

Sue Willcox

Quod
Ingeni Building
17 Broadwick Street
London
W1F OAX

Date: 28 August 2015

Dear Ms Willcox

**Request for pre-application advice
North Kensington Gate – Proposed redevelopment of 115-129A, 93-97A and 99-101
Scrubs Lane**

I write on behalf of Old Oak & Park Royal Development Corporation (OPDC) and Transport for London (TfL) to provide collective feedback on your proposals for North Kensington Gate, Scrubs Lane. Our meeting of 13 August 2015 was the first formal discussion between us so the comments set out in this letter are general in their scope and address key principles rather than finer details. We will be able to discuss many of the items in more detail through further pre-application meetings.

During our meeting you raised the importance of the site both as a 'gateway' to Old Oak and in terms of the potential for early delivery. OPDC shares your aspiration to deliver early development on this site and is committed to working with you and your colleagues to bring forward a mutually acceptable form of development.

Application process

Your covering letter of 29 July and the submission from Allies & Morrison dated 13 August sets out the preferred options for developing the two sites. I understand that you intend to submit separate applications for the sites referred to as North Kensington Gate North (the 'north building') and North Kensington Gate South (the 'south building') which reflects the different site ownerships, but your letter does not explain why this approach has been adopted. There are various implications of this strategy, including for viability and affordable housing, duplicating application documents, assessing the cumulative impact of the two sites and providing clarity for stakeholders. OPDC's strong preference would be for a single application covering the two sites.

Land use

The land is currently designated as Strategic Industrial Land (SIL) in the London Plan (2015), and Hammersmith & Fulham Council's Core Strategy (2011) and Development Management Local Plan (2013). The draft Old Oak and Park Royal Opportunity Area Planning Framework (OAPF) outlines a regeneration strategy for the wider area and a vision for residential-led redevelopment of the North Kensington Gate sites. The OAPF will not officially de-designate the land as SIL, so any application will need to set out the justification for the loss of this employment generating use in the light of the planned regeneration and infrastructure improvements that are set to come forward. Policy 2.17 B b of the London Plan 2015 provides specific advice on this issue, which will be reflected in the final version of the OAPF.

The proposed south building includes commercial uses at ground floor level. This is something which is actively encouraged in the OAPF to help facilitate an active frontage onto Scrubs Lane and to provide a degree of relief between residential uses on the upper floors and the highway. I understand your preference is for a flexible use of the space at this stage which is reasonable given the scale of change which will take place in the surrounding area in the medium term. I would encourage you to liaise with other landowners regarding the potential relocation of small businesses from land in their ownership at Old Oak Common as your site may be an opportunity for those businesses. The plans did not show a ground floor commercial use in the north building which should be included.

Housing mix and standards

It is unlikely that OPDC will have adopted planning policy that addresses more detailed issues such as the housing mix and housing standards by the time your application is submitted. Currently OPDC will rely on the London Plan (2015) and Hammersmith and Fulham Council's planning policy documents although the OPDC Local Plan will go out for first stage (Regulation 18) consultation in November. In general terms the mix appears appropriate with a smaller proportion of larger units reflecting the limited opportunities for on-site amenity space and site location. A meeting is due to take place shortly regarding the unit size and tenure mix for affordable housing.

Resolving the application process and discussing the affordable housing requirements should help to clarify how the requirements for this site will be met.

Design and heritage

The application site is not within a conservation area but it is in close proximity of the Grand Union Canal Conservation Area to the south, St Mary's Conservation Area to the east and the Kensal Green Cemetery Conservation Area beyond, which is a Grade I Registered Park and Garden of Special Historic Interest. The scheme also has the potential to affect designations that are further afield in addition to these conservation areas owing to the scale of development proposed. There are also a significant number of listed structures in close proximity including the Anglican Chapel (Grade I) and 12 Grade II* monuments in Kensal Green Cemetery.

