

**WRITTEN STATEMENT**  
**OF**  
**CAPITAL & COUNTIES**  
**ON BEHALF OF**  
**EARLS COURT & OLYMPIA GROUP**

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*This Written Statement is submitted by Capital & Counties (C&C), on behalf of Earls Court & Olympia Group (EC&O Group), with regard to issues associated with the Earls Court Strategic Site that will be discussed at the Examination in Public of the Royal Borough of Kensington & Chelsea Core Strategy. C&C is in discussion with the Council about the issues and topics discussed in this Statement. It is hoped that a Statement of Common Ground can be reached in relation to a number of these prior to the start of the Examination.*

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**1.0 Introduction and Contextual Issues**

1.1 This Written Statement is submitted by Capital & Counties (C&C), on behalf of Earls Court & Olympia Group (EC&O Group), with regard to the Earls Court Strategic Site which forms part of the Earls Court Regeneration Area and Earls Court & West Kensington Opportunity Area.

***Previous Representations and Evidence Base***

1.2 C&C has submitted representations at all stages of Core Strategy preparation. The representations promote the large scale development potential of the Earls Court Regeneration Area which forms the majority part of the Earls Court & West Kensington Opportunity Area in the draft Replacement London Plan (draft RLP). The representations are supported by a suite of key topic related evidence base documents (refer to Appendix 1).

1.3 The Council has incorporated a limited number of changes in response to C&C's representations as the Core Strategy has evolved. However, the draft Core Strategy as it stands requires further amendment to ensure it is sound and, in particular, to ensure it provides an effective basis for development proposals to come forward at the Earls Court Strategic Site.

1.4 Importantly, the draft RLP is being produced in parallel to the RBKC Core Strategy. Given the Earls Court Strategic Site is part of an Opportunity Area in the draft RLP, C&C has also made significant representations to the draft RLP. On 7th June 2010 C&C submitted Written Statements and Core Documents for

consideration at the draft London Plan examination. These include a Transport Report, Retail and Leisure Assessment and Office Assessment. These documents are relevant to the consideration of the Earls Court Strategic Site at RBKC Core Strategy and form part of the Core Strategy examination library.

***Relationship with Earls Court & West Kensington Opportunity Area***

- 1.5 The Earls Court Strategic Site falls within the Earls Court Regeneration Area as promoted by C&C in its evidence base. The Earls Court Regeneration Area comprises Earls Court Exhibition Centre, a London Underground Depot and West Kensington and Gibbs Green housing estates. The Earls Court Regeneration Area straddles the borough boundary between RBKC and LBHF.
- 1.6 The Earls Court Regeneration Area forms the majority part of the Earls Court & West Kensington Opportunity Area as allocated in the draft London Plan. The precise final boundary of the Opportunity Area will be finalised through masterplanning and the preparation of a Planning Framework; however, through discussions with GLA officers at this stage, it comprises the Earls Court Regeneration Area together with Seagrave Road Car Park. The Seagrave Road Car Park is entirely within LBHF.
- 1.7 A number of issues associated with the effectiveness of Core Strategy Policy CA7 relate to its ability to respond to the cross-Borough planning of the Earls Court Regeneration Area and Earls Court & West Kensington Opportunity Area.
- 1.8 It is important that the Earls Court Strategic Site is considered in the context of its allocation as part of a new London Plan Opportunity Area. Policy associated with Opportunity Areas – both in the adopted and draft London Plan – clearly seeks to intensify development and optimise density and the draft RBKC Core Strategy in its treatment of the Earls Court Strategic Site falls short of doing that.
- 1.9 The Strategic Policy Direction for the Earls Court & West Kensington Opportunity Area (refer to Annex 1 of the draft London Plan) identifies the area as 'a significant opportunity for regeneration.' C&C's representations to the draft London Plan make clear that the Opportunity Area can provide significantly more than the indicative 7,000 jobs and a minimum of 2,000 new homes currently indicated in the draft London Plan (and referred to in the RBKC Draft Core Strategy text), with an indicative number of 24,000 jobs and a minimum of 8,000 new homes justified with an extensive evidence base. In a similar vein, the C&C representations to the RBKC draft Core Strategy make clear that a minimum of 1,000 new homes rather than 500 new homes should be allocated for the Earls Court Strategic Site as part of the Opportunity Area. More detail is set out below and in the C&C representations and evidence base.

***Relationship with Draft Replacement London Plan***

- 1.10 The draft London Plan will be publicly examined from July to October 2010. The Replacement London Plan's Inspector's Report is anticipated in early 2011. The examination will consider issues associated with the development potential of the Earls Court & West Kensington Opportunity Area and this is clearly likely to have a bearing on the Earls Court Strategic Site and content of Policy CA7. In the ordinary course of events, the London Plan examination would inform Policy CA7 and related text in the RBKC Core Strategy. As it is, the draft London Plan and Core Strategy are out of synch. Policy CA7, and its supporting text, must thus be appropriately flexibly and effectively worded so as not to risk non-compliance with the London Plan in due course. This accords with PPS12 in any event.

## 2.0 Response to Matters Questions

### *Question 1:*

*Earlier drafts of the Core Strategy referred to Earl's Court Town Centre, whilst the Allocation now refers to a Neighbourhood Centre designation within the Earl's Court Opportunity Area whilst Policy CA7 indicates 'small scale retail uses to serve day-to-day needs of the new development'. Is there evidence to support the range and type of uses associated with a new centre?*

- 2.1 Yes. C&C representations and evidence base documents, namely the Retail and Leisure Assessment, propose a town centre designation within the Earls Court & West Kensington Opportunity. There is a large amount of evidence to support this, as follows:
- 2.2 The designation of a new centre would be consistent with national guidance advising local authorities to be positive and proactive in considering the need for new centres and to identify them, appropriate in scale, in areas of significant growth or where there are deficiencies.
- 2.3 The Opportunity Area is to become a strategic development of regional importance and promoting a new centre would support the creation of a viable and vibrant mixed use sustainable community in accordance with all levels of planning policy.
- 2.4 The designation of a new centre would be consistent with the draft RLP which, following recent amendments proposed by GLA officers, will highlight the need to realise the potential and suitability of Opportunity Areas to accommodate new centres as a result of high density mixed use development.
- 2.5 Whilst outside an existing town centre the Opportunity Area, and the Earls Court Strategic Site as part of it, is clearly identified for strategically important mixed use development in emerging regional and local planning policy.

