grade I Listed Building)
  - / Kensal Green (All Souls) Cemetery (Grade I Registered Park and Garden)
- 06.13.21** The potentially harmful impacts arising from the Proposed Development would be as a result of the visually distracting effects of an increase in overall height, scale and massing of new built form on Site. While a degree of harm is identified, this is considered to be “less than substantial” for each of these assets, in accordance with Paragraph 202 of the NPPF. Furthermore, the Heritage Chapter concludes that the magnitude of harm that may be caused to the significance of each of these listed buildings, conservation areas, and the one registered park and garden, would be towards the middle or lower end of scale within that category of less than substantial.
- 06.13.22** The NPPF sets out that it is for the decision maker to determine whether any adverse impacts of granting Planning Permission would significantly and demonstrably outweigh the “public benefits” of an application scheme. In response, any potential “less than substantial” harm to the significance of the identified number of designated heritage assets would be outweighed by the substantial “public benefits” that the Development could deliver.
- 06.13.23** The Proposed Development has been allocated as an Opportunity Area since 2011 with a requirement to deliver a significant number of new homes and jobs. As such, policy makers (both at local and strategic level) have determined that there will be a ‘step change’ in the scale of development on the Site, including the provision of tall buildings. As such, it must be accepted that the Proposed Development will be visible within the setting of surrounding heritage assets, particularly those closest to the Site (most notably Kensal House and Day Nursery, and the Kensal Green Cemetery).

- 06.13.24** Notwithstanding this, the Proposed Development has sought to minimise impacts on these assets through the Scheme's height and massing strategy, as well as the design principles, materiality and orientation of each Plot. This includes lower scale development towards the canal (closest to the Kensal Green Cemetery) and greater height towards the less sensitive railway lines to the south. The Development layout also presents gable ends of buildings onto the canal to reduce the massing of buildings when viewed from the cemetery, and present greater space between buildings, supporting the height principles established within the SPD.
- 06.13.25** The scale of development also steps down within Plot 1, towards Kensal House to minimise the impact on the setting of Kensal House and the Day Nursery. Further, Plot 1.1 is curved into a crescent shape, reflecting the curvature of nearby Kensal House and responding to the semi-circular existing buildings and courtyard.
- 06.13.26** Consideration should also be given to the degree to which the wider vision and design approach for the new uses and overall layout, scale and massing of new built form and spaces for this Site's regeneration have sought to minimise and or mitigate harm to the significance and setting of the heritage assets, in balance with optimising the development potential planned for this part of the Opportunity Area.
- 06.13.27** The scheme design has also looked to respond positively and imaginatively to the history and heritage of this once industrial site through proposals such as the improved access to the adjoining canal towpath and also the reinstatement of the infilled canal basin within Plot 5. This aspect of the scheme will better reveal the local heritage significance of the identified non-designated heritage asset of the section of Grand Union Canal to the north of KCOA, which is a further public and heritage benefit in terms of the NPPF.
- 06.13.28** References to the local urban vernacular of this part of London in the new architecture and landscape design of the envisioned scheme demonstrates the intention to create a place with its own identity with the RBKC that also reflect established local character and distinctiveness. Further, this design process has also been informed and aided by extensive and constructive discussions with the local planning authority and other key planning stakeholders at pre application stage.
- 06.13.29** In compliance with the NPPF (Paragraph 202), any less than substantial harm arising to heritage assets must be outweighed by the public benefits of a scheme. The Proposed Development provides an opportunity to deliver a significant number of homes on the largest remaining brownfield site within the Borough. As such, the scheme will deliver significant public benefits, including:
- / The opportunity to transform an existing underutilised brownfield site into a high quality new urban neighbourhood in line with the adopted Opportunity Area framework, Local Site Allocations and SPD;
  - / Use of largest brownfield site in the Borough for the delivery of up to 2,519 new high-quality homes to greatly assist in meeting the urgent need for housing within RBKC and across London;
  - / The provision of high quality affordable and family homes which integrate into the wider design, including social rent and intermediate units;

- / The provision of a new, larger, Sainsbury's store with additional amenities and improved shopping experience;
- / Existing Sainsbury's store to remain open throughout the construction period and retention of existing staff within the new store;
- / The delivery of significant public open space across the Application Site, including a Canalside Park and public green space at the entrance of the Site for use by the local community and new residents;
- / A high-quality development, externally and internally, which takes inspiration from local character and distinctiveness;
- / Replacement of the existing roundabout with an improved signalised junction onto Ladbroke Grove, improving pedestrian and cyclists safety and access into the Site;
- / Opportunity for new connections between the Site and the surrounding areas in the form of new pedestrian routes and bridges;
- / The provision of two new community leisure facilities, for use by incoming residents and the existing surrounding community;
- / Flexible commercial and retail units across the Development, creating a new Neighbourhood Centre to meet the needs of existing and incoming residents;
- / The provision of flexible workspace units, including affordable workspace, providing significant employment opportunities;
- / Pedestrian priority streets to create a safe environment for pedestrians and cyclists;
- / Enhanced biodiversity through new major new public open space, biosolar roofs and significant soft landscaping, including tree planting, throughout the public realm (currently anticipated to secure a biodiversity net gain in excess of 600%);
- / Re-opening of the historic canal basin to provide leisure space for all;
- / The provision of sustainability technologies, resulting in an estimated overall CO2 reduction of 60.1% across the Site;
- / The provision of 3% on street blue badge parking spaces from the outset, alongside resident long stay cycle parking spaces, commercial staff cycle spaces and short stay cycle spaces for visitors;
- / The creation of apprenticeships and jobs through both the construction and operational phases; and

- / The inclusion of a number of substantial financial contributions through Mayoral CIL and S106 obligations, contributing towards local infrastructure including education and healthcare.

**06.13.30** In addition to the wider public benefits, the scheme will deliver a number of direct heritage benefits, both within the Site and towards nearby heritage assets.

**06.13.31** Other heritage benefits to be secured as part of the Proposed Development include:

- / Reinstatement of the historic canal basin in Plot 5 as a new water feature / public space and direct link to the canal towpath. This will better reveal the local significance of the non-designated heritage asset of the Grand Union Canal.
- / Improvements to the landscape surrounding the Rail Disaster Memorial to create a suitably legible public route and more dignified setting, which will better reveal the local significance of this non-designated heritage asset.
- / Improvements to signage for public routes and spaces, also including new heritage interpretation, such as information boards, landscape design, architectural salvage / building recording, public art etc. Potential heritage benefit that would better reveal the industrial (canal and or gas works) history of the Site and KCOA to the public. In this way the significance of the nearby Kensal House (listed building) and Grand Union Canal / Canalside House (non-designated heritage assets) could be enhanced.

**06.13.32** As discussed in meetings held with the Cemetery Owners, RBKC and Historic England (as well as other landholders promoting the regeneration of the Opportunity Area), the application submission proposes that the Applicant seek to contribute a capital sum to identified and clearly defined project initiatives that could improve or otherwise help to secure the long term conservation of Kensal Green Cemetery and its historic buildings, structures and landscape / planting design. It is envisioned that such a programme could be informed by a newly prepared Conservation Management Plan (CMP), which would provide the framework for the contribution of funds for reuse, repair, restoration and or improvement works, based on an understanding of the current condition and risks for the heritage significance of the cemetery, and the priority actions to address those risks. It also may be that any such CMP would be funded by future planning contributions from other neighbouring developments. It is envisioned that any such planning contributions identified for the conservation or improvement of the cemetery (or other heritage assets) would be secured through a Section 106 agreement with RBKC linked to the approval of Planning Permission.

**06.13.33** The funding of urgently required works of repair, adaptive reuse and or the ongoing maintenance of heritage assets within the cemetery would either enhance or better reveal their heritage significance, and so would represent heritage benefits for the purposes of the NPPF. Such benefits would likely be realised for a number of individual and also grouped designated heritage assets as comprise the complex ensemble that is the historic designed landscape of Kensal Green Cemetery. A further heritage benefit associated with the delivery of such planning contributions linked to the Development and future consent could then be enabling HE to remove one

or a number of heritage assets from the current Heritage At Risk Register (potentially including the registered park and garden, conservation area and statutory listed buildings and structures as identified).

**06.13.34** In addition, funds could include other landscape or public realm improvements, such as reinforcing the screening and or filtering effects of existing mature vegetation on views from the cemetery to the Site through new planting, enhanced access and lighting to public routes, new seating, introducing information boards or guided walks as part of a wider strategy for heritage interpretation etc. This would relate to the predicted impacts of the Proposed Development and also enhance the experience of users of the cemetery within its altered setting. If secured, such heritage benefits – as public benefits – should be weighed by the decision maker as part of the overall planning balance.

**06.13.35** It is therefore concluded that the proposed development will provide significant public benefits which balance and in turn outweigh the identified degree of harm to heritage significance (NPPF paragraph 202).

### **NON-DESIGNATED ASSETS**

**06.13.36** The Heritage Assessment has also taken into account the effect of the Proposed Development to non-designated heritage assets, in accordance with paragraph 203 of the NPPF. The Assessment recognises that, in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

**06.13.37** RBKC does not maintain a register of unlisted buildings of local architectural or historic interest or “local list”. However, pre-application discussion with RBKC have identified three non-designated heritage assets within or adjacent to the Site. The supporting Heritage Chapter assesses non-designated heritage assets, which comprise:

- / Grand Union Canal to the north of the KCOA;
- / Canalside House, 383 Ladbroke Grove; and
- / Memorial and two plaques commemorating those who lost their lives in the Ladbroke Grove Rail Disaster of 1999.

**06.13.38** The whole of the Site’s northern boundary is defined by a section of the Grand Union Canal, identified as a potential non-designated heritage asset by RBKC. Today, the strong historic connection which existed between the canal and this former industrial Site has been lost. The proposed development would restore the relationship of the Site to the canal with extensive views of the new buildings and spaces across the Site from the waterway and towpath. The proposed northern part of the Site is permeable with the arrangement of public open space and uses designed to maximise people’s enjoyment of the waterside. This contrasts with the current north boundary which is largely made up of the flank wall of Sainsbury’s and a 2 meter boundary wall.

**06.13.39** The supporting Heritage Impact Assessment concludes that the Proposed Development would have an overall beneficial impact on the setting of the Grand Union Canal, including the re-opening the historic basin in Plot 5. The supporting DAS describes the design approach along the canal, including materiality and building forms which seek to respond to the industrial heritage of the local area and the proximity of the water and towpath of

the canal. Proposed new built form and public spaces would actively address and connect with the towpath and waterway. The Proposed Development will improve the use, and the appreciation of the heritage significance of the canal.

- 06.13.40** The Proposed Development includes the demolition of Canalside House, replacing it with new public space at the front of Plot 6. The local heritage significance of this building is lost as a result. The supporting DAS sets out how the removal of the existing building is necessary to deliver the planning and townscape benefit of creating a substantial area of new public open space at the front of the Site, early in the lifetime of the scheme, and at the key gateway into this Site alongside the main vehicular and pedestrian access from Ladbroke Grove.
- 06.13.41** The delivery of this new space and wider improvements to the relationship of this new neighbourhood with Ladbroke Grove aligns with one of the key urban design recommendations of the KCOA SPD, and forms part of the wider delivery of public benefits allied to this scheme as a whole.
- 06.13.42** However, the Applicant will offer a number of mitigation measures that could be offered as part of conditions and or planning contributions linked to any eventual Planning Permission. For example, the salvage and reuse of distinctive elements of the building as part of new built form and or public art, heritage interpretation for the gas works history of the Site within the new public space, and the undertaking of a proportionate building recording exercise prior to demolition.
- 06.13.43** The Proposed Development retains the Ladbroke Grove Rail Disaster Memorial, the Proposed Development will retain the memorial in its current location. The illustrative landscape scheme sets out how the development will improve public access and the quality of the memorials immediate setting through a higher quality landscape design and planting. The proposals enhance the local heritage (historic and communal) interest of the memorial supporting its significance and appreciation.
- 06.13.44** The Proposed Development has a beneficial impact on the setting of this non-designated heritage asset, in line with Policies HC1, CL3, CL4 and Site Allocations CA1(M) and SA1(Q).

## **CONCLUSION**

- 06.13.45** The scheme will impact the identified non-designated and designated heritage assets within the local or wider surrounding area, through change to the character and appearance of a part of their shared setting. However, the Heritage Assessment concludes that these impacts are “less than substantial”, for the purposes of the NPPF (paragraph 202), and for each of these assets. Furthermore, the magnitude of harm that may be caused to the significance of each of these heritage assets, would be towards the middle or lower end of scale within that category of less than substantial; as advised by the NPPG.
- 06.13.46** It has been considered that while a degree of harm is identified, the public benefits, including financial contributions discussed outweigh the harm identified. Although this would not change the effects from the Proposed Development, it is likely that there would be a beneficial effect to these assets where restoration and enhancements are completed as a result of these financial contributions and to the wider area.

**06.13.47** Notwithstanding the above, if the Council considered that the level of harm to the setting of designated heritage assets as a result of the proposals were towards the higher end of less than substantial, then it is still considered that the substantial public benefits to be delivered as part of the Development would be more than sufficient to outweigh that harm.

**06.13.48** The Proposed Development provides a high quality and considered design which minimises and mitigates harm to the significance and setting of the heritage assets, in balance with optimising the development potential planned for this part of the Opportunity Area.

### **BURIED HERITAGE**

**06.13.49** Policy CL4 of the Local Plan requires applicants to undertake desk based archaeological assessments and where necessary field evaluation for small developments within Archaeological Priority Areas and major developments outside of Archaeological Priority Areas unless pre-application advice has been obtained from the Greater London Archaeological Advisory Service that this is not necessary.

**06.13.50** The Site does not fall within a designated Archaeology Priority Area, but the Kensal Green Cemetery to the north of the site forms part of the larger Kensington and Chelsea Cemeteries Archaeological Priority Area (APA). This application is therefore supported by an Archaeological Assessment which concludes that Archaeological remains are likely to be impacted during the demolition and construction of the Proposed Development. The following are key considerations associated with the site:

- / A Medium potential for encountering remains related to the industrial heritage of the site and its development as a Gasworks;
- / A Medium potential for post-medieval and other modern remains to survive;
- / A Low potential for medieval remains to survive;
- / The potential of hitherto unknown remains to survive; and
- / The impact of piling.

**06.13.51** The assessment concludes that with the implementation of necessary mitigation measures, any likely effects caused as a result of the Proposed Development on the site and any cumulative effect upon any potential buried heritage assets within the site will be Not Significant. The proposals comply with Policy CL4 of the Local Plan.

### **06.14 IMPACT ON SURROUNDING PROPERTIES**

**06.14.1** The current Local Plan identifies that the Borough is very densely developed and therefore protection of existing amenity is paramount. Policy CL5 states that the Council will require all development ensures good living conditions neighbouring buildings. To deliver this the Council will ensure that good standards of daylight and sunlight are achieved in existing properties affected by new development; and where they are already substandard, that there should be no material worsening of the conditions. The Policy also requires that there is

reasonable visual privacy for occupants of new and existing properties affected by new development and that there is no harmful increase in the sense of enclosure to existing buildings and spaces, neighbouring gardens, balconies and terraces.

- 06.14.2** The site is not situated immediately adjacent to a large quantity of residential development (notwithstanding Kensal House discussed below). As noted above, immediately surrounding the site is the Grand Union Canal to the north and the railway line to the south, with Ladbroke Grove Road to the east and industrial land to the west. These features provide a buffer around the site which - in turn – reduces the impact of the development of surrounding properties.
- 06.14.3** The nearest residential properties to the site are located within Kensal House (5-storey building), adjacent to the east of the site, to the south of the Site's entrance. Kensal Day Nursery is also situated here. The existing Water Tower dwelling is also situated to the north-east of the Site entrance. Several residential moorings are also located along the Canal with permanent residential moorings along the northern bank of the canal, while those situated on the southern side of the canal are temporary moorings.
- 06.14.4** The Dalgarno Estate sits to the south of the railway line and is predominantly residential in nature.
- 06.14.5** As discussed above, the Proposed Development will impact the surrounding area, due to the required scale of development and resulting taller buildings. The KCOA SPD states in Section 6.1 that the scale and density of the development required at Kensal Canalside will be a step change from the existing pattern of development in much of the Borough.
- 06.14.6** The SPD acknowledges that the development will change the existing pattern of development within the Borough. Despite the transformational nature of the Proposals, the Development sensitively considers those properties within the immediate vicinity of the site, including Kensal House and the Water Tower (the Site's closest residential neighbours).

#### **KENSAL HOUSE AND KENSAL DAY NURSERY**

- 06.14.7** Proposed Block 1.1, within Plot 1 is considered the closest proposed building to the existing Kensal House and Day Nursery. Block 1.1 is curved into a crescent shape, reflecting the curvature of nearby Kensal House and responding to the semi-circular existing buildings and courtyard. Block 1.1 is lower in height than the other blocks within this Plot, stepping down to a maximum of 22.6m in height (measured from ground), which seeks to respect the height of the adjacent 5 storey Kensal House building.
- 06.14.8** It is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed (either residential or non-residential) development, assuming a level topography. The separation distances between Block 1.1 and Kensal House are estimated as approximately 55.7m (assuming maximum parameters) which are considered acceptable separation distances in line with both Strategic and Planning Policy, thus it is not considered that overlooking will occur.
- 06.14.9** A detailed daylight, sunlight and overshadowing report, accompanies this application and includes an assessment of the Proposed Development on the adjacent Kensal House and Day Nursery. The assessment

concludes that overall, the residential building currently receives very high levels of daylight in the baseline condition, owing to the underdeveloped nature of the existing site. It concludes that the potential daylight and sunlight effects arising from the Proposed Development on Kensal House range from Minor to Moderate Adverse (Significant), however, the retained levels of daylight should be considered adequate in the context of an urban area undergoing regeneration. The assessment also concludes that the overall daylight and sunlight effect on the Nursery Building is Minor Adverse (not significant).

- 06.14.10** For both properties, the overshadowing effects from the proposed development are concluded as negligible (not significant).

### **THE WATER TOWER**

- 06.14.11** As noted above, the Water Tower is located to the north-east boundary of the Site and comprises a single residential dwelling. Given the proposed illustrative design of Plot 06 to be primarily an accessible green space, and the significant distance between the Water Tower and the proposed building on Plot 06 (25.8m), material overlooking or overshadowing impacts will not occur. The daylight, sunlight and overshadowing report concludes that the potential daylight and sunlight effect is considered Negligible to Minor Adverse (not significant).

### **RESIDENTIAL MOORINGS**

- 06.14.12** Residential moorings are situated along the Canal to the north of the site. To assess the potential impacts of the development on these moorings, a total of ten permanent moored houseboats have been considered within the daylight, sunlight and overshadowing assessment. While houseboats have a non-permanent nature and may relocate (in which case they would no longer be affected), the effects identified within the daylight, sunlight and overshadowing assessment have been considered permanent as a worst case scenario.
- 06.14.13** The accompanying daylight, sunlight and overshadowing report concludes that the daylight and sunlight effects of the Proposed Development upon the Grand Union Canal Houseboats would be Minor to Moderate Adverse (Significant), although the non-permanent nature of houseboats should be taken into consideration, as well as the levels of daylight received from non-site facing windows.
- 06.14.14** The report confirms that the overshadowing effects from the Proposed Development are ultimately considered negligible (not significant).

### **DALGARNO ESTATE**

- 06.14.15** Dalgarno Estate is situated to the south of the site, further south of the railway line. The residential dwellings within this estate are situated at a significant distance from the Proposed Development, with the railway line running between. As such, it is not considered that the Proposed Development will materially impact these residential dwellings by way of overshadowing or overlooking. These dwellings as such have not been assessed within the accompanying daylight, sunlight and overshadowing report.
- 06.14.16** The Proposed Development has been designed to take account of surrounding residential properties. The proposals maintain sufficient separation distance from surrounding properties to ensure privacy for residents.

Daylight and sunlight results are also considered reasonable given the scheme proposes a high-density residential scheme on a Strategic Site.

**06.14.17** The Proposed Development will therefore not have an undue impact on the quality or amenity of surrounding residential properties and is acceptable in this regard, in line with Local Plan Policy CL5.

## **06.15 TRANSPORT AND HIGHWAYS**

**06.15.1** London Plan Policy T1 states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policy T2(c) of the London Plan states that in Opportunity Areas and other growth areas, new and improved walking, cycling and public transport networks should be planned at an early stage, with delivery phased appropriately to support mode shift towards active travel and public transport.

**06.15.2** Given the large size of the Application Site, it has a Public Transport Accessibility Level (PTAL) rating which ranges from 5 (very good) at the eastern section of the Site where the Sainsbury's store is currently located, 2 (poor) at the western end. The Site is within walking distance to several London Underground stations. These include Kensal Green which is a 12-minute walk to the northwest (Bakerloo line and London Overground) and Ladbrooke Grove which is a 16-minute walk to the southeast (Circle and Hammersmith and City Lines). The nearest bus stop is located within the Site boundary along Canal Way to the east of the Site. Several buses operate from this stop and provide services to Vauxhall, Victoria, Temple, South Kensington, White City, Clapham Junction and Park Royal.

**06.15.3** Current Local Plan Policy CO3 (Strategic Objective for Better Travel Choices) states the Council's objective for better travel choices is for walking, cycling and public transport to be safe, easy, attractive and inclusive for all and preferred by residents and visitors to private car ownership and use. The Council will ensure this by managing traffic congestion and the supply of car parking (Policy CT1).

**06.15.4** Policy T5 of the Draft Local Plan (Land use and Transport) requires development to be located in suitable areas where the transport requirements can be met in a sustainable manner, and which actively encourages travel by sustainable modes. High trip generating development should be located in areas of the Borough where public transport accessibility has a PTAL score of 4 or above and where there is sufficient public transport capacity, or that will achieve PTAL 4 and provide sufficient capacity as a result of committed improvements to public transport.

**06.15.5** In addition to the Traffic & Transport Chapter of the supporting Environmental Statement, a Transport Assessment and multiple Travel Plans have been submitted as part of this Application. These documents set out a strategy for promoting sustainable modes of transport during the life of the development and reducing the reliance on car use in the future.

