

**ROYAL BOROUGH OF KENSINGTON AND CHELSEA
REPORT BY EXECUTIVE DIRECTOR,
PLANNING AND BOROUGH DEVELOPMENT**

APP NO. PP/09/02786/Q06

Major Planning Development Committee 22/02/2010

AGENDA ITEM NO. N9

SITE ADDRESS

**Wornington Green
Estate - Land bounded
by the main railway,
Wornington Road,
Munro Mews, Portobello
Road and including land
fronting Ladbroke Grove
near the Barlby Road
junction London W10**

**APPLICATION 23/11/2009
DATED**

**APPLICATION 01/12/2009
COMPLETE**

**APPLICATION 27/01/2010
REVISED 01/02/2010**

APPLICANT/AGENT ADDRESS

**Mrs E Mason
CB Richard Ellis Ltd
Kingsley House
Wimpole Street
LONDON
W1G 0RE**

| | | | | | |
|------------------------|----|---------------------|-----|-------------|----------|
| <u>LISTED</u> | No | <u>CONS.</u> | N/A | WARD | Golborne |
| <u>BUILDING</u> | | <u>AREA</u> | | | |

| | | | | | |
|--------------------|----|------------------------|--|----------------|----|
| <u>CAPS</u> | No | <u>ENGLISH</u> | | ART '4' | No |
| | | <u>HERITAGE</u> | | | |

| | | | | |
|-------------------------|--------------------------|-----------------------|------------------------|------------------------|
| <u>CONSULTED</u> | <u>OBJECTIONS</u> | <u>SUPPORT</u> | <u>PETITION</u> | <u>COMMENTS</u> |
| 1950 | 55 | 9 | 0 | 8 |

Applicant Kensington Housing Trust

PROPOSAL: Demolition of existing buildings and temporary partial loss of existing open space (Athlone Gardens) to facilitate redevelopment to provide new residential accommodation of up to 1000 units, up to a maximum of 3,104 square metres (GEA) of non residential floorspace (within Classes A1, A2, A3, A5 and/or Class B1 Use Classes), reprovision of the community facilities and its associated outdoor adventure playspace (total of 1,883 square metres) (within Use Classes D1 and D2) relocation and reprovision of an area of open space (Athlone Gardens) (9,186 square metres) reprovision of 20 lock ups (within Use Class B8), provision of a temporary energy centre in Phase 1 to be replaced by a permanent

energy centre, provision of landscaping, provision of a new internal road network based on a traditional internal street pattern, access junctions and associated road including the reconnection of the junction with the external road network at Ladbroke Grove and Portobello Road and Wornington Road at Barlby Road, up to 725 car parking spaces (on street and off street) and 1062 cycle parking spaces, with details submitted for Phase One and all other matters reserved.

**RBK&C Drawing No(s):PP/09/02786 and PP/09/02786/A
PP/09/02786/B**

Applicant's Drawing No(s): AA0651_2.1_1001E, AA0651_2.1_1003E, AA0651_2.1_1004D, AA0651_2.1_0001, AA0651_2.1_0002, AA0651_2.1_0003, AA0651_2.1_0004, AA0651_2.1_0005, AA0651_2.1_0006, AA0651_2.1_0007, AA0651_2.1_0008, AA0651_2.1_0009, AA0651_2.1_0010, AA0651_2.1_0011, AA0651_2.1_0012, AA0651_2.1_0013, AA0651_2.1_0014, AA0651_2.1_0015, AA0651_2.1_0016, AA0651_2.1_0017, AA0651_2.1_00018, AA0651_2.1_0019, AA0651_2.1_1013A, AA0651_2.1_0061D, AA0651_2.1_0062G, AA0651_2.1_0063A, AA0651_2.1_0064F, AA0651_2.1_0070L, AA0651_2.1_0071M, AA0651_2.1_0072J, AA0651_2.1_0073G, AA0651_2.1_0074G, AA0651_2.1_0075G, AA0651_2.1_0076F, AA0651_2.1_0077F, AA0651_2.1_0078I, AA0651_2.1_0080H, AA0651_2.1_0081H, AA0651_2.1_0082I, AA0651_2.1_0083I, AA0651_2.1_0084H, AA0651_2.1_0085F, AA0651_2.1_0090G, AA0651_2.1_0100I, AA0651_2.1_0101I, AA0651_2.1_0102I, AA0651_2.1_0103I, AA0651_2.1_0104H, AA0651_2.1_0105H, AA0651_2.1_0106F, AA0651_2.1_0107F, AA0651_2.1_0108F, AA0651_2.1_0109F, AA0651_2.1_0110F, AA0651_2.1_0111F, AA0651_2.1_0112H, AA0651_2.1_0113H, AA0651_2.1_0140H, AA0651_2.1_0141H, AA0651_2.1_0142H, AA0651_2.1_0143H, AA0651_2.1_0144G, AA0651_2.1_0145H, AA0651_2.1_0146E, AA0651_2.1_0147D, AA0651_2.1_0148G, AA0651_2.1_0149F, AA0651_2.1_0150G, AA0651_2.1_0151E, AA0651_2.1_0160F, AA0651_2.1_0170G, AA0651_2.1_0180B, AA0651_2.1_0200J, AA0651_2.1_0201J, AA0651_2.1_0202I, AA0651_2.1_0203F, AA0651_2.1_0204F, AA0651_2.1_0205F, AA0651_2.1_0206F, AA0651_2.1_0207E, AA0651_2.1_0208H, AA0651_2.1_0220I, AA0651_2.1_0221H, AA0651_2.1_0222G, AA0651_2.1_0223G, AA0651_2.1_0224I, AA0651_2.1_0225I, AA0651_2.1_0226I, AA0651_2.1_0227H, AA0651_2.1_0240I, AA0651_2.1_0250E, AA0651_2.1_0260I, AA0651_2.1_0300J, AA0651_2.1_0301J, AA0651_2.1_0302I, AA0651_2.1_0303F, AA0651_2.1_0304F, AA0651_2.1_0305E, AA0651_2.1_0306F, AA0651_2.1_0307F, AA0651_2.1_0308H, AA0651_2.1_0320I, AA0651_2.1_0321I, AA0651_2.1_0322G, AA0651_2.1_0323G, AA0651_2.1_0324I, AA0651_2.1_0325J, AA0651_2.1_0326H, AA0651_2.1_0327H, 50015401-GA-001J, 50015401-GA-002H, 50015401-GA-003H, 50015401-GA-004F, 50015401-HL-001J, 50015401-TS-001L, 50015401-TS-002G, 50015401-TP-001F, 50015401-DT-001F, 50015401-DT-003G, 50015401-DT-0008C, 50015401-DT-0010E, 50015401-DT-0011E,
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50015401-DT-0012B, 50015401-EL-0001F, 50015401-EL-0002H,
50015401-EL-0003H, 50015401-EL-0004G, 50015401-PP-001H,
50015401-PP-002F, 50015401-PP-003F, 50015401-PP-004F,
9797-C013-D2, AA0651_2.1_1002I, AA0651_2.1_1005B,
AA0651_2.1_1006C, AA0651_2.1_1013B, AA0651_2.1_1014C,
AA0651_2.1_1060F, AA0651_2.1_1061E, AA0651_2.1_1062A,
AA0651_2.1_1070C, AA0651_2.1_1071F, 50015401-MP-001G. Existing
Tree Condition and Tree Retention Strategy REV D.

RECOMMENDED DECISION:

- 1) Resolve subject to there being no Direction to the contrary by the Mayor of London to grant outline planning permission for Phase One (all details submitted) and Phases 2-5 (all matters reserved) subject to conditions and the prior completion of a S106 Planning Obligation on the terms set out in this report**

- 2) DELEGATE to the Executive Director, Planning and Borough Development the authority to issue the Planning Permission following completion of a S.106 Agreement.**

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. (C002)

Reason - As required by Section 92 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised planning permissions. (R002)

2. **In respect of Phases 2-5 of the development hereby approved, applications (including the submission of layouts, plans , sections and elevations) for approval of the following reserved matters**

- a) appearance
- b) landscaping
- c) layout
- d) scale
- e) means of access

shall be made not later than the expiration of three years of the date of this permission. These shall be submitted to and agreed in writing by the Planning Applications Committee. The components comprising Phases 2-5 shall in all aspects be carried out in accordance with the details so approved and shall be so retained.

Reason - The particulars hereby reserved are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory.

3. **Prior to commencement of development full particulars of the following shall be submitted to and approved in writing by the Planning Applications Committee and the development shall not be carried out otherwise than in accordance with the details so approved and shall be so retained:**

- a) **samples of all materials to be used on the external faces of Blocks 1,2 and 3;**
- b) **samples of materials and detailed drawings (at**

Scale 1:20) of all fenestration, including surrounds, panelling, framing and glazing details and balustrades (including all roof terraces) of Blocks 1, 2 and 3;

c) samples of materials and detailed drawings (at Scale 1:20) of all penthouse floors to Blocks 1, 2 and 3. These details should include a reduction in height of these floors;

d) details of all elevations (at Scale 1:20) including entrances to Blocks 1, 2 and 3;

e) the treatment of all open land within the site including hard and soft landscaping, this should include details of the size and type of trees proposed within the site together with detailed drawings (at Scale 1:20) showing the associated tree pits.

Reason - The particulars are considered to be material to the acceptability of the development and the Local Planning Authority wishes to ensure that the details of the development are satisfactory.

4.

Full particulars of the following in respect of each relevant part of the development shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development prior to commencement of the relevant part of the development and the development shall not be carried out otherwise in accordance with the details so approved and shall be so retained:

a) details of cycle parking to Block 1;

b) details of means of external ventilation including that to the basement car park;

c) all proposed boundary treatments including all proposed walls, fences, or railings.

Reason - The particulars are considered to be material to the acceptability of the development and the Local Planning Authority wishes to ensure that the details of the development are satisfactory.

5. **All planting, seeding and turfing, forming part of the approved details of landscaping, shall be carried out in the first planting and seeding season following the first occupation of the development or the completion of the development whichever is the sooner and any trees or plants which, within a period of 5 years from the first planting and seeding season referred to above, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives its written consent to any variation. (C018)**

Reason - To protect the amenity of the area. (R018)

6. **During the implementation of this permission, no tree within the curtilage of the site shall be lopped, topped, or felled, or root pruned, without the prior written approval of the Executive Director, Planning and Borough Development. (C023)**

Reason - To ensure that the trees are adequately protected, to safeguard their contribution to the amenities of the area. (R020)

7. **The works shown on drawing No 50015401-TS-001 and the Existing Tree Condition and Tree Retention Strategy detailing tree removal, tree retention, tree protection and new planting during Phase 1 of the development hereby approved shall be completed in full. Any alterations to these drawings shall be submitted to and agreed in writing by the Executive Director, Planning and Borough Development prior to the commencement of the relevant part of the works and shall not be carried out otherwise in accordance with the details so approved.**

Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area.

8. **The tree protection scheme as indicated on Drawing No 50015401-TP-001 should be adopted and approved by the Executive Director, Planning and Borough Development prior to the commencement of works on site and shall not be carried out otherwise than in accordance with the details so approved.**

Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area.

9. **Notwithstanding the details shown on Drawing 50015401-DT-011 Rev D, further details of the drainage system shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development prior to the commencement of works on site and the development shall not be carried out otherwise in accordance with the details so approved.**

Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area.

10. **A suitably qualified arboriculturist with membership of the appropriate professional body shall be appointed to supervise the tree protection measures throughout the entire duration of the development which have been submitted by the applicant and approved by the local planning authority throughout the entire duration of the development. These measures shall include all protective fencing around existing trees and excavations and storage of materials within the root protection areas. The appointment shall be confirmed in writing to the Executive Director, Planning and Borough Development prior to the commencement of development.**

Reason - To ensure that the trees are adequately protected and to safeguard the amenities of the area.

