



Newcombe House and Kensington Church Street
Planning Statement Addendum

July 2018

Contents

1	Executive Summary	2
2	Introduction	3
3	Background	6
4	Proposed Amendments	8
5	Planning Policy Update	14
6	Assessment of the Proposed Amendments	16
7	Summary and Conclusions	25

1 Executive Summary

- 1.1 This Planning Statement Addendum is submitted in support of the amendments made by Notting Hill Gate KCS Ltd. to the planning application for the redevelopment of Newcombe House following the decision by the Mayor of London to take over the application for his own determination.
- 1.2 The amendments, which are set out in detail within this report, comprise improvements to the proposed development in the form of additional homes and office floorspace and a substantial increase to the affordable housing offer, while enhancing the wider package of public benefits.
- 1.3 The additional massing proposed on Kensington Church Street Building 1 and West Perimeter Building 3 (perimeter buildings) would enable the proposed development to deliver 35% affordable housing by habitable room and 42% by unit. The amended application, therefore, responds directly to the comments by the Mayor of London in the Stage 2 report for the application, dated 26 March 2018, regarding the delivery of homes, and in particular affordable homes, in the Royal Borough of Kensington and Chelsea.
- 1.4 The proposals maintain the delivery of step free access from street level to the southbound platform of the Circle and District Line through two new lifts and walkways partially within the site. The route from the ticket hall level to the Circle and District Lines would pass through the basement of the proposed development and therefore, step free access can only be delivered as part of the site's comprehensive redevelopment, making this a unique opportunity to contribute towards the achievement of the Mayor's ambitious target in improving access to the rail system for those with mobility issues.
- 1.5 In accordance with planning policy, the proposed development would enable the regeneration of an underutilised brownfield site at the heart of Notting Hill Gate District Centre. It would deliver a number of locally important amenities, including step free access to the Underground Station (also of strategic importance to London), a new doctors' surgery and a high quality and permanent home for the locally popular Farmers' Market in a new public square. Approval of this application would, therefore, accord directly with the conclusions of the appeal Inspector¹ who was clear that, if the affordable housing issue could be addressed, regeneration of the site should not be delayed.

¹ The planning application submitted in 2017 followed a previous application for an almost identical scheme that was refused by RBKC and subsequently dismissed on appeal (Ref: APP/K5600/W/16/3149585). See Section 2 of Planning Statement, dated 2017.

2 Introduction

- 2.1 This Planning Statement Addendum has been prepared in support of amendments proposed to planning application PP/17/05782 (GLA ref: 3109a) for the mixed use redevelopment of the Newcombe House site in the Royal Borough of Kensington and Chelsea ('RBKC').
- 2.2 The Applicant, Notting Hill Gate KCS Ltd., is proposing amendments to the scheme following the decision by the Mayor of London to act as the Local Planning Authority for the purposes of determining the planning application. The Direction was made by the Mayor of London on 26 March 2018 under the arrangements set out in Article 7 of the Town and Country Planning (Mayor of London) Order 2008 and the powers conferred by Section 2A of the 1990 Town and Country Planning Act.
- 2.3 The proposed amendments do not result in the need to revise the description of development. It therefore remains as follows:

'Demolition of the existing buildings and redevelopment to provide office, residential, and retail uses, and a flexible surgery/office use, across six buildings (ranging from ground plus two storeys to ground plus 17 storeys), together with landscaping to provide a new public square, ancillary parking and associated works.' (the 'Proposed Development')

- 2.4 The amendments to the application are set out in detail within section 3 of this report, but can be summarised as:
- an increase in the number of homes (to a total of 55) and alterations to the housing mix;
 - an increase in the proportion of affordable homes (to 35% by hab room and 41.8% by unit);
 - an increase in office floorspace of c. 414 sqm GEA (to a total of c. 5,306 sqm);
 - the addition of one storey to Kensington Church Street Building 1 in C3 residential use (from four storeys to five);
 - the addition of two storeys to West Perimeter Building 3 in B1 office use (from five storeys to seven);
 - alterations to the layouts of Kensington Church Street Buildings 1 and 2, and West Perimeter Buildings 1 and 3, with associated changes to the facades;
 - minor alterations to the façade of the Corner Building on levels 4, 5 and 6 which respond to the revised massing of West Perimeter Building 3; and
 - minor alterations to the services strategy for West Perimeter Building 2.

(the 'Proposed Amendments')

How to use this Addendum

- 2.5 This Addendum to the Planning Statement ('the Addendum Report') addresses the changes proposed by the Applicant following the decision by the Mayor of London to recover determination of the application.
- 2.6 The Addendum Report identifies the changes to the original Planning Statement and should therefore be read in conjunction with the original document. The Addendum Report concentrates on the issues raised by the amendments to the application.

