

GREATER LONDON AUTHORITY
Development & Environment Directorate

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Our ref: PDU/1994MC12
Your ref:
Date: 10 February 2010

Edward George

Planning and Borough Development
Kensington & Chelsea Council
Kensington Town Hall
Horton Street
London W8 7NX

Dear Mr George

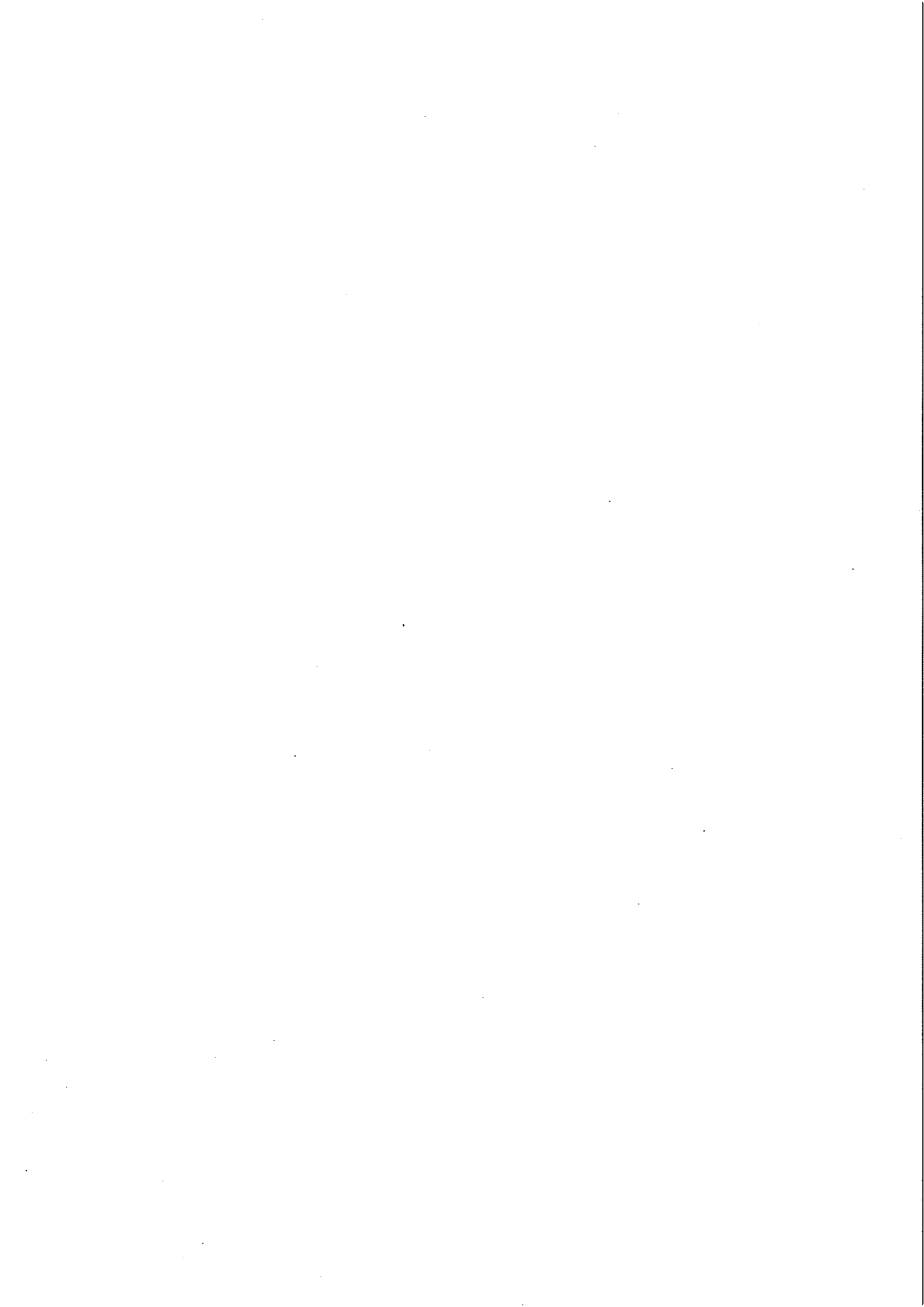
Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Wornington Green Estate
Local Planning Authority Reference: 09/02786

I refer to the copy of the above planning application, which was received from you on 4 January 2010. On 10 February 2010, the Mayor considered a report on this proposal, reference PDU/1994/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 101 of the above-mentioned report; but that the possible remedies set out in paragraph 103 of this report could address these deficiencies.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The environmental information made available to date has been taken into consideration in formulating these comments.

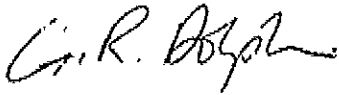
If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if



it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is John Canty, telephone 020 7126 4577.