- 2.6 The proposed range of uses in the Core Strategy (and the draft London Plan) includes town centre functions (retail, leisure, office, hotel, culture). The town centre designation would be a consequence of this mix.
- 2.7 The Retail and Leisure Assessment considers a range of development capacity scenarios for the Earls Court & West Kensington Opportunity Area and considers the level of generated retail floorspace capacity in terms of the tests set out in Planning Policy Statement 4 (PPS4). The Assessment concludes that the development scenarios generate a floorspace capacity for retail ranging from 15,836-66,699 sqm, there are no sequentially preferable sites to accommodate this need, and retail floorspace of this order is likely to have less than 2.5% impact of any existing centre (a clearly acceptable level). C&C's representations to the draft London Plan propose that the Earls Court & West Kensington Opportunity Area is allocated as having the potential to deliver a new District Centre as a minimum, supported by this evidence.
- 2.8 Policy CA7 does not reflect the potential for a new town centre to come forward as part of the redevelopment of the Earls Court Strategic Site and wider Opportunity Area. This is out of synch with Policy CF1 and paragraph 26.2.2.
- 2.9 As explained by C&C in representations and Matter Statement 7, it is considered premature, in advance of draft RLP examination, for the RBKC Core Strategy to prescribe the order of centre that should come forward. Policy CA7 should identify the potential for a new centre to come forward and recognise that the order of centre will be informed by the London Plan and further assessment and masterplanning in accordance with PPS4.
- 2.10 Policy CA7 must deal flexibly with the potential location of the new centre. It would be premature to prescribe its location at this stage in the planning of the Earls Court Strategic Site and wider Regeneration Area and Opportunity Area. A masterplan for the Regeneration Area will inform the spatial arrangement of the new centre.
- 2.11 Proposed amendments to Chapter 26 Earls Court and Policy CA7 are as follows:

Paragraph 26.2.2: “The area of the Strategic Site is deficient in access to neighbourhood or higher order centre facilities. The Council will therefore support the designation of a ~~neighbourhood~~ **new centre** within the Earl’s Court Opportunity Area. **The form and location of the centre will be informed by masterplanning and PPS4 assessment.** New public open space will also be required to improve accessibility to open space in this location.”

Policy CA7(c): “Small scale retail and associated uses (within the A Classes of the Use Classes Order 1987 (as amended)) to serve the day-to-day needs of the new development, **the extent to which uses form part of a new centre for the**

**Earls Court & West Kensington Opportunity Area to be informed by the masterplanning process.”**

***Question 2:***

***Chapter 26 makes it clear that the Site Allocation has considerable potential as part of a wider mixed-use Earl’s Court Regeneration Area. A joint Supplementary Planning Document (with the adjacent authority) is proposed to consider the full development capacity and disposition of uses. Does Policy CA7 provide sufficient flexibility in respect of the amount of residential development; the amount of office floorspace; and the prescriptive requirement for a cultural facility of at least national significance?***

***(a) Residential development***

- 2.12 Policy CA7 does not provide sufficient flexibility in respect of the amount of residential development.
- 2.13 The current wording of Policy CA7 is unduly restrictive and, for this reason, is unsound in the context of PPS12 tests. It will also restrict the ability of the Strategic Site to realise objectives associated with its Opportunity Area status. C&C’s revisions to Policy CA7 deal with two important issues. These are: firstly, the overly restricted and constrained nature of the policy wording and; secondly, the over conservative minimum homes figure.
- 2.14 Firstly, although the policy wording recognises that to some extent a minimum number of 500 homes can be increased, it unsoundly constrains the ability to deliver more homes within the Earls Court Strategic Site to only being possible if other Policy CA7 allocated land uses come forward elsewhere in the Earls Court & West Kensington Opportunity Area i.e. in LBHF. This approach is ineffective and inflexible and means that Policy CA7 is not the most appropriate in relation to both national and regional guidance in delivering housing supply, particularly in the context of the Strategic Site's location within an Opportunity Area where site capacity is to be maximised.
- 2.15 It is important that the ability to maximise the delivery of new homes is not unduly constrained, for the following reasons:
- 2.16 The Strategic Site will make a very significant contribution towards the Borough's residential targets and requirements. This is particularly important given the shortage of residential sites identified within RBKC and capable of delivery within the Plan period, as well as the clear over-reliance of the Council on windfalls. The potential of the Earls Court Strategic Site must be maximised to ensure robust housing delivery in RBKC.
- 2.17 It is clear from C&C's evidence base and even the Council's Statement of Common Ground with LBHF (which is still unduly restrictive), that the Strategic Site can achieve significantly more than 500 homes whilst also delivering other

non-residential uses. This is explained further below in relation to the overly conservative nature of the minimum homes figure.

2.18 Secondly, C&C propose a revised minimum homes target of 1,000 to reflect the strategic nature of the Site and the fact that it is clear that more than 1,000 homes are readily capable of being delivered. Even the Council's Statement of Common Ground with LBHF, which includes a very conservative indicative Land Use Allocation Schedule shows 675 homes being easily accommodated and it is concluded by the Council, 'that 500 homes can be comfortably accommodated'. It is clear that in the context of (1) Earls Court being a Strategic Site forming part of an Opportunity Area, (2) Earls Court being ready, willing and able to deliver well over 1,000 new homes; and (3) a Borough which is clearly struggling to deliver its trajectory without a huge over-reliance on windfalls clearly contrary to PPS3, a minimum allocation of 500 new homes is patently too low, C&C's comments on the Land Use Allocation Schedule are set out in Appendix 3. They demonstrate in detail that the Council's assumptions that form the basis to justifying a minimum of 500 homes are inappropriately conservative and overly constrain the site's clear potential. This is largely for two reasons:

- i) The footprint assumptions for non-residential uses are clearly unrealistic. For example, the Council assumes a very large 8,000 sqm footprint cultural use when many significant cultural venues are much smaller than this e.g. the Saatchi Gallery being 2,400 sqm, the London Transport Museum 2,400 sqm, the National Portrait Gallery 2,300 sqm. The Council also assumes that no residential would be built over any retail units which is very conservative. There is also an assumption that the site would be 44% covered by open space. All these footprint assumptions are layering a "conservative approach" on top of "conservative approach" to available residential floorspace.
- ii) The Council's assumed density range for the conservative amount of residential floorspace they assume is available is then itself also clearly overly conservative, as follows:
  - a) The Council assumes a density range of 120-225 u/ha which clearly does not reflect the site's strategic nature or potential as part of an Opportunity Area. This is important given the ability for Opportunity Areas to achieve density levels significantly greater than those set out in the London Plan Density Matrix. By way of example, the Inspector at the Wandsworth Core Strategy examination in their June 2010 recognised the need for densities to far exceed the London Plan density matrix in the Vauxhall/Nine Elms/Battersea Opportunity Area to bring about successful regeneration and deliver a new urban quarter (see Inspector's Report, paras 3.124-3.127, extract at Appendix 4). In the same way, it is anticipated that development within the Earls Court & West Kensington Opportunity Area will need to be of a high density, sufficient to bring about comprehensive change and contribute substantially to housing and

employment supply. A minimum of 1,000 homes for the Earls Court Strategic Site would however not go outside of the London Plan density matrix (indeed it would sit comfortably within it). A minimum 1,000 new homes allocation is therefore an appropriately conservative minimum position at this stage.

- b) C&C's evidence demonstrates that a higher density range can clearly be justified and comfortably achieved for the Strategic Site. This is explained in detail in Appendix 3, and shows the site's ability to comfortably achieve density equivalent to the 'Central' high PTAL setting defined in the London Plan Density Matrix. As such, a London Plan density range of 290-405 u/ha, should be applied to inform the minimum homes allocation. The above density range would generate 870-1,215 homes when applied to the overly conservative 3 hectare footprint applied by the Council in the indicative Land Use Allocation Schedule.
- c) Were the same density range applied to a slightly larger residential footprint, as a result of different assumptions for the size of cultural use and recognising that residential use would come forward in mixed use buildings incorporating retail, then an even greater level of new homes would be achieved. Appendix 3 includes just one worked example of this and demonstrates that a range of 1,074-1,499 new homes can be achieved.

