

# Responses to the Inspector

## Matter 5: Strategic Site Allocations - Kensal Gasworks and Wornington Green

Core Strategy with a focus on North Kensington  
Examination in Public

## **Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD**

### **Royal Borough of Kensington and Chelsea's Statement**

#### **Matter 5 – Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 1**

*In order for the Kensal Gasworks SSA to act as a catalyst for regeneration of the north of the Borough a new Crossrail station is required but is not provided for by the Crossrail Act. How secure is the delivery of the Crossrail station?*

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- 1.0 *The delivery of the Crossrail Station is not without uncertainty. However, the available evidence prior to submission of the Core Strategy indicated that was a strong possibility that the barriers to delivery could be overcome. Subsequent work confirms this evidence.*
- 1.1 Delivery is acknowledged as one of the tests of soundness. There is potential for this to be interpreted as requiring a 'risk free' or at least 'low risk' plan. However, the Council consider that so long as the risks are acknowledged and the contingency plans are in place should the risks materialise, there is no substantive reason why ambitious plans cannot be included the Core Strategy even though the exact detail cannot be provided at this stage.
- 1.2 Although not originally included in the Crossrail Act, the railway track at Kensal has been 'plain-lined' meaning that no signalling or technical equipment will be located in the vicinity, which will allow for the an opportunity for a station to be constructed.
- 1.3 The Statement of Common Ground with Crossrail Ltd (Appendix 1 of this document) confirms their position and willingness to develop a station subject to conditions.
- 1.4 In his role as Crossrail joint-sponsor, the Mayor of London, Boris Johnson visited the site in December 2009 and this was followed by Secretary of State for Transport, Lord Adonis in February 2010. Both have acknowledged the huge regeneration potential of a station in Kensal, and that the issue deserves closer examination.
- 1.5 During his visit in December, Mayor Boris Johnson provided three tests with which a Crossrail station in Kensal must comply. These were that a Crossrail station must not:
  1. *Delay the Crossrail construction programme*
  2. *Degrade Crossrail's service or those of other rail services*
  3. *Add to Crossrail's costs*

**1. Delay the Crossrail construction programme**

- 1.6 Due to the plain-lining of the tracks, the delivery of Crossrail would not be adversely affected by the creation of an additional station in Kensal, providing a station is authorised sufficiently in advance of works planned for that section of track.
- 1.7 Network Rail have confirmed that the programme for works in the Kensal area will be starting from the end of 2012 for between 15 and 18 months. In light of this, a Crossrail Station in Kensal is unlikely to delay the delivery of Crossrail, providing the signalling arrangements are worked out and a rigid programme of operations has been established.

**2. Degrade Crossrail's service or those of other rail services**

- 1.8 At the request of Crossrail, Network Rail examined a number of track layout scenarios, of which one appears feasible in engineering and operational terms.
- 1.9 MVA Consultancy, acting for RBKC, has begun work alongside Crossrail to examine potential train timetables. Initially, these indicate that 4tph (6tph in peaks) would be deliverable in Kensal without affecting the Crossrail draft timetable.
- 1.10 Crossrail have now commissioned Network Rail to undertake signalling work and timetable manipulation alongside MVA to establish how the station scheme can be progressed. The first results of this will be known in September, if the results of this confirm RBKC/MVA's initial testing, a further round of modelling is scheduled for completion around the end of this year.

**3. Add to Crossrail's costs**

- 1.11 The Council understands that Crossrail do not wish to contribute to the creation of a station in this location as the additional burden will hinder the overall delivery of the project.
- 1.12 The Kensal pre-feasibility study estimates the cost of a Crossrail Station at around £35m, excluding signal modifications. However, this figure has not been agreed by any party and may be higher or lower.
- 1.13 The Council are committed to delivering regeneration in Kensal in order to ensure that the residents of North Kensington are given the best possible opportunity to experience the benefits which would be created by Crossrail. The Council has healthy resources and whilst no formal decisions have been made, potential upfront funding could be forthcoming from the Council, subject to partnership arrangement from the Phase 1 landowners.
- 1.14 Further to this, the development in the Kensal Gasworks Strategic Site would provide funding for improved transport infrastructure through a s.106 agreement (subject to viability). This has been agreed in principle with both Phase 1 landowners and is included their Statements of Common Ground and would include funding towards improving the Public Transport Accessibility Level (PTAL) of the area via either Crossrail or bus-based improvements.

- 1.15 Further to this, the Council are in the process of developing a business case to be agreed by TfL and the DfT which would be consistent with Network Rail's expectations and funding process.

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##### **Question 2**

*The delivery implications of not achieving a Crossrail station, shown in Chapter 39, suggest that there would be a significant shortfall in the amount of housing development on the SSA.*  
**What would be the impact on the development of the SSA and consequently on the Core Strategy as a whole?**

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- 2.0 *An increase in the Public Transport Accessibility Level (PTAL) across the site could still be achieved by other means and housing densities may therefore be similar. However, should the site be redeveloped without a Crossrail station, it would no longer act as a catalyst for regeneration in the wider area and assist in helping some of London's poorest communities.*

#### **Public Transport Accessibility Levels (for further clarification please see Appendix 1 of RBKC/1 in the Council's Hearing Documents)**

- 2.1 At present, the wider Kensal site ranges from Poor to Moderate in terms of PTAL ratings (PTAL2 to PTAL3). A Crossrail Station would increase the PTAL rating to level 4 and this (subject to design and context) would unlock the ability to develop the land to a considerably higher residential density.
- 2.2 With a station at Kensal, a high speed link from Kensal to the West End (approximately a 10 minute journey), the City (approximately a 15 minute journey) and Canary Wharf (approximately a 19 minute journey) would be created. This will dramatically enhance the accessibility of the area to Central London.
- 2.3 However, PTAL 4, can be achieved by using bus-based improvement. This would not however, provide the substantial improvement in journey times to central London offered by Crossrail.
- 2.4 Whilst bus-based improvements would unlock development at a higher density in line with Policy 3A.3 and Table 3A.2 of the London Plan, without Crossrail, the regeneration benefits will be limited. Kensal would represent a missed opportunity for regeneration on a large scale and would simply become a large development proposal.

#### **Site Availability (for further clarification, please see RBKC/1 in the Council's Hearing Documents)**

- 2.5 Whilst Phase 1 is likely to progress as outlined in 20.3.4 of the Core Strategy, the development of Phase 2 without Crossrail is less certain as the landowners may

consider their land to be more valuable in its current industrial uses than as part of a wider redevelopment.

- 2.6 The primary impact of this would be to limit the gross land immediately available for development from 16.65ha to 7.7ha contained in Phase 1.
- 2.7 Following the paper tabled by the Council (RBKC/1), it has been established that the area will still be able to deliver a considerable amount of new housing. Both major landowners in Phase One (Ballymore and Sainsbury's) have signed statements of common ground committing them in principle to supporting improved transport infrastructure. However, even if PTAL 4 is achieved, the Council will not simply except the maximum level of development and will assess the projections in line with transport capacity.
- 2.8 Further to this, the Council would note that the density matrix in Table 3A.2 of the London Plan is not itself policy and does not represent a definitive guide to development, however which when assessed alongside the Mayor's Housing SPG, can provide a realistic assumption on which to calculate density. Consequently, the Council will use this as a guide but must also have due regard to the potential to exceed this figure if this is in compliance with London Plan and Core Strategy policy.
- 2.9 Due to the relative ease of achieving PTAL 4 (albeit largely determinant on developer contributions), estimates using PTAL 3 can realistically be discounted in estimating the realistic level of development on site. However, as a worst case scenario, a calculation has been made on PTAL 3 across Phase One taking account of the Health and Safety Executive's Consultation Zone for hazardous sites (further discussion of this is included in Question 19). Using the strict interpretation of the density matrix, the Council consider there to be three primary scenarios for development:
  1. Phase One at PTAL 3 and enforcing the HSE Consultation Zone
  2. Phase One at PTAL 4 and enforcing the HSE Consultation Zone
  3. Phase One and Two at PTAL 4 not enforcing the HSE Consultation Zone
- 2.10 In order to calculate density using Table 3A.3, the Mayor's Housing SPG (2005) indicates a setting to be established. The Council consider Kensal to fall within the London Plan's definition of 'Urban' (paragraph 3.23) as it is a densely populated area, with a mix of different uses and buildings of three to four storeys and being a along main arterial route. It is worth noting that this is consistent with nearby Wornington Green Strategic Site was also considered to be in an 'Urban' setting.
- 2.11 Paragraph 6.14 of the Housing SPG states that Table 3A.3 uses three housing types (and indicative sizes) which can be used to derive housing density. These are "Detached and Linked Houses" of between 3.8 and 4.6 habitable rooms per unit (hr/u), "Mix of Houses and Flats" of between 3.1 and 3.7 hr/u and "Mostly Flats" of between 2.7 and 3.0 hr/u. As acknowledged paragraph 6.14, the "Detached and linked houses" calculations are best suited to remote suburban schemes and have

therefore not been used within the development scenarios for the Kensal Gasworks Strategic Site.

- 2.12 The scenarios below identify the maximum range of the density matrix as this is considered to be most appropriate and locally specific for this Borough. In using the maximum, a middle ground between the “Mix of Houses and Flats” and “Mostly Flats” calculations is likely to be established. This accounts for the figure presented in the Housing Trajectory (albeit based on a “worst case” approach).