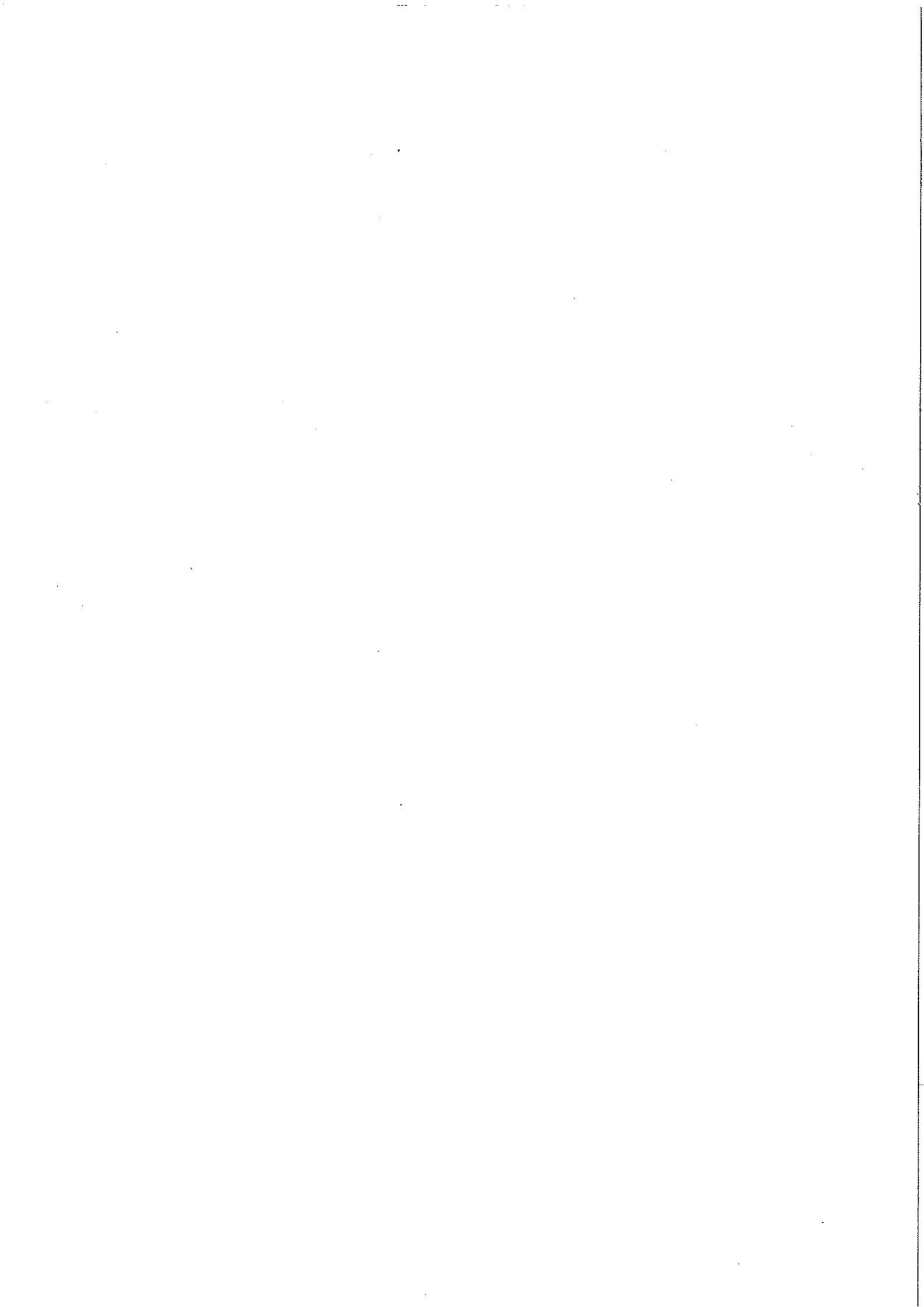
Yours sincerely,



Giles Dolphin

Assistant Director – Planning

cc Kit Malthouse, London Assembly Constituency Member
Jenny Jones, Chair of London Assembly Planning and Housing Committee
John Pierce and Ian McNally, GOL
Colin Lovell, TfL
Javiera Maturana, LDA



10 February 2010

Wornington Green Estate

Royal Borough of Kensington & Chelsea

Planning application no.09/02786

Strategic planning application stage 1 referral (new powers)

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

A hybrid application has been submitted for estate renewal of Wornington Green housing estate. The application seeks outline permission for up to 1,000 residential units, 3,104 sq.m. flexible uses (A1, A2, A3, A5 and B1), 1,883 sq.m. community use (D1 and D2) relocation and re-provision of Athlone Gardens (public open space), replacement of market lock ups, new internal roads and up to 733 parking spaces and 1,062 cycle parking spaces. Phase 1 is submitted as a full detailed application and comprises 324 residential units replacement market lock ups and associated parking and new road layouts.

The applicant

The applicant is **Kensington Housing Trust**, and the architect is **PRP Architects**.

Strategic issues

The principle of estate renewal is supported in strategic planning terms. Key strategic issues include affordable housing, affordable housing mix (loss of family housing), urban design, open space and play space, energy, climate change and transport.

Recommendation

That Kensington & Chelsea Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 101 of this report; but that the possible remedies set out in paragraph 103 of this report could address these deficiencies.

Context

1 On 4 January 2010 the Mayor of London received documents from Kensington & Chelsea Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 12 February 2010 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1.A, 1B.1b, 1C.1c of the Schedule to the Order 2008:

1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."

1B 1b) "*Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres.*"

1C1c) "*Development which - comprises or includes the erection of a building where...the building is more than 30 metres high and is outside the City of London.*"

3 Once Kensington & Chelsea Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 has been taken into account in the consideration of this case. The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site covers an area of approximately 6 hectares (15 acres) and is bounded to the north by the Paddington/Great Western railway line, to the west by Portobello Road and to the south by Golborne Road. At its northern end it intersects with Ladbroke Grove at the Barlby Road roundabout. The estate currently contains 538 flats and houses (accommodating approximately 1,700 residents) which were constructed between 1964 and 1985 in predominantly large deck blocks typical of public housing of the period. The form of the estate replaced the previous Victorian street layout of which limited evidence now remains.

6 The nearest section of the Transport for London Road Network (TLRN) is the A40 Westway, which is approximately 400 metres to the south. The nearest section of the Strategic Road Network (SRN) is Harrow Road approximately 600 metres to the north. The site is bounded to the north by the Great Western Mainline railway, but there are no overland railway stations within walking distance of the site. The site is on the edge of Underground Zone 1 and the nearest stations are Ladbroke Grove and Westbourne Park on the Hammersmith & City Line, both of which are within acceptable walking distance. In the vicinity of the site there are five bus routes on Ladbroke Grove served by bus stops close to the site (routes 23, 52, 70, 228 and 452). In addition the 316 also stops on Barlby Road and Ladbroke Grove north of the railway line, which are also within a reasonable walking distance of the site. Further away, but still within walking distance are routes 18 and 28 on Harrow Road, and routes 7 and 295 on Cambridge Gardens. The overall Public Transport Accessibility Level (PTAL) of the site is 4.

7 The Council holds a number of interests in terms of ownership within the red edge of the site. These are summarised in figure 1.

<i>Existing Athlone Gardens</i>	8,721
<i>Existing Ball Court</i>	465
<i>Existing Venture Centre Site</i>	1,882
<i>Existing Lock-up Units (approx.)</i>	300
<i>Total to be reprovided</i>	11,368

Figure 1 existing Council interests (source: PRP design and access statement)

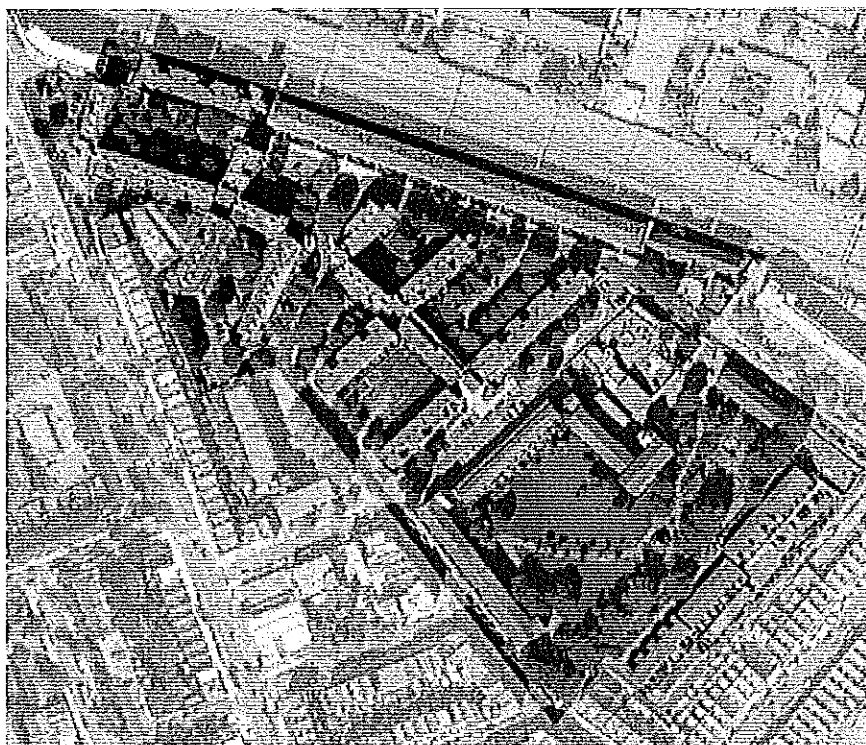


Figure 2 application boundary and existing block layout of Wornington Green Estate (source: PRP design and access statement)

