

# Planning Statement Addendum

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

Date: March 2025

Revision : P01

## PLANNING STATEMENT ADDENDUM

**SAINSBURY'S AND SURROUNDING FORMER UTILITIES LAND, CANAL WAY,  
LONDON, W10**

**PLANNING APPLICATION REFERENCE: PP/23/06575**

### **01. NATIONAL PLANNING POLICY FRAMEWORK**

**01.1.1** On 12th of December 2024 the Ministry of Housing, Communities and Local Government (MHCLG) issued the National Planning Policy Framework ("NPPF") following consultation during summer 2024. Alongside the new NPPF, the MHCLG also published the Outcome of the New Standard Method providing updated indicative housing need figures for London and the results of the latest Housing Delivery Test (2023).

**01.1.2** The NPPF follows the Labour Manifesto pledges to undo the "damaging Conservation changes", restore mandatory housing targets and to reform and strengthen the presumption in favour of sustainable development.

**01.1.3** Paragraph 231 of the NPPF is clear that the policies contained within the Framework are material considerations which should be taken into account when dealing with planning applications from the day of its publication. Paragraph 80 also states that the Housing Delivery Test consequences will apply the day following the annual publication of the Housing Delivery Test results. As a result, both the new NPPF and the result of the Housing Delivery Test now apply to the determination of our client's planning application for the redevelopment of the Kensal Canalside site.

#### **THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

**01.1.4** Paragraph 11 of NPPF continues to apply the presumption in favour of sustainable development.

**01.1.5** For decision taking this requires "*development proposals that accord with an up-to-date plan*" to be *approved without delay; or "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*(i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*

*(ii) 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, having particular regard to*

*key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*

- 01.1.6** The footnote (8) to Paragraph 11 clarifies that where the Government's Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement of over the previous 3 years, the Local Plan policies will be considered out-of-date for the purposes of paragraph 11.

### THE HOUSING DELIVERY TEST OUTCOME

- 01.1.7** The results of the Government's Housing Delivery Test 2023 were published by the MHCLG on 12th December 2024. The results confirm that RBKC has only delivered 854 homes between 20/21 and 22/23 against a target of 1,361 new homes – equating to 63% of the total number of homes required. In line with Footnote 8 and Paragraph 79 of the NPPF, **the presumption in favour of sustainable development is engaged and Local Plan policies are considered to be ‘out of date’**. As noted above, this means that planning permission must be granted unless there is a clear conflict with either part (i) or (ii) of paragraph 11.

- 01.1.8** Footnote 9 (which is newly added to the NPPF) clarifies which NPPF policies are relevant to the consideration under part (ii) of paragraph 11 above. In our view, not only would the benefits associated with the Kensal Canalside development proposals outweigh any identified impacts arising, the development proposals will demonstrably meet the relevant policy tests set out in Footnote 9. In particular, the proposals

- / will deliver a mix of affordable housing which is considered to meet local needs across a range of tenures – in accordance with NPPF paragraph 66. It is also agreed with the Council's own viability consultant (Carter Jonas) that the development proposal is providing the maximum viable level of affordable housing in accordance with London Plan Policies H4 and H5, and RBKC Policy HO3.
- / will include a mix of non-residential uses centred around a new neighbourhood centre which add to the vibrancy and vitality of the development. The location of the new Sainsbury's store and other town centre uses will meet the requirement of the adopted Site Allocation (ref: SA1) and has been subject to a Town Centre Uses Assessment – thereby meeting the requirements of NPPF paragraph 91.
- / involve the redevelopment of a site which very accessible to public transport – achieving a PTAL rating between 5 (at its western end) and 3 at its eastern end – and already a sustainable location. The development will also maximise sustainable transport choices by improving local bus services within the site and surrounding area and delivering high quality pedestrian and cycle routes. The proposed layout for the junction at the site entrance will also provide an

improved environment for pedestrians/cyclists. As a consequence, the scheme will meet the objectives of NPPF paragraphs 110 and 115.

- / will make efficient use of land for the purposes of NPPF paragraph 129 – by promoting the regeneration of this well located, underused brownfield site (designated as an Opportunity Area since 2011) and delivering a significant amount of new residential accommodation reflecting the urgent need for housing in London. The proposal will also deliver a range of uses alongside the proposed housing in a well-designed, attractive and healthy development.
- / is supported by a comprehensive Design Code which will ensure the delivery of a high quality, attractive, place which will respond to local character and history of the site and will be inclusive and accessible – thereby addressing the design objectives of the Kensal Canalside Supplementary Planning Guidance and the design elements of the Site Allocation (ref: SA1). The proposal will therefore meet the aims of NPPF paragraphs 135 and 139.