The scenarios and density are as follows:

*Scenario 1 - Phase One at PTAL 3 and enforcing the HSE Consultation Zone*

<b>Locations</b>	<b>Net Site Area (ha)</b>	<b>Maximum no. of units mix of houses and flats (based on 145 u/ha)</b>	<b>Maximum no. of units mostly flats (based on 170 u/ha)</b>
Ballymore (inc HSE Consultation Zone)	3	435	510
Sainsbury	2	290	340
Other (Boathouse Centre etc)	0.4	58	68
<b>Phase 1 Total</b>	<b>5.4</b>	<b>783</b>	<b>918</b>

*Scenario 2 - Phase One at PTAL 4 and enforcing the HSE Consultation Zone*

<b>Locations</b>	<b>Net Site Area (ha)</b>	<b>Maximum no. of units mix of houses and flats (based on 225 u/ha)</b>	<b>Maximum no. of units mostly flats (based on 260 u/ha)</b>
Ballymore (inc HSE Consultation Zone)	3	675	780
Sainsbury	2	450	520
Other (Boathouse Centre etc)	0.4	90	104
<b>Phase 1 Total</b>	<b>5.4</b>	<b>1215</b>	<b>1404</b>

*Scenario 3 - Phase One and Two at PTAL 4 not enforcing the HSE Consultation Zone*

<b>Locations</b>	<b>Net Site Area (ha)</b>	<b>Maximum no. of units mix of houses and flats (based on 225 u/ha)</b>	<b>Maximum no. of units mostly flats (based on 260 u/ha)</b>
Ballymore	4.6	1035	1196
Sainsbury	2	450	520
Other (Boathouse Centre etc)	0.4	90	104
<b>Phase 1 Total</b>	<b>7</b>	<b>1575</b>	<b>1820</b>
National Grid	2.5	562.5	650
North Pole Depot	4.8	1080	1248
<b>Phase 2 Total</b>	<b>7.3</b>	<b>1642.5</b>	<b>1898</b>
<b>Total in RBKC</b>	<b>14.3</b>	<b>3217.5</b>	<b>3718</b>

### **Employment and community uses**

- 2.13 In light of the commitment to achieve PTAL 4 across the site, it is unlikely that bus-based improvements (as opposed to Crossrail) will affect the allocation of non-residential uses on site. It is considered that the allocation of employment and community uses will be broadly the same. The pre-feasibility study examines the prospect of using Kensal as an anchor for employment use and acknowledges that even with Crossrail, this is unlikely to be successful. In light of this, Kensal was never likely to become an employment hub and the modest allocation of 10,000sqm is considered to be the correct allocation at PTAL4. However, should the site only deliver PTAL 3, it is likely that the B1 uses are likely to offer a greater mix with more light industrial as opposed to office accommodation.

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#### **Matter 5 – Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 3**

*The potential alternative (Plan B) to the Crossrail station is to improve local accessibility through bus based improvements and off-site rail improvements. Has adequate research been undertaken to show that these alternatives are deliverable and would support achievement of the Strategy?*

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- 3.0 Yes. The Council consider that without Crossrail, Kensal will be unable to act as a catalyst for widespread regeneration. However, the Council is confident that it can meet the housing targets as listed in the housing trajectory as figures quoted in Chapter 39 consider “worst case” scenario. In reality, the redevelopment of the Kensal Gasworks Site will still be deliverable, although the regeneration would be more localised. The impact on the Core Strategy’s Vision would be limited as improved transport, regeneration and development of new homes will still come forward, although without the broader regeneration benefits which would be facilitated by the development of a Crossrail station.
- 3.1 This matter was initially raised by the Inspector in document ID/3a and accordingly responded to by the Council in document RBKC/1. The Council considers that the key to unlocking redevelopment at Kensal is achieving PTAL 4 whereas the key to unlocking regeneration in North Kensington is Crossrail. Either approach would allow for development at the top range of the London Plan Density Matrix (Table 3A.2), namely development at 55-225 and 70-260 units per hectare (the methodology for these calculations are included in paragraphs 2.9 and 2.12 of the Council’s response to question 2 of Matter 5, please see Scenario 2 and 3 of the same response for more a breakdown of the calculations).
- 3.2 The Council has modelled various scenarios with regard to the PTAL rating of the Kensal area. At present, the site falls between PTAL 2 (poor) and PTAL 3 (moderate). However, by opening a Crossrail Station in this location, Kensal would comfortably achieve PTAL4. The Council acknowledge that at present, a station in Kensal has not been formally ratified, but in response to this risk, the contingency plan will ensure Kensal will still achieve PTAL 4 through bus-based improvements. Whilst unlocking a higher density of development and indeed, improving accessibility to the rest of the Borough, the contingency plan will not provide the same level of access to central London as would be achieved by a Crossrail station.
- 3.3 Whereas a Crossrail station will provide connections to the cultural and employment opportunities offered by the West End, the City and Canary Wharf, improved bus

connectivity can only provide links to existing rail and underground infrastructure. Whilst this is likely to satisfy new and existing residents, the opportunity to provide comfortable and quick access to major cultural and employment areas can only be provided by Crossrail.

- 3.4 The Gasworks site is bounded to the north by the Grand Union Canal and Kensal Green Cemetery. There is currently no pedestrian access over the canal. If pedestrian access, in the form of bridge links, were to be provided, Kensal Green underground and overground station would be within an eight minute walk of the centre of the Gasworks site. This alone would contribute towards an increase in the PTAL index of the Kensal Gasworks Strategic Site to Level 4.
- 3.5 Added to the improved bus links, the Council has also began discussions with the General Cemetery Company with regard to providing access through to Kensal Green Cemetery to the stations located to the north of the cemetery in the London Borough of Brent. If this pedestrian access is combined with improved bus links, the Kensal Gasworks Site would have good accessibility. However, the catalyst for widespread regeneration would be lost.
- 3.6 The Council's Transportation and Highways Department have examined the impact on PTAL of bus improvements and a connection over the canal and have made the following observations:-

#### **Summary of PTAL analysis at the Kensal Gasworks site**

- 3.7 PTAL scores are determined by using PTAL indexes and eight banded levels, from 1a (very poor) up to 6b (excellent). PTAL 4 is based on a PTAL index of between 15.01 and 20. Based on the existing provision of public transport the PTAL index in the centre of the Kensal Gasworks is 14.00. This means that an increase of 1.01, to 15.01, would be sufficient to increase the sites accessibility to PTAL 4 (good).
- 3.8 The 295 bus route already terminates at the Gasworks site. If, as it has indicated that it would expect to, TfL extended the route closer to the centre of the site and increased its frequency from 7.5 buses per hour (bph) to 10 bph this would increase the PTAL index of the site to 15.28. This example demonstrates that a comparatively small change in transport services is sufficient to increase the public transport accessibility of the site to a level suitable for higher density development. In reality existing bus capacity would also need to be assessed. TfL have, in principle and subject to negotiation, agreed to provide extra buses and/or extend existing routes. This is detailed within the Statement of Common Ground between TfL and the Council (included as Appendix 1 of this document).

#### **Impact on PTAL of a combination of bus and access improvements**

- 3.9 If the bus-based improvements were secured in addition to providing a pedestrian bridge over the canal, the PTAL index of the Kensal Gasworks Site would increased to 20.11. This would give the site a PTAL of 5 and would provide residents of the site with a very good mix of public transport options.

### **Costing**

- 3.10 The Council considers that the infrastructure costs for improving bus links and providing a pedestrian link to the north would cost less than would be required to develop a Crossrail station.
- 3.11 The Council has discussed contingency plans with the Phase One landowners who in turn have supplied statements of common ground stating that, in principle, they are willing to accept the infrastructure costs as part of an s106 contribution linked to the planning application for development of the site.
- 3.12 Chapter 10 of the Kensal Canalside Pre-feasibility Study estimates the cost of bridging the canal at between £1500 and £1800 p/sqm. The cost of a bridge is therefore estimated at around £170,000. The cost of bus-based improvements is estimated to be between £3-5 million to extend the bus route and bus frequency from 7.5 bph to 10 bph which is required to achieve PTAL 4. These infrastructure costs are considered to be relatively modest given the scale of development that is proposed and on this basis it is concluded that robust alternatives to a Crossrail station have been considered and that they will deliver the aims of the Core Strategy as highlighted in the Vision (CV1), albeit at a more localised scale.