Additional Information Submitted

- 2.7 The scope and content of this submission has been agreed with officers. This Addendum Report should be read alongside the enclosed appendices, as well as the following documents:
- Revised proposed floorplans, elevations and sections;
 - Revised landscaping plans;
 - Revised existing floorplans, elevations and sections;²
 - Revised Air Quality Report;
 - Revised Daylight, Sunlight and Overshadowing Assessment;
 - Cumulative Effects Assessment Addendum;
 - Design and Access Statement Addendum (with appendices to cover access; façade engineering, access and maintenance; landscape strategy; MEP servicing; and structures planning);
 - Energy Strategy Addendum;
 - Environmental Noise and Vibration Strategy Addendum;
 - Financial Viability Assessment Addendum;
 - Pedestrian Level Wind and Microclimate Assessment Addendum;
 - Townscape and Visual Impact Addendum; and
 - Transport Assessment Addendum.
- 2.8 The purpose of the Addendum Report and the other addenda is to assess the impact of the Proposed Amendments in relation to the findings presented within the submission documents dated September 2017 (the 'September 2017 Reports') and, if necessary, provide an update to such findings.
- 2.9 This Addendum Report supplements the September 2017 Reports. It does not unnecessarily repeat information previously provided within the September 2017 Reports where such information remains relevant unless it assists the commentary within this report.
- 2.10 In a number of instances, the Proposed Amendments would result in only minor updates to technical documents. To avoid the repetition of information, brief summaries are provided for these documents within the appendix to this Planning Statement or the Design and Access Statement Addendum³. Topics covered in these two documents include:

² Drawings revised to correct non-material typographical errors.

³ Those documents previously appended to the Design and Access Statement in September 2017 remain with that document.

Planning Statement Addendum Appendices

- Drainage Strategy Report;
- Flood Risk Statement;
- Initial Ecological Appraisal and Bat Survey Report;
- Construction Traffic Management Plan;
- Basement Construction Method Statement;
- Sustainability Statement; and
- Fire Safety Strategy.

Design and Access Statement Addendum Appendices

- Access Statement;
- MEP Servicing Strategy;
- Landscape Strategy;
- Structures Planning; and
- Façade Engineering, Access, and Maintenance Report.

2.11 Whilst the above documents should be considered in order to gain a comprehensive understanding of the planning application, this Addendum Report summarises their findings in the context of the planning policy framework relevant to the Site.

3 Background

- 3.1 The site's planning history (prior to the submission of a planning application in September 2017) is set out in full in Section 2 of the Planning Statement. Paragraphs 2.14 to 2.26 describe the appeal that preceded this application and the conclusions of the Inspector, which were highly supportive of the Proposed Development with the exception of one matter – affordable housing – which this planning application sought to address. The Mayor of London supported the application to RBKC in his Stage 1 response. The amended application now before the Mayor goes further still to enhance the on site provision of affordable homes whilst maintaining and improving on the other community benefits.
- 3.2 A planning application for full planning permission was submitted to RBKC on 8 September 2017.
- 3.3 The application was referred to the Mayor of London under Category 1 C ('development which comprises or includes the erection of a building more than 30 metres high and outside the City of London') on 15 September 2017.
- 3.4 On 29 November 2017, the Stage 1 Report prepared on behalf of the Mayor of London stated his support for the principle of a residential-led redevelopment of the town centre site. It confirmed his support for the public benefits package, including an improved public realm, step free access provisions and the delivery of affordable housing. The Report confirmed that the financial viability assessment submitted in support of the application had been robustly interrogated and officers agreed that the assessment demonstrates that the maximum possible level of affordable housing within that development as proposed (paragraph 22).
- 3.5 The Stage 1 Report also confirmed the Mayor of London's support for the design of the Proposed Development, noting that *"the architectural approach and materiality [would] respond appropriately to the site surroundings and should result in a high-quality appearance, which is supported,"* (paragraph 29). With regard to the massing of the Corner Building, the Stage 1 Report states that the 18-storey element, although taller than the existing Newcombe House building, would be *"a more slender and elegant landmark, which is supported"* (paragraph 28).
- 3.6 Following receipt of the Stage 1 Report, the Applicant and officers of the Greater London Authority ('GLA') engaged in further discussions to ensure that all matters raised by the report were concluded prior to the presentation of the application to the RBKC Planning Committee.
- 3.7 The application was presented to Members of the Planning Committee on 31 January 2018 with an officer's recommendation for approval subject to legal agreement. Following lengthy discussions on topics that largely relate to formulating the reasons for refusal, the Members voted, with three in favour of the recommendation and nine opposing.