Details of the proposal

8 A hybrid planning application is submitted for demolition of all existing buildings on the site and for the phased construction of residential accommodation for up to 1,000 units including private and residential apartments and townhouses. The resultant regeneration will provide replacement of 538 units (with a different bedrooms size mix) and a net increase of 462 private residential apartments on the site.

9 The existing non residential uses on the site will be re-provided which include a multi use community centre (Venture Centre), offices, retail and amenity space (Athlone Gardens). There will be a total of 733 parking spaces, a net increase of 360 on the site in total.

10 The residential breakdown for the overall scheme is set out in table 1 and the residential breakdown for phase 1 is set out in table 2.

Table 1 outline bedroom size mix

	1-bed	2-bed	3-bed	4-bed	5-bed	6-bed	Total
Social rent	261	156	98	14	8	1	538 (59%)
Shared ownership	30	0	0	0	0	0	30 (3%)
Market	71	205	75	0	0	0	351 (38%)
Total	362	361	173	14	8	1	919 (100%)

Table 2 phase 1 bedroom size mix

	1-bed	2-bed	3-bed	4-bed Mews	Total
Social rent	70	60	37	7	174 (54%)
Shared ownership	9	0	0	0	9 (3%)
Market	47	67	27	0	141 (43%)
Total	126	127	64	7	324 (100%)

11 Phase 1 will also include 400 sq.m. commercial floorspace and 300 sq.m. for the replacement market lockups. Table 3 below shows the timing for delivery of the proposals by phase.

Table 3 phasing and delivery plan

Phase	Phase timing
1	2010-14
2	2014-16
3	2015-19
4	2018-20
5	2020-22

12 The masterplan will be laid out in the following arrangement with the following height parameters shown in corresponding colour:

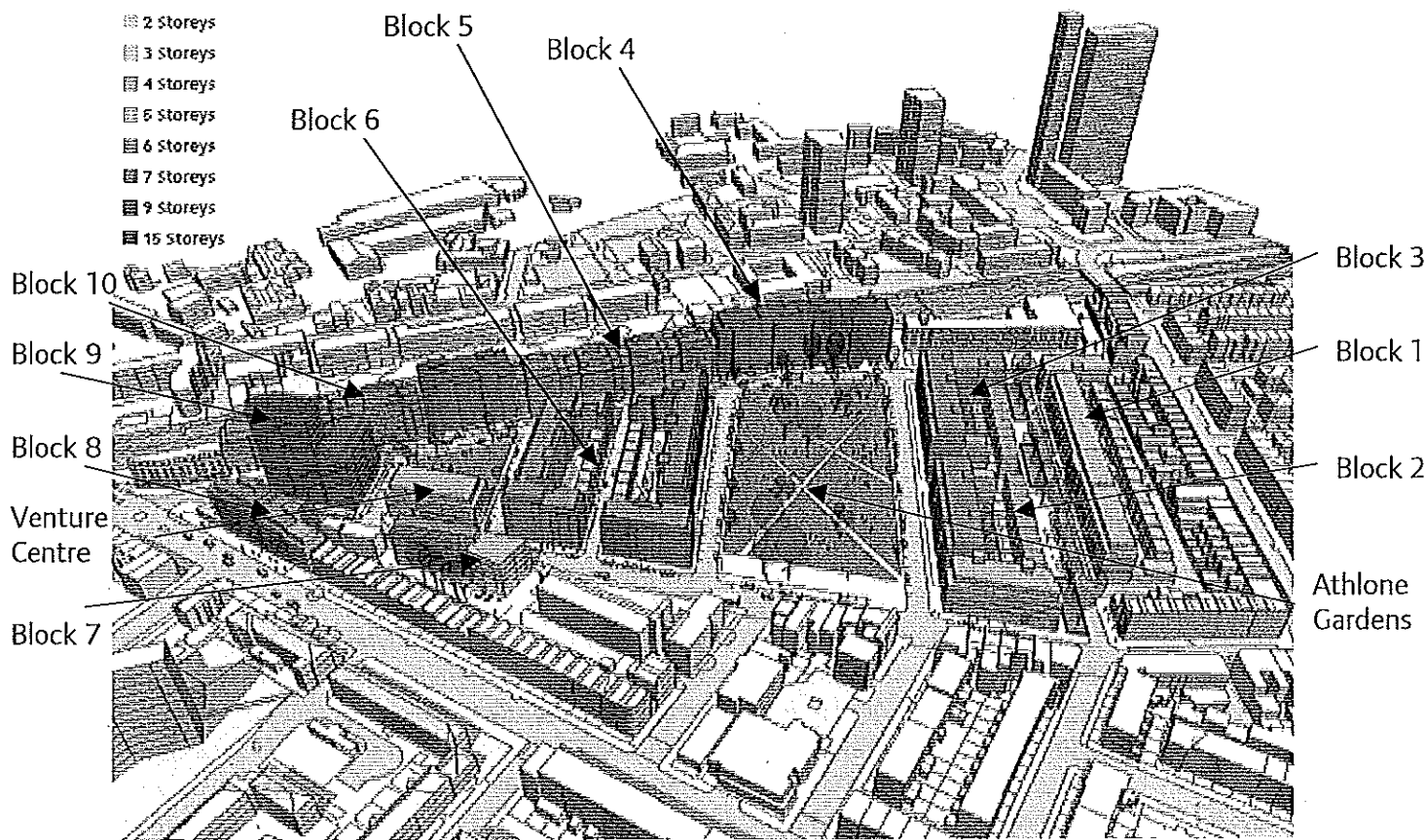


Figure 3 Block layouts and height (source: design and access statement)

13 The application has since been amended to reduce the height of the tallest element from 15 storeys to 9 storeys. This amendment means block 10 along the railway will be the tallest block at 10 storeys. This change relates to block 9 and is discussed further in the design section of this report. Block 1, 2 and 3 comprise the detailed submission for phase 1. All other blocks will come forward as part of the detailed phasing of 4 subsequent phases, which is shown in table 3 above.