11. **Noise levels within habitable rooms shall comply with the recommendations of BS8233:1999 'Sound Insulation and noise reduction for buildings. The sound insulation of the facades of the buildings shall achieve the standard of sound insulation required, as defined in BS8233:1999. Details of the facade construction, including glazing, with commensurate composite sound insulation performance predictions shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development, in consultation with the Director of Environmental Health prior to the commencement of the relevant part of the development and shall be installed prior to occupation of the relevant part of the development and be so retained.**

Reason - To safeguard levels of residential amenity.

12. **Prior to the commencement of works on site (including works of demolition) a 'Demolition and Construction Method Statement (DCMS) shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The Method Statement shall detail and include measures in accordance with the best practicable means, used to minimise construction noise and vibration. The DCMS shall include reference to the paragraphs 8.93 - 8.96 of the submitted Environmental Statement Vol 1 (prepared by Campbell Reith Hill LLP) . The details so approved shall be implemented in full.**
Reason - To protect the amenities of nearby occupiers.
13. **All building services plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises and be so retained.**
Reason - To protect the amenities of occupiers of nearby properties.
14. **Prior to the commencement of works , a noise survey and report shall be submitted to and agreed in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The report shall show how noise from building services plant when installed will comply with conditions 12 and 14 and the Rating Noise Limits for electrical and mechanical plant in Table 8.24 of the submitted Environmental Statement Vol 1 (prepared by Campbell Reith Hill LLP). The measures in the report so approved shall be implemented in full and be so maintained.**
Reason - To safeguard the amenities of neighbouring properties.
15. **Noise emitted by all building services plant including that from atmospheric vents shall be 10dBA below the existing measured lowest LA90 (10 min) background noise level at any time when all plant is in use. The noise emitted shall be measured or predicted at 1.0 metre from the facade of the nearest residential window or at 1.2 m above any adjacent residential garden, terrace, balcony or patio. Should the plant fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply.**
Reason - To protect the amenities of nearby occupiers.

16. **If ventilation systems are required in order to comply with the requirements of Condition 10, shall comply with Document F1 of the Building Regulations 2000 (as amended). All ventilation systems installed shall have adequate sound attenuation properties that maintain the facade sound insulation as required by Condition 10.**

Reason - To safeguard levels of residential amenity.

17. **Vibration Dose Values (VDVs) as defined in BS 6472-1:2008 shall not exceed those Table 1 of BS 6472. The measured or calculated VDVs generated as a result of vibration affecting the site shall be adjusted as necessary to allow for transfer functions from the ground to the foundations and to the upper floors of the proposed development. Where it is predicted that Vibration Dose Values will exceed those stated in Table 1, at any floor, mitigation measures to reduce vibration dose values to the levels stated in Table 1 BS 6472 shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The measures so approved shall be implemented in full and so retained.**

Reason - To safeguard levels of residential amenity.

18. **A Construction Traffic Management Plan shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development, in consultation with the Director of Transportation and Highways prior to each phase of the development. The statement should include:**

- **routing of demolition, excavation and construction vehicles;**
- **access arrangements to the site;**
- **the estimated number of vehicles per day/week;**
- **details of any vehicle holding area;**
- **details of any vehicle call up procedure;**
- **hours of vehicle access to the site**
- **estimates for the number and type of parking suspensions that will be required;**
- **details of any diversion, disruption or other abnormal use of the public highway during demolition, excavation and construction**

works;

- work programme and/or timescale for each phase of the demolition, excavation and construction works; and

- where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, parking bay suspensions and remaining road width for vehicle movements.

Each of the phases of the development shall be carried out in accordance with the approved Construction Traffic Management Plan.

Reason - In the interest of highway safety and to safeguard the amenity of the area.

19.

Prior to the commencement of the relevant part of the development, a Servicing Management Plan in respect of the non residential floorspace (within Classes A1, A2, A3, A5 and/or Class B1) shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways. The submitted plan should include the following:

- how delivery vehicles and servicing will be managed on site
- the hours of deliveries and servicing, timed to avoid peak traffic hours
- how deliveries will be controlled to ensure that the development does not adversely affect the highway
- an explanation of the controls on the types and sizes of vehicles accessing the site to ensure they are appropriate to the local area and environmentally acceptable in terms of exhaust and noise emission. No articulated vehicles will be accepted
- the plan should comply with the London Lorry Control Scheme operated by London Councils and with any other heavy goods vehicle controls
- details (including a plan) showing when and where legal on street servicing can take place

The development shall not be carried out otherwise in accordance with the details so approved and shall be so maintained.

Reason - To prevent obstruction of the surrounding streets and to safeguard the amenity of the area.

20. **Prior to the commencement of the relevant part of the development, details of the following shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways and the development shall not be carried out otherwise in accordance with the so details so approved and shall be so maintained. The details should demonstrate:**

- **how the development would meet the Councils minimum cycle parking standards for both the residential and non-residential uses;**
- **the provision of suitable showering and changing facilities;**
- **how the life access to the basement to Block 1 is suitable for cycles.**

Reason - The particulars are considered material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory.

21. **The net internal area (NIA) of the garages to Munro Mews hereby approved shall be 2.7 metres in width and 5 metres in length and be so retained.**

Reason - To prevent obstruction of the surrounding streets and safeguard the amenity of the area.

22. **A Car Park Management Plan shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways prior to commencement of each Phase of the development. The Car Park Management Plan should include the following:**

- **how car parking spaces shall be allocated between tenure types;**
- **confirmation that the parking provision and its allocation respects the Council's maximum car parking standards, taking into account the provision of new on street parking;**
- **that all car parking spaces should be used for the residents of the estate only, except for those spaces reserved for service vehicles;**
- **how electric car charging points will be provided and managed.**

The development shall not be carried out otherwise than in accordance with the details so approved and shall be so maintained.

Reason - The particulars are considered to be material to the acceptability of the development and the local planning authority wishes to ensure that the details of the development are satisfactory.

23. **Prior to commencement of the relevant part of the development, a detailed safety audit of all new roads and junctions shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Transportation and Highways prior to the approval of the detailed design of the roads and junctions that are contained in the Safety Audit so approved.**

Reason - In the interests of highway safety and to safeguard the amenities of the area.

24. **No more than 99 car parking spaces shall be permitted in Phase One and no more than 344 car parking spaces shall be permitted in total (Phases 1-5) of the development hereby approved and shall be allocated for use by occupiers of the market residential units.**

Reason - To safeguard the amenities of the surrounding area.

25. **The whole of the car parking spaces hereby approved shall be provided before the dwellings are occupied and the spaces shall thereafter be permanently retained for the parking of vehicles in connection with the residential use of the dwellings and for no other purpose except for those spaces reserved for service vehicles which have been identified in the approved Car Parking Management Plan. (C026)**

Reason - To prevent obstruction of the surrounding streets and safeguard the amenity of the area. (R026)

26. **A site investigation and risk assessment must be undertaken to assess the nature and extent of any contamination on the site prior to commencement of each phase of the development hereby approved. This must be undertaken by competent persons and a written report of the findings must be produced. The risk assessment shall assess the degree and nature of any contamination identified in the site investigation and assess the risk posed by any contamination to human health, controlled waters and the wider environment. The written report must be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health prior to remediation works**

commencing. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development must not be carried out otherwise in accordance with the details so approved.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

27. **A detailed remediation scheme must be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health prior to commencement of each phase of the development hereby approved. The scheme hereby approved should be capable of enabling the site to be suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. Each of the phases of the development shall not be carried out otherwise in accordance with the details so approved.**

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28. **Following completion of measures identified in the remediation scheme that has been approved by the local planning authority, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and should be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health and the measures contained in the report shall be implemented in full.**

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

29. **In the event that contamination is found at any time when carrying out the development hereby approved that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An additional investigation and risk assessment must be undertaken in accordance with the requirements of condition 25, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 26, which is subject to the approval in writing of the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health.**

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

30. **Prior to commencement of the development hereby approved, an additional air quality impact assessment is required to be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The air quality assessment must show how air quality will change during the construction and operational phase of the development alone and in combination with other cumulative developments and include a baseline comparison. The London Council's 'Air Quality and Planning Guidance' should be reported in the recommended format. The report should detail the parameters and measures undertaken to reduce the impact on the local environment. The assessment shall show any mitigation measures with regard to exposure to air pollution levels exceeding the national air quality objectives and how the impact of the development on the local environment will be reduced. Any such measures so approved shall be implemented in full. Further air quality assessments detailing all of the above requirements shall be submitted to and approved in writing by the Executive Director, Planning and**

Borough Development in consultation with the Director of Environmental Health prior to the commencement of each subsequent phase of the development.

Reason - To comply with Policy 4A.19 of the London Plan (2008).

31. **Prior to the commencement of the development hereby approved and at each subsequent phase of the development a low emission strategy shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The low emission strategy should address all traffic generated during the operational phase and energy and heating plant. The strategy should be in line with guidance contained in the Wornington Green and Air Quality Supplementary Planning Documents. The Low emissions strategy should also take into account the London Councils (2007) Air Quality and Planning Guidance and Defra guidance on Low Emissions Strategies -. A comparison of emissions from both the transport component and boiler plant from the existing development and the new development should be produced to compare current and future levels. Whole site calculations should be produced and a comparison of emissions per unit. The low emission strategy should include measures such as reduced parking levels, permit free, installation of electric charging points and the allocation of car club spaces.**

Reason - To comply with Policy 4A.19 of the London Plan.

32. **No boilers shall be brought into use until details of the fuel type to be used and a boiler maintenance schedule have been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. All boilers must be exempt appliances under the Clean Air Act 1993 and meet the equivalent of NOx5 rating. The development shall not be carried out otherwise than in accordance with the details so approved.**

Reason - To comply with Policy 4A.19 of the London Plan.

33. **Prior to the commencement of works, a risk assessment shall be undertaken based on guidance in the London Best Practice Guidance to control dust and emissions from construction and demolition, and be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of**

Environmental Health. The development shall not be carried out otherwise in accordance with the details approved.

Reason - To comply with Policy 4A.19 of the London Plan.

34.

Prior to the commencement of the development and at each subsequent phase of the development, a detailed Waste Strategy shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Directorate for Waste Management, Culture and Leisure and this shall include the following:

- locations of bin storage areas and collection points (showing which storage areas would serve which blocks);
- capacity of storage areas (including how many residents would be served by each area);
- identify and spare future capacity for bin storage areas;
- routes through estate for collection vehicles and a management plan for the maintenance of these routes;
- vehicle turning areas and associated dimensions;
- routes to be negotiated by waste crews and residents including details of road and pavement finishing;
- measures undertaken for on site management of waste strategy;

The development shall not be carried out otherwise in accordance with the details so approved.

Reason - The Council considers the details material to the acceptability of the proposal.

35.