2.19 For the above reasons, C&C are of the strong opinion that a minimum of 1,000 is the sound approach and is itself very likely to be exceeded given the overly conservative approach taken by the Council to both land use footprints and densities.

2.20 As a result, the proposed wording changes are, as follows:

Policy CA7(a): "A minimum of ~~500~~ **1,000** homes within the Royal Borough, which could be increased, **in particular** if (b) to (e) below are provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD."

***(b) Office floorspace***

2.21 Policy CA7 does not provide sufficient flexibility in respect of the amount of office floorspace.

2.22 Policy CA7 requires a minimum of 10,000 sqm of office floorspace to be delivered as part of redevelopment of the Earls Court Strategic site. C&C does not consider there to be sufficient evidence to justify this minimum office floorspace figure and consider it to be unduly prescriptive. This has been expressed by C&C in its representations to the Core Strategy at different stages of its preparation.

- 2.23 C&C has reviewed the evidence base put forward by the Council in support of the Core Strategy. This includes an 'Employment Land Review Update Report' (October 2009) by Roger Tym & Partners. The report concludes that there is positive demand for office floorspace over the Plan period and assesses committed and potential office sites. However, the report does not assess or mention the potential of the Ears Court Strategic Site or the Earls Court & West Kensington Opportunity Area. No mention is made of the need for the Earls Court Strategic Site to supply office floorspace. Neither does it indicate the minimum levels of office floorspace that need to be planned for across the Borough.
- 2.24 Given the lack of evidence justifying the proposed minimum 10,000 sqm office target, a broader definition should be applied. Proposed amendments are, as follows:

Policy CA7(b): “A minimum of 10,000m<sup>2</sup> (108,000 ft<sup>2</sup>) of **office floor space non-residential floorspace including office and/or other uses required to deliver a sustainable and balanced mixed-use development, such as hotel, leisure and social and community uses some of which may be provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD but must benefit development in the Royal Borough.**”

*(c) Cultural facility*

- 2.25 The nature of a future cultural use at Earls Court has been a key theme of C&C's representations and discussions with RBKC planning officers. It is understood that the Council wishes to see a destination type use, of "national repute" retained in the Earls Court Opportunity Area (albeit not necessarily on the RBKC part of the Opportunity Area).
- 2.26 There is a legacy of entertainment/leisure/cultural use at Earls Court which C&C recognises is desirable to continue with any future redevelopment proposals. However, Policy CA7 must not stipulate overly prescriptive requirements at this stage, must reflect the potential for significant cultural/destination use in other parts of the Opportunity Area, and must take into account potential phasing whereby the RBKC Strategic Site comes forward ahead of the wider Regeneration Area and Opportunity Area. In addition, C&C is currently about to apply to LBHF to significantly improve facilities at nearby Olympia (in the same ownership) as part of a strategy to consolidate exhibition facilities and provide an enhanced offer in the context of Earls Court Exhibition Centre redevelopment. Olympia is close by, within the LBHF, and C&C's proposals will bring about benefits of a sub-regional cross-borough nature. This is reflected elsewhere in the Core Strategy and should be reflected in Policy CA7 in the shape of appropriate flexibility.

- 2.27 A broader description of "cultural use" is also required. 'Cultural/destination' use is proposed to embrace a range of destination uses that may be appropriate to retain the site's brand as a place to visit. This broader description will allow for a variety of uses to be considered through the masterplanning stage and is not overly prescriptive and inflexible.
- 2.28 Reference to "national" significance should be removed. The term is ambiguous, uncertain and cannot be readily defined. The nature/size/visitor draw of cultural/destination facilities can clearly vary enormously, as well as evolve. An ill-thought through, and un-evidenced, reference to "national" significance will create uncertainty and will place an onerous constraint on future redevelopment proposals. Also, the approach does not cater appropriately for a scenario whereby the RBKC Strategic Site is developed ahead of the wider Regeneration Area/Opportunity Area. It is clear through the draft London Plan and the Core Strategy that redevelopment of the Earls Court Opportunity Area as a whole is to create a mix of uses, but is residential led and this is particularly so for the Earls Court Strategic Site component within RBKC. In this context, the cultural/destination use(s) must be seen in the context of the whole of the wider Earls Court Opportunity Area, plus recognition that nearby enhancement of Olympia should be taken into account in terms of destination. Whilst important, a cultural/destination use(s) should not be out of proportion with the provision of new homes within the wider Earls Court Opportunity Area as a whole but the RBKC Earls Court Strategic Site in particular.
- 2.29 Proposed amendments are, as follows:

Policy CA7(d). "A cultural/destination facility use of at least national significance to ~~retain~~ contribute to Earls Court's long standing brand as an important cultural destination, located on the area of the Opportunity Area nearest to high public transport accessibility, which may be provided within LBHF as part of the masterplanning process for the Earls Court & West Kensington Opportunity Area conducted in the preparation of the SPD but must benefit development in the Royal Borough. Any cultural/destination use within the Royal Borough shall be designed to integrate with a predominantly residential area and is subject to feasibility."

**Question 3:**

*The vision for Earl's Court includes returning the one-way system to two-way working as discussed under Matter 3 (item 5). Policy CA7 (h) presupposes that this will be achieved, although an investigation involving TfL has not reached conclusions. Should CA7 include a more flexible approach acknowledging the lack of conclusion on two-way working and to reflect that of Policy CT1(n)?*

- 2.30 The Statement of Common Ground between RBKC and LBHF (of 28th May 2010) sets out the Council's most up to date position in relation to the possible returning of the one-way system to two-way working. It explains that Policy CA7

does not necessarily require returning the Earls Court one-way system to two-way working, but only the implementation of those measures which have been identified as a result of investigation.

- 2.31 C&C through its representations and discussions with the Council has requested that Policy CA7 be reworded to ensure the approach to the one-way system is not prescriptive given the current lack of associated evidence and assessment work.
- 2.32 Although C&C recognises that the Council, in its Statement of Common Ground with LBHF, does not 'require' the returning of the one-way system to two-way working, it is of concern that the Council does require the implementation of measures as a result of investigation (thereby pre-determining the outcome). Policy CA7 must not pre-empt the outcome of assessment and investigation work, particularly given that there is no current evidence to support changing the one-way system to two-way or even indicate that it is possible at this time (as the GLA and TfL also recognises). PPS12 requires the Core Strategy to consider alternative strategies. It may be that investigation work proves that the one way system cannot be feasibly or practically returned to two-way working. Policy CA7 does not currently cater for this alternative scenario and inappropriately pre-determines that measures will need to be taken.
- 2.33 It is important to note that C&C's proposed amendments would accord with the GLA and TfL representations to the Core Strategy in June 2009 which explain that a proposal for two-way working of the one-way system is yet to be proven possible or even desirable (refer to Appendix 5 and Appendix 6). Also, there has been very little support from the local community during public consultation to the idea of two-way working.
- 2.34 In the context of the above, C&C's proposed amendments to Policy CA7 are set out in Appendix 2.