## ACTIVE TRAVEL

- 06.15.6** London Plan Policy T3 requires development proposals to support capacity, connectivity and other improvements to the bus network and ensure it can operate efficiently to, from and within developments, giving priority to buses and supporting infrastructure as needed.
- 06.15.7** The Proposed Development makes key efforts to improve the existing bus network at the site. Buses are central to the transport strategy, as they provide a high quality connection to multiple destinations within a 20 minute bus journey from the main site access on Ladbroke Grove. Key efforts include bringing bus routes with proposed bus stops into the site.
- 06.15.8** There are seven bus routes proposed to serve the site. Bus routes 295, 23, 228 and 452 are proposed to extend within the site providing a connection to the proposed Sainsbury's store, travelling along the Avenue through the Neighbourhood Centre before continuing on their journey north south along Ladbroke Grove. Routes 52, 70 and 316 will remain on Ladbroke Grove due to potential impacts on the current level of service and passengers.
- 06.15.9** One existing bus route (route 295) will be extended to the far west of the site to connect the neighbouring residents to the bus network. Routes 295 and 452 are terminating routes and require use of a bus standing facility and driver welfare facilities. These are proposed in the south-western corner of the Site. These are proposed in the south-western corner of the Site. These driver facilities will allow drivers to rest and for interchange of drivers without impacting public safety.
- 06.15.10** A new bus interchange is also proposed adjacent to the eastern edge of the Sainsbury's store for the 23 and 228 services. This brings passengers directly to the front door of Sainsbury's store. The proposed bus routes and infrastructure fall within the Detailed Element.
- 06.15.11** The proposed improvements seek to allow the new and existing community to have a range of bus options depending on their journey requirements. Further, the proposals seek to remove the bus congestion from the entrance to the site and spreads the bus movements to the west. This benefits the overall accessibility of the site and removes vehicular conflict at the site entrance, which in turn, reduces congestion on Ladbroke Grove.
- 06.15.12** TfL bus drivers will also be provided with a new facility which they do not currently have available to them on site. The facility will be to the west of Plot 2 (Block 2.9), with the final design of the facility to be in accordance with TfL guidance.
- 06.15.13** The Development proposes cycle routes throughout. The main cycling access into the site is via the proposed junction situated within the far east of the site. Further cycling access into the site is provided from the east and west directions along the Grand Union Canal. This provides a natural entrance to the site which avoids the main junction.
- 06.15.14** The scheme prioritises pedestrian safety around and within the Site. The proposals replace the existing roundabout on Ladbroke Grove with a signalised junction, improving safety of pedestrians and cyclists entering and exiting the site. This principle of the junction was adopted within the SPD (2021) and provides dedicated and controlled pedestrian and cycle facilities. The establishment of an all-movements signalised junction with

designated controlled pedestrian and cycle facilities is also required by local policies and is supported by Healthy Streets policies in the London Plan and Local Plan, which seek to prioritise active travel modes.

**06.15.15** Within the Site, the Proposed Development prioritises walking and cycling, aligning with the SPD. The Development provides wide pedestrian footpaths (3-4.5m) and crossing points throughout.

**06.15.16** The above active travel principles are considered to align with strategic and local policy including Policies T1, T3, T5, CO3 and Healthy Streets objectives.

### **ELIZABETH LINE STATION**

**06.15.17** There has been a long-term aspiration of RBKC to include an Elizabeth Line station on the Site. This is recognised within both current and draft Local Plan Site Allocations CA1 and SA1. Since the Site was first designated, work has been undertaken to consider the viability of a new Elizabeth Line station from an operational and cost perspective. The Council, working with Network Rail and Transport for London, has not yet been able to prove that the delivery of an Elizabeth line station at Kensal Canalside is feasible. No further feasibility work on the station is anticipated within the lifetime of the Local Plan, and this is recognised within the Draft Local Plan (paragraph 8.35).

**06.15.18** Further, as concluded within the Transport Assessment, the Proposed Development is not reliant on a new station to support the Proposed Development. Detailed station capacity analysis and impact assessments have been undertaken in the TA, assessing both Ladbroke Grove and Kensal Green Stations. The assessment shows that, as is typical of stations across London, some elements of each station do not currently accord with TfL's 'S1371 – Station capacity planning' (2019) guidelines (assessing platform stair and overbridge widths and gatelines). However, although the Proposed Development will increase passenger flows through each station, the incremental changes are no different to those requirements of the 2041 scenario without the Proposed Development.

**06.15.19** The total passenger demand by route and direction was shared with TfL who were satisfied that due to the number of services and the frequency of services that there is likely to be sufficient capacity on all routes to meet the development demand. Within the Transport Assessment, the bus service impact assessment shows a minimal impact on the existing bus services, with the highest increase of passengers shown on the southbound 228 bus route.

### **CYCLE PARKING**

**06.15.20** London Plan Policy T5 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This can be achieved through securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards outlined within the London Plan.

**06.15.21** RBKC Local Plan CT1 requires improvements to the walking and cycling environment, including securing pedestrian and cycle links through new developments. The Draft Local Plan Policy T6 aligns with Policy CT1 and notes that development must provide accessible, secure cycle parking facilities and make provision for high

quality ancillary facilities that promote cycle use including changing rooms, showers, and lockers in line with or above current minimum standards. These cycle parking standards referenced are set out in the London Plan 2021 (Policy T5) and are expressed as minima.

- 06.15.22** There is a strong aspiration to increase and enhance cycling across London in areas where people have a propensity to cycle to work. The site provides access via a range of routes to numerous employment opportunities, by virtue of its location on the edge of central London and a 15 minute cycle journey from the Central Activities Zone (CAZ). The site is close to Paddington, Kensington, White City and to the emerging Old Oak Common Opportunity Area. The canal provides an existing cycle connection to Paddington and Old Oak Common, both on and off the towpath.
- 06.15.23** As part of the proposed application, cycle parking will be provided in accordance with London Plan standards assuming a 'worst case' scenario for the flexible uses in terms of highest cycle demand.
- 06.15.24** The supporting Transport Assessment notes that over 4,500 cycle parking spaces can be provided on Site, both privately secure in basements and in the public realm for visitors. The wide variety of cycle connections including the canal towpath and potential new bridge connections will allow cyclists to enter and leave the site and to use the site to access shopping and other leisure opportunities. Santander cycle docking stations are also proposed on site, subject to TfL agreement to extend the cycle hire scheme. Financial contributions will be made available to TfL to deliver the docking stations.
- 06.15.25** Each block will provide residential cycle stores, accessed via building cores with step free access to ground level in accordance with London Plan cycle parking standards. The design incorporates space for larger bikes, including accessible bikes in accordance with the London Cycle Design Standards.
- 06.15.26** A Car and Cycle Parking Management Plan (CCPMP) supports this application and confirms that the proposed cycle parking provision will adhere to the standards set out within the London Plan and its design will ensure that cycle parking is located in areas that are both convenient and secure, including passive surveillance for security.
- 06.15.27** The cycle parking numbers as presented within the Transport Assessment are policy compliant based on the Detailed Element and the illustrative scheme for the Outline Element. The final cycle parking numbers for the Outline Element will be determined once the final unit mix and non-residential floorspace within each Plot is agreed with the Council as part of future Reserved Matters Application(s).
- 06.15.28** The proposed and indicative cycle parking proposals are in line with both London Plan policies and Local Plan Policies T5, CT1 and T6.

#### **CAR PARKING – RESIDENTIAL**

- 06.15.29** At the strategic policy level, London Plan Policy T6 states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. It goes on to say that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite').

- 06.15.30** London Plan Policy T6.1 sets maximum parking standards for new residential development and states that parking spaces within communal car parking facilities should be leased rather than sold. Table 10.3 (Maximum residential parking standards) provides a maximum of 0.5 spaces per dwelling for Inner London PTAL 2 sites, but a requirement for being car free within Inner London Opportunity Areas.
- 06.15.31** London Plan Policy T6.2 also requires residential developments to provide at least one designated disabled persons parking space per dwelling from the outset for 3% of total dwellings and demonstrate how an additional 7% of dwellings (up to a total of 10%) could be provided with one designated disabled persons parking space in the future upon request as soon as existing provision is insufficient.
- 06.15.32** For non-residential car parking standards, London Plan Policy T6.3 allows up to 1 space per 75 sq. m GIA in Inner London locations.
- 06.15.33** Local Plan Policy CT1 seeks to improve alternatives to car use, as such it outlines a series of objectives, including:
- / high trip generating development to be located in areas of the borough where public transport accessibility has a PTAL score of 4 or above and where there is sufficient public transport capacity, or that will achieve PTAL 4 and provide sufficient capacity as a result of committed improvements to public transport;
  - / require it to be demonstrated that development will not result in any material increase in traffic congestion or on-street parking pressure;
  - / require that all new additional residential development be permit-free;
  - / require car parking provided in new residential development to be at or below the adopted car parking standards;
  - / require that parking in non-residential development is for essential need only.
- 06.15.34** Draft Local Plan Policy T8 relates to car parking and states that all new additional residential development must be permit free. Car parking provided in new residential development must be at or below the adopted car parking standards and parking in non-residential development must be for essential need only. Where parking is provided, all parking spaces within new development should be equipped with electric vehicle charging points.
- 06.15.35** Local Plan Policy CT1 and Draft Policy T5 also requires Transport Assessments and Travel Plans to support larger scale development. As such, this application is supported by the above reports, prepared by WSP.
- 06.15.36** For car parking and cycle parking, given the hybrid nature of the scheme, the minimum cycle parking numbers and maximum parking numbers are fixed within the Outline element. The detailed parking layouts for both cycles and cars will be provided at detailed stage, except in the case of Plot 2 (Detailed Element) where they are now submitted in detail.

- 06.15.37** As confirmed within the supporting Transport Assessment, the Proposed Development is 'car-lite' with a maximum total of 346 residential parking spaces provided for the maximum 2,519 units (0.14 space per unit). Of these up to 76 can be disabled parking representing 3% of the total number of units. This can be increased to 10% of units if demand arises, with take up monitored to ensure sufficient disabled bays are provided. The London Plan advises that development within Opportunity Areas or within a PTAL of 5 and 6 should be car free, except for disabled parking. Given the site will have a PTAL of between 3-5, the level of parking proposed is considered appropriate.
- 06.15.38** The above confirms that the illustrative parking proposals comply with strategic and local policy requirements. It is considered that while some parking will be provided, the scheme makes a conscious effort to encourage active travel to and within the site. As such the proposals comply with Policies T6, CT1, T5 and T8.
- 06.15.39** A Car and Cycle Parking Management Plan (CCPMP), prepared by WSP, supports this application. The Plan sets out the long-term strategy for allocating, managing and monitoring on-site car and cycle parking (excluding parking relating to the Sainsbury's store, which is discussed below).
- 06.15.40** With regard to residential parking spaces, Ballymore (London Arena) Ltd will be responsible for the allocation of the Private spaces at the point of sale. The spaces will be sold as 'right to use' and not legally conveyed to the property. RBKC, or the appointed Registered Provider, will be responsible for the allocation and management of Shared Ownership and Affordable Rent spaces. Blue Badge spaces required by residents in Private and Shared Ownership units will be assessed in accordance with the national criteria for Blue Badges, i.e. residents would be expected to be eligible for a Blue Badge to use the Blue Badge spaces. On-street Blue Badge parking will be controlled and managed by the Estate Management Team on behalf of Ballymore Group.
- 06.15.41** Electric vehicle charging points are proposed in line with the London Plan which requires that 20% of residential parking spaces across the development have electric vehicle charging points, with the remaining bays featuring passive provision for future conversion into electric charging bays. As such, it is proposed that 20% of bays will have active electric vehicle charging points, and the remaining 80% have capability for future conversion.

#### **CAR PARKING – SAINSBURY'S**

- 06.15.42** At present, the existing car parking (396 spaces) provided at the Sainsbury's store within the Application Site also support the wider Area by providing free car parking for Sainsbury's customers, enabling them to visit other retailers as part of a linked trip.
- 06.15.43** As noted within the Transport Statement (prepared by WSP) submitted in support of the Application, it is vital that sufficient customer car parking continues to be provided to support the function of the new Sainsbury's store and new Neighbourhood centre. The Proposed Development will provide 227 car parking spaces for customers within a new car park beneath the store. This represents a significant reduction from the existing parking levels provided onsite (reduction of 169 spaces from the existing 396 spaces) but is appropriate to cater for customer and town centre demand. Further details on the car parking can be found in the accompanying Transport Assessment.

- 06.15.44** This application is supported by a Car Parking Management Plan, prepared by Mayer Brown. This relates specifically to the Sainsbury's store parking. The overall aim is to encourage a reduction in car trips to the store compared to the existing site, and a promotion of sustainable travel modes. This document sets out the parking management strategy across the store car park and how this will be enforced to deter abuse of the car park.
- 06.15.45** The report confirms management measures relating to the car parking operation.
- 06.15.46** The car park will operate as a short stay car park, free of charge to customers, with a maximum duration of stay for customers of three hours. Parking within the car park will be monitored by Automatic Number Plate Recognition (ANPR) cameras on the access point. The customer time limit is considered sufficient to allow customers to make a trip to the store, whilst restricting the potential for abuse of the car park. SSL reserves the right to amend the maximum permitted duration of stay in the event that the management objectives are not being successfully met. SSL will employ an external company for the management of the car parking associated with the store, and any necessary enforcement measures.
- 06.15.47** In addition, parking enforcement will be carried out by a Parking Enforcement Contractor, who may be part of, or appointed by, the Management Company. It is considered that the penalty charge for violation of the parking regulations will be determined by the management company prior to occupation of the development. The car park and service road will also be monitored by the car park attendants, with CCTV offering 24-hour security.
- 06.15.48** It is therefore considered that the re-provided Sainsbury's store meets Policy CA1 and Draft Policy SA1 requirements and the aspirations of the KCOA SPD, including minimising the need for private vehicle use and prioritise sustainable forms of transport.

#### **DELIVERIES AND SERVICING**

- 06.15.49** London Plan Policy T7 requires development proposals to facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible.
- 06.15.50** Local Plan Policy CR7 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. Servicing activities and coach pick-up and drop-off should not give rise to traffic congestion, conflict with pedestrians or be detrimental to residential amenity.
- 06.15.51** Draft Local Plan Policy T9 relates to servicing and states that Developments must provide sufficient on-site servicing space where feasible, delivery consolidation floorspace, and coach parking to accommodate the number and type of vehicles to be generated and to ensure that this can take place without manoeuvring on the highway.
- 06.15.52** Local Plan Policies require a Delivery and Servicing Management Plan to support relevant applications. As such, the proposed delivery and servicing management strategy is outlined within the supporting Outline Delivery and Servicing Management Plan (DSP) prepared by WSP. Plot 2, submitted partly in detail, includes a standalone

DSP for the Sainsbury's store. The remainder of the Outline plots are submitted based on illustrative commercial floorspace.

#### **OUTLINE DSP**

- 06.15.53** All servicing and refuse trips associated with the Proposed Development will be undertaken at loading bays near each block within the Proposed Development. Residents will be responsible for transporting their own waste to the ground floor, commercial occupiers will be required to provide waste storage areas within their premises.
- 06.15.54** The servicing and refuse management will be monitored and reviewed regularly to ensure it is as efficient as possible.
- 06.15.55** Detailed DSP's will be submitted as part of the future Reserved Matters Applications, and these will identify how any specific plot related issues or specific requirements will be addressed.

#### **SAINSBURY'S DSP**

- 06.15.56** This application is supported by a Delivery and Servicing Plan, prepared by Mayer Brown which relates specifically to the Sainsbury's store. This plan details the number of existing and proposed deliveries to the development and the anticipated route that the deliveries would use to and from the store. Details on the servicing arrangements for the proposed store are also provided.
- 06.15.57** The plan indicates that up to nine deliveries per day could be expected to the Sainsbury's store. These will typically be split as eight HGVs and one LGV. The majority of Sainsbury's delivery vehicles would arrive from Sainsbury's Greenford depot. All deliveries will arrive via the southern link road, accessed from a junction with Ladbrooke Grove.
- 06.15.58** Deliveries can be accommodated at any time over a 24-hour period and will be timed to ensure they occur outside peak periods and that delivery bays are clear. The store will be aware of delivery times and will ensure the bays are clear and colleagues are ready to receive the delivery to minimise vehicle turnaround times. As per the DSP, an effort will be made to schedule deliveries outside of peak hours.
- 06.15.59** 15 Goods Online (GOL) vehicle spaces will be provided within the service yard. The Goods Online vehicles adhere to a strict delivery schedule as per customer bookings which is managed internally by Sainsbury's to minimise vehicle mileage on the road network and where possible avoid peak periods. As noted above, each GOL van has the capacity to make up to 10 deliveries per trip and will complete a maximum of three trips to and from the store per day. Therefore, the fleet of 15 vans will generate up to 90 vehicle movements per day.
- 06.15.60** Sainsbury's continue to trial various options such as fully electric and LPG vans and it is likely that by the time of opening, the store will operate a fully electric fleet.
- 06.15.61** As such, it has been demonstrated that the servicing requirements for the Proposed Development can be suitably managed on-site and will not cause undue disruption to the surrounding highway network in compliance with the relevant planning policy.

## **BRIDGE DELIVERY**

- 06.15.62** Draft Local Plan Site Allocation SA1 (K) requires the Opportunity Area to deliver 'new or improved infrastructure, including a new pedestrian and cycle bridge over the railway...and a new pedestrian and cycle bridge over the canal'.
- 06.15.63** Within the KCOA SPD, Policy CO5 requires development to deliver a new north-south pedestrian and cycling bridge across the Great Western Railway.
- 06.15.64** The wider KCOA includes the Department for Transport land to the south, known as the North Pole site. It is understood there are no formal plans for this site in the immediate future however, in line with Policy CO5, there is opportunity for a future connection via a pedestrian and cycle bridge over Railway line. Ballymore and SSL remain committed to working with the Council and other stakeholders to ensure successful delivery of the railway bridge, including a potential financial contribution and guaranteed landing area for the bridge.
- 06.15.65** In addition to the railway bridge, Policy CO6 of the KCOA SPD requires development to deliver new connections and improved access to the towpath with a pedestrian bridge over the canal.
- 06.15.66** To the west of the Site, within the wider KCOA, is land occupied by the former Kensal Gasholders site, owned by St William (known as Plot 3) which is expected to be subject to a separate planning application in the future. In line with Policy CO6, there is opportunity to link this Site via a pedestrian bridge to the north, across the canal to Kensal Green Cemetery (subject to an access agreement with the Cemetery). Ballymore and SSL are committed to assisting St William with the delivery of the canal bridge.
- 06.15.67** Ballymore and SSL recognise the importance of the delivery of the bridges to improve links between the Opportunity Area and its surroundings. This is particularly true of the southern bridge across the railway which provides pedestrian and cyclist permeability across the site and links to surrounding amenities (e.g. schools). The Applicant Team is in discussions with the relevant stakeholders and landowners, including the Department for Transport (who own the 'North Pole' site to the south of the railway line), St William (who are bringing forward Plot 3) and RBKC to ensure the timely delivery of the bridges. The intention is to bring forward standalone planning applications which will be considered by the Council.
- 06.15.68** Notwithstanding the above, this planning application demonstrates that the accessibility of the Site can support the Proposed Development, with or without the delivery of the railway and canal bridge. To enable this, the Applicant proposes to enhance existing public transport services, including improvements to the current bus routes serving the site, and off-site contributions including potential upgrades to the Ladbroke Grove London Underground Station. These contributions are discussed further below.

## **06.16 ENERGY AND SUSTAINABILITY**

### **ENERGY STRATEGY**

- 06.16.1** London Plan Policy SI1 states that major development should be net zero-carbon with a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Where it can be demonstrated

that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided either through a cash in lieu contribution to the borough's carbon offset fund, or provided off-site where an alternative proposal is identified, and delivery is certain.

- 06.16.2** Local Plan Policy CL2 identifies that sustainable development is essential in good design and is a key principle of the NPPF. In October 2019, RBKC announced that it is joining other authorities in declaring a climate emergency and is adopting targets for the Borough to be carbon neutral by 2040. Policy CL2 states that the Council will work proactively with applicants to secure developments which enhance the economic, social, and environmental conditions in RBKC.
- 06.16.3** This is continued further in Policy CA1 specific to the KCOA which states that proposals should incorporate on-site renewable energy production and improve local facilities, such as community space and cyclist access – amongst others.
- 06.16.4** Policy GB4 of the Draft Local Plan requires developments to optimise building design to reduce energy demand in-line with the London Plan Energy Hierarchy 18. Large-scale development schemes, such as those in Opportunity Areas, must explore opportunities to deliver heat networks and should develop energy masterplans in accordance with the London Plan.
- 06.16.5** All applications for major development must be accompanied by an energy strategy/assessment demonstrating how the requirements of Policy GB4 will be met. Hoare Lea have produced an Energy Statement to support this application.
- 06.16.6** The supporting Energy Statement responds to the climate emergency declared by RBKC by adopting low-carbon design while supporting a wider, holistic and balanced approach to sustainability. The energy strategy for the development is a key part of the approach to sustainability.
- 06.16.7** Given the hybrid nature of the planning application, Hoare Lea make reasonable assumptions regarding the outline elements of the scheme which will be reviewed through detailed design and at Reserved Matters stage. Any assessment at this stage is only indicative based on these reasonable assumptions.
- 06.16.8** The project's ambition is to promote a simple approach to energy efficient and low carbon buildings, that benefits from the use of current and future technologies, delivering performance outcomes in practice, while minimising carbon emission now and in the future. The proposed energy strategy follows the Energy Hierarchy, 'Be Lean, Be Clean, Be Green, Be Seen', as set out in the London Plan 2021. It also responds to the climate emergency declared by the RBKC. The proposal uses an electric-led energy strategy, with the utilisation of Air Source Heat Pumps (ASHPs) to provide space heating, cooling and domestic hot water. In addition, available roof spaces will incorporate photovoltaic (PV) panels to generate renewable electricity on-site. Mechanical ventilation with heat recovery (MVHR) systems will be installed within the apartments.
- 06.16.9** Overall, the Proposed Development is expected to achieve a 35% carbon reduction against Part L 2021 for the Detailed Element of the scheme, with a 61.1% carbon reduction against Part L 2021 estimated for the Outline

Element. Overall, the scheme as a whole is expected to achieve a 59.9% carbon reduction when compared to the Part L 2021 notional baseline target emission rate.

**06.16.10** As noted above, London Plan Policy SI1 states that major development should be net zero-carbon with a minimum on-site reduction of at least 35% beyond Building Regulations for major development (and the shortfall provided through a cash in lieu contribution to the Borough's carbon offset fund). As the Proposed Development is expected to achieve a 59.9% carbon reduction and shortfall expected to be accounted for as a contribution within the S106, it is considered that the Scheme is in accordance with London Plan Policy SI1 and related current and emerging Local Plan policies.

### **BREEAM**

**06.16.11** Local Plan Policy CE1 requires non-residential development of 1,000sqm or more to meet BREEAM 'very good' standard, evidenced through a BREEAM Assessment, however the emerging Local Plan Policy GB4 requires major non-residential development to meet BREEAM 'excellent' standard. This application is therefore supported by multiple BREEAM Pre-Assessment reports prepared by Hoare Lea, which cover the different commercial elements of the scheme.

**06.16.12** The BREEAM Pre-Assessments confirm that the commercial elements of the Proposed Development are targeting a BREEAM 'excellent' rating, exceeding adopted Local Plan Policy CE1 and in line with emerging Local Plan Policy GB4.

### **WHOLE LIFE CARBON AND CIRCULAR ECONOMY**

**06.16.13** In accordance with London Plan Policies SI7 and SI2, GB2 and GB3, a Circular Economy Statement and Whole Life Cycle Carbon Assessment have been prepared in support of this application.

**06.16.14** The Whole Life Carbon Assessment and completed copy of the GLA's Whole Life-Cycle Carbon Assessment Spreadsheet captures the operational carbon emissions for the development. The study also includes an assessment of the potential carbon emissions 'benefits' from the reuse or recycling of components after the end of a building's useful life.