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#### **Matter 5 – Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 4**

*National Grid is looking to remove the gasholders by 2017 and until this is achieved the HSE consultation zone around them would prevent residential development in the zone. What would be the impact on the Strategy of the HSE consultation zone remaining in force?*

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- 4.0 *By retaining and enforcing the HSE's Consultation Zone, development on Phase One will be restricted to 5.4 hectares from the original 7 hectares. Whilst a reduced site area would involve less development, it is unlikely to dramatically affect the amount of development this is proposed. Furthermore, the Council question the accuracy of the current Consultation Zone and will be seeking further discussions with the HSE in the future.*
- 4.1 The Health and Safety Consultation Zones have been established as part of the HSE's PADHI (Planning Advice for Developments near Hazardous Installations) methodology for Land Use Planning. This assesses the risks of major accidents at an installation and sets Consultation Zones (split over an Inner, Middle and Outer Zone) around the installation. For the purposes of the Core Strategy, the Council consider, the Inner Zone to be the watershed by which substantial development will or will not be supported by the Council.
- 4.2 The Council considers that HSE's use of the PADHI system in terms of its calculation of the Consultation Zones to be inaccurate in this instance as the zone used for the most easterly gasholder is the same as that for the western gas holder, despite having a capacity to hold 41 tonnes of gas, 114 tonnes less than the western gasholder. The Council will be commencing discussions with the HSE in the coming months to work together to seek a revision. However at present, these zones will limit development within a 1.6ha area of the Central Site.
- 4.3 The Council are considering a revision to the Hazardous Substances Consent which provides the context required for the HSE to set the Consultation Zones. However, as no confirmation has been received from the HSE confirming that the Consultation Zones will be revised, the Council has allocated land based on the existing Consultation Zone remaining in situ. In spite of this, the Council remains confident that it can meet its housing trajectory.
- 4.4 Depending on the likely development scenarios for Phase One (as discussed in the Council's response to Matter 5 Question 2), the maximum number of units would be between 783 or 918 dwellings at PTAL 3 or 1215 and 1404 dwellings at PTAL 4 across

Phase One alone (this is detailed further in the Council's response to Question 2 of Matter 5).

- 4.5 It is also worth noting certain non-residential uses are permissible under the HSE regulations. Within the HSE's Land Use Planning Methodology (September 2009), there are four levels of sensitivity pertaining to the Inner Consultation Zone.
- 4.6 At present, only development at the first level of sensitivity would generate a "Do Not Advise Against" verdict from the HSE. This would allow for the development of workplaces such as offices and workshops built to a height of no more than 3 storeys and employing less than 100 people per building
- 4.7 National Grid have confirmed within their Statement of Common Ground that they are considering decommissioning the gas holders in the next phase which is due to commence after 2017. This is in line with the phasing contained within paragraph 20.3.6 of the Core Strategy. A statement of common ground to this effect has also been included in Appendix 1 of this document. National Grid have asked that additional wording is provided. The Council considers this change to add further clarity to the Core Strategy and were the Inspector minded, the Council would support an amendment to paragraph 20.3.6 of the Core Strategy to read:

"National Grid, who own the gas holders, have informed the Council that they are looking to remove them by 2017 at the earliest. The gas holders site will therefore be in the second phase of the development. The Health and Safety Executive require that, whilst in situ, the gas holder have a 'consultation zone' around them in which residential development is not permitted. Further to this, National Grid will require the land to the west of the gas holders for essential electricity infrastructure network."

- 4.8 The Council would also question whether the retention of the gasholders on site would be the most economically viable use of the land in light of all other land parcels coming forward within the Strategic Site. Decommissioning the gasholders would allow for the maximum potential of the land value to be realised by knitting the site into the wider development whilst also eliminating the HSE's Consultation Zones.

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##### **Question 5**

*Access to the site is acknowledged to be limited and development is likely to require substantially improved infrastructure, including links over the railway line. It is also suggested that bridging of the canal would be necessary. Given the substantial nature of the railway formation and the presence of the Kensal Green Cemetery, how deliverable are these connections and what are the consequences of no provision being forthcoming?*

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- 5.0 *The Council has indicative costs of bridge links across the Paddington main line and recognises that their development is essential for wider regeneration benefits to be maximised. Furthermore, by bridging the canal, north-south links through the site will increase permeability and help to integrate the development into the surrounding area. However, at this stage it is premature to be overly prescriptive with regard to their form and location.*

##### **Deliverability**

- 5.1 Policy CA1 of the Core Strategy requires bridge links running north-south over both the railway and the canal as part of the regeneration of North Kensington. In doing so, the new development will be meshed into the existing residential community to the south and linked to transport infrastructure in the north. This would unlock regeneration potential, especially if a Crossrail station is also built.
- 5.2 Transport for London (TfL) have noted that there may be difficulties associated with bridging the railway. The Council appreciates this potential difficulty in bridging the railway but providing Phase Two comes forward, it is achievable. It is understood that Crossrail themselves are not intending to provide a link over the railway, but this should not in itself prevent an independently funded bridge from being constructed. It is likely that the bridge would land in an area safeguarded for Crossrail. However, if this land is of no intrinsic value to Crossrail (as is likely), it would present a unique opportunity to link communities to the south of the railway to a new community at Kensal in the north, thereby improving access in the area and which in combination with a Crossrail Station, would support wider regeneration aims.
- 5.3 The bridging of the canal is also seen as an opportunity to create a pedestrian link with the London Borough of Brent. It would also allow access to one of London's key historic open spaces for the tranquil enjoyment of local residents. Kensal Green Cemetery is, however, a working Cemetery with the capacity for at least another 10 years use. The Council is therefore mindful that whilst the cemetery represents a

unique and profoundly beautiful space, it also provides a valuable community function and this must not be compromised by bridge links. Many issues pertaining to access, security and citing of bridge links over the canal still needs to be resolved and the Council has commenced initial discussions with the General Cemetery Company and the Friends of Kensal Green to seek a way forward.

- 5.4 Chapter 10 of the Kensal Canalside Pre-feasibility Study Baseline Report (page 21) examines the potential cost of providing bridge link over the railway. This is estimated at £3000/sqm or £5000/sqm for signature bridges. A premium of around 40% would be added to this for bridging the railway lines. In light of this, the pre feasibility study estimates that the cost of a road bridge would be in the region of £20 million with pedestrian bridges costed at around 50-60% of that cost. The main benefit to the creation of a road bridge would be the resolution of the site's single access point at Ladbroke Grove. This could be the key to future development by enabling development closer to the maximum density as set out in Scenario 3 of the Council's response to Matter 5 Question 2.
- 5.5 Using the figures provided by the Kensal Canalside Pre-feasibility Study Baseline Report, the cost bridging the canal is estimated at between £1500 and £1800 p/sqm. Therefore, the cost of a bridge over the canal is estimated at around £170,000.
- 5.6 The cost of the bridges detailed in paragraphs 5.6 and 5.7 will be funded via any relevant planning obligations resulting from the development of the site. It is considered that the cost of developing the Crossrail station is likely to come forward from Phase 1 of the development. Given these circumstances, it is considered reasonable that the funding for the construction of any railway bridges considered necessary are likely to come forward as part of Phase 2 of the development.
- 5.7 The Council is also willing examine the prospect of "land bridges" as part of the masterplanning process, however, unless this unlocks otherwise undeliverable value from the site, this is unlikely to be viable in light of more pressing planning obligations.
- 5.8 At this stage it is considered that further information will be required to detail how the bridge links will come forward. This work is scheduled to be undertaken as part of the masterplanning process as part of the production of the SPD/Opportunity Area Framework. However, in terms of the Core Strategy, the principle of bridging the canal and the railway needs to be agreed and on this basis, the necessary information has been included within the Kensal Gasworks Strategic Site Allocation.

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##### **Question 6**

*The Kensal Gasworks SSA would provide a significant proportion of the total affordable housing for the Borough as a whole. What impact would a reduced quantity of housing have on the affordable housing requirement?*

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- 6.0 *Paper RBKC/1 in response to the Inspector's questions of 25<sup>th</sup> May, explains that the Kensal site will be expected to deliver a considerable amount of new housing. Both major landowners have signed statements of common ground committing them, in principle, to supporting improved transport infrastructure which will ensure that development occurs above the 'worst case scenario' and this will include a proportion of affordable housing.*
- 6.1 Without Crossrail, it is acknowledged that the likelihood of development coming forward on the National Grid site is unlikely. The North Pole Depot (NPD) would also be less likely to come forward. This would reduce the size of the strategic site. However, it is the reduced site area which is the basis for housing trajectory assumptions – with the capacity of the site estimated at 880 units. This is, for the reasons set out below, considered a 'conservative' estimate. Paper RBKC/1 shows how this site target is likely to be exceeded.
- 6.2 The Council acknowledges that for the purposes of delivering the Borough's affordable housing target, the strategic site is important.
- 6.3 The overall provision of affordable housing will, necessarily, be dependent on detailed viability analysis. It is not possible at present to build in costs for impacts on viability for the Crossrail turnback station, but merely to account for likely scenarios and differing levels of risk.
- 6.4 The Housing trajectory data has included an assumption that 880 units will be developed at Kensal. This is considered a 'worst case scenario', with only the central and western sites coming forward for development, with the gas works and North Pole Depot remaining undeveloped for housing. In this situation, it is the Council's view that 880 dwellings would be the likely housing supply. This figure is based on assessing the SHLAA site capacity, which had been set at 737 units. In the case of Kensal, it is likely to be developed at a higher density than the assumptions behind that capacity constrained assessment. Therefore, taking account of site size, and of possible density, the 880 unit target has been used for monitoring purposes within the Housing Trajectory.

