

Earl's Court and West Kensington Opportunity Area Joint Supplementary Planning Document

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# CONSULTATION SUMMARY REPORT

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MARCH 2012



# Earl's Court West Kensington Opportunity Area Supplementary Planning Document

## Consultation Summary Report

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# **1. Introduction**

## **1.1 Overview**

This report summarises the outcome of consultation on the Earl's Court West Kensington Opportunity Area (OA) Revised Draft Supplementary Planning Document (SPD). The six week statutory consultation period ran from Friday 11 November to 5pm on Friday 23 December, although representations made after this date were accepted.

1.2 The SPD is being prepared jointly by the London Borough of Hammersmith and Fulham (LBHF) and the Royal Borough of Kensington and Chelsea (RBKC) in partnership with the Greater London Authority (GLA). The overarching objectives of the SPD are to:

- establish detailed guidance on the application of policies within the London Plan and the boroughs' Development Plan Documents (DPDs) that will be used to assess any application in the Opportunity area;
- establish and provide guidance for masterplanning of the Opportunity area;
- bring forward partnership working in redeveloping the Opportunity Area and maximise public and private resources in regeneration and;
- bring consultation forward in the planning process by engaging the public and stakeholders as early as possible in the development process.

A summary of all previous consultation on the emerging SPD is set out in the Statement of Consultation February 2012. A summary of the consultation on the initial Issues and Opportunities Leaflet (Oct / Nov 2010) is set out in the Preliminary Consultation Report 2011. A summary of the consultation on the first draft SPD (Mar / April 2011) is set out in the Consultation Summary Report November 2011.

## **1.3 Consultation Status**

Consultation on the Revised Draft SPD is in accordance with Regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and section 30 and 34(1) of the Greater London Authority Act 1999 (as amended).

## **1.4 The Earl's Court and West Kensington Opportunity Area**

The Opportunity Area comprises 37.2 hectares of land split between LBHF and RBKC, incorporating land within the Earl's Court Ward (RBKC), the North End Ward (LBHF) and the Fulham Broadway Ward (LBHF). 27.8 hectares of the site is situated within LBHF and the remaining 9.4 hectares is contained within RBKC.

1.5 The Opportunity Area boundary is defined by Warwick Road and the West London Line to the east, West Cromwell Rd (A4) to the north, North End Road to the west and Old Brompton Road/Lillie Road to the south. The Seagrave Road car park is a parcel of land within the Opportunity Area situated south of Lillie Road bounded by Seagrave Road and the West London Line. 27.8

hectares of the site is contained within LBHF and the remaining 9.4 hectares is contained within RBKC comprising the Earl's Court 1 Exhibition Building site. The Opportunity Area in the context of the surrounding area is shown in Figure 1 below.

## **1.6 Existing Land Use**

The Opportunity Area currently features a range of land uses. The Earl's Court 1 and 2 Exhibition Centres and ancillary servicing areas dominate the eastern side of the Opportunity Area, rising to a height equivalent to 18 stories and covering an area of 5.3 ha. The 33-storey Empress State building is situated immediately to the west of Earl's Court 2 and is the tallest building within the Opportunity Area and is currently occupied by the Metropolitan Police. To the north of Earl's Court 2, the TfL Lillie Bridge Depot covers a substantial area of 7.3ha comprising marshalling yards, engineering workshops and Ashfield House; a 9-storey training facility that dominates the northern boundary of the Opportunity Area along the A4.

- 1.7 The West Kensington and Gibbs Green housing estates lie to the west of the Earl's Court Exhibition Centres and the TfL Lillie Bridge Depot. The larger West Kensington Estate contains 604 properties and includes several blocks of 9, 10 and 11 storeys along with low rise flats, maisonettes and terraced houses. The smaller Gibbs Green Estate features 98 properties comprising 7 medium-rise blocks. Overall the estate accommodation is primarily low and medium density housing. There are also a number of smaller ancillary land uses within the Opportunity Area.



Figure 1: The Earl's Court and West Kensington Opportunity Area

## **2. Method of Consultation**

### **2.1 Overview**

Several consultation techniques were used to engage the public and interested parties to encourage feedback, in accordance with both boroughs' Statement of Community Involvement, namely;

- Consultation letter distributed to surrounding properties
- Consultation letter mail-out to interested parties
- Public Notice in local newspapers
- SPD Distribution to interested parties (both hardcopy and CD formats)
- Availability of the SPD for inspection at several public locations
- Dedicated consultation email address
- Dedicated consultation phone numbers for both LBHF and RBKC, allowing members of the public to speak directly to the SPD team and;
- Presentations to interested parties and two workshop events with the Earl's Court Society.

Further details of the various consultation techniques are provided below:

### **2.2 Consultation Letter**

Approximately 45,000 individually addressed letters were sent to:

- Statutory consultees
- all individuals and groups on the RBKC and LBHF Local Development Framework database;
- to nearly all properties within 650 metres of the OA
- Some special interest groups were also sent a letter and;
- those who commented through the March/ April consultation.

The letter introduced the Revised Draft SPD and invited comments.

### **2.3 Public Notice**

A public notice was placed in the Kensington and Chelsea and the Hammersmith and Fulham Chronicle on Friday 11 November 2011. The public notice introduced the subject matter and area covered by the SPD, the period in which representations can be made, the address to which representations must be sent and locations where the SPD was available for inspection during the consultation period.

### **2.4 SPD Distribution**

A hardcopy and/or CD of the Revised Draft SPD and all supporting information was sent to statutory organisations and other selected interested parties. The Revised Draft SPD was also sent to people or organisations who requested copies. Copies of the draft SPD were also made available for inspection, during normal office hours, at the following locations:

- Duty Planning Office, Hammersmith Town Hall Extension
- Planning Information Office, Kensington and Chelsea Town Hall
- Housing Office, Clem Atlee Estate
- Hammersmith Library

- Barons Court Library
  - Brompton Library
  - Kensington Central Library
  - Chelsea Library
  - Fulham Library
  - Earls Court Exhibition Centre and;
  - Greater London Authority, City Hall.
- 2.5 The Revised Draft SPD was made available online for viewing and downloading from the LBHF, RBKC and GLA websites (as set out in the front of the Revised SPD and consultation letter) at [www.lbhf.gov.uk/earlscourtspd](http://www.lbhf.gov.uk/earlscourtspd), [www.rbkc.gov.uk/earlscourtspd](http://www.rbkc.gov.uk/earlscourtspd), and [www.london.gov.uk/consultation/earls-court-and-west-kensington-opportunity-area](http://www.london.gov.uk/consultation/earls-court-and-west-kensington-opportunity-area).
- 2.6 Email Address**  
A dedicated email address was set up so that respondents could email comments directly to the SPD team. The email address [earlscourtspdconsultation@lbhf.gov.uk](mailto:earlscourtspdconsultation@lbhf.gov.uk) was included on consultation materials and the 'how to comment' page at the front of the Revised Draft SPD.
- 2.7 Contact Phone Numbers**  
Dedicated consultation phone numbers (one for LBHF and one for RBKC) were publicised in the consultation letter, public notice and LBHF and RBKC websites, allowing members of the public to speak directly to the SPD team during office hours.
- 2.8 Presentations**  
The SPD team also made presentations to organisations who requested them. Presentations were given to the joint Design Review Panel, The Earls Court Society and to Gibbs Green and West Kensington Estate Residents Steering Board.
- 2.9 Planning Workshop**  
In response to requests from the Earl's Court Society (ECS), RBKC held two public workshop events to discuss the content of the Revised Draft SPD. Planning officers were responsible for the workshop programme. The ECS arranged the venue, catering and invitations. Both events were held in St. Cuthberts Church Hall, off Philbeach Gardens.
- 2.10 The first workshop was held on the 29 November 2011, where nearly 100 people attended to discuss the various chapters of the SPD (excluding Transport). The event started with short introductions from the Chair of the ECS, Earl's Court Ward Councillor and RBKC Planning Officer. In groups, participants were then shown the Key Objectives and Key Principles of a particular chapter of the Revised Draft SPD and asked to highlight which text they supported and which text they would change.
- 2.12 The second workshop was held on the 30 November 2011, where nearly 40 people attended to discuss Transport. As the Transport Study had not been



finalised in preparing the first draft SPD, this workshop began with short presentations by TfL on the Transport Study and RBKC on the Transport and Accessibility chapter of the SPD. This was followed by questions and answers. Then, as with the first workshop, participants were shown the Key Objectives and Key Principles in the Revised Draft SPD and asked to highlight which text they supported and which text they would change.

- 2.13 The findings of both workshops were written up by RBKC Planning Officers. These were then sent to the ECS to inform their comments on the Revised Draft SPD.

### **3. Consultation Objectives**

- 3.1 Consultation on the Revised Draft SPD had five key objectives to:

i) set out the changes in response to the 1<sup>st</sup> round of consultation held in March- April and to invite further comment on the revisions.

ii) consult on the completed Transport Study, Edges Study, Townscape & Visual Analysis, Office Study, Decentralised Energy Feasibility Study and the Estates Regeneration Economic Appraisal and additional work around the Development Capacity Scenarios, which did not form part of the Draft SPD in the first round of consultation

iii) refine key issues associated with redevelopment of the Opportunity Area and surrounding area.

iv) engage the public and interested parties in drafting the SPD prior to adoption by encouraging comments and feedback.

v) identify what changes and improvements should be made to the Revised Draft SPD.

## **4.0 Consultation Findings**

### **4.0.1 Overview**

335 written responses were received from a wide range of respondents including local Councillors, local amenity societies, residents and other interested individuals, landowners, businesses, developers, statutory organisations and a range of special interest groups. Responses were further broken down into 3788 separate comments. Each comment was assigned to a specific chapter, section and/or key principle of the Revised Draft SPD.

The authorities also received a petition, with comments and signatures from 235 people, seeking the protection of the Earl's Court Exhibition Centres. RBKC responded to this petition in accordance with their standard procedures. The prayer of the petition and individual comments were also considered as part of the wider consultation on the Revised Draft SPD, as summarised below.

4.0.2 The SPD team has considered and responded to each comment and this is set out in the detailed consultation schedules, which will be published separately. These schedules should be used for in-depth analysis of raw comments and officer responses. In many cases, the responses were noted and have assisted in the redrafting of the SPD.

4.0.3 The following summary of comments by chapter of the SPD identifies themes and trends, especially where large numbers of comments were received on specific issues. and where there was particular interest (or otherwise) in certain topics. The following summaries also identify where comments have led to changes being made to the SPD.

## **4.1 Introduction Chapter**

### **4.1.1 Overview**

A total of 28 comments were received on the introduction and 2 comments were received on the policy context (Appendix 1) summarised under the following topics:

- Status of the Document;
- Purpose of the Document;
- Structure of the Document; and
- Supporting Documentation.

4.1.2 A summary of the key issues and themes raised by respondents in relation to these topics is set out below. Note that the summary of comments received on the policy context (from Appendix 1 of the SPD) has been combined with the summary of comments on the introduction as there was much overlap and repetition of comments on both chapters.

#### **4.1.3 Status of the Document**

A number of consultees questioned the weight that should be afforded to the SPD both at the time on consultation of the revised draft Joint SPD and at adoption. An amendment has been made in the final SPD to reflect the weight that the document would have post adoption. A number of consultees asked for clarity around which documents the SPD provides supplementary guidance to. Additional text has been inserted into the SPD providing additional clarity.

- 4.1.4 In terms of the Policy Context in Appendix 1, one respondent requested changes to RBKC Core Strategy to ensure that the social and community uses (Policy CA7f) are not all located within LBHF and a clear commitment that development in the Thames to White City corridor will be refused if it cannot be accommodated on the transport network. No change is required as Policy CA7(f) already requires that social and community uses are located in RBKC because these cannot be 'traded' through RBKC Core Strategy Policy CA7(a). The Core Strategy cannot be revised through the SPD. RBKC Core Strategy already controls the impact of development on the transport network within the section titled 'Better Travel Choices'. The revised draft SPD (Key Principle TRN1) also requires development proposals to demonstrate that the impact of development on the transport network is acceptable.