**06.16.15** The Circular Economy Statement outlines a site-wide strategy which includes commitments around the promotion of sustainable use of materials comprising several targets around materials and waste. Priority has been given to materials with lower carbon impact, diversion of construction waste from landfill, maximising the use of recycled or secondary aggregates giving preference to solutions available closer to the site, construction resource efficiency and an overarching ambition to reduce the project's supply chain carbon intensity from materials and manufacturing relative to standard industry performance.

**06.16.16** The Proposed Development will follow best practice principles in design and construction with the overarching aims of reducing material usage, minimising waste, and embedding longevity, flexibility and adaptability.

**06.16.17** Overall, the Proposed Development minimises carbon emissions by using energy efficient services and low to zero carbon technologies in accordance with London Plan and Local Plan policies. The Proposed Development is policy compliant in this regard.

## **06.17 ENVIRONMENTAL CONSIDERATIONS**

**06.17.1** Trium Environmental Consulting have prepared a full Environmental Statement (ES) which supports this application. This accords with the statutory procedures set out in The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

**06.17.2** Environmental Impact Assessment is a process that allows the beneficial and adverse (positive and negative) environmental effects of certain projects on the environment to be identified and reported upon. This helps the local authority (in this case RBKC) to understand the environmental effects of a new development when they make their decision on whether to grant planning permission.

**06.17.3** The following Section provides a summary of the key environmental factors influencing the Application Site and Proposed Development, some matters (such as transport, heritage and townscape) are discussed elsewhere in this Planning Statement. For full details of the Environmental Impact Assessment undertaken, please see the supporting ES.

### **WIND AND MICROCLIMATE**

**06.17.4** London Plan Policy D8 requires developments to consider the microclimate created by buildings, including the impact on the public realm and the surrounding area.

**06.17.5** Local Plan Policy CL5 furthers this and notes that the anticipated level of activity as well as the effects on the local microclimate should be taken into consideration. It states that the Council will 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.

**06.17.6** Given the scale of the Proposed Development, the scheme was subjected to wind tunnel testing through the design process, including the testing of a number of scenarios. The assessment considered areas within the Application Site, including at ground level (such as thoroughfares and building entrances), amenity areas (at ground floor and elevated including plot courtyards seating areas) and roof terraces. The testing included areas around other buildings surrounding the Application Site (such as building entrances), roads, nearby bus stops and thoroughfares. Further testing will be conducted at future detailed design stages and Reserved Matters Applications.

**06.17.7** The Wind Microclimate Chapter of the supporting ES sets out the findings in full.

**06.17.8** Limited areas would have wind conditions windier than suitable or unsafe for pedestrian use when the Proposed Development is in place and necessary wind mitigation measures as discussed in the 'Further Mitigation Measures' section of the Wind Report will be assessed at future detailed design stages and Reserved Matters Applications.

**06.17.9** Required mitigation included within the Detailed Element includes:

- / Inclusion of five 6m high deciduous trees to the south of Plot 2.1;
- / Inclusion of three 5m high deciduous trees at the south-east corner of Plot 2.7;
- / Inclusion of 1.5m high hedging along the southern and eastern podium edge of Plot 2.1 with proposed deciduous trees along the southern podium of Plot 2.1 which were modelled at 3m in height; and
- / Relocating the proposed trees and the 1.5m high shrubs underneath the proposed trees closer to the eastern façade of Plot 2.1 (between the cycle path and the footpath).

**06.17.10** With the implementation of these wind mitigation measures, wind conditions at majority of the areas within Phase 1 would be suitable for the intended pedestrian uses with no strong wind occurrences throughout the year.

**06.17.11** The Proposed Development is therefore considered to result in suitable wind conditions both within the Application Site and in the surrounding area, which will be further assessed at detailed design stage and it is expected that further mitigation measures will be capable of mitigating any residual effects, thereby protecting the locality from adverse microclimate effects in accordance with planning policy.

**06.17.12** The Wind Microclimate Chapter concludes that, with the inclusion of the proposed landscaping measures and wind mitigation measures outlined above, there would be no Significant wind microclimate effects as a result of the Proposed Development, in the context of existing surrounds or as part of the cumulative effects assessment.

#### **AIR QUALITY**

**06.17.13** The Site is located within the Kensington and Chelsea 'Air Quality Management Area' (AQMA) for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). The whole borough was declared an AQMA due to road transport emissions in 2000.

**06.17.14** London Plan Policy SI1 states that development proposals should not: lead to further deterioration of existing poor air quality; create any new areas that exceed air quality limits or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; or create unacceptable risk of high levels of exposure to poor air quality.

**06.17.15** Local Plan Policy CE5 (Air Quality) requires an air quality assessment to support all major development. It also requires developments to be 'air quality neutral'. The Council will resist development proposals, which materially increase exceedance levels of local air pollutants and have an unacceptable impact on amenity or health, unless the development mitigates this impact through physical measures, or financial contributions to implement proposals in the Council's Local Air Quality and Climate Change Action Plan.

**06.17.16** Draft Local Plan Policy GB6 (Air Quality) requires all development to meet the air quality neutral benchmarks in accordance with the London Plan and associated guidance. It further states that for major developments located

in AQFAs, large-scale development proposals (that are subject to EIA) are required to deliver an 'Air Quality Positive' approach.

- 06.17.17** In line with the above, this application is supported by an Air Quality Assessment, prepared by AQC consultants. The Assessment concludes that while the Proposed Development will be better than air quality neutral in terms of building emissions, its car trip generation exceeds the air quality neutral benchmark derived for an average development in Inner London, when taking into account trips generated by the Sainsbury's store.
- 06.17.18** It is noted that this assessment has been calculated following the guidance for an Inner London site. The Proposed Development lies immediately south of the boundary of LB Brent, which is categorised as Outer London. When calculated against Outer London standards, the Proposed Development trips do not exceed the benchmark for an Outer London site and thus would meet AQN standards.
- 06.17.19** It is also important however to recognise that the Proposed Development will provide reduced parking when compared with the existing store at the site and is thus most likely to reduce net trips. For the purposes of the Air Quality Neutral assessment, the existing Sainsbury's trips have been adopted into the 'proposed development' scenario as a reasonable worst case. However, when excluding the trips generated by Sainsbury's (as there will be no net increase in comparison to the existing scenario), the Proposed Development is better than air quality neutral.
- 06.17.20** The report confirms that mitigation may be required to account for the excess transport emissions above the air quality neutral benchmark, which would subject to agreement with the Council. It is therefore considered that, subject to mitigation, the Proposed Development is in line with Policies SI1, CE5 and GB6.

## **FLOOD RISK**

- 06.17.21** The Site is within Flood Zone 1 as designated by the Environment Agency, which is land considered to have less than a 1 in 1,000 annual probability of river or sea flooding.
- 06.17.22** London Plan Policy SI2 states that development proposals should minimise and mitigate flood risk and address any residual risk. This should include, where possible, making space for water and setting development back from the banks of watercourses.
- 06.17.23** Local Plan Policy CE2 requires a site-specific Flood Risk Assessment for all development in Flood Risk Zone 2 and 3 as defined in the Strategic Flood Risk Assessment, for sites in Critical Drainage Areas and for all sites greater than one hectare. Draft Local Plan Policy GB11 has a similar requirement. Given that the site is over one hectare in size, a flood risk assessment accompanies this application.
- 06.17.24** As noted above, the site lies within Flood Zone 1. The FRA concludes that the site will remain within Flood Zone 1 for its operational lifetime. According to Annex 3 of the NPPF, the development is classified as a land use that is 'more vulnerable' to flooding. The report confirms that all land uses proposed are considered appropriate within Flood Zone 1.

- 06.17.25** The report notes that RBKC does not identify that the site is in an area at risk of groundwater flooding and there are no historic records of groundwater flooding in the vicinity of the site. However, the ground investigation in the Interim Geotechnical and Geoenvironmental Interpretative Report (CGL, 2022) states that shallow groundwater was recorded within the made ground. The report recommends that the construction of the basements incorporate flood resistant techniques and appropriate mitigation (i.e. wall tanking). As a result, the Proposed Development will not be adversely affected by groundwater flooding.
- 06.17.26** The supporting Basement Impact Assessment, prepared by Walsh Associates Ltd, confirms that the Proposed Development's seven basement areas (with floor levels between 26.3mOD and 21.4mOD) have a negligible on groundwater levels and surface water flooding. Appropriate drainage and attenuation design, discussed below, will further mitigate these impacts. The proposed drainage strategy will ensure that the Proposed Development will not increase flood risk at the site or elsewhere.
- 06.17.27** The FRA demonstrates that the Proposed Development will be safe and that it would not increase flood risk elsewhere, in line with Policies SI2, CE3 and GB11.

## **DRAINAGE**

- 06.17.28** London Plan Policy SI13 discusses sustainable drainage and notes that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. Policy also gives preference for green over grey features, in line with its outlined drainage hierarchy. Drainage design should promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

## **SURFACE WATER DRAINAGE**

- 06.17.29** Local Plan Policy CE2 requires major development to achieve greenfield run-off rates. This is repeated in Draft Local Plan Policy GB12. Policy GB12 further states that surface water run-off must be managed as close to its source as possible (following the London Plan SuDS hierarchy).
- 06.17.30** The EA's risk of surface water flood risk mapping shows several areas of isolated ponding from surface water on the Site. The areas at risk of surface water flooding are located in areas of existing low-lying land within the site. This is to be expected given the brownfield nature of the site and the urbanised nature of the surrounding area.
- 06.17.31** A Drainage Impact Assessment has been prepared in support of this application and is appended to the Environmental Statement. The proposed drainage strategy follows the SuDS hierarchy and incorporates sustainable drainage features which will limit peak flows, control the volume of surface water runoff from the Site, and filter contaminants from surface water runoff.
- 06.17.32** Post-development, any ponding of surface water in extreme rainfall events will be re-distributed to the Site's new low points (i.e. areas of open space, the proposed public dock and roads) and managed as part of the sustainable drainage system.

**06.17.33** It is proposed to discharge surface water from the Proposed Development to the two wharfs, which connect with the Grand Union Canal. Surface water will be restricted to the greenfield rate of 120 litres per second (15.8 litres per second per hectare) by implementing Sustainable Drainage Systems (SuDS) to control, treat and store runoff, before off-site discharge. The proposed SuDS features are as follows:

- / Green, brown and blue roofs;
- / Bioretention features (pocket raingardens, swales, etc);
- / Below ground storage;
- / Proprietary treatment systems;
- / Rainwater harvesting; and
- / Permeable and pervious pavements.

**06.17.34** Several blue roofs are proposed across the scheme will add attenuation to offset various site constraints (basements, shallow outfall, etc). The majority of the proposed plots will have helping to control flows at high level, slow the rate of discharge into the below ground network, and reduce below ground storage requirements. The Proposed Development aligns with Local Plan Policies CE2 and GB12 and follows SuDS hierarchy as set out within the London Plan.

## **FOUL DRAINAGE**

**06.17.35** To support this application, a Drainage Impact Assessment has been prepared by Walsh. The Assessment confirms that the Proposed Development will provide a new site wide foul water network. This will provide sanitary disposal of foul water created by the Proposed Development.

**06.17.36** The foul water drainage system will be constructed in two phases in line with the wider master plan and phasing plan. This will be as follows:

- / **Phase 1** – Designed to convey flows generated by Plots 2 and 4 towards the site outfall and discharge to the adjacent public sewer network while accommodating the existing supermarket; and
- / **Phase 2** – Designed to convey flows generated by Plots 1, 5 and 6 towards the site outfall constructed during Phase 1 and discharge into the adjacent public sewer network.

**06.17.37** The foul water system will accommodate peak flows from the maximum 2,519 residential apartments and approximately 35,000sqm of commercial spaces from the Proposed Development. The proposed strategy will provide a foul water connection for the St William Development (Plot 3) which falls outside the current application site boundary, thereby safeguarding the delivery of the balance of development to the north of the railway (i.e. Plot 3).

**06.17.38** The Proposed Development's drainage strategy promotes multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity and urban greening in line with London Plan Policy SI13.

## **ECOLOGY AND BIODIVERSITY**

**06.17.39** The Kensal Gasworks Site of Nature Conservation Importance (SINC) is located within the Site boundary, however, this has largely been disturbed by the previous Crossrail compound.

**06.17.40** A single statutory site, Wormwood Scrubs Local Nature Reserve (LNR) is present within 700m to the west of the Site and two Special Areas of Conservation (SAC) are present within 8.4km of the Site.

**06.17.41** In addition, the following non-statutory Sites of Importance for Nature Conservation (SINC) are located either on or within close proximity to the Site:

- / Kensal Gas Works Site of Local Importance for Nature Conservation (SLINC (located on site in its entirety),
- / London's Canals Site of Metropolitan Importance for Nature Conservation (SMINC),
- / Kensal Green Cemetery (SMINC) and
- / British Rail Western Region Land Site of Borough Importance for Nature Conservation (SBINC)

**06.17.42** London Plan Policy G6 states that Sites of Importance for Nature Conservation (SINCs) should be protected. Where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts:

- / avoid damaging the significant ecological features of the site
- / minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site
- / deliver off-site compensation of better biodiversity value.

**06.17.43** Policy G6 also requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.

**06.17.44** Local Plan Policy CE4 states 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. This policy goes on to state 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.

**06.17.45** Draft Local Plan Policy GB17 further states that the Council will protect the biodiversity in, and adjacent to, the Borough's Sites of Importance for Nature Conservation (SINCs) and/or require the provision of significantly

improved habitats to attract biodiversity in accordance with national, regional and local policy and biodiversity and ecosystem targets. The Council requires major development to submit a site-specific ecological impact assessment. Development must also achieve a minimum on-site biodiversity net-gain of 10 per cent in accordance with the Environment Act 2021 and forthcoming Regulations.

## **ECOLOGICAL ASSESSMENT**

- 06.17.46** This application is supported by a number of ecological surveys and reports, including a Preliminary Ecological Appraisal (PEA), Bat Survey and Habitat Regulations Assessment Stage 1 Screening which have informed the Biodiversity Chapter of the ES. These consider the existing baseline conditions of the Application Site and surrounding area, followed by an assessment of the potential impacts of the Proposed Development and potential mitigation measures required.
- 06.17.47** The Assessment considers the following potential effects on ecological receptors, including statutory ecologically designated conservation areas nearby the site (such as Wormwood Scrubs Local Nature Reserve LNR), Sites of Importance for Nature Conservation (SINC), the Open Mosaic Habitat on Previously Developed Land and the Kensal Gas Works Site of Local Importance for Nature Conservation (SLINC) and protected species.
- 06.17.48** The assessment concludes that whilst effects are identified above, these are majority either negligible or minor adverse (not significant).
- 06.17.49** The impact of the Proposed Development on Wormwood Scrubs Local Nature Reserve (LNR) in the absence of mitigation, is however considered to be moderate adverse as it is likely to lead to increased footfall on these habitats. Consultation is currently ongoing to discuss mitigation measures, though such measures may include payment to RBKC (via S106 agreement) for upkeep of the LNR or other public green spaces. This would mitigate any adverse impacts on the designated site, leading to a Negligible residual effect.
- 06.17.50** The Biodiversity Chapter considers the impact of the Proposed Development on the neighbouring Canal SMINC and Kensal Green SMINC, and concludes that there is the potential for overshadowing impacts which may affect the species richness of aquatic and marginal habitats within the Canal SMINC and species richness of grassland habitats in the Kensal Green SMINC. To address this, the Proposed Development seeks to create new areas of species rich grassland, both on the living roofs and at ground level within the Proposed Development.
- 06.17.51** In addition, the design of the new canal basin includes new areas of aquatic and marginal planting, including reedbed, which would contribute new habitat for species within London's Canals SMINC, including birds, invertebrates and fish. With the implementation of these habitats, it is considered that impacts to the adjacent SMINCs will be short term, temporary and low magnitude.
- 06.17.52** The PEA identifies bat species within 2km of the site and suitable habitat to support foraging and commuting bats along the Site boundaries and on adjacent Sites. The PEA also identifies potential for roosting bats within the Boathouse. The Bat Survey Report concludes that, in absence of mitigation, impacts on commuting, foraging or roosting bats adjacent to site, could occur from artificial lighting of commuting corridors and foraging areas at dusk and through the night. However, as part of the Development, a lighting scheme will be produced, which will

be reviewed by an ecologist to ensure lighting impacts on bats are minimised. In addition, a number of bat boxes suitable for a variety of species and roost types will be installed on retained trees, and new buildings adjacent or near to the Grand Union Canal in areas that will not be lit by artificial lighting. Following mitigation there is anticipated to be a Negligible residual effect on bats.

**06.17.53** The supporting Construction Environmental Management Plan (CEMP), prepared by T-Arnold Consulting, sets out the environmental management and mitigation measures over the construction period.

**06.17.54** These measures will include but are not limited to:

- / Management of effects from noise, vibration, and air quality including dust;
- / Management of construction lighting i.e, no lighting will be used near to the adjacent SMINCs between the hours of dusk and dawn;
- / Management of effects from existing contamination;
- / Materials and waste management;
- / Protection of water resources; and
- / Construction site perimeter hoarding.

**06.17.55** Accordingly, it is considered unlikely that significant effects to key ecological receptors of local value or above will occur due to direct changes to surface waters, dust or pollution. Such impacts and resultant effects on important ecological features would therefore be negligible.

**06.17.56** With the measures discuss above, there will be no significant residual ecological effects as a result of the Proposed Development.

#### **BIODIVERSITY NET GAIN**

**06.17.57** The supporting Environmental Statement includes a Biodiversity Net Gain Assessment (using the DEFRA's Biodiversity Metric 3.0) which assesses how the Proposed Development will impact biodiversity as well as identifying opportunities for net gain. The calculation has assessed the value of the habitats within the site in its pre-development condition using a series of factors including distinctiveness, condition and strategic significance, and compared this to a calculation of the same area with the built out Proposed Development.

**06.17.58** Due to the nature of the hybrid planning application, the development calculation has been based on confirmed landscaping plans for the detailed element of the Proposed Development, and on illustrative landscaping plans for the outline element of the Proposed Development. The calculations of the Outline Element of the Proposed Development are based on an interpretation of the Illustrative Scheme, and so cannot be taken as a definitive calculation of biodiversity units but represent the potential units and therefore gains that could be achieved. It is recognised that the detail of each phase will be subject to the design of future Reserved Matters Applications.

- 06.17.59** The report confirms that the Development provides opportunities for enhancement that delivers a net gain for biodiversity and nature conservation.
- 06.17.60** The existing site is dominated by urban features including buildings and a large area of hardstanding which account for approximately 63% of the total area of the site. In addition, the Kensal Gas Works SLINC, now consists predominantly of bare ground and accounts for approximately 31% of the total site area. There are small patches of introduced shrub, dense scrub, amenity grassland and scattered trees within the site which in its current state has a habitat value of 1.48 habitat units (using the DEFRA's Biodiversity Metric 3.0). In the absence of Proposed Development, the biodiversity value of the site is unlikely to measurably increase assuming that the current uses are maintained.
- 06.17.61** The buildings on site will be demolished as part of the Proposed Development and much of the existing habitat replaced. However, the trees along the northern boundary of the site adjacent to the London's Canals SMINC will largely be retained.
- 06.17.62** The proposed habitat creation on site includes areas of biodiverse green roof, species rich grassland, flower rich perennial planting, shrub planting and tree planting. The plans for the site include the creation of both extensive and intensive green roofs. These will be situated on top of the buildings and create large areas of habitat for invertebrates and birds. The green roofs will include species which are beneficial to wildlife and will be seeded and/ or plug planted with locally appropriate native seeds/ plants with the aim to replicate habitats previously present within the Kensal Gas Works SLINC, as well as within the Kensal Green Cemetery SMINC.
- 06.17.63** The Assessment concludes that DEFRA's Biodiversity Metric 3.0 returned a net value of 1.48 habitat units prior to construction and 11.22 habitat units post construction. This results in a substantial net change in habitat units of +658.87% resulting in an overall net gain in biodiversity. The level of the significant uplift removes uncertainty of the exact BNG of the Outline phases.
- 06.17.64** The Proposed Development delivers a very significant improvement in the biodiversity quality of the Site, far exceeding compliance with the relevant strategic and local planning policies and emerging legislation, including Local Plan Policies CE4 and GB17. The Development far exceeds the minimum on-site biodiversity net gain of 10% required by the Environment Act 2021 and forthcoming Regulations.

## **NOISE**

- 06.17.65** London Plan Policy D14 states that to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should avoid significant adverse noise impacts on health and quality of life. Development should improve and enhance the acoustic environment and promote appropriate soundscapes; separating new noise-sensitive development from major noise sources; and reflect the Agent of Change principle as set out in Policy D13.
- 06.17.66** Policy D13 of the London Plan (Agent of Change) places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. It

states that new development should be designed to ensure that established noise and other nuisance-generating uses remain viable and can continue or grow without the new use placing unreasonable restrictions on them.

- 06.17.67** Policy CE6 of the Local Plan states that the Council will require new noise and vibration sensitive developments to mitigate and protect occupiers against existing sources of noise and vibration. Noise and vibration sensitive development must occupy most appropriate location and, wherever located, be protected against existing sources of noise and vibration, through careful design, layout and use of materials to ensure adequate insulation from sound and vibration.
- 06.17.68** Draft Local Plan Policy GB8 furthers the above and notes that the Council will require a Noise and Vibration Impact Assessment to assess the impact of noise and vibration generating sources which affect amenity during the construction and operational phases of development. It further requires development to adhere to the principles outlined within the London Plan.
- 06.17.69** The supporting noise and vibration assessment considers the potential noise and vibration effects during the demolition and construction works, including the noise and vibration from associated with operational road traffic noise on surrounding roads and fixed plant. The assessment also considers the sites suitability for its intended use once the development is complete and operational.
- 06.17.70** The appointed construction consultant (T Arnold Consulting Limited) has confirmed assessment's assumptions. While the assumptions may be subject to change, they are considered robust and any future changes will be managed by the implementation of the Construction and Environmental Management Plan (CEMP), which will be secured by way of a planning condition, to ensure that Best Practice Measures are employed. The Noise & Vibration Chapter of the supporting ES sets out the full details of the noise assessment and results.

#### **DEMOLITION AND CONSTRUCTION NOISE**

- 06.17.71** The Noise Assessment confirms that for the majority of Receptors, the scale of effect relating to demolition and construction noise is either Negligible or Minor Adverse (not significant).
- 06.17.72** The Assessment predicts a Moderate Adverse (Significant) effect at construction Phase 1 (Plots 2 and 4) of the Proposed Development when considering the additional noise generated in comparison to existing levels. However, it should be noted that the absolute noise level is not significant when compared to Government policy thresholds. Further, best practice means that the assessment considers a worst-case scenario whereby numerous activities are operating concurrently which will not likely to occur in practice.
- 06.17.73** The demolition and construction noise assessment also identifies temporary demolition and construction noise effects relating to the combined impacts of Phase 1 operational transport flows plus Phase 2 demolition and construction activity.