Case history

14 The applicant has engaged with the GLA since 2007 at pre-application regarding the estate renewal. Various options for renewal have been considered and the GLA has provided design and policy guidance on all matters associated with the redevelopment of the estate. The Council has also published Supplementary Planning Guidance for the site, setting out its aspirations. The GLA was involved in the production of the guidance, which was published 9 November 2009.

Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Economic development *London Plan; the Mayor's Economic Development Strategy; draft replacement Economic Development Strategy*
- World city role *London Plan*
- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG, draft Housing Strategy; draft revised interim Housing SPG*

- Affordable housing *London Plan; PPS3; Housing SPG, draft Housing Strategy; draft revised interim Housing SPG*
- Density *London Plan; PPS3; Housing SPG; draft revised interim Housing SPG*
- Urban design *London Plan; PPS1*
- Mix of uses *London Plan*
- Regeneration *London Plan; the Mayor's Economic Development Strategy; draft replacement Economic Development Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; draft replacement Transport Strategy; PPG13;*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*
- Green Belt/MOL *London Plan; PPG2*
- Playing fields *London Plan; PPG17*
- Biodiversity *London Plan; the Mayor's Biodiversity Strategy; PPS9*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Tall buildings/views *London Plan; RPG3A, View Management Framework SPG, draft Revised View Management Framework SPG*
- Sustainable development *London Plan; PPS1, PPS3; PPG13; PPS22; the Mayor's Energy Strategy; Sustainable Design and Construction SPG*

16 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2002 Kensington & Chelsea Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

17 The following are also relevant material considerations:

- The draft replacement London Plan, published in October 2009 for consultation.
- The Core Strategy Development Plan Document Submission Stage.
- Wornington Green Supplementary Planning Guidance.

Principle of regeneration

18 London Plan policy 3A.29 'supporting neighbourhood plans' states "*The Mayor will encourage communities and neighbourhood-based organisations to prepare planning frameworks or neighbourhood plans based upon identifying local economic, social, physical and environmental needs and opportunities to strengthen local Neighbourhood Renewal Strategies*". The Mayor encourages boroughs to adopt locally prepared frameworks or plans including those prepared by housing association-led estate regeneration schemes, Development Trusts and Urban Regeneration Companies as supplementary planning documents.

19 The estate is owned by Kensington Housing Trust (KHT) part of the Catalyst Housing Group. In March 2006 KHT commissioned an options appraisal for the estate to investigate how upgraded housing could be delivered. The conclusion was that complete redevelopment of the estate was the only realistic option to ensure delivery of better housing for residents. Further pressure on the Council following the Government's *Decent Homes* agenda means that the 538

homes on the Worrington Green Estate would need to be brought up to the 'decent homes' standards by 2014.

20 As such, the Council began discussions with KHT and produced Supplementary Planning Guidance for the estate in consultation with the GLA and the local community.

21 The Mayor's approach to estate renewal is to take into account the regeneration benefits to the local community, the proportion of affordable housing in the surrounding area, and the amount of affordable housing being, or planned to be, provided elsewhere in the borough. The principle of redevelopment of the estate is one that has been developed in partnership with KHT, the Council and the local community and is reflected in Supplementary Planning Guidance. Subject to the detailed policy matters set out in this report, the principle of estate renewal is supported.

Hazardous installation

22 London Plan policy 4A.34 *Dealing with hazardous substances* relates to the development of land within the vicinity of hazardous substances in order to limit the consequences of any potential accidents. It states that the Mayor will and boroughs should take into account the presence of hazardous substances in determining planning applications that relate to the development of land in the vicinity of establishments where hazardous substances are stored. National policies on hazardous installations are set out in DETR Circular 4/2000 "Planning Controls for Hazardous Substances." Also relevant is London Plan policy 4B.6, which requires physical risks, including those arising as a result of fire and related hazards, to be taken into account in the design of new developments.

23 The site is in close proximity to existing Kensal gasholders. There is limited commentary or consideration regarding health and safety matters and whether the Health & Safety Executive's (HSE) consultation zones fall anywhere near the site. GLA has been unable to identify whether the installation is close enough to trigger consultation with the HSE. Further discussion is required to confirm the status of the HSE consultation zones.

Affordable housing

24 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements

25 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

26 Policy 3.13 of the draft replacement London Plan establishes the approach to negotiating affordable housing on site, and states that "*The maximum reasonable amount of affordable*

housing should be sought when negotiating on individual private residential and mixed use schemes” taking account of a range of factors including local and regional requirements, the need to encourage rather than restrain development, and viability

27 Kensington & Chelsea Council has indicated a requirement within its Core Strategy that 200 affordable housing units will be delivered per annum over the plan period with a site-specific policy that assumes a minimum of 50% from individual applications. It is currently proposed that this will be split as 85% social rented and 15% intermediate.

Estate renewal

28 Policy 3A.15 of the London Plan resists the loss of housing, including affordable housing, without its planned replacement at existing or higher density. Paragraph 3.75 of the London Plan gives further advice on the Mayor’s approach to estate renewal. This approach is carried through to the consultation draft replacement plan in policy 3.13 (B) and paragraph 3.75. More detailed guidance is set out in Section 20 of the Housing SPG. This clarifies that there should be no net loss of affordable housing, which can be calculated on a habitable room basis and should exclude right to buy properties. Replacement affordable housing can be of a different tenure mix where this achieves a better mix of provision.

29 Private housing that forms part of estate renewal schemes need not provide the normal level of additional affordable provision, where this is necessary to cross subsidise redevelopment. This would need to be justified through a financial appraisal.

Re-provision of stock/housing mix

30 The following table shows the change in affordable housing mix from existing to proposed.

Table 4 existing and proposed bedroom size mix (affordable housing)

	1-bed	2-bed	3-bed	4-bed	5-bed	6-bed	Total
Social rent (existing)	209	154	130	45	0	0	538
Social rent (proposed)	261	156	98	14	8	1	538

31 In this instance, the current estate comprises 538 social rented units made up of 1,622 habitable rooms. On the basis of the proposed breakdown there is no net loss in terms of social rented ‘units’. There is, however, a net loss of 55 habitable rooms given the scheme proposes 1,567 habitable rooms, 60 of which are for shared ownership. The provision of shared ownership does not conflict with the Mayor’s objectives to provide mixed and balanced communities. The loss of 55 habitable rooms does, however, require justification.

32 The approach has clearly set a shift from family accommodation (3-bedroom +) to smaller units. There is an approximate shift, or loss, of 228 family habitable rooms. This is significant and the applicant seeks to justify this on the needs of existing tenants. The strongest line taken by the applicant is to keep the community together. This is a theme of the SPG and is supported in broad terms as a desirable, and in some cases essential, outcome in estate renewal schemes, and an important aspect for tenants being re-housed.