#### **4.1.5 Purpose of the Document**

A number of consultees questioned whether it was appropriate for the SPD to have been produced in response to Capco's development proposals. In response to this, the text has been removed from the SPD. At the request of a consultee, text has been inserted into the SPD stating that the SPD is not intended to eliminate or constrain development in accordance with the relevant Development Plan Documents and that with this in mind, the SPD has been drafted with sufficient flexibility such that it can be applied to any development proposals coming forward in the OA.

- 4.1.6 One consultee requested an extension to the OA boundary. It was clarified that as the boundary to the OA is set within LBHF's Core Strategy, it would not be possible to make a boundary alteration. One consultee identified an error on information around land ownership within the OA. An amendment has been made to the SPD to reflect this change. Consultees were generally supportive of the identification of Key Principle HO1 in the introduction.

#### **4.1.7 Structure of the Document**

A number of respondents requested that the document provide an Executive Summary. The authorities consider that the Vision and Objectives (chapter 3) provide a succinct summary of the document, as these provide the vision for OA and the Key Objectives to achieve that vision taken from each chapter. It was considered that given the broad nature of topics covered in the SPD, it would not be possible to write an executive summary for the document, but that the titles for each chapter

should clearly signpost the parts of the document that would be of interest to interested parties.

#### **4.1.8 Supporting Documentation**

One consultee requested clarification that the illustrative images set out in the Development Capacity Scenarios supporting evidence paper should not fix a design form. This text has been added to the SPD. Another consultee identified that neither the Transport Study Review or Viability Summary supporting evidence papers were listed as supporting documents to the SPD, but were available for viewing and comment during the consultation period. This was an oversight and the two documents have been added to the final SPD.

## **4.2 Site Context Chapter**

### **4.2.1 Overview**

A total of 33 comments were received on the Site Context Chapter. They can be summarised under the following topic headings:

- Urban Form and Heritage Assets
- Transport and Accessibility
- Open Space
- Land Use
- Housing
- Retail

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.2.2 Urban Form and Heritage Assets**

The Hammersmith and Fulham Historic Buildings Group commented that they were pleased to see that the map showing the Conservation Areas in and around the OA had been brought forward in the second draft of the SPD. However, there was a general feeling amongst respondents that heritage assets were still not afforded appropriate significance by the SPD. Officers therefore decided to move this plan, the associated text and the text on the Historical Development of the area even further forward in the document, towards the beginning of the Site Context chapter. This revision means that the section on Heritage Assets now directly follows the section Urban Form, which it was felt also addressed English Heritage's request for the recognition of the significant surrounding heritage assets to be added to the Urban Form section of the Site Context chapter.

4.2.3 The Hammersmith and Fulham Historic Buildings Group were also keen to ensure that there was some cross-referencing to Conservation Area Profiles and Planning Policy Statement 5 (Planning for the Historic Environment) in the SPD. Friends of Brompton Cemetery also expressed a desire to see a reference to Planning Policy Statement 5. Officers agreed that the SPD would benefit from reference to both Conservation Area

profiles and Planning Policy Statement 5 and therefore added it to the Site Context Chapter.

4.2.4 The Kensington Society requested that the Edwardes Square/Scarsdale & Abingdon Conservation Area be shown on the map of conservation areas. Officers agreed and added it. Another respondent noted that the Whiteleys Cottages were not shown on this plan as locally listed. Officers have rectified this omission.

4.2.5 In terms of Urban Form, a number of respondents agreed with the authorities' observation that the OA is severed from its surroundings by the railway lines and exhibition centres. However, it was requested that reference should also be made to the severance caused by the volume and speed of traffic on Warwick Road. Whilst Officers agree that Warwick Road does inhibit pedestrian movement, it does not prevent connectivity in the same way that the railway lines or exhibition centres do, and therefore it was decided that no change to the SPD was necessary.

#### **4.2.6 Transport and Accessibility**

One respondent requested a clearer indication of the date that the upgrades on the Piccadilly line would be completed and raised concerns that they will not address the existing capacity problems at Earl's Court station, especially at peak times. Officers considered these concerns, but came to the conclusion that the SPD did not need to be revised in light of them. In response to the first request, as there is currently no fixed date for the completion of the Piccadilly Line upgrade, this cannot be added to the SPD. In response to the second concern, Officers pointed out that the upgrade will provide an approximate 25% increase in line capacity through enabling more trains per hour and providing higher capacity rolling stock.

4.2.7 A couple of respondents raised concerns that the boundary roads on the edges of the OA are already at maximum capacity and that the junctions between them are some of the most polluted in the Capital. Officers reviewed the SPD in light of these comments, but remain satisfied that the issues they raise are addressed appropriately already.

#### **4.2.8 Open Space**

Comments received from the Open Spaces Society highlighted the importance of communicating the existing deficiency of publicly accessible open space in and around the OA. Having reviewed the SPD, Officers came to the conclusion that this is already clear and therefore, the authorities do not feel that any change is necessary. They also raised some concerns about the clarity and extent of the map that shows the open space deficiency in the SPD. Officers remain convinced that this is a useful illustrative tool that shows the problem at a glance, but added a new annotation to show the railway lines, in order to ensure that they are not confused with the area of open space deficiency.

#### **4.2.9 Land Use**

In terms of land use, the Metropolitan Police Authority & Metropolitan Police Services highlighted the fact that the OA includes the Empress State Building which currently functions as their operational headquarters. They requested that the SPD support the retention of policing at this location. Officers considered this request, but came to the conclusion that it would be too prescriptive for the SPD to specify any particular future use or occupier for the Empress State Building. Officers did point out however, that the SPD does require any office floorspace lost through a change of use at the Empress State building to be reprovided elsewhere in the OA (Key Principle ES1) and that any developer would be expected to establish and provide for the requirements of existing tenants.

#### **4.2.10 Housing**

Capco suggested that the Housing section of the Site Context chapter would benefit from additional information relating to current high house prices and lack of affordability in the area. Officers considered this suggestion, but concluded that, as information on house prices and affordability can quickly become outdated, it would not be added to the SPD.

#### **4.2.11 Retail**

One respondent requested that the Tesco supermarket near the north eastern edge of the OA should be shown in the figure that identifies local retail centres. Officers agreed that, although it is not a retail centre, as the supermarket provides convenience shopping for the local population it should be added to the map.

### **4.3 Vision and Objectives**

#### **4.3.1 Overview**

A total of 50 comments were received on the Vision and Objectives chapter. They can be summarised under the following topic headings:

- Vision and Key Objectives; and
- Illustrative Masterplan Images

A summary of the key issues and themes raised by respondents are set out below.

#### **4.3.2 Vision and Key Objectives**

The largest number of comments received on the Vision and Key Objectives were in relation to the sensitivity of the OA's location and the need to respond appropriately to local conservation areas. A significant number of respondents wished to see the Skyline Key Objective changed from requiring "no negative impacts" to requiring "positive impacts". This sentiment was also reflected in another respondent's objection to the use of the phrase "avoid any unacceptable impact". The authorities reviewed the current wording of the SPD and came to the conclusion that it is adequate as it reflects the statutory duties expected of the planning

officers who will review any application that is submitted. Officers also pointed out that in many cases the requirements set out in the SPD will improve the current situation.

- 4.3.3 English Heritage welcomed the text in the vision about heritage, but considered the term “local heritage assets” to be confusing. As a result, Officers removed the word “local”.
- 4.3.4 A significant number of respondents also raised concerns about the likely impacts of demolition, excavation and construction on local people. One respondent required legal limits to be set on the extents of such disruption, another required explicit reference to ensuring that development does not adversely affect the lives of those residents next to the OA especially with regards to potential night time working in connection with the working next to and above the railway lines. Although the SPD cannot refer to predefined legal limits, Officers agreed to revise the Key Objective on demolition, excavation and construction in order to provide greater protection to the existing population.
- 4.3.5 A smaller number of comments were received raising concerns that the vision does not place sufficient emphasis on the importance of alleviating traffic congestion in the area. Officers reviewed these concerns, but remain satisfied that the Vision and Key Objectives, along with all of the further information set out in the Transport and Accessibility Strategy (Chapter 10) are adequate in this regard.
- 4.3.6 References to open space and play space in the Vision were welcomed by Natural England. However, other respondents wished to see explicit reference to the accessibility of open spaces and others required reference to a larger open space (eg. 6ha). In response, Officers added a new clause to the Vision setting out that all public open spaces, play spaces, streets and buildings must be inclusive and accessible. However, it was not felt that the vision was the appropriate location to set out specific requirements for the quantum of open space. This is addressed in the Urban Form Strategy (Chapter 04), which the authorities consider to be adequate in this regard.
- 4.3.7 The need to protect the existing ecological areas was also raised by one respondent. Officers pointed out that this is addressed in the Environmental Strategy (Chapter 12), in particular Key Principle ENV18.
- 4.3.8 Some respondents raised concerns about density. One commented that the proposed increase in density was inappropriate, whilst another questioned why no specific mention of densities is made in the SPD. In response, Officers pointed out that, as both boroughs’ Core Strategies rely on the Mayor’s London Plan for setting the appropriate density range it was not felt necessary to replicate this in the SPD. However, in order to clarify this a new sentence was added to the housing Strategy in the SPD signposting the relevant policies in the London Plan.

4.3.9 Some respondents also raised concerns that the quality of architecture and materiality is not addressed in the vision. It was felt that this should be included in order to ensure that the development integrates sensitively into its surroundings. Officers reviewed these concerns, but came to the conclusion that the vision is adequate in this regard, as it sets out the aspiration for an environment that is of “high quality throughout, adopting the best of typical West London character and complimenting it with the best of contemporary design”.

4.3.10 NHS Kensington and Chelsea requested specific reference to health as a motivating factor or a across-cutting theme in the Vision. However, Officers felt that, as improvements to health and wellbeing cannot be secured directly through the planning system, but rather as a knock-on benefit of the delivery of all the key principles set out in the SPD, it did not need to be added to the vision which is intended only to deal with the tangible benefits that the planning system can deliver.

4.3.11 One respondent questioned the assumption that “many people will choose to both live and work in the area” as they felt that the mix of retail and office space may well create an ‘inward’ rather than an ‘internal’ job market. Having reviewed this concern, Officers remain convinced that the key Principles contained within the Employment Strategy (Chapter 06) are adequate to ensure the delivery of employment for local people. However, the authorities also recognise that there will undoubtedly be jobs that fulfil a more strategic role, but it is beyond the scope of planning to control who has access to the jobs created by development.

4.3.12 One respondent queried what is meant by the terms “world class” and “aspirational”. In order to avoid ambiguity the term “aspirational” was removed from the Vision. However, Officers decided that “world class”, which the authorities define as “the best of what we know” is adequate and should remain in the SPD.

4.3.13 A number of individual comments raising concerns about some of the specific Key Objectives were also received. Amongst these were a request for a specific reference to a swimming pool, a request for specific internal dimensions for any cultural facility and a Health Impact Assessment. As it was felt that the Vision and Objectives was not the most appropriate location to deal with such specific concerns, Officers responded to these comments by suggesting that respondents refer to specific chapters in the SPD.

#### **4.3.14 Illustrative Masterplan Images**

Capco raised the concern that it must be made explicit that all masterplan images in the SPD are for illustrative purposes only. In response, the text “for illustrative purposes only” was added to all captions.