## COMPLETED DEVELOPMENT

- 06.17.74** The Noise and Vibration Assessment identifies that the completed Development will have no permanent significant noise effects in relation to road traffic. The completed development results in a low magnitude change of noise levels increasing by less than 1 dBA at all tested locations.
- 06.17.75** At this stage of the project, details of new building services plant and sources and locations of amplified music/entertainment noise cannot be defined in detail, therefore full assessments have not been undertaken. However, considering future background sound levels expected in the area, the mitigation of these noise sources to achieve the required target noise levels will likely comprise standard measures which will achieve the target noise levels.
- 06.17.76** In respect of other sound of an industrial and/ or commercial nature, namely the service yard and customer parking for the proposed Sainsbury's supermarket, a qualitative assessment has been undertaken. The Sainsbury's supermarket service yard and customer car park will be located below a podium with the accesses facing out towards the Great Western Railway to the south. Based on the noise measurement of service yard activity obtained in 2021 at the existing Sainsbury's supermarket, road traffic and railway noise would have a greater impact than the service yard itself. However, as above, mitigation of all noise sources will likely comprise standard measures which will achieve the target noise levels.
- 06.17.77** A suitably worded planning condition will ensure the detailed design of all residential blocks will address these issues at Reserved Matters Stage.
- 06.17.78** The Site therefore considered is suitable for residential-led development and will not result in undue noise disturbance to nearby residents in accordance with strategic and local planning policy.

## CONTAMINATION

- 06.17.79** London Plan Policy SD1 states that when developing Opportunity Area, developers must take appropriate measures to deal with contamination that may exist. The former Kensington Gasholders are situated to the west of the site.
- 06.17.80** Local Plan Policy CE7 relates to contaminated land and states that the Council will consider the potential risks of contaminated land and will ensure that it is adequately mitigated before development proceeds. Draft Local Plan Policy GB20 relates to contaminated land and notes that a preliminary risk assessment of contaminated land is required at the planning application stage for all major development. Where a satisfactory preliminary risk assessment identifies it is necessary, an intrusive site investigation and quantitative risk assessment are also required, in some cases. It also notes that, on Opportunity Area sites and other large sites within the Borough, developers should work collaboratively to consider the feasibility of a strategic approach to land remediation where feasible.
- 06.17.81** Within the KCOA SPD, under Policy LWV5, the development must deliver a sustainably remediated development that is free from the risks of ongoing land contamination. SPD Policy CH9 also requires development to deliver a site that has been dealt with appropriately via an investigation and remediation strategy for land contamination to ensure the safe use.

**06.17.82** In response to the above, a Ground Condition and Contamination Assessment supports the Environmental Statement, prepared by RMA Environmental Ltd.

#### **POTENTIAL HISTORICAL CONTAMINATION**

**06.17.83** The Phase 1 Desk Study Report indicates that previous remedial work has been undertaken in the south and southeast of the site (although the exact locations are unknown) including the construction of an engineered barrier layer and clay walls which must not be disturbed without permission from the RBKC.

**06.17.84** The Report confirms that there are 38 potentially contaminative historical industrial land uses associated with the site and a further 42 within a 250m radius of the site. The contaminative site land uses at the site are associated with the former gas works (gasometers), railway infrastructure and unspecified tanks/ heaps. Land uses within 250m of the site include gasometers, unspecified tanks, railways and depots, motor works and a hospital. The Cemetery to the north of the site is a potential source of contamination and ground gas.

**06.17.85** The Report identifies 67 records of historical tanks on site which are typically described as 'unspecified tanks', 'gas tanks' or 'gasometers' located throughout the site. The Report also records 14 historical energy features on site, all relating to the gasworks between 1896 and 1972 and an additional five records of energy features relating to the previous Gasholders immediately to the west of the site.

**06.17.86** There are 20 records of historical electrical substations within 250m of the site. As well as this, there is one record of historical military land 118m south of the site relating to 'Aero-engine factory: repairing aero-engines'.

**06.17.87** Based on the historical land uses that occupied the site and surrounding area, there is the potential that asbestos, heavy metals, Polycyclic Aromatic Hydrocarbons (PAHs), Total Petroleum Hydrocarbons (TPH), BTEX (Benzene, Toluene, Ethylbenzene and Xylenes), MTBE (Methyl tert-butyl ether), organic content causing ground gases, Polychlorinated Biphenyls (PCBs) and other hydrocarbons may be present on site and therefore should be considered as potential contaminants.

**06.17.88** The Report concludes that the site is in an area where less than 1% of properties are above the action level for radon and no radon protection measures are necessary for the Proposed Development in accordance with Building Control Regulations in England.

#### **POTENTIAL CURRENT CONTAMINATION**

**06.17.89** The Site currently comprises of six potentially contaminative land uses including petrol and fuel stations, vehicle cleaning services, Industrial Estate Business and electrical features such as substations. There are 33 records of current potentially contaminative land uses within 250m of the site including water pumping stations, business parks, gas features, vehicle repair premises and electrical features.

**06.17.90** The assessment concludes that the key impacts of the Proposed Development which are considered to be potentially significant with regard to Ground Conditions and Contamination are as follows:

- / Potential contamination of surface water, groundwater, soil and Made Ground from general demolition and construction activities as well as routine site operation;
- / Remobilisation of existing contamination during demolition and construction;
- / Potential for demolition, construction workers, adjacent site users and infrastructure to be exposed to landfill/ground gas and chemical vapours and nuisance odours;
- / Potential for demolition, construction workers, adjacent site users and materials to be exposed to Unexploded Ordnance (UXO);
- / Demolition, construction workers, service maintenance staff or future site users coming into direct contact with contamination;
- / Adjacent site users coming into contact with contaminated dust;
- / Effects of existing ground conditions or residual contaminants on construction materials and infrastructure for the Proposed Development;
- / Ground gas generation during operation; and
- / Services maintenance staff and future site users and planting coming into direct contact with contamination.

**06.17.91** The report confirms that, following the implementation of the standard mitigation measures and the proposed mitigation measures set out in the Contamination chapter, there will be no significant adverse effects resulting from the Proposed Development on ground conditions, including water quality.

**06.17.92** The Proposed Development will remediate existing on site contamination resulting in a possible Minor Beneficial effect. The post development effect on current ground contaminations will therefore be a beneficial impact. Similarly, the proposed surface water drainage strategy to treat surface water runoff has a Minor Beneficial impact on hydrology when compared to the existing surface water treatment regime and therefore is another significant beneficial effect.

**06.17.93** The Proposed Development complies with the Site Allocations, and Policies SD1 and CE7.

## **WASTE**

**06.17.94** Local Plan Policy CE3 requires all new development to provide innovative well designed, functional and accessible refuse and recycling storage space which allows for ease of collection in all developments. Applicants for major developments should also prepare and implement Site Waste Management Plans for demolition, excavation and construction waste.

**06.17.95** Site Allocation CA1 requires the development to provide on-site waste management facilities to deal with the new development's waste arisings (including recycling facilities and/or anaerobic digestion).

**06.17.96** Draft site allocation SA1, part H requires a high-density development to meet a high environmental standard in terms of construction, building materials, waste management and energy usage/retention.

**06.17.97** In line with the above, this application is supported by a Waste Management Strategy, prepared by WSP.

#### **PROPOSED RESIDENTIAL WASTE STRATEGY**

**06.17.98** As the residential development forms part of the Outline element of the scheme, the number and types of bins required is based on the estimated waste generation levels, should the maximum scheme be delivered.

**06.17.99** Based on the proposed unit mix, the residential element of the Proposed Development is estimated to produce 271,140 litres per week of refuse and recycling (assuming a 50/50 split between refuse and recycling). Refuse and recycling will be collected twice a week and food waste once a week.

**06.17.100** Each residential property in both the Detailed and Outline application will be provided with segregated waste containers / bins, typically in the kitchen area to allow residents to segregate their refuse, recycling and food waste.

**06.17.101** It is proposed that plots will share communal residential bin stores at ground floor level (apart from Plot 2.2 which will be located at podium level and Plot 6 at basement level). The indicative locations of the ground floor communal waste storage areas are shown in the supporting Waste Strategy. The size and layout of the communal waste storage areas will be revisited and finalised during subsequent design stages (including future Reserved Matter Applications) to ensure that they are designed to accommodate sufficient bins in a layout that conforms to Design Requirements outlined within Section 4 of the supporting report.

**06.17.102** The Strategy confirms that each residential dwelling will incorporate sufficient internal waste storage and access to communal waste storage areas which comply with Council Guidance and Policies CE3, CA1 and SA1.

#### **PROPOSED COMMERCIAL OPERATIONAL WASTE**

**06.17.103** While part of the Detailed Element includes commercial space, the tenants of the commercial uses have not yet been identified, and therefore it is not possible to accurately estimate waste arisings and to allocate space for appropriate waste storage areas. The waste requirements for non-residential floorspace overall within each Plot will be reviewed at Reserved Matters stage once the relevant areas and uses are known and fixed.

**06.17.104** Based on the illustrative design, the community and commercial uses within the Outline Element of the Proposed Development are estimated to produce a total of 61,776 litre per week of waste (refuse, recycling and food waste).

**06.17.105** Notwithstanding the above, the general waste strategy for waste from the commercial / communal uses will be as summarised below:

- / The tenants will provide a suitable internal waste storage area within their tenanted areas that encourages their employees to segregate waste. The materials that are segregated and the method of storage (i.e., co-

mingled or source segregated) within the tenanted areas will need to reflect the types of waste generated and should include food waste if generated in sufficient quantities.

- / The tenants will be responsible for arranging for the collection of their own waste through a suitable commercial waste management contractor, who will collect the waste directly from each tenant's internal waste storage area.

**06.17.106** To conclude, the Waste Management Strategy has taken into account the need to lessen the overall impact of waste generation through minimisation, reuse and recycling of materials from the operational phase. It is therefore considered that the Proposed Development meets the requirements of relevant waste policy and follows applicable guidance.

## **06.18 FIRE SAFETY**

**06.18.1** London Plan Policy D12 states that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety and ensure that they:

- / Identify suitably positioned unobstructed outside space:
  - a) For fire appliances to be positioned on
  - b) Appropriate for use as an evacuation assembly point
- / Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
- / Are constructed in an appropriate way to minimise the risk of fire spread;
- / Provide suitable and convenient means of escape, and associated evacuation strategy for all building users;
- / Develop a robust strategy for evacuation which can be periodically updated and published, which all building users can have confidence in; and
- / Provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

**06.18.2** All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party suitably qualified assessor. The statement should detail how the development proposal will function in terms of:

- / The building's construction: methods, products and materials used, including manufacturers details;
- / The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and the associated evacuation strategy approach;

- / Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
- / Access for Fire Service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these;
- / How provision will be made within the site to enable fire appliances to gain access to the building; and
- / Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures

**06.18.3** Policy CD15 of the Draft Local Plan requires all developments to achieve the highest standards of fire safety. Major development and all relevant buildings under Planning Gateway One must have a Fire Statement submitted with the planning application. Tall buildings of 50 m or more (measured from the ground level to the floor level of the topmost storey) must also have a Qualitative Design Review (QDR) panel report submitted with the planning application. The forthcoming London Plan Guidance on Fire Safety should be followed for all developments.

**06.18.4** To support this application, four Outline London Planning Fire Safety Statements are submitted relating to plots 1, 4, 5 and 6 and one Detailed London Planning Fire Safety Statement relating to Plot 2 is submitted. These statements address the above criteria for the Proposed Development.

#### **PLOT 2 FIRE STATEMENT**

**06.18.5** The Plot 2 fire safety statement addresses the main fire safety principles and provide an overview of the requirements and recommendation that the scheme will meet.

**06.18.6** With regard to Plot 2's construction method, products and materials used; the statement confirms that the construction method will comprise traditional construction. To ensure compliance with Fire Standards, Plot 2 will include measures such as sprinkler protection throughout, solid masonry or concrete cores and fire resisting partitions. To limit the spread of fire within the buildings, all wall and ceiling linings will satisfy the appropriate classification stated within BS 9991.

**06.18.7** The fire safety strategy includes an outline space separation analysis to establish the necessary boundary distance around each building. As a result of this assessment some areas of the North façade at Ground and mezzanine levels will require fire resisting construction.

**06.18.8** Each residential block is more than 18m in height and, therefore, the external walls, including the non-residential accommodation and all specified attachments will be provided with a minimum surface spread of flame rating of A2-s1, d0 or Class A1.

- 06.18.9** Please refer to the supporting statement which confirms scheme compliance on proposed means of escape / evacuation strategy, passive and active fire safety measures, assembly points, access and facilities for fire and rescue services and evacuation lifts.
- 06.18.10** To confirm, each residential block will be provided with two protected escape stairs. Each area of common corridor will be provided with a means of smoke ventilation. It is proposed that this is provided via a mechanical smoke extract shaft. Furthermore, a lift will be provided in each core with enhanced facilities for evacuation to facilitate the evacuation of mobility impaired occupants and meet the recommendations of Policy D5 (inclusive design) of the London Plan.
- 06.18.11** The statement demonstrates that the proposals have considered fire safety at the earliest stage, and the further development of the fire strategy will be based upon these principles. The Statement complies with requirements of the Building Regulations 2010, taking recommendations from BS 9991:2015, Approved Document B (Volume 2 – 2019) and the requirements of Policy D12 of the London Plan.

#### **OUTLINE FIRE STRATEGY STATEMENTS**

- 06.18.12** The application is also supported by a series of Outline Fire Statements relating to Plots 1, 4, 5 and 6. As these are submitted in outline, these statements confirm the strict principles relating to proposed construction methods, materials and access, layout and landscaping for fire service personnel and vehicles.
- 06.18.13** These statements also confirm the principles relating to means of escape for all building users and evacuation strategy. All residential buildings will be provided with two stairs for occupant's escape. A lift will be provided in each core with enhanced facilities for evacuation to facilitate the evacuation of mobility impaired occupants and meet the recommendation of Policy D5 (Inclusive design) of the London Plan. Evacuation lifts will also be provided in addition to firefighting lifts.
- 06.18.14** These outline statements demonstrate that the Outline proposals have considered fire safety at the earliest stage, and the further development of the fire strategy will be based upon these principles. The fire strategy will be further developed within the future Reserved Matters applications and will meet the functional requirements of the Building Regulations 2010, taking recommendations from BS 9991:2015, Approved Document B (Volume 2 – 2019) and the requirements of Policy D12 of the London Plan.
- 06.18.15** In conclusion, it is considered that the Proposed Development will comply with the requirements outlined within London Plan Policy D12.

## **07. DRAFT HEADS OF TERMS, S106 AND CIL**

### **07.1 PLANNING OBLIGATIONS AND INFRASTRUCTURE FUNDING**

**07.1.1** The Applicant will enter into a legal agreement with RBKC to cover any relevant Planning Obligations and will seek to agree the wording of the agreement during the course of this application. It is considered a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 is the most appropriate agreement in this instance.

**07.1.2** Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations may only constitute a reason for granting planning permission if they meet the statutory tests as set out under Regulation 122 contained within the Community Infrastructure Levy Regulations 2010 which include if the obligation is:

- / necessary to make the development acceptable in planning terms;
- / directly related to the development; and
- / fairly and reasonably related in scale and kind to the development.

**07.1.3** The agreement will include details relating to the management of elements of the Proposed Development. The contributions and obligations are likely to include the following:

- / Affordable Housing Provision (including appropriate review mechanisms);
- / Carbon Offset Contribution;
- / Local Labour During Construction;
- / Highway works (as set out in the submitted Transport Assessment);
- / Financial contributions towards public transport improvements, including extended bus services;
- / Santander cycle docking stations;
- / Heritage related benefits / improvements, particularly in relation to the Kensal Green Cemetery;
- / Other DIFS payments including primary healthcare, education and emergency services.

**07.1.4** The Applicant will enter into further negotiations with the Council and the GLA to agree the draft Heads of Terms.

## **07.2 COMMUNITY INFRASTRUCTURE LEVY**

- 07.2.1** The Proposed Development will also be subject to the Community Infrastructure Levy (CIL) which is only payable to the Mayor of London in this instance as the Kensal Canalside Opportunity Area is exempt from Local CIL because of the significant, site-specific infrastructure requirements (as set out above).
- 07.2.2** The Mayor's MCIL2 Charging Schedule rates for RBKC (Band 1) will be charged at a rate of £80 per sqm (plus indexation). Based on the illustrative scheme, it is currently estimated that this would be in the region of £20 million for the development as a whole. However, the final CIL charge will be determined by RBKC based on the final uses and floorspace secured through future Reserved Matters Applications.

## 08. CONCLUSION

- 08.1.1** The Proposed Development accords with the policy objectives set out in the London Plan (2021) and Royal Borough of Kensington and Chelsea's Current Local Plan (2019) and Draft Local Plan (2023), including the Opportunity Area Site Allocations (CA1 and SA1 – Kensal Canalside Opportunity Area). In line with the National Planning Policy Framework (2023) the proposals seek to maximise the contribution of this brownfield site and make the most effective use of the land to deliver a high-density residential development. The Proposed Development safeguards existing employment, while providing additional commercial, leisure and educational uses and significant public open space.
- 08.1.2** The Application Site comprises 7.6ha of former utilities, brownfield land, providing an existing low density Sainsbury's store, with a large surface level car park and 8 pump petrol filling station, and a large area of open storage to the west. At the front of the Site, currently within the Council's ownership, are two additional buildings: Canalside House and the Boathouse Centre.
- 08.1.3** The Greater London Authority first allocated Kensal Canalside Opportunity Area for development in 2011. Kensal Canalside Opportunity Area is the largest brownfield site in RBKC and was re-selected by the Mayor of London as one of 48 Opportunity Areas for development in the London Plan 2021. In this time, it has also been supported by RBKC on a local (Borough) level through Site Allocation CA1, adopted Kensal Canalside SPD (2021) and Draft Local Plan Allocation SA1, evidencing its longstanding policy designation. Both the Greater London Authority and the Borough have a long-term aspiration to bring the Site forward. Until now there have been no viable development opportunities proposed for the Site to deliver its longstanding Allocation.
- 08.1.4** The proposed development presented by Ballymore and Sainsbury's Supermarkets Limited is the first realistic proposal for redevelopment at the site since its allocation in 2011 which demonstrates the significant challenges in bringing forward development on this site. The Proposed Development, through a hybrid application, seeks to deliver up to 2,519 new homes alongside a replacement Sainsbury's store (22,955sqm GIA) and further maximum non-residential floorspace of 15,488.2sqm (GIA) including other community, workspace (including affordable workspace), leisure and retail uses. The proposals will also provide a considerate level of affordable housing.
- 08.1.5** The London Plan identifies a ten-year housing target for RBKC of 4,480 new homes (448 new homes per annum). During 2018-2021, RBKC delivered only 809 homes, over a three year period, in comparison to their target of 1,892 new homes. The Borough therefore only managed to achieve 43% housing delivery and is significantly under-delivering much needed housing within the Borough.
- 08.1.6** As such, there is an urgent need within RBKC, as identified through both the London Plan and the Local Plan, to provide new homes. The inclusion of the Application Site within a Strategic Site Allocation and Opportunity Area that is specifically identified as appropriate for strategic housing of a minimum of 3,500 homes ensures that there is a clear responsibility to deliver. The Kensal Canalside Opportunity Area therefore presents a clear opportunity for RBKC to meet its housing targets.

**08.1.7** The Council have recognised within their own published documents that their housing supply is largely reliant on the Opportunity Area sites which will deliver homes later in the plan-period, confirming that RBKC is reliant on successful delivery of this Site for their housing delivery. The importance of housing delivery on this site is therefore recognised within documents produced by the Council and represents the Borough's last opportunity to secure a significant number of homes on the largest underutilised brownfield site in the Borough. If the maximum 2,519 homes proposed were to be delivered on Site, this would secure 56% of the Council's ten-year housing target. The significance in securing the successful redevelopment of this site is substantial.

**08.1.8** In addition to the provision of thousands of new homes, including affordable homes, the proposals will provide many benefits for the local community, including a new and improved Sainsbury's store, a new Neighbourhood Centre comprising new shops, restaurants, offices and sports and leisure facilities. In addition, the proposal sets these uses within attractive public areas, landscaped green parks and high quality public realm. The development will safeguard existing employment and create thousands of permanent jobs, as well as local construction jobs and apprenticeships. The development overall represents a significant contribution to the local economy and housing need, which ultimately align with the principles outlined within the Opportunity Area and Site Allocation designations. A full breakdown of the benefits proposed are outlined below.

- / Transformation of an existing underutilised brownfield site into a high quality new urban neighbourhood in line with the adopted Opportunity Area framework, Local Site Allocations and SPD;
- / Use of largest brownfield site in the Borough for the delivery of up to 2,519 new high-quality homes to greatly assist in meeting the urgent need for housing within RBKC and across London;
- / The provision of high quality affordable and family homes which integrate into the wider design, including social rent and intermediate units, delivered in the first phase of the Development;
- / The provision of a new, larger, Sainsbury's store with additional amenities and improved shopping experience;
- / Existing Sainsbury's store to remain open throughout the construction period and retention of existing staff within the new store;
- / The delivery of significant public open space across the Application Site, including a Canalside Park and public green space at the entrance of the Site for use by the local community and new residents;
- / A high-quality development, externally and internally, which takes inspiration from local character and distinctiveness;
- / Replacement of the existing roundabout with an improved signalised junction onto Ladbroke Grove, improving pedestrian and cyclists safety and access into the Site;
- / Opportunity for new connections between the Site and the surrounding areas in the form of new pedestrian routes and bridges;

- / The provision of two new community leisure facilities, for use by incoming residents and the existing surrounding community;
- / Flexible commercial and retail units across the Development, creating a new Neighbourhood Centre to meet the needs of existing and incoming residents;
- / The provision of flexible workspace units, including affordable workspace, providing significant employment opportunities;
- / Pedestrian priority streets to create a safe environment for pedestrians and cyclists;
- / Enhanced biodiversity through new major new public open space, biosolar roofs and significant soft landscaping, including tree planting, throughout the public realm;
- / Re-opening of the historic canal basin to provide accessible leisure space which acknowledges the Site's historic context;
- / The provision of sustainability technologies, resulting in an estimated overall CO2 reduction of 59.9% across the Site;
- / The provision of 3% on street blue badge parking spaces from the outset, alongside resident long stay cycle parking spaces, commercial staff cycle spaces and short stay cycle spaces for visitors;
- / The creation of apprenticeships and jobs through both the construction and operational phases; and
- / The inclusion of substantial financial contributions through Mayoral CIL and S106 obligations, contributing towards local infrastructure including education and healthcare.

**08.1.9** In order to deliver a development of this scale and magnitude and to comply with the principles outlined within the Local Plan Allocations and SPD, it is recognised that the Development will be a step change from the existing pattern of development in much of the Borough. However, the overall scale and massing of the Proposed Development is determined to be appropriate for the site's location in the Kensal Canalside Opportunity Area. As encouraged by the Kensal Canalside Opportunity Area Supplementary Planning Document, the Proposed Development exhibits a variety of heights throughout its area. The distribution of massing responds positively to the conditions around the site, with blocks generally taller towards the south (and the open space of the railway lines) and lower towards the north (the canal and Kensal Green Cemetery). The proposed heights do not exceed 98m from the ground level to the top of the building (or approximately 31 storeys) in line with emerging Local Policy requirements.