Prior to the commencement of development a scheme of sound insulation, designed to prevent the transmission of excessive airborne and impact noise between the ground floor commercial uses (lock ups within Use Class B8) to Wornington Road (in Block 1) and the residential use at first floor levels and above has been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The sound insulation shall be installed and maintained only in accordance with the details so approved. The residential dwelling(s) shall not be occupied until the approved scheme has been fully implemented. (C53b)

Reason - To safeguard the amenity of neighbouring premises. (R53a)

36. **Prior to commencement of development a scheme of sound insulation, designed to prevent the transmission of excessive airborne and impact noise between the ground floor commercial uses and the residential uses at first floor level and above of Block 2) has been submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Director of Environmental Health. The sound insulation shall be installed and maintained only in accordance with the details so approved. The residential dwelling(s) shall not be occupied until the approved scheme has been fully implemented.**
(C53b)
Reason - To safeguard the amenity of neighbouring premises. (R53a)
37. **Prior to commencement of development details of the proposed door mechanism showing method of closing of the entrance doors to the market lock ups at ground floor level of Block 1 shall be submitted to and approved in writing by the Executive Director, Planning and Borough Development in consultation with the Directorate of Waste Management, Cultural and Leisure Services. The residential units at first floor level and above the lock up units in Block 1 should not be occupied until the details so approved have been implemented in full.**
Reason - To safeguard levels of residential amenity.
38. **The minimum gross internal floor areas (GIA) of each of the social housing units provided by the development hereby approved shall comply with the Parker Morris standards as set out in Table 3.1 of the Wornington Green Supplementary Planning Document and shall be so retained.**
Reason - To ensure a satisfactory standard of amenity.
39. **The development hereby approved shall be carried out in accordance with the Phasing Strategy as detailed on drawings nos AA0651_2.1_1013B and AA0651_2.1_1014C unless otherwise agreed in writing by the Executive Director, Planning and Borough Development.**
Reason - To safeguard the amenities of existing residents and those in the surrounding area.
40. **A minimum soil depth of one metre shall be maintained to the central garden areas to Blocks 2 and 3 hereby approved.**
Reason - To safeguard the amenities of the area.

41. **The proposed Combined Heat and Power plant and biomass boiler shall be maintained in accordance with manufacturers' instructions and shall be made available for use prior to the occupation of any of the proposed residential units.**
Reason - To ensure that the development contributes to the attainment of sustainable development.
42. **No development shall commence until a design stage Code for Sustainable Homes certificate has been submitted to and approved in writing by the Executive Director, Planning and Borough Development to demonstrate that all of the proposed residential units will achieve a Code for Sustainable Homes rating of level 3 or higher.**
Reason - To ensure that the development contributes to the attainment of sustainable development.
43. **No residential unit hereby approved shall be occupied until a Code for Sustainable Homes development completion certificate has been submitted to and approved in writing by the Executive Director, Planning and Borough Development to confirm that the residential unit in question has achieved a Code for Sustainable Homes rating of level 3 or higher.**
Reason - To ensure that the development contributes to the attainment of sustainable development.
44. **No residential unit hereby approved shall be occupied until a Code for Sustainable Homes development completion certificate has been submitted to and approved in writing by the Executive Director, Planning and Borough Development to confirm that the residential unit in question has achieved a Code for Sustainable Homes rating of level 3 or higher.**
Reason - To ensure that the development contributes to the attainment of sustainable development.

45. **No residential unit hereby approved shall be occupied until a Code for Sustainable Homes development completion certificate has been submitted to and approved in writing by the Executive Director, Planning and Borough Development to confirm that the residential unit in question has achieved a Code for Sustainable Homes rating of level 3 or higher.**

Reason - To ensure that the development contributes to the attainment of sustainable development.

46. **The outdoor adventure playspace associated with the community facilities shall be used only for outdoor recreation purposes, and for no other purpose including any other purpose within Class D2 of the Town and Country Planning (Use Classes) Order 1987, as amended. (C058)**

Reason - The Local Planning Authority considers that use for any other purpose would be detrimental to the amenity of the area and its residents. (R058)

1.0 SITE

1.1 Context

The Wornington Green estate is located in North Kensington, in the Golborne Ward, and is loosely bounded to the North by the mainline west railway line to Paddington, to the South-West by Portobello Road, and to the South-East by Munro Mews. The site is a triangular piece of land with its point meeting the Barlby Road/Ladbroke Road junction to the North-West. The site is located to the North-East of Ladbroke Grove and to the north east of Golborne Road. The site is approximately 5.1 hectares in area. In terms of transport links, the site is served well by public transport with the closest tube station located to the south on Ladbroke Grove and buses running along Ladbroke Grove itself. The Kensington & Chelsea college is located to the North-East of the site on Wornington Road, and backs on to the railway lines. The building context around the site is predominantly 3 and 4 storeys in height, with the exceptions of Raymede Tower and Treverton Tower to the West, and the Adair Tower and Trellick Tower to the North-East. The surrounding area is predominantly in residential use, although there are a number of shops to the North West of the site on the Barlby Road roundabout, along Golborne Road to the South-East of the site and a large supermarket to the West.

1.2 The Existing Buildings

The existing site contains 538 social rented affordable homes, comprised predominantly of flats and maisonettes with a small number of self-contained houses. The blocks range in height from 3 to 6 storeys across the site, and are characterised by shared entrances, common stairwells and external horizontal deck access. The larger blocks to the North-West of the site are arranged around large external courts that are either surface car parks, or landscaped areas with no particular street frontage. There are 23 blocks on the site which broadly fit into 6 different typologies which have been referred to in the submitted Design & Access statement. The typologies consist of: large linked blocks to the northwestern end of the site which include Thompson House, Norman Butler House, Paul House, Olive Blythe House, Rendle House, Wells House, Murchison House, Katherine House, Macauley House, Chesterton House, Breakwell Court, Chiltern House, and Watts House. Smaller flatted blocks

to the north side of Athlone Gardens which include Telford House, Wheatstone House and Faraday House. The 4 storey flatted blocks to the north of the site running along the railway line, which consist of Pepler House. There are two smaller blocks; Edward Kennedy House and Wornington Road, which also back onto the railway and are adjacent to the Kensington & Chelsea college. The three storey block to the north west of the site at No.300 Ladbroke Grove and lastly the houses to the east of Athlone Gardens which back onto Munro Mews. The existing breakdown of the mix of units across the estate as a whole are given here in the table below;

| | |
|-------|-----------|
| 1 bed | 209 units |
| 2 bed | 154 units |
| 3 bed | 130 units |
| 4 bed | 45 units |
| Total | 538 units |

The site is in the ownership of Kensington Housing Trust except for the following which are owned by the Council: Athlone Gardens (park), The Venture Centre and associated area, the sunken ball court to the north east of Munro Mews, and the Market Trader storage lock-ups along Munro Mews.

1.3 Street Network & Parking

As existing, the street network in the existing estate is limited. Portobello Road is disconnected from the wider street network and, as existing, curves around to directly connect with Wornington Road in a loop that does not connect with Ladbroke Grove at any point. Telford Road forms the only additional road on the site with many of the blocks accessed from off street parking and landscaped areas. There are several roads which connect the estate to Ladbroke Grove which are external to the site including Telford Road, Faraday Road and Bonchurch Road. As existing there are 191 off-street parking spaces and 176 on-street parking spaces across the site.

1.4 Public Open Space

Within the area recognised as Wornington Green estate is a public park namely Athlone Gardens. This public park is owned and managed by the Royal Borough. It is accessed from Portobello Road, just off Wornington Road and from a pathway

running to the East side of the park. In addition to the park, there is sunken ball court located to the North of Munro Mews. This is also owned by the Royal Borough, and together with Athlone Gardens measures 9,186 sq.m in area.

Social and Community Facilities

There are a number of social and community facilities on the site. The best known of these is the 'Venture Centre', located close to Athlone Gardens, accessed from Wornington Road. It includes outdoor adventure play space, including the Adventure Playground, and a steel band studio.

There are a number of other community facilities on the site, which include a small portacabin used for youth work beside Thompson House, known locally as 'The Hut'; Prospects in Paul House, which provides training to get youth into work; and a resident's room/tenant forum room below Chiltern House. These facilities are owned by KHT, with services provided by independent organisations.

The Open Door Friendship Centre is a community facility located adjacent to the application site, although it falls within the area considered by the Wornington Green SPD.

There are no health or education facilities within the site.

Commercial uses

In Munro Mews there are 20 single storey garage type units, predominantly for the storage of goods for the market along Golborne Road and beyond. These are owned by the Royal Borough, and provide a vital support function to the market.

There are two shop units under Paul House accessed by Ladbroke Grove.

Kensington Housing Trust's (KHT) offices are located to the ground and first floor of Telford House and KHT's Housing office located in the Annexe building, located in a temporary port-a-cabin between Chesterton house and Lionel House,

1.5 **Historic Environment and Assets**

The site is not located within a conservation area but is located adjacent to the Oxford Gardens Conservation Area, to the South-West of the site. There are no Listed buildings within the site, with the closest being the Grade II St. Michael's and All Angels Church which is situated to the South of the site off Ladbroke Grove.

Existing Trees

There are a number of existing trees on the site which have TPO's (Tree Preservation Orders). In particular, there are a number of large London Plane Trees located within the existing Athlone Gardens park. As existing the site has 193 trees within Category B & C. The topography of the site is very limited with a small incline from the South rising to the North.

1.6 **Site Specific Planning Documents**

The site is the subject of the Wornington Green Planning Brief Supplementary Planning Document (SPD) which was adopted by the Council on the 9th November 2009. This SPD was prepared against a background for a requirement for change of the existing estate as a response to the governments 'Decent Homes' agenda which requires the existing homes on the estate to brought up to decent homes standards by 2014. An independent options appraisal was carried out in 2006, which concluded that the complete redevelopment of the estate was the only viable option to ensure the delivery of improved housing for the existing residents.

- 1.7 The Councils' Overview and Scrutiny Committee has accepted in principle that total redevelopment is the best long term solution for the future of the estate and the planning brief (SPD) has been prepared in light of this conclusion.

2.0 PROPOSAL

- 2.1 The application is for a 'hybrid' Outline planning permission which contains two separate components. For Phase 1, details are submitted including appearance, access, landscaping, layout and scale., Phases 2-5 of the proposal has all these matters reserved for future consideration. However, members should be aware that changes to the regulations in 2004 require that key

parameters are set for applications considered in outline. Thus, while all matters are being reserved, the Outline application before the Committee will determine:

- In terms of layout, the approximate locations of the buildings
- In terms of scale, the upper and lower limits of the heights of each of the proposed buildings, and the building's depth and width; and
- In terms of access, the main access points.

These are the parameters that cannot therefore be modified should, in the future, detailed applications be submitted pursuant to the granting of Outline planning permission.

Full demolition of the existing buildings is required to facilitate the redevelopment of the site as envisaged in this application; however no consent is required for demolition.

- 2.2 The scheme in total provides 919 residential units (2621 habitable rooms) with a mix of accommodation re-providing the existing 538 affordable social housing with an additional 30 intermediate homes for shared ownership, and providing an additional 381 units of market housing. An area of 3,104 sq.m (GEA) of non residential floorspace (within A1, A2, A3, A5 and/or B1 Use Classes), the re-provision of the social and community facilities and associated area 1,883 sq.m (GEA) (within use Class D1). The relocation and re-provision of open space currently known as 'Athlone Gardens' an area of approximately 9,186 sq.m (GEA), and the relocation and re-provision of 20 market trader lock-ups (within use class B8). The development also includes the provision of a new internal road network and associated landscaping.