**01.1.9** On the basis that the presumption in favour of sustainable development is engaged, the above summary of the key NPPF policy matters identified under Footnote 9 will weigh significantly in favour of the grant of planning permission.

**01.1.10** Furthermore, Chapter 11 of NPPF (Making Effective Use of Land) paragraph 125, as amended, provides further support for the development proposals and advises decision makers to “*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land...*”. This means that development proposals, such as that proposed under the current application, should be approved unless it can be demonstrated that substantial harm would be caused. It remains our view that where harm has been identified, this harm does not amount to substantial for the purposes of paragraph 125 and will, in any event, be appropriately mitigated by measures included as part of the development proposals.

**01.1.11** Secretary of State made a number of supporting statements alongside the publication of the new NPPF. Within these statements the Secretary of State was clear that “*Brownfield land must continue to be the first port of call for any new development and the default answer when asked to build on brownfield should always be ‘yes’.*” The statements also refer to “*turbocharging growth with new, mandatory targets for councils to ramp up housebuilding across the country. The planning overhaul is set to tackle the chronic housing crisis once and for all and will mean hard graft at work will be rewarded with security at home.*”

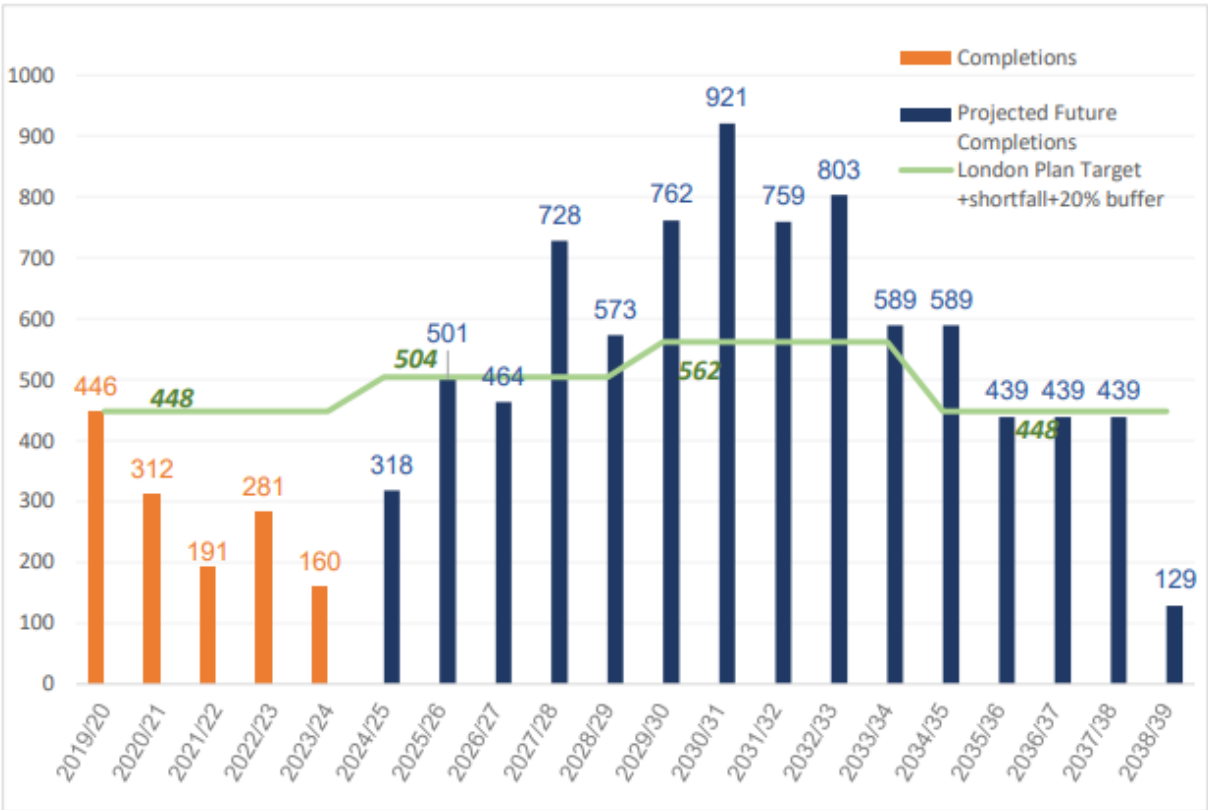
### NEW STANDARD METHOD

- 01.1.12** The new NPPF confirms that the revision to the new Standard Method has been adopted and that this will be central to ensuring the Government's stated objective of delivering 1.5 million homes in the next five years will be met. In association with the NPPF, the MHCLG issued a spreadsheet setting out the outcome of applying the new Standard Method to Local Housing Need for each local authority.
- 01.1.13** The outcome to the new Standard Method identifies that RBKC should provide 5,107 new homes per annum, to meet Local Housing Need. This is an increase of 4,659 homes per annum compared to the current London Plan Housing target for RBKC (448 homes per annum) and the 10yr target set out in RBKC's Local Plan Policy HO1 (4,480 new homes). The new Standard Method also identifies the need to provide 87,992 homes per annum across London – again a notable increase from the adopted London Plan target of 52,287 per annum.
- 01.1.14** It is acknowledged that this significant increase arising from the new Standard Method will be challenging for RBKC, given the constraints within the Borough. However, in order to meet the Government's objectives, RBKC (and London as a whole) will need to deliver as much housing as it can on all sites that come forward for development, but particularly from brownfield sites in highly sustainable locations.

### **HOUSING SUPPLY AND AVAILABILITY OF LAND**

- 01.1.15** RBKC's new Local Plan (2024) acknowledges that there is a significant shortfall in the homes completed within the borough from 2019/20 and 2023/24. This shortfall has been added to the first five years of the Local Plan housing targets, alongside the 20% buffer (required under NPPF paragraphs 78 and 79).
