



London Borough of Hammersmith & Fulham

Cabinet

15 JULY 2010

**DEPUTY LEADER
(+ENVIRONMENT
AND ASSET
MANAGEMENT)**

*Councillor Nicholas
Botterill*

**EARLS COURT WEST KENSINGTON
OPPORTUNITY AREA: PREPARATION OF
SUPPLEMENTARY PLANNING DOCUMENT**

The opportunity area is proposed to include Earls Court Exhibition Centre with its car park in Seagrave Road, the Transport for London Lillie Bridge depot, the West Kensington and Gibbs Green estates and adjacent land. This report seeks approval for the additional cost and funding for the preparation of a Supplementary Planning Document (SPD) which will be produced jointly by Hammersmith & Fulham, the Royal Borough of Kensington & Chelsea, and the Greater London Authority. The SPD will provide planning guidance and will be prepared with full public consultation.

**Wards:
North End,
Fulham
Broadway**

CONTRIBUTORS

DENV
DFCS
ADLDS

Recommendation:

That approval is given to expenditure of up to £350K to meet additional costs for the preparation of a Supplementary Planning Document (to be carried out jointly with the Royal Borough of Kensington & Chelsea and the GLA), as set out in para. 3.2 of the report, the costs to be met:

- either by Capital & Counties plc as part of a planning performance agreement;
- or, if funding from Capital & Counties is not confirmed, the Council's share of the additional costs (up to £175K) to be met from the S106 Agreement specified in the report.

1. BACKGROUND

- 1.1 The emerging Local Development Frameworks (LDF) of this borough (Core Strategy preferred options) and the Royal Borough of Kensington & Chelsea (submitted Core Strategy) identify a major regeneration opportunity focused on the expected closure and redevelopment of the Earls Court exhibition centre after the 2012 Olympics. The H&F LDF preferred option is for a comprehensive approach to regeneration of the exhibition centre, the Transport for London Lillie Bridge depot, the West Kensington & Gibbs Green estates and adjacent land. The proposed revised London Plan identifies the broad area as an opportunity area. The opportunity area should also include the development of the Earls Court/Seagrave Road car and lorry park.
- 1.2 The Council has been collaborating with Capital & Counties plc (the owner and leaseholder of Earls Court) and Transport for London, in order to establish whether there is a basis for jointly carrying out a satisfactory comprehensive scheme that would meet the Council's objectives, in particular to provide improved housing and conditions for the estate residents.
- 1.3 Whether or not there is a joint scheme, there is a need for more detailed planning guidance against which any development (partial or comprehensive) can be considered. Therefore, the Council, Royal Borough and GLA are intending to jointly prepare a Supplementary Planning Document (SPD) to set out a planning framework and appropriate level of guidance. This report seeks approval for additional expenditure, for specialist consultants and other support, to complement a joint authority officer team.

2. SUPPLEMENTARY PLANNING DOCUMENT

- 2.1 An SPD is not a statement of policy. Its purpose is to provide a greater level of planning guidance than would be possible or appropriate in the LDF Core Strategy or strategic site policy. It will provide a planning framework against which any masterplan or planning applications can be considered. An SPD must be produced with appropriate public consultation but, unlike the Core Strategy, it is not subject to an independent inspector's examination.
- 2.2 The SPD will sit under the eventual policies set out in the two borough's LDFs. The Mayor of London will consider adopting the document as an Opportunity Area Planning Framework (OAPF).

Timetable

- 2.3 The timetable as attached envisages that the SPD will be completed and agreed by June 2011. It cannot be formally adopted by the boroughs until their LDF Core Strategy policies have been adopted (expected late 2011 for H&F).

Public consultation

- 2.4 Formal public consultation on a draft SPD will take place in January/February 2011. This will follow the expected period of consultation in autumn 2010 on the H&F LDF Core Strategy. There will be an early period of consultation on issues and opportunities from July 2010.

3. RESOURCES, COSTS AND FUNDING

- 3.1 The SPD is being prepared by a joint officer team of the three authorities based at Hammersmith. This reports to a Director-level joint planning board which will also oversee the handling of subsequent planning applications.
- 3.2 The existing joint authority officer team needs to be supported by additional specialist resources and advice (in-house and consultants) particularly in terms of aspects of urban design (and architectural illustration), shopping and office quantities and environmental issues. In addition, there is expected to be a need to appoint consultants to assess and verify the transport study currently being carried out by Capital & Counties plc. A budget estimated at up to £350K is recommended for additional costs beyond existing budgeted staff whose time is allocated to the SPD (estimated at £170K in the three authorities).
- 3.3 Capital & Counties has been requested to meet the expected full total cost of preparing the SPD which is estimated at £526K including existing staff costs. Officers understand that this is likely to be agreed. If this is agreed, it is proposed that this commitment will be incorporated in a planning performance agreement.
- 3.4 In the event that Capital & Counties do not agree to meet the additional SPD costs (£350K), or suitable terms are not agreed, these would be divided equally between the Council and RBKC. The Council's contribution of £175K could be met from the Fulham Broadway S106 Agreement. Cabinet (13/7/2009) approved the use of £200K as the Council's contribution to a transport study for Earls Court/West Kensington. The transport study is now being funded entirely by Capital

& Counties so these funds are not required for the original purpose and can be used as the Council's contribution to the SPD additional costs (including the cost of an assessment of Capital & Counties transport study).

4. RISK MANAGEMENT

- 4.1. This is not included in a Departmental or Corporate risk register. The project will be overseen by a joint director-level planning board set up with the Royal Borough of Kensington and Chelsea (RBK&C) and the GLA.

5. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES

- 5.1 The report recommends the preparation of a Supplementary Planning Document (SPD) which will be produced jointly by Hammersmith & Fulham, the Royal Borough of Kensington & Chelsea, and the Greater London Authority. The SPD will provide planning guidance and will be prepared with full public consultation. It is currently estimated that the total cost of producing the SPD will be £526k, of which approximately £170k is estimated to be the staff costs of the three authorities involved.
- 5.2 A budget estimated at up to £350K is recommended for additional costs beyond existing budgeted staff
- 5.3 Subject to formal confirmation from Capital & Counties, it is proposed that this commitment will be incorporated in a planning performance agreement that will seek to recover the total cost of producing the document.
- 5.4 Should it not be possible to obtain formal agreement, then the Council and RBK&C will share the additional costs. The GLA is unable to contribute to fund this work. The estimated liability to the Council is approximately £175K and would be financed from appropriate S106 agreements.

6. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)

- 6.1 This report does not raise any legal issues.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS

| No. | Description of Background Papers | Name/Ext of hold of file/copy | Department/ Location |
|-------------------------|---|--|-----------------------------|
| 1. | LDF Core Strategy Preferred Options | Trevor Harvey | EnvD 3039 |
| 2. | Revised London Plan | Trevor Harvey | EnvD 3039 |
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