Council Reasons for Refusal

- 3.8 The Members of the Planning Committee resolved, subject to receiving no direction to the contrary by the Mayor, to refuse planning permission for the following reasons:
- 1) The height of the tall building would be significantly taller than the existing building and the surrounding townscape at a very high land point in the borough. The quality of the design of the proposed tall building was of insufficient high quality. It would result in harm to the setting of nearby

listed buildings and conservation areas including important local views and when moving around the conservation areas experiencing them as a whole.

- 2) The proposals would result in a loss of social rented homes within the borough. Members were not satisfied that the approach to developing the site provided the maximum reasonable amount of affordable housing.
- 3) The absence of agreed section 106 obligations to secure the necessary mitigation measures and infrastructure which would be necessary to make the development acceptable.

The Mayor of London's Direction

- 3.9 On 14 March 2018, RBKC advised the Mayor of London of the Planning Committee's decision.
- 3.10 Having regard to the details of the application and other relevant matters, the Mayor of London concluded in response that the development is of such a nature that it would have a significant impact on the implementation of the London Plan (particularly those policies relating to transport), it would have significant effects which are likely to affect more than one London Borough, and that there were sound planning reasons for his intervention to ensure that the application was not refused at this stage, as the Borough had resolved to do.
- 3.11 On 26 March 2018 the Mayor of London notified RBKC that he was to act as the Local Planning Authority for the purpose of determining the application and any connected application. In a statement released with the Stage 2 Report notifying the public of this action, the Mayor of London requested that the Applicant work with his planning officers to see if more genuinely affordable homes could be delivered within the development.

Site Context

- 3.12 A description of the site and its context is set out within the September 2017 Reports, in particular Section 2 of the Planning Statement.
- 3.13 Since September 2017, the use of the existing buildings on site has not changed with the exception of the residential floorspace in Royston Court, which is now unoccupied following the rehoming of tenants by Notting Hill Genesis, the long leaseholder of the site. The existing units are not fit for purpose and therefore tenants were rehomed within significantly improved accommodation. Those who wanted to remain in the Borough were able to do so⁴.
- 3.14 Construction works have begun on a number of sites surrounding Newcombe House, notably 47-69 Notting Hill Gate (known as David Game Home) and 66-74 Notting Hill Gate (known as the Book Warehouse), which are to the north and west of the site. Details of the relevant planning permissions are set out within the Cumulative Effects Assessment Addendum, 2018.
- 3.15 To the south of the site, works on 145 Kensington Church Street appear to have been completed.

⁴ One resident chose to move to Stockport and two residents were evicted due to long standing rent arrears.

4 Proposed Amendments

- 4.1 Further to the Mayor’s decision to call in the application, the Applicant has taken the opportunity to review the development with a view to increasing the delivery of on site affordable housing. Scope has been identified to increase the scale of West Perimeter Building 3 (‘WPB3’) and Kensington Church Street 1 (‘KCS1’) whilst retaining the accepted design principles which the Mayor supported in the original application.
- 4.2 The opportunity to explore additional development on the site has been discussed with officers through a series of workshops following the Mayor of London’s decision.
- 4.3 The Proposed Amendments allow the achievement of 35% affordable housing on site (42% by unit) whilst retaining all of the benefits of the submitted application.
- 4.4 The following provides a summary of the scheme amendments submitted:
- an increase in the number of homes (to a total of 55) and alterations to the housing mix;
 - an increase in the proportion of affordable homes (to 35% by habitable room and 41.8% by unit);
 - an increase in office floorspace of c. 414 sqm GEA (to a total of c. 5,306sqm);
 - the addition of one storey to Kensington Church Street Building 1 in C3 residential use (from four storeys to five);
 - the addition of two storeys to West Perimeter Building 3 in B1 office use (from five storeys to seven);
 - alterations to the layouts of Kensington Church Street Buildings 1 and 2, and West Perimeter Buildings 1 and 3, with associated changes to the facades;
 - minor alterations to the façade of the Corner Building on levels 4, 5 and 6 which respond to the revised massing of West Perimeter Building 3; and
 - minor alterations to the services strategy for West Perimeter Building 2.
- (the ‘Proposed Amendments’)
- 4.5 For ease of reference, a key diagram of the buildings is provided at **Appendix 1**.
- 4.6 The existing and proposed floorspace areas of the Proposed Development are set out in Table 4.1.