- 6.5 The 880 units is the minimum therefore envisaged. This is at the upper end of what may be expected for a site of this size within PTAL3, taking the minimum site area and is also mid-range of the assumed density for a site within PTAL4 site, again assuming the minimum site area.
- 6.6 In recognition of this, it is considered that a minimum 880 units can be delivered on the site, with modest infrastructure requirements and costs met and in place. Contingency plans and risks are explained elsewhere – in particular the minimum delivery of 880 is explained in Core Strategy chapter 39, being the result of failure to achieve a higher PTAL rating.
- 6.7 The borough-wide affordable housing target was based not on SHLAA data, but on the site allocations in the Core Strategy. This is explained in the response to questions in Matter 10. This allows the affordable housing target to be based on the borough vision for its future.
- 6.8 The site allocation contained within the Core Strategy is 2,500 dwellings. This exceeds the notional capacity within the SHLAA, and housing Trajectory, which have used conservative estimates. At the borough-wide rule of thumb that qualifying sites should provide 50% affordable housing, this would yield 1,250 affordable housing units. The exact amount would be, as per the Policy, subject to viability testing as part of the planning process – the relevant Supplementary Planning Document or planning application.
- 6.9 If it is found that there is a significant shortfall from this figure, because of site availability or viability matters, then the affordable housing target within the Core Strategy will need to be reviewed.

## **Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD**

### **Royal Borough of Kensington and Chelsea's Statement**

#### **Matter 5 – Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 7**

*The draft replacement London Plan contains a new proposal for Kensal Canalside as an Opportunity Area having 'significant development potential' but requiring 'the resolution of a number of challenges and constraints'. Is the Opportunity Area deliverable within the Plan period?*

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- 7.0 Yes. The Opportunity Area, as defined in the Draft London plan is considered to be deliverable. The Council acknowledge that there are substantial infrastructure costs which will need to be met and that the delivery of Crossrail is yet to be formally agreed. However, irrespective of this coming forward, the Council consider that the site can still deliver the jobs and new homes identified in Annex 1 of the Draft London Plan and furthermore, has statements of Common Ground from the landowners which, in principle, confirm that they are willing to meet the infrastructure costs required to ensure the Opportunity Area comes forward.
- 7.1 The Draft London Plan identifies the Kensal Gasworks Strategic Site as an Opportunity Area (titled "Kensal Canalside") on Map 2.4 and again in Annex 1. This identifies an indicative employment capacity of 1,000 jobs and a minimum of 2,000 new homes. In the light of this allocation, the Council understands that any future SPD for the Kensal Strategic Site will need to be prepared so that it is also able to receive Opportunity Area Planning Framework (OAPF) status from the GLA.
- 7.2 This paper outlines the key matters which are considered by the Council to be central to the delivery of the Opportunity Area. Within the text in the table of Annex 1 of the Draft London Plan it is noted that there are various challenges and constraints to overcome. A number of the issues relating to deliverability have been addressed directly in answers to the Inspector's questions 1-3 of Matter 5 and rather than repeat this information, these have been cross-referenced.

##### **Timetable**

- 7.3 The Draft London Plan states that framework should be prepared between 2010 and 2014. Internally we have already commenced this process and will seek to scope the Sustainability Appraisal in August ahead of more detailed masterplanning work and preparation of the SPD/OAPF which will commence in Autumn 2010.
- 7.4 Table 8.2 of the Draft London Plan provides a timetable for when all Opportunity Areas will be delivered. The Council is satisfied that this OAPF will be adopted

comfortably ahead of 2014. This is highlighted in paragraph 20.3.4 of the Core Strategy as well as in the Council's Local Development Scheme.

- 7.5 The Core Strategy will provide strategic direction for the Borough to 2028 and this is reflected in the phasing within paragraphs 20.3.5 and 20.3.6. However further detail with regard to this is provided in paragraphs 5.4 and 5.5 of the Council's response to question 5 of matter 1.

**Crossrail (further information is included in the Council's response to Questions 2 and 3 of Matter 5)**

- 7.5 The Kensal Strategic Site represents one for the Borough's last remaining large development opportunities. Being at the apex of three boroughs (Kensington and Chelsea, Westminster and Brent) and bordering a fourth (Hammersmith and Fulham), Kensal represents a unique opportunity for stimulating growth and regeneration across a number of authorities.
- 7.6 However, for this to be fully realised, a Crossrail station would have to be established. Without Crossrail, it is unlikely that large scale regeneration will be delivered. In spite of this, the Council and the major Phase 1 landowners (Ballymore and Sainsbury's) are committed to developing the site, irrespective of Crossrail coming forward. This is highlighted in both Statements of Common Ground submitted by the landowners (see appendix 1).
- 7.7 As identified in document RBKC/1, PTAL4 can be achieved through bus-based improvements, allowing for higher density development to be delivered on site. This is likely to stimulate growth and housing numbers at a level which would comfortably achieve the level of development which has been identified in Annex 1 of the Draft London Plan and the Core Strategy Policy CA1.
- 7.8 Without a Crossrail station, the Council consider that development on this Strategic Site is likely to deliver housing and jobs at a scale that will deliver the targets set out by Annex 1 of the Draft London Plan. However, whilst the development would contribute towards the GLA's employment predictions, it is unlikely that they would be exceeded.
- 7.9 Improving bus links and providing small scale employment opportunities are obviously beneficial to the area but the Council consider that this approach would fail to maximise the potential benefits as encouraged in Draft London Plan Policy 2.13(c). At present, the only means of delivering meaningful regeneration on a large scale in this part of London would be via Crossrail. A station would provide connections across central London to the City (in approximately 15 minutes) and Canary Wharf (in approximately 19 minutes) and therefore an immediate connection to a variety of cultural and employment opportunities. Crossrail will also provide the opportunity for people to commute into North Kensington for new employment created by the development of the Kensal Gasworks Strategic Site as well as opening up the existing assets of North Kensington which include the unique retail offer of

the Portobello and Golborne Road Markets, Kensal Green Cemetery (a Grade I registered historic park and garden) and the Dissenters' Gallery.

**The restriction of the Health and Safety Executive Consultation Zone (further information is included in the Council's response to Question 4 of Matter 5)**

- 7.10 The Health and Safety Consultation Zones have been established as part of the HSE's PADHI (Planning Advice for Developments near Hazardous Installations) methodology for Land Use Planning. This assesses the risks of major accidents at an installation and sets Consultation Zones (split over an Inner, Middle and Outer Zone) around the installation. For the purposes of the Core Strategy, the Council consider, the Inner Zone to be the watershed by which substantial development will or will not be supported by the Council.
- 7.12 The Council considers that HSE's use of the PADHI system in terms of its calculation of the Consultation Zones to be inaccurate in this instance as the zone used for the most easterly gasholder is the same as that for the western gas holder, despite having a capacity to hold 41 tonnes of gas, 114 tonnes less than the western gasholder. The Council will be commencing discussions with the HSE in the coming months to work together to seek a revision. However at present, these zones will limit development within a 1.6ha area of the Central Site.
- 7.13 Depending on the likely development scenarios for Phase One as discussed in the Council's response to Question 2 of Matter 5, the maximum number of units would be between 783 or 918 dwellings at PTAL 3 or 1215 and 1404 dwellings at PTAL 4. However, the Consultation Zones do not impact upon the delivery of the North Pole Depot in Phase 2, which could still deliver between 1080 and 1248 dwellings at PTAL 4.
- 7.14 It is also worth noting certain non-residential uses are permissible under the HSE regulations. Within the HSE's Land Use Planning Methodology (September 2009), there are four levels of sensitivity pertaining to the Inner Consultation Zone.
- 7.15 At present, only development at the first level of sensitivity would generate a "Do Not Advise Against" verdict from the HSE. This would allow for the development of workplaces such as offices and workshops built to a height of no more than 3 storeys and employing less than 100 people per building.
- 7.16 The Council would also question whether the retention of the gasholders on site would be the most economically viable use of the land in light of all other land parcels coming forward within the Strategic Site. Decommissioning the gasholders would allow for the maximum potential of the land value to be realised by knitting the East Site into the rest of the strategic site whilst also eliminating the HSE's Consultation Zones.

## **Contamination**

- 7.17 Being a former gasworks, the need for decontamination is obvious. Initial remediation of the Central site was undertaken in 2002 in preparation for development. However, further remedial work is anticipated. The nature and extent of this work would need to be agreed with the Council's Environmental Health Department.
- 7.18 Initial costs of this work have been examined within the Pre-feasibility Study (January, 2009). This included an indicative figure of £36 million for decontamination of the entire site. This did not take into account that some remediation work has already taken place and was based on the principle that development would feature a considerable proportion of back gardens. A dense urban scheme is now anticipated with shared communal space. On this basis, the cost of decontamination could be up to 50% less.

## **North South Links (further information is included in the Council's response to Question 21)**

- 7.19 In addition to bridging the railway, the canal also acts as a barrier to north-south connections.
- 7.20 The Council appreciates the potential difficulty of bridging the railway but providing Phase Two comes forward, it is achievable. It is understood that Crossrail themselves are not intending to provide a link over the railway, but this should not in itself prevent an independently funded bridge from being constructed. It is likely that the bridge would land in an area safeguarded for Crossrail. However, if this land is of no intrinsic value to Crossrail (as is likely), it would present a unique opportunity to link communities to the south of the railway to a new community at Kensal in the north, thereby improving access in the area and which in combination with a Crossrail Station, would support wider regeneration aims.
- 7.21 Chapter 10 of the Kensal Canalside Pre-feasibility Study examines the potential cost of providing a bridge link. This is estimated at £3000/sqm or £5000/sqm for signature bridges. A premium of around 40% would be added to this for bridging the railway lines. In light of this, the study estimates that the cost of a road bridge would be in the region of £20 million with pedestrian bridges costed at around 50-60% of that cost. With these estimates in mind, the cost of providing a pedestrian link over the canal is estimated to be around £170,000.
- 7.22 The Council acknowledge the provision of a link via Kensal Green Cemetery will require the co-operation and agreement of the General Cemetery Company and the Friends of Kensal Green. Initial discussions between the Council and these bodies have already taken place and the outcome was considered to be positive. However, potential conflicts regarding access and security still need to be addressed in greater detail. This work is ongoing and will form a substantial part of the future masterplanning of the site.