- 01.1.16** Paragraph 5.10 of the new Local Plan notes that the Council has adopted a stepped housing trajectory target figure of 250 homes per annum for the first five years. Adding the shortfall annualised as 170 homes over five years and a 20 per cent buffer means delivery is calculated against 504 homes per annum in the first five years. The Council has adjusted the target figures to reduce the buffer that is moved forward from later in the plan period. Against a target of 4,480 homes over ten years, the Council indicates that it is able to identify a 5.1 years' housing land supply. This position is illustrated on Figure 5.1 from the Local Plan – included below for reference.

Figure 5.1: Housing Trajectory



**01.1.17** However, the following points are relevant in understanding the housing supply and delivery position within the Borough:

- / the trajectory demonstrates over the past 5 years a continuing reduction in residential completions and this position is not expected to improve in the short-term. According to the Planning London Datahub (maintained by the GLA) RBKC has only recorded 45 new residential units completed so far during the 2024/25 period (note: 42 of the completed units are recorded as ‘non-self-contained, with only 3 noted as Class C3 or C4). This is significantly short of the 318 completions estimated within the trajectory.
- / added to this, the London Datahub also notes that RBKC has only granted planning permission for a net total of 105 new residential units since 2021/22.
- / as a consequence, there is little evidence to demonstrate that the number of completions within the Borough will improve or come close to meeting the recently adopted target.

- / it is also apparent that the housing trajectory is heavily dependent upon development coming forward within the Kensal Canalside Site Allocation and completing 390 homes per annum from 2028/29 through to 2032/33, and then 310 homes per annum for a further 5yrs. This represents a significant portion of the medium term housing supply within the Borough.
- / if there is any delay in delivering the housing proposed under the current planning application, there is no prospect that the projected completions will be realised and housing targets met.
- / the outcome of the new Standard Housing Method (summarised above) will also mean that the housing target for RBKC (and London as a whole) will significantly rise. This will further widen the growing gap between identified housing need/housing targets and actual delivery/completions within the Borough.

**01.1.18** This further increases the very significant weight which must be given the delivery of new housing (including affordable housing) proposed under the current planning application.

## 02. MINISTERIAL STATEMENT

**02.1.1** On 30<sup>th</sup> July 2024 Angela Rayner MP – Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government made a Ministerial Statement to Parliament which outlined the significant housing need across the Country with brownfield land being the starting point for where these homes should be located.