Table 4:1 – Existing and Proposed (Revised) Floorspace

Use	Existing		Proposed 2018		Uplift from Existing	
	GIA (sqm)	GEA (sqm)	GIA (sqm)	GEA (sqm)	GIA (sqm)	GEA (sqm)
Office (B1 Use Class)	5,206	5,562	4,765	5,306	-441	-256
Flexible Surgery/ Office (D1/B1 Use Class)	-	-	952	1,075	952	1,075
Retail (A1/A3 Use Class)	2,569	2,790	2,638	2,935	69	145
Residential (C3 Use Class)	955	1,071	9,339	10,585	8,384	9,514
Car Park	-	-	1,953	2,054	1,953	2,054
Servicing and Centralised Plant	413	433	1,118	1,302	705	869
Total	9,143	9,856	20,765	23,257	11,622	13,401

4.7 Table 4.2 compares the revised 2018 proposals to the 2017 development.

Table 4:2 – Comparison of areas between September 2017 and July 2018

Use	2017		2018		Uplift	
	GIA (sqm)	GEA (sqm)	GIA (sqm)	GEA (sqm)	GIA (sqm)	GEA (sqm)
Office (B1 Use Class)	4,390	4,892	4,765	5,306	375	414
Flexible Surgery/ Office (D1/B1 Use Class)	904	1,003	952	1,075	48	72
Retail (A1/A3 Use Class)	2,871	3,138	2,638	2,935	-233	-203
Residential (C3 Use Class)	8,740	9,992	9,339	10,585	599	593
Car Park	1,818	1,891	1,953	2,054	135	163
Servicing and Centralised Plant	1,102	1,284	1,118	1,302	16	18
Total	19,825	22,200	20,765	23,257	940	1,057

4.8 It should be noted that the minor reduction to retail floorspace is at basement level in order to provide the internal residential amenity area. Overall, an uplift in retail floorspace is maintained.

Office and Surgery Uses

- 4.9 The proposed (revised) massing of WPB3 was first tested during pre-application discussions prior to the submission of the first planning application in 2015, but was not progressed in response to comments from the Design Officer at RBKC. Whilst the Applicant did not agree with these comments, the massing was reduced at that time, however, it should be noted that the same massing was presented to GLA officers who were supportive of the earlier approach.
- 4.10 The additional floorspace in WPB3, which can only feasibly be used for office use due to the layout of the building, complies with planning policy objectives for office development in the District Centre but also, importantly, is value generating such that additional affordable residential floorspace can be achieved on site.
- 4.11 The surgery would remain on the upper floors of the building, resulting in flexible office space across floors 1-3 linked to the floorspace in the Corner Building and Notting Hill Gate Building. All three office floors now achieve lateral connectivity between offices in WPB3, the adjacent Corner Building and Notting Hill Gate Building, combining to offer large flexible floor plates that are adaptable to the needs of a single tenant or multiple tenants.
- 4.12 The opportunity has also been taken to provide a second lift to the surgery following a request from the NHS West London Commissioning Group to further improve the new surgery.
- 4.13 The minor alterations proposed to the façade of the Corner Building on levels 4, 5 and 6 are necessary to maintain design continuity between the building and the amended WPB3.
- 4.14 It is important to note that since the amended massing was reviewed by RBKC officers, there have been changes to the site's context, with planning permission granted in January 2017 for an increase to the height of 47-69 Notting Hill Gate (to the north of WPB3) by one storey⁵. The Townscape and Visual Impact Assessment Addendum 2018, submitted in support of the Proposed Amendments, shows the impact of this approval on local views.

Residential Use

- 4.15 The introduction of a 4th story on KCS1 would provide additional residential accommodation to allow for more affordable housing on site.
- 4.16 The percentage of affordable habitable rooms as a result has been increased from 17% to 35%. On a unit basis the level of affordable housing would increase from 20% to 42%.
- 4.17 The revised residential mix is set out in the Tables 4.3, 4.4 and 4.5.

⁵ Planning permission for works to 47-69 Notting Hill Gate was granted in January 2017 and subsequently varied in March 2018. The approval is for the re-cladding of the existing building and one additional storey of office.