### **Working in Partnership**

- 7.23 The Ballymore and Sainsbury's landowners are supportive of the Council's position that the Kensal Gasworks Strategic Site is capable of delivering the housing and employment figures identified in the London Plan. Furthermore the landowners are committed to developing the site. National Grid have also provided a statement of common ground and support the site allocation as written in Policy CA1.
- 7.24 This is demonstrated both in their Statements of Common Ground and our collective partnership working in presenting the case for Crossrail, including a joint presentation to the Mayor of London, Boris Johnson.

### **Concluding Statement**

- 7.24 The Council is of the opinion the quantum of development envisaged as part of the Strategic Site's status as an Opportunity Area is deliverable. Whilst the Council would concede that without a Crossrail station, the area cannot provide widespread regeneration, the levels of development identified in both Policy CA1 and Annex 1 of the Draft London Plan can be met, providing the site can achieve PTAL level 4. A commitment to deliver this has been provided by the Phase 1 landowners who are also aware of additional remediation costs which are likely to come forward along with other contributions. This could include the bridging of the canal and railway.
- 7.25 The gasholders are acknowledged as obstacles to development, however, the Council has ensured that the figures quoted can be met should the gasholders and their Consultation Zones remain.

## **Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD**

### **Royal Borough of Kensington and Chelsea's Statement**

#### **Matter 5 – Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 8**

*The Strategy proposes that the development should balance social benefit and economic value, including 10,000m<sup>2</sup> of new offices. Has employment been given too low a priority?*

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- 8.0 No. *The creation of new jobs as part of the Kensal Gasworks Strategic Site is an important component of the development but it must be realistic in the type of employment that could be created on the site.*
- 8.1 Example E of the Pre-feasibility Study (2009) examined the possibility of developing Kensal Gasworks as a large commercial hub with 480,000sqm of commercial floorspace. However, the study concluded that such an option would be heavily reliant on a Crossrail station and even in this circumstance, most pan-London destinations would rely on more than one form of rail transit. The study stated that finding a new sectoral niche is crucial as attracting occupiers from established hubs (eg Legal sector within The City and Financial Sector in Canary Wharf) would prove difficult. The recommendation was that the site was therefore better suited to predominantly residential use.
- 8.2 The Council acknowledge that whilst a Crossrail station will enable those from other parts of London (and potentially further afield) to have easy access the employment opportunities that could be offered at Kensal, employment on site should be directed towards those living in the local area. The Census data indicates that around 57% of the population of Golborne Ward (where Kensal is located) are employed in managerial, professional or secretarial roles which could potentially benefit from the development.
- 8.3 The Council recognises that in order to successfully create a sustainable, vital and vibrant neighbourhood, employment opportunities should be created. Whilst it is anticipated that employment opportunities are likely to stem primarily from new office floorspace, the Council will also support other B1 uses such as light industrial as these are compatible in a residential area. Therefore, were the Inspector minded, the Council would welcome to amending paragraph 20.2.2 of the Core Strategy to read;

*"The Council considers the site to have the capacity of upwards of 2,500 new dwellings and ~~the Council considers that the site~~ also has potential for at least 10,000sqm of offices or other B1 uses"*

- 8.4 The Council's Employment Land Availability Study Update October 2009 identifies the need for 23,000sqm of office floor space up to the end of plan period. This takes into account the floorspace already in the pipeline, either being built or where consent is already granted.
- 8.5 In light of this evidence and in the context of the local labour market, the Council has allocated upwards of 10,000sqm of new office space at the Kensal Strategic Site. The provision of office space in Kensal is also in line with the indicative quantum of development for Kensal Canalside identified in Annex 1 of the Draft London Plan by contributing to the provision of the 1,000 jobs.
- 8.6 Given the commitment in the Core Strategy to preserve and augment other employment generating uses – such as offices – throughout the Borough, this quantum of employment floorspace is considered to be of an entirely appropriate scale so that the balance between employment and residential uses can be maintained and the Borough can meet its housing target.

## **Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD**

### **Royal Borough of Kensington and Chelsea's Statement**

#### **Matter 5- Strategic Sites Allocations: Kensal Gasworks and Wornington Green**

##### **Question 9**

*The post war estate currently houses approximately 1,700 residents in 538 flats. The proposal is to replace these with a minimum of 538 affordable units and a minimum of 150 private dwellings. There are two relevant questions: Does the Allocation provide sufficient flexibility to ensure delivery, and is the acknowledged disruption during construction and the upheaval to local residents' lives justified ?*

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9.0 Yes: *In terms of delivery, planning permission has been granted in March 2010 for the allocation included in Policy CA2. This was subject to a viability assessment which was independently analysed on behalf of the Borough. Furthermore, the S106 planning obligation allows a degree of flexibility in terms of the deliverability of the land use allocation in terms of both the affordable and market housing provision dependent on viability matters at the time of delivery of the later phases of the development. In terms of disruption during construction; the current housing in the Estate fails to meet Decent Homes Standards. The owners of the estate (Kensington Housing Trust) expressed a preference to redevelop the estate. The Council considered the case for redevelopment and through its Public Realm, Overview and Scrutiny Committee took the view that the case for redevelopment had to be compelling to outweigh the disruption to the residents. The majority conclusion was that complete redevelopment was the only financially viable option and advised that various conditions on the Council as both landowner and local planning authority be fulfilled to ensure minimum disruption and maximum benefit to existing residents.*

##### **Delivery**

9.1 The land use allocation for the site contained in Policy CA2 states that the Council will require the site to deliver the following:

- A: a minimum of 538 affordable dwelling units
- B: a minimum of 150 private dwellings
- C: the replacement of an improved Athlone Gardens measuring 9,186 m<sup>2</sup> (GEA)
- D: the refurbishment or replacement of an improved Venture Centre
- E: A1-A5 uses in the order of 2,000m<sup>2</sup>
- F: CCHP plant or similar
- G: replacement of storage used by market traders

9.2 A hybrid planning application was submitted to the Council for the redevelopment of Wornington Green in December 2009. The application comprised full details

submitted for Phase One of the development with all matters reserved for Phases 2-5 of the development. It should be noted that Phase One will commence in 2010 and be completed in 2014/2015. The Environmental Statement submitted with the application states the construction phases as follows:

Phase 2- (2014/2016)  
Phase 3 – (2015/2019)  
Phase 4 – (2018/2021)  
Phase 5 – ( 2020/2022)

- 9.3 A viability assessment was also submitted with the proposal which was independently analysed on behalf of the Royal Borough. This viability assessment reaffirmed the risk that has been identified in paragraph 21.3.1 of the Core Strategy which is that Phase One is dependent on receiving funding from the Homes and Communities Agency.
- 9.4 Planning permission was granted 30<sup>th</sup> March 2010 for the following:

***Demolition of existing buildings and temporary partial loss of existing open space (Athlone Gardens) to facilitate redevelopment to provide new residential accommodation of up to 1000 units, up to a maximum of 3,104 square metres (GEA) of non residential floorspace (within Classes A1, A2, A3, A5 and/or Class B1 Use Classes), reprovision of community facilities and associated outdoor adventure playspace (total 1,883 square metres) (within Use Classes D1 and D2), relocation and reprovision of an area of open space (Athlone Gardens) (9,186 square metres), reprovision of 20 lock ups (within Use Class B8), provision of a temporary energy centre in Phase 1 to be replaced by a permanent energy centre, provision of landscaping, provision of a new internal road network based on a traditional internal street pattern, access junctions and associated roads including the reconnection of the junction with the external road network at Ladbroke Grove and Portobello Road and Wornington Road at Barlby Road, up to 604 car parking spaces (on street and off street) together with 4 car club spaces in Phase 1, up to 6 car club spaces in subsequent phases and 1177 cycle parking spaces, with details submitted for Phase One and all other matters reserved.***

The full amount of HCA funding has been secured in respect of Phase One of the development.

- 9.5 In the independent analysis of the viability assessment that was submitted with the planning application, it was concluded that given the length of time that it will take to complete the development as a whole, a new viability appraisal should be submitted at each of the subsequent phases of the development in order that a detailed analysis can be assessed at the time of application in respect of the affordable housing delivery. This has been secured by S106 planning obligation.

- 9.6 In conclusion, planning permission has been granted for the redevelopment of the estate which includes the land uses stated in Policy CA2. In terms of delivery, full funding from the HCA has been secured in respect of Phase One of the development and further viability assessments in respect of the subsequent phases of the development has been secured by S106 planning obligation. Therefore, it is considered that the allocation expressed in Policy CA2 is sufficiently flexible to secure delivery via the planning permission and S106 planning obligation.