2.3 Schedule of Proposed land uses

| | Existing | | Proposed Phase 1 | | Proposed Phase 2 to 5 | | Total Proposed (Outline) | |
|--|-----------------------|------------------------|-----------------------|-----------------------|-----------------------|------------------------|--------------------------|------------------------|
| | Units (%) | Hab Rm (%) | Units (%) | Hab Rm (%) | Units (%) | Hab Rm (%) | Units (%) | Hab Rm (%) |
| Affordable (social rented and shared ownership) | | | | | | | | |
| 1 bed | 209 (39%) | 418 (25.7%) | 79 (43.2%) | 158 (30.3%) | 212 (55.1%) | 424 (40.5%) | 291 (51.2%) | 582 (37.1%) |
| 2 beds | 154 (29%) | 462 (28.5%) | 60 (32.8%) | 180 (34.6%) | 96 (24.9%) | 288 (27.6%) | 156 (27.5%) | 468 (29.9%) |
| 3 beds | 130 (24%) | 520 (32%) | 37 (20.2%) | 148 (28.4%) | 61 (15.8%) | 244 (23.3%) | 98 (17.3%) | 392 (25%) |
| 4+ beds | 45 (8%) | 225 (13.8%) | 7 (3.8%) | 35 (6.7%) | 16 (4.2%) | 90 (8.6%) | 23 (4%) | 125 (8%) |
| Total | 538 (100%) | 1625 (100%) | 183 (100%) | 521 (100%) | 385 (100%) | 1046 (100%) | 568 (100%) | 1567 (100%) |
| Market | | | | | | | | |
| 1 bed | 0 | 0 | 47 (33.3%) | 94 (22.4%) | 24 (11.4%) | 48 (7.5%) | 71 (20.2%) | 142 (13.4%) |
| 2 beds | 0 | 0 | 67 (47.6%) | 201 (48%) | 157 (74.8%) | 471 (74.2%) | 224 (63.8%) | 672 (63.8%) |
| 3 beds | 0 | 0 | 27 (19.1%) | 124 (29.6%) | 29 (13.8%) | 116 (18.3%) | 56 (16%) | 240 (22.8%) |
| 4+ beds | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 141 (100%) | 419 (100%) | 210 (100%) | 635 (100%) | 351 (100%) | 1054 (100%) |
| Total | 538 | 1625 | 324 | 940 | 595 | 1681 | 919 | 2621 |
| % Affordable | 100% | 100% | 56.5% | 55.4% | 64.7% | 62.2% | 61.8% | 59.8% |
| % Market | 0% | 0% | 43.5% | 44.6% | 35.3% | 37.8% | 38.2% | 40.2% |
| Social / shared ownership mix | | | | | | | | |
| Shared ownership (all 1 beds) | 0 (0%) | 0 (0%) | 9 (4.9%) | 18 (3.5%) | 21 (5.5%) | 42 (4%) | 30 (5.3%) | 60 (3.8%) |
| Social | 538 (100%) | 1625 (100%) | 174 (95.1%) | 503 (56.5%) | 364 (94.5%) | 1004 (96%) | 538 (94.7%) | 1507 (96.2%) |
| Affordable | 538 | 1625 | 183 | 521 | 385 | 1046 | 568 | 1567 |

| Non residential land uses (GEA) | | | | | | | | |
|---|----------|------------------------------|----------|------------------------------|----------|------------------------------|----------|------------------------------|
| | Units | Floor area (m ²) | Units | Floor area (m ²) | Units | Floor area (m ²) | Units | Floor area (m ²) |
| Commercial (A1, A2, A3, A5 & B1) | - | 861 ¹ | - | 400 | - | 2704 | - | 3104 |
| Market Lock ups | 20 | 250 | 20 | 300 | 0 | 0 | 20 | 300 |
| Community facilities (incl. adventure playground) | - | 1871 | - | 0 | - | 1883 | - | 1883 |
| Open space (incl. Ball court) | - | 9186 | - | 4602 (50.1%) | - | 4584 (50.9%) | - | 9186 |
| Total non residential floor area | - | 12168 | - | 5339 | - | 8980 | - | 14473 |

¹ Figure from Schedule F of the Planning Application Form and not verified by RBKC.

2.4 Phase 1: (full details submitted)

In summary, Phase 1 of the redevelopment is for 183 units of affordable housing including 9 intermediate shared ownership properties and 141 market residential units, (totalling 324

residential units), the re-provision of 20 lock ups (within Use Class B8), 400 square metres (GEA) of floorspace (within Class A1 – retail), the partial re-provision of Athlone Gardens (4635 sq.m (GEA) which equates to 50% of the existing park), together with associated car parking both underground and on street, cycle parking spaces, landscaping and a new internal road network.

- 2.5 The following sections will outline the proposal based upon the order of construction. All proposed street names referred to in the proposal are for ease of reference and location of the proposed blocks only. The street names referred to have not been subject to any formal street name and numbering process and have not been approved by the Council.

Block 1:

2.6

The proposed Block 1 which occupies the area where the existing Munro Mews is positioned, has a mixture of different unit types including mews houses, maisonettes and flats. Fronting onto the existing street of Munro Mews it is proposed to erect a terrace of 15 mews houses, which involves the relocation of the market trader lock ups. 8 of these mews units are for market sale, with the remaining 7 for affordable housing. These mews units are a mix of 3 and 4 bed properties, the affordable housing occupying the 4 bed units and the market housing occupying the 3 bed units which substitute one bedroom in lieu of the provision of an integral garage. These properties are 3 storey mews houses with a recessed top storey. The proposed mews houses are approximately 6.5m in height to the shoulder of the building and approximately 9m in total height. The proposed mews houses are single aspect with no access to the rear. The proposed mews houses will all incorporate opaque glazing to the rear elevation. At the southern end of the terrace a 3 storey corner building is proposed which provides a 2 bed flat above the lockups but accessed from the main Munro Mews Frontage. This block is slightly higher at approximately 9.5m in total height. This terrace of mews houses faces the rear of the properties fronting Golborne Road, which are largely in retail use at ground floor with residential above. The proposed Munro Mews would retain the existing granite setts as the highway surface.

- 2.6.1 The northern section of Block 1 which fronts onto Worrington

Road is a 5 storey block of flat units located above the reprovided market trader lockups (within Use Class B8) at ground floor level, 10 of which front onto Wornington Road and 2 fronting onto Munro Mews. The access to the block is achieved from the proposed 'Wheatstone Road' elevation and this building provides 20 units of affordable housing. The units in this block are all 1 and 2 bed flats providing 4 two bed units and 16 one bed units. All units in the block have a proposed balcony providing amenity space. The proposed market trader lock ups have an internal height of 3.6m to allow for possible future adaptation. The residential units proposed above the lock ups are proposed to include cross ventilation and improved sound insulation to mitigate any possible disturbance. This building also contains a large bin store at ground floor level, the main access foyer to the flats above an office to be used for commercial purposes. At basement level a temporary energy centre is proposed with the boilers to be removed once the main energy centre for the site has been constructed in Phase 2 of the main development. Additional insulation is proposed between the temporary energy centre and the ground floor level. This building is approximately 17.7m in total height.

2.6.2 The southern section of Block 1 which lies between Munro Mews and the proposed Wheatstone Road does not have residential buildings fronting onto the street and contains 8 market trader lock ups (Use Class B8) at ground floor level. There is an additional flat unit on the corner of Munro Mews as described above. The flank wall of the proposed buildings fronting the proposed Wheatstone Road, also feature on this elevation with a number of windows facing the street. At 1st floor level above the lock ups, a terrace is proposed between the flank walls of the terraces running along Munro Mews and 'Wheatstone Road' which looks across the Munro Mews entrance road on to the backs of the properties fronting Portobello Road.

2.6.3 The western section of Block 1 is a 5 storey terrace of flats and maisonettes with a basement level which fronts onto the proposed new street of Wheatstone Road. The top storey is recessed from the front and rear building line. The basement and ground floor provides 15 units of affordable social rented housing in the form of maisonettes that are accessed directly from street level with each unit having its own separate

entrance. 4 of these units are designated as wheelchair accessible. Above the maisonettes at 1st floor level there are a mix of affordable and market housing accessed off central cores. The building in total provides 90 units, 42 units of affordable social rented housing and 48 units of market housing. The maisonette properties have private gardens to the rear approximately 5m in length. These private gardens are set between areas of communal amenity space set off the rear of the main building cores, which provide additional cycle storage. To the rear of the amenity space there is a pathway approximately 1.5m in width which allows for the main bin stores to be accessed.. There are security gates shown from the cores to keep access to the pathway at the rear limited. All of the units at 1st floor and above have a balcony fronting 'Wheatstone Road' for amenity. The flats situated on the 4th floor (top storey) also have a balcony at the rear giving further amenity. The entrance cores of the building run full height at the rear without a recess. Photo voltaic panels will be included to the main roof. These buildings would rise to approximately 14m in height to their shoulders, and approximately 16.3m in overall height.

2.7 *Block 3:*

The proposed Block 3 is the second to be constructed and is located to the North of the existing Athlone Gardens. As with Blocks 1 and 2, this proposes a mixed tenure block incorporating a variety of building types including town houses, maisonettes and apartments. Block 3 provides 106 units of accommodation, 65 units of affordable housing and 41 units for market sale which includes 3 units for Intermediate Shared Ownership.

- 2.7.1 The eastern section of Block 3 comprises a four storey terrace of 8 town houses with gardens to the front and rear. These proposed townhouses are all market sale units and are all 3 bed. The townhouses have gardens to the front which are approximately 4m in length and gardens to the rear which vary between approximately 4m and 9m in length. In addition these properties also have a balcony at third floor level fronting on to 'Wheatstone Road.' To the northern end of the terrace there is a single storey bin store, for use by the larger blocks to the north and west of the town houses. This building is

approximately 13m in height.

2.7.2 The northern, western and southern sections of Block 3 form a large U shaped building providing a mixture of units. This building is 7 storeys in height at its highest point including a recessed storey and a basement level. The northern section of the Block fronting Wornington Road is approximately 38.5m in length on the street and comprises two parts. The first section at 6 storeys including a recessed roof storey provides a number of self contained flats and is accessed from two circulation cores located on Wornington Road. There are two wheelchair accessible units located at ground floor level in this building with amenity space in the defensible space before the highway. All of the units above have balconies providing amenity space for the flats. The building increases in height to 7 storeys including a recessed storey as the block turns the corner onto the proposed new road 'Athlone Gardens.' fronting onto the proposed relocated park (Athlone Gardens) when it is in its final form. The main block fronting onto Wornington Road is approximately 16m in height to the shoulders of the building and is approximately 19m in total height.

2.7.3 The Western side of the Block is 7 storeys in height including a recessed top storey and incorporates basement and ground floor maisonettes in a similar manner to Block 1, providing 6 units of affordable housing and 2 units of market housing. 4 of the maisonette units are designated as wheelchair accessible. At 1st floor and above there are a number of one and two bedroom flats for both social rented housing and market sale units, with a small number of three bed units also for market sale. All of the units at 1st floor and above have balconies on the front elevation of the building fronting the proposed relocated open space for amenity purposes with the top floor also having a terrace facing into the internal courtyard space. The proposed maisonettes at basement and ground floor level have their own level access points from the street frontage, and the flats at 1st floor and above use 2 circulation cores also fronting onto the street. The maisonettes have a lightwell at the front approximately 2.5m in depth which provides an additional area of amenity space for these properties and at the rear, these properties have large individual gardens in the central courtyard that measure approximately 8m in length. The balconies to this building are

largely recessed within the building frontage. Photo voltaic panels are proposed on the roof of the top storey set below the parapet. This elevation is approximately 19.5m to the shoulder of the building and approximately 22.5m in total height.

- 2.7.4 The eastern section of Block 3 proposes a 5 storey return building including a recessed top storey that fronts on to the proposed 'Athlone Gate' and provides 2 wheelchair accessible units at ground floor level next to the underground car park ramp and the access to the corner maisonette of the block that fronts on to the relocated open space. The units located at 1st floor and above in this section of the block are accessed from the closest circulation core on the main frontage of the block. The 5 storey section is approximately 13m to the shoulder height of the building and a total height of approximately 16m.