33 Whilst this is the case, it is not clear how much work has been done regarding assessing those tenants who do not desire to remain within the community who could reasonably be re-

housed elsewhere in the borough in existing smaller accommodation where such a need can be met elsewhere. Given the Council has a significant need for family accommodation; a need which is reflected at the regional level, loss of family accommodation needs to be considered very carefully. In particular, given the building stock will remain for a significant period of time, whereas tenants will come and go. Arguably the volatility and movement of tenants at a period in time on one particular site should not necessarily dictate the regeneration outcome, without some material weight to the needs of those outside the estate, in the wider borough and regional context.

34 The applicant's initial response is that the housing mix is currently not a fixed element of the application and will be subject to change depending on the needs arising. The GLA require further understanding of the work undertaken to draw these conclusions and to further understand how the mix will be agreed in subsequent phases. These discussions need to be undertaken before the application is referred back to the Mayor.

Viability

35 As set out in paragraph 27, private housing that forms part of estate renewal schemes need not provide the normal level of additional affordable provision, where this is necessary to cross subsidise redevelopment. This would need to be justified through a financial appraisal.

36 The application provides no net increase in affordable housing from the existing estate. The applicant argues that the 462 net additional private units still make this scheme unviable and grant funding has been discussed with the HCA to fill the current funding gap to bring the scheme forward.

37 The application is supported by detailed information regarding the costs and revenues associated with the application. The Council and the GLA has sought to test the assumptions made by the applicant regarding the viability using an independent valuer. This process is reaching the end and conclusions are being considered. Fundamental to the approach is the confirmation of grant funding. The application shows significant losses at both phase 1 and from the end state (phase 5). It is understood that funding has been agreed by the HCA. The GLA has discussed matters with the independent valuer and the Council and it is expected that these matters will be concluded prior to the Mayor's final determination stage.

Density

38 Policy 3A.3 of the London Plan aims to maximise the potential of a site taking account of local context, London Plan design principles and public transport capacity. Table 3A.2 of the London Plan provides a framework for assessing density based on habitable rooms and dwellings per hectare. The consultation draft replacement London Plan policy 3.4 and Table 3.2 moves away from 'maximise' to 'optimise' taking into account all those matters in existing policy by with greater emphasis on local context and the design principles set out in Chapter 7 of the draft plan.

39 The PTAL ranges from 3-5 in a predominantly urban area and therefore the density ranges as set out in the London Plan fall between 200-700 habitable rooms per hectare and 70-260 units per hectare. The density calculated by the applicant come out as 501 habitable rooms per hectare or 174 units per hectare. If Council assets are excluded, including Athlone Gardens and the Venture Centre the density increases to 621 habitable rooms per hectare and 216 units per hectare. Both fall within the broad ranges of the London Plan and represents a reasonable approach, which reflects the grain and context of the area.

Urban design

Masterplan layout

40 The masterplan layout relocating a single open space and repair of the historic urban grain is fully supported. The use of perimeter blocks will provide clear definition between public and private space and improve the street environment with increased natural surveillance, in particular across the new relocated park.

Massing and height

41 Massing and height across the masterplan has been carefully considered. The blocks along the railway have been arranged so there will be design breaks at various points and set backs at roof level to provide a mix of heights. The images still do not articulate the break sufficiently and this still reads as a relentless block and therefore it is important that the design code is strong enough to allow clear breaks between blocks as subsequent phases come forward.

42 Following submission, the application has been amended to reduce the height of block 9 from 15 storeys to between 8 and 9 storeys. The Council expressed concern that the introduction of a tall building in outline form needed to be considered in detail. A landmark building on block 9 is supported in principle, as it will provide a key focal point for the area. This should however be tested in detail as required by the Council, against local and any relevant strategic views. A design code for the tall building is one solution, however, the Council has requested the amendment as proposed, which results in a similar approach with the other proposed townscape changes, which are broadly acceptable, with the exception of the railway blocks as set out above.

Design code

43 The design code has been submitted as a separate document as requested by the GLA. This is welcome and contains principles and parameters that will inform the later detailed design of the outline for phases 2-5. Whilst the document is supported, it does not contain guidance on flat layouts or space standards. This document will provide the Council and future developers with the blueprint for high quality design and as such should include sample flat layouts. A similar approach has been adopted for other strategic schemes such as the Royal Arsenal and Brent Cross Cricklewood. The detail secured now will ensure the proposals meet the aspirations of the London Plan to deliver high quality development at subsequent phases and therefore an addendum should be attached to cover these points.

Phase 1

44 The GLA has been in detailed discussion with the applicant at pre-application and since submission regarding detailed design of phase 1. The applicant has addressed the key design concerns raised by the GLA, in particular regarding function and layout of space, natural surveillance, ground floor uses and access to private amenity space. There is however no clear assessment of the space standards set out in the Housing Design Guide and the consultation draft replacement London Plan policy 3.5 and Table 3.3. The applicant should set out clearly where the Mayor's standards have been met and where they fall short this should be clearly justified.

Architectural appearance

45 The appearance of buildings for phase 1 represent the only element of detail finish design that has been worked up at this stage. Materials including steel, glass and buff brick which are generally understated and blend broadly into the existing context, particularly the view north along Portobello Road. Whilst the approach is broadly acceptable, it is somewhat disappointing that

there is limited reference in the architectural appearance to the context of the area as a vibrant and distinctive market trading environment with a very distinct history and character. The design code could improve this relationship along with the other amendments set out in this report.

Delivery of open space

46 The layout and uses of the new open space will be considered in detail at a later stage as the Council has advised it is to deliver this space for local residents, in consultation with local residents. As discussed with officers at the Council and the applicant there should be a mechanism that requires delivery of the park with obligations on the Council/applicant to ensure the land is restored as required in accordance with the Council's planning brief for the site. This should include all aspects of the new open space in terms of formal and informal recreation and play facilities.

47 The Council also needs to safeguard the land interest (as a public space) in the event that phase 1 is delivered, but other phases do not come forward. In such a scenario there may be a loss of open space and therefore the applicant will need to demonstrate how such a scenario could be overcome to ensure that if subsequent phase do not come forward, replacement open space can be provided to meet the requirements of the SPG. The GLA welcome further discussion on this matter.

Access

48 London Plan Policy 4B.5 (and draft consultation replacement London Plan policy 7.2) requires proposals for development to meet the highest standards of accessibility and inclusion (not just the minimum building regulation requirements).

49 There is no clear strategy for access, or strategy which sets clear parameters for later phases or submissions of reserved matters. Notwithstanding the lack of clarity regarding a definitive strategy, access has been a consideration by the design team through the evolution of the proposals, in particular phase 1. The applicant commits to 100% lifetime homes and 10% wheelchair accessible homes. It is however not clear how flats meet these standards. Example layouts should be provided for phase 1.