#### **Effect on local residents**

- 9.7 The introductory section 1.3 of the Wornington Green Supplementary Planning Document (adopted November 2009) sets out the ‘need’ for redevelopment of the estate. In particular, in paragraph 1.3.3 it states that as ‘**it**’ (ie the redevelopment) ***is going to affect the lives of more than 500 households and will be highly disruptive to residents and businesses neighbouring the estate for a considerable period of time***. This paragraph goes on to state that ***In addition, redevelopment will impact upon major assets owned by the Council, namely Athlone Gardens and the Venture Centre. The Council has therefore needed to ensure that there is a compelling case for redevelopment***.
- 9.8 The introductory section goes on to state that in order to assess if the case for redevelopment (instead of refurbishment or a mixture of the two) is compelling the Council’s Overview and Scrutiny Committee (OSC) considered evidence from local residents, Kensington Housing Trust (KHT) and consultants appointed by the Council to assess the KHT business case. Advised by the findings of the OSC, the Council’s Cabinet has accepted in principle that total redevelopment is the best long term solution for the future of Wornington Green, and the Supplementary Planning Document was prepared in light of this conclusion.
- 9.9 In accepting the principle for redevelopment, the Council sought to minimise any disruption to the residents within and surrounding the development. Chapter 2 of the Supplementary Planning Document (SPD) sets out the **Redevelopment Priorities**. These are as follows:

#### *Phasing*

- 9.10 Para 2.2.2. of the SPD states that the redevelopment of the estate will have to be carried out in phases and that in order to keep the community together, planning consent should not be based on a phasing plan that is dependent on large number of people being moved off the estate at any one time; a reasonable balance has to be achieved between the delivery of the development and keeping residents together.
- 9.11 Para 2.2.3 of the SPD goes on to state that ‘The Council believes that the phasing plan should allow residents who wish to stay in the area both during and after redevelopment to do so, so that the vast majority of residents should only have to move once as part of the redevelopment.

- 9.12 Para 2.3.3 of the SPD states that 'The Council is of the firm view that any redevelopment of the estate should be carried out as quickly as possible to minimise the length of time for which the residents and adjoining neighbours are disturbed'.
- 9.13 A phasing plan which demonstrated how these priorities could be met was included as part of the planning application and is secured by a condition attached to the planning permission.

*The use of Councils assets to assist phasing of development*

- 9.14 In order to ensure that a proper balance can be struck between keeping the length of time for redevelopment of the estate to a minimum and that the phasing does not result in large amounts of residents being moved off the estate at any one time, the Council has agreed that its main assets (being Athlone Gardens and the Venture Centre) will be included in the redevelopment.

*Athlone Gardens*

- 9.15 In order to assist the redevelopment of the estate, the Council will allow the reduction of the existing park by a maximum of 50% throughout the development, on the strict proviso that a good quality, publicly accessible open space of at least half the size of Athlone Gardens is available for public use throughout the construction period. Furthermore, the Council will require as part of the final development a new park that is at least the same size and better in quality than at present. Both of these provisos are secured in the S106 planning agreement relating to the planning permission granted for the development in March 2010.

*Venture Centre*

- 9.16 The existing social and community facilities currently provided by the Venture Centre will remain in situ until Phase 4 of the development when the centre will be demolished. The replacement social and community facility will be subject of a further application. However, the amount of replacement floorspace has been secured in the S106 planning agreement relating to the planning permission which would ensure that the new facility would provide the same floorspace as the existing
- 9.17 In conclusion, the potential effects of any redevelopment of the estate on the residents have been considered in detail. The Council are satisfied that the proposed phasing plan for the redevelopment represents the least possible disruption to both residents who live on the estate and those in neighbouring properties and this together with social and community benefits has been secured by both condition and relevant S106 planning obligations.

## **Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD**

### **Royal Borough of Kensington and Chelsea's Statement**

#### **Matter 5 – Strategic Sites Allocations: Wornington Green**

##### **Question 10:**

*Initial urban design studies suggest the site is capable of accommodating higher densities than the present proposal would achieve: As a consequence is there a case for an increase in the amount of social housing and community facilities to be provided ?*

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- 10.0 *No: Planning permission was granted in March 2010 which included (inter alia) the provision of up to 1000 residential units and the reprocision of community facilities and associated outdoor adventure playspace. A viability assessment was submitted with the planning application which was independently analysed on behalf of the Council. This concluded that Phase One of the development was reliant on some £20 million funding from Homes and Communities Agency. Furthermore, it concluded that given the length of time that the development will take to complete, a new viability assessment should be submitted at each of the subsequent phases of the development in order that a detailed analysis can be assessed at the time of application with particular regard to the affordable housing delivery.*
- 10.1 The planning permission granted in March 2010 was for full details submitted for Phase One of the development with all details reserved for the later phases. The amount of housing (both affordable and market) was 'fixed' in Phase One, which was reliant on some £20 million of funding from the Homes and Communities Agency which has now been secured. In Phase One of the development, any additional social housing or social and community facilities would have resulted in the scheme being unviable and would not have attracted any additional grant funding from the Homes and Communities Agency. Therefore, the scheme would not be capable of implementation.
- 10.2 The independent analysis of the viability assessment which was submitted with the planning application concluded that given the length of time to complete the development as a whole, a new viability assessment should be submitted at each subsequent phase of the development in order that a detailed analysis can be assessed at the time of each application. Therefore, if the scheme viability at the subsequent phases allowed for any increase in the provision of social housing, it could be assessed at each of these later phases.
- 10.3 The S106 planning obligation relating to the planning permission secures the reprocision of the existing social and community floorspace. During the negotiation of the planning application, both the Council's education service and the Primary Care Trust confirmed that they did not require any floorspace secured within the

development. However, both services considered financial contributions would be required to assist towards assisting existing facilities in the surrounding area to take into account the consequences of the increased population. To this effect, financial contributions of £157,916 for education facilities and £175,000 for health facilities were secured by S106 planning obligation. In this case, it was not considered a requirement to secure additional social and community floorspace as part of the development.

## **Appendix 1 Statements of Common Ground with Key Site Delivery Agencies**

*All as separate .pdf scanned documents*

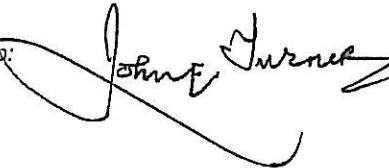
- Ballymore Statement of Common Ground (in respect of Kensal) by J. E. Turner (March 2010)
- Ballymore Second Statement of Common Ground (in respect of Kensal) by David Laycock (June 2010)
- Sainsburys Statement of Common Ground (in respect of Kensal), signed by Sue Wilcox (March 2010)
- Sainsburys Second Statement of Common Ground (in respect of Kensal), signed by Jeff Wilson (June 2010)
- National Grid Statement of Common Ground (in respect of Kensal), signed by Richard Atkinson (June 2010)
- Crossrail Statement of Common Ground (in respect of Kensal), signed by Keith Berryman (March 2010)
- Transport for London Statement of Common Ground (in respect of Kensal) signed by Colin Lovell (June 2010)

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Ballymore Group.**

**Declaration**

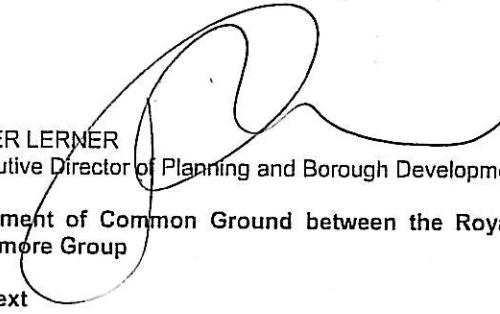
Ballymore Group, a major landowner of the Kensal Gasworks Strategic Site confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Submission Core Strategy to be sound in respect to the policies set out below and we make no representation to the contrary.

*Signed on behalf of Ballymore Group:*



PRINT NAME: J. E. TURNER ..... DATE: 19 march 2010

and Countersigned on behalf of the Royal Borough of Kensington & Chelsea:

  
PETER LERNER  
Executive Director of Planning and Borough Development

Date: 19 March 2010

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Ballymore Group**

**Context**

This Statement of Common Ground has been prepared by the Royal Borough of Kensington and Chelsea. It sets out the areas of agreement between the above two organisations and has been produced to aid the Inspector in their consideration of the Core Strategy.

The Royal Borough of Kensington and Chelsea consider that the Core Strategy is a sound document as submitted to the Secretary of State. Any improvements set out in this Statement are clarifications to the approach set out in the Core Strategy and have been agreed to ensure that the Core Strategy accurately reflects the Council's intentions.

**Statement**

Ballymore consider that there are no outstanding issues with the Royal Borough's Submission Draft Core Strategy and support the designation of Kensal Gasworks as a strategic site.

Sainsbury's also support the Council's vision to stimulate regeneration in North Kensington. The site allocation as written in Policy CA1 is considered to be an accurate description of the likely development to come forward, albeit any redevelopment proposal involving the Sainsbury's should provide a bigger and better store. As landowners, Ballymore expect to be closely involved in the production of a future Supplementary Planning Document (SPD) for Kensal and to potentially be working up a Masterplan alongside this process to inform the policy document and ensure early delivery of development.

Ballymore and adjoining landowners have sought flexibility in the Core Strategy to allow development to come forward on the Central site (note this has a planning history for stand alone development), or a combination of sites (e.g. east and central, as shown on the Site Plan on page 130 of the Proposed Submission) in the event the Crossrail station cannot be delivered, the level of density and site layout would be assessed as part of discussions relating to the production of a site specific SPD. However, we would still expect this development to be of a scale that would enable some regeneration of the surrounding area to be delivered and would make the best use of this important brown field site in the Borough.