- 4.3.15 The Metropolitan Police Authority & Metropolitan Police Services requested that the Land Use Strategy diagram should be amended to ensure that the Empress State building remains in office use. In response, Officers pointed out that this diagram is for illustrative purposes only and that later in the document, Key Principle ES1 states that the existing business floorspace in the OA should be renewed and modernised or replaced. Furthermore, although the authorities do not wish to be prescriptive about what use the Empress State building should be put to, any floorspace lost through a change of use would need to be reprovided elsewhere in the OA (Key Principle ES1) and any developer would be expected to establish and provide for the requirements of existing tenants.
- 4.3.16 In response to the illustrative masterplan drawing itself, one respondent raised concerns about the “staggered” north-south road as they were concerned that this could become a rat-run rather than a clear through-run that would relieve the Warwick Road. Another respondent expressed a desire to see a straight north south route. In response, Officers emphasised that the masterplan images are for illustrative purposes only and therefore demonstrate just one way in which north-south connectivity could be delivered. Officers remain convinced that there is value in showing a broken up north-south connection in this illustrative material as it demonstrates one way in which proposals could respond to the pattern of streets identified in the surrounding area, as required in Key Principle UF3. The SPD does not seek to achieve significant reductions in traffic on Warwick road (see paragraph 10.68 in the Transport and Accessibility Strategy).
- 4.3.17 One respondent also raised concerns about potential increase in noise and nuisance from additional vehicles running along the two linking roads shown behind Philbeach Gardens and Eardley Crescent. Again, it was highlighted that this masterplan image is for illustrative purposes only and that any proposals would be subject to the Key Principles set out in the rest of the SPD.
- 4.3.18 In response to the illustrative land use plans, concerns were raised about the co-location of residential and non residential land uses causing potential negative impacts in terms of noise and other nuisance. However, in light of Urban Design best practice, Officers came to the conclusion that the illustrative masterplan images must show mixed use development with residential and non-residential land uses located close to each other. In response to another query about the illustrative land use plans, some community uses were added.

## **4.4 Urban Form Strategy**

### **4.4.1 Overview**

A total of 376 comments were received on the Urban Form Strategy. They can be summarised under the following topic headings:

- Urban Grain and Connectivity
- Public Open Space
- Skyline
- Edges
- Streets
- Phasing

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

#### **4.4.2 Urban Grain and Connectivity**

Support was expressed for the authorities' ambition to overcome the existing severance in the OA. The emphasis that the SPD places on the delivery of a new east–west link connecting the two boroughs was welcomed by a number of respondents. However, a number of others felt similar emphasis should be placed on a new north–south connection. In particular, a number of concerns were raised about the illustrative masterplan drawings which show the north-south connections as more broken up than the east -west connections. Respondents were concerned that without a direct north-south link, congestion on the Earl's Court One Way System (ECOWS) will not be alleviated.

4.4.3 Officers reviewed the SPD in light of these concerns, but came to the conclusion that no significant changes were necessary. It was felt that there was sufficient emphasis on the need for north-south connectivity in Key Principle UF1. Furthermore, it was highlighted that the masterplan images are for illustrative purposes only, and therefore demonstrate just one way in which north-south connectivity could be delivered. Officers remain convinced that there is value in showing a broken up north-south connection in this illustrative material as it demonstrates one way in which proposals could respond to the pattern of streets identified in the surrounding area, as required in Key Principle UF3. In terms of alleviating the ECOWS, the SPD does not seek to achieve significant reductions in traffic on these roads (see paragraph 10.68 in the Transport and Accessibility Strategy).

4.4.4 Some concerns were raised about vehicular traffic rat running across the area. A new clause was added to paragraph 4.19 in order to make it clear that this should be avoided.

4.4.5 In terms of access to the OA, a small number of specific concerns were raised in relation to Cluny Mews and potential increased congestion at the junction of the A4 and Warwick Road. In response to these concerns, Officers pointed out that as Cluny Mews is the only potential point of access into the small area in the north eastern corner of the OA it was felt that reference to it must remain in the SPD. However, it was also explained that, as a result of topographical changes across the OA and the sensitive setting of St. Cuthbert's Church, it is unlikely that any access from Cluny Mews would serve the wider site.

- 4.4.6 Concerns were also raised about the potential for access into the OA from Warwick Road outside the entrance to Earl's Court Station. Some respondents were clearly worried that this could cause conflict between vehicles and pedestrians. Other respondents were worried that access in this location could lead to an increase in traffic levels on Warwick Road. In response to these concerns, Officers pointed out that the SPD does not require *vehicular* access into the OA this location, the potential access shown could be for pedestrians and cyclists only. Furthermore, Paragraph 10.71 in the Transport chapter states that if a vehicular connection were to be introduced in this location, "the road safety and urban design impacts would need to be carefully assessed... and it would need to be demonstrated that vehicular access is acceptable". In response to concerns about increased congestion on Warwick Road, respondents were referred to Key Principle TRN23 in the Transport and Accessibility Strategy which states that "all junctions from the OA onto the existing road network... should be assessed to ensure they have no unacceptable impacts on the existing road network in terms of vehicle capacity, road safety and urban design".
- 4.4.7 Support was expressed for Key Principle UF5 which encourages the creation of new publicly accessible garden squares in the OA that are inspired by the existing pattern of garden squares in the surrounding area. It was noted by respondents that the size of such spaces should reflect those in the local urban grain and be large enough to provide for a range of recreational needs. This is reflected in the SPD.
- 4.4.8 Some support was received for Key Principle UF6 which seeks to ensure that views of special local landmarks around the OA are retained or improved through redevelopment of the site.
- 4.4.9 Although it is not *required* by the SPD, decking over the railway lines to create connectivity across the site is encouraged. However, some respondents questioned the economic viability of doing so. The comments received in relation to this, along with officer responses and any amendments to the SPD are discussed in more detail below along with the comments received in relation to the suggestion of creating a linear park on top of the deck.

#### **4.4.10 Public Open Space**

The importance of the provision of new public open space within the OA was noted by a substantial number of respondents as a result of concerns about the current open space deficiency in the area, the need for recreation provision and the potential for open space to improve both air quality and land values.

- 4.4.11 A large number of respondents expressed a desire for a large, consolidated, public open space to be created within the OA. In light of this there was some support for Key Principle UF12 which requires a new 2 hectare local park. Amongst this support was the RBKC Play Partnership

who observed that the “new 2 hectare linear park can be a very valuable resource for the area... The park is large enough to accommodate different types of play for all ages” and Natural England who commented that “the provision of a new accessible local park is welcomed and supported at a minimum of 2 hectares”. However, a number of other respondents requested an increase in the quantum of open space required. For example, the Earl’s Court Society suggested a 5 - 6 ha local park would be more appropriate. Officers considered these suggestions, but came to the conclusion that the open space requirements set out in the SPD are robust. The 2 ha requirement meets the size guidelines for a local park set out in table 7.2 of the Mayor’s London Plan. Furthermore, it is important to note that this is not the only open space requirement in the SPD. In order to meet Key Principles UF13, UF14 and UF15 it is highly likely that any comprehensive regeneration proposals will need to include more than 2ha of publicly accessible green open space. In response to a number of respondents who requested that the open space requirements should be consolidated into one large open space, Officers felt that this would not guarantee the appropriate level of accessibility for all residents. Furthermore, it was felt that one large consolidated open space would prevent the delivery of other urban form aspirations such as the delivery of a fine urban grain and greater connectivity across the site.

4.4.12 The SPD goes on to suggest (but not require) that the 2ha local park could be delivered as a series of contiguous open spaces forming a linear park on top of a deck over the railway. Some respondents expressed support for this approach and recognised the benefits that it could bring. Indeed one comment suggested that the SPD should discourage any alternative approach. However, a number of other respondents challenged whether it would be the most efficient, viable and/or accessible form that the new local park could take. A number of respondents also raised concerns that a linear park may not be wide enough to accommodate the desired variety of functions and that it could be over enclosed or overshadowed by tall buildings. A small number of questions were asked about whether sufficient planting and wildlife habitats/biodiversity could be created on top of a deck structure.

4.4.13 Officers reviewed all of the comments received in relation to the possibility of a linear park and came to the conclusion that no significant changes to the SPD were necessary. First and foremost, the SPD does not require a linear park, but rather suggests that if the 2 ha local park were delivered in this form it would not prevent the delivery of any of the other Urban Form aspirations. In terms of the width of a linear park, paragraph 4.49 already states that any proposal will be expected to include open spaces that are wide enough to accommodate games courts and sports pitches, even if this results in a local park that is greater than 2ha. Officers have been advised, and remain convinced that sufficient planting can be introduced on top of a deck structure.

- 4.4.14 Support was received for all of the other Key Principles in the Public Space section of the Urban Form Chapter.
- 4.4.15 In terms of the requirements for play spaces, support was noted for Key Principle UF16, particularly the requirement for play spaces catering for differing age groups to be co-located where appropriate in order to make supervision more practical for families. The RBKC Play Partnership also noted that “providing for the 5-14 age range is crucial and is well reflected in Key Principles UF13-16.” Support was also noted for the SPD’s commitment to the provision of a variety of play spaces, both naturalistic and equipped, and for the requirement for a play strategy to be submitted with any application.
- 4.4.16 A number of respondents raised concerns that there is no provision for youth space in the SPD. In response, Officers added it to the community facilities expected under Key Principle SC6 chapter 9 of the SPD.
- 4.4.17 With regard to disabled access to public open spaces and play spaces, the Hammersmith and Fulham Disability Forum requested additional references to the need for all public open spaces to be inclusive and accessible and the need for open spaces and play spaces to serve the needs of disabled children. Officers considered these requests and came to the conclusion that the SPD needs to encourage inclusive accessibility in all regards, not just in relation to public open space. Therefore, the Vision and Objectives chapter was revised to make this explicit. A further clause was also added to paragraph 4.55 in the Urban Form Strategy setting out the expectation that any proposals for open space and/or play space must consider the needs of disabled children and children with other special needs.

#### **4.4.18 Skyline**

A large number of comments expressing reservation or objection were received in relation to the impact that any new development will have on the local townscape and skyline. Respondents were clearly keen to ensure that new buildings will not be too tall and/or out of context with the surrounding area, with many questioning the need or strongly objecting to any new tall buildings on the site which would exceed what is seen as the prevailing Victorian/Edwardian storey heights.

- 4.4.19 Of particular concern to many respondents was the potential impact on Brompton Cemetery, which is clearly valued by many as a local amenity as well as a working cemetery, conservation area and the setting of listed buildings. Particular objections were expressed to the aspiration, as established in the Conservation Area Proposals Statement for the cemetery (1999), to improve the enclosure along its western edge. Respondents argued that this is not desirable as it could restrict the panoramic views from the cemetery and disturb the peaceful environment that it currently offers. Others acknowledged that it could be achieved, but that it would have to be approached in a very sensitive manner that is

consistent with the enclosure found around the other edges of the cemetery.

- 4.4.20 Further concerns were raised about the impact on the townscape and skyline of other surrounding conservation areas. It was requested by one respondent that as well as identifying the importance of conservation areas, longer distance views (particularly those identified in the RBKC Building Heights SPD) should also be preserved or enhanced.
- 4.4.21 All comments, reservations and objections received in relation to the impact of any new development on local conservation areas and heritage assets were considered. However, Officers came to the conclusion that the SPD, along with the Townscape and Visual Analysis SPD Supporting Evidence Document, establishes a sufficiently robust framework against which the impact of any application could be assessed and therefore no significant changes were required. It was however, was decided that a new sentence about the importance of local views as well as local conservation areas should be added to the introduction to the Urban Form chapter.
- 4.4.22 Some support was expressed for Key Principle UF21 which seeks to ensure that there are no negative impacts on any of the views identified by the authorities in the Townscape and Visual Analysis SPD Supporting Evidence document. However, other respondents questioned whether Key Principles UF19, UF20 and UF21 should seek to ensure that development has “positive impacts” rather than seeking to avoid any “negative” ones. However, as the current wording of these Key Principles reflects the statutory duty of the Officers who will be responsible for assessing any application that is submitted, it was decided that no change was necessary. Capco expressed concern that, whilst they acknowledge that there are clearly buildings and spaces of interest in and around the OA, it is too prescriptive to set out a list of townscape and views to be protected. Officers considered this, but came to the conclusion that, as the views listed in the Townscape and Visual Analysis SPD Supporting Evidence Document have been identified as the most significant in the OA's surroundings, it remains an absolute requirement of the SPD that these should be analysed as part of any application(s) submitted.
- 4.4.23 A number of respondents questioned why the SPD does not set a specific cap on the number of storeys or the building heights that would be acceptable for new development. This was reflected in English Heritage's comments. Whilst they welcomed the intention behind the Key Principles in the SPD that seek to control the location, distribution and design of tall buildings, they also expressed concerns that the approach taken is not sufficiently plan led and recommended that the authorities should develop a more specific vision of the impact that scale could on the surrounding environment. In contrast however, the DRP suggested that SPD should not be too prescriptive in this regard and that it should be left to the developer to make the case for tall buildings. Officers considered these

views and came to the conclusion that it would be too prescriptive for a strategic planning document like the SPD to establish specific building heights. Officers therefore remain convinced that the framework of Key Objectives and Key Principles established in the SPD is sufficiently robust to assess any proposal against.

