

19 May 2016

Pre-application advice note

Sites:	North Kensington Gate South, 115-129A Scrubs Lane, NW10 North Kensington Gate North, 93-97A and 99-101 Scrubs Lane, NW10
Proposals:	Mixed use developments with residential use over ground floor commercial
Applicant:	Aurora Developments Ltd and Delta Holding Ltd
Date of meeting:	6 April 2016 and 10 May 2016 (PLACE review)

Background

1. This advice note provides a summary of the discussions at our meeting of 6 April 2016 and the presentation to the OPDC PLACE Review Group (OPRG) on 10 May 2016. Our meeting focused on detailed design, landscaping and energy/sustainability, and the OPRG presentation provided a more general update on the progression of the scheme.
2. Our advice noted dated 18 December 2015 reiterated OPDC's commitment to continue pre-application discussions without prejudice to the outcome of a final viability assessment which is expected to impact on the balance between the height and density of development, and the amount of affordable housing and other social infrastructure that the scheme will deliver.
3. In the meeting we advised that OPDC has commissioned a masterplan for Scrubs Lane which is already underway. This work is being undertaken by East and is expected to be finalised by July 2016. As we discussed, it is important for you to meet with East as soon as possible so that both applications are able to respond to any relevant outputs that are available prior to submission.
4. The advice given by officers is provided in good faith and without prejudice to any future decision of OPDC in relation to a formal planning application.

Design – North Kensington Gate South

5. The scheme comprises a tower of 25-storeys and shoulder building of 8- and 6-storeys, both with double-height ground floors. To reiterate comments in our previous advice notes, at this height the tower significantly exceeds the height and density envisaged for this site in the OAPF and the OPDC Draft Local Plan. OPDC will need to see a positive outcome from a townscape and visual impact assessment before a development on this scale could be considered favourably.
6. The images presented at the OPRG meeting suggest that a 25-storey building would be very prominent, even in the context of the regeneration of Old Oak Common to the west. This is particularly the case in views from Wormwood Scrubs, Little Wormwood Scrubs and the surrounding conservation areas. There are also concerns about the height of the

building in views on Scrubs Lane to the south of the Mitre Bridge. In addition to the height and density considerations, the quality of the design is critical in seeking to justify a tall building. The key point here is that our discussions to date have not resulted in a clear design rationale for a 25-storey building in this location.

7. On the lower buildings the reduction in the height of the shoulder building and the removal of the set-back are welcome. This part of the development responds favourably to Scrubs Lane as a sensitive edge, and the aspiration for regeneration set out in the OAPF. It also provides an opportunity for a high quality, landscaped amenity space on the roof.
8. In our previous advice note we suggested that the most important consideration for the next stage of façade design development is to explore the character of the area in more detail and ensure that the design of the buildings respond positively to their context. The OPDC Draft Local Plan is clear that existing character should inform the design process. The presentations at our meeting and at OPRG provided more clarity on the use of materials and the composition of the façade, and the architecture is now responding more clearly to the local context and character, including through the use of a white concrete frame (echoing the Portland stone of the cemetery) and the rippled metal panels.
9. In this respect the full glass balconies do not seem to be the most appropriate solution as they conflict with the industrial references and materiality. Metal railings may be more suitable given the character of the area and their use on other buildings on Scrubs Lane.
10. We discussed the benefits of breaking up the west elevation of the 6- and 8-storey shoulder building with greater vertical emphasis and there are a number of architectural solutions that could help to achieve this. Although there is variety in the pattern of development along Scrubs Lane, the introduction of the shoulder building would contrast to some extent with the terraced dwellings and rhythm of the Cumberland Park Factory buildings to the north. Introducing a stronger vertical demarcation in the composition of the façade would reflect this existing character more sympathetically. The precast stone framing has begun to achieve this effect but the elevations could be enhanced further.
11. It is understood from the presentations that more work is being undertaken on the ground floor frontages but the principle of using the stone framing to emphasise the residential entrances is welcome. We look forward to seeing more details prior to the submission of an application.
12. It is important that the layout responds to any relevant outputs from the Scrubs Lane masterplan work, but the revised position of the building is welcome in principle. The layout now provides a greater emphasis on the quality of the public realm by reducing the dominance of the vehicular access. The position of the building allows for a meaningful amenity space to the rear whilst providing capacity for an enhanced pedestrian environment on Scrubs Lane.
13. The floorplan shows that a recessed area has been created in the frontage between the tower and shoulder buildings. This should either be removed or the treatment clarified to ensure it does not provide an opportunity for antisocial behaviour. The amenity value of each unit should be considered in terms of the outlook and the potential for overlooking from adjacent units or balconies. The floorplans we have seen suggest that some of the units could be compromised at the juncture of the tower and shoulder building. It would also be useful to see revised floorplans to clarify which areas the cores serve and how access to the roof terraces is provided given the variation in height of the shoulder building.