The car park ramp is for the underground car park that is set below blocks 2 and 3. This ramp runs at the back of the townhouses at 1st floor level for approximately 26m. The gardens of the town houses are elevated to 1st floor level as a result, before dropping back down to ground floor for the remaining 29m of the courtyard space. The central courtyard of amenity space for the block is approximately 43m x 17m providing approximately 731 sq.m of area.

2.8 *Block 2:*

Block 2 would be the last to be constructed within Phase 1 of the development and largely replicates the form of Block 3. This block provides 92 units with a mix of 40 affordable social rented units and 52 market units (including 3 units for intermediate shared ownership, and provides 400 Sq.m. of Class A1 retail floorspace at ground floor fronting Portobello Road where it presents as a 5 storey building including a recessed storey. The properties in this block also have access to the proposed underground car park, which spans Blocks 2 and 3, running under the proposed Athlone Gate.

- 2.8.1 The eastern section of Block 2 replicates Block 3 providing a four storey terrace of 8 townhouses, all of which are market sale units. A single storey bin enclosure is to be located to the

south of the terrace before meeting the proposed building element with retail at ground floor fronting Portobello Road. This building is approximately 13m in height.

2.8.2 The southern section of Block 2 is a 5 storey building including a recessed top storey. As proposed the ground floor is to be Class A1 retail use fronting Portobello Road, with 22 units of accommodation in the floors above which comprises 11 affordable social rented units and 11 units of market housing. The retail units at ground floor are proposed to be small individual units and have a ground floor height of 4m. All the flats in the block have individual balconies for amenity. This block is approximately 13m to its shoulder and 16.3m in height to the top of the parapet.

2.8.3 The western section of Block 2 is a 7 storey building including a recessed top storey and basement storey, and fronts onto the proposed new street of "Athlone Gardens" and the proposed relocated park (Athlone Gardens). The basement and ground floor provides 8 maisonette units, 6 of which are affordable social rented units and 2 market units. The floors above provide 54 further units of accommodation, 31 being affordable social rented housing and 23 market sale units. All the flats at 1st floor and above are accessed from 2 circulation cores fronting onto 'Athlone Gardens,' and have balconies providing amenity. The large majority of these units are dual aspect with a small number that are single aspect. The maisonettes at basement and ground floor level have individual access points from the street and a lightwell at the front approximately 2.5m in depth as in block 3. The maisonettes have amenity space within the lightwells and at the rear, these properties also have private gardens in the courtyard open space at the centre of the block. This elevation is approximately 19.5m to the shoulder of the building and approximately 22.5m in total height.

2.8.4 The northern section of Block 2 echoes the southern section of Block 3 except for the underground car park entrance which is instead a single storey element which houses a core for access to the basement car park, and a plant room. The internal courtyard to Block 2 is approximately 17m in width and is divided into private gardens between the town houses and

maisonettes in the block, with only 2 of the town house gardens being set at 1st floor level. The northern section steps down from the 7 storeys fronting onto 'Athlone Gardens' to 5 storeys fronting Athlone Gate. This section provides 2 ground floor wheelchair accessible units and the flats above are accessed from the central cores. The 5 storey section is approximately 13m to the shoulder height of the building and a total height of approximately 16m.

- 2.8.5 In phase 1 a basement car park is proposed below blocks 2 and 3 that provides 149 off street parking spaces including 14 disabled spaces and 12 motorcycle spaces. There will be a soil depth of one metre above the basement car park within the central courtyard area of these blocks. In addition to this on street parking is proposed along 'Wheatstone Road,' 'Athlone Gardens,' Wornington Road and Portobello Road. The underground car park vents are located to in the wall of the raised gardens within the central courtyards and to the rear of the retail units along Portobello Road.

2.9 *Trees and Landscaping:*

A number of large London Plane trees currently located in the existing open space of 'Athlone Gardens' are to be retained in the proposed 'Wheatstone Road'. These will sit in their existing soil with large planters proposed to retain the trees and protect the existing roots. This landscaped area is approximately 9-10m in width running from the front garden boundary of the townhouses to the highway and on street parking spaces. This 10m wide section of pavement landscaping and planters extends the full length of the proposed "Wheatstone Road." Additional street trees are proposed along Wornington Road in Phase 1. All pavements are to be York stone paving and the roads are to be tarmac as existing apart from Munro Mews where the Granite Setts will be retained and in specific sections of 'Wheatstone Road' where the tree routes extend into the road, a special surface is proposed to protect the routes.

2.10 PHASES 2- 5 (the following matters are reserved: layout, scale, appearance, access and landscaping)

It should be noted that all dimensions stated in relation to Phases 2-5 of the development are stated in either their maximum or minimum dimensions. In summary Phases 2-5 are proposed to provide 595 new residential units of accommodation, 364 units of affordable social housing, 21 units shared ownership units and 231 market residential units. This element of the proposal will also provide 2704 square metres of commercial floorspace (within Classes A1, A2, A3, A5 and or/B1 use classes), the re-provision of community facilities and associated outdoor adventure playspace (of no less than 1883 square metres (GEA)) the final re-provision of Athlone Gardens (at 9186 square metres), provision of an energy centre, remaining internal road network, together with associated car parking on street and underground, cycle parking spaces and landscaping. The buildings in Phases 2-5 range between 3 storeys and 15 storeys and are designated as Blocks 4-10.

2.11 To the North-West of the proposed park, Block 6 is a perimeter style block proposed with terraces of mews houses in its centre. Along Portobello Road, commercial uses (within Classes A1, A2, A3, A5 and or/B1 use classes) at ground floor are continued in this block. The buildings which front Portobello Road are 6 storey buildings, 23m in maximum height. The two main sections of Block 6 to the North-West and South-West respectively are 7 storeys in height, 26m in maximum height. The South-West elevation faces the proposed relocated open space (Athlone Gardens) and the North-West elevation faces the proposed social and community use facility and associated outdoor space. The two wings to the North of Block 6 along Wornington Road are 6 storeys in height a maximum height of 23m. The two terraces of mews houses in the centre of the block are proposed at 3 storeys in height with a maximum height of 11m. Block 6 provides approximately 227 units of accommodation, 129 of which are affordable social rented units, 9 shared ownership units and 98 market sale units a mix of 1, 2, 3 & 4 bedrooms. In addition to the residential element approximately 636 sq.m of commercial space (within Classes A1, A2, A3, A5 and or/B1 use classes).

- 2.12 The proposal includes the relocation of the social and community facility (use class D1) which is currently occupied as the Venture Centre and associated outdoor space. The replacement social and community facility is proposed to front on to Portobello Road and is proposed as a 5 storey building. It should be noted that the application proposes the re-provision of the community facility with a floorspace of 1883 sq.m. (GEA) only, together with an associated outdoor area, with an option for further space to be provided, which would not be funded by the development.
- 2.13 Block 7 is to the West of Block 6 and the proposed social and community facility, fronting onto Portobello Road and will be part 2/part 3/part 4 storeys in height. 4 storeys for a length of approximately 22m at a maximum height of 14m before dropping to 3 storeys for a length of approximately 20m at a maximum height of 11m, and then dropping to 2 storeys for the remaining 10m in length approximately at a maximum height of 8m. This building is proposed to back on to the rear of the properties along Ladbroke Grove and at its nearest point is approximately 5m from the rear boundary wall of these properties. The ground floor is proposed to be used as 298 square metres of commercial space (within Classes A1, A2, A3, A5 and or/B1) with residential use above. Block 7 provides approximately 19 units of accommodation, one intermediate shared ownership unit, 13 affordable social rented units and 6 market sale units with a mix of 1, 2 & 3 bedroom properties.
- 2.14 Block 8 is located between Portobello Road and Ladbroke Grove towards the Barlby Road roundabout which is located to the North-West of the site. This block ranges in height from 5 storeys at a maximum height of 20m next to the existing adjacent townhouses on Ladbroke Grove before increasing in height to 6 storeys for a length of approximately 15m at a maximum height of 23m. This then increases to a height of 7 storeys for a length of approximately 25m at a maximum height of 26m before dropping to a height of 2 storeys for the final 15m approximately at a maximum height of 10m to a point adjacent to the Barlby Road roundabout. The ground floor is proposed to provide 688 square metres of commercial space (within Classes A1, A2, A3, A5 and or/B1 use classes) with residential use on all other floors. Block 8 provides 31 units of new accommodation,

19 affordable social rented units, one unit of shared ownership and 12 market sale units

- 2.15 Block 9 is located to the North-West of the proposed replacement social and community facility and is a triangular shaped block fronting both Portobello Road and Wornington Road. The proposed building comprises two elements with offices at ground and first floor levels with residential on all floors above. The South-East section of the Block is proposed at 9 storeys with a maximum height of 32m and spans the section between Portobello Road and Wornington Road and also fronts onto the proposed outdoor space of the replacement social and community facility. The northern section of Block 9 is proposed at 9 storeys at a maximum height of 33m. Block 9 provides approximately 1040 sq.m. of commercial space (at ground floor level within Classes A1, A2, A3, A5 and/or B1) and provides 38 affordable social rented units, one unit of shared ownership and 18 market units
- 2.16 Along the railway line at the North of the site, a continuous residential block is proposed, which comprises three elements identified as Blocks 4, 5 and 10. This continuous structure will be approximately 305m in length with sections that range from 6 to 9 storeys in height. Starting at the north western end of the structure running to the East, the buildings run for a length of approximately 24m at 6 storeys at a maximum height of 20m before increasing in height to 7 storeys at a maximum height 26m for approximately 56m and then increases again to 9 storeys at a maximum height of 33m for approximately 44m (Block 10). The height then decreases in height to 7 storeys at a maximum height of 26m for approximately 97m (Block 5). The last section of the structure which is to the North of the proposed park is set at 7 storeys at a maximum height of 26m for approximately 84m in length (Block 4). The continuous structure made up of Blocks 4, 5 & 10 provides approximately 262 residential units, 165 affordable social rented housing units and 97 market housing units including 9 intermediate shared ownership units. An energy centre at basement level is proposed in Block 4 to provide the start of a district heating system and Combined Heat and Power.

2.17 Underground parking is proposed under Blocks 4, 5, 10, and 6. The access points shown to each of these car parks is not determined as part of this application and will be reserved for future consideration. However, their locations are shown indicatively. The entrances to the large underground car park in blocks 4, 5 & 10 are shown as close to the Barlby Road Roundabout and the North of the park, both along Wornington Road. The entrance to the underground car park is shown for block 6 as off the western side of the proposed relocated open space.

2.18 Following Officers advice the scheme has been revised since originally submitted. In summary, these involve revised plans to overcome the numerous inaccuracies in the original submission. Significant changes to the scheme include: the reduction in height of two storeys off block #4 overlooking the new park on Wornington Road; the provision of private gardens for the ground and basement maisonettes in Blocks 1, 2 and 3; and raising the internal floor to ceiling heights of the lockups in Block #1 on Wornington Road to allow for future flexibility. Changes have also been made to the external appearance of the elevations to blocks #2 and #3 overlooking the new park to address the concerns of the Architecture Appraisal Panel. Changes have also been made with regard to sustainable urban drainage, car parking, carbon technologies and other technical matters. The scheme has also been revised in that the 15 storey building to the North-Western corner of the site has been removed from the proposal solely on the basis that insufficient details had been submitted with the application in order that the full assessment of the impacts of a 'tall building' on the surrounding townscape could be carried out. It should be noted that this building was not removed from the proposal as a response to any relevant planning policy considerations.