- 4.4.24 There was some support for the authorities' aspiration to cluster new tall buildings close to the Empress State building but a larger number of respondents opposed it. Some saw the Empress State Building's 'stand alone' status as an attractive feature and others suggested that, rather than reducing the visual impact of the Empress State building, integrating it into a cluster would actually result in it appearing more dominant on the skyline. The Design Review Panel (DRP) raised concerns that a cluster of tall buildings could coalesce into an amorphous and bulky silhouette when viewed from a distance and suggested that the SPD should emphasise the importance of ensuring that the upper parts of tall buildings are variable, with plenty of sky visible between them. A small number of respondents requested clarification on what was meant by the "London wide public function" that the authorities feel a cluster of tall buildings could mark. Capco felt that a cluster of tall buildings could simply mark the presence of the OA itself and therefore reference to a "London wide public function" is unnecessary.
- 4.4.25 The authorities remain convinced that a cluster of tall buildings in the vicinity of the Empress State building could be successful and the wording of the SPD in relation to this issue has been clarified. Further wording has also been added to reflect the concerns raised by the DRP and make it clear that any cluster of tall buildings should not coalesce into an amorphous wall of development. Those respondents who asked for clarification of the London –wide public function were referred to the Culture Strategy in chapter 8 of the SPD which requires "a new strategic leisure, cultural and visitor destination" in the OA.
- 4.4.26 Support was noted for the guidance set out in relation to the design of tall buildings, particularly in Key Principle UF24. This included support from the DRP who made a number of recommendations to strengthen it. In response, the text guiding the design of tall buildings in the SPD has been reordered and in some cases rewritten to ensure that it achieves the authorities' aspirations. Capco expressed concern that this guidance may be too prescriptive, but in light of the DRP's comments, Officers came to the conclusion that this was not the case.
- 4.4.27 A number of respondents indicated that they were in agreement with or expressed strong support for the guidance in paragraph 4.59 which states that "the location and height of new buildings should not be based on the location and height of existing buildings on the site, but rather on their impact on the quality and character of the surrounding townscape".

4.4.28 More general responses to the potential for tall buildings in the OA questioned whether high rise residential buildings are aspirational, or whether they are essentially undesirable both socially and aesthetically. Some respondents suggested that high rise living is not suitable for families. Officers considered these concerns, but pointed out that there are many tall buildings in London that are aspirational, including the tower at Tarbard Square in Bermondsey, Ontario Tower at Docklands, The Barbican Towers, Knightsbridge Barracks Tower and Shearsmith House.

4.4.29 General concerns were raised that tall buildings within the OA could result in a loss of sunlight for existing residents. In response, Officers pointed out that Key Principle UF28 requires the privacy, daylight and sunlight of existing and future buildings to be respected. This was changed to read “all” existing and future buildings so that it is clear that it does not only apply to buildings on the edges of the OA.

#### **4.4.30 Edges**

A large number of comments received raised concerns that buildings proposed for the edges of the OA would be too high and would overshadow existing streets or properties and could result in a loss of sunlight, daylight and privacy for existing residents. In response, Officers pointed out that Key Principle UF28 in the SPD requires the privacy, daylight and sunlight of existing and future buildings to be respected.

4.4.31 Respondents were also clearly concerned that new development should integrate well into the existing scale of the surrounding context, particularly in relation to the existing Victorian residential buildings on the OA’s edges. Having reviewed these comments, Officers felt that the Key Objective Key Principles established and in the Edges section of the Urban Form Strategy formed a sufficiently robust framework against any application could be assessed.

4.4.32 Strong support was expressed for Key Principle UF29 and the guidance that follows it in which ‘back to back’ rear gardens are encouraged. A small number of respondents requested specific dimensions for rear gardens. Other respondents raised concerns that the security of and access arrangements to existing rear gardens should be retained. Although specific dimensions were considered too prescriptive for the SPD, the text was revised to clarify the boundary and access requirements.

4.4.33 The DRP expressed support for the SPD’s suggestion that predominantly commercial buildings should be located along the West Cromwell Road frontage. They also highlighted the possibility that a very tall building could be located here. However, this is in contrast to the views of English Heritage who registered reservations about the suggestion that relatively tall elements could be located on this edge of the OA. Officers remain convinced that while there is no potential for a very tall element on the West Cromwell Road frontage, some relatively tall buildings could be located here. Any building in this location will be subject to all of the



relevant Key Principles in the SPD, including Key Principle UF21 which requires it to have no negative impact on any of the views identified in the Townscape and Visual Analysis and Key Principle UF27 which requires development to preserve or enhance the character, setting and appearance of any listed buildings or conservation areas around the edges of the OA.

#### **4.4.34 Streets**

Some respondents were concerned about the potential over enclosure, and therefore overshadowing, of streets and open spaces within the OA. Some respondents, including the DRP, welcomed the emphasis on a street enclosure ratios in the SPD. The DRP also accepted that this must allow for some variation to avoid monotony and to create delight and suggested that guidelines should be kept to a minimum where the usual criteria for good design can be applied. Capco raised concerns that the SPD is too prescriptive in terms of widths and ratios of both streets and open spaces. Having considered all of the comments received on street ratios, Officers came to the conclusion that the guidance in the SPD is not too prescriptive, and that there is sufficient flexibility thanks to the clause in paragraph 4.90 that reads “any street that breaks this rule will require significant urban design justification”.

4.4.35 Key Principles UF34 and UF35, which seek to ensure an appropriate roofscape for any redevelopment were welcomed by a small number of respondents including English Heritage.

4.4.36 Some respondents questioned the general approach taken in the SPD that, where appropriate, cyclists should be accommodated within the carriageway rather than in dedicated cycle lanes. These respondents raised concerns about potential conflict between cyclists and motor vehicles. It should be noted that the SPD neither requires nor precludes the use of cycle lanes. As current Urban Design best practice is to accommodate cyclists within the carriageway rather than cycle lanes Officers decided that no change of approach was required. However, in order to alleviate concerns in this regard, reference to “cycle friendly streets” was added to paragraph 4.112 of the SPD.

#### **4.4.37 Phasing**

The DRP felt that, as it is almost impossible to predict phasing sequences, the SPD should concentrate on defining illustrative development ‘parcels’ rather than sequential phases. The SPD was amended in line with this comment. Concerns were raised by another respondent that the north-south connection was not shown during a sufficiently early phase of development. This was addressed by removing any reference to sequential phasing and referring instead to “illustrative development parcels” that could come forward in any suitable order. Capco felt that the phasing details were too prescriptive for an SPD and that it could prove inflexible. Again, this was addressed by removing any reference to

sequential phasing and referring instead to “illustrative development parcels”.

4.4.38 Another respondent raised concerns that future phases may get delayed or indeed may never happen. This respondent recognised that the benefits of redevelopment will only be to the best advantage of residents once comprehensive regeneration is complete. Chapter 13 on Phasing and Section 106 has been amended to introduce two new Key Principles that deal with this issue in more detail. Another respondent questioned whether it is essential to demolish the existing housing estates in order to deliver the Urban Form aspirations. Officers have given full consideration to this issue throughout the entire process of producing the SPD and Development Capacity Scenarios and feel that comprehensive redevelopment has the potential to deliver optimum benefits.

#### **4.4.39 Other Comments**

Some respondents expressed a belief that the SPD gives insufficient attention to heritage assets in and around the OA and requested that they should be given greater emphasis. This has been addressed by giving greater prominence to the Heritage Assets section of the Site Context chapter (Chapter 02).

4.4.40 A large number of comments raised concerns that the use of materials is not addressed in the SPD and that it should be a requirement that all materials reflect those found in the existing context. Similarly, a number of respondents also raised concerns that the SPD does not seek to control or guide the architectural quality or design of any new buildings. Some respondents made specific reference to the design of any building that is intended to replace the existing façade of Earl’s Court 1 (EC1), either hoping to see the existing frontage retained or expressing a preference for a new building inspired by the existing Art Deco façade. Officers considered all of these comments, but felt that including specific requirements for materials or architectural styles would be too prescriptive for a strategic planning document like the SPD. Each application that is submitted will be considered on its own merits in regard to such detailed issues.

4.4.41 The Hammersmith and Fulham Disability Forum expressed support for the references made to selected access standards in the SPD, but noted that these are not comprehensive and requested further reference to acceptable gradients, step free routes and sufficient evacuation lifts in new buildings. Officers considered these issues but came to the conclusion that they are too detailed for inclusion in a strategic planning document like the SPD. As they can all be found in other documents like Building Regulations, it was not considered necessary to repeat them in the SPD at the risk of unnecessarily lengthening the document.

## **4.5 Housing Strategy**

### **4.5.1 Overview**

A total of 2,135 comments were received on the Housing Strategy, summarised under the following topics.

- Estate Regeneration
- Housing Density
- Tenure and Housing Mix
- Amenity Space
- Accessible Housing

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

### **4.5.2 Estate Regeneration**

Many comments were received on estate regeneration and closely related issues, and overall it was one of the most topical and sensitive issues to come out of the consultation exercise.

4.5.3 There was strong opposition to the demolition of the Gibbs Green and West Kensington estates, and the associated upheaval and inconvenience to residents and communities associated with the decant process. The majority of comments received were submitted as standard letters, which outlined the key areas of concern as being the disruption to residents, density, lack of additional social rented housing, case for estate regeneration and lack of mention of residents' plans to take over the estates. A number of consultees recognised the benefits that estate regeneration could bring in terms of creating more mixed and balanced communities.

4.5.4 The greatest area of concern was in relation to the case for estate regeneration. Consultees questioned the validity of the Estates Regeneration Economic Appraisal which was produced in support of the revised draft joint SPD. Consultees also questioned whether the existing deprivation of the estates and the poor quality environment within the estates were legitimate reasons to consider redeveloping the estates. A number of consultees felt that the use of the word 'regeneration' was inaccurate when what was in fact being talked about was 'redevelopment'. In these instances, the wording has been altered from 'regeneration' to 'redevelopment'.

### **4.5.5 Residential Density**

Many consultees raised concerns about the lack of clarity in the SPD on the issue of density. Consultees wished to see the SPD revised to be explicit on what an acceptable density would be for development in the OA. In response, the SPD has been amended to include a sentence in the introduction to the housing chapter, signposting the relevant policy in the London Plan. A number of consultees raised concerns about the density

of development proposed, although these comments appeared to relate more to the planning applications than the illustrative drawings in the SPD.

#### **4.5.6 Tenure Mix and Housing Mix**

Many comments were made regarding the tenure mix of new housing and a diverse range of views were expressed regarding preferences in new housing. Many commented on the need for more and better affordable housing and an increased proportion of affordable housing to that currently in the area. Consultees were generally keen to see a mix of tenures across the OA. One consultee consider that text should be added stating that the entrance arrangements to residential properties should be tenure blind. This has been added to Key Principle HO9. There were also many comments expressing a desire for more affordable family housing and larger residential units, particularly units for those with extended families and amendments have been made to the SPD to require developers to consider this. Many respondents commented on the need for a diverse mix of housing types and unit sizes to cater for different groups, and the need for new communities to be mixed and balanced. The need for housing to cater for elderly and other vulnerable groups was also raised.

#### **4.5.7 Amenity Space**

Many respondents voiced strong opinions on the need for quality communal and private amenity space associated with new housing. Concerns were expressed at the amount and location of amenity space relative to proposed housing given the proposed height of residential buildings and the density of proposed development.