**08.1.10** The tallest elements within the Proposed Development, Buildings 2.1 and 4.1, have been designed in line with Policy D9 of the London Plan. They are well-proportioned buildings, located sufficiently far apart such that they typically appear at considerably different heights in views towards the site. They are located at key points, adjacent to the replacement supermarket and the main public space (Canalside Park) respectively – to aid

wayfinding. Their different forms, alignments and appearances compared to each other would also ensure that they would be readily distinguishable. Together, they form a visually interesting and elegant composition.

- 08.1.11** Critically, the proposed buildings have been designed to ensure the Site can deliver the required number of homes while ensuring excellent quality of life. This is in line with London Plan Policy D6, which requires the design of development to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, while avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 08.1.12** Further, the Site has been developed with consideration towards the key designated and non-designated historic assets surrounding and within the Site, including, but not limited to, Kensal Green Cemetery and the multitude of listed monuments it holds, Canalside House, Kensal House and the Ladbroke Grove Rail Disaster Memorial. The scheme will impact the identified heritage assets within the local or wider surrounding area, through change to the character and appearance of their shared setting. However, the Heritage Assessment concludes that these impacts are “less than substantial”, for the purposes of the NPPF (paragraph 202), and for each of these assets. Furthermore, the magnitude of harm that may be caused to the significance of each of these heritage assets, would be towards the middle or lower end of scale within that category of less than substantial; as advised by the NPPG.
- 08.1.13** The benefits delivered by the Development, significantly outweigh the level of harm identified.
- 08.1.14** The Proposals upgrade and improve the existing access to the Site from Ladbroke Grove, by creating a new signalised junction. This will improve pedestrian and cyclist safety into the Site. This principle of the junction was adopted within the SPD (2021) and provides dedicated and controlled pedestrian and cycle facilities. The replacement of the existing roundabout with an all-movements signalised junction is required by local policies and is supports Healthy Streets policies in the London Plan and Local Plan, which prioritise active travel modes.
- 08.1.15** In addition to the improved junction, the wider Development takes a pedestrian-led approach, aligning with the KCOA SPD requirements to prioritise walking and cycling. The Development includes wide pedestrian footpaths (3-4.5m), crossing points and segregated cycle lanes. The Development discourages the use of the car by upgrading bus routes and stops within the site to allow accessible access to the Neighbourhood Centre, residential dwellings and new Sainsbury’s store. The Site also safeguards an area for the future landing of a pedestrian/cycle bridge across the Railway to the south. The overall transport strategy aligns with strategic and local Policy, in addition to the overarching Site Allocation principles.
- 08.1.16** The Scheme optimises sustainable technologies. The project promotes a simple approach to energy efficient and low carbon buildings, that exploits the benefits of current and future technologies, and delivers performance outcomes in practice, minimising carbon emission now and in the future. The proposed energy strategy follows the London Plan’s Energy Hierarchy, ‘Be Lean, Be Clean, Be Green, Be Seen’. It also responds to the climate emergency declared by the RBKC. An electric-led energy strategy is proposed, using Air Source Heat Pumps (ASHPs) to heat and cool indoor spaces and provide domestic hot water. In addition, available roof spaces will incorporate photovoltaic (PV) panels to generate renewable electricity on-site. Mechanical ventilation with heat

recovery (MVHR) systems will be installed within the apartments. The above results in an estimated CO2 reduction of 59.9% carbon dioxide emissions across the Site against Building Regulations Part L 2021.

**08.1.17** The proposals have considered fire safety at the earliest stage, and the further development of the fire strategy will be based upon these principles. The fire strategy will be further developed within the future Reserved Matters applications and will meet the functional requirements of the Building Regulations 2010 and in line with requirements of Policy D12 of the London Plan.

**08.1.18** To conclude, this Planning Statement sets out a detailed assessment of the Proposed Development measured against the adopted and emerging planning policy in the sections above. The Proposed Development accords with the development plan and will contribute to the delivery of much needed new homes, including affordable homes and should therefore be granted planning permission in accordance with Section 38(6) of the Town and Country Planning Act (1990) and the presumption in favour of sustainable development expressed in Paragraph 11 of the National Planning Policy Framework.

## APPENDIX 1 – ASSESSMENT OF THE SCHEME AGAINST KENSAL CANALSIDE OPPORTUNITY AREA SPD POLICIES

SA1: Kensal Canalside Opportunity Area	
POLICY CRITERIA	PROPOSAL COMPLIANCE
A. <i>The site will deliver a high-quality mixed-use development [to include:]</i>	<p>The Proposed Development, through a hybrid application, seeks to deliver up to 2,519 new homes alongside a replacement Sainsbury's store (22,955sqm GIA) and further maximum non-residential floorspace of 15,488.2sqm (GIA) including other community, workspace, leisure and retail uses. The proposals will also provide a considerate level of affordable housing.</p> <p>In addition to the provision of thousands of new homes, including affordable homes, the proposals will provide a high quality mixed use development including a new and improved Sainsbury's store, a new Neighbourhood Centre comprising new shops, restaurants, offices and sports and leisure facilities, in addition to attractive public areas and landscaped green parks. The development will also create thousands of permanent jobs, as well as local construction jobs and apprenticeships. The development overall represents a significant contribution to the local economy and housing need, which ultimately align with the principles outlined within the Opportunity Area and Site Allocation designations.</p>
<b>Land Use</b>	
B. <i>A minimum of 3,500 new homes (C3).</i>	<p>This application proposes up to 2,519 new homes within the Application Site boundary (comprising land owned by Ballymore, SSL and RBKC). In line with the Site Allocations (Policies CA1 and SA1), this would result in approximately 981 homes left required to be delivered across the remaining Opportunity Area to reach the minimum 3,500 homes. It is anticipated that circa 700 homes can be accommodated on the St William site (Plot 3). This means that almost 300 homes would need to be delivered on the North Pole site to meet the minimum allocation of 3,500 homes.</p>
C. <i>A minimum of 12,000 sq m of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site's Neighbourhood Centre designation space of which 5,000 sq m is E(g) as part of a new Neighbourhood Centre.</i>	<p>In addition to the proposed replacement Sainsbury's store, the Proposed Development will deliver up to 15,950sqm (GEA) of non-residential floorspace within the Outline Element, in addition to approximately 1,102sqm Commercial and Leisure Floorspace (Class E) within the Detailed Element.</p> <p>It is envisaged that a wide range of uses will need to be accommodated within the new Neighbourhood Centre to ensure its attraction and vibrancy, including shops, cafes, restaurants and key local services alongside workspaces and community uses. As such, minimum and maximum floorspace parameters are used to aid the consideration of the Outline Element and to ensure it responds positively to the site opportunity and wider context.</p>
D. <i>The provision of affordable workspace to the quantum of either: 500 sq m or 10 per cent of the commercial floor space E(g),</i>	<p>The Proposed Development includes a commitment to deliver 10% of the total workspace proposed (excluding the reprovided Canalside House floorspace) to be provided as affordable workspace. The exact quantum of affordable workspace will be determined through future</p>

<i>whichever the greater, to be located within the Neighbourhood Centre.</i>	Reserved Matters Application(s) when the final workspace provision is known.
<i>E. The relocation and re-provision of the existing Sainsbury's supermarket.</i>	<p>The Application Scheme responds to this objective by providing a new Sainsbury's store positioned centrally within the site which will effectively bookend the proposed new Neighbourhood Centre, drawing customers into the Site and helping to ensure the vitality and viability of the new High Street.</p> <p>The proposed location of the store has been carefully considered as part of the masterplan proposals to ensure it comes forward in the initial phases of development and to allow continuity of trading throughout the construction period. The existing store (and Petrol Filling Station) employs over 300 people, the majority of whom live in the locality. The design and location of the store has therefore been carefully considered to ensure these jobs are retained throughout the construction and operational phases of the development.</p>
<i>F. On-site renewable energy sources.</i>	N/A – deleted as part of Local Plan Review process.
<b>Principles</b>	
<i>G. Comprehensive development of the site in accordance with the Kensal Canalside Opportunity Area SPD.</i>	See Appendix 2 which shows how the Scheme has responded to the SPD policies.
<i>H. A high-density development with a high environmental standard in terms of construction, building materials, waste management and energy usage/retention and low levels of car dependency and ownership.</i>	<p>The Scheme proposes a high density mixed-use development of high environmental standard. The supporting Construction Environmental Management Plan (CEMP), prepared by T-Arnold Consulting, sets out the environmental management and mitigation measures over the construction period. This application is also supported by a waste management plan and energy strategy.</p> <p>As confirmed within the supporting Transport Assessment, the Proposed Development encourages low levels of car dependency and ownership. The Development is 'car-lite' with a maximum total of 346 residential parking spaces provided for the maximum 2,519 units (0.14 space per unit). Given the site has a PTAL of between 3-5, the level of parking proposed is considered appropriate. The Development also includes improvements to the existing bus provision and new cycle and pedestrian routes.</p>
<i>I. Tall buildings and the site wide building heights strategy must not exceed the parameters set out in in Figure 10.1. Where tall buildings are deemed appropriate, they must not exceed 98 m from the ground level to the top of the building or approximately 31 storeys.</i>	<p>The overarching approach to height and massing across the masterplan has sought to respond to the adopted SPD height strategy, comprising taller buildings to the south (along the less sensitive railway edge), with lower buildings along the canal to the north. The Development also proposed gable ends of buildings fronting onto the canal to reduce the appearance of massing from the Cemetery.</p> <p>Isolated points of height are proposed in key locations, acting as markers within the Site. These have been carefully placed to assist with wayfinding across the Site and to also minimise visual impacts on the Cemetery.</p> <p>The maximum building heights proposed are defined by the supporting Parameter Plans (drawing 167-FAU001-Z-ZZ-DR-A-GAP-9508), which adopt this 98m maximum height limit set out by the Draft Site Allocation. The proposed buildings range up to 29 storeys in height,</p>

	and therefore comply with the height requirements set out within the Part I of the Draft Site Allocation Policy SA1.
<b>J. Development to comply with the following townscape principles:</b>	
1. <i>Development along the Canalside should be smaller scale, finer grain and varied but continuous, with varying height creating a continuous horizontal lower rise frontage, with a finer grain and variation of the skyline when seen close-up from Kensal Green Cemetery;</i>	<p>The height strategy proposes lower buildings along the canal to the north. The Development also proposed gable ends of buildings fronting onto the canal to reduce the appearance of massing from the Cemetery.</p> <p>Plot 4's design reflects the character of the area, through the more post-industrial revolution dockside warehouse buildings found across London, found along both rivers and canals. This design optimises views both into and out of the commercial frontages, fostering a strong relationship between the shops and the public garden. Of the five buildings on Plot 4, there are three building types. These are: a wharf building (next to the reinstated canal basin), three mansion blocks that define public and semi-private gardens, and the tower. These buildings align with the allocation for varied but continuous development along the canal.</p> <p>This architecture is continued into Plot 5 which reflects the coal gas Retort Building typology. With the disappearance of the steel framed Gasholders, the memory of the Retort Building is brought back to the present as a Masterplan marker to celebrate the industrial spirit of the site. A robust palette of materials employing both brick and patinated concrete is considered suitable in this location to ensure permanence and a lasting quality to these buildings.</p>
2. <i>In direct line with the main Kensal Green Cemetery entrance through the gate, the development should create a sense of openness and sky view directly opposite the gate;</i>	<p>Isolated points of height are proposed in key locations, acting as markers within the Site. These have been carefully placed to assist with wayfinding across the Site and to also minimise visual impacts on the most sensitive views – including through the cemetery gates.</p> <p>The Proposed Buildings are well-proportioned buildings, located sufficiently far apart such that they typically appear at considerably different heights in views towards the site. The taller buildings are proposed to be located at key points, adjacent to the replacement supermarket and the main public space (Canalside Park) respectively – to aid wayfinding. Their different forms, alignments and appearances compared to each other would also ensure that they would be readily distinguishable from each other and would form a visually interesting and elegant composition together.</p>
3. <i>Greater height in the development should be located further away from the cemetery towards the railway as shown in Figure 10.1;</i>	The overarching approach to height and massing across the masterplan has sought to respond to the adopted this height strategy, comprising taller buildings to the south (along the less sensitive railway edge).
4. <i>The development should respond to the coherent range of heights on Ladbrooke Grove and avoid overly stark enclosure of the street;</i>	Plots 1 and 6, closest to Ladbrooke Grove have sought to respond to the range of heights along Ladbrooke Grove to avoid enclosure of the street. This is evident through the proposed public open space sought at the entrance of the site within Plot 6, named Ladbrooke Gardens which sets back development to avoid enclosure of Ladbrooke Grove.
5. <i>Tall buildings in the development should address the site's entrance and create distinctiveness;</i>	Whilst the buildings at the entrance of the Site are respectful of Ladbrooke Grove and ensuring they avoid enclosure of the street, the buildings at the front of the Site (Plots 1 and 6) seek to address the

	Site's entrance and create distinctiveness. The taller buildings are proposed to be located at key points, adjacent to the replacement supermarket and the main public space (Canalside Park) respectively – to aid wayfinding.
6. <i>The development should allow for setbacks for tree planting along the canal as part of a comprehensive landscaping plan;</i>	A comprehensive landscaping plan, prepared by Spacehub, supports this application. The landscaping plan seeks to upgrade the canal towpath through new planting at the interface between the development and the existing towpath, including tree planting.
7. <i>Heights of taller buildings should vary, and the maximum height within the site is limited to distinct points of height;</i>	<p>The overarching approach to height and massing across the masterplan has sought to respond to the adopted SPD height strategy, comprising taller buildings to the south (along the less sensitive railway edge), with lower buildings along the canal to the north.</p> <p>Isolated points of height are proposed in key locations (Plots 2 and 4), acting as markers within the Site. These have been carefully placed to assist with wayfinding across the Site and to also minimise visual impacts on the Cemetery.</p>
8. <i>In views from the east, tall buildings should be clustered along the railway and staggered to allow sky views in between.</i>	The Proposed Buildings are well-proportioned buildings, located sufficiently far apart such that they typically appear at considerably different heights in views towards the site. The taller buildings are proposed to be located at key points, generally closer to the railway – adjacent to the replacement supermarket and the main public space (Canalside Park) respectively – to aid wayfinding. Their different forms, alignments and appearances compared to each other would also ensure that they would be readily distinguishable from each other and would form a visually interesting and elegant composition together.
K. <i>New or improved infrastructure, including a new pedestrian and cycle bridge over the railway, safeguarded land (included access land) for a potential future Elizabeth Line station, a new pedestrian and cycle bridge over the canal, remodelling of the Ladbroke Grove junction, and new streets that connect the allocation area into its surrounding context and other public transport links.</i>	<p>The Proposed Development seeks to improve existing transport infrastructure through extension of existing bus routes into the site and upgrading the Canal towpath. It also seeks to provide new routes throughout the site with pedestrian led streets and dedicated cycle routes to encourage active travel. The Proposals also seek to replace the existing roundabout at the entrance of the Site on Ladbroke Grove to provide a new signalised junction which improves pedestrian and cyclists safety entering/exiting the Site.</p> <p>The wider KCOA includes the Department for Transport land to the south, known as the North Pole site. It is understood there are no formal plans for this site in the immediate future however, there is opportunity for a future connection via a pedestrian and cycle bridge over Railway line. To the west of the Site, within the wider KCOA, is land occupied by the former Kensal Gasholders site, owned by St William (known as Plot 3) which will be subject to a separate planning application in the future. There is opportunity from this Site to provide a pedestrian bridge to the north, across the canal to Kensal Green Cemetery (subject to an access agreement with the Cemetery).</p> <p>Ballymore and SSL recognise the importance of the delivery of the bridges to improve access to and from the Opportunity Area, particularly the southern railway bridge in regard to providing pedestrian and cyclist permeability across the site and to surrounding amenities (e.g. schools). The Applicant Team is in discussions with the</p>

	<p>relevant stakeholders and landowners, including the Department for Transport (who own the 'North Pole' site to the south of the railway line), St William (who are bringing forward Plot 3) and RBKC to ensure the timely delivery of the bridges.</p>
<p>L. <i>Kensal Canalside Opportunity Area is nil rated for Borough CIL so the required social, environmental transport and other infrastructure will be funded through s106 agreements including, where appropriate, allocation-wide framework agreements, which can help ensure that s106 contributions towards infrastructure are apportioned fairly and proportionally across the allocation area, make provision for physical infrastructure delivery and maintenance in lieu of financial contributions, and provide a consistency of approach across the allocation area, regardless of when development comes forward.</i></p>	<p>The Applicant will enter into a legal agreement with RBKC to cover any relevant Planning Obligations and will seek to agree the wording of the agreement during the course of this application. It is considered a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 is the most appropriate agreement in this instance.</p> <p>Please see the supporting draft Heads of Terms (Appendix 3) for further detail on the anticipated Section 106 obligations.</p>
<p>M. <i>Attractive, usable and flexible public realm providing an appropriate setting for mixed-use canalside development which features leisure, education and business uses as well as housing.</i></p>	<p>The public realm strategy seeks to activate the canal, its basins and existing path as an attractive, publicly accessible space to socialise and enjoy. This is proposed through activation of ground floor uses, proposed seating and spill out zones near the water, and attractive ecological landscaping.</p>
<p>N. <i>The improvement and relocation of facilities currently provided by Canalside House and the Boathouse Centre on-site if relocation is required to achieve comprehensive redevelopment along the canalside and Ladbroke Grove.</i></p>	<p>As part of the redevelopment of Plot 6 at the front of the Site (and subject to the current owner obtaining vacant possession), the proposals seek to demolish the existing Canalside House and Boathouse Centre (including London Sports Trust activity centre and 16 affordable homes) and replace the existing office floorspace, activity centre and affordable housing within the Site.</p> <p>The Canalside House office reprovision is anticipated to be located within Plot 1 and the affordable homes will be located within Plot 2. A new Activity Centre is proposed be provided within Plot 6, adjacent to the existing canal basin.</p> <p>The reprovision of these 16 affordable homes is in addition to the affordable housing offer proposed (i.e. 25% by habitable room), and all residents will be provided with a new home of at least the same size as existing. The new homes will be of higher quality, meeting modern standards with access to private and communal amenity space. The Boathouse Centre will not be demolished until the replacement homes have been built, ensuring residents aren't required to leave the Site to temporary accommodation while their new homes are built.</p> <p>The proposed replacement Canalside House floorspace will be provided as Grade A office space, of higher quality than existing and will provide a better space for the continued operation of the existing businesses of Canalside House.</p>

	The demolition of these existing buildings on Site will allow for Plot 06 to provide public open space for social and community use. This includes providing a space for the continued use of the site by Notting Hill Carnival which has historically used the site as part of the celebrations.
O. <i>The retention of the area west of the gas holders for the provision of electricity infrastructure. Part of this site may also be required for a gas pressure reduction station, replacing the gas holders. Any buildings must be of a high architectural standard and in keeping with the overall redevelopment of the site.</i>	N/A – this area is not within the Application Site boundary.
P. <i>The ongoing access to, and respect for, the memorial site of the victims of the Ladbroke Grove rail disaster.</i>	The scheme includes improvements to the landscape surrounding the Rail Disaster Memorial to create a suitably legible public route and more dignified setting, which will better reveal the local significance of this non-designated heritage asset.
Q. <i>A suitable setting for the designated heritage assets.</i>	<p>It is recognised that the scheme will impact the identified heritage assets within the local or wider surrounding area, through change to the character and appearance of a part of their shared setting. However the Heritage Assessment concludes that these impacts are “less than substantial”, for the purposes of the NPPF (paragraph 202), and for each of these assets. Furthermore, the magnitude of harm that may be caused to the significance of each of these heritage assets, would be towards the middle or lower end of scale within that category of less than substantial, as advised by the NPPG.</p> <p>It has been considered that whilst a degree of harm is identified, the significant public benefits including financial contributions discussed outweigh the harm identified. Although this would not change the effects from the Proposed Development, it is likely that there would be a beneficial effect to these assets where restoration and enhancements are completed as a result of these financial contributions and to the wider area.</p> <p>The Proposed Development has sought to provide a high quality and considered design which, where possible, seeks to minimise and mitigate harm to the significance and setting of the heritage assets, in balance with optimising the development potential planned for this part of the Opportunity Area.</p>
R. <i>A public art strategy to enhance the public realm and quality of the development and contribute to local distinctiveness and character.</i>	The Applicant is committed to working with the Council to develop an Art Strategy for the Site.
<b>Infrastructure and Planning Contributions</b>	
S. <i>Delivery on site, or financial contributions towards social and community facilities (including health and education) to address increases in demand resulting from the anticipated population change.</i>	In addition to the commercial and retail uses proposed within the masterplan, a maximum of 4,200sqm (GIA) of community space is proposed on site. This is proposed through the provision of various community facilities including a new community leisure hub, reprovided Boathouse facilities, indoor sports facility and floorspace to accommodate other uses such as health facilities and creches. The proposed maximum 4,200sqm of community floorspace will be

	<p>accessible for all existing and new Borough residents as part of the redevelopment.</p> <p>The Applicant will enter into a legal agreement with RBKC to cover any relevant Planning Obligations relating to health and education and will seek to agree the wording of the agreement during the course of this application.</p>
<p><i>T. Affordable housing.</i></p>	<p>The Proposed Development will seek to achieve a minimum of 25% affordable housing by habitable room which is the maximum that can be reasonably delivered on-site as demonstrated by the supporting Financial Viability Appraisal prepared by Gerald Eve. In addition to this, the Proposed Development will re-provide the 16 existing affordable homes within the Boathouse Centre (subject to the current owner obtaining vacant possession).</p>
<p><i>U. Construction and long term maintenance of:</i></p> <p><i>(a) a new pedestrian and cycle bridge across the railway line and</i></p> <p><i>(b) a new pedestrian and cycle bridge over the canal, which improves north – south access, in the case of the new bridge across the railway line, promote active travel, provide necessary connections to surrounding infrastructure and facilitate the effective integration of the allocation site into the wider area – including rental obligations to safeguard and/or transfer 233 land required to construct and maintain the bridges and/ or potential Elizabeth line station (including access), where appropriate.</i></p>	<p>The wider KCOA includes the Department for Transport land to the south, known as the North Pole site. It is understood there are no formal plans for this site in the immediate future however, there is opportunity for a future connection via a pedestrian and cycle bridge over Railway line. Ballymore and SSL remain committed to working with the Council and other stakeholders to ensure successful delivery of the railway bridge.</p> <p>To the west of the Site, within the wider KCOA, is land occupied by the former Kensal Gasholders site, owned by St William (known as Plot 3) which will be subject to a separate planning application in the future. There is opportunity from this Site to provide a pedestrian bridge to the north, across the canal to Kensal Green Cemetery (subject to an access agreement with the Cemetery).</p> <p>Ballymore and SSL recognise the importance of the delivery of the bridges to improve access to and from the Opportunity Area, particularly the southern railway bridge in regard to providing pedestrian and cyclist permeability across the site and to surrounding amenities (e.g. schools). The Applicant Team is in discussions with the relevant stakeholders and landowners, including the Department for Transport (who own the ‘North Pole’ site to the south of the railway line), St William (who are bringing forward Plot 3) and RBKC to ensure the timely delivery of the bridges.</p>
<p><i>V. Public realm and public spaces and improvements to Little Wormwood Scrubs and Kensal Green Cemetery (subject to access through the cemetery and a linking bridge over the canal).</i></p>	<p>Publicly accessible open space is proposed in the form of parks, gardens and landscaped public realm. These are split into several character areas and can be found throughout the Development Site. These areas are the main public spaces with a strong community focus, responding to the immediate local context. These spaces include provision for both formal and informal play and include:</p> <ul style="list-style-type: none"> <li>• Ladbroke Gardens: New park at the front of the site.</li> <li>• Ladbroke Basin: Existing basin with additional activation at ground level. Existing community water uses to be retained.</li> <li>• Pavillion Square: New community pavillion building with surrounding areas of public realm and new routes through to the canal.</li> </ul>