14. It is important to ensure that the ground floor frontage is activated as much as possible. It is noted that improvements have been made to the layout but the latest plans still show inactive uses in the front elevation which should be avoided. One option that we previously raised for addressing this challenge and increasing the commercial space was to relocate some of the plant and storage space to the basement. The amount of car parking could be reduced given the excellent access to public transport that will come forward in the near future. It would be useful to have confirmation that all of the required plant equipment will be accommodated inside the building.

Design - North Kensington Gate North

15. The impact on the setting of the anticipated Cumberland Park Factory Conservation Area will be a key consideration in the assessment of the application on this site. The presentation at our meeting provided a little more information on the relationship between the 4-storey element and the adjacent historic buildings. The indicative materials appear to be appropriate given the consistency of the appearance of the buildings in the proposed conservation area. It would be useful to see whether any work has been done to explore opportunities for visual references to the adjacent industrial buildings given the importance of local distinctiveness and ensuring that new development relates to the existing character of the area.

16. The design of the top of the building has been raised in previous correspondence and I would reiterate that the proportions of the 'frame' serve to exacerbate the perceived height of the building. Owing to the sensitive setting and particularly the views from the north on Scrubs Lane, this element should be revised.

17. It is very important that the building has an active frontage at ground floor level. The layout now utilises more of the area to the south that is subject to the easement which increases the amount of frontage and therefore the prominence of the commercial space. It is acknowledged that the lack of any below ground storage places pressure on the ground floor layout, but it is very important given the small size of the site and the desire to improve the pedestrian environment on Scrubs Lane that the development capitalises on this opportunity for an active use. It was encouraging to hear that positive discussions have taken place with the owners of St Mary's Cemetery given the value of a pedestrian route being provided in this location. It is not clear why the gate providing access to the rear of the building has been set back from the building line of the front elevation.

18. We will need to have a meeting to discuss the highways issues affecting both sites in more detail but the proposal for on-street servicing of North Kensington Gate North is likely to conflict with the future levels of traffic on Scrubs Lane. This impact is exacerbated by the proposed building line which at present is at the edge of the pavement and does not provide any additional space for vehicles servicing the property.

Amenity and impact on adjacent sites

19. We have previously raised the importance of development on these sites not undermining the redevelopment potential of adjacent sites but it is still not clear how this will be achieved. In particular, the building on the north site is still showing windows, including from bedrooms, in its south elevation. There is a significant risk of mutual overlooking and of a development on the adjacent site reducing the amount of natural light available to units with a southerly aspect.

20. This may also be an issue with the site to the south of North Kensington Gate South. More works needs to be done to demonstrate how the configuration of this building will not prejudice the future development of the site.
21. This issue needs to be addressed before an application is submitted. The strategy needs to deal with the potential overlooking issue and be informed by a daylight and sunlight assessment that should extend to considering the impact of development on the adjacent site.
22. Before the applications are submitted we expect to see a daylight, sunlight and overshadowing assessment and clarity on the number of single aspect units. OPDC will need time to provide input into any design response that may be required if the assessment shows that the relevant standards are not being met.