#### **4.5.8 Accessible Housing**

Housing accessibility issues were raised including the need for safe and easy access for vulnerable groups and the need for housing to be built to lifetime homes standards and wheelchair housing standards where appropriate. The need for consideration of disabled residents and other mobility impaired groups was also raised as an issue.

### **4.6 Employment Strategy**

#### **4.6.1 Overview**

A total of 46 comments were received on the Economic Development Strategy, summarised under the following topics:

- Business provision
- Employment and training

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

#### **4.6.2 Business Provision**

Consultees were generally supportive of the strategy for business provision. Generally, consultees that wished to see changes to the text,

wanted to see a greater clarity on the delivery of business space. The key areas of concern are set out below.

- 4.6.3 A couple of consultees were worried by the possible loss of the Empress State building and sought amendments to the SPD to put in place restrictions on the use of the building. The SPD does not look to retain the Empress State building in business use; however Key Principle ES1 does require developers to establish the needs of existing tenants reprovide for these needs in development proposals. A related concern was that new business floorspace provided in the OA might at a later date be allowed to change to residential and it was clarified that planning conditions would be put in place to prevent this.
- 4.6.4 A number of consultees were concerned by the potential impact of new business floorspace on existing provision in the hinterland of the Opportunity Area. A few respondents wanted greater clarity on the type of jobs that would be created in terms of employment skills. Officers clarified that at this stage, it would be difficult to say, but that a range of jobs targeted an different skill levels would be expected.
- 4.6.5 One consultee felt that 7,000 additional jobs should be a maximum rather than a minimum. Officers responded that this would allow developers to provide employment significantly below that figure and that job creation is a key objective for all three authorities.
- 4.6.6 There was concern about the demolition of the existing business centres and the impact that this could have on surrounding businesses, which officers felt was already covered by Key Principle ES6 and the Culture Strategy.
- 4.6.7 Some consultees wanted a greater degree of surety about the number of jobs that would be for local people and suggested defining a catchment and proportion of jobs that would be allocated for local people. It was clarified that such control would be beyond the realms of planning but that the authorities felt that Key Principles ES7-ES9 set a framework which would ensure that as much as possible would be done in order to get local people access to employment. a request was put in for live-work units but officers felt that given their chequered history, it would be wrong for the SPD to explicitly require their provision, but that the SPD does not preclude their provision.
- 4.6.8 One consultee felt that there should be greater flexibility in terms of the phasing of business floorspace provision. However, the authorities felt that no change was necessary as the authorities felt strongly that no more than half of the business floorspace should be provided in early phases in order to protect the viability of other business centres in West London.

#### **4.6.9 Employment and Training**

Consultees were generally receptive to the employment and training section of the Business Strategy. The key areas of concern are set out below.

4.6.10 One consultee felt that special consideration should be given to the training needs of people affected by the closure of the Earl's court Exhibition Centres. This has been added to the text under Key Principle ES9. One consultee wanted the SPD to include additional detail on partnership working and target setting. this is dealt with in the boroughs' joint Employment and Training Code, which is referenced in the SPD. It was not felt necessary to replicate this detailed guidance in the SPD. Additional detail was also requested on the types of courses that would be provided at the construction training centre and recruitment and jobs shop, which was also considered to be far too detailed a topic to cover in the SPD and would be a result instead of more detailed discussions closer to the delivery of any facility, between the developer and the council's economic development teams. It was requested that employment opportunities should be targeted at young offenders. This has been added to the text under Key Principle ES8.

## **4.7 Retail Strategy**

### **4.7.1 Overview**

A total of 38 comments were received on the Retail Strategy, summarised under the following topics:

- Impact on existing businesses;
- Comparison retail; and
- North End Road Market.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

### **4.7.2 Impact on Existing Businesses**

By far the greatest amount of responses related to the impact of new retail on the vitality and viability of existing centres. Officers considered that generally the fears of respondees would be allayed by the Key Principles in the Retail Strategy, which require the submission of a Retail Impact Assessment by any developer (RS3) and look to control the nature of new retail through a Retail Management Plan (RS6).

### **4.7.3 Comparison Retail**

Generally, consultees were supportive of the strategy for comparison retail within the OA. There was some concern that new comparison retail might undermine existing retail centres, particularly the northern parts of Fulham Town Centre. Officers felt that comparison retail along North End Road would strengthen the northern parts of Fulham Town Centre, through increased footfall and therefore no change was proposed to the SPD. Conversely, there was concern that not enough comparison retail within the OA was being provided for. It was felt that there should be greater

flexibility without crass distinctions between convenience and comparison. The authorities felt it important to be explicit that comparison retail should remain to be focussed on North End Road and therefore no change was proposed to the SPD. Consultees questioned why the SPD had not identified the need for an anchor store. Figure 7.1 had identified the need for an anchor store but this had not been replicated in the text. In response to consultees the text has been amended in order that developers explore the potential for an anchor store on North End Road under Key Principle RS1.

#### **4.7.4 North End Road Market**

There was concern about the proposals to relocate North End Road Market; however, there was also an acknowledgement that the market is failing in its current location and something has to be done to improve its viability. Consultees wished to see an audit undertaken of the needs of existing market traders and this to be taken account of when designing the new market.

## **4.8 Culture Strategy**

### **4.8.1 Overview**

A total of 217 comments were received on the Culture Strategy summarised under the following topics:

- A New Cultural Destination
- Public Art
- Hotels

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

### **4.8.2 A New Cultural Destination**

A significant number of comments, many of which submitted as part of a petition, wanted the exhibition centres to be protected. Respondents highlighted: the importance of the exhibition centres in shaping Earl's Court as a cultural destination; the contribution that these make to the local economy; and considered that Earl's Court 1 should be listed. In addition to this, the exhibition industry stated that there is still demand for this type and size of exhibition space in Earl's Court, and would like the SPD to include requirements for affordable exhibition space.

4.8.3 No changes are proposed, as the SPD already requires development to 'create a lively cultural destination with a variety of culture, arts and creative facilities that continues the Earl's Court brand'. The SPD considers that this cultural destination, together with consideration for existing businesses through the Employment Strategy (Key Principle ES6), will benefit the local economy. English Heritage have already considered the heritage value of the Earl's Court 1 and decided to give it 'immunity from listing' until 2014. The list of case studies in the SPD has been reviewed. As the London Plan and borough core strategies require a

residential led, mixed use development, the replacement of equivalent exhibition space as the existing exhibition centres in one facility is considered unreasonable, especially considering the large supply of exhibition space in London. There is some inconsistency between para 8.11 and table 8.1, which will be corrected. Event and exhibition providers can recover the cost of venue hire from ticket sales, whereas smaller creative businesses and sole traders require affordable studio and workshop space to set up businesses.

#### **4.8.4 Public Art and Hotels**

Very few comments were received on public art, although the SPD has been revised in response to a comment requiring community involvement in public art. The SPD has also been revised in response to a comment requiring the consideration of hotel provision to meet a range of markets, such as leisure, tourism and business. In response to a comment about the accessibility of hotel rooms, the SPD has been revised to be explicit that this means 'wheelchair' accessibility, in accordance with the London.

## **4.9 Social and Community Facilities Strategy**

### **4.9.1 Overview**

A total of 86 comments were received on the Economic Development Strategy, summarised under the following topics:

- General;
- Education;
- Health;
- Sports and Leisure;
- Police Facilities; and
- Community Space.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.9.2 General**

Generally, consultees were pleased with the requirements set out in the Social and Community Facilities Strategy. There was a degree of concern that the exact quantum of development coming forward is unknown and that it would therefore be difficult to say what sort of provision would need to be made. It was clarified that although this would be the case, facilities such as schools and health centres would increase in size in relation to the population, whereas facilities like the community hub have a fixed capacity. Generally it was felt that the wording of the key principles could be strengthened and the key principles have been amended in order to reflect this request.

### **4.9.3 Education**

The greatest concern was the lack of capacity in existing educational infrastructure and the pressure that development might place on these facilities. The SPD requires development to provide the necessary



floorspace and fit outs costs to cater for the needs arising from any development in the OA and therefore, no amendment to the SPD was necessary. It acknowledgment of this existing deficit in capacity, some consultees felt that development should provide educational capacity not just to cater for the needs of development, but also to address the existing deficit in capacity. It was clarified that this would go beyond the Community Infrastructure Levy regulations and that deficit in capacity is a matter for the borough's education department, not any potential developer of the OA.

#### **4.9.4 Health**

Generally the provision of a new health facility was welcomed by consultees. There was a degree of concern that the existing facility at 82 Lillie Road would be lost through development proposals. Although in the OA, it is not proposed that the facility at 82 Lillie Road would be redeveloped. Were proposals to come forward that sought to redevelop the facility at 82 Lillie Road, the health facility would need to be reprovided in a location near to the existing facility. In relation to the new health facility, one consultee was concerned that the new facility might be run by a private provider and would not be affordable. In order to clarify the key principle, it has been stated that the health facility being sought is a NHS health facility. Further clarity was requested in relation to what sort of facilities an integrated primary care centre would provide. This clarity has been added to the text below Key Principle SC2. The PCT requested that a new key principle be added relating to the need for any developer to submit a Health Impact Assessment. This has been added to the SPD, along with text relating to what sort of issues this Health Impact Assessment should cover.

#### **4.9.5 Sports and Leisure**

The provision of affordable sports provision was welcomed. Some consultees wanted clarity over the affordability, requesting that access be provided to the facility free of charge. It was stated that the affordability of the facility would be a matter for detailed Section 106 discussions and therefore could not be set out in the SPD. A number of consultees expressed a desire for the new leisure centre to provide a swimming pool. It was clarified that the authorities considered swimming pool provision in the area to be adequate, but that the SPD would not preclude the provision of a swimming pool and that were one to be provided, the authorities would look to provide affordable access to it. A number of consultees also requested greater clarity over what sort of outdoor space for youths the SPD requires. It was felt that the requirements as set out under Key Principle SC3, along with Key Principle UF16 in the Urban Form Strategy, would be sufficient hooks off which to look to secure outdoor spaces for youths.

#### **4.9.6 Police Facilities**

The Metropolitan Police requested that the wording of the key principle be changed from 'police shop' to 'community policing facility' in order that the

wording be future proofed. This change has been made. A further request was made to add a new bullet to Key Principle SC5, safeguarding the use of the Empress State building for policing. Officers do not wish to prescribe the use of the Empress State building, but as per the requirements of Key Principle ES1, the needs of the Metropolitan Police would need to be taken account of through development proposals, were there any plans to change the use of the Empress State building in future. Other consultees welcomed the requirements in relation to closed circuit television.

#### **4.9.11 Community Space**

Generally consultees welcomed the requirement for a that the community hub would be too big and difficult to lease. The size of the facility was based on evidence provided by the borough's voluntary and third sector departments and therefore, no change to the SPD is proposed. Concerns were raised that the loss of the existing community spaces on the West Kensington and Gibbs Green estates does not appear to have been considered. In order to rectify this, officers have inserted text within the key principle and commentary requiring the provision of temporary of permanent facilities of at least equivalent size, before the existing facilities on the estates can be redeveloped. A number of additional uses were requested to be provided in the community hub - space for worship, a children's centre and space for youths. All three have now been added to the key principle and commentary. One consultee wanted it clarified that as well as being accessible to all it should be clarified that the facility should be designed so as to provide for diverse cultural needs. This has now been reflected in the commentary.

## **4.10 Transport and Accessibility Strategy**

### **4.10.1 Overview**

A total of 345 comments were received on the Transport and Accessibility Strategy from 82 respondents, summarised under the following topics.

- Transport Capacity;
- Walking and Cycling;
- Public Transport; and
- Road Network, Car Parking and Freight.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.10.2 Transport Capacity**

A number of respondents questioned whether the Strategic Transport Study had included the cumulative impacts of development outside of the Opportunity Area, in particular those along Warwick Road. The study was underpinned by the London Transportation Studies model and its assumptions for areas where there are significant development proposals were checked. The model assumes growth in excess of that likely to be generated by the developments referred to. Key Principle TRN1 was

amended to include reference to the need to assess the cumulative impact of development on the transport networks.