	<ul style="list-style-type: none"> <li>• West Basin: Restored historical basin with spill out areas and activation surrounding the basin.</li> <li>• Canalside Gardens: New gardens for local residents with new woodland area and dedicated play spaces.</li> <li>• Canalside Pocket Park: Small pocket green space adjoining the canal.</li> <li>• South Terrace: Active promenade with play, trim trails and sun loungers. Features ecological grassland areas.</li> <li>• Memorial Garden: Existing memorial stone and plaque to be retained with new paving and seating areas.</li> <li>• Sensory Garden: Wildlife friendly garden at the south eastern entrance of the site with sensory planting palettes. Some informal educational play features to be included with sensory theme.</li> </ul> <p>In addition to the above, the proposals seek to activate the canal, its basins and existing path as an attractive, publicly accessible space to socialise and enjoy. This is proposed through activation of ground floor uses, proposed seating and spill out zones near the water, and attractive ecological landscaping.</p> <p>The accompanying Landscape and Public Realm Strategy, prepared by Spacehub makes clear that the scheme’s proposed public realm adheres to these criteria and that it is well-designed, safe, accessible, inclusive, attractive and well-connected. The public realm seeks to be legible and clutter free, with a clear hierarchy of routes. It will also adhere to ‘Secure by Design’ guidance to reduce the potential for crime wherever possible and promote safety and security at all times of the day.</p>
<p><i>W. Improved transport infrastructure including improvements to bus service capacity, better bus links, improved bus facilities, enhancements to Ladbroke Grove underground station, new roads, a new junction to Barlby Road, a road connection towards Scrubs Lane, and improvements to the junctions Ladbroke Grove, including with Canal Way, Kensal Road and Barlby Road.</i></p>	<p>The proposals seek to improve the bus services within the Site. Bus routes 295, 23, 228 and 452 are proposed to extend within the site providing a connection to the proposed Sainsbury’s store, The Avenue and Neighbourhood Centre before continuing their journey north south along Ladbroke Grove. Routes 52, 70 and 316 will remain on Ladbroke Grove due to potential impacts on the current level of service and passengers.</p> <p>Bus standing facility and driver welfare facilities are also proposed in the south-western corner of the Site. They are proposed to significantly improve the existing poor quality facilities currently located at the entrance of the site.</p> <p>The proposals also seek to improve the safety of the Site’s vehicular and pedestrian access routes through a new signalised junction at the primary entrance of the site to replace the existing roundabout.</p>
<p><i>X. Landscaping, biodiversity and amenity improvements to the Grand Union Canal.</i></p>	<p>The public realm strategy seeks to activate the canal, its basins and existing path as an attractive, publicly accessible space to socialise and enjoy. This is proposed through activation of ground floor uses,</p>

	<p>proposed seating and spill out zones near the water, and attractive ecological landscaping.</p>
<p>Y. <i>On-site renewable energy sources to serve the new development and form part of a wider development in the future.</i></p>	<p>The Scheme seeks to optimise sustainable technologies where possible. The ambition for the project is to promote a simple approach to energy efficient and low carbon buildings, that exploits the benefits of current and future technologies, and delivers performance outcomes in practice, minimising carbon emission now and in the future. The proposed energy strategy follows the Energy Hierarchy as set out in the London Plan 2021, and also seeks to respond to the climate emergency declared by the RBKC. An electric-led energy strategy is proposed, with the utilisation of Air Source Heat Pumps (ASHPs) for the provision of space heating, cooling and domestic hot water. In addition, all available roof space will incorporate photovoltaic (PV) panels to generate renewable electricity on-site. The above results in an approximate CO2 reduction of 59.9% across the Site.</p>
<p>Z. <i>The overall water infrastructure need (including potable water demand and sewerage capacity) will be informed by an Integrated Water Management Strategy. Surface water runoff rates to be restricted to equivalent greenfield rates.</i></p>	<p>An Integrated Water Management Strategy supports this application. The Strategy has been formed around several core objectives:</p> <ul style="list-style-type: none"> <li>• Considers all forms of water across the masterplan holistically and as a single system.</li> <li>• Minimises potable water consumption.</li> <li>• Maximises substitution of potable water by non-potable water.</li> <li>• Balances water supplies and demands across the development to minimise the discharge to the public sewers.</li> <li>• Delivers effective network and distribution systems.</li> <li>• Minimises flood impacts.</li> <li>• Enhances the environment and biodiversity.</li> <li>• Enhances amenity space for the end users and wider public.</li> </ul> <p>The London Plan and London Borough of Kensington and Chelsea Guidance requires all new developments should aim to restrict runoff to greenfield runoff rates. The greenfield runoff rates for the development site have been calculated using uksuds.com Greenfield Runoff Rate Estimation Tool.</p> <p>Due to the topography of the site and the proposed site layout, including the extent of adoptable highways, it was found that there is insufficient space to provide attenuation volumes required to restrict surface water runoff to the Qbar greenfield rate in line with the London Plan without the need of storing large volumes of attenuated water within basement level and further pump it out as this is deemed to be unsustainable for such a large development with available external space.</p> <p>It is therefore proposed to use the Q200 year greenfield rate of 120l/s, providing a 91.9% betterment to the pre-development runoff rates. This matter also discussed during a meeting held with RBKC the 30<sup>th</sup> of September 2021 and it was agreed to increase restrict proposed flows to Q200 greenfield rate.</p>

<p>AA. <i>Other contributions as set out in relevant SPDs</i></p>	<p>The Applicant will enter into a legal agreement with RBKC to cover any relevant Planning Obligations and will seek to agree the wording of the agreement during the course of this application. It is considered a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 is the most appropriate agreement in this instance.</p> <p>Please see the supporting draft Heads of Terms (Appendix 3) for further detail on the anticipated Section 106 obligations.</p>
<p>BB. <i>Kensal Opportunity Area is nil rated for Borough CIL so the required infrastructure will be funded through s106 agreements. S106 contributions may be payable after the required infrastructure has been fully built as at the date of the relevant s106 agreement such as where there is an element of forward funding of infrastructure by the Council or other body; s106 contributions may be used in full or part to satisfy any funding requirements (including any repayment or recovery and recycling obligations) in respect of forward-funding; pre-occupation or pre-commencement s106 obligations may be considered to ensure that the required infrastructure is in place at an appropriate time before development (or development of a certain level) comes forward.</i></p>	<p>The Applicant will enter into a legal agreement with RBKC to cover any relevant Planning Obligations relating to the Development and will seek to agree the wording of the agreement during the course of this application. Section 106 of the Town and Country Planning Act 1990 is the most appropriate agreement in this instance.</p> <p>Please see the supporting draft Heads of Terms (Appendix 3) for further detail on the anticipated Section 106 obligations.</p>

## APPENDIX 2 – ASSESSMENT OF THE SCHEME AGAINST DRAFT SITE ALLOCATION SA1 CRITERIA

SPD CRITERIA	
1.5 Vision	
<i>Kensal Canalside Opportunity Area will have been transformed from a former gasworks and railway depot into a thriving, well-connected mixed and inclusive community.</i>	<p>The Proposed Development, through a hybrid application, seeks to deliver up to 2,519 new homes alongside a replacement Sainsbury's store (22,955sqm GIA) and further maximum non-residential floorspace of 15,488.2sqm (GIA) including other community, workspace, leisure and retail uses. The proposals will also provide a considerate level of affordable housing.</p> <p>In addition to the provision of thousands of new homes, including affordable homes, the proposals will provide a high quality mixed use development including a new and improved Sainsbury's store, a new Neighbourhood Centre comprising new shops, restaurants, offices and sports and leisure facilities, in addition to attractive public areas and landscaped green parks. The development will also create thousands of permanent jobs, as well as local construction jobs and apprenticeships. The development overall represents a significant contribution to the local economy and housing need, which ultimately align with the principles outlined within the Opportunity Area and Site Allocation designations.</p>
<i>Kensal Canalside will:</i>	
<i>Provide a high-quality home for over 3,500 households</i>	This application proposes up to 2,519 new homes within the land owned by Ballymore, SSL and RBKC. In line with the Site Allocations (Policies CA1 and SA1), this would result in approximately 981 homes left required to be delivered across the remaining Opportunity Area to reach the minimum 3,500 homes. It is anticipated that circa 700 homes can be accommodated on the St William site (Plot 3). This means that almost 300 homes would need to be delivered on the North Pole site to meet the minimum allocation of 3,500 homes
<i>Optimise the number and quality of affordable homes</i>	The Proposed Development will seek to achieve a minimum of 25% affordable housing (measured by habitable room) which is the maximum that can be reasonably delivered on-site as demonstrated by the supporting Financial Viability Appraisal prepared by Gerald Eve. In addition to this, the Proposed Development will re-provide the 16 existing affordable homes within the Boathouse Centre.
<i>Improve access to and embrace the biodiversity and benefits of the canal</i>	The public realm strategy seeks to activate the canal, its basins and existing path as an attractive, publicly accessible space to socialise and enjoy. This is proposed through activation of ground floor uses, re-opening the historic canal basin at Plot 4, proposed seating and spill out zones near the water, and attractive ecological landscaping.
<i>Bring new social and community facilities</i>	In addition to the commercial and retail uses proposed within the masterplan, a maximum of 4,200sqm (GIA) of community space is proposed on site. This is proposed through the provision of various community facilities including a new community leisure hub,

	<p>reprovided Boathouse facilities, indoor sports facility and floorspace to accommodate other uses such as health facilities and creches. The proposed maximum 4,200sqm of community floorspace will be accessible for all existing and new Borough residents as part of the redevelopment.</p>
<p><i>Deliver environmentally sustainable approaches to development</i></p>	<p>The Scheme seeks to optimise sustainable technologies where possible. The ambition for the project is to promote a simple approach to energy efficient and low carbon buildings, that exploits the benefits of current and future technologies, and delivers performance outcomes in practice, minimising carbon emission now and in the future. The proposed energy strategy follows the Energy Hierarchy as set out in the London Plan 2021, and also seeks to respond to the climate emergency declared by the RBKC. An electric-led energy strategy is proposed, with the utilisation of Air Source Heat Pumps (ASHPs) for the provision of space heating, cooling and domestic hot water. In addition, all available roof space will incorporate photovoltaic (PV) panels to generate renewable electricity on-site. The above results in an estimated CO2 reduction of 59.9% across the Site.</p>
<p><i>Build on its industrial heritage, linking into the local creative economies</i></p>	<p>The supporting DAS describes the design approach along the canal, including materiality and building forms which seek to respond to the industrial heritage of the local area and the proximity of the water and towpath of the canal.</p> <p>The design of Plot 4 takes cues from post-industrial revolution dockside warehouse buildings found across London's rivers and canals. This architecture is continued into Plot 5 which reflects the coal gas Retort Building typology. With the disappearance of the steel framed Gasholders, the memory of the Retort Building is brought back to the present as a Masterplan marker to celebrate the industrial spirit of the site.</p> <p>The scheme design has also looked to respond positively and imaginatively to the history and heritage of this once industrial site through proposals such as the improved access to the adjoining canal towpath and also the reinstatement of the infilled canal basin within Plot 5. This aspect of the scheme will better reveal the local heritage significance of the identified non-designated heritage asset of the section of Grand Union Canal to the north of KCOA.</p>
<p><i>Minimise the need for private vehicle use</i></p>	<p>The development seeks to minimise the need for private vehicle use through prioritising sustainable forms of transport, including expanding the existing bus network and wider cycling and walking network. It proposes to deliver a healthy walkable neighbourhood, defined by a series of tree lined streets and public spaces that take cues from the rest of the borough.</p> <p>The scheme proposes a 'car-lite' scheme with minimum parking spaces proposed to discourage car use. It proposes a maximum total of 346 residential parking spaces provided for the maximum 2,519 units (0.14 space per unit). Of these up to 76 can be disabled parking representing 3% of the total number of units. The London Plan advises that development within Opportunity Areas or within a</p>

	<p>PTAL of 5 and 6 should be car free, except for disabled parking. Given the site has a PTAL of between 2-5, the level of parking proposed is considered appropriate.</p> <p>The Proposed Development will provide 227 car parking spaces for customers within a new car park beneath the store. This represents a significant reduction from the existing parking levels provided onsite (reduction of 169 spaces from the existing 396 spaces) but is considered to be appropriate to cater for customer and town centre demand.</p>
<p><i>Bring new job opportunities</i></p>	<p>The scheme will bring new significant job opportunities to the local area, including retention of the existing 300 jobs at the Sainsbury's store and Petrol Filling Station, maximising the skills and training and business benefits for local people both during and upon completion of development.</p>
<p><i>Ensure that high-density development delivers high-quality architecture and public open and green spaces</i></p>	<p>The Architecture proposed draws from the high-quality pattern of development within the borough and local context through the use of a simple palette of high quality materials, well designed interfaces between buildings and streets and high quality detailing. The Proposed Development proposes publicly accessible open space is proposed in the form of parks, gardens and landscaped public realm. These are split into several character areas and can be found throughout the Development Site.</p> <p>These areas are the main public spaces with a strong community focus, responding to the immediate local context. These spaces include provision for both formal and informal play and include:</p> <ul style="list-style-type: none"> <li>• Ladbroke Gardens: New park at the front of the site.</li> <li>• Ladbroke Basin: Existing basin with additional activation at ground level. Existing community water uses to be retained.</li> <li>• Pavilion Square: New community pavilion building with surrounding areas of public realm and new routes through to the canal.</li> <li>• West Basin: Restored historical basin with spill out areas and activation surrounding the basin.</li> <li>• Canalside Gardens: New gardens for local residents with new woodland area and dedicated play spaces.</li> <li>• Canalside Pocket Park: Small pocket green space adjoining the canal.</li> <li>• South Terrace: Active promenade with play, trim trails and sun loungers. Features ecological grassland areas.</li> <li>• Memorial Garden: Existing memorial stone and plaque to be retained with new paving and seating areas.</li> <li>• Sensory Garden: Wildlife friendly garden at the south eastern entrance of the site with sensory planting palettes. Some</li> </ul>

	<p>informal educational play features to be included with sensory theme.</p> <p>In addition to the above, the proposals seek to activate the canal, its basins and existing path as an attractive, publicly accessible space to socialise and enjoy. This is proposed through activation of ground floor uses, proposed seating and spill out zones near the water, and attractive ecological landscaping.</p>
<i>Respond to the historic setting of the Kensal Green Cemetery and dockside development</i>	The development seeks to respond to the historic setting of the Kensal Green Cemetery and dockside development including improving access to and embrace the biodiversity and benefits of the canal, through opportunities such as reopening of the historic central basin, improvements to the towpath, incorporating elements of high-quality green space for recreational use and wildlife importance.
<b>3.1 New and improved walking and cycling connections</b>	
<i>Development must seek to deliver:</i>	
<b>CO1</b> – <i>Connections that follow the principles of healthy streets, are inclusively designed and accessible to all.</i>	<p>The Development takes pedestrian-led approach, aligning with the KCOA SPD requirements for a development that prioritises walking and cycling. Wide pedestrian footpaths (3-4.5m), crossing points and segregated cycle lanes have been provided throughout the masterplan. The Development seeks to discourage the use of the car by upgrading bus routes and stops within the site to allow accessible access to the Neighbourhood Centre, residential dwellings and new Sainsbury's store.</p> <p>The Site has also safeguarded areas for future pedestrian and bridge delivery to the south, across the Railway and to the north, across the Canal. It is therefore considered that the overall transport strategy aligns with strategic and local Policy, in addition to the overarching Site Allocation principles.</p>
<b>CO2</b> – <i>A new well-connected neighbourhood that integrates into the existing local communities and open spaces.</i>	The Proposed Development seeks to improve existing transport infrastructure through extension of existing bus routes into the site and upgrading the Canal towpath. It also seeks to provide new routes throughout the site with pedestrian led streets and dedicated cycle routes to encourage active travel. The Proposals also seek to replace the existing roundabout at the entrance of the Site on Ladbroke Grove to provide a new signalised junction which improves pedestrian and cyclists safety entering/exiting the Site.
<b>CO3</b> – <i>New pedestrian and cycle links, with segregated cycle lanes as appropriate, that promote active travel, linking to transport hubs and the wider cycling and walking network.</i>	The Development takes pedestrian-led approach, aligning with the KCOA SPD requirements for a development that prioritises walking and cycling. Wide pedestrian footpaths (3-4.5m), crossing points and segregated cycle lanes have been provided throughout the masterplan. Cycle routes are proposed throughout the masterplan. The main cycling access into the site is via the proposed junction situated within the far east of the site. Further cycling access into the site is provided from the east and west directions along the Grand Union Canal. This provides a natural entrance to the site which avoids the main junction.

	The masterplan includes dedicated cycle facilities, and a number of secondary streets which are non-car or car-lite. The 3m two-way segregated cycle lane on the northern section of the access road, the dedicated southern cycle connection, and north south cycle connection along the eastern façade of Sainsbury's provide dedicated off network cycle routes for new residents and users of the site. Further, the Proposed Development includes a mix of shared cycle and pedestrian footway paths for use.
<b>CO4</b> – Cycle docking stations as agreed with TFL at appropriate locations within the site.	Santander cycle docking stations are proposed on site, subject to TfL agreement to extend the cycle hire scheme. Financial contributions will be made available to TfL to deliver the docking stations, secured through S106 Agreement.
<b>Bridging the Railway</b>	
<b>CO5</b> – A new north-south pedestrian and cycling bridge across the Great Western Railway.	The wider KCOA includes the Department for Transport land to the south, known as the North Pole site. It is understood there are no formal plans for this site in the immediate future however, there is opportunity for a future connection via a pedestrian and cycle bridge over Railway line. Ballymore and SSL remain committed to working with the Council and other stakeholders to ensure successful delivery of the railway bridge, and the Proposed Development safeguards a landscaped bridge landing zone adjacent to the south-east corner of Plot 2.
<b>Accessing and Bridging the Canal</b>	
<b>CO6</b> – New connections and improved access to the towpath with a pedestrian bridge over the canal.	<p>To the west of the Site, within the wider KCOA, is land occupied by the former Kensal Gasholders site, owned by St William (known as Plot 3) which will be subject to a separate planning application in the future. There is opportunity from this Site to provide a pedestrian bridge to the north, across the canal to Kensal Green Cemetery (subject to an access agreement with the Cemetery). Ballymore and SSL are committed to assisting St William with the delivery of the canal bridge.</p> <p>Ballymore and SSL recognise the importance of the delivery of the bridges to improve access to and from the Opportunity Area, particularly the southern railway bridge in regard to providing pedestrian and cyclist permeability across the site and to surrounding amenities (e.g. schools). The Applicant Team is in discussions with the relevant stakeholders and landowners, including the Department for Transport (who own the 'North Pole' site to the south of the railway line), St William (who are bringing forward Plot 3) and RBKC to ensure the timely delivery of the bridges.</p>
<b>3.2 Improving Access to Public Transport</b>	
<b>CO7</b> – A design that safeguards a future Elizabeth Line station.	There has been a long-term aspiration of RBKC to include an Elizabeth Line station on the Site. This is recognised within both current and draft Local Plan Site Allocations CA1 and SA1. Since the Site was first designated, work has been undertaken to consider the viability of a new Elizabeth Line station from an operational and cost perspective. The Council, working with Network Rail and Transport for London, has not yet been able to prove that the delivery of an Elizabeth line station at Kensal Canalside is feasible. No further feasibility work on the station is anticipated within the

	lifetime of the Local Plan, and this is recognised within the Draft Local Plan (paragraph 8.35).
<b>CO8</b> – <i>Improved access to public transport including an enhanced and expanded bus network.</i>	<p>The proposals seek to improve the bus services within the Site. Bus routes 295, 23, 228 and 452 are proposed to extend within the site providing a connection to the proposed Sainsbury's store, The Avenue and Neighbourhood Centre before continuing their journey north south along Ladbroke Grove. Routes 52, 70 and 316 will remain on Ladbroke Grove due to potential impacts on the current level of service and passengers.</p> <p>Bus standing facility and driver welfare facilities are also proposed in the south-western corner of the Site. They are proposed to significantly improve the existing poor quality facilities currently located at the entrance of the site.</p>
<b>3.3 Road Access</b>	
<b>CO9</b> – <i>A safe and improved junction on Ladbroke Grove and a new junction at Barlby Road.</i>	<p>The proposals seek to improve the safety of the Site's vehicular and pedestrian access routes through a new signalised junction at the primary entrance of the site to replace the existing roundabout.</p> <p>Barlby Road lies outside of the Site's application boundary and thus a new junction here is not proposed within this application. This would need to come forward as part of an application to develop the southern portion of the Opportunity Area (known as the North Pole site).</p>
<b>4.1 Public Realm Strategy</b>	
<b>SS1</b> – <i>A healthy walkable neighbourhood, defined by a series of tree lined streets and public spaces that take cues from the rest of the borough as set out within a public realm strategy.</i>	<p>Public realm is an important principle within the scheme. The accompanying Landscape and Public Realm Strategy, prepared by Spacehub makes clear that the scheme's proposed public realm adheres to London Plan criteria and that it is well-designed, safe, accessible, inclusive, attractive and well-connected. The public realm seeks to be legible and clutter free, with a clear hierarchy of routes to create a walkable neighbourhood defined by tree lined streets. It will also adhere to 'Secure by Design' guidance to reduce the potential for crime wherever possible and promote safety and security at all times of the day.</p> <p>Whilst the public realm strategy is indicative, it confirms that any landscape treatment, planting, street furniture and surface materials will be of good quality, fit-for-purpose, durable and sustainable. Lighting has been carefully considered and well-designed with three principle elements including operational lighting (for safety, security and wayfinding), feature lighting (highlighting features within the public realm, landscape and architecture) and seasonal/temporary lighting (for specific events or periods of time). The lighting strategy has been designed in order to minimise intrusive lighting infrastructure and reduce light pollution and bat disturbance along the Canal. These key elements align with the principles for streets and spaces as set out within the SPD.</p>
<b>SS2</b> – <i>A residential development which seeks to minimise car usage and prioritises sustainable forms of transport.</i>	The development seeks to minimise the need for private vehicle use through prioritising sustainable forms of transport, including expanding the existing bus network and wider cycling and walking network. It proposes to deliver a healthy walkable neighbourhood,