Landscaping

23. The presentation at our meeting noted a number of opportunities to maximise the potential of the site, both in terms of providing valuable amenity space for future residents and by enhancing the public realm. In particular the emphasis on the use of the roofs for soft landscaping is welcome. This would reflect the intention to introduce planting at street level and help to improve the pedestrian experience on Scrubs Lane.
24. It was noted that the soft landscaping to the rear of North Kensington Gate South will be planned to respond to its new context and is likely to suffer from overshadowing to some extent. The principle of providing child play space on-site is welcome, but the precise locations for these areas should take account of an overshadowing assessment in seeking to maximise the quality of the environment. It is understood that the amenity space will be capable of providing all of the child play space required by policy 3.6 of the London Plan.
25. The provision of a decked walkway across the rear elevation of this site is welcome, as this would provide an opportunity for use of the outdoor space for a greater part of the year. This would particularly benefit the occupiers of the ground floor commercial unit.
26. The plans for the pocket garden to the side of North Kensington Gate South will require careful consideration as it is likely that future development to the south of this site will have implications for the quality of the space. It is very important that the vision for this space takes account of the future value of the area.
27. The amenity areas on the roof terraces of both buildings are supported in principle but there is a risk of overshadowing on the shoulder buildings from the two towers. Again, the use of these spaces needs to consider and respond to the output from overshadowing assessments.
28. It is important that the soft landscaping strategy for North Kensington Gate South responds to the setting of the Canadian War Memorial.
29. Soft landscaping opportunities are more limited for the North Kensington Gate North site. We previously raised the need to discuss access arrangements with St Mary's Cemetery given the desirability of a new pedestrian access point from this site and it was reassuring to hear at the OPRG meeting that progress has been made. The benefits of a link in this location are identified in the OAPF but they can only be realised with agreement from the cemetery owners.

30. The use of the roof of the 4-storey element for amenity purposes is welcome in principle and it was interesting to hear that the representative of the cemetery recognises security advantages in passive surveillance from the proposed developments. The cemetery is a place of quiet reflection and there is a risk that the use of the space for amenity purposes may undermine this character given the close proximity of the terrace at 4th floor level. The layout of the roof terrace should therefore be carefully planned to reduce the risk of conflict.

Energy

31. Updated guidance on preparing energy assessments was published by the GLA in March 2016 and provides further information on the revised targets to take into account Part L 2013 of the Building Regulations. It also provides details on the information that should be provided in energy strategies submitted with planning applications.

32. The London Plan requires a 35% carbon reduction target beyond Part L 2013 of the Building Regulations. It is worth noting that the March 2016 guidance explains that the carbon reduction target for new development will change from 1 October 2016. Although the intended submission date is ahead of this deadline, the requirements will change as follows:

- a. Stage 1 schemes received by the Mayor up until 30 September 2016 – 35% below Part L 2013 for both residential and commercial/non-domestic development.
- b. Stage 1 schemes received by the Mayor on or after the 1st October 2016 – Zero carbon (as defined in section 5.2 of the Housing SPG) for residential development and 35% below Part L 2013 for commercial /non-domestic development.

33. The carbon emission figures should be reported against a Part L 2013 baseline. The March 2016 guidance provides details on presenting carbon emission information separately for domestic and non-domestic elements of the development in light of the zero carbon target coming into force for domestic development from 1 October onwards.

34. The information presented at our meeting on 6 April 2016 demonstrated that the North Kensington Gate South development will meet Building Regulations Part L 2013 by efficiency measures alone, which is welcomed. Sample SAP full calculation worksheets (both DER and TER sheets) and BRUKL sheets including efficiency measures alone should be provided with the energy strategy to support the savings claimed.

35. Evidence should be provided to explain how the demand for cooling will be minimised through passive design in line with London Plan policy 5.9. In particular, the energy strategies should consider how best to mitigate any restrictions posed by, for example, local air quality or noise issues and single aspect units. It is noted that dynamic overheating modelling in line with CIBSE Guidance TM52 and TM49 has been considered which is welcomed.

36. The current design indicates that 30% of the dwellings in North Kensington Gate South will require cooling. In accordance with London Plan policy 5.9, OPDC would expect to see further consideration of how the number of flats requiring cooling could potentially be reduced to zero through implementation of additional passive design measures. Mechanical cooling should only be applied where passive measures are unsatisfactory.

37. A domestic overheating checklist is included in the GLA's energy guidance which should be completed and used to identify potential overheating risk and passive responses early in the

design process. The completed checklist should be included in the appendix of the energy strategy.