50 The draft consultation replacement London Plan includes Policy 7.1 on achieving Lifetime Neighbourhoods, which extends the inclusive design principles of Lifetime Homes to the neighbourhood level i.e. ensuring that families with small children, older people and disabled people can move around, enjoy and feel secure in their neighbourhoods, where designs enable everyone to fully participate in and contribute to the life of the community and can easily access public transport, basic amenities, shops and open spaces and where public facilities such as toilets and seats are planned in from the outset. The design team have created a positive arrangement of streets and open spaces. These principles should be applied throughout the reserved matters stages, to public realm and amenity space. The lack of a clear access strategy currently limits the ability of the Council to ensure these matters are consistently addressed at subsequent submissions. The principles should therefore be extracted into a single overarching strategy that can be referred to for all subsequent reserved matters applications. An example of how this is being approach is the Olympic planning application, which set out a high level but very short document which identified a key vision which underpins the approach to any subsequent detail. The GLA can assist in producing this as part of ensuring the application will deliver an inclusive environment.

Children's play space

51 Policy 3D .13 of the London Plan sets out that "the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 520 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 5,200 sq.m. of playspace.

52 The age category will comprise the following:

0 – 4 = 167 (1,670 sq.m.)

5 – 10 = 208 (2,080 sq.m.)

11 – 15 = 145 (1,450 sq.m.)

53 This represents significant population of young people at the end state of the proposed regeneration. The strategy needs to take account of the needs of existing and future residents. Key to this is access to play space during and after construction.

54 The applicant dismisses the GLA methodology and seeks to provide 6 doorstep play areas, one local area play space (as part of Athlone Gardens) and a neighbourhood area of play space as part of the Venture Centre (Council owned). The requirements are clear as set out in the GLA's SPG on play space which draws out a minimum requirement for 5,200 sq.m.: "The approach taken by the applicant provides a total of 3,400 sq.m. which falls significantly short of the GLA methodology calculations. Having regard to the GLA's 10 sq.m. per child as being a minimum it is unclear why the applicant has not sought to provide play provision closer to the policy requirement, in particular the middle and most populated age group of 5-10.

55 The largest contributions to play space also remain beyond the applicant's control, that being the delivery of the replacement Athlone Gardens, and the replacement Venture Centre. As such planning obligations requiring the applicant to deliver these facilities would not be possible as they are third party dependent. A solution to ensure delivery of this space will be required as set out in the design response in this report.

56 What is also unclear is how the masterplan and phase 1 are being treated. The applicant has not distinguished how the play strategy links into the reality of the phasing plan. It is clearly necessary given the uncertainty to delivery of subsequent phases, that the Council and the GLA understand how phase 1 could function in isolation in the event of delays or of failure to deliver subsequent phases, this includes providing access to adequate range of open space for each phase up to the end state.

57 These matters require further discussion prior to the Mayor's formal consideration of the application at the final determination stage.

Sustainable development

58 London Plan policies 4A.4 to 4A.7 require the submission of an energy demand assessment along with the adoption of sustainable design and construction, demonstration of how heating and cooling systems have been selected in accordance with the hierarchy and how the development will minimise carbon dioxide emissions, maximise energy efficiencies, prioritise decentralised energy

supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy. New policies on energy in the draft consultation replacement London Plan are set out in chapter 5.

Energy summary

59 The energy strategy considers the broad principles outlined in the London Plan to be lean, be clean and be green. What is not clear is the distinction between the detailed phase 1 energy strategy and the wider masterplan energy strategy. These should be separated so it is clear that there is a spatial masterplan approach that sits above each phase, and it should be made clear as each phase comes forward, how they are consistent with the overarching masterplan strategy and carbon savings which should be secured by the Council in either carbon commitments set out in the section 106, or through revised documentation.

Baseline carbon dioxide emissions

60 London Plan policy 4A.3 seeks that borough's "ensure future development meet the highest standards of sustainable design and construction". Baseline emissions have been calculated using suitable modelling. The applicant has confirmed that non-regulated energy use, such as appliance use has been included in the baseline emissions, however it is unclear if these calculations apply to the masterplanned area or just phase 1.

Energy efficiency

61 Energy efficiency and conservation measures are applied beyond those normally incorporated into a 2006 Building Regulations compliant design. This incorporates measures such as passive design, enhanced thermal performance of the building fabric and enhanced electrical efficiency and conservations measures such as U-values, air permeability, intelligent and energy efficient lighting and solar shading. The applicant has estimated that this would result in an energy reduction of 7% and a carbon dioxide emission reduction of 9.3%. Whilst these savings are fairly low, it is unclear whether these apply to the masterplanned area or just phase 1.

District heating/CHP

62 London Plan policy 4A.6 states that the Mayor will expect all major developments to demonstrate that the proposed heating and cooling systems have been selected in accordance with the hierarchy identified in Policy 4A.6. The applicant has indicated that the use of a centralised energy centre as district network, powered by combined heat and power technology, is the preferred approach. The applicant proposes to serve the various dwellings via the car parks and a piped distribution network, i.e. energy centres will be located in basement blocks. The applicant should illustrate how these will come forward and the extent of the network on plan. At this stage the applicant needs to set out how the energy strategy will grow, for example:

Phase 1:

- A single communal heating network supplying all dwellings with the exception of the houses. A single energy centre housing all heat generating plant should supply this communal heating network.

Phase 2:

- A single communal heating network supplying all dwellings with the exception of the houses. A single energy centre housing all heat generating plant should supply this communal heating network.

Phase 3:

- At the end of Phase 3, a district heat network should supply phases 1, 2 and 3 from a consolidated energy centre, which should allow for an increase in the installed plant capacity to also supply subsequent phases (the space provision for this extra capacity should be demonstrated on indicative plans). Combined heat and power should supply the consolidated heat network. The applicant should provide an initial estimation of suitable combined heat and power capacity at the end of Phase 3 and plan for any extra capacity that will be required for subsequent phases. The applicant should provide evidence that initial contact with Energy Service Companies (ESCOs) has been made in order to understand how the scheme could be implemented and the implications of this.

Subsequent phases

- The network established for phases 1, 2 and 3 should then be developed to link the subsequent phases.

Cooling

63 Insufficient information has been supplied on cooling. The applicant should submit a cooling strategy, which addresses the potential risk of overheating and sets out measures to minimise the need for active cooling systems. The applicant should clarify which areas (if any) require active cooling and how this would be provided.

64 Where the use of natural or mechanical ventilation is not enough, proposals should include details of the cooling infrastructure proposed including efficiencies, ability to take advantage of free cooling or renewable cooling sources.

65 The applicant should also investigate whether combined cooling heat and power (CCHP) provides an opportunity to supply part of the cooling loads.

Renewable energy technologies

66 The applicant has assessed a range of renewable options and proposes the use of photovoltaic panels (PV). The energy strategy indicates that 3,100 sq.m. of PV will be installed across the masterplan, which will provide a further 20% reduction in carbon dioxide emissions. This is significant contribution from PV alone and has not been considered in full technical detail in terms of the realistic delivery of such savings. The applicant's commitment and investment to delivering such a strategy should be commended, as there will be significant upfront costs and a medium to long term payback over 12 years. What is not clear is how the carbon savings have been reached. It is also unclear where the proposed 3,100 sq.m. PV will be located. It is also unclear what proportion will be split across each phase, for example what will comprise the renewable element for phase 1. These matters should be confirmed prior to the Mayor's final determination of the scheme.