Height, scale and massing

The OAPF sets out the strategic approach to development across the OPDC area. The document examines in high level terms how the targets of 24,000 homes and 55,000 jobs set out in the London Plan should be delivered in the Old Oak Common Opportunity Area, having regard to the opportunities afforded by the future infrastructure provision and constraints presented by existing development. These constraints include the sensitivity of areas around Old Oak to high-rise or high density development. This is due to factors such as their proximity to heritage assets, areas of environmental interest or residential amenity.

Scrubs Lane is identified as a transition area between the surrounding area and the core development area. Early regeneration along Scrubs Lane will be encouraged, with mixed use development capable of being brought forward in the short term. Scrubs Lane has potential to accommodate development of a scale that is sensitive to the adjacent conservation areas. This approach seeks to strike a balance between maximising the development opportunity presented by planned new transport infrastructure whilst respecting the historic interest of the cemeteries, the setting of the Anglican Chapel and other heritage assets. It would provide an appropriate transition between the densest areas of development around the HS2/Crossrail interchange and the surrounding area.

The Mayor is expected to publish the final version of the OAPF before the end of 2015. Further work has been undertaken on the document to examine in more detail how the targets for housing and

jobs can be achieved across the opportunity area. This has tested three density levels – 300, 405 and 550 units per hectare – and modelled how density could be distributed across the area to deliver the housing and jobs targets. The work assumes that sensitive areas, such as the eastern side of Scrubs Lane, will accommodate residential development at a density of approximately 300 units per hectare. OPDC acknowledges that this density level should be used as a guide only; that development should be shaped by the specific opportunities and constraints of each site; and that development potential should be maximised in close proximity to public transport nodes.

The densities that have been modelled demonstrate that 24,000 new homes can be delivered according to a coordinated approach that broadly locates the highest densities of development around new and existing transport nodes and lower densities in sensitive locations close to heritage assets and existing residential communities. Whilst the OAPF will identify the opportunity for taller or denser development away from transport nodes where they are justified in urban design or viability terms, it is important that this does not undermine the aspiration to create a new neighbourhood that is properly integrated with its surroundings. It is for this reason that the concept of gateway locations for tall buildings is not being carried forward into the final version of the OAPF.

The plans outlined at our meeting were for 3 towers of 29, 22 and 18 storeys. The density of development averaged across the two sites is approximately 820 units per hectare, which is much higher than that envisaged by our work on density. In terms of the visual impact, the taller elements would far exceed the scale of development anticipated on Scrubs Lane and would impact on a number of sensitive views from the Grand Union Canal, St Mary's and Kensal Green Cemetery Conservation Areas.

Historic England has provided separate advice regarding the heritage impact of the proposals. Their letter of 25 August 2015 examines the implications for the specific characteristics of the designated sites that will be affected. In their view, the three towers would result in harm to the heritage assets as a result of their height, proximity and overlooking. Furthermore the harm would be caused to sites that are highly graded heritage assets.

The NPPF states that any harm to heritage assets should be fully justified. Even if it can be demonstrated that the harm is necessary, the significance of the heritage assets increases the need for the development to provide public benefits to outweigh the harm.

It is accepted that the future plans for Old Oak Common will result in significant change to the area which will inevitably impact on some of the more sensitive uses in the surrounding area. It is important that in planning for this scale of development, the existing attributes of the locality are protected as far as possible without undermining the wider regeneration efforts. Assets such as the conservation areas and the Anglican Chapel should therefore be enhanced as far as possible to ensure their positive contribution to the local character of the area is preserved. The concern with the proposals is the dominating height of the towers in relation to these sensitive sites which is exacerbated by their proximity and the extent of the site coverage.

Impact on adjacent sites

The layout of the proposed buildings raises a further potential issue with regard to the future development of adjacent sites. We discussed the need to ensure that this scheme does not prejudice the development of the site in between the south building and north building, as well as the site to the south which is currently occupied by UK Tyres. I understand you are going to provide some ghosted images to demonstrate how your proposals would not prevent those sites coming forward for redevelopment.