Table 4:3 – Affordable Residential Mix

	1 bed	2 bed	3 bed	4 bed	Total
West Perimeter Building 1	-	-	4	-	4
Kensington Church Street Building 1	2	-	2	-	4
Kensington Church Street Building 2	12	3	-	-	15
Total	14	3	6	0	23

Table 4:4– Private Residential Mix

	1 bed	2 bed	3 bed	4 bed	Total
Corner Building	-	-	18	3	21
Kensington Church Street Building 1	5	6	-	-	11
Total	5	6	18	3	32

Table 4:5 – Overall Residential Mix

Tenure	1 bed	2 bed	3 bed	4 bed	Total
Private	5	6	18	3	32
Social Rent	12	3	-	-	15
London Living Rent	2	-	6	-	8
Total	19	9	24	3	55

4.18 The uplift in residential accommodation (by unit) since 2017 is set out in table 4.6.

Table 4:6 – Overall Residential Mix – Uplift from 2017 to 2018

	Tenure	1 bed	2 bed	3 bed	4 bed	Total
2017	Private	6	10	18	3	37
	Social Rent	3	3	3	-	9
	London Living Rent	-	-	-	-	
2018	Private	5	6	18	3	32
	Social Rent	12	3	-	-	15
	London Living Rent	2	-	6	-	8
Uplift	Private	-1	-4	-	-	-5
	Social Rent	+9	-	-3	-	+6
	London Living Rent	+2	-	+6	-	+8

4.19 The affordable units would be provided within three separate blocks and would be tenure blind, each building having been designed previously for private residential use. Although minor changes are proposed

to the facades of these buildings, the purpose is only to accommodate amendments to the layout and facilitate the additional storey, and not to alter the design intent or quality.

- 4.20 All homes will continue to meet or exceed the nationally described space standards and each would be provided with private amenity space.
- 4.21 A minimum of 10% of the residential units would meet the Building Regulation requirements for M4(3) 'wheelchair user dwellings' and all remaining units would meet the Building Regulation requirements for M4(2) 'accessible and adaptable dwellings'.
- 4.22 The residential units would continue to have access to a communal roof terrace on the 4th floor of Kensington Church Street Building 1 (KCSB1). However, in order to increase the residential floorspace within this building, the amenity area at this level has been revised to provide two separate but linked spaces, one at fourth floor level and one at level -1 beneath the building. The two areas can be used flexibly by residents (one weather protected), in addition to the public space and private amenity spaces that all units already benefit from. These two secure spaces would accommodate a minimum of 90 sqm of dedicated play space for under 5s.
- 4.23 Minor changes are proposed within the basement in order to increase the number of cycle parking spaces for new residents and office occupiers. However, no increase to car parking is proposed.
- 4.24 In summary, the Proposed Amendments would enable the site to deliver even more public benefits than first proposed. These additional benefits are significant:
- More affordable homes delivered on site (35% by habitable room and 41.8% by unit);
 - A commitment from Notting Hill Genesis to sign the Section 106 Agreement to deliver new nomination rights to RBKC for affordable homes (10 x two bed units);
 - An increase to the employment floorspace on site and improved layouts, creating more jobs within the District Centre;
 - An improved surgery with a second lift; and
 - Progression with the Development Agreement with Transport for London to deliver the step free access.
- 4.25 In addition to these amendments, the previous benefits package would be maintained:
- Replacement of buildings which are inaccessible, impermeable and have reached the end of their functional and economic life, including an existing tall building which is described as an "eyesore" by the Council's Local Plan;
 - Introduction of exceptional quality architecture and urban design that will signify a step change to the area and act as a catalyst for the regeneration of Notting Hill Gate;
 - Delivery of a well-considered new development of the highest architectural quality that will mark the important corner of Notting Hill Gate / Kensington Church Street and assist in identifying the District Centre and this important new piece of public realm;
 - An appropriate townscape response to the part of the site bounded by the listed station structure to the west and Kensington Church Street to the east, framing the public square and enhancing the adjacent conservation areas;

- Creation of an accessible, permeable and inclusive public square with level access through the site, providing a vibrant new public realm for the community at Notting Hill Gate;
- The design of the public square would allow the farmers' market to resume, after a break, in a much higher quality environment, and a section 106 planning obligation will offer added security for this to continue;
- A sustainable development that meets the requirements of commercial and residential policy objectives and fully incorporates the use of renewable energy technology, and carbon reduction systems;
- Provision of shops, restaurants, and leisure uses of local scale and character, including carefully curated independent retailers at ground and lower ground levels that will serve local residents and create a local destination in its own right;
- Delivery of high quality Grade A office employment space, including large, flexible office floor plates that will be unique to Notting Hill Gate and meet diverse local occupier requirements;
- Delivery of high quality residential accommodation comprising a range of unit sizes with generous section heights and space provision. Legible layouts and appropriate supporting amenity space that responds to the specific character of the local context and built form;
- A significant contribution towards the Borough's housing target, with high quality accommodation to complement and strengthen the existing residential community at Notting Hill Gate;
- Provision for a new community facility in the form of a GP surgery to support a patient population of c. 18,000;
- Delivery of step free access from street level to the southbound platform of the Circle and District Line through two new lifts and walkways partially within the site, which will contribute towards the achievement of the Mayor's ambitious target in improving access to the rail system for those with mobility issues;
- Provision of a new cycle hire stand in close proximity to Notting Hill Gate Underground Station;
- Significant S106 benefits; and
- Borough CIL contribution and wider London CIL contribution;