#### **4.10.3 Walking and Cycling**

Many respondents raised the issue of poor pedestrian accessibility within and immediately surrounding the Opportunity Area. The SPD was amended to include a general requirement to improve connections to the north and south of the site. Narrow footways and pedestrian safety issues on surrounding roads were raised, especially associated with pedestrian crossings. Improvement to existing and provision of new pedestrian facilities were suggested by many respondents, including many who commented on the need to improve pedestrian crossing facilities at the A4 / Warwick Road junction. Many respondents requested more detail and responses to problems at particular locations. The SPD is not the appropriate location for detailed discussion of crossings or junctions.

4.10.4 Many respondents referred to the need for cycle lanes on the streets. The SPD supports a broader approach to cycle safety within the site whereby all streets are designed to ensure traffic speeds are minimised and walking and cycling prioritised. The SPD is not the appropriate location to set out the detailed design of streets or detailed amendments to existing streets to improve cycle safety.

4.10.5 Some respondents were generally supportive of the key principles with respect of walking and cycling and welcomed the overall approach to walking and cycling set out in the SPD.

#### **4.10.6 Public Transport**

A large number of respondents raised the issue of public transport capacity and the impact the redevelopment of the Opportunity Area will have on existing London Underground and rail services in particular. Many expressed doubt that London Underground services in particular would be able to cope with the increased pressure and trip generation associated with redevelopment of the Opportunity Area and felt that conditions could become dangerous within the stations if additional passengers are added. There was some support for the key principles in regard to the improvements proposed at the stations but many comments sought more detail and more extensive improvements, with some seeking an additional station within the Opportunity Area. Additional text has been added to require a second access to West Brompton station should such an access be feasible following investigation. Crowding and capacity has been assessed at the stations and is covered extensively in the Strategic Transport Study, which informs the findings of the SPD. The mitigation measures set out are sufficient to accommodate background growth and demand from development.

4.10.7 Improved access including step free access, along with more general circulation room at stations was raised by some respondents. The need for

accessibility for mobility impaired users was also raised and a reference to community transport schemes has been added.

#### **4.10.8 Road Network, Car Parking and Freight**

A significant number of comments were received on the operation of the strategic highway network, namely Warwick Road and West Cromwell Rd (A4). Many respondents queried the ability of major junctions to handle the additional traffic generated by development and were sceptical of the improvements set out in the SPD. Some respondents also suggest there was a need for a major overhaul of the road network and suggested the introduction of a traffic by pass along the route of the West London Line or introducing two-way working on the Earl's Court One Way System. The SPD sets out the findings of the Strategic Transport Study, namely that background and development traffic can be accommodated on the highway network but that there are some localised increases in congestion and delay that are unacceptable. It is for development proposals to demonstrate how these concerns can be overcome.

4.10.9 Parking related issues were raised by several respondents, in particular the issue of parking provision for new residential dwellings. Many respondents commented on the need for strict parking controls on residential development as a means of limiting traffic generation, and encouraged car-free development. Conversely, some respondents highlighted the need to ensure there is adequate off-street parking for residents to cater for the likely demand and to ensure there is no overspill parking demand on local streets.

### **4.11 Energy Strategy**

#### **4.11.1 Overview**

A total of 8 comments were received on the Energy Strategy.

4.11.2 One respondent considered that the SPD should exceed the environmental performance targets, which are already set in higher order planning policy. In response to one comment, the SPD has been amended to ensure that energy assessments consider the 'whole life' carbon emissions. EH require that buildings in conservation areas are given preference for benefiting from excess energy from the decentralised energy system. As the OA is bounded by 19 conservation areas, this is very likely. However, the SPD shouldn't prioritise buildings, as this should be considered in terms of demand for heat and energy and nature of any existing supply.

4.11.3 Several comments by Capital and Counties requested flexibility in the Key Principles. The authorities' consider that the SPD has been drafted to reflect the policies in the London Plan and borough Core Strategies.

## **4.12 Environment Strategy**

### **4.12.1 Overview**

A total of 142 comments were received on the Environmental Strategy summarised under the following topics:

- Demolition, Excavation and Construction Impacts;
- Flood Risk and Sustainable Water Management;
- Waste Management;
- Land Contamination and Remediation;
- Air Quality;
- Noise and Vibration; and
- Ecology and Biodiversity.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.12.2 Demolition, Excavation and Construction Impacts**

A significant proportion of the respondents raised concerns that the demolition, excavation and construction would impact on existing residents, in terms of air quality, noise and vibration and construction traffic. Several respondents were also concerned about night time and weekend working, especially as some night time working will be required over the live railway lines. The SPD contains a number of Key Principles protecting new and existing residents from the impacts of demolition, excavation and construction. However, this will be made explicit in the Key Objective and several of the Key Principles will be revised to give the surrounding community greater protection from all impacts. The SPD will also be revised to ensure that when evening and weekend work is required, it is kept to a minimum, controlled by the boroughs environmental health and the surrounding community are given prior notice.

4.12.3 This section of the SPD has also been revised to include consideration of the archaeological value of the OA, as requested by English Heritage.

### **4.12.4 Flood Risk and Sustainable Water Management**

A number of respondents were concerned that development would increase the risk of flooding, especially given the limited capacity in the Counters Creek Sewer. The SPD already contains a number of Key Principles (ENV5 to ENV9) to ensure suitable flood risk assessment and flood risk mitigation to accommodate development, although this section will be revised to define the flood zones (in para 12.28) and include requirements to maintain green / brown roofs (12.47). In response to comments from the Environment Agency (EA) and Thames Water (TW), the SPD will also be revised to require development to: consider the impact of climate change (ENV5 and para 12.34), require developers to consult with the EA and TW (ENV5), promote gravity in place of mechanical pumps (para 12.36), clarify requirements for flood risk assessments in accordance with PPS25 (ENV6 and para 12.38) and

amend ENV9 to prioritise meeting Greenfield run-off rates or better in accordance with the London Plan's drainage hierarchy.

#### **4.12.5 Waste Management**

There were minimal comments on the requirements for waste management, although para 12.60 has been revised to ensure that this does not impact on residential amenity.

#### **4.12.6 Land Contamination and Remediation**

There were no key issues or themes emerging from the consultation on land contamination.

#### **4.12.7 Air Quality**

Many respondents commented on the poor air quality within and surrounding the OA, mainly caused from the traffic on the surrounding roads. Respondents requested requirements to improve air quality. The impact of construction traffic is considered within 'the Demolition, Excavation and Construction section'. In accordance with the London Plan, the SPD requires development to be air quality 'neutral' or improved which includes consideration of traffic pollution. The SPD cannot exceed requirements in higher order policy. Para 12.83 has been revised to ensure that the Low Emission Strategy compares current and future emissions. The SPD also sets out a number of ways in which the impacts of traffic can minimise air pollution, such as providing electronic charging points, limiting on site car parking and promoting sustainable travel plans.

4.12.8 In response to one comment, figures 12.6 to 12.8 have also been revised to include a wider area and the source of air emission data has been included in 12.78.

#### **4.12.9 Noise and Vibration**

Respondents, especially from surrounding areas, expressed strong concern at the potential impact of noise and vibration from demolition, excavation and construction, especially over a long period of time. This is considered under 'demolition, excavation and construction', which has been revised to offer greater protection to the new and existing population. In response to one comment, para 12.95 has been revised to define 'noise sensitive uses'.

#### **4.12.10 Ecology and Biodiversity**

Several respondents required development to specifically protect the existing Site of Nature Conservation Importance (SNCI) along the west side of West Brompton Station, which is consistent with Key Principle ENV18. In response to several comments the SPD will be revised to explicitly protect the biodiversity of adjoining SNCIs, namely Brompton Cemetery. In response to a comment from Natural England, ENV19 has been revised to ensure that the Ecological Impact Assessment includes an ecological survey.

## **4.13 Phasing and Section 106 Strategy**

### **4.13.1 Overview**

A total of 17 comments were received on the Phasing and Section 106 Strategy, summarised under the following topics:

- General;
- Phasing; and
- Section 106 contributions.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

### **4.13.2 General**

Generally there was strong endorsement for the requirements outlined in the Phasing and Section 106 Strategy. One consultee suggested that an additional key objective be added requiring development to minimise damage to existing community life, health and environment whilst promoting shared facilities and community cohesion. It was considered that these issues were dealt with under other key objectives in the SPD and that the objective did not appear to relate to phasing or Section 106 requirements. A request was put in that additional text should be added clarifying that in addition to the key objectives and key principles in the SPD, development would need to accord with the boroughs' Core Strategies and the Mayor's London Plan. This additional text has been added.

### **4.13.3 Phasing**

It was generally felt that greater detail should be provided around the authorities' strategy towards phasing. A number of consultees felt that it should be clarified that a mix of land uses should be provided at all phases. It was clarified that the authorities would not expect all land uses to be provided as part of every phase; however phases would need to be self sufficient in terms of their planning contributions towards environmental improvements, infrastructure and land uses and that this would be clarified through the addition of a new key principle (PS3). Some consultees wished to control development such that contributions at each phase should be honoured before each subsequent phase can commence. The authorities concurred that clarification on this was necessary and that a new key principle (PS4) would be added setting out that triggers would be used to restrict how much development/occupation could take place before certain infrastructure and land uses have been provided. In addition, recognising the current economic climate, consultees felt that there would also be clarity on the phasing and plans put in place in case that the phasing is modified in future. New wording has been added to the new key principle PS4 stating that contingency plans should be provided should the comprehensive redevelopment of the OA not be completed as envisaged at the time any permission is granted.

#### **4.13.4 Section 106 Contributions**

It was recognised that the long list of contributions in the Phasing and Section 106 Strategy reflects the Section 106 asks set out in the other chapters of the SPD. Changes have been made to the long list in the Section 106 chapter to reflect changes made elsewhere in the document. One consultee was concerned that there appeared to be a huge amount of commitments in the long list of Section 106 asks, but no idea of whether they are attainable. It was clarified that the SPD is supported by a viability summary, which demonstrates that there would be a substantial Section 106 pot and that the exact Section 106 package would be dependent on discussions between any developer and the authorities but that the authorities will ensure that as much as possible is done in order to ensure that each of the Section 106 asks outlined in this SPD are addressed.

### **4.14.1 General Comments**

#### **4.14.1 Overview**

A total of 143 general comments were received and summarised below. A significant number of these comments were in support of the revised draft SPD and several comments objected to the contents of the revised draft SPD.

4.14.2 A number of respondents raised concerns about the increased number of people living and working in the OA, would have on the environment, transport network and social infrastructure. The SPD already contains a number of Key Principles to control the impact of development on the environment (Energy Strategy and Environmental Strategy), transport network (Transport and Accessibility Strategy) and social infrastructure (Social and Community Facilities). Any requirements in the SPD must be related to the impact of that development.

4.14.3 The Vision of the SPD has been revised to include specific reference to making public space and buildings 'inclusive for all', as required by several comments.

4.14.4 English Heritage raised a number of comments on the revised draft SPD which are considered under the chapters and supporting documents. In terms of general comments, EH were generally supportive of the progress made, although required the document to better control the impact of development on the setting of adjoining heritage assets. UF19 and UF20 have been revised in response to this.

4.14.5 Several comments questioned how the comments on the first draft SPD have informed the production of the revised draft SPD. This is addressed in para 1.1 of the SPD, which states that 'A Statement of Consultation, showing how comments made on [the first] draft have been taken into account in this revised draft, is published alongside this SPD'.



- 4.14.6 A number of respondents questioned whether an Area Action Plan (AAP) should have been produced instead of a Supplementary Planning Document (SPD). The authorities have considered that an AAP is not necessary as up to date strategic policies for the Opportunity Area are already set out in the London Plan and Borough Core Strategies.
- 4.14.7 As with the Introduction, a number of respondents questioned the weight that could be afforded to the SPD should planning applications be determined in advance of the adoption of the SPD. As such, several respondents requested that any planning applications in the OA are postponed until the SPD is adopted. The authorities cannot control when planning applications or revisions to planning applications are submitted. Furthermore, the authorities cannot require planning applications to be withdrawn and cannot unreasonably delay determination of planning applications.