**02.1.2** Paragraph 6 of the NPPF identifies that other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements.

**02.1.3** The Secretary of State notes in her Statement that:

*“We are in the middle of the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home.*

*That is why today I have set out reforms to fix the foundations of our housing and planning system – taking the tough choices needed to improve affordability, turbocharge growth and build the 1.5 million homes we have committed to deliver over the next five years...*

*If we have targets that tell us how many homes we need to build, we next need to make sure we are building in the right places. The first port of call for development should be brownfield land, and we are proposing some changes today to support more brownfield development: being explicit in policy that the default answer to brownfield development should be yes”..”*

- 02.1.4** RBKC is failing to deliver enough homes as measured by the Housing Delivery Test (currently a presumption in favour applies). The commitments set out by the Government clearly support the redevelopment of brownfield sites such as this.

### **03. RBKC LOCAL PLAN (JULY 2024)**

- 03.1.1** Since the application was submitted, RBKC have adopted their new Local Plan (July 2024).

- 03.1.2** Within the new Local Plan (2024), the Site is re-allocated for redevelopment under Policy SA1 – Kensal Canalside Opportunity Area. This Policy allocates the Site and surrounding area as suitable for:

- / Around 3,500 new homes (Class C3);
- / Around 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 is E(g) office, research and development or light industrial, as part of a new Neighbourhood Centre;
- / The provision of affordable workspace at 10% of the commercial floor space E(g). This affordable workspace must be provided at a capped rate of 50 per cent less than the prevailing market rate for a period of 20 years ;
- / The relocation and re-provision of the existing Sainsbury's supermarket;
- / On-site renewable energy sources;
- / The provision of public open space of a scale commensurate to the needs of the development; and
- / 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.

- 03.1.3** The planning application included an assessment of the Development against the draft Local Plan Policies at the time of submission which were at the time being examined by the Secretary of State prior to adoption. The policies therefore were advanced. For completeness however, an assessment of the Development against the key new Local Plan Policies is included within Appendix 1.

### **04. CONCLUSION**



- 04.1.1** Based on the latest published Housing Delivery Test, RBKC is only meeting 63% of Local Housing Need and in accordance with Footnote 8 and Paragraph 79 of the new NPPF 24 there is a presumption in favour of sustainable development.
- 04.1.2** The wording of NPPF paragraph 11 now requires the decision maker in assessing whether any adverse impacts would significantly and demonstrably outweigh the benefits, to consider the key policies for directing development to sustainable locations, making effective use of land and securing well-designed places. The proposed development will demonstrably and positively meet these key policies in the NPPF by making effective use of an underused brownfield site, in a highly sustainable location, through a well-designed high quality development.
- 04.1.3** NPPF paragraph 125 has introduced greater support for the use of brownfield land and introduces a 'positive test' – which states that substantial weight should be given to the value of using suitable brownfield land for homes.
- 04.1.4** The new Standard Method identifies that RBKC should provide 5,107 new homes per annum to meet Local Housing Need. This is significant increase over and above the current London Plan Housing target for RBKC the 10yr target set out in RBKC's new Local Plan. This means that the Council should be encouraging development (particularly on allocated sites) to deliver as much housing as possible.
- 04.1.5** Whilst the newly adopted Local Plan indicates that the Council can demonstrate a five year housing supply, this is based on current housing targets (rather than those indicated by the new Standard Method) and anticipates a higher rate of completions than indicated by current trends. The Housing Trajectory is also fundamentally dependent upon the timely delivery of new housing within the Kensal Canalside site allocation.
- 04.1.6** This presumption is supported by the Ministerial Statement which forms a material consideration in terms of the Application. This Statement identifies the Government's strong commitment to delivering new homes and making effective use of brownfield land.
- 04.1.7** All these matters and the engaged 'presumption in favour of sustainable development' weigh significantly in support of the grant of planning permission for the proposed development.