Climate change

67 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contribute to flood risk reductions, including applying sustainable drainage principles, minimise water use and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls and water.

Overheating (Policy 4A.10)

68 The passive measures appear to be shown within the design and access statement in terms of the layouts proposed, including the use of double and multi aspect apartments. The provision of houses across the masterplan will provide a significant proportion of units with cross ventilation options, which is supported. This design work is not, however, articulated in the energy strategy in terms of reducing levels of overheating.

Living roofs and walls (Policy 4A.11)

69 The masterplan and Phase 1 should include a mix of green and brown roofs consistent with London Plan policy 4A.11. This can be conditioned by the Council.

Flooding (4A.12), sustainable drainage (4A.14) water use (4A.16)

70 A Flood Risk Assessment has been submitted with the application and includes appropriate mitigation measures assessed in accordance with the requirements of PPS25.

71 Whilst this is the case the development should consider the use SUDS techniques to reduce the run-off from the redevelopment. These provisions could be secured by planning condition or section 106 agreement.

72 Policy 4A.16 sets a maximum water use target of 105 litres per person per day for residential dwellings. The applicant should make a clear commitment to meeting this policy requirement, which should be secured by condition by Kensington & Chelsea Council.

Transport for London's comments

Site Layout & Access

73 The proposed street arrangement is considered to be broadly acceptable, however, TfL has concerns regarding the amount and location of the on street parking and the arrangement of the new Portobello Road/Wornington Road junction. The details of this and other accesses must be subject to a safety audit to ensure that the design is acceptable in safety terms for all road users with a particular focus on pedestrian and cycle links given the urban area. The details of the access arrangements will be agreed through the section 278 agreement.

Car Parking

74 TfL opposes the proposed increase in the overall number of car parking spaces on the site as this is not consistent with London Plan Policy 3C.23 *Parking Strategy* (including annex 4) and consultation draft replacement London Plan policy 6.13 *Parking*. The proposals should be amended to ensure that there is a significant reduction in the amount of parking that is provided with appropriate measures in place via the Travel Plan and a parking management plan to provide for a car club package and restrictions on parking permits.

75 The existing arrangement has a total of 367 parking spaces comprising 176 on street spaces (142 residents parking permits, 32 P&D bays/2 disabled bays) and 191 off-street parking spaces for use of the existing tenants of the 538 affordable dwellings.

76 The proposals set out that there will be 349 on street parking spaces and 378 off street parking spaces within a new basement parking area. Hence there will be a net increase of 360 and a total of 727 parking spaces. There will also be 38 motorcycle parking spaces provided off-street.

4 of the on-street spaces will be used for car club spaces; 41 spaces will be used for a mix between pay and display, disabled and market traders; the remaining 304 spaces will be for residents.

77 No information is provided clarifying how many existing occupiers have valid off-street permits and it is possible that there is significant under utilisation of the existing off-street parking provision and that the proposed increased parking provision could lead to greater car ownership/use and over provision of parking. The survey information should also clarify the total occupancy of the estate in order to put the survey data and trip generation figures into context.

78 *The London Plan: consultation draft replacement (October 2009)* also states that 20% of all residential spaces must be for electric vehicles (or 1 point/ 5 car parking spaces) with an additional 20% passive provision. For commercial development the target is 20% with a further 10% passive provision, and for retail 10% with a further 10% passive provision. For passive provision the developer is expected to demonstrate that the additional spaces or points can be provided at the time of implementation or at some time in the future.

79 TfL supports the proposed provision of 4 car club spaces although given the scale of this development TfL recommends increasing the provision of car club vehicles in place of a reduced level of parking.

80 *The London Plan: consultation draft replacement (October 2009)* states that all development in areas of good public transport accessibility should aim for significantly less than 1 space per unit. TfL considers that the overall provision of 733 spaces is excessive in a location with a PTAL of 4 and that the overall level of parking should not be above the current level of parking demand in order to meet strategic objectives and to ensure general conformity with London Plan Policy 3C.23 *Parking Strategy* (including annex 4) and draft revised London Plan policy 6.10 *Parking*.

Cycle parking

81 The applicant is proposing 1,000 cycle parking spaces for the residential element, this falls below TfL standards, as for units with 3 or more bedrooms 2 cycle parking spaces are required. It is acknowledged that this is a high level of cycle parking provision however the applicant has not provided any justification for not meeting the minimum standards adopted by TfL as referred to in the draft revised London Plan. TfL recommends that the option of a cycle hire facility including the London Cycle Hire Scheme is investigated with the borough and TfL as a travel plan measure.

82 26 cycle parking spaces are proposed for commercial uses however the use class is not yet known. TfL requires use of a planning condition which secures cycle parking in accordance with TfL cycle parking standards. TfL also requests that all cycle parking locations are clearly shown on the site plans and that showers and changing facilities are provided for the commercial uses. Further provision of or justification for cycle parking is required in order to ensure general conformity with London Plan Policy 3C.22 *Improving conditions for cycling* and London Plan: consultation draft replacement (October 2009) Policy 6.9 *Cycling*.

Walking and cycling

83 The assessment of the existing pedestrian environment contained within the Transport Assessment (TA) is inadequate. For a development of this scale TfL expects a detailed review such as PERS to be carried out of pedestrian environment including routes to public transport facilities, schools, GPs and shops. In order to encourage and enable walking trips TfL expects any deficiencies identified to be funded by the applicant through the s106 agreement, in order to ensure general conformity with London Plan Policy 3C.21 *Improving conditions for walking* and London Plan: consultation draft replacement (October 2009) Policy 6.10 *Walking*.

84 The TA states that the roads alongside Athlone Gardens have a reduced footway width. TfL recommends that the feasibility of widening these footways is investigated. It may be the case that removing some of the on-street car parking around Athlone Gardens would enable wider footways, a more amenable pedestrian environment and help to achieve goals set out on London Plan policy regarding car parking levels.

85 Where a shared surface approach for the carriageway is proposed such as the mews roads or at the Northern end of Portobello Road, the applicant must ensure that this arrangement is made clear and safe for all users including vulnerable users through use of colour and tactile delineation and signage.

86 The TA states that the closest cycle route is the LCN Route 120 along Ladbroke Grove. Again considering the scale of the development and in line with London Plan Policy 3C.22 *Improving conditions for cycling* and London Plan: consultation draft replacement (October 2009) Policy 6.9 *Cycling* the applicant should pursue the extension of existing routes to provide a direct link to the site.