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and the Ballymore Group (page 1 of 2)**

**Declaration**

The Ballymore Group, a major landowner of the Kensal Gasworks Strategic Site confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Submission Core Strategy to be sound in respect of matters relating to the Ballymore Group and make no representation to the contrary.

*Signed on behalf of the Ballymore Group:*



D. Laryea

Print Name: D. Laryea.

Date: 01 JUNE 2010

*and Countersigned on behalf of the Royal Borough of Kensington and Chelsea:*



Jonathan Bore

JONATHAN BORE  
Executive Director of Planning and Borough Development

Date: 2 June 2010

## **Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Ballymore Group (page 2 of 2)**

### **Context**

The Council in preparation of its Core Strategy in accordance with Planning Policy Statement 12 requires a secondary Statement of Common Ground with Ballymore Group to establish principle pertaining to the queries set out by the Planning Inspector in his letter of 25<sup>th</sup> May 2010.

### **Statement**

Ballymore consider that there are no outstanding issues with the Royal Borough's Submission Draft Core Strategy and support the designation of Kensal Gasworks as a strategic site.

It is noted that the inspector requires reassurances that the level of development stated in the submission Core Strategy is achievable without a Crossrail Station being established in the area.

It is understood that achieving this level of development would require the Public Transport Accessibility Level to improve. In order for this to be realised without Crossrail, an alternative transport arrangement would be required. The Council has informed the Ballymore Group that this is likely to entail the provision of additional local bus services in Kensal and/or the bridging of the canal to improve access to Kensal Green underground station (via Kensal Green Cemetery) or other measures which may be identified.

As confirmed in our initial Statement of Common Ground of 19<sup>th</sup> March 2010, Ballymore together with fellow landowners Sainsbury's are committed to delivering regeneration in Kensal and therefore will, in principle and subject to negotiation, provide the development contributions required to improve transport links in the area including the identified measures stated above (in accordance with Circular 05/05).

-end-

18 March 2010

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Telephone 020 7695 6000  
Fax 020 7695 7610  
[www.sainsburys.co.uk](http://www.sainsburys.co.uk)

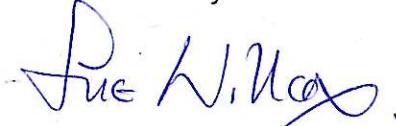
Mr. James Masini  
Planning Policy Officer  
Royal Borough of Kensington and Chelsea  
The Town Hall  
Horton Street  
London  
W8 7NX

Dear Mr. Masini,

### Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc

Please find enclosed the signed Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc.

Yours sincerely



Sue Willcox  
Head of Town Planning and Transportation

(28)



ExD	HDC	HSS	HPD	HoE	Design	Test
DC				Received RBKC Planning	Reg	PIO
Enf				22 MAR 2010	LLC	Agree
Str Dev		N&N	Obj	Supp	No Obj	Rev

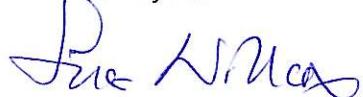
Registered office as above  
Registered number 3261722 England  
A subsidiary of J Sainsbury plc

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc**

**Declaration**

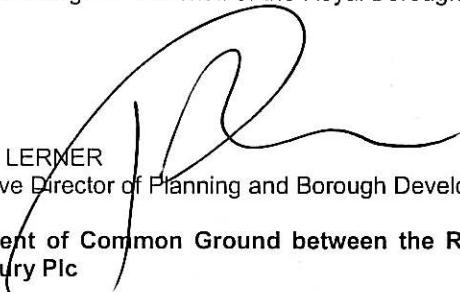
J Sainsbury Plc, a major landowner of the Kensal Gasworks Strategic Site confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Submission Core Strategy to be sound in respect of matter relating to J Sainsbury and we make no representation to the contrary.

*Signed on behalf of the J Sainsbury Plc:*



PRINT NAME: SUE WILLCOX DATE: 18.3.2010.

and Countersigned on behalf of the Royal Borough of Kensington & Chelsea:



PETER LERNER  
Executive Director of Planning and Borough Development

Date: 22nd March 2010

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc**

**Context**

This Statement of Common Ground has been prepared by the Royal Borough of Kensington and Chelsea. It sets out the areas of agreement between the above two organisations and has been produced to aid the Inspector in their consideration of the Core Strategy.

The Royal Borough of Kensington and Chelsea consider that the Core Strategy is a sound document as submitted to the Secretary of State. Any improvements set out in this Statement are clarifications to the approach set out in the Core Strategy and have been agreed to ensure that the Core Strategy accurately reflects the Council's intentions.

**Statement**

Sainsbury's consider that there are no outstanding issues with the Royal Borough's Submission Draft Core Strategy and support the designation of Kensal Gasworks as a strategic site.

Sainsbury's also support the Council's vision to stimulate regeneration in North Kensington. The site allocation as written in Policy CA1 is considered to be an accurate description of the likely development to come forward, albeit any redevelopment proposal involving the Sainsbury's should provide a bigger and better store. As landowners, Sainsbury's expect to be closely involved in the production of a future Supplementary Planning Document (SPD) for Kensal.

Sainsbury's and adjoining landowners have sought flexibility in the Core Strategy to allow development to come forward on the east site, or a combination of sites (e.g. east and central, as shown on the Site Plan on page 130 of the Proposed Submission) in the event the Crossrail station cannot be delivered. The level of density and site layout would be assessed as part of discussions relating to the production of a site specific SPD. However, we would still expect this development to be of a scale that would enable some regeneration of the surrounding area to be delivered.

# Sainsbury's

Sainsbury's Supermarkets Ltd  
33 Holborn  
London  
EC1N 2HT

Telephone 020 7695 6000  
Fax 020 7695 7610  
[www.sainsburys.co.uk](http://www.sainsburys.co.uk)

02 June 2010

Mr. James Masini  
Planning Policy Officer  
Royal Borough of Kensington and Chelsea  
The Town Hall  
Horton Street  
London  
W8 7NX

Dear Mr. Masini,

**Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc**

Please find enclosed the signed Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc.

Yours sincerely



Jeff Wilson  
Regional Town Planning Manager

Encl: Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury Plc

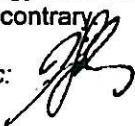
Registered office as above  
Registered number 3261722 England  
A subsidiary of J Sainsbury plc

**Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury plc (page 1 of 1)**

**Declaration**

J Sainsbury plc, a major landowner of the Kensal Gasworks Strategic Site confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Submission Core Strategy to be sound in respect of matters relating to J Sainsbury Plc and make no representation to the contrary.

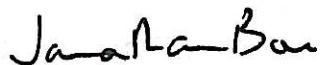
*Signed on behalf of J Sainsbury plc:*



Print Name: **Jeff Wilson**

Date: **2 JUNE 2010**

*and Countersigned on behalf of the Royal Borough of Kensington and Chelsea:*



**JONATHAN BORE**  
Executive Director of Planning and Borough Development

Date: **2 June 2010**

**Second Statement of Common Ground between the Royal Borough of Kensington and Chelsea and J Sainsbury plc**

**Context**

The Council in preparation of its Core Strategy in accordance with Planning Policy Statement 12 requires a secondary Statement of Common Ground with J Sainsbury plc to establish principle pertaining to the queries set out by the Planning Inspector in his letter of 25<sup>th</sup> May 2010.

**Statement**

Sainsbury's consider that there are no outstanding issues with the Royal Borough's Submission Draft Core Strategy and support the designation of Kensal Gasworks as a strategic site.

It is noted that the inspector requires reassurances that the level of development stated in the submission Core Strategy is achievable without a Crossrail Station being established in the area.

It is understood that to achieve this level of development would require an improvement in the accessibility of the site. In order for this to be realised without Crossrail, an alternative transport arrangement would be required. The Council has informed Sainsbury's that this is likely to entail the provision of additional local bus services in Kensal and/or the bridging of the canal to improve access to Kensal Green underground station (via Kensal Green Cemetery) and/or other measures which may be identified.

As confirmed in our initial Statement of Common Ground of 18<sup>th</sup> March 2010, Sainsbury's together with fellow landowners Ballymore, are committed to delivering regeneration in Kensal and therefore will, in principle and subject to negotiation, provide the development contributions required, in accordance with the Community Infrastructure Levy Regulations 2010 and Circular 05/05, to improve transport links in the area, including the identified measures stated above.

**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and National Grid (page 1 of 3)**

**Declaration**

National Grid, a major landowner of the Kensal Gasworks Strategic Site confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Submission Core Strategy to be sound in respect of matters relating to National Grid and we make no representation to the contrary.

*Signed on behalf of the National Grid:*



Print Name: R J ATKINSON  
Consultant Contracts Officer

Date: 23/06/10

*and Countersigned on behalf of the Royal Borough of Kensington and Chelsea:*



pp. JONATHAN BORE  
Executive Director of Planning and Borough Development

Date:

## **Statement of Common Ground between the Royal Borough of Kensington and Chelsea and National Grid (page 2 of 3)**

### **Context**

This Statement of Common Ground has been prepared by the Royal Borough of Kensington and Chelsea. It sets out the areas of agreement between the above two organisations and has been produced to aid the Inspector in his consideration of the Core Strategy.