	<p>defined by a series of tree lined streets and public spaces that take cues from the rest of the borough.</p> <p>The scheme proposes a ‘car-lite’ scheme with minimum parking spaces proposed to discourage car use. It proposes a maximum total of 346 residential parking spaces provided for the maximum 2,519 units (0.14 space per unit). Of these up to 76 can be disabled parking representing 3% of the total number of units. The London Plan advises that development within Opportunity Areas or within a PTAL of 5 and 6 should be car free, except for disabled parking. Given the site has a PTAL of between 3-5, the level of parking proposed is considered appropriate.</p> <p>The Proposed Development will provide 227 car parking spaces for customers within a new car park beneath the store. This represents a significant reduction from the existing parking levels provided onsite (reduction of 169 spaces from the existing 396 spaces) but is considered to be appropriate to cater for customer and town centre demand.</p>
<p><b>SS3</b> – <i>An integrated water management plan including sustainable urban drainage.</i></p>	<p>An Integrated Water Management Strategy supports this application. The Strategy has been formed around several core objectives:</p> <ul style="list-style-type: none"> <li>• Considers all forms of water across the masterplan holistically and as a single system.</li> <li>• Minimises potable water consumption.</li> <li>• Maximises substitution of potable water by non-potable water.</li> <li>• Balances water supplies and demands across the development to minimise the discharge to the public sewers.</li> <li>• Delivers effective network and distribution systems.</li> <li>• Minimises flood impacts.</li> <li>• Enhances the environment and biodiversity.</li> <li>• Enhances amenity space for the end users and wider public.</li> </ul>
<p><b>4.3 Spaces</b></p>	
<p><b>SS4</b> – <i>An inclusive and accessible neighbourhood for all with safe and well-designed play space integrated</i></p>	<p>The Proposals seek to provide a fully accessible neighbourhood with playspace integrated throughout the masterplan. The submitted Landscape Design Code outlines the proposed provision of Playspace across the development. The Proposed Development includes a significant area of open space including two new public parks, the first fronting onto Ladbrooke Grove at the front of the Site (Plot 6) and the second fronting the canal within Plot 4, the reopening of a historic canal basin within Plot 4 and accessible communal amenity spaces including raised courtyards and roof top amenity terraces and the proposed south terrace play area.</p> <p>With regard to accessible residential dwellings, the scheme will provide a minimum of 10% wheelchair units (M4(3) standard) across a variety of tenures and unit sizes. This has been secured within the Design Code for each Plot. Within the affordable homes, all social rent homes will meet Building Regulations requirement</p>

	<p>M4(3) “wheelchair user dwellings” and market and intermediate homes will be wheelchair adaptable (M4(3) compliant) in line with Policies D5, D7 and HO4. The Proposed Development therefore complies with policy in this regard.</p>
<p><b>SS5</b> – <i>To meet the London Plan, 2021 Urban Greening Factor and a net gain of at least 10% in biodiversity on the site, providing a series of high quality, accessible and connected green spaces with integrated wildlife corridors.</i></p>	<p>The supporting BNG Assessment concludes that DEFRA’s Biodiversity Metric 3.0 returned a net value of 1.48 habitat units prior to construction and 11.22 habitat units post construction. This results in a net change in habitat units of +658.87% therefore resulting in an overall net gain in biodiversity.</p> <p>The Proposed Development will deliver a significant improvement in the biodiversity quality of the Site in compliance with the relevant strategic and local planning policies, including Local Plan Policies CE4 and GB17 which requires development to achieve a minimum on-site biodiversity net gain of 10% in accordance with the Environment Act 2021 and forthcoming Regulations.</p> <p>The Landscape Strategy Document prepared by Spacehub confirms that the illustrative landscaping masterplan achieves the policy compliant Urban Greening score of 0.4 for predominantly residential developments. Whilst the current calculations adhere to the policy compliant score, it should be noted that a number of elements will be subject to detailed design within future Reserved Matters Applications and may be altered at further development stages. Preliminary coordination exercises have been undertaken with regards to services location and podium build ups to ensure planting is feasible in principle.</p>
<p><b>SS6</b> – <i>Improvements to the towpath developed through a canal strategy, incorporating significant elements of high-quality green space for recreational use and wildlife importance. The strategy will need to strike the right balance between providing access to the canal whilst safeguarding it’s quiet and calming nature.</i></p>	<p>This requirement is met through the proposed activation of the canal, it’s existing and reinstated basins and footpath. Proposals seek to create an accessible public space along the Grand Union Canal for users to socialise and enjoy through new seating and spill out zones near the water. It also includes attractive ecological landscaping including a series of high quality, accessible and connected green spaces with integrated wildlife corridors. The landscaping plan seeks to upgrade the canal towpath through new planting at the interface between the development and the existing towpath, including tree planting.</p>
<p><b>SS7</b> – <i>Ensure the bridge landing points are overlooked, legible and safe mixed-use spaces.</i></p>	<p>As noted above, the desired bridges are mostly within land outside of this Application boundary (Plot 3 and North Pole Sites). The railway bridge is a commitment from the applicant and thus has designed for a bridge landing point within the Site. This is situated along the Southern Terrace, which is an overlooked, active mixed-use space, adjacent to the relocated Sainsbury’s store.</p>
<p><b>SS8</b> – <i>An improvement in air quality and reduction in pollution concentrations, by providing connected green spaces, sustainable travel options/connectivity and an accessible neighbourhood.</i></p>	<p>The supporting Air Quality Chapter confirms that the Proposed Development will be better than air quality neutral in terms of building emissions, however, its car trip generation exceeds the air quality neutral benchmark derived for an average development in inner London, when taking into account trips generated by the Sainsbury’s store. When excluding the trips generated by Sainsbury’s (which reflect the existing level of vehicular trips to and from the Site), the Proposed Development is better than air quality neutral.</p>

	<p>The Development also proposes an improved active transport network through expanded bus services, pedestrian and cycle priority streets and reduced parking across the Site. As noted above, the Site also seeks to provide a series of high quality, accessible and connected green spaces including two new public parks, the reopening of a historic canal basin within Plot 4 and accessible communal amenity spaces including raised courtyards and roof top amenity terraces and the proposed south terrace play area.</p>
<b>Housing Tenure</b>	
<p><b>Development must seek to deliver:</b> <i>LWV1 – A minimum of 3500 new homes, of which 35% on private land and 50% on public and/or former utilities land must be genuinely affordable, and aspire to meet the borough’s tenure need, subject to viability.</i></p>	<p>This application proposes up to 2,519 new homes within the land owned by Ballymore, SSL and RBKC. In line with the Site Allocations (Policies CA1 and SA1), this would result in approximately 981 homes left required to be delivered across the remaining Opportunity Area to reach the minimum 3,500 homes. It is anticipated that circa 700 homes can be accommodated on the St William site (Plot 3). This means that almost 300 homes would need to be delivered on the North Pole site to meet the minimum allocation of 3,500 homes.</p> <p>The Proposed Development will seek to achieve a minimum of 20% affordable housing by unit (25% by habitable room) which is the maximum that can be reasonably delivered on-site as demonstrated by the supporting Financial Viability Appraisal prepared by Gerald Eve. In addition to this, the Proposed Development will re-provide the 16 existing affordable homes within the Boathouse Centre.</p>
<p><i>LWV2 – A range of homes including intermediate products in line with the Community Housing SPD.</i></p>	<p>The Proposed Development will seek to deliver 25% affordable housing (by habitable room) on site, with a tenure split of 78% social rented and 22% intermediate.</p>
<p><i>LWV3 – High quality, resilient, energy efficient, new homes that meet the standards within the Housing SPG and demonstrate exemplar fire safety standards through the submission of a fire statement in line with the London Plan, 2021.</i></p>	<p>Although only part of the Proposed Development is submitted in detail, a set of Design Codes (both architectural and landscape) are submitted with the application to define ‘rules’ across the wider masterplan. These rules secure high quality residential accommodation throughout the Proposed Development and will ensure that the Outline Element achieves a high standard of accommodation. Such rules or aspects of the scheme include separation distances between blocks, wide streets, with defined street and pavement widths across the masterplan, the provision of private amenity space and roof terraces to provide additional communal amenity space.</p> <p>Further, to support this application, four Outline London Planning Fire Safety Statements are submitted relating to plots 1, 4, 5 and 6 and one Detailed London Planning Fire Safety Statement relating to Plot 2 is submitted.</p> <p>The following fire safety measures are committed to and will be designed into each block at Reserved Matters Stage:</p>

	<ul style="list-style-type: none"> <li>• All residential blocks will be provided with at least two stairs for occupants' escape.</li> <li>• Each residential building will be provided with an evacuation alert system in accordance with BS 8629, which will provide the fire service with capability to progressively alert apartments of a fire.</li> <li>• A lift will be provided in each core with enhanced facilities for evacuation to facilitate the evacuation of mobility impaired occupants and meet the recommendation of Policy D5 (Inclusive design) of the London Plan.</li> <li>• Evacuation lifts will be provided in addition to firefighting lifts.</li> <li>• As all residential buildings are greater than 11m, sprinkler protection will be provided throughout the development.</li> <li>• Fire fighting access will be provided to each block (see the relevant Outline Fire Strategy Reports for each Plot prepared by Hoare Lea for indicative locations).</li> <li>• Where buildings are greater than 18m in height, they will each be provided with firefighting shafts including dry/wet rising mains and a firefighting lift.</li> </ul>
<p><b>LWV4</b> – <i>Housing that meets the identified Specialist Housing needs of the Borough.</i></p>	<p>No Specialist Housing is proposed as part of this application, instead priority has been given to the delivery of conventional residential (including affordable) housing.</p>
<p><b>LWV5</b> – <i>A sustainably remediated development that is free from the risks of ongoing land contamination.</i></p>	<p>A Ground Condition and Contamination Assessment supports the application. The report confirms that, following the implementation of the standard mitigation measures and the proposed mitigation measures set out in the Contamination chapter, it is considered that there are no significant adverse effects resulting from the Proposed Development on ground conditions, including water quality.</p> <p>It is considered that the Proposed Development would result in a beneficial effect due to the existing contamination on site being remediated and therefore provide a significant beneficial impact when compared to the existing site conditions.</p>
<p><b>Existing Homes on the Site</b></p>	
<p><b>LWV6</b> – <i>The protection or re-provision of the 16 affordable homes within the Boathouse, guaranteeing the existing tenants the opportunity of a new home that meets their needs.</i></p>	<p>As part of the redevelopment of Plot 6 at the front of the Site (and subject to the current owner obtaining vacant possession), the proposals seek to demolish the existing Canalside House and Boathouse Centre (including London Sports Trust activity centre and 16 affordable homes) and replace the existing office floorspace, activity centre and affordable housing within the Site.</p> <p>The replacement uses and homes will form part of the Outline Element of the scheme. The affordable homes will be located within the affordable plots, situated in Plot 2. The re-provision of these 16 affordable homes is in addition to the affordable housing offer</p>

	<p>proposed (i.e. 25% by habitable room), and all residents will be provided with a new home of at least the same size as existing.</p> <p>The new homes will be of higher quality, meeting modern standards with access to private and communal amenity space. The Boathouse Centre will not be demolished until the replacement homes have been built, ensuring residents aren't required to leave the Site to temporary accommodation while their new homes are built.</p>
<p><b>Primary Healthcare</b></p>	
<p><b>LWV8</b> – Where necessary, healthcare facilities or equivalent financial contributions towards local hub expansions that meets the need of the increased population.</p>	<p>The Applicant is also willing to enter into a legal agreement with RBKC to cover any relevant Planning Obligations relating to health and education and will seek to agree the wording of the agreement during the course of this application.</p>
<p><b>5.2 Work</b></p>	
<p><b>Creative Economy</b></p>	
<p><b>LWV9</b> – A minimum 10,000 sqm of new office/workspace that reflects and supports the existing local cultural and creative industries cluster, building on the established best practice guidance.</p>	<p>RBKC's New Local Plan Review seeks to amend the requirement of the Opportunity Area, recognising that a high proportion of office floorspace is not appropriate for the Site, and instead the commercial uses provided should serve the needs of the existing community and incoming population, rather than becoming an office destination.</p> <p>While the existing Local Plan and SPD seek to secure 10,000sqm of office floorspace and 2,000sqm of other non-residential floorspace, the emerging Site Allocation SA1 instead requires: 'A minimum of 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site's Neighbourhood Centre designation of which 5,000 sqm is E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre'.</p> <p>Given the NLPR is at an advanced stage and shows the direction of travel of Local Policy, the uses proposed within the New Neighbourhood Centre have sought to address the requirement of the emerging Site Allocation (i.e. 5,000sqm of office floorspace).</p> <p>In line with this, up to 5,000sqm (GIA) of flexible workspace (Class E(g)) is proposed within the development with a commitment to deliver a minimum of 3,300sqm within the Application Site boundary. This does not include the reprovided Canalside House workspace.</p>
<p><b>Employment and Skills Training</b></p>	
<p><b>LWV10</b> – A minimum of 2,000 new jobs, maximising the skills training and business benefits for local people both during and upon development completion.</p>	<p>The development will bring significant new job opportunities to the local area (including retention of all existing jobs at the existing Sainsbury's store and Petrol Filling Station), maximising the skills and training and business benefits for local people both during and upon completion of development.</p>
<p><b>Creating a New Neighbourhood Centre</b></p>	
<p><b>5.3 Visit</b></p>	

<p><b>LWV11</b> – <i>A minimum of 2,000 sq m of non-residential floorspace centred within a neighbourhood centre that serves the needs of the new and existing local community.</i></p>	<p>While the existing Local Plan and SPD seek to secure 10,000sqm of office floorspace and 2,000sqm of other non-residential floorspace, the emerging Site Allocation SA1 instead requires: ‘A minimum of 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket), including workspace, community, and local shopping facilities commensurate with the site’s Neighbourhood Centre designation of which 5,000 sqm is E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre’.</p> <p>Given the NLPR is at an advanced stage and shows the direction of travel of Local Policy, the uses proposed within the New Neighbourhood Centre have sought to address the requirement of the emerging Site Allocation (i.e. 12,000sqm of non-residential floorspace, including 5,000sqm workspace).</p> <p>In line with the above, in addition to the proposed replacement Sainsbury’s store, the Proposed Development will deliver up to 15,950sqm (GEA) of non-residential floorspace within the Outline Element, in addition to approximately 1,102sqm Commercial and Leisure Floorspace (Class E) within the Detailed Element.</p>
<p><b>LWV12</b> – <i>Re-provision of the supermarket.</i></p>	<p>The Application Scheme responds to the policy objectives by providing a new Sainsbury’s store positioned centrally within the site which will effectively bookend the proposed new Neighbourhood Centre, drawing customers into the Site and helping to ensure the vitality and viability of the new High Street.</p> <p>The proposed phasing strategy of the Site ensures that the existing store will remain open and operational for customers until the new store is built, where an instant switchover will occur. This strategy seeks to minimise any potential impact to the local community, employees and store visitors.</p> <p>Importantly, the existing store employs circa 303 jobs. All employees of the existing store will be retained and relocated to the new store, once operational. Supporting job creation is a key aspect of strengthening the local economy and is a relevant consideration in weighing the planning balance of the proposals. If the Sainsbury’s store was to close or replaced by a smaller store, these jobs would be lost to the area.</p>
<p><b>LWV13</b> – <i>The re-provision of improved community facilities on the site and new community space that ensures that the benefits of the development are shared between existing, new and surrounding communities.</i></p>	<p>In addition to the commercial and retail uses proposed within the masterplan, a maximum of 4,200sqm (GIA) of community space is proposed on site. This is proposed through the provision of various community facilities including a new community leisure hub, reprovided Boathouse facilities, indoor sports facility and floorspace to accommodate other uses such as health facilities and creches. The proposed maximum 4,200sqm of community floorspace will be accessible for all existing and new Borough residents as part of the redevelopment.</p>
<p><b>LWV14</b> – <i>Opportunities for new cultural, youth and sport facilities, at an appropriate scale within the</i></p>	<p>Various sport facilities are proposed including a new community leisure hub in Plot 6 which includes the reprovided Boathouse facilities and a new indoor sports facility in Plot 2 which provides</p>

<p><i>new neighbourhood centre, developed with the local community.</i></p>	<p>multifunctional sports areas for all ages. This floorspace will be accessible for all existing and new Borough residents as part of the redevelopment. In addition, a policy compliant level of play space is anticipated on site (including youth play).</p>
<p><b>6.1 Responding to context and Setting</b></p>	
<p><b>Design</b></p>	
<p><i>Development must seek to deliver:</i></p>	
<p><b>CH1</b> – <i>well-designed neighbourhood that delivers a well considered layout and exceptional architectural quality, drawing from the high-quality pattern of development within the borough and local context.</i></p>	<p>The scheme design seeks to tap into the positive characteristics of this surrounding context to bring a sense of diversity within a collection of distinct buildings. The Proposed Development incorporates pastel, tonal shades alongside darker brick. The lighter colour palette allows daylight through the streets whilst some blocks have a darker coloured building to ground each building and create variety in the streetscape. Along with a limited colour palette, the Proposed Development has sought to materials that are robust, and when combined with high quality detailing, will provide an attractive and high-quality development.</p> <p>Elements of Regency architecture from both a macro and micro scale are incorporated to the design as part of a recipe for a contemporary interpretation of the classical heritage of the area. For example, within Plot 1, the Plot incorporates the Crescent building, one of the most representative residential typologies in the Borough as one of its strongest design principles. Looking further into North Kensington’s architecture, the rounded street corner appears as one of its key streetscape features. This urban shape is incorporated to the design as another way of showcasing the area’s architectural tradition in urban design.</p> <p>Plot 6 also seeks to capture elements of Regency architecture through a series of arches at ground-level effectively interacting with the landscaped gardens.</p> <p>Plot 4’s design varies from Plot 1 but also reflects the character of the area, through the more post-industrial revolution dockside warehouse buildings found across London, found along both rivers and canals. This design optimises views both into and out of the commercial frontages, fostering a strong relationship between the shops and the public garden. Of the five buildings on Plot 4, there are three building types. These are: a wharf building (next to the reinstated canal basin), three mansion blocks that define public and semi-private gardens, and the tower.</p> <p>This architecture is continued into Plot 5 which reflects the coal gas Retort Building typology. With the disappearance of the steel framed Gasholders, the memory of the Retort Building is brought back to the present as a Masterplan marker to celebrate the industrial spirit of the site. A robust palette of materials employing both brick and patinated concrete is considered suitable in this location to ensure permanence and a lasting quality to these buildings.</p>

	<p>Whilst the layout of Plot 2 aims to discretely integrate the new Sainsbury's store within the mixed-use proposals, it is critical that the Store frontage is visible and clearly legible to customers. These components have informed the detailed design of the colonnaded Storefront addressing the new Avenue and West Drive. Whilst the use of architectural form and detailing on other buildings within Plot 2 cohesively complement the rest of the scheme, the store is proposed to introduce the use of off-white glazed faience to define the colonnade and provide a backdrop to the Store signage. The use of this material aims to define the grander scale from afar, whilst the detail and setting out introduce a more human scale when viewed up close, as well as adding texture and depth to the finish, suggestive of the glazed tiles commonly used in Victorian shopfronts.</p>
<p><b>Heritage</b></p>	
<p><b>CH2</b> – <i>Development that sustains and enhances the significance of heritage assets in the vicinity of the site; realises the positive contribution that conservation of heritage assets can make to sustainable communities and makes a positive contribution to local character and distinctiveness; with proposals that include a clear and convincing justification for any harm caused and which meet the tests set out in paragraphs 193 to 197 of the National Planning Policy Framework (February 2019), as appropriate.</i></p>	<p>It is recognised that the scheme will impact the identified heritage assets within the local or wider surrounding area, through change to the character and appearance of a part of their shared setting. However the Heritage Assessment concludes that these impacts are “less than substantial”, for the purposes of the NPPF (paragraph 202), and for each of these assets. Furthermore, the magnitude of harm that may be caused to the significance of each of these heritage assets, would be towards the middle or lower end of scale within that category of less than substantial, as advised by the NPPG.</p> <p>It has been considered that whilst a degree of harm is identified, the significant public benefits identified, including financial contributions discussed, outweigh the harm identified. Although this would not change the effects from the Proposed Development, it is likely that there would be a beneficial effect to these assets where restoration and enhancements are completed as a result of these financial contributions and to the wider area.</p> <p>The Proposed Development has sought to provide a high quality and considered design which, where possible, seeks to minimise and mitigate harm to the significance and setting of the heritage assets, in balance with optimising the development potential planned.</p>
<p><b>6.2 Height and Massing</b></p>	
<p><b>CH3</b> – <i>A development that varies in height across the site in response to context, environmental constraints and functionality and is led by a clear height and massing strategy.</i></p>	<p>The overarching approach to height and massing across the masterplan has sought to respond to the adopted SPD height strategy, comprising taller buildings to the south (along the less sensitive railway edge), with lower buildings along the canal to the north. The Development also proposed gable ends of buildings fronting onto the canal to reduce the appearance of massing from the Cemetery.</p> <p>Isolated points of height are proposed in key locations, acting as markers within the Site. These have been carefully placed to assist</p>
<p><i>Height and massing should respond to and take account of, and avoid harm to, the significance of surrounding heritage assets and their settings.</i></p>	

	<p>with wayfinding across the Site and to also minimise visual impacts on the Cemetery.</p> <p>The maximum building heights proposed are defined by the supporting Parameter Plans (drawing 167-FAU001-Z-ZZ-DR-A-GAP-9508), which adopt this 98m maximum height limit set out by the Draft Site Allocation.</p> <p>The proposed buildings range up to 29 storeys in height, and therefore comply with the height requirements set out within the Draft Site Allocation Policy SA1.</p>
<p><i>Landowners should work together to agree the strongest positions for isolated points of height. These buildings must be of an exceptional architectural design that can be appreciated from their base at street level and from a distance.</i></p>	<p>Plot 3 is situated to the west of the Masterplan and comprises the former Gasholder Site, owned and expected to be developed by Berkeley St William. Whilst this sits outside of the Application Boundary, the Development has sought to provide a comprehensive approach which safeguards and enables the delivery of this Plot, with a comprehensive height strategy across the northern portion of the Opportunity Area. This includes a joint pre-application process attending a number of pre-application meetings, Quality Review Panel presentations and public consultation events together.</p> <p>The cumulative impact of the Plot 3 development has been considered throughout the application documentation, including the Townscape and Visual Impact Assessment (TVIA) where the St William development has been assessed as a cumulative development.</p>
<b>6.3 Environmental &amp; Sustainable Design</b>	
<p><b>CH4</b> – <i>A neighbourhood designed to achieve the borough’s net zero carbon commitment, meeting the requirements of the London Plan, 2021 and Local Plan.</i></p>	<p>The ambition for the project is to promote a simple approach to energy efficient and low carbon buildings, that exploits the benefits of current and future technologies, and delivers performance outcomes in practice, minimising carbon emission now and in the future. The proposed energy strategy follows the Energy Hierarchy, as set out in the London Plan 2021, and also seeks to respond to the climate emergency declared by the RBKC. An electric-led energy strategy is proposed, with the utilisation of Air Source Heat Pumps (ASHPs) for the provision of space heating, cooling and domestic hot water. In addition, all available roof space will incorporate photovoltaic (PV) panels to generate renewable electricity on-site.</p> <p>Overall, the Proposed Development is expected to achieve a 61% carbon reduction against Part L 2021 for the Outline Element and a 35% reduction for the Detailed Element – in sum, a 59.9% carbon reduction across the scheme as a whole compared to the Part L 2021 notional baseline target emission rate.</p>
<p><b>CH5</b> – <i>An Air Quality Positive development to help achieve the Council’s ambition of meeting the WHO Guideline Values for pollutants and requirements set by the London Plan, 2021.</i></p>	<p>The supporting Air Quality Chapter confirms that the Proposed Development will be better than air quality neutral in terms of building emissions, however, its car trip generation exceeds the air quality neutral benchmark derived for an average development in inner London, when taking into account trips generated by the Sainsbury’s store. When excluding the trips generated by</p>