4.26 The proposals would fulfil policy aspirations to create a vital new high quality urban quarter for Notting Hill Gate and deliver new homes on a highly sustainable brownfield site. An assessment against planning policy is provided in Section 6.

5 Planning Policy Update

- 5.1 The Planning Application was submitted in September 2017. The adopted development plan at that time remains in force.
- 5.2 This section provides an overview of the emerging policies that have been consulted upon or examined since the submission of the planning application. An assessment of the Proposed Development against the key policies of the emerging policy framework is provided at **Appendix 2**.

RBKC Local Plan Partial Review

- 5.3 The RBKC Local Plan Partial Review ('LPPR') was the subject of an Examination in Public in March 2018. The Inspector has confirmed that prior to reaching any conclusions and completing his examination report on the LPPR, further consultation will be necessary on main modifications. For this reason, the LPPR is not yet considered to have significant weight.
- 5.4 The topics considered in the LPPR are those outstanding topics which have not been reviewed since the Local Plan was originally adopted in 2010 (then known as the Core Strategy). They include the Notting Hill Gate chapter, which is of particular relevance to the Newcombe House site, as well as chapters on transport, housing and the environment.
- 5.5 The Notting Hill Gate chapter has been the subject of extensive representations by the Applicant. Following an appearance at the Examination in Public on this matter, the Inspector invited the Council to review the chapter and consider further modifications. The current drafting, therefore, is considered to have very limited weight. Notwithstanding this, the vision for Notting Hill Gate continues to support regeneration and the strengthening of one of the Borough's main district centres.
- 5.6 A previous partial review in 2014 considered policies on Conservation and Design. These policies are, therefore, considered up to date.

Draft London Plan

- 5.7 The Mayor is preparing a replacement London Plan to cover the period 2019 to 2041. A draft Plan was published for consultation on 29 November 2017, after the submission of the planning application to RBKC in September 2017 and after the Stage 1 Report. The plan is at an early stage in its preparation and having not been subject to any independent examination it can only carry limited weight in terms of decision-making.
- 5.8 Those policies that are of particular relevance to the determination of the application relate to the need for highly sustainable brownfield sites to deliver high-density, mixed-use places (Draft Policy GG2). The opportunity to proactively explore the potential to intensify the use of land, particularly on sites that are well connected by public transport is at the heart of the Mayor's ambitions for London.

Draft NPPF

- 5.9 A draft revised NPPF ('draft NPPF') was published for consultation between 5 March and 10 May 2018. It consolidates the Government's position in relation to a number of policy updates announced over the past two and a half years, most notably those contained in the Housing White Paper (February 2017). The Ministry for Housing, Communities and Local Government ('MHCLG') have stated that a new NPPF will be published in July, before which the draft carries limited weight in terms of decision-making.

- 5.10 The draft NPPF retains at its heart the presumption in favour of sustainable development. It recognises the need to proactively drive and support sustainable development to deliver the homes, businesses, infrastructure and thriving places that the country needs.
- 5.11 At Paragraph 118 the draft NPPF states that planning policies and decisions should *'promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'* and that decisions should *'give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs,'* (parts c-d).
- 5.12 Paragraph 123 directs local planning authorities *"to refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework,"* clearly demonstrating the need to prioritise making efficient use of land.
- 5.13 The draft NPPF shifts the discussion from 'good design' to 'well-designed places'. Paragraph 126 maintains the expectation in the extant NPPF that development should respond to local character and history and the surrounding environment and setting, whilst not preventing innovation – but extends this to recognise a role for change and increased densities:
- 'Planning policies and decisions should ensure that developments:... c) respond to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'.*
- 5.14 In addition, the draft NPPF sets out more clear circumstances under which design should and should not form the basis of objections to, or refusals of proposals. It supports the refusal of proposals that fail to take opportunities to improve the character and quality of an area, but states that design is not a valid reason for a decision-maker to object to a proposal in circumstances where the proposal accords with *'clear expectations'* set out within local policies.