The Royal Borough of Kensington and Chelsea considers that the Core Strategy is a sound document as submitted to the Secretary of State. Any improvements set out in this Statement are clarifications to the approach set out in the Core Strategy and have been agreed to ensure that the Core Strategy accurately reflects the Council's intentions.

### **Matter 1**

The Kensal Gasworks Strategic Site allocates land for development which is in the ownership of National Grid.

Furthermore, National grid would ask for the following amendment (shown in **bold**) in paragraph 20.2.12 in order to be consistent with paragraph 20.3.6.

"National Grid, who own the gas holders, have informed the Council that they are looking to remove them by 2017 **at the earliest**. The gas holders site will therefore be in the second phase of the development. The Health and Safety Executive require that, whilst in situ, the gas holder have a 'consultation zone' around them in which residential development is not permitted. Further to this, National Grid will require the land to the west of the gas holders for essential electricity infrastructure network."

### **Resolution**

National Grid supports regeneration initiatives such as Kensal Gasworks. However, work to decommission the gas holders at Kensal (within the Kensal Gasworks Strategic Site) has not commenced.

The Kensal Green gas holders are being considered for decommissioning by National Grid, however this is unlikely to be confirmed until 2017. In light of this, the delivery milestones as written in paragraph 20.3.6 of the Submission Core Strategy are considered to be sound and are agreed in principle.

It is unlikely that any of the site defined as the West Site (as shown on the Site Plan on page 130 of the Proposed Submission) will come forward as a development site until 2017 at the earliest. The Royal Borough of Kensington and Chelsea are aware of this and the phasing as written in paragraph 20.3.6 of the Submission Core Strategy allocates this land for development as part of Phase 2 of the development. National Grid confirm that this would be the most likely scenario.

*JG  
23/6/10*

## **Statement of Common Ground between the Royal Borough of Kensington and Chelsea and National Grid (page 3 of 3)**

The Royal Borough of Kensington and Chelsea correctly acknowledge that part of the site will be required for continued use by National Grid. However, National Grid can agree that this should not preclude development elsewhere on the strategic site.

The Council supports the amendment proposed by National Grid and recommends this to the Inspector.

### **Matter 2**

Various power supply routes run beneath the Strategic Site, some of which may need to be accessed by National Grid for maintenance purposes. Therefore development on site should reflect this potential need for access.

### **Resolution 2**

The Royal Borough of Kensington and Chelsea, as part of the site specific Supplementary Planning Document production process, must ensure that all supply routes needed for essential maintenance will remain accessible. This was raised by National Grid in response to the Draft Core Strategy consultation (summer 2009). In response to comments made by National Grid, the Royal Borough have confirmed that further discussions between parties will be undertaken as part of the Supplementary Planning Document production process and as part of masterplanning to ensure that the requirements of the National Grid are built into the design of the site.

### **Matter 3**

An area (around one hectare in size) to the west of the gas holders will be required as part of London-wide infrastructure improvements and will therefore not come forward as developable land.

### **Resolution 3**

The Council acknowledges this and has already undertaken pre-application discussions with the National Grid to discuss these developments. The Council has allocated land for this purpose in Policy CA1 and the allocation of the 2,500 residential units and 10,000sqm of office development has been calculated discounting this area.

*[Signature]*  
23/06/10

**Planning and Borough Development Business Group**  
Kensington Town Hall, Hornton Street, LONDON, W8 7NX

**Executive Director of Planning and Borough Development**  
Peter Lerner

**Head of Policy and Design**  
Penelope Tollitt

Keith Berryman  
Crossrail Limited  
25 Canada Square  
London  
E14 5LQ



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

17 March 2010

My reference: PDB/PD/Core Strategy/SOCG-3(CL)

Your reference:

Please ask for: James Masini

Dear Keith

Firstly, I would like to thank you for co-ordinating the recent meeting between the Royal Borough, Crossrail and the joint sponsors. My colleagues found the meeting very useful and look forward to receiving in about 2 weeks time

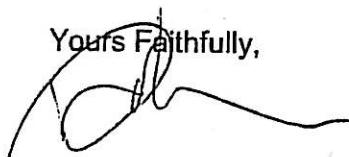
- information on the hurdles/gateways through which we would need to pass to gain a station;
- the situation with regard to Network Rail's capacity, and a proposal regarding the Kensal modelling work required to include costs, timescales and the impact on their own programme; and
- some feedback on the initial timetable work undertaken by MVA

When you meet my colleagues again in about 4 weeks to discuss these items, I very much hope my successor, Jonathan Bore, will be able to join the meeting.

I have another reason for writing, however. As you know the Council is in the later stages of preparing its core strategy: we should submit to the Government in little more than a week. In accordance with best practice in Planning Policy Statement 12 we would like to agree a Statement of Common Ground with Crossrail Limited to establish certain principles.

Attached is a draft for your convenience. I hope that the text is not contentious. If you do want to discuss it, please feel free to give me a ring. As we are working to a very tight deadline and would be grateful if this is signed and returned to me no later than 5pm on 17th March 2010.

Yours Faithfully,

  
Peter Lerner  
Executive Director of Planning and Borough Development

Direct Line: 020 7361 3234

Fax:

Email: [james.masini@rbkc.gov.uk](mailto:james.masini@rbkc.gov.uk)  
Web: [www.rbkc.gov.uk](http://www.rbkc.gov.uk)



**Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Crossrail Limited (page 1 of 2)**

**Declaration**

Crossrail Limited confirm that the attached statement is an accurate representation of our position and we consider that the Local Development Framework Core Strategy Submission Draft to be sound in respects to matters relating to Crossrail and make no representation to the contrary.

*Signed on behalf of the Crossrail Limited:*



5-3  
2010

Print Name: KEITH BERRYMAN

Date: 17 March 2010

*and Counter signed on behalf of the Royal Borough of Kensington and Chelsea:*



PETER LERNER  
Executive Director of Planning and Borough Development

Date: 18th March 2010

## **Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Crossrail Limited (page 2 of 2)**

### **Context**

This Statement of Common Ground has been prepared by the Royal Borough of Kensington and Chelsea. It sets out the areas of agreement between the above two organisations and has been produced to aid the Inspector in their consideration of the Core Strategy.

The Royal Borough of Kensington and Chelsea consider that the Core Strategy is a sound document as submitted to the Secretary of State. Any improvements set out in this Statement are clarifications to the approach set out in the Core Strategy and have been agreed to ensure that the Core Strategy accurately reflects the Council's intentions.

### **Matter 1**

No Crossrail station is included in Kensal as part of the Crossrail programme of works nor as part of the Crossrail Act 2002.

#### **Resolution**

Crossrail recognises the aspiration of the RBKC for a station at Kensal Green.

Mayor Boris Johnson has set out three guiding tests which a Crossrail station in Kensal must pass in the first instance if a station is to be delivered. This has been agreed by Crossrail, RBKC, the Department for Transport and the GLA. These tests are that a station at Kensal site does not:

1. degrade Crossrail's service or those of other rail services
2. add to Crossrail's costs
3. delay the Crossrail construction programme

Work is currently being undertaken to examine the various signalling and timetabling implications of a station in Kensal and the effect this has on performance. Should this work show that performance is not negatively affected, Crossrail, in partnership with the Royal Borough, will further examine the business case for delivering a station in this location and established the regulatory implications, as part of the Crossrail works, with a view to the station opening with Crossrail in 2017.

## **Statement of Common Ground between the Royal Borough of Kensington and Chelsea and Transport for London**

### **Declaration**

Transport for London (TfL), which within its Surface Transport directorate contains London Buses, the organisation responsible for managing and developing the bus network within London, confirm that the attached statement is an accurate representation of our position with regard to the Kensal Gasworks Strategic Site and make no representation to the contrary.

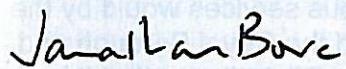
*Signed on behalf of TfL:*



Print Name: *COLIN LOVELL*

Date: *2/6/10*

*and Countersigned on behalf of the Royal Borough of Kensington and Chelsea:*



JONATHAN BORE

Executive Director of Planning and Borough Development

Date: *2 June 2010*

## **Statement**

It is noted that the inspector requires reassurances that the level of development stated in the submission Core Strategy is achievable without a Crossrail Station being established in the area.

It is understood that achieving this level of development would require the Public Transport Accessibility Level to increase from PTAL3 to at least PTAL4. In order for this to be realised without a Crossrail station, alternative transport arrangements would be required. These arrangements are likely to entail the provision of additional local bus services, most likely the extension of bus services into the development site and an increase in bus frequency.

TfL understands that the key landowners of the site, Ballymore Group and J Sainsbury plc have set out in Statements of Common Ground that they would be willing, in principle and subject to negotiation, to provide the development contributions required to improve transport links in the area including the identified measures stated above.

Any changes to the bus network would need to be agreed by TfL, via London Buses. In principle and subject to negotiation TfL would agree to provide additional bus services to the site, which might include extending existing bus routes into the site or increasing the frequency of bus service, with the level of new provision being commensurate with the size of the development and the demand generated, taking into consideration existing spare capacity. The additional bus services would be the subject of a Sponsored Route Agreement between TfL and the Royal Borough and the additional services would be funded by the landowners. TfL believes that it is highly likely that the scale of development set out in the submission Core Strategy would justify additional bus services. TfL agrees with the Council that additional bus services could increase the PTAL of the site from three to four.

-end-