Policy CA7(h): “A design of the on-site road pattern and connections which **seeks to** significantly improve traffic circulation in the surrounding area, and on primary routes in the London Borough of Hammersmith and Fulham and the Royal Borough. **The design of the on-site road pattern could, subject to further investigation by TfL and feasibility, potentially provide providing** a key component in returning the one-way system to two-way working.”

Policy CA7(l): “securing highway contributions including the investigation and implementation of measures to return the Earl's Court one-way system to two-way working and improve the pedestrian environment **subject to feasibility and necessary approvals.**”

Paragraph 26.3.1: “... ~~There is also a risk that redevelopment does not investigate, nor contribute to, returning the one-way system to two-way working.~~”

**Appendix**

- Appendix 1 List of representations and evidence documents to RBKC Core Strategy process.
- Appendix 2 Mark-up of Requested Changes to Chapter 26 Earls Court and Policy CA7.
- Appendix 3 C&C comments on RBKC and LBHF Statement of Common Ground indicative land use allocation schedule.
- Appendix 4 London Borough of Wandsworth Core Strategy, Inspector's Report extract.
- Appendix 5 Transport for London representations to RBKC Core Strategy.
- Appendix 6 Greater London Authority representations to the RBKC Core Strategy.

## **Representations**

Capital & Counties, on behalf of Earls Court & Olympia Group, with regard to the Earls Court Strategic Site, has submitted representations at all stages of Core Strategy preparation, as follows:

- Core Strategy Issues and Options – representations submitted in April 2008
- Core Strategy “Towards Preferred Options” – representations submitted in October 2008
- Places and Strategic Sites – representations submitted in June 2009
- Draft Core Strategy – representations submitted in September 2009
- Proposed Submission Core Strategy – representations submitted in December 2009

## **Evidence Base**

Evidence Base Documents submitted in support of Capital & Counties’ representations to Places and Strategic Sites – representations submitted in June 2009:

- Earls Court Regeneration Area: Planning Policy Summary (June 2009).
- Earls Court Regeneration Area Framework (June 2009).
- Earls Court Regeneration Area: Design Principles Summary Study (June 2009).
- Earls Court Regeneration Area: Summary Townscape and Tall Building Study (June 2009).
- Earls Court Regeneration Area: Summary Socio Economic Study (June 2009).
- Earls Court Regeneration Area: Retail Land Use Summary Study (June 2009).
- Earls Court Regeneration Area: Hotel Land Use Summary Study (June 2009).
- Earls Court Regeneration Area: Summary Culture, Destination and Leisure Land Uses Study (June 2009).
- Earls Court Regeneration Area: Housing Land Use Summary Study (June 2009).
- Earls Court Regeneration Area: Summary Transport Study (June 2009).

- Earls Court Regeneration Area: Summary of Sustainability Approach (June 2009).
- Earls Court Regeneration Area: Summary Infrastructure and Waste Study (June 2009).

Evidence Base Documents submitted in support of Capital & Counties' representations to the Draft Replacement London Plan in January 2010 and issued to RBKC as evidence also relevant to the Core Strategy:

- Earls Court & West Kensington Opportunity Area: Place Making Report (January 2010).
- Earls Court & West Kensington Opportunity Area: Housing Capacity (January 2010).
- Earls Court & West Kensington Opportunity Area: Employment Capacity (January 2010).

Evidence Base Documents submitted in support of Capital & Counties' written statements to the Draft Replacement London Plan examination in June 2010. These documents have also been submitted to form part of the RBKC Core Strategy examination library:

- Earls Court & West Kensington Opportunity Area: Transport Report (June 2010).
- Earls Court & West Kensington Opportunity Area: Retail and Leisure Assessment (June 2010).
- Earls Court & West Kensington Opportunity Area: Office Assessment (June 2010).

## Chapter 26 Earl's Court

### 26.1 Introduction

**26.1.1** This site lies on the western boundary of the Borough, bordering the London Borough of Hammersmith and Fulham, adjacent to the West London Line.

**26.1.2** Earl's Court is located in chapter 10 of the Core Strategy: Earl's Court Place. For Earl's Court Place, the Strategic Objectives of the Plan as a whole have been given the following priority order:

Better Travel Choices, Renewing the Legacy and Fostering Vitality, Keeping Life Local, Diversity of Housing, an Engaging Public Realm and Respecting Environmental Limits.

### Why the site is of strategic importance to the Borough

**26.1.3** The site is of strategic importance because of its size and its current pan-London function as an exhibition centre, which contributes to the distinctive Earl's Court cultural/**destination** brand. The aim of this site is to provide a mixed-use development which will include residential, employment and other uses. The Earl's Court Strategic Site falls within the Earl's Court and West Kensington Opportunity Area, as designated in the draft London Plan 2009. The Opportunity Area also includes part of the Earl's Court, West Kensington and North Fulham Regeneration Area, which is identified in the London Borough of Hammersmith and Fulham's Core Strategy. A **scheme masterplan** for the whole Opportunity Area would need to be agreed with both boroughs **and will be encouraged to provide a strong mix of development with the economies of scale to create a vibrant new urban quarter and town centre.**

### 26.2 Allocation

**26.2.1** It is clear that the site has considerable potential. The draft London Plan states that Earl's Court & West Kensington Opportunity Area has the capacity to accommodate over 2,000 dwellings and 7,000 jobs along with leisure, cultural and visitor attraction uses. Within the Royal Borough it is anticipated the scheme will be residential-led, although the full development capacity and exact disposition of uses across the Opportunity Area, should be considered as part of the spatial planning for the Opportunity Area, through the joint Supplementary Planning Document prepared by both boroughs, ~~in~~ **consultation with and the GLA. The SPD will be capable of being adopted by the GLA as an Opportunity Area Planning Framework.**

**26.2.2** By bringing together this site, a comprehensive mixed-use scheme can be achieved on the Earl's Court and West Kensington Opportunity Area, to provide housing, employment, hotels, leisure, offices, health and social and community facilities, with shops for day-to-day needs of the development and to complement the existing neighbouring centres. The area of the Strategic Site is deficient in access to neighbourhood or higher order centre facilities. The Council will therefore support the designation of a neighbourhood **new centre** within the Earl's Court Opportunity Area. **The form and location of the centre will be informed by masterplanning and PPS4 assessment.** New public open space will also be required to improve accessibility to open space in this location.

**26.2.3** Key to the long term success of the area is the redevelopment of the Exhibition Centre. Earl's Court has a

long-standing role as an important cultural destination of London, which contributes to the distinctive Earl's Court 'brand'. A new cultural/destination facility ~~that is a national or international destination of significance~~ is required to contribute to the long standing Earls Court brand. This may be in the form of an International Convention Centre. The preferred location for the International Convention Centre is as part of a major refurbishment and/or development within the existing Earl's Court and Olympia complexes. However, if that facility is located at Olympia (in the same ownership as Earl's Court Exhibition Centre), then significant cultural use that is at least a national destination should be provided in the Earl's Court and West Kensington Opportunity Area to continue the long standing brand. It is expected this will be located within the most public transport accessible part of the Opportunity Area. The exact location of any cultural or destination uses or attractions will be determined through masterplanning and informed by the Supplementary Planning Document to be prepared jointly by the Royal Borough and the London Borough of Hammersmith and Fulham and the GLA. Any cultural/destination use within the Royal Borough shall be designed to integrate with a predominantly residential area and is subject to feasibility.