## **SPD SUPPORTING DOCUMENTATION**

### **4.15 Sustainability Appraisal**

#### **4.15.1 Overview**

A total of 9 comments were received on the Sustainability Appraisal. In response to comments by English Heritage, the SA, and in particular paragraphs 2.2.3 and 2.2.4, will be revised to highlight the importance of the heritage value of the surrounding area, including the heritage value of Brompton Cemetery and listed buildings.

4.15.2 English Heritage and the Hammersmith and Fulham Historic Buildings Group request that the SA refers to PPS5, including consideration of designated and undesignated heritage assets, and includes consideration of Parks and Gardens of Historic Interest (Brompton Cemetery) or archaeology, which have been incorporated in the final SA.

4.15.3 In response to a comment by the Hammersmith and Fulham Historic Buildings Group, Sustainability Objective 9 will be revised to 'optimising development' instead of 'maximising development'.

4.15.4 In response to comments by English Heritage and the Hammersmith and Fulham Historic Buildings Group, Table 3 will also be revised to clarify that new development has the potential to conflict with enhancing and respecting the character and appearance of heritage assets and their settings.

4.15.5 English Heritage raises concerns that the SA tests the 'worse case' scenario and by doing so removes the opportunity of testing the sustainability of less intensive development. The SA will be revised to clarify that the SPD is a framework against which planning applications will be determined. The SA therefore tests the Key Principles of the SPD, not a development quantum, against the Sustainability Objectives.

4.15.6 English Heritage raises concerns that the SA is unwilling to develop solutions to areas of incompatibility identified between SA Objectives. These areas of conflict will be clarified under table 6. Reference will also be made to the need for these conflicts to be resolved in the SPD and required mitigation measures to resolve these conflicts are set out in table 9.

4.15.7 Finally, English Heritage states regret that the SPD does not use various development scenarios to identify where tall buildings could be located, in order to resolve the potential conflict between new development and heritage assets. Alternatively, EH request that the SA requires a tall building strategy in accordance with the CABE/EH guidance on tall buildings. As stated, the SPD is a framework to assess various development proposals. The SPD contains a number of Key Principles to control the impact of development on heritage assets and this will be

revised to specifically control the setting of heritage assets surrounding the OA. The SPD will also now include reference to the CABE/EH Guidance on tall Buildings. The SA will be revised to require a Design and Access Statement with planning applications that thoroughly assess the impact of the proposal within the OA on heritage assets (listed buildings and structures, conservation areas and registered parks and gardens) surrounding the SA.

## **4.16 Equalities Impact Assessment**

4.16.1 A total of 3 comments were received on the Equalities Impact Assessment (EQIA).

4.16.2 One consultee felt that the EQIA had not fully considered the needs of those who need supported housing, Mental Health users, the homeless, refugees and those that cannot aspire to be on the property ladder. Officers considered that the SPD has a positive impact on the need for supported housing (HO15), the needs of Mental Health users (HO15, ES8, SC2 and SC6), the homeless (HO6, HO7, HO15, ES8 and SC6), refugees (HO6, HO7, HO15, ES8 and SC6) and those that cannot aspire to be on the property ladder (HO6 and HO7).

4.16.3 One consultee noted that the previous draft of the EQIA had identified a need for greater detail in the SPD on access for disabled people. The relevant London Plan policy has been added to the policy context for the Urban Form Strategy in the SPD. New text has also been added to the 'Outcomes and Recommendations' section of the EQIA setting out what actions have been undertaken to address deficiencies identified in the SPD as part of the previous EQIA.

4.16.4 One consultee felt that the EQIA was not being critical enough, particularly in relation to the impacts of estate redevelopment. In response to this, the EQIA has been revisited and redrafted where necessary, to reflect any potential negative impacts of estate redevelopment on protected characteristics.

## **4.17 Character Area Analysis**

### **4.17.1 Overview**

A total of 7 comments were made in relation to the Character Area Analysis SPD Supporting Evidence Document. A summary of the key issues and themes raised by respondents in relation to the vision and objectives are set out below.

4.17.2 The majority of the comments received were from English Heritage, who recommended that the document should place more emphasis on the impact of surrounding heritage assets. They were concerned that because heritage assets are presented as the final consideration for each character area they may not have been given sufficient weight, but rather

treated as secondary to the urban design observations. Officers pointed out that this was not the case. Heritage and Urban Design considerations were given equal weight in the drafting of the document. They went on to request that the Conservation Area Proposal Statements/Character Profiles for conservation areas were given more prominence and that conservation staff at both boroughs were consulted in order to strengthen the information in the Character Area Analysis. Officers reviewed these concerns, but felt that it was unnecessary to restate information that can already be found in the existing conservation area documents. It was however decided that a new paragraph should be added to the Heritage Assets section of the Site Context Chapter (Chapter 02) in the main body of the SPD to make it clear that there are Character Profiles or Conservation Area Proposals Statements available for most of the surrounding conservation areas and that any proposals for the OA will be expected to pay due regard to them.

- 4.17.3 English Heritage also questioned how the parameters for each of the character areas were arrived at. In response, a new set of paragraphs have been added to the introduction of the Character Area Analysis SPD Supporting Evidence Document describing the reasons why the boundaries between each character area were established.

## **4.18 Townscape and Visual Analysis**

### **4.18.1 Overview**

A total of 26 comments were received on the Townscape and Visual Analysis from 2 respondents, summarised under the following topics.

- The Setting of St Cuthbert's Church in Philbeach Gardens Conservation Area;
- The Setting of conservation areas; and
- The Setting of Brompton Cemetery (Grade 1 listed Registered Park).

24 of the 26 comments were received from English Heritage and such this report will refer directly to English Heritage comments in summary in the whole. A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.18.2 The Setting of St Cuthbert's Church in Philbeach Gardens Conservation Area**

The respondents raised concern of the appearance in views containing St Cuthbert's Church, of any proposals that may come forward as a result of the SPD in particular that no new development should be seen behind St Cuthbert's church hall and the Main Church building as viewed in views 15 and 16. Respondents also further raised concern regards any development or proposals on the OA wrapping around the extents of the Church and Church hall thereby over enclosing the Church.

- 4.18.3 To preserve and or enhance the setting of the Church (a listed building) , the wording in the guidelines will be changed to strengthen protection for

the setting of the church to include closes that ensure that buildings which rise behind the roofline of Philbeach crescent which could rival the dominance of the listed church and harm its setting if placed in close proximity must be set well away from the church and leave a substantial view of sky between them.

#### **4.18.4 The Setting of Conservation Areas**

English Heritage refer in majority in their comments to their English guidance document 'The Setting of Heritage Assets (October, 2011)' which contains their recommended methodology for the application of PPS 5 in relation to impacts such as new development within views from conservation areas. In accordance with their Setting Guidance, English Heritage consider that the current methodology for the Townscape and Visual Analysis report (TVA) would benefit from looking more closely at the contribution of the views from the relevant conservation areas and Registered Parks and Gardens of Historic Interest to the significance of those conservation areas and parks and gardens..

4.18.5 Furthermore English Heritage consider that many of the guideline paragraphs in the Townscape and Visual Analysis require strengthening for compliance with PPS 5.

4.18.6 The methodology employed for considering the impact on each view from Conservation areas and Registered Parks and Gardens of Historic Interest includes an assessment of the aesthetic and historic significance of the view. Conservation Area Proposals Statements from both Borough's were drawn on to support the assessments. We believe the methodology is consistent with PPS5. The resulting guidelines are based on a thorough assessment of the significance of the view and the appropriate level of protection required for the historic asset. Therefore the wording does not need to be changed.

#### **4.18.7 The Setting on Brompton Cemetery**

English Heritage raised concerns that there was very minimal analysis of the listed monuments within Brompton Cemetery in relation to the views contained in the TVA. they considered that where individual listed monuments and structures are identifiable within the view they should form part of the analysis of significance. Character or conservation area appraisals and management plans prepared by RBKC and the Royal Parks can be instrumental in undertaking this work and there is no evidence that these have been drawn upon. They also highlighted the fact that a further 21 monuments have been recommended for inclusion on the statutory list as either Grade II or Grade II\*.

4.18.8 English Heritage also highlighted concerns of proposed enclosure of the cemetery. They do not consider that a sense of enclosure is essential for the western side of the cemetery. They accept that the western side of the cemetery will be enclosed by development but are of the opinion that the level of enclosure does not necessitate additional buildings that would be

visible in several views from the cemetery (view 31, 32, 35, S18 and S19). However they assert there may be a case for improving the existing views if the improved integration of the Empress Building into the surrounding townscape could be achieved.

4.18.9 With the removal of EC1 there is an opportunity to improve the setting of the cemetery in this view and to improve the backdrop to the western arcade and bell tower. Lower buildings on the site of EC1 could be less intrusive in the skyline and could restore the prominence of the bell tower in the horizon view. Any visible new buildings beyond the cemetery boundary could enhance the view if they were to incorporate slender and vertical proportions in response to the many vertical elements within the cemetery. Gaps between buildings and glimpses of sky between them will also be necessary to break up the massing particularly where positioned close to the Empress State Building. The Royal Borough of Kensington and Chelsea's Conservation Area proposals Statement for Brompton Cemetery draws attention to the weak enclosure of the west side of the cemetery. The guidelines do not need to be changed.

## **4.19 Edges**

### **4.19.1 Overview**

A total of 5 comments were received on the Edges Study 3 respondents, all relating to effects of the SPD proposals on Cluny Mews. A summary of the key issues and themes raised by respondents in relation to Cluny Mews are as follows:

### **4.19.2 Heights**

All 3 respondents raised concerns related to the heights of any developments permitted through the SPD on the site currently occupied by the Qatar Airways Building, the Adshel Building and the Advertising Hoardings.

4.19.3 The respondents referred to previous planning applications for developments on this part of the OA being limited to heights respecting the heights of the terraced properties on Philbeach Gardens. All 3 respondents suggest new proposals should allow for buildings no higher than those of adjacent existing neighbouring buildings.

4.19.4 One of the respondents suggests a further sectional study through this part of the OA is undertaken to demonstrate the relationship of existing buildings on the edge of the OA to Cluny Mews and Philbeach Gardens. A section through this part of the OA has been included in the Edges study.

### **4.19.5 Edge/Boundary Setback**

The respondents raised concerns of any building being built on the edge of the OA suggesting that any new development should be set back from the boundary of the OA and neighbouring properties to maintain or not harm the current amenity enjoyed by existing neighbouring properties.

4.19.6 The SPD supports an approach to proposals on the OA along the edges to respond appropriately to existing edge conditions and that new buildings on and near the edge of the OA are sensitively integrated into and enhance the existing context. This is covered in Principle UF26, UF27, UF28 and UF29 of the Chapter 04 of the SPD.

## **4.20 Development Capacity Scenarios**

### **4.20.1 Overview**

A total of 7 comments were made in relation to the Development Capacity Scenarios SPD Supporting Evidence Document. A summary of the key issues and themes raised by respondents in relation to the vision and objectives are set out below.

### **4.20.2 General Comments**

In general, the comments received were fairly specific, pointing out particular aspects of individual drawings that respondents wished to query. For example, one respondent asked which of the plans showing potential development heights for each of the scenarios was the authorities' preference. Another respondent highlighted concern about the potential heights that these drawings indicate in the Cluny Mews area of the OA. One comment requested a reference to green infrastructure in relation to "station squares" and another queried why trees were shown along the edge of the railway line adjacent to Seagrave Road in Scenarios 1 to 3 but not in the "Alternative Scenario". Officers considered all of the specific responses, but considered that, as the introduction to the Development Capacity Scenarios SPD Supporting Document makes it clear that none of these illustrative Masterplan drawings present a conclusive or final solution for the development of the OA, there was no need to change them.