38. It is accepted that the application is likely to be submitted in advance of an adopted strategy for a decentralised energy (DE) network across the OPDC area. For the purposes of the Stage I report from the GLA, it is important that evidence of communication with OPDC regarding the progress of the DE network is provided in the energy strategy. The energy strategy should also document the other opportunities for connection to nearby district heating networks that were explored and presented at our meeting.
39. OPDC will expect the energy strategy to commit to providing a site wide heating network, suitable for connection to wider district networks now or in the future. You should further explore the option of linking the networks of North Kensington Gate North and South and address any possible constraints. The opportunity of exporting heat to the plot between the application sites should also be considered.
40. Should a single heat network between the two sites be demonstrated as unfeasible in the energy strategies, each plot should be served by a single energy centre and provision should be made for a site wide heating network for each plot suitable for connection to wider district networks now or in the future. All uses on the site should be connected to the site wide heat network. The size and proposed location of the energy centre(s) should be shown on the submitted plans.
41. The applicant should follow the London Plan energy hierarchy when considering the potential for CHP and renewable energy technologies. The suggested approach not to install CHP at North Kensington Gate North is accepted.
42. CHP is proposed at North Kensington Gate South which appears generally appropriate in principle, however, more information should be provided in the energy strategy including the size of the engine proposed (kWe/kWth), the provision of any thermal store and suitable monthly demand profiles for heating, cooling and electrical loads, cost benefit analysis and carbon reduction benefits. The plant efficiencies used when modelling carbon savings should be the gross values rather than the net values often provided by manufacturers.
43. Where solar technologies are proposed, a plan showing their location should be provided. The savings achieved from the proposed PV installation at North Kensington Gate North look optimistic. More information on the area (sq.m) and efficiency of the panels proposed will be required in the energy strategy. The energy strategy should model the impact of a policy compliant redevelopment (in terms of height and density) on the land between the application sites on the efficiency of a PV array to determine whether the approach is practical. A payment in lieu of on-site provision will be required for the carbon emissions shortfall if a PV scheme is found to be unworkable.
44. In line with London Plan policy 5.7 the energy strategy for North Kensington Gate South should investigate the inclusion of on-site renewable energy generation, regardless of the 35% target having been met.

Water

45. OPDC is currently working with Thames Water on an Integrated Water Management Study (IWMS). The scale of development in the Old Oak Opportunity Area will generate significant demand for additional water infrastructure, in terms of the need for both water supply and

sewerage/foul drainage. The IWMS will provide a strategic approach for the whole area to secure a comprehensive and coordinated approach, including best practice approaches with regard to water efficiency.

46. OPDC will expect you to have met with Thames Water to discuss the water supply and foul drainage requirements for these developments and the adequacy of the existing infrastructure to meet those needs. It is noted that water demand for internal use will be below the 105 litres per resident set out in the supporting text to policy 5.15 of the London Plan which is welcome. The policy does encourage this to be minimised as far as practicable, however, so the formal applications should show how all reasonable options for doing so have been explored.
47. With regard to drainage, OPDC Regulation 18 Local Plan policy EU3 requires all new development to achieve greenfield run-off rates as a minimum. The drainage strategies will be expected to show how this is being achieved by exploring potential SUDS options. It is anticipated that the most likely options for reducing surface water run-off will be through the use of permeable paving, soft landscaping on the roofs and amenity spaces, and residual attenuation should it prove necessary.

Further issues

48. There are a number of further items which should be addressed before formal applications are submitted.
49. A key issue to consider in more detail is the level of affordable housing and the housing mix.
50. We discussed the air quality assessment requirements with LBHF on 10 May which provided clarity on the scope of the assessments.
51. We will also need a meeting to discuss transport and highways issues. This will need to include representatives from LBHF Highways, TfL and OPDC. In particular we will need to examine the proposal for on-street servicing of North Kensington Gate North and the extent of the cycle parking provision given the lack of car parking. You will also need to liaise with LBHF to discuss the arrangements for waste/recycling collections if the issue is not addressed as part of the same meeting.
52. OPDC will expect you to have met with the Designing Out Crime Officer (DOCO) from the Metropolitan Police prior to submission. Advice from the DOCO should be addressed in the design and access statements and incorporated into the proposals where relevant. Contact details can be provided if necessary.
53. We would also like to discuss the timing of submission and determination of the applications in light of the OPDC Local Plan programme and the need to ensure the new Mayor's policies and priorities are properly understood and reflected in the scheme.
54. It would be advisable to provide draft Heads of Terms for the legal agreements prior to submission so that we have an opportunity to discuss the content in advance. Although the viability assessments will inform the detail of any mitigation, the draft Heads of Terms should provide an indicative list of issues.

Summary

55. The advice in this letter regarding the design merits of the schemes is made without prejudice to future discussions on the viability of the developments. It should be noted that the comments are only intended to inform further design work in an attempt to reach consensus about a scale and form of development that may be acceptable on the site. It is anticipated that further negotiations will then be required regarding the provision of affordable housing and contributions to other infrastructure.
56. There are a number of issues which need to be addressed prior to submission to ensure that potential delays can be avoided in the determination of the applications.