Public realm

The location and design of site access roads should aim to minimise the impact on pedestrians and improve the public realm in both the current situation and taking account of any future changes to Scrubs Lane. These include aspirations for cycle routes to connect to the Grand Union Canal Quietway, the proposed A40 Cycle Superhighway and northwards to Harlesden. The application will be expected to provide improvements to pedestrian and cycle facilities including wayfinding along Scrubs Lane and access to other key destinations such as Harlesden, Willesden Junction station, the proposed Hythe Road station and bus stops.

Transport

Although OPDC is the local planning authority, Hammersmith and Fulham Council remains the local highway authority and will need to approve proposals for access and to assess the impact on the local highway network. TfL is the strategic transport authority and will provide advice on compliance with transport policies in the London Plan, OAPF and other relevant guidance. It would therefore be helpful for pre-application discussions on transport issues to involve both organisations going forwards. This can be addressed as part of the PPA with OPDC which is discussed below. TfL provides its own formal pre-application advice service. Further information is available on the TfL website.

Servicing

Deliveries and servicing including drop off should take place off Scrubs Lane. The servicing arrangements need to be both practical and provide a high quality public realm on the site frontage. In this context the proposal for a lay-by is unlikely to be appropriate and needs to be rethought. Maximum use needs to be made of basement servicing including for home deliveries and waste disposal and collection.

Car and cycle parking

Car parking should be reduced to a maximum ratio of 0.2 spaces per residential unit. This ratio has been informed by work on the Old Oak Common Strategic Transport Study which considered the impact of development on the transport network. A high proportion of spaces should be allocated for disabled residents. Space released by reducing car parking and by a reduction in the number of residential units owing to the design issues outlined above should be used for servicing or a better configuration for cycle parking. Although there was no reference to cycle parking in the submitted information, the presentation during our meeting included a commitment to providing cycle parking in compliance with the London Plan (2015). Careful thought will need to be given to the location and access.

TfL expect the transport information submitted with the application to be submitted in accordance with the guidance available on the TfL website. This should assess impact on all modes including pedestrian and cycle movement and identify suitable mitigation. Other transport related documents that should be prepared include a Travel Plan, Construction Logistics Plan, Delivery and Servicing Plan and a Parking Management Plan. These will need to be produced for both sites if you decide to pursue separate applications.

Further issues

Utilities, sustainability and energy

A utilities strategy and an energy strategy are currently being prepared for the OPDC area. As work progresses on the energy strategy an energy masterplan will also be produced. Both strategies will be available to view as part of our Regulation 18 consultation on our Local Plan proposals which will take place from November. I would encourage you to view these documents to ensure that the development adheres to their aims and objectives.

EIA

I understand from our meeting that your consultant has been in touch with Hammersmith and Fulham Council, which will enable them to progress a number of the EIA issues. OPDC will rely on the support of our own EIA consultants on both the scoping opinion and submitted Environmental Statement. OPDC's costs in this regard are expected to be met by the applicant and we will require confirmation of this before our consultants can be instructed.

SMART city technology

OPDC will ensure that new development applies best practice in terms of integrating smart city technology, services and providing open data from the outset. We would expect to see how this would be incorporated into the development, including buildings, open spaces and public realm being proposed as part of a formal application. It is important that the plans are prepared with this requirement in mind from an early stage.

Supporting documentation

In terms of the supporting documentation for a formal application, OPDC is expecting to undertake a public consultation exercise on a validation checklist shortly. We would welcome any comments you may have on the list which may be useful to inform the documents that we require. We can of course discuss this as the pre-application programme moves forward.

PPA

Given the scale and complexity of the proposals, OPDC expects the applicant to enter into a Planning Performance Agreement. This will need to include an agreed timetable for submission and determination of the application. The pre-application period will need to allow sufficient time for further meetings with officers, a review by OPDC's PLACE review group and a presentation to planning committee.

Summary

In summary, OPDC is supportive of a residential led redevelopment of this site and we are keen to work with you to bring forward an acceptable scheme in a timely manner. OPDC would welcome the opportunity to discuss the necessary revisions to the height, scale and density of development through a workshop process if you consider that would be beneficial.

Yours sincerely,

Michael Mulhern
Director of Planning