Trip generation

87 TfL Best Practice Guidance requires Public Transport trips to be split by modes including walking and cycling. A lot of analysis into the impact on the highway network has been done but the Public Transport trips have not been assessed properly. The trip generation analysis should be re-calculated for every proposed land use for all modes of transport using 2001 census data and be broken down into time intervals, as well as direction.

88 Other committed developments in the vicinity of the development have been considered within the TA in order to provide an understanding of the cumulative impact on the transport network. However, full multi-modal assessment is still required before TfL can provide a full appraisal of the scheme.

Public transport

89 In order for TfL to assess the impact of this significant development on Public Transport the applicant must split the 'Walk and Public Transport' trips into specific modes with separate trips allocated to each. A directional split should also be provided for bus and London Underground trips. This work is essential for this application to be robustly assessed to ensure general conformity with London Plan Policy 3C.2 *Matching development to transport capacity* and London Plan: consultation draft replacement (October 2009) Policy 6.3 *Assessing transport capacity*. Any contribution required in order to mitigate the impact of the development will need to be phased according to the development triggers.

90 TfL welcomes the applicant's commitment within the TA to contribute towards upgrades of bus stops along Ladbroke Grove. TfL audits show that there are a total of 11 bus stops within 400m of the site which require upgrading to meet TfL Bus Stop Accessibility standards 2006. Therefore TfL requests a contribution of £96,000 in line with London Plan Policy 3C.20 *Improving conditions for buses* and London Plan: consultation draft replacement (October 2009) Policy 6.7 *Buses, bus transits, trams*.

Highway impacts

91 Existing traffic conditions on the Harrow Road (SRN) are congested at peak times and TfL expects this development to exasperate the problem at the Ladbroke Grove junction. This provides further justification that the level of car parking provision be reduced.

Deliveries, servicing and construction

92 Servicing of non-residential activities will take place on street. Refuse and recycling will be undertaken by normal RBKC vehicles. Details of the expected number of service delivery vehicles required are provided which is useful, however TfL will require submission of a Delivery and Servicing Plan (DSP) which should seek to rationalise servicing with the aim to reduce the number of trips made and to avoid critical times on the road network. The DSP should identify efficiency and sustainability measures to be undertaken once the development becomes operational. Swept path diagrams should be submitted to demonstrate the safe manoeuvring of delivery vehicles in forward gear at all times.

93 A Construction Traffic Management Plan has been submitted with the planning application. TfL welcomes the general aims of the document but the final arrangements for construction traffic routes will need to be agreed with both TfL and the borough in advance of work commencing. It is satisfactory for this to be secured by planning condition.

94 Both these measures will ensure general conformity with London Plan Policy 3C.25 *Freight strategy* and London Plan consultation draft replacement, October 2009 Policy 6.14 *Freight*.

Travel plan

95 The Outline Residential Travel Plan submitted with this application has failed its ATTrBuTE evaluation as a number of key changes are required. As the accompanying transport assessment is for the entire estate, the travel plan must also cover the entire site. As the proposals include residential as well as commercial land uses, a framework travel plan is the appropriate form of submission at this time. The residential travel plan can be encompassed within the framework travel plan, with the timescales for the development of full travel plans or travel plan statements for the retail/business occupiers also being detailed. TfL's 'Guidance for workplace travel planning for development' and 'Guidance for residential travel planning in London' should be referenced.

96 The transport assessment includes greater detail on access to the site for pedestrians, cyclists and motor vehicles and gives a more complete listing of available public transport services (including a table of bus services). This information is required to be within the travel plan to the same level of detail. As the site is an existing housing estate, a baseline modal split should be established at this time by conducting on-site travel surveys. This information should be consistent with information presented in the transport assessment. Objectives and targets must be based on this baseline data. The phasing of the development should be taken into account in both the setting of targets and the monitoring programme. The package of measures should be further developed and an action plan should be included. The importance of Travel Plans is highlighted in London Plan Policy 3C.2 *Matching development to transport capacity* and Plan: consultation draft replacement (October 2009) Policy 6.3 *Assessing transport capacity*.

Summary

97 In conclusion, there are a number of significant issues to be addressed in order for this application to be acceptable in transport terms. Critically the public transport trip generation needs to be split into individual modes and by direction and the level of car parking provision needs to be clarified and reduced. Further information on the pedestrian and cycling environment is required as is the full amount of cycle parking in line with TfL standards. A Delivery and Servicing Plan and Construction Management Plan should be secured by condition and improvements to the Travel Plan are required and the Travel Plan should be secured through the section 106 agreement.

Local planning authority's position

98 The Council has a land interest in the application. Separate to this, planning officers at the Council have been negotiating with the applicant and the GLA regarding all those matters identified in this report. The Council intends to report the application in February. The officer recommendation is unknown.

Legal considerations

99 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

100 There are no financial considerations at this stage.

Conclusion

101 London Plan policies on housing, housing mix, estate renewal, regeneration, urban design, open space, energy and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons

- Principle of development (compliant): Estate renewal is supported in principle.
- Hazardous installations (non compliant): Confirmation required regarding the impact of near by Kensal gasworks and location of the HSE consultation zones.
- Affordable housing (non compliant): The test for the maximum reasonable amount of affordable housing is subject to the conclusions of the independent valuer.
- Affordable housing mix (non compliant): significant loss of family housing based on needs of existing tenants needs further justification.
- Urban design and access (non compliant): The design code lacks reference to space standards and the access strategy has not been produced, example layouts for the accessible units have not been provided.
- Open space: (non compliant): securing the delivery of the open space is unclear.
- Play space: (non compliant): The play space strategy falls significantly short of the GLA's methodology for play provision.
- Energy (non compliant): The energy strategy should set out an overall strategic approach and how phases will be consistent with that, including in setting carbon reduction targets. The strategy also needs to articulate how the network will grow as phases come forward, in the same detail shown in the phasing plan.

- Climate change (compliant): subject to commitment to water saving targets, green roofs and sustainable urban drainage.
- Transport (non compliant): As set out in the main body of the report under TfL comments.

102 The application does not comply with the London Plan.

103 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- Hazardous installations: confirmation required regarding the impact of near by Kensal gasworks and location of HSE consultation zones.
- Affordable housing: the outcome of the viability review will determine the housing negotiations.
- Affordable housing mix: further evidence to support the loss of family housing is required.
- Urban design and access: additional addendums to the design code regarding access strategy and space standards.
- Open space: the mechanism for securing delivery must be set out clearly.
- Play space: the provision is significantly short of the GLA requirements and requires further justification.
- Energy: a clear solution showing how the district network will grow, commitments to carbon savings to be secured by condition/section 106. Clear distinction between the outline strategy and the detailed phases and how these will be tested at each phase against the commitments in the conditions/section 106. Further work regarding cooling and showing how the renewables commitment will be delivered.
- Climate change: commitments to water saving targets, green roofs and sustainable urban drainage should be secured by condition.
- Transport: address the points raised in the main body of the report under TfL comments.

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