6 Assessment of the Proposed Amendments

- 6.1 This section provides a summary of the amendments being proposed and how they relate to the policies in the adopted Development Plan.
- 6.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.3 In the context of this planning application, the statutory Development Plan currently comprises the following:
- London Plan (March 2016);
 - The RBKC Consolidated Local Plan (2015) ('CLP');
 - Core Strategy Proposals Map (2010); and
 - Extant Policies of the UDP (2007) ('UDP').
- 6.4 The following planning documents are also relevant material considerations:
- National Planning Policy Framework (2012) ('NPPF'); and
 - Planning Practice Guidance (2014 as amended) ('PPG').
- 6.5 Supplementary planning guidance documents are also material considerations in the determination of planning applications. Most relevant to the Proposed Amendments is the GLA's Affordable Housing and Viability SPG (August 2017).

Increase in Office Floorspace

- 6.6 The additional office floorspace proposed (414 sqm GEA) is supported by all levels of planning policy in this location (Notting Hill Gate District Centre). As set out in the September 2017 Report, the London Plan seeks to enhance and promote town centres at Policy 2.15, seeking for them to become *"the main foci beyond the Central Activities Zone for commercial development and intensification."*
- 6.7 At the local level, Policy CF5 of the CLP promotes the development of business premises within the borough that will allow businesses to grow and thrive. Particular support is given to proposals within areas of high transport accessibility and areas where employment uses contribute to the character and function of the area.
- 6.8 The provision of new Grade A office floorspace would respond to a need identified within the Notting Hill Gate SPD. In particular, the SPD seeks flexible office space ranging from set down space to small office units, with some shared facilities like a café and conference rooms. The objective is to provide flexible office space which has longevity, including large floor plate accommodation appealing to larger tenants as well as smaller, local occupiers (including small and medium-sized enterprises). The additional floorspace provided in WPB3 responds directly to this ambition, creating greater flexibility through larger floorplates that could be occupied by a single tenant or subdivided.

- 6.9 In the appeal decision, the Inspector commented that “*upgraded offices would be a further benefit*” of the scheme, noting the scheme’s accordance with Policy CV16’s vision for the District Centre to continue as a major office location (paragraphs 58-59). As such, the Proposed Development is considered to accord with national, regional and local policy and will contribute to the local economy by providing enhanced business floorspace in this key location.

Increase in Residential Floorspace

- 6.10 The additional residential floorspace and units proposed through the amendments to the application is supported across all levels of planning policy. The need for more homes in London is particularly acute and there is a particular emphasis on well connected, previously-developed sites as the preferred locations for providing them.
- 6.11 In the Stage 2 Report for the application, dated 26 March 2018, it was noted that the number of new homes and affordable units delivered across London for the financial years 2013-2014 to 2016-2017 was below the target level set by Policy 3.3 in the London Plan and adopted by the Council as its local target (Policy CH1) (paragraph 23, Stage 2 Report).
- 6.12 At borough level, the Stage 2 Report states that RBKC has consistently failed – by some margin – to meet the target level set out in the London Plan for the delivery of new homes and affordable units.
- 6.13 In this context, the provision of 55 residential units will make a significant contribution to meeting the Borough’s housing target of 733 new homes a year (Table 3.1 of the London Plan and CLP Policy CH1) and furthermore, will contribute to a sustainable mix of uses within the town centre.
- 6.14 In accordance with CLP Policy CH2(a), the Proposed Development would continue to offer a mix of types, tenures and sizes of homes to reflect the varying needs of the borough.
- 6.15 A minimum of 10% of the residential units would meet the Building Regulation requirements for M4(3) ‘wheelchair user dwellings’ and all remaining units would meet the Building Regulation requirements for M4(2) ‘accessible and adaptable dwellings’, thus ensuring that all homes would exceed the minimum standards set out in Policy CH2 for lifetime homes, floorspace and floor to ceiling heights and wheelchair accessibility.

Increase in Affordable Housing

- 6.16 The proposed amendments have enabled the scheme to deliver 35% affordable housing by habitable room on site (42% by unit), which is a significant increase from the original application.
- 6.17 The 23 affordable homes would be provided within three separate blocks and would be tenure blind, each building having been designed previously for private residential use. Although minor changes are proposed to the facades of these buildings as part of the Proposed Amendments, the purpose is only to accommodate revisions to the layout and facilitate the additional storey, and not to alter the design intent or quality. The Proposed Development is therefore supported by Policy CH2(n), which requires affordable housing to be integrated within a development, have the same external appearance and equivalent amenity.
- 6.18 The previous number of affordable two beds homes has been maintained, while the number of one and three bed affordable homes has been increased. The proposed mix, therefore, offers an excellent range of homes and would help diversify the affordable stock in RBKC.