26.2.4 The on-site road pattern and connections must be designed with regard to significantly improving traffic circulation in the surrounding area, and on primary routes in the London Borough of Hammersmith and Fulham and the Royal Borough, possibly providing a key component in such that it investigates and contributes to returning the one-way system to two-way working, for which initial feasibility work has already been undertaken. No

funding for this project is at present allocated by Transport for London. The Royal Borough will therefore work in partnership with Transport for London amongst others regarding its potential delivery, subject to feasibility and viability.

26.2.5 It will be necessary to deck over the TfL depot and West London Line in multiple locations to allow for good connections. There may also be scope to build over the railway to increase the development capacity of the site. While the accessibility of the site is high, with good tube and rail networks, the quantity of development of different land uses, the capacity of these networks and the road network to absorb further growth, and the identification of deliverable improvements in the transport infrastructure needs considerable further research, in the context of a full Transport Assessment.

26.2.6 Transport for London and the Greater London Authority (GLA) are partners in the planning and delivery of the future development in the Earl's Court and West Kensington Opportunity Area. The Council will work in partnership with them to overcome transport constraints on the development, whilst safeguarding the operational railway.

## SECTION 2A: ALLOCATIONS AND DESIGNATIONS

26.2.7 The redevelopment of the Earl's Court and West Kensington Opportunity Area provides an opportunity to create a legacy for the future. It also offers the potential for regeneration of both North End Road, located within the London Borough of Hammersmith and Fulham, and Earl's Court local neighbourhood centre in the Royal Borough. A comprehensive mixed-use scheme should be carefully planned to ensure this potential is achieved.

26.2.8 High-density development is appropriate for this highly-accessible location, ~~but high density does not necessarily mean high rise, which can cause~~ **Design should reflect the strategic role of the site and also take account avoiding** significant adverse effects on existing residential areas through overshadowing and microclimatic changes. The London Borough of Hammersmith and Fulham's Core Strategy Options 2009 states that tall buildings may be appropriate in the Earls Court / North End regeneration area, subject to detailed justification.

26.2.9 On-site waste management facilities will be required as part of the development to handle waste arising from the new uses of the site (this could include recycling facilities and anaerobic digestion). This facility will help towards the Borough's waste apportionment figure set out in the London Plan.

26.2.10 The scale of development and the mix of uses is also a good opportunity for the provision of low or carbon neutral developments and the establishment of a district heat and energy source.

26.2.11 A grade I Registered Park and Garden of Historic Interest has been identified to the south west of the site and therefore development round this site should be carefully managed. Part of the Strategic Site is also designated as a Site of Nature Conservation Importance (Grade I), which forms part of the Green Corridor designated along the West London railway line.

26.2.12 Flood risk of this site needs to be considered as it is located in Flood Risk Zones 2 and 3. This site has passed the sequential test as required by Planning Policy Statement 25 "Development and Flood Risk". The

exception test would have to be undertaken.

## Policy CA 7

### Earl's Court

#### Allocation for Earl's Court

The Council allocates development on the site to deliver, in terms of:-

##### *Land use allocation:*

- a. A minimum of ~~500~~ **1,000** homes within the Royal Borough, which could be increased, **in particular** if (b) to (e) below are provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD;
- b. A minimum of 10,000m<sup>2</sup> (108,000 ft<sup>2</sup>) of **office floor space non-residential floorspace including office and/or other uses required to deliver a sustainable and balanced mixed-use development, such as hotel, leisure and social and community uses some of which may be provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD but must benefit development in the Royal Borough;**
- c. Small scale retail and associated uses (within the A Classes of the Use Classes Order 1987 (as amended)) to serve the day-to-day needs of the new development, **the extent to which uses form part of a new centre for the Earls Court & West Kensington Opportunity Area to be informed by the masterplanning process;**
- d. A cultural/~~destination facility use of at least national significance~~ **to retain** contribute to Earls Court's long standing brand as an important cultural destination, located on the area of the

Opportunity Area nearest to **high** public transport accessibility, which may be provided within LBHF as part of the masterplanning process **for the Earls Court & West Kensington Opportunity Area conducted in the preparation of the SPD** but must benefit development in the Royal Borough. **Any cultural/destination use within the Royal Borough shall be designed to integrate with a predominantly residential area and is subject to feasibility;**

~~e. other non-residential uses required to deliver a sustainable and balanced mixed-use development, such as hotel, leisure and social and community uses;~~

f. on-site waste management facilities to handle waste arising from the new uses of the site (including recycling facilities and/or anaerobic digestion), which may be provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD but must benefit development in the Royal Borough;

g. low or carbon neutral developments and a Combined Cooling, Heating and Power (CCHP) plant or similar, of a suitable size to serve the site with the potential to contribute to the heat and energy demand of the wider community as part of a district heat and energy network, which may be provided within LBHF as part of the masterplanning process conducted in the preparation of the SPD but must benefit development in the Royal Borough;

***Principles:***

g. a new urban quarter which links well with its surroundings, especially to the west and east;

h. A design of the on-site road pattern and connections which **seeks to** significantly improve traffic circulation in

the surrounding area, and on primary routes in the London Borough of Hammersmith and Fulham and the Royal Borough. **The design of the on-site road pattern could, subject to further investigation by TfL and feasibility, potentially provide** ~~providing~~ a key component in returning the one-way system to two-way working;

i. an open urban square, fronting onto to Warwick Road, with land uses that provide positive active edges to the building frontages;

***Infrastructure and Planning Obligations:***

j. community and health facilities **which may be provided within LBHF as part of the masterplanning process for Earls Court & West Kensington Opportunity Area, but must benefit development in the Royal Borough;**

k. additional new public open space, including considering opportunities to create biodiversity;

l. securing highway contributions including the investigation and implementation of measures to return the Earl's Court one-way system to two-way working and improve the pedestrian environment **subject to feasibility and necessary approvals;**

m. improvements to tube, bus and rail access, including accessibility from the West London Line to the underground network and the extension of bus services into the site;

n. improved pedestrian links from and through the site and the surrounding area to public transport facilities and improved cycle links to enhance north/south cycle accessibility;

o. affordable housing as part of residential requirement;

p. education facilities;

q. other contributions as identified in the Planning Obligations Supplementary Planning Document and site specific Supplementary Planning Document.

## 26.3 Delivery

### Risks

**26.3.1** There is a risk that the Earl's Court 'brand' is lost if no **exhibition centre, convention centre or cultural/destination** use is included in the redevelopment. **There is also a risk that redevelopment does not investigate, nor contribute to, returning the one-way system to two-way working.**

### Related site specific Supplementary Planning Documents or Area Action Plans planned or prepared

**26.3.2** A joint Supplementary Planning Document will be produced working in partnership with the London Borough of Hammersmith and Fulham and the GLA. This document will provide a framework for a coordinated and phased development of the Earl's Court and West Kensington Opportunity Area and may include some other land in Hammersmith and Fulham, and **may will** fulfill the role of any Opportunity Area Planning Framework.