	<p>Sainsbury's (which reflect the existing level of vehicular trips to and from the Site), the Proposed Development is better than air quality neutral.</p> <p>The Development also proposes an improved active transport network through expanded bus services, pedestrian and cycle priority streets and reduced parking across the Site. As noted above, the Site also seeks to provide a series of high quality, accessible and connected green spaces including two new public parks, the reopening of a historic canal basin within Plot 4 and accessible communal amenity spaces including raised courtyards and roof top amenity terraces and the proposed south terrace play area.</p>
<p><b>CH6</b> – <i>A neighbourhood where waste is managed in accordance with the waste hierarchy. To reduce, reuse or recycle waste as close as possible to where it is produced.</i></p>	<p>This application is supported by a Waste Management Strategy which has taken into account the need to lessen the overall impact of waste generation through minimisation, reuse and recycling of materials from the operational phase. It is therefore considered that the Proposed Development meets the requirements of relevant waste policy and follows applicable guidance.</p>

## **APPENDIX 3 – DRAFT HEADS OF TERMS**

### **01. INTRODUCTION**

- 01.1.1** This document provides a working draft Heads of Terms for the proposed redevelopment of the Kensal Canalside Opportunity Area (KCOA) in Royal Borough of Kensington and Chelsea (RBKC) by Ballymore and Sainsbury's. It is intended to be used as a starting point for discussions with the Council and is intended to be a working document, which is updated as discussions progress.
- 01.1.2** This document is presented on a 'without prejudice' basis. In accordance with adopted planning policy, the offer of affordable housing and other planning obligations associated with the proposed redevelopment of the KCOA will be subject to viability testing.
- 01.1.3** The obligations and infrastructure delivery items set out within this document are based on the requirement of adopted and emerging planning policy (including RBKC's Local Plan and the London Plan), the Kensal Canalside Opportunity Area SPD (2021) and the supporting Development Infrastructure Funding Study Refresh (February 2021) prepared by Carter Jonas (which also forms part of the evidence base for site allocation SA1 Kensal Canalside within the Council's draft Local Plan Review).
- 01.1.4** Estimated costs for a number of obligations have been included within the Development Infrastructure Funding Study Refresh (February 2021) prepared by Carter Jonas on behalf of the Council. Where cost estimates from the DIFS are provided throughout this document, these are based on the Scenario 1 development density which assumes 3,500 units across the total Opportunity Area, of which 2,519 would be delivered on the Application Site. This also includes Plot 6 which includes land owned by RBKC and therefore the final development quantum is dependent upon Ballymore and Sainsbury's securing vacant possession to enable delivery of the development on that plot.

### **02. AFFORDABLE / COMMUNITY HOUSING**

#### **02.1 ON SITE PROVISION IN ACCORDANCE WITH SUBMITTED DETAILS**

- 02.1.1** Affordable housing to be provided on-site in accordance with the submitted details. Intermediate and social rented units to be transferred to a Registered Social Landlord prior to an agreed level of occupation.
- 02.1.2** Viability review mechanisms to be included as appropriate, likely on a phased basis.

#### **02.2 REPROVISION OF EXISTING SOCIAL HOUSING UNITS**

- 02.2.1** Subject to securing vacant possession of plot 6 to enable delivery of the development on that plot, Ballymore and Sainsburys also commit to the reprovision of the 16 existing social housing units within Plot 6. Peabody will

be provided with 16 social rented units of the same size (by bedroom) within an early phase of the development, prior to demolition of the existing affordable housing units.

## **03. DEVELOPMENT INFRASTRUCTURE FUNDING MEASURES**

**03.1.1** As part of the Kensal Canalside Opportunity SPD, the Council commissioned a Development Infrastructure Funding Study (DIFS) to understand the cost of ensuring the Opportunity Area is developable and reflecting the likely off-site infrastructure improvements to accommodate the quantum of development. In part, this reflects the fact that the Opportunity Area is not liable for Local CIL and therefore allows a more bespoke approach to redevelopment of the Opportunity Area. The DIFS report was first prepared in 2016 and updated in 2021 (Kensal Canalside Development Infrastructure Funding Study Refresh). The DIFS reports also form part of the evidence base for the Strategic Site Allocation within the emerging Local Plan.

**03.1.2** Further work has been undertaken by the Applicant Team in reviewing the infrastructure requirements for the Site and associated costs as set out within the DIFS. This includes an apportionment of the costs between the different landholdings across the Opportunity Area based on the number of residential units proposed.

**03.1.3** The following chapter sets out a series of measures identified within the DIFS Refresh (2021) to improve and support on site and local infrastructure. These measures are subject to ongoing discussions and negotiations with the Local Authority, GLA and TfL.

## **03.2 BUS INFRASTRUCTURE AND SERVICES**

**03.2.1** New bus stops, bus stands and other associated infrastructure will be provided on site, in accordance with details agreed with RBKC and TfL / London Buses.

**03.2.2** A financial contribution may be required based on the additional demand to bus services generated by new residents of the development, resulting in the need to acquire additional buses (DIFS). Payment to be phased based on the estimated population yield of each plot.

## **03.3 CYCLING**

**03.3.1** In addition to on-site provision of cycle parking (to be provided in compliance with London Plan prior to occupation of each phase), a financial contribution is proposed towards the provision of Santander Cycle Docking Stands on-site. These shall be provided on a phased basis, in a location first agreed between Ballymore and Sainsburys, TfL and RBKC.

**03.3.2** The DIFS also identifies a financial contribution towards a new Quietway Route linking North-West London with Central London via Harrow Road, Ladbrooke Grove or the Grand Union Canal.

### 03.4 PEDESTRIAN AND CYCLE BRIDGE OVER THE RAILWAY

**03.4.1** An appropriate landing zone will be safeguarded for the bridge based on the design development work undertaken to date. This will reflect the position of gantries across the railway line which restricts the future positioning of any bridge. Ballymore and Sainsbury's would also commit to allowing any necessary access onto their land for construction of the bridge.

### 03.5 PEDESTRIAN BRIDGE OVER THE CANAL

**03.5.1** In addition to the railway bridge connecting the Ballymore and Sainsbury's land to the 'North Pole' site to the south of the railway, RBKC are seeking to secure the delivery of a pedestrian bridge over the Grand Union Canal (landing in the St William site) linking the Opportunity Area to footpaths through the Kensal Green Cemetery. The Applicant is committed to assisting St William with the delivery of the canal bridge, which could include a financial contribution towards its construction (subject to St William securing the necessary permissions and consents).

### 03.6 EDUCATION

#### PRIMARY EDUCATION

**03.6.1** Based on the anticipated population increase and child yield, the DIFS identifies a need for a 1FE expansion to a nearby Primary School to support redevelopment of the Opportunity Area. This will require a financial contribution to be made to RBKC at an agreed time.

**03.6.2** However, the supporting Socio Economics Chapter identifies excess supply in primary school places in 2023 (confirmed in more recent data from Edubase). Based on the anticipated population yield of the Proposed Development, the RBKC north Planning Area (where the Site is located) is expected to have sufficient capacity to accommodate the incoming population and therefore no financial contribution to expand existing primary schools would be required.

#### SECONDARY EDUCATION

**03.6.3** Based on the anticipated population increase and child yield, the DIFS identifies a need to expand two local Secondary schools – Kensington Aldridge Academy and All Saints Catholic College.

**03.6.4** An updated assessment of population yield and secondary education capacity has been provided as part of the Socio-Economics Chapter of the ES. This concludes that the Proposed Development would exceed the current capacity of secondary schools within the Borough without mitigation.

**03.6.5** The Applicant is committed to mitigating the effects of the Proposed Development on secondary education in the Borough. In order to do this, the Applicant would provide funds towards secondary education as part of the S106 contributions. The required financial contribution should be re-calculated based on updated population yield estimates of the final scheme.

## **03.7 EMERGENCY SERVICES**

### **FIRE SERVICES**

- 03.7.1** The DIFS identifies a need to expand the local fire station to support the increase in population on site. The DIFS notes the extensions would be small and have been costed based on an approximately average cost per sqm, which has then been apportioned across the landowners based on residential unit numbers.
- 03.7.2** The DIFS assumes the costs would be secured through Section 106 contributions and mainstream fire service capital funding, with payment required towards the end of development build out.

### **AMBULANCE SERVICES**

- 03.7.3** The DIFS identifies a need to expand the local ambulance station to support the increase in population on site. The DIFS notes the extensions would be small and have been costed based on an approximately average cost per sqm, which has then been apportioned across the landowners based on residential unit numbers.
- 03.7.4** The DIFS assumes the costs would be secured through Section 106 contributions and Department for Health funding, with payment required towards the end of development build out.

## **03.8 PRIMARY HEALTHCARE**

- 03.8.1** Based on the estimated population, the DIFS identifies a need for one new GP practice across all Scenarios. The DIFS notes that no assumption has been made whether the new facility would be provided on-site or off-site. However, more recent consultation with the NHS have indicated that there is a preference to deliver expansions to existing facilities, in favour of the delivery of a new facility on site.
- 03.8.2** As such, the Applicant will use reasonable endeavours to commit to providing an additional healthcare facility on-site. In the absence of this, due to the possible difficulties involved in establishing a new healthcare facility, the Applicant will provide a financial contribution to support existing primary healthcare facilities in the Borough.

## **03.9 OPEN AND PLAY SPACE**

- 03.9.1** In accordance with details submitted as part of the hybrid planning application (and following Reserved Matters applications), each phase of development will deliver an agreed quantum of play and open space. This will be delivered prior to the first occupation of each phase (or in accordance with an alternative programme first agreed with the Council).
- 03.9.2** The illustrative landscape proposals prepared by Spacehub indicate that a policy compliant level of play space across all years can be delivered on site. As such, no financial contribution towards off site delivery is currently anticipated.

## 03.10 COMMUNITY FACILITIES – LIBRARIES

- 03.10.1** The DIFS identifies a need for extensions to the existing Kensal Library to support the incoming population of the Opportunity Area. Payment will be triggered by later phases of the development, as driven by the delivery of new homes (the DIFS assumes payment in 2033).

## 04. ENVIRONMENTAL SUSTAINABILITY

### 04.1 CARBON OFFSET PAYMENT

- 04.1.1** London Plan Policy SI2 states that major development should be net zero-carbon, with a minimum on-site reduction of at least 35% beyond Building Regulations. Where it can be clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, Policy SI2 allows any shortfall to be provided through a cash in lieu contribution to the borough's carbon offset fund.

- 04.1.2** Based on the target on-site carbon reductions set out within the supporting Energy Statement, the Proposed Development is currently targeting a 59.9% reduction in carbon emissions beyond Building Regulations. It is therefore expected that a carbon offset payment will be required to comply with London Plan Policy SI2.

- 04.1.3** In accordance with the London Plan, the Carbon Offset contribution will be calculated as follows:

*£95 per tonne to be offset for 30 years (i.e. £2,850 per tonne)*

- 04.1.4** The contribution will be calculated on a phased basis, in accordance with the proposed phasing of the development.

### 04.2 'BE SEEN' ENERGY MONITORING

- 04.2.1** Prior to commencement of each phase of development, the Owner / Developer shall submit the 'Planning Stage' estimated Energy Performance Indicators to the GLA's Energy Monitoring Portal.

- 04.2.2** Prior to the occupation of each phase, the Owner / Developer shall submit updated Energy Performance Indicators to the GLA and confirm to the GLA that suitable monitoring devices have been installed and maintained for the monitoring of the 'in-use' Energy Performance Indicators.

- 04.2.3** For a period of 5 years following first occupation of each phase, the Owner shall on an annual basis use Reasonable Endeavours to submit to the GLA updated Energy Performance Indicators for each Reportable Unit.

- 04.2.4** Where the monitoring undertaken pursuant to the above shows that the Energy Performance Indicators have not been or are not being met, the Owner shall: (1) use Reasonable Endeavours to determine the reasons for under-performance; (2) submit an action plan comprising measures identified to the GLA identifying measures which

would be reasonably practicable to implement and a proposed timescale for implementation of the same; and (3) following agreement of the measures with the GLA, implement the same as soon as reasonably practicable.

## **04.3 AIR QUALITY**

**04.3.1** An Air Quality Assessment will be submitted as part of the hybrid planning application in accordance with the relevant Local and London Plan Policies (Air Quality Neutral and Air Quality Positive).

**04.3.2** Local Plan Policy CE5 of the Local Plan requires an air quality assessment to be submitted for all major development and the developments impacts to be mitigated through physical measures. Where this cannot be achieved onsite a financial contribution will be sought towards:

- The Council's cost of monitoring compliance with any planning obligation agreement and related planning conditions which have direct effect on air quality.
- Contributions towards the Council's air quality monitoring and action planning.

## **05. EMPLOYMENT, SKILLS AND TRAINING**

### **05.1 CONSTRUCTION PHASE – SKILLS, TRAINING AND EMPLOYMENT JOBS TARGETS**

**05.1.1** All major developments within RBKC are encouraged to support local employment. In accordance with the RBKC Planning Obligations SPD, Ballymore and Sainsbury's will implement a series of measures to support local employment on site throughout the development. This will also include financial contributions towards skills, training and employment for local residents.

**05.1.2** For the purposes of this clause, the term 'local' will include those residing within RBKC, City of Westminster, LB Brent, and LB Hammersmith & Fulham.

**05.1.3** Ballymore and Sainsbury's will use reasonable endeavours to achieve the below employment targets.

#### **TRAINING, EMPLOYMENT AND BUSINESS STRATEGY**

**05.1.4** The Section 106 Agreement will secure the submission of a Training, Employment and Business Strategy (TEBS) for the construction phase prior to commencement of development (or each phase, as applicable). The Strategy document will set out the proposed approach and considerations to be taken by the developer and/or main contractor to address the local economic needs of residents and impact and potential benefits to local businesses.

**05.1.5** The Strategy will be submitted to the Council's Economic Development Team, and will be expected to include, as a minimum:

- **An Employment and Skills Plan:** The developer will need to produce an employment and skills plan, which forms part of the TEBS, outlining the approach they will take to delivering target employment, apprenticeship outcomes and engagement with schools and education providers.
- **A single point of contact between the Council's Economic Development Team and Developer** (or Workplace co-ordinator where appropriate): To manage demand and to provide regular skills forecasting updates. The point of contact will be the developer responsible for developing the site. As construction starts, the point of contact may change to or include an on-site contact.
- **Notification of vacancies:** Arrangements should be put in place for the notification of job vacancies arising from construction to the Council (Economic Development Team) and/or any other agency nominated by the Council. The Council would expect all employment outcomes to be paid at, at the very least, a minimum rate of National Living Wage with an ambition to achieve the London Living Wage. The Council will require the monitoring of the proportion of residents employed during the development through submission of a regular report by the developer to the Council's Economic Development Team.
- **Trainee/Apprenticeship Placements:** As set out in below.
- **Accredited Training:** Training opportunities must follow an accredited framework, to provide trainees with the right level of skills to enter and sustain employment within the construction sector. Generally, a minimum of NVQ Level 2 (e.g. CITB Construction Skills Modern Apprenticeship) for trainees will be sought, which will require the developer (either directly or via the build contract and supply chain) to employ trainees and support day release arrangements until attainment of their qualification. Wider STEM career opportunities should follow established pathways and lead to sustainable progression. The Council expects all apprenticeships, regardless of kind, to be paid at National Minimum Wage.
- **School Engagement:** Engagement in School careers programmes through supporting careers events or programmes and offering opportunities for learners to engage in relevant skills and awareness programmes.
- During the construction phase of the development to provide opportunities for local businesses to bid/tender for the provision of goods and services to the property.

### EMPLOYMENT AND TRAINING OPPORTUNITIES – APPRENTICESHIPS

**05.1.6** The Council will seek the apprenticeships targets set out below, Ballymore and Sainsburys will use reasonable endeavours to achieve the below targets through each construction phase.

- Create new apprenticeships for local people – 1 apprentice per 1,500 sqm (GIA) of all floor space where works last at least 52 weeks.
- Create full time paid work placements – 1 placement per 20 units residential or 1,000 sqm (GIA) of all commercial floor space.

- Create unpaid work experience for 2 weeks – 1 placement per 20 units residential or 1,000 sqm (GIA) of all commercial floor space.

## **CONSTRUCTION PHASE – SKILLS AND TRAINING CONTRIBUTION**

- 05.1.7** The Council will seek a financial contribution from all major development to support activities including the outreach, engagement and recruitment of local people and to provide initial training, pre-employment support and ongoing skills development.
- 05.1.8** The required number of apprentices/paid work experience/unpaid work experience is calculated in accordance with the on-site apprenticeships requirement set out above.
- 05.1.9** The Skills and Training Contribution for each phase of development will be payable to the Council prior to the commencement of the relevant phase.

## **USE OF LOCAL SUPPLIERS**

- 05.1.10** RBKC require major developments to promote the use of local suppliers. During the construction phase of the development and occupation of the property developers are required to:
- To work with the Council's Economic Development Team and any contractor appointed to deliver the Local Procurement Initiative, to aim to achieve the objectives set out in the Local Procurement Code; the procurement of construction contracts and goods and services from SMEs based in the local area.
  - To provide opportunities for local businesses to bid/tender for the provision of goods and services to the property.
  - To provide opportunities for local businesses to bid/tender for the provision of facilities management services and other post construction supply of goods and services.
- 05.1.11** For the purposes of this clause, the term 'local' will include those residing within RBKC, City of Westminster, LB Brent, and LB Hammersmith & Fulham.
- 05.1.12** In addition, RBKC will seek a financial contribution towards the costs of facilitating this process. The contribution will be used for engaging local small and medium size enterprises, business support with accreditation and due diligence, identifying and screening appropriate local enterprises, help with tendering, engagement with developers and their contractors to understand their requirements, periodic Meet the Buyer and Supplier events, business briefing events, maintaining a directory of local suppliers and performance monitoring or any other items covered by the Local Procurement Code.
- 05.1.13** The Local Suppliers Contribution for each phase of development will be payable to the Council prior to the commencement of the relevant phase.

## **06. END-USER EMPLOYMENT & TRAINING CONTRIBUTIONS**

**06.1.1** The Council requires all major non-residential development to support local employment and training and make a contribution to enable outreach support to local residents in their operational phase. The proposed development (at end user phase) will employ in excess of 50 employees, therefore the Council will require a financial contribution towards training measures.

**06.1.2** Given the contribution is to assist the Council with outreach support to local residents in the operational phase of the development, it is considered that this contribution should be secured prior to occupation of each phase.

**06.1.3** For the purposes of this clause, the term 'local' will include those residing within RBKC, City of Westminster, LB Brent, and LB Hammersmith & Fulham.

## **07. TRANSPORT AND HIGHWAYS**

### **07.1 HIGHWAY WORKS (S278 AGREEMENT)**

**07.1.1** Details to be submitted to the Council prior to commencement of each phase, including a new signalised junction at Ladbroke Grove. Draft S278 plans to be included in the final Section 106 Agreement.

**07.1.2** Highway works to then be carried out in accordance with the approved details, prior to an agreed trigger point (such as prior to first occupation of that phase).

### **07.2 TRAVEL PLANS**

**07.2.1** Draft Travel Plans will be submitted to support the planning application, in relation to the residential units, the replacement Sainsburys, and other commercial uses. The Council will also seek a financial contribution towards the monitoring and review of Travel Plans.

### **07.3 CODE OF CONSTRUCTION PRACTICE**

**07.3.1** The Owner / Developer shall commit to compliance with the Code of Construction Practice during the Construction Period and sign up to the Considerate Constructors Scheme prior to commencement of the first phase.

## **08. PUBLIC ART**

**08.1.1** In accordance with RBKC's Planning Contributions SPD (2019), the scheme will be required to make a contribution towards Public Art. Local Plan Policy CR4 requires that all qualifying developments 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.

**08.1.2** The Applicant is committed to working with the Council towards developing an Arts Strategy for the Site.

## **09. HERITAGE MITIGATION**

**09.1.1** The Opportunity Area is surrounded by a number of designated heritage assets, including the Grade I Listed Park and Garden (Kensal Cemetery) to the north, which also includes a number of listed buildings and structures.

**09.1.2** Through pre-application engagement held with the Council and Historic England to date, it is understood that the level of harm to surrounding heritage assets (including the Cemetery) is likely to be 'less than substantial', and therefore the identified harm will need to be offset through the public benefits of the scheme.

**09.1.3** In addition, as guided by provisions in the emerging local development plan and also pre-application discussions with RBKC and other stakeholders, the application submission proposes that the Applicant seek to contribute a capital sum to identified and clearly defined project initiatives that could improve or otherwise help to secure the long term conservation of Kensal Green Cemetery and its historic buildings, structures and landscape / planting design. It is envisioned that such a programme could be informed by a newly prepared Conservation Management Plan (CMP), which would provide the framework for the contribution of funds for reuse, repair, restoration and or improvement works, based on an understanding of the current condition and risks for the heritage significance of the cemetery, and the priority actions to address those risks. It also may be that any such CMP would be funded by future planning contributions from other neighbouring developments.

**09.1.4** The funding of urgently required works of repair, adaptive reuse and or the ongoing maintenance of heritage assets within the cemetery would either enhance or better reveal their heritage significance, and so would represent heritage benefits for the purposes of the NPPF. Such benefits would likely be realised for a number of individual and also grouped designated heritage assets as comprise the complex ensemble that is the historic designed landscape of Kensal Green Cemetery. A further heritage benefit associated with the delivery of such planning contributions linked to the Development and future consent could then be enabling HE to remove one or a number of heritage assets from the current Heritage At Risk Register (potentially including the registered park and garden, conservation area and statutory listed buildings and structures as identified).

**09.1.5** In addition, funds could include other landscape or public realm improvements, such as reinforcing the screening and or filtering effects of existing mature vegetation on views from the cemetery to the Site through new planting, enhanced access and lighting to public routes, new seating, introducing information boards or guided walks as part of a wider strategy for heritage interpretation etc. This would relate to the predicted impacts of the Proposed Development and also enhance the experience of users of the cemetery within its altered setting. If secured, such heritage benefits – as public benefits – should be weighed by the decision maker as part of the overall planning balance.

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