## APPENDIX 1 – RBKC LOCAL PLAN – KEY POLICIES

Policy Criteria	Proposal Compliance
<b>Policy SA1: Kensal Canalside Opportunity Area</b>	
<i>A. Through a design-led approach the site will deliver a high-quality, optimised, 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>	
<i>B. Around 3,500 or more 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>
<i>C. Around 12,000 sqm or more 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.</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>
<p><i>D. The provision of affordable workspace at 10 per cent of the commercial floor space E(g). This affordable workspace must be provided at a capped rate of 50 per cent less than the prevailing market rate for a period of 20 years.</i></p>	<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 Reserved Matters Application(s) when the final workspace provision is known.</p>
<p><i>E. The relocation and re-provision of the existing Sainsbury's supermarket.</i></p>	<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>
<p><i>F. On-site renewable energy sources.</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><i>G. The provision of public open space of a scale commensurate to the needs of the development.</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> <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</p>
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	reduce the potential for crime wherever possible and promote safety and security at all times of the day.
<b>Principles</b>	
<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 Figure 3.1. Where tall buildings are deemed appropriate, they must not exceed 98 m from ground level to the top of the building or approximately 31 storeys (Figure 3.1 – Area C) and 48 m from the ground level to the top of the building or approximately 16 storeys (Figure 3.1 - Area B).</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, and therefore comply with the height requirements set out within the Part I of the Draft Site Allocation Policy SA1.</p>
<b>J. Development to comply with the following townscape principles:</b>	

<p><i>1. Development along the canalside should be smaller scale, finer grain and varied but continuous, with varying heights 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>	<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>
<p><i>2. 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>	<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>
<p><i>3. Greater height in the development should be located further away from the cemetery towards the railway as shown in Figure 3.1;</i></p>	<p>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).</p>

4. <i>The development should respond to the coherent range of heights on Ladbroke Grove and avoid overly stark enclosure of the street;</i>	Plots 1 and 6, closest to Ladbroke Grove have sought to respond to the range of heights along Ladbroke 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 Ladbroke Gardens which sets back development to avoid enclosure of Ladbroke 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 Ladbroke 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, a new pedestrian and cycle bridge over the canal, remodelling</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



<p><i>of the Ladbroke Grove junction, and new streets that connect the allocation area into its surrounding context and other public transport links.</i></p>	<p>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 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>L. The long-term safeguarding of an Elizabeth Line Station.</i></p>	<p>The Council recognises that the Elizabeth Line station will not be coming forward within the lifetime of the plan and as such it is therefore not considered appropriate to require the redevelopment of the KCOA to provide safeguarded land (included access land) for a potential future Elizabeth Line station within the Site Allocation and development proposals. The development proposals instead prioritise the delivery of other deliverable transport infrastructure improvements (such as improvements to Ladbroke Grove station) which will bring measurable benefits to existing and incoming residents from the outset of development.</p>
<p><i>M. Where a short-term or “meanwhile” use is proposed this should make a positive contribution to and be integrated within the wider development</i></p>	<p>The Proposed Development commits to providing a cultural placemaking strategy for each of the key phases as the masterplan develops. The cultural spaces across each phase of development will respond to the needs of the local community.</p>



<p><i>N. Kensal Canalside Opportunity Area is nil rated for Borough Community Infrastructure Levy (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><i>O. 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><i>P. The improvement and relocation within the Opportunity Area of facilities currently provided by Canalside House and the Boathouse Centre if required to achieve comprehensive redevelopment along the canalside and Ladbroke Grove. Any new location should be in an equally accessible location within the wider development.</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. 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>
<p><i>Q. 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</i></p>	<p>N/A – this area is not within the Application Site boundary</p>

<i>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>	
<i>R. 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.
<i>S. A suitable setting for the relevant designated heritage assets and opportunities taken to secure the repair or recovery of designated heritage assets which have been identified as at risk.</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>
<i>T. 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>	
<i>U. 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 accessible for all existing and new Borough residents as part of the redevelopment.

	<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>V. The provision of on-site affordable housing consistent with Policy HO3 and the vision for the area in PLV1.</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>W. Construction and long-term maintenance of (a) a new pedestrian and cycle bridge across the railway line and (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 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>X. The provision of on-site public realm and public spaces (to include recreational public space) 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</p>

	<p>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> <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>Y. Improved transport infrastructure including better bus links, improvements to bus service capacity, improved bus facilities, enhancements and step-free access to Ladbroke Grove underground station, new roads, a new junction to</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</p>

<i>Barlby Road, a road connection towards Scrubs Lane, and improvements to the junctions on Ladbroke Grove including with Canal Way, Kensal Road and Barlby Road.</i>	<p>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. 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>
<i>Z. Landscaping, biodiversity and amenity improvements to the Grand Union Canal.</i>	<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>
<i>AA. A net zero carbon development in line with Policy GB4 including onsite renewable energy sources to serve the new development and form part of a wider development in the future.</i>	<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>
<i>BB. 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>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> </ul>

	<ul style="list-style-type: none"> <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>
CC. Other contributions as set out in relevant SPDs.	<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>
DD. 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.	<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>