2.19 **Phasing:**

The development is proposed across 5 phases. In summary Phase 1 includes the demolition of the blocks known as Munro Mews, 87-101 Wornington Road, Faraday House, Telford House, Wheatstone House and Lionel House to construct Blocks 1, 2 & 3 and leave 50% of the proposed relocated open space. Phase 2 begins with the demolition of a section of Peplar House and

Edward Kennedy House in order to construct Block 4 to the north of the park. Phase 3 includes the demolition of Thompson House, Norman Butler House, Paul House, Rendle House, Wells House, Olive Blythe House, and Murchison House in order to construct Blocks 7, 8, 9, 10 together with the replacement community use facility. Phase 4 involves the demolition of Katherine House, Macauley House, Breakwell Court, Chesterton House, Lionel House, and Watts House in order to construct Block 6. Phase 5 completes the development with the demolition of Peplar House in order to construct Block 5 backing on to the railway together with the final provision of the replacement open space. It should be noted that one of the key priorities of the Wornington Green Planning Brief (para 2.5.2) was that the development was carried out as quickly as possible but ensuring that it also caused the least disruption to the existing residents. The phasing plan submitted with the application is considered suitable in this regard.

2.20 Design Code

The principles of design regarding Phases 2-5 submitted in outline are subject to a design code document. It is suggested that a condition be attached to any planning permission granted in order that the content of the design code is submitted and agreed by the Council which would cover the scheme as a whole.

2.21 Environmental statement

The applicants have submitted as Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. The content of the ES was agreed with the Royal Borough in the issuing of its Scoping Opinion in August 2009. The ES contains studies which include (inter alia) the following topic areas:

- transport
- noise and vibration
- air quality
- ecology and nature conservation

- contaminated land
- flooding
- construction waste
- socio-economic effects
- townscape and visual impact assessment
- microclimate (sunlight/daylight/overshadowing/wind)
- socio-economic
- sustainability

3.0 RELEVANT PLANNING HISTORY

- 3.1 The existing estate named the Murchison Road redevelopment was granted consent was approved in the 1960s and began construction in the 1970s;
- 3.2 Application TP/93/1147 was for the creation of new entrance enclosures to residential blocks at Faraday, Telford, Watts, and Katherine House around the existing stairs, as phase 1 security works. Planning permission was granted in September 1993 and was implemented.
- 3.3 Application TP/95/0637 sought permission for the erection of screened entrance enclosures to Norman Butler House, Paul House, Rendle House, Olive Blythe House, Wells House, Murchison House and erection of new security gate to the rear of Rendle House. Planning permission was granted in December 1995 and was implemented.
- 3.4 Application TP/95/0776 sought permission for the provision of a new entryphone security screen in existing recess to each of the twelve entrances at Pepler House. This planning permission was granted in June 1995 and was implemented.
- 3.5 Application PP/04/01427 for the erection of a temporary single storey building for use as an information centre and ancillary offices by Kensington Housing Trust during refurbishment/development works on the estate on the open space bounded by Chesterton House, Chiltern House and Lionel House, with associated landscaping and boundary treatment was granted in August 2004 and was implemented.

4.0 PLANNING CONSIDERATIONS

The Major Planning and Developments Committee considered at a briefing session in January key issues with regard to the application. That briefing session focused on particular issues. Revised plans were submitted following the briefing session. This report sets out all issues for consideration in making a decision on the application.

4.1 The main considerations in this case are as follows:

4.1.1 The loss of the existing social rented accommodation and the provision of the new residential accommodation (both affordable and market) in light of current planning policies.

The suitability of the proposed housing provision in terms of the amount of affordable housing; the sizes of units proposed in both the affordable and private housing; and the extent to which different tenures of housing have equivalent prospect and amenity.

The impact of the proposed layout of the northern end of Portobello Road on Portobello Road as a whole.

4.1.2 The approximate locations of buildings and thus the layout of the area, the approximate depth and height of buildings and the access points of the scheme as a whole, and full detailed design of phase 1 and their attendant effect of the appearance of the surrounding area

That the phasing plan represents the shortest development timetable, and that the use of part of Athlone Gardens is essential to achieve this

4.1.3 The effect of the proposal on street parking and pressure on the surrounding road and public transport networks.

The quality of the amenity for residents of the proposal

4.1.4 The effect of the proposal on the amenities of occupiers of surrounding properties, particularly in terms of sunlight, daylight, privacy, enclosure and noise.

- 4.1.5 The environmental aspects of the scheme such as air quality, contaminated land, sustainability and micro climate.
- 4.1.6 The relocation and re-provision of social and community facilities within the site including the area of open space known as Athlone Gardens and the community facilities including those known as the Venture Centre and others.

The effect the re-provision of the existing market storage and the provision of additional commercial uses would have on the site and surrounding area

4.2 **Unitary Development Plan**

The relevant planning policies as contained in the Unitary Development Plan (as amended 28th September 2007) are as follows:

STRATEGIC POLICIES

STRAT 1 (protection and enhancement of residential character and amenity of the Borough)

STRAT 7 (to locate trip generating uses in areas well served by public transport)

STRAT 9 (to seek that all development preserves and enhances the residential character of the Royal Borough)

STRAT 10 (to protect listed buildings and to preserve and enhance the character and appearance of conservation areas)

STRAT 11 (to promote high environmental and architectural design standards in new developments)

STRAT 25 (to improve pedestrian environment)

STRAT 26 (to promote cycling and provide for cyclists)

STRAT 36 (to monitor demand in controlled parking zones)

STRAT 38 (to seek to enhance the vitality and viability of Principal and Local Shopping Centres)

STRAT 40 (to promote retail development in the Local

ShoppingCentres in keeping with their scale, character and function)

STRAT 44 (to protect and encourage social and community

facilities which are easily accessible)

STRAT 41 (to improve the attractiveness and competitiveness of the Borough's shopping centres by improving the townscape and streetscape environment)

STRAT 43 (to ensure the needs of residents are met by shops and services within walking distance)

STRAT 44 (to protect and encourage the provision of social and community uses which are accessible to residents)

STRAT 46 (to ensure the continued provision sports, leisure and recreation facilities)

STRAT 47 (to maintain and increase the provision and quality of open space of local and metropolitan value)

CONSERVATION AND DESIGN POLICIES

CD23 (loss of existing public and private open space)

CD26 (improvement of environmentally poor land or buildings)

CD27 (high standard of design)

CD28 (urban design)

CD33 (loss of sunlight/daylight)

CD34 (ensure good light conditions)

CD35 (visual privacy)

CD36 (sense of enclosure)

CD38 (open space design)

CD39 (security of design)

CD40 (noise and disturbance)

CD41 (internal noise environment)

CD42 (accessible buildings)

CD46 (roof terraces)

CD52 (installation of plant)

CD63 (views from/into Conservation Areas)

CD80 (loss of trees)

CD81 (encourage planting of trees in new development)

CD82 (resist loss of trees)

CD84 (protection of trees during development)

CD94 (good quality street furniture)

HOUSING POLICIES

H2 (land /buildings for residential use)

H4 (resist encroachment of commercial activities)

H7 (provision of open space in new development)

H8 (require the provision of social and community facilities)

H18 (mix of units in development)

H19 (seek an appropriate mix of units)

TRANSPORTATION POLICIES

TR1 (high trip generating development)
TR3 (maintain and improve footways)
TR4 (encourage provision of new direct pedestrian routes)
TR9 (bicycle storage)
TR27 (development increasing traffic to minor roads)
TR35 (new development on public transport infrastructure)
TR36 (increase in traffic/parking)
TR37 (contributions to service improvements)
TR38 (off street parking/non residential development)
TR41 (off street servicing)
TR42 (to provide off street parking)
TR43 (loss of off street parking)
TR44 (loss of on street parking)

OFFICE & INDUSTRY POLICIES

E10 (range of unit sizes)
E13 (provision of premises for local businesses)
E15 (to seek provision of light industrial premises)
E16 (to restrict changes of use within B1 & B8 use classes)

SHOPPING POLICIES

S4 (to seek provision of shop units in new developments)
S5 (to seek a range of shop units)
S15 (to resist loss of street markets and stalls)
S16 (provision and retention of storage for street traders)
S25 (retail development)

LEISURE AND RECREATION POLICIES

LR8 (resist loss of existing public and private open space)
LR12 (to encourage the creation of sitting out/amenity areas)
LR13 (to provide new rights of way where appropriate)
LR14 (to negotiate inclusion of open space where appropriate)
LR15 (amenity space/family housing)
LR16 (public access to all communal open space)
LR38 (provision of active play and tranquillity in new open space)
LR40 (adequate communal play provision/family housing)

SOCIAL AND COMMUNITY POLICIES

- SC2 (resist loss of accommodation for social and community use)
- SC3 (relocation of social and community accommodation as a result of development)
- SC4 (to encourage the provision of social and community facilities to meet local needs)
- SC6 (to negotiate community facilities)
- SC8 (encourage shared use by local community/education facilities)

ENVIRONMENT POLICIES

- PU1 (to resist development unacceptable impact on air quality)
- PU2 (to resist development leading to pollution)
- PU3 (contaminated land)
- PU4 (contaminated land/measures)
- PU11 (storage space for refuse)
- PU14 (re-use of construction materials in development schemes)

MONITORING POLICIES

- MI1 (negotiate planning obligations)

4.3 The Proposed Submission Core Strategy

The 'Proposed Submission Core Strategy' published on 29th October 2009 contains planning policies which are proposed to succeed those of the Unitary Development Plan, and with the London Plan ultimately form the primary planning policy framework through which development in the Royal Borough will be managed over the forthcoming decade. The policies of the Proposed Submission Core Strategy (PSCS) considered to be of relevance are listed here below.

- CV1 (Vision for the Royal Borough)
- CO1 (Keeping Life Local)
- CO2 (Fostering Vitality)
- CO3 (Better Travel Choices)
- CO4 (An Engaging Public Realm)
- CO5 (Renewing the Legacy)
- CO6 (Diversity of Housing)

CO7 (Respecting Environmental Limits)
CP1 (Quantum of Development)
CP2 (Places)
CP3 (North Kensington)
CA2 (Allocation for Wornington Green)
C1 (Infrastructure Requirements and Delivery)
CK1 (Social and Community Uses)
CK2 (Local Shopping Facilities)
CK3 (Walkable Neighbourhoods)
CF1 (Location of New Shop uses)
CF4 (Street Markets)
CF5 (Location of Business Uses)
CT1 (Improving alternatives to car use)
CR1 (Street Network)
CR2 (Three-Dimensional Street Form)
CR3 (Street and Outdoor Life)
CR4 (Streetscape)
CR5 (Parks, Gardens, Open Spaces)
CR6 (Trees and Landscape)
CR7 (Servicing)
CL1 (Context and Character)
CL2 (Design of New Buildings)
CL5 (Amenity)
CH1 (Housing Targets)
CH2 (Housing Diversity)
CH4 (Estate Renewal)
CE1 (Climate Change)
CE2 (Flooding)
CE3 (Waste)
CE4 (Biodiversity)
CE5 (Air Quality)
CE6 (Noise and Vibration)

4.4 **The London Plan**

The London Plan (consolidated with alterations since 2004) forms part of the Development Plan for the Borough and the relevant policies are as follows:

2A.1 (sustainable development)
2A.2 (spatial strategy for development in London)
3A.1 (increasing London's supply of housing)
3A.2 (boroughs housing targets)
3A.3 (maximizing potential of sites)