### Delivery agency

**26.3.3** Capital and Counties Plc. Other delivery agencies unknown at this stage.

## SECTION 2A: ALLOCATIONS AND DESIGNATIONS

### Delivery milestones

**26.3.4** The delivery milestones are:

- 2009: agree scope and arrangements for preparation of a Supplementary Planning Document with the London Borough of Hammersmith and Fulham **and the GLA**;
- 2009-2011: preparation of the Supplementary Planning Document;
- 2012: grant planning permission;
- 2013: start implementation on site;
- 2023: completion.

### Funding arrangements

**26.3.5** Mainly private investment.

## 26.4 Site Information

### Site address

**26.4.1** The sites address are:

- Earl's Court Exhibition Centre, Warwick Road;
- Land in Cluny Mews;
- Land located between the railway line and the rear of Philbeach Gardens;
- The site extends into the neighbouring
- borough of Hammersmith and Fulham.

### Ward

**26.4.2** Earl's Court.

### Site area

26.4.3 The Strategic Site area is 7.43 hectares (18.36 acres). The Earl's Court and West Kensington Opportunity Area extends into the London Borough of Hammersmith and Fulham and covers an area of approximately 31 hectares (76 acres).

### **Site owners**

26.4.4 Earl's Court Limited and Transport for London (the Exhibition Centre site), Clear Channel and Empress Limited (Cluny Mews). The Earl's Court and West Kensington Opportunity Area which extends into the London Borough of Hammersmith and Fulham includes further ownerships including Transport for London, Network Rail and the London Borough of Hammersmith and Fulham.

### **Current uses**

26.4.5 Within the Royal Borough of Kensington and Chelsea: Exhibition Centre and associated ancillary uses (D1), and offices (Class B1).

26.4.6 The remainder of the Earl's Court and West Kensington Opportunity Area includes a range of other uses such as Exhibition Centre and associated ancillary uses (D1), residential (C3), offices (B1) and shops (A1) amongst others.

### **Existing permissions**

26.4.7 None. The Earl's Court One Exhibition Centre has a Certificate of Immunity from Listing which expires in 2012.

**RBKC LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY**

**C&C PRELIMINARY COMMENTS ON LAND USE ALLOCATION SCHEDULE CONTAINED IN THE**

**STATEMENT OF COMMON GROUND BETWEEN RBKC AND LBHF OF 1<sup>ST</sup> JUNE 2010**

<b>Allocation:</b>	<b>Footprint (sqm):</b>	<b>Note:</b>
Open Space	20,000	2 hectares for a local park in accordance with the draft London Plan Public Open Space Hierarchy.
<p><b>C&amp;C Comments:</b></p> <p>i) It is understood that the 20,000 sqm indicative allocation derives from Table 7.2 of the Draft Replacement London Plan. However, Table 7.2 provides a benchmark for boroughs to assess the provision of different categories of open space on a borough-wide / cross-borough scale. It is not a set of standards / requirements to be applied mechanistically to development proposals.</p> <p>ii) A local park would serve a population catchment much larger than that to come forward on the Earls Court Strategic Site alone. Table 7.2 of the Draft Replacement London Plan explains that a local park would typically serve a catchment of 400m.</p> <p>iii) The provision of open space required to support development proposals at Earls Court Strategic Site will be the subject of masterplanning and technical analysis. It will be dependent upon the nature and quantum of land uses and population generated, particularly in terms of residential use.</p> <p>iv) Table 7.2 of the Draft Replacement London Plan is not considered an appropriate mechanism, by itself, for informing the open space that would be generated as a result of Earls Court Strategic Site development. It does not allow for the specific need generated by a development to be calculated.</p> <p>v) C&amp;C appreciates that at this stage an assumed quantum of open space is required to inform the land use allocation for Earls Court, but it is clear that a 2 hectare local park (which equates to 44% of the Strategic Site area) is likely to be unrealistic and unjustified and should not serve to constrain the minimum homes allocation for the Strategic Site.</p>		

Allocation:	Footprint (sqm):	Note:
Cultural Use	8,000	Using the floor area of the O2 Arena as an example.
<p><b>C&amp;C Comments:</b></p> <ul style="list-style-type: none"> <li>i) C&amp;C recognises the Council’s policy aim to achieve cultural use at Earls Court Strategic Site and for this to contribute to the long-standing brand associated with cultural/destination use.</li> <li>ii) A variety of cultural/destination uses will be considered through the masterplanning of the Strategic Site and the wider Opportunity Area.</li> <li>iii) The nature/size/visitor draw of cultural/destination facilities clearly varies enormously and usually evolves. But, C&amp;C proposes that any facility that comes forward should not be out of proportion with the Council’s main objective for the Strategic Site which is to achieve a residential-led development.</li> <li>iv) A range of facilities should be considered to inform the appropriate land use allocation for the Strategic Site, and in particular the residential minimum allocation part of this.</li> <li>v) The O2 Arena is clearly an isolated and not very representative example of a cultural use to have informed the Strategic Site land use allocation. C&amp;C question its relevance given the residential-led nature of development that is being promoted. In particular, the compatibility of a large concert/event type facility with residential development, and other uses. Also, the size of the assumed cultural facility is such that it serves to unnecessarily constrain the minimum homes allocation for the Strategic Site. Overall, the O2 Arena is not a logical example and does not usefully inform the Strategic Site Land Use Allocation.</li> <li>vi) There are many types of cultural facility that could come forward as part of a masterplan for the Strategic Site and these will need to respond to practicality and viability considerations. Many examples of known significant cultural facilities are very substantially less than the 8,000 sqm footprint assumed by the Council, but would certainly contribute to the cultural/destination brand of Earls Court as a place, though may well be part of the wider Opportunity Area rather than the Earls Court Strategic Site, subject to masterplanning. For example, the Saatchi Gallery is approximately 2,400 sqm, the London Transport Museum is 2,400 sqm, the National Portrait Gallery is approximately 2,300 sqm to cite just three examples. Smaller scale cultural and destination uses may also collectively be considered across the Opportunity Area.</li> </ul>		

Allocation:	Footprint (sqm):	Note:
Retail	1,500	Identified as being sufficient to meet the needs of the new development in the form of 15-20 small retail units (taking the GLA definition of a small shop as one with the GIA of 80 sqm) or a 'small' local centre in terms of the Borough's Retail Needs Study. In accordance with PPS4 development with a retail footprint of less than 2,500sqm does not require a retail impact assessment, recognising that the impact of proposals significantly smaller than 2,500sqm on the existing neighbouring centres is less likely to be significant.
<p><b>C&amp;C Comments:</b></p> <p>i) A Retail &amp; Leisure Assessment (June 2010) has been prepared by DP9 in relation to C&amp;C's representations and appearance at the examination of the Draft Replacement London Plan. It has also been submitted as evidence to the Core Strategy examination. The Assessment has been informed by Borough-level retail evidence, including the RBKC Nathaniel Lichfield &amp; Partners (July 2008) and carried out in accordance with PPS4 tests. It demonstrates that there is capacity for a new District or Major Centre to come forward within the Earls Court &amp; West Kensington Opportunity Area. At this stage, C&amp;C is proposing that the Opportunity Area is identified in the London Plan as having the potential to deliver a new District Centre. C&amp;C asks that the Core Strategy is flexible to allow for such a designation.</p> <p>ii) The extent to which retail uses within the Earls Court Strategic Site form part of a new centre within the Opportunity Area will be informed by masterplanning.</p> <p>iii) The ultimate quantum of retail use within the Strategic Site (as well as the wider Opportunity Area) will be dependent upon a detailed PPS4 Assessment.</p> <p>iv) It is important to note that the Council in considering the minimum homes allocation for Earls Court Strategic Site has not taken into account that retail use will come forward as part of mixed use building, most likely including residential use.</p>		