4.20.3 Capco raised concern that the Development Capacity Scenarios should only be treated as supporting the SPD, and should not be seen as setting specific design solutions, an overall cap or maximum limit on development or a particular land use mix and quantum. The authorities clarified this by amending the text in both the introduction within the Development Capacity Scenarios SPD Supporting Evidence Document and in the introduction to the main body of the SPD. This should also help to alleviate the sort of confusion about the nature of the illustrative drawings that were raised in the more specific comments outlined earlier.

4.20.4 In error, only Scenario 3 was referred to as "previously published". This should have been the case for Scenarios 1 and 2 as well. This was queried by one respondent, and as a result the document has been amended so that Scenarios 1 to 3 each have the heading "As published in 1st draft of SPD".

## **4.21 Estates Regeneration Economic Appraisal**

### **4.21.1 Overview**

A total of 48 comments were received on the Estates Regeneration Economic Appraisal, summarised under the following topics:

- General;
- Evidence process;
- Current condition of the estates
- Estate Regeneration options; and
- Estate management.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below:

### **4.21.2 General**

Only one consultee made comments on the Estate Regeneration Economic Appraisal. The consultee was of the opinion that the study was fundamentally flawed. The reasons behind this are set out below. The consultee also felt that the study had not been completed and that it would need to be finalised and reconsulted on before the production of the final SPD. It was clarified that the Appraisal had been completed and that no further round of consultation would be necessary. There was a concern that the proposals were to move all existing residents from the estates to the Seagrave Road site and that the current problems with socio-economic deprivation would merely be shifted to a different location. It was clarified that the proposals are that only 25% of the Seagrave Road site is used for estate re-housing and that the other re-housing would occur as part of a phased approach to the main site.

4.21.3 Separately, points were made in relation to job loss and creation in relation to the proposed comprehensive approach to development of the OA. These points are covered in the Employment Strategy section of this report.

### **4.21.4 Evidence Process**

The consultee was concerned that no consultation had been undertaken with the estates' residents. It was clarified that various consultations had been undertaken by both the council's planning and housing departments, with the estates' residents over the past two years. The consultee felt that minimal data had been provided about the existing estates. Officers considered that the evidence on the existing estates produced in support of the Appraisal was sufficiently detailed. The consultee considered that some of the wording within the Appraisal was confusing and misleading, such as using the word 'regeneration' when what is meant is 'demolition'. In response, officers have revised the Appraisal so that 'regeneration' has been amended to 'redevelopment'. The consultee criticised the lack of consideration of phasing. It was clarified that phasing was considered as part of the Appraisal, but that phasing would also need to form part of any consideration by the housing authority around the inclusion of the estates



within any approach to comprehensive redevelopment. There was also a concern that a lot of the data within the Appraisal had not been sourced. It was clarified that the data within the Appraisal has either come from Lower Super Output Area Census data or data within the West Kensington and Gibbs Green Estates Profiles document, whilst was provided separately to the consultee.

#### **4.21.5 Current Condition of the Estates**

The consultee criticised the assertion that discontinuous internal roads are a poor design solution, with reference to the DCLG/Department of Transport "Manual for Streets" and also questioned whether many of the streets within the estates are discontinuous and why those that are, cannot be redesigned to connect with existing streets. Officers clarified that although there is no explicit statement in the Manual for Streets that "discontinuous streets are in all cases a poor design solution", it is implied throughout the document that a well connected, permeable network of streets is preferable. Officers clarified those roads that were considered to be discontinuous and also what is meant by the term discontinuous, as well as clarifying that deliberate breaks that exist on the streets to prevent rat running are not considered to make roads discontinuous, as long as connectivity for pedestrians is still possible. The consultee also criticised the assertion that the estates have poor quality open space, given that there is no evidence of their vandalism. Officers clarified that the statement concerning 'poor quality urban space' refers to the role of open space in the urban grain and layout of the estates rather than any vandalism or dumping. The consultee considered that the existing housing stock is of good quality and should not be used as justification for the demolition of the estates. Officers considered that the current housing stock was not being considered as one of the reasons for demolition; however, ongoing management costs were a consideration, which is covered in the 'Estate Management' section below.

#### **4.21.6 Estate Regeneration Options**

The consultee generally felt that the five options in the Appraisal had been poorly thought through. The consultee objected to the fact that option 1 did not consider any physical improvements to the estates. Officers clarified that both options 1 and 2 do consider infill development, as well as the ongoing management costs, which would include the physical upkeep of the estates. The consultee felt that option 2 made unsubstantiated claims about the viability of infill development. It was clarified that the Appraisal is supported by various development appraisals and cost models and that as a result, the claims about the viability of infill development are substantiated. The consultee considered that it is unclear what is being proposed within options 3a and 3b, particularly in relation to what any comprehensive regeneration of the estates on a standalone basis would look like. It was clarified that the exercise undertaken was a density analysis looking at viability, rather than an engineered design solution. The consultee objected to the large uplift in market housing in options 3a, 3b and 4 on the grounds that market housing would be unaffordable to many

in the borough. It was clarified that financial constraints had to be considered. It was clarified that option 4 would provide 24% affordable housing, providing 1,824 units, which could easily provide for the needs of existing estate residents as well as providing additional affordable housing to meet the needs of those on low and medium incomes. It was also clarified that although not affordable to many, market housing also contributes towards meeting housing need.

#### **4.21.7 Estate Management**

The consultee felt that the management and maintenance costs had been poorly thought through and the solution settled upon appears the most expensive. Officers clarified that management and maintenance costs had been assessed in relation to each option and formed part of the assessment. It was also clarified that although the current housing stock was not being considered as one of the reasons for demolition, ongoing management costs were a consideration as it was recognised that as the estates aged over time, management and maintenance costs would rise. The consultee stated that the problems of over and under occupancy identified in the appraisal could be overcome by better estate management. It was acknowledged that effective estate management can address issues of overcrowding and under-occupancy; however, it was clarified that the focus of the Appraisal was on the net additional economic benefits to the two boroughs associated with the inclusion or otherwise of the estates within the redevelopment options for the Opportunity Area. The consultee continually made the point that nowhere in the Appraisal has it considered options for community ownership of the estates. It was clarified that options 1 and 2 consider the potential for improvements and infill that could be undertaken as part of a community transfer.

## **4.22 Strategic Transport Study Review**

### **4.22.1 Overview**

A total of 11 comments were received on the Strategic Transport Study Review document from 1 respondent. These comments are distinct from those received on the Transport and Accessibility chapter, which are covered in a separate summary report. The comments are summarised under the following topics:

- Walk and Cycle Trips;
- Earls Court Station; and
- Piccadilly Line.

A summary of the key issues and themes raised by respondents in relation to these topics is set out below.

### **4.22.2 Walk and Cycle Trips**

The number of forecast walk and cycle trips generated by OA development was questioned. It was felt that the numbers presented were an overestimate as the majority of people entering or leaving the OA would use public transport and that there would be relatively few cycle trips

owing to the high levels of traffic present on the local road network. The forecast level of future walk and cycle trips to and from the OA outlined in the Strategic Transport Study Review document are however representative of existing travel patterns and moreover, could be expected to be even higher given current trends showing increasing levels of walking and cycling as well as the impact of measures to encourage more walking and cycling as set out in the SPD document.

#### **4.22.3 Earls Court Station**

Several comments outlined concerns that Earls Court station would be unable to cope with OA development and that it could even become dangerous if development went ahead. Key areas of concern were potential overcrowding on the District line platforms, too few lifts and escalators leading to the Piccadilly line platforms to cope with demand, including from people with luggage and the 'pinch point' at the top of the escalators leading from the District line down to the Piccadilly line. The analysis carried out as part of the Strategic Transport Study considered the impact of development on Earl's Court Station for the busiest peak hour and established that, with the interventions proposed in the SPD it would still be able to operate at an acceptable level with OA development. The proposed intervention of an additional station entrance from within the OA site using a tunnel under Warwick Road was shown to reduce congestion on the District line platforms.

#### **4.22.4 Piccadilly Line**

Away from Earls Court Station, there were a number of comments on the wider impact of OA development on the Piccadilly Line. Several comments referred to current levels of congestion both on the line itself and at other stations towards central London, namely Gloucester Road and South Kensington. References were also made to services to Heathrow airport and the passenger demand this generated. The strategic transport study found that with the Piccadilly line upgrade, which is expected to increase line capacity by around 25% and is programmed to be in place prior to OA development, the level of crowding on the line was not forecast to be worse than current levels even with the addition of OA development.

#### **4.22.5 Phasing**

The DRP felt that, as it is almost impossible to predict phasing sequences, the SPD should concentrate on defining illustrative development 'parcels' rather than sequential phases. The SPD was amended in line with this comment. Concerns were raised by another respondent that the north-south connection was not shown during a sufficiently early phase of development. This was addressed by removing any reference to sequential phasing and referring instead to "illustrative development parcels" that could come forward in any suitable order. Capco felt that the phasing details were too prescriptive for an SPD and that it could prove inflexible. Again, this was addressed by removing any reference to sequential phasing and referring instead to "illustrative development parcels".

4.22.6 Another respondent raised concerns that future phases may get delayed or indeed may never happen. This respondent recognised that the benefits of redevelopment will only be to the best advantage of residents once comprehensive regeneration is complete. Chapter 13 on Phasing and Section 106 has been amended to introduce two new Key Principles that deal with this issue in more detail. Another respondent questioned whether it is essential to demolish the existing housing estates in order to deliver the Urban Form aspirations. Officers have given full consideration to this issue throughout the entire process of producing the SPD and Development Capacity Scenarios and feel that comprehensive redevelopment has the potential to deliver optimum benefits.

#### **4.22.7 Other Comments**

Some respondents expressed a belief that the SPD gives insufficient attention to heritage assets in and around the OA and requested that they should be given greater emphasis. This has been addressed by giving greater prominence to the Heritage Assets section of the Site Context chapter (Chapter 02).

4.22.8 A large number of comments raised concerns that the use of materials is not addressed in the SPD and that it should be a requirement that all materials reflect those found in the existing context. Similarly, a number of respondents also raised concerns that the SPD does not seek to control or guide the architectural quality or design of any new buildings. Some respondents made specific reference to the design of any building that is intended to replace the existing façade of Earl's Court 1 (EC1), either hoping to see the existing frontage retained or expressing a preference for a new building inspired by the existing Art Deco façade. Officers considered all of these comments, but felt that including specific requirements for materials or architectural styles would be too prescriptive for a strategic planning document like the SPD. Each application that is submitted will be considered on its own merits in regard to such detailed issues.

4.22.9 The Hammersmith and Fulham Disability Forum expressed support for the references made to selected access standards in the SPD, but noted that these are not comprehensive and requested further reference to acceptable gradients, step free routes and sufficient evacuation lifts in new buildings. Officers considered these issues but came to the conclusion that they are too detailed for inclusion in a strategic planning document like the SPD. As they can all be found in other documents like Building Regulations, it was not considered necessary to repeat them in the SPD at the risk of unnecessarily lengthening the document.

### **4.23 Viability Summary**

4.23.1 A total of 3 comments were received on the Viability Summary.

4.23.2 One consultee criticised the assumptions set out in the Viability Summary report. The authorities consider the Viability Summary to be accurate in relation to the three development capacity scenarios set out in the Development Capacity Scenarios supporting evidence paper. The authorities have added text to the introduction of the SPD clarifying that the Viability Summary was accurate at the point at which it was undertaken in 2011, but that any applicant would need to undertake their own viability assessment in support of any planning applications. One consultee also wished to have reference to them contributing towards the production of the viability summary removed, which has been undertaken. One consultee was concerned that the Viability Summary was showing that development would fail to underwrite the costs of necessary infrastructure and affordable housing. Officers clarified that the Viability Summary concludes that some of the scenarios are viable.

## **4. 24 Ecological Aspirations Report**

### **4.24.1 Overview**

A total of 3 comments were received on the Ecological Aspirations Report. All of which submitted by Natural England.

4.24.2 In response to these comments, the report will be revised to clarify that Counters Creek is now cultivated and no longer creates a wetland / soak away and specifically refer to 'living' roofs, which include 'green' and 'brown' roofs. NE welcomes the benefits of Green Infrastructure in Appendix 4, such as alleviation of heat island effects, health and well being.