3A.5 (housing choice)
3A.6 (quality of new housing provision)
3A.9 (affordable housing targets)
3A.10 (negotiating affordable housing)
3A.11 (affordable housing thresholds)
3A.15 (loss of housing and affordable housing)
3A.17 (needs of diverse population)
3A.18 (enhancement of infrastructure and community facilities)
3A.29 (neighbourhood renewal strategies)
3B.2 (office demand and supply)
3C.2 (matching development to transport capacity)
3C.17 (tackling congestion and reducing traffic)
3C.23 (on-site parking restrictions)
3D.3 (improving retail facilities)
3D.8 (access to open spaces)
3D.13 (children’s play provision)
3D.15 (maintain and enhance trees)
4A.1 (climate change)
4A.3 (sustainable design and construction)
4A.4 (energy assessment)
4A.5 (heating and cooling networks)
4A.6 (decentralized energy)
4A.7 (renewable energy)
4A.9 (climate change adaptation)
4A.11 (living roofs)
4A.13 (flooding)
4A.14 (sustainable drainage)
4A.16 (water use)
4A.19 (improving air quality)
4A.20 (reducing noise)
4A.21 (waste disposal)
4A.28 (environmental impacts)
4B.1 (design principles for a compact city)
4B.3 (accessible public realm)
4B.5 (accessibility and inclusion)
4B.6 (safe and secure environments)
4B.8 (retain local distinctiveness)
4B.9 (tall buildings)
4B.10 (large scale buildings)
6A.4 (priorities in planning obligations)
6A.5 (planning obligations)

4.5 **Supplementary Planning Documents and Guidance**

Weight has been given to the following Supplementary Planning Guidance:

Worlington Green SPD (adopted November 2009)
Subterranean Development SPD (adopted May 2009)
Air Quality SPD (adopted June 2009)
Noise SPD (adopted May 2009)
Transport SPD (adopted December 2008)
Designing out Crime SPD (adopted January 2008)
Housing Standards SPG
London Plan Housing SPG 2005

Account must also be taken of the advice presented by central government, in particular in:

Planning System – General Principles
PPS1 'Delivering Sustainable Development'
PPS3 'Housing'
PPS4 'Planning for Sustainable Growth'
PPS13 'Transportation and Land Use'
PPG24 'Planning and Noise'

4.6 **Mayor of London**

As the proposal involves the erection of buildings in central London which provides more than 20,000 square metres of floorspace, and development which includes the provision of more than 150 houses or flats and is of potential strategic importance; under the provisions of the Town and Country Planning (Mayor of London) Order 2008, the application has been referred to the Mayor of London. The comments of the Mayor will be included in the addendum report presented to the committee.

4.7 **LAND USE**

The existing site is predominantly in residential use as social rented housing units which are owned by Kensington Housing Trust. However, there are associated uses within the site which are approximately 711 sq.m. (NEA) of Class B1 office use floorspace and approximately 150 sq.m (NEA) of Class A1 use (retail). The existing social and community use (the Venture

Centre) occupies some 1872 sq.m on the site, and the Market Trader Lock ups in use class B8 provide approximately 300 sq.m. (NEA) of floorspace.

4.8 Residential Use

The first element of the proposal for consideration is that of the proposed residential accommodation in light of current planning policy. A central aim of planning policies contained in both the Unitary Development Plan (as amended), the London Plan (2008) and the Proposed Submission Core Strategy is to increase the number of residential dwellings. The proposal will provide the replacement 538 social rented units with the additional residential accommodation provided as 351 market residential units and 30 Intermediate Shared Ownership housing units. The current guidance providing suitable density for residential development is contained in Table 3A.2 of the London Plan (2008) where it indicates that developments of sites in urban locations with a Public Transport Accessibility Level (PTAL) of 4-6 that the proposed density of development of these sites should be in the range of 200-700 hr/ha.

- 4.9 The site provides a range of PTAL 3-5 and Director of Highways and Transportation considers that the site has an overall rating of PTAL 4. Policy 3A.3 of the London Plan (2008) develops the application of density ranges where it states that 'development proposals achieve the maximum intensity of use compatible with the local context'. This places emphasis on townscape being an important factor in determining appropriate density for development. This aspect of the proposal will be fully considered in the design section of this report. The scheme proposes a density of 518 hr/ha (using GLA methodology). This proposed density of development is included within the range identified in Table 3A.2 and is considered acceptable.

- 4.10 The range and mix of accommodation provided by the proposal is contained in Table 1 of this report and each aspect will be considered as follows:

Amount of affordable housing

Firstly, with regard to the amount of affordable housing that is being proposed. This equates to either 538 units/or 1625 habitable rooms across the whole scheme. When assessed against the total provision of housing across all tenures , in terms of units, this represents 57% in Phase 1 and 62% of the overall housing provision and in terms of habitable rooms a provision of 55% in Phase 1 and 60% over the whole provision. The market housing proposed is required to facilitate the provision of the affordable housing and in accordance with the Wornington Green SPD (para 3.4.3) any private housing that provides cross subsidy for the re-provision of the existing housing, as in this case, is not required to deliver any additional affordable housing.

London Plan policy 3A.10 and Proposed Submission Core Strategy policy CH4a require that the maximum reasonable amount of affordable housing should be provided. However, viability is a planning consideration in determining the amount of affordable housing that can be provided in each particular case. As part of the proposal, the applicants have submitted a detailed viability study which has been independently assessed by the District Valuer Service (DVS) on behalf of the Council. The Homes and Communities Agency (HCA) and GLA have also been involved in some stages of this assessment. The assessment concludes that the proposed development shows a shortfall of some £20 million in Phase 1. This would be met by grant funding from the HCA.

Given the length of time it will take to complete the whole development, one of the conclusions of the DVS is that a viability appraisal is submitted at each of the subsequent phases of the development to provide a detailed analysis at the time of application. It should be noted that one of the conditions of the HCA grant is that if any profit is made from a phase of the development, this will have to be reinvested into the subsequent phases. Furthermore, it should be noted that if any profit is made in the last phase it is to be returned to the HCA". In this case, provided that the review mechanism as recommended by

the DVS is secured by S106 planning obligation, the proposal will provide the maximum reasonable amount of affordable housing and complies with London Plan policy 3A.10, the Wornington Green SPD and Proposed Submission Core Strategy CH4a.

With regard to the social rented/intermediate split that is proposed, the scheme will provide for the existing amount of social rented housing in order that there is no loss and provides 30 intermediate units (all 1 bed), representing some 4% of the total affordable housing provision. Whilst London Plan policy 3A.9 targets a 70/30 split between social rented and shared ownership, and Proposed Submission Core Strategy policy CH2q requires at least 15% in Golborne Ward. In cases where the existing social rented housing has to be reprovided as part of a proposal, this target can be applied flexibly. The Wornington Green SPD recognizes (para 3.3.1) that the policy imperative for the provision of intermediate housing should be treated flexibly. Therefore, the low provision of intermediate housing is considered acceptable in this case.

Turning to the specific mix of the housing provision; this Council's planning policies as contained in the Unitary Development Plan are to seek a range of unit sizes subject to certain criteria (Policy H18 and Policy H19). Current planning policy as contained in the London Plan places emphasis on boroughs to identify the full range of housing needs in their area and that new developments should offer a range of housing choices (Policy 3A.5). This policy emphasis is reflected in the Proposed Submission Core Strategy where Policy CH2a is to require new residential developments to include a mix of types, tenures and sizes of homes to reflect the varying needs of the Borough and (inter alia) current evidence in relation to housing need. The evidence of housing need is contained in the Strategic Housing Market Assessment, prepared in 2009.

Social Housing mix

With particular regard to proposals for estate renewal, Policy 3A.29 of the London Plan (2008) encourages the preparation of planning frameworks based on identifying local needs and opportunities. Policy CH4 of the Proposed Submission Core Strategy requires that where the redevelopment of social rented housing estates is proposed, a compelling case is demonstrated

that the long term benefits outweigh the uncertainty and disruption such projects will cause. To deliver this policy, a number of criteria are identified, including (inter alia) to require:

a: the maximum reasonable amount of affordable housing with the minimum being no net loss of existing social rented provision,

b: guarantee all existing tenants an opportunity of a home

c: require that the mix of house sizes for the reprovided social rented housing will be determined by the housing needs of the existing tenants of the estate and by the housing needs of the Borough at the time an application is submitted

These policy criteria are all included within the Wornington Green SPD.

In respect of the housing needs for social housing, the Borough's Strategic Housing Market Assessment 2009 (SHMA) identifies the following requirements (the overall proposed mix for this application is shown in brackets)

| | | |
|------------|-------|----------------|
| 1 bedroom | 0.0 % | (51.2%) |
| 2 bedroom | 21.4% | (27.5%) |
| 3 bedroom | 42.8% | (17.3%) |
| 4+ bedroom | 35.8% | (4.0%) |

With regard to the specific mix of social rented accommodation that is being proposed, it is one key requirements of the Wornington Green SPD and Proposed Submission Core Strategy policy CH4b and CH4c and CA2 that any proposed redevelopment would have to provide for the needs of the Estates existing residents. The applicants have submitted an existing housing needs assessment (as stated in para 3.1.2 of the planning brief) which has been considered acceptable by this Council's Housing Regeneration Officers in that it reflects the needs of the existing occupants of the estate. They go on to state that *'as all the existing tenants have a right to return to their homes on the redeveloped estate, it is their actual needs rather than the unit mix of the existing stock or the broader housing needs of the Council that must dictate the size and mix of the units being provided'*.

With regard to the proposed social housing provision, this is set out in Table 1 of this report. The proposal will provide a minimum of 538 social rented units/or 1625 habitable rooms of affordable housing. It should be noted that the precise mix of social rented units has been 'fixed' in Phase 1 in response to the current Housing Needs Assessment carried out by the applicants which forms part of this application. In accordance with the requirements of Proposed Submission Core Strategy Policy CH4c and the Wornington Green SPD, the precise mix of Phases 2-5 will be determined by the Housing Needs Assessment of the existing residents carried out at the time of each subsequent application together with any associated viability assessment. However, the proposal will always provide the minimum of 538 units/or 1625 habitable rooms and this will be secured by S106 Planning Obligation.

In conclusion, with regard to the mix of social housing provision proposed, when assessed against the SHMA 2009, there would appear to be a shortfall in the proportion of family sized units (3 bed and above). However, as the precise mix for Phase 1 and the proposed mix for the subsequent phases will be determined by the Housing Needs of the existing residents at the time of application, the proposal is considered to address the particular needs of the estate residents as required by the Wornington Green Planning Brief and Proposed Submission Core Strategy policies CA2 , CH2a and CH4 b and c.

- 4.11 In addition to the amount and mix of affordable housing that is being provided by a development proposal, it also needs to be considered with regard to the quality of the accommodation being provided. London Plan policy and Proposed Submission Core Strategy policy CH2 n CH2o require that affordable housing and market housing should have the same external appearance and equivalent levels of amenity. In this case, the affordable housing is being provided in the same buildings as the market housing and will have the same external appearance. Similarly, as the affordable housing is included within the same buildings as the market accommodation, they are considered to broadly share equivalent levels of amenity.

One exception to this is the tenure of the units with basement bedrooms. The apartments in Blocks 2 and 3 (overlooking the new Athlone Gardens) and Block 1 (overlooking 'Wheatstone

Road') have maisonettes on the ground and basement levels. There are 31 of these units of which 4 are for private sale. Basement bedrooms do not have the same amenity as upper level bedrooms, and thus, on the face of it, the amenity of the two tenures is not equivalent. However, while the amenity to the bedrooms may not be equivalent, consideration has to be given to other features that may be beneficial to the amenity of the unit as a whole, which might balance the situation with the bedrooms.

These family units have their own front door to the street, rather than being accessed through the communal front door used by the apartments over. In addition, each of these units has a private garden to the rear - upper level apartments have balconies. It is considered that these two features provide improved amenity that compensates for the basement bedrooms.