Allocation:	Footprint (sqm):	Note:
Office	2,000	10,000sqm to contribute to the borough wide demand for Employment floor space from 2005 to the end of the plan period of 23,000sqm and contribute to the 7,000 jobs.
<b>C&amp;C Comments:</b>		
<ul style="list-style-type: none"> <li data-bbox="230 371 1982 403">i) C&amp;C does not consider there to be sufficient evidence to justify a minimum figure of 10,000 sqm of office use for the Strategic Site.</li> <li data-bbox="230 443 1982 515">ii) C&amp;C ask in their representations and written statements that a broader definition be applied, but also question the validity and justification of 10,000 sqm as a minimum figure.</li> <li data-bbox="230 555 1982 587">iii) The masterplanning process will help inform the office floorspace component for the Strategic Site.</li> </ul>		

Allocation:	Footprint (sqm):	Note:
Residential (Calculated using the London Plan Density Matrix)	30,000	<p>The area of Earl's Court is considered Urban as being predominantly dense development of terraced houses; a mix of uses; medium building footprints; typically two to four storeys; located within 800 meters walk of Earls' Court Road (as designated in the London Plan) and Fulham West District Centre; and bounded by at least two main arterial routes being West Cromwell Road and Brompton Road.</p> <p>The Strategic Site is located within a Public Transport Accessibility Level of between 5 and 6 which suggests the middle to higher end of the density ranges.</p> <p>To ensure a balanced mix of unit sizes (flats &amp; houses), the 3.1-3.7 hr/unit range is used, resulting in a density range of between 120-225 u/ha.</p> <p>Considering a site area of 3 hectares, this results in an range of 360-675 units, with an average 517 residential units.</p>
<p><b>C&amp;C Comments:</b></p> <p>i) C&amp;C considers that the Council has clearly taken an overly conservative and constrained approach to the minimum homes allocation, for the reasons explained below.</p> <p>ii) The Council has applied the London Plan Density Matrix to inform an appropriate density range for the Strategic Site. The Density Matrix is a guide and should not be applied mechanistically. One of its major limitations is its inability to distinguish those parts of London, such as Opportunity Areas, where substantial land use change is promoted.</p> <p>iii) An assumed density range of 120-225 u/ha does not reflect the strategic nature or potential of the site, in particular its designation as an Opportunity Area. It is inconsistent with densities achieved/planned for within other Opportunity Areas and does not appropriately consider the density experienced within the site currently or the site's context. Additionally, and importantly, it does not reflect the accepted need for densities within Opportunity Areas to usually exceed the London Plan density matrix guidance to bring about successful and viable regeneration.</p> <p>iv) The Strategic Site can comfortably achieve densities within the 'Central' setting as defined in the London Plan density matrix and will achieve a PTAL of 6 as a result of development proposals. It will deliver strategic land use change and as such will create a new high density setting akin to those parts of London within the Central Activities Zone, within high PTAL locations and close to town centre facilities and activities. It can comfortably achieve buildings of 4-6 storeys (the heights associated with 'Central' setting) when considering the surrounding context and also the bulk and scale of existing buildings on the site. This is further explained in Chapters 4</p>		

Allocation:	Footprint (sqm):	Note:	
<p>and 5 of the Earls Court &amp; West Kensington Opportunity Area Place Making Report (January 2010) that was produced by C&amp;C in support of representations to the Draft Replacement London Plan and copied to RBKC.</p> <p>v) A London Plan density range of 290-405 u/ha, reflecting PTAL 6 locations within a ‘Central’ setting, should be applied to inform the minimum homes allocation. Such a density range, when applied to even the very conservative 3 hectare footprint suggested by the Council, would generate 870-1,215 homes.</p> <p>vi) A minimum of 1,000 homes would clearly be reasonable and appropriate. It is the mid-point of the above (conservative) range and can clearly comfortably be achieved. It is very likely to be exceeded given the overly conservative approach to both the available residential footprint as a result of assumptions made about open space, cultural use, business use, etc as explained and discussed above.</p> <p>vii) By way of a further example that 1,000 homes should be the minimum this can be demonstrated simply by straightforward and sensible adjustments to just two of the footprints assumed for the cultural use and the retail use. Using the examples of a significant cultural facility provided above if the footprint applied was 2,500 sqm, then there would be an additional footprint of 5,500 sqm (0.55 ha) of residential which would provide an additional 160 – 223 homes. Another example is that the retail floorspace provided on the Strategic Site is likely to be relatively small scale therefore it is reasonable to assume there will be residential use above and therefore the retail footprint could easily be accommodated within the residential footprint. The additional 1,500 sqm (0.15 ha) for residential would provide an additional 44 – 61 homes. By straightforward and sensible revisions to even just two of the footprints for these two uses, it can be seen how readily this provides an additional 204 – 284 homes. In this scenario the site has the potential to provide 1,074 – 1,499. This clearly demonstrates that the minimum of 500 homes is extremely conservative and a minimum of 1,000 homes is much more appropriate to be adopted in the context of the need to deliver housing in the Royal Borough.</p>			
Roads	6,817	Approximately 10% of the site area	Yet to be determined and subject to masterplanning
<b>Site Area</b>	<b>68,317</b>	<b>Site area (74,000sqm) less area of railway lines (5,683sqm)</b>	-

However, the fact that the CS does not identify any management actions to support housing delivery in such circumstances remains a cause for concern.

- 3.119 In summary, I consider that the Council's suggested changes (with amendments as noted) will go a long way towards making the plan consistent with PPS 3 requirements. However, in the absence of the key elements I have identified, I am unable to find the CS approach consistent with national policy in these respects.
- 3.120 I have given considerable thought to whether the CS examination should be extended or suspended again, to allow the Council to produce a dedicated housing implementation strategy which covers all the requirements set out in PPS 3 paragraphs 62-67, in a comprehensive, transparent and systematic manner. However, this additional work would delay adoption. Given the considerable challenges facing the borough, I think it important to have the CS in place as soon as possible. I am mindful that the Council intends to produce a Supplementary Planning Document (SPD) on housing as a priority (along with a planning obligations SPD). If the housing implementation strategy were to part of the SPD (indeed, it may be the Council's intention to do this), this would address my concern.
- 3.121 I am mindful that significantly higher housing targets are likely to be set when the replacement London Plan is published, and the Council has already identified the risk of a potential shortfall in delivery against these higher targets if the economic recession leads to extended delivery timescales. This highlights the importance of a robust housing implementation strategy.
- 3.122 I therefore believe the best way forward is to incorporate the changes set out in **IC38 and IC39**, and add a sentence to paragraph 5.2 to the effect that the Council will set out its approach to managing housing delivery in the proposed housing SPD, as set out in change **IC37**.

<p>3.123 <b>In order to make CS sound, it should incorporate the changes set out in IC37, IC38 and IC39 to make clear how the Council will implement the CS housing strategy.</b></p>
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3.124 **Issue 5 Density**

*Does Policy IS 3 c provide scope for the London Plan Density Matrix to be applied flexibly in locations where major changes are proposed in the area's character and public transport accessibility?*

- 3.125 The London Plan Density Matrix categorises areas by "setting" – suburban, urban and central – according to location, existing built form and massing. A density range considered appropriate for each type of setting is specified according to Public Transport Accessibility Levels (PTAL). Whilst acknowledging the limitations of the London Plan Density Matrix, the text supporting Policy IS 3 c supports the general approach as a way to achieve the highest possible intensity of use compatible with the local context. This is reflected in the Policy IS 3 c.

- 3.126 This approach supports the Council's aim to protect and reinforce the borough's existing varied character and heritage. However, it could create a tension in areas where major change is proposed, such as the Opportunity Area. At present, the VNEBOA is characterised by an impoverished appearance, poor quality buildings, under-utilized land and poor permeability. Rather than protecting and reinforcing this townscape character, the CS seeks to create a new urban quarter, with high quality buildings and streetscapes. To achieve this aim, the scale and density of new development in the Opportunity Area will inevitably be considerably higher than the range specified in London Plan matrix based on the area's existing "setting," even if proposed improvements to public transport accessibility are taken into account.
- 3.127 To reconcile this potential conflict and support the delivery of regeneration objectives in the VNEBOA, the Council suggested changes to both the supporting text and Policy IS 3 c. These changes highlight the distinction between the Opportunity Area where a new urban setting will be created, and elsewhere in the borough where the effective use of land should not harm the existing character of the area. To deliver regeneration objectives in the Opportunity Area, changes **IC18** and **IC19** are necessary to make the plan sound.

- 3.128 **In order to make CS sound, Policy IS 3 c should be amended in accordance with change IC19**
- 3.129 **The text supporting Policy IS 3 c should be amended in accordance with change IC18 in order to clarify the intended application of Policy IC 3 c**

3.130 **Issue 6 Tall buildings**

*Is the identification of locations where tall buildings may be considered appropriate under Policy IS 3 d justified by robust evidence relating to the local context; is it consistent with the management and protection of strategic views, including the Palace of Westminster World Heritage Site, and will it be effective?*

- 3.131 As submitted, Policy IS 3 d indicates that tall buildings may be appropriate in locations well served by public transport, such as town centres and Nine Elms, or at other defined focal points of activity, provided they can justify themselves in terms of regeneration, townscape and public realm benefits.
- 3.132 Paragraph 4.132 highlights a range of potential benefits associated with tall buildings, including townscape benefits such as creating attractive landmarks and adding definition to the skyline (provided important views and skylines are not harmed). However, it was unclear from my initial examination of the evidence whether such townscape matters, or indeed other urban design considerations such as the wider historic context and the character of the immediate area, had been taken into account when identifying locations where tall buildings may be appropriate.
- 3.133 Some of the locations identified include sensitive historic areas and buildings, whilst the height of development in the Vauxhall area

## Comments

### Strategic Sites (05/05/09 to 16/06/09)

Comment by	Transport for London (TfL) (Ms Hanna Shaw)
Comment ID	SSites77
Response Date	16/06/09 18:34
Consultation Point	8: Earl's Court ( <a href="#">View</a> )
Status	Processed
Submission Type	Letter
Version	0.7

#### Please write your comments below

Page 22 of the 'Strategic Sites' document and pages 11 and 63 of the 'Places' document mention the borough's proposals to unravel the Earl's Court one way system. This proposal is yet to be proven possible or even desirable by TfL, and it should be noted that the one way system is TLRN. If this proposal remains, it would need to adhere to policy 3C.16 of the London Plan which requires a criteria based approach to road schemes, which would allow them to go ahead if overall congestion reduces, there is local economic benefit, and conditions for pedestrians, cyclists and public transport improve. It would need to demonstrate that the removal of the one-way traffic system would improve conditions for all users, including for pedestrians, cyclists, disabled people, public transport and freight. It would need to specify who will deliver the road scheme, when it will be delivered, how it would be funded, and whether or not there is a reasonable prospect of provision within the lifetime of the plan in accordance with PPS12. This scheme is currently not in the TfL business plan and as such TfL require further detailed discussions on this issue.

#### Officer's response to submitted comments

Noted. If the proposal to unravel the One-Way-System remains, it will adhere to policy 3C.16 of the London Plan and meet the requirements of PPS12. A proper transport assessment will be undertaken and we will work in partnership with TfL. We will include a reference to partnership working with TfL in 5.2.1

## The Draft Core Strategy for the Royal Borough with a particular focus on North Kensington

Event Name	The Draft Core Strategy for the Royal Borough with a particular focus on North Kensington
Comment by	Greater London Authority (Mr Giles Dolphin)
Comment ID	CSNKplan(Draft)978
Response Date	15/09/09 14:56
Consultation Point	26.2.1 Paragraph ( <a href="#">View</a> )
Status	Processed
Submission Type	Letter
Version	0.8
Comments	

### Please write your comments below

#### Earls Court London Plan Policy cross-ref: 3C.16

The Policy must make reference to TfL being the Highway Authority for the Earl's Court one-way system and that any proposal for the one-way system should be made in collaboration with TfL. Options for removing the Earl's Court one-way system have been studied previously. These studies showed that removal of the one-way system is highly problematic to achieve, largely due to the need to remove significant amounts of residents' parking. TfL has no plans at present to remove the one-way system and as such no funding has been identified for this.

This proposal would need to adhere to policy 3C.16 of the London Plan which requires a criteria based approach to road schemes, which would allow them to go ahead if overall congestion reduces, there is local economic benefit, and conditions for pedestrians, cyclists and public transport improve. It would need to demonstrate that the removal of the one-way traffic system would improve conditions for all users. It would need to specify who will deliver the road scheme, when it will be delivered, how it would be funded, and whether or not there is a reasonable prospect of provision within the lifetime of the plan in accordance with PPS12.

The wording of this policy could be changed to: investigate with TfL the potential of returning the streets to two-way operation. Further comment on Earls Court is provided in the main Officer report.

### Officer's response to comments

#### Officer's response to submitted comments

Agreed. Reference to TfL being the Highway Authority for the Earl's Court One-Way system is already made in the "Better Travel Choices" chapter. The Council is aware of the difficulty to unravel the one-way system. The wording of the paragraph 26.2.4. will be changed to reflect this:

"The on-site road pattern and connections resulting from the redevelopment must be designed with regard to significantly improving traffic circulation in the surrounding area, and on primary routes in

the London Borough of Hammersmith and Fulham and the Royal Borough, such that it enables the delivery of the unravelling of the One Way System, for which initial feasibility work has already been undertaken."

**Officer's Recommendations**

**Officer's Recommendations**

Amend wording.