In addition, all of the proposed social rented accommodation meets the required floorspace standards (Housing Quality Indicators 2007) which is a requirement of grant funding, all units are of Lifetime Homes standards

4.12 *Market housing Provision*

The proposal will provide an additional 351 market units in order to facilitate the re-provision of the existing social rented housing. These provide a range of 1, 2 and 3 bedroom units. The mix is set out as below with the SHMA (2009) requirements in brackets.

| | | |
|-----------|-----|--------|
| 1 bedroom | 20% | (2.3%) |
| 2 bedroom | 64% | (43%) |
| 3 bedroom | 16% | (13%) |
| 4 bedroom | 0% | (42%) |

When compared against the Borough's housing need for market housing, the scheme is weighted towards the provision of smaller units. However, as the market housing provision is to facilitate the re-provision of the existing, one of the key determinants of its mix would be to maximize the viability of the scheme. In this case, the mix of market housing is considered acceptable. All of the units are designed for Lifetime Homes with

10% being wheelchair accessible across the development as a whole

- 4.13 With regard to the provision of open space, Policy H7 is 'to seek, where appropriate the provision of some outdoor space in new developments of over ten units'. Policy LR15 is to 'require that amenity space is provided for new family housing'. Policy CH2 in the Proposed Submission Core Strategy also requires housing schemes to include outdoor amenity space. There is no specified amount of space identified in respect of these policies. The Worrington Green Estate Planning Brief states that 'Balconies can augment garden space provision.' (para 7.12.2). In terms of private amenity space, all of the units, across all tenures have access to private amenity space in the form of balconies, lightwell terraces, roof terraces and/or private gardens. Once completed the development will also re-provide the open space currently known as Athlone Gardens. This area is public open space which will be in Council ownership. Details of amenity space provision for the residential units in phases 2-5 have not been submitted in this application. The open space provided within the site (excluding play space and roads) will be 9,186 sq.m.

The redevelopment of the estate requires the public open space (Athlone Gardens) to be used to facilitate construction. Policy LR8 resists the loss of existing public open space which meets leisure and recreation needs. As a result of this the brief requires 'that a good quality, publicly accessible open space at least half the size of Athlone Gardens (4593 sq.m.) is available for public use throughout the development.' In addition 'the Council will require as part of the final redevelopment, a new park that is at least the size and better in quality than that which exists at present.' The loss of open space is considered to be necessary to facilitate the redevelopment of the estate and is not permanent. The park is to be fully re-provided at the end of the development in phase 5 and is therefore not considered to be a conflict with UDP policy LR8, Proposed Submission Core Strategy policy CR5 or London Plan Policy 3D.8. These measures will be secured by S106 planning obligation.

- 4.14 With particular regard to the provision of playspace. Policy 3D.13 of the London Plan (2008) is to ensure that developments that include housing make provision for play and informal recreation. The predicted child yield of the development is 555

children as a whole (175 under 5's, 224 5 -10 and 156 11 -15). With 399 of children in the 0-10 age group, current London Plan policy seeks a target provision of approximately 3990 sq.m. (based on 10 square metres per child). The replacement of the existing open space at 9186 sq.m can accommodate in excess of the target provision stated in the GLA SPG (Providing for children and young people's play).

In addition to this the proposed relocated social & community use building has an area of open space which in the existing use provides for 11-15 year old children playspace. Overall it is considered that the proposed development is capable of providing sufficient play space and open space in the provision of the relocated open space. The Wornington Green SPD (para 4.3.1) requires as part of the final development a new park that is at least the size and better in quality than that which exists at present (9,186m²). Policy CA2 (c) of the Proposed Submission Core Strategy 2009 requires the replacement of an improved Athlone Gardens, measuring 9,186m² (including the area of the existing ball court). Para 4.3.1 of the SPD also requires that Athlone Gardens is reprovided as one park and must be returned to Council ownership. Para 4.3.2 of the SPD requires that the new park is capable of achieving the Green Flag Award. The planning application proposes to relocate the same area as the existing Athlone Gardens including the ball court (9,186m²) in one park, which meets the policy requirements. However, the final design, quality and facilities to be provided in the park is not considered part of this outline application as it is subject to the Council carrying out detailed consultation with the local community as part of the process of designing the new park.

4.15 *SOCIAL & COMMUNITY USE*

London Plan Policy 3A.18 states that adequate provision of social infrastructure and community facilities is particularly important in major areas of new development and regeneration. This Policy also requires that these facilities are provided within easy reach by walking and public transport for the population that use them and the net loss of these facilities must be resisted and increased provision sought to deal with increased population and to meet existing deficiencies.

UDP Policy SC2 resists the loss of accommodation for social and community use. UDP Policy SC3 states that the Council will

negotiate planning obligations to replace or relocate accommodation for social and community uses lost in development. UDP Policy SC6 states that, where appropriate, the Council will negotiate planning obligations to provide social and/or community facilities in association with development schemes. UDP Policy SC1 generally resists proposals for the provision of social and community facilities which would cater predominantly for non-local demand, except where there is a particular need for the use to be located in the Borough. UDP Policy SC4 encourages the provision of new social and community facilities which meet local needs.

Policy CK1 of the Proposed Submission Core Strategy protects and enhances social and community uses throughout the Borough and supports the provision of new facilities. This application is consistent with requirement (iii) of the sequential approach set out in Policy CK1(c), which seeks to permit enabling development on land or of buildings where the current use is or the last use was a social and community use in order to: provide another social and community use on site. None of the existing social and community uses on the site are affected in the first phase. The Venture Centre remains in situ until phase 4.

Policy CA2(d) states that part of the Estate is allocated for the refurbishment or replacement of an improved Venture Centre and scope for its enlargement, including the provision of the existing community and leisure facilities currently provided. Within the application outline planning permission is sought for a block fronting on to Portobello Road to the North-West of the site with a minimum height of 2 storeys and a maximum height of 5 storeys.

- 4.16 The Worrington Green SPD sets out detailed requirements for the facilities to be provided in the new community facility.

The Council calculates the site area of the existing Venture Centre and associated space to measure approximately 1,883 sq.m. The planning application indicates that the Venture Centre will remain in situ until Phase 4 (2018), when when the new community facility will be completed before the existing Venture Centre is demolished. The detailed design, including the size, layout and facilities to be provided will be subject to further design and consultation before a detailed planning application

for this site is submitted. This will provide an opportunity to determine the extent to which the other social and community uses that will be affected by the application – including The Hut – could be co-located, or not, and the extent to which the community facility may need to be enlarged to take account of the increased population, in accordance with London Plan 3A.18. This may also allow for the opportunity to encourage additional local community uses and educational facilities within a larger centre in accordance with UDP policy SC8.

The Open Door Friendship Centre does not form part of the application.

In terms of UDP policy there is no loss of Social and Community Floorspace proposed as part of the redevelopment and therefore the proposal complies with policies SC2, SC3, SC4, SC6 and SC8. The provision of the Social and Community Uses are to be secured within the Section 106 Planning Obligation

Policy H8 is to require the provision of social and community facilities in developments providing over 150 residential units, which is relevant in this case. As detailed in the preceding paragraphs, all of the existing community facilities on site will be reprovided by the development. However, with regard to the provision of health and education facilities, given the number of additional residents that will be generated as a result of the development this will have a demand on local services such as education and health. The Wornington Green SPD identifies that financial contributions should be offered as part of the redevelopment of the site to address these needs. These will be secured by S106 planning obligation.

4.17 *COMMERCIAL USES*

4.18 The proposal includes the provision of 3104 sq.m (GEA) commercial floorspace across the development. In Phase 1, 400 sq.m of Retail use Class A1 is proposed. In phases 2-5, 2704 sq.m of commercial floorspace (within Classes A1, A2, A3, A5 and or/B1 use classes) is proposed. This amount includes approximately 732 sq.m (GEA) of B1 office space, leaving approximately 2372 sq.m of A class uses. UDP policy S25 requires that a sequential test is carried out for new retail development that is over 2,500 sq.m of floorspace located on sites at the edge of existing shopping centres. As the proposed

commercial space within class A is below this figure it is considered that a sequential test is not necessary. The applicants have submitted a retail statement as part of the application which is essentially a sequential test for the development in accordance with policy S25. This statement concluded that there would be limited impact on the viability and vitality on existing shopping centres and the Council would agree with this conclusion. Therefore, the proposal is considered acceptable.

- 4.19 UDP policy S4 and S5 seek the provision of shop units as part of appropriate development schemes and seek a range in sizes. The recently adopted Wornington Green SPD states that area would benefit from some 2,000 sq m of A class uses (where this is located on the Portobello Road) as this could assist in animating the Portobello Road Street frontage, and help reconnect the link from Portobello Road to Ladbroke Grove. This view is supported by PPS6 which recognises the role that retail development can have in the regeneration of an area, which is of relevance in this case. The role of retail in regeneration is also supported by Policy CF1 of the Proposed Submission Core Strategy which states that "the new floorspace would underpin the Council's regeneration objectives and the vitality of any existing centres will not be harmed."

Given the scale of the proposal (significantly under the 2,500 sq. m. threshold within PPS6 where impact assessments would normally have to be carried out), it is not considered that the floorspace will harm the vitality of any neighbouring centres. In addition it is recognised that there is likely to be some 'need' generated by the proposal itself, a need which will be served by the proposed units. The units are more likely to fail than detract from the vitality of neighbouring centres. This is of prime importance. Despite the uncertainty about the need for the comparison floorspace, it is considered that neighbouring centres will not be harmed. Conditions/section 106 are recommended to ensure that the units are limited in size to minimise any possible harm and also prevent large scale retail units being created or destination restaurants. It is therefore considered to be appropriate for commercial floorspace to be included in the development in accordance with UDP policies S4 and S5, and emerging core strategy policy CF1.

- 4.20 In terms of office space there is no requirement within the Borough's development plan to provide business floorspace. Policy CF6 of the Proposed Submission Core Strategy does note that the Council will promote the workspaces needed to support the creative and cultural industrial businesses across the borough. Therefore the council will encourage the provision of a mix of unit sizes and types to meet these needs and allow the growth of firms in situ. Policy CF5 of the Proposed Submission Core Strategy is also relevant as it sets out the Council's policy on business uses, namely to ensure that there are a range of business premises within the Borough and to consolidate large and medium offices within town centres and areas of high public transport accessibility. The site is considered to be a suitable location for a mix of very small (less than 100 sq m) and small business premises (100 sq m to 300 sq m.) The provision of workshops suitable for either light industrial or office uses would be particularly welcomed. This is supported by UDP policy E10 which encourages a range of business use proposals to provide a range of unit size. It is therefore considered that the addition of commercial floorspace would not cause harm and would be in accordance with the relevant policies.
- 4.21 UDP policy S16 encourages the retention and provision of additional storage for street traders. As existing there are 20 market trader lock ups located along Munro Mews providing approximately 900 sq.m of B8 floorspace. These are occupied largely by market traders who operate in the Goldborne Road Market and the Portobello Road Market. The Wornington Green SPD states that the redevelopment should provide for similar or better levels of storage for the market (para 7.4.1). The proposed redevelopment of the estate includes the reprovision of the market trader lock-ups (approximately 900 sq.m.), 10 to the northern elevation of block 1 fronting Wornington Road, 2 at the northern end of block 1 fronting onto Munro Mews and 8 located to the southern side of the block fronting the return road section of Munro Mews. There is no loss of storage for street traders as a result of the redevelopment and therefore the proposal is considered to comply with policy S16. In addition the retention of the market trader lock-ups is essential to retain the viability and vitality of the street markets located nearby in compliance with policy S15 and Proposed Submission Core Strategy policies CV6, CP5 and CF4.