- 6.19 As set out above, RBKC has consistently failed to approve and deliver affordable homes resulting in a significant undersupply of affordable housing in the pipeline (Stage 2 Report, paragraph 44). The delivery of 23 affordable homes is therefore a significant benefit of the Proposed Development and should be given substantial weight.
- 6.20 In accordance with CLP Policy CH 2(p) and Policy 3.12 of the London Plan, a Financial Viability Appraisal Addendum is submitted with this Addendum Report to demonstrate that the maximum reasonable amount of affordable housing is proposed. The FVA adopts the same approach and assumptions that have previously been scrutinised by the GLA and RBKC.
- 6.21 The FVA Addendum demonstrates that the profitability of the scheme is challenging. The return is well below that previously agreed with RBKC (and reviewed on behalf of the Mayor) as appropriate for a scheme of this nature and it is, therefore, clear that the proposals provide or exceed the maximum reasonable amount of affordable housing and meet London Plan and RBKC policy tests.
- 6.22 An additional scenario has also been tested to understand the value of the other ‘planning benefits’ which align with other Mayoral priorities. For the sake of illustration, the value of the step free access and surgery has been converted to an affordable housing equivalence, to demonstrate that 50.5% of habitable rooms could have been provided as affordable housing in such a scenario. These results further reinforce the strength of the public benefits package proposed.
- 6.23 In addition to the on site delivery of affordable homes by the Applicant, it is proposed that the provision of nomination rights to RBKC for 10 x two-bed homes within London is secured by the Section 106 Agreement as part of the application. These homes would be provided by Notting Hill Genesis, the long leasehold owner of Royston Court, should planning permission be granted and Royston Court be sold to Notting Hill Gate KCS Ltd.
- 6.24 The nomination rights would be for homes that are of a significantly better standard than those previously provided in Royston Court and would result in a net increase in habitable rooms, notwithstanding the on site provision. The previous tenants from Royston Court have now all been rehomed in significantly improved accommodation, with those who wanted to remain in the Borough able to do so.

Character, Appearance and Views

- 6.25 The principle of redeveloping Newcombe House, a building designated as an “eyesore” in the CLP, and replacing it with a tall building that forms part of a coherent urban quarter is assessed in detail in Section 5 of the Planning Statement. Paragraph 102 concludes that all of the relevant planning policies have been complied with and that the weight of evidence strongly favours supporting the scheme on design grounds.
- 6.26 The Proposed Amendments have been meticulously developed by the design team to ensure that they continue to accord with this analysis and respond to the feedback that has been provided by stakeholders over several years.
- 6.27 With KCS1, the proposed height increase would provide an alternative streetscape to the linearity of KCS1 and KCS2 as proposed in the 2017 Planning Application. The perimeter buildings now step up towards the District Centre, yet still successfully relate to the other perimeter buildings and the massing on the opposite side of Kensington Church Street.

- 6.28 With WPB3, the proposed height increase would be discernible in some local views from the west and north where it is currently not visible. However, the tallest part of the Proposed Development, the Central Form, would be immediately adjacent, which would remain the focus of these views alongside the East Form.
- 6.29 The proposals continue to respond to and remain appropriate for the site's context and consequently deliver a successful composition of buildings that form a coherent urban quarter.
- 6.30 The revised proposals satisfy policies 7.4, 7.5, 7.6 and 7.7 of the London Plan, which set criteria by which to judge local character, public realm, architecture and the location and design of tall and large buildings. The revised proposals are also supported by local policies of the CLP that are set out below.
- 6.30.1 CLP Policy CL1 requires all development to respect the existing context, character and appearance, taking opportunities available to improve the quality and character of buildings and the area and the way it functions, including being inclusive for all. Development should contribute positively to the townscape through the architecture and urban form, whilst sensitively optimising the density of development.
- 6.30.2 CLP Policy CL2 requires all development to be of the highest architectural and urban design quality, taking opportunities to improve the quality and character of buildings and the area and the way it functions.
- 6.30.3 CLP Policy CL3 requires development to preserve and to take opportunities to enhance the cherished and familiar local scene, this includes preserving or enhancing the character or appearance of conservation areas and protecting the special architectural or historic interest of an area and its setting.
- 6.30.4 CLP Policy CL4 will require development to protect the heritage significance of listed buildings, scheduled ancient and sites of archaeological interest.
- 6.30.5 CLP Policy CL11 requires all development to protect and enhance views, vistas, gaps and the skyline that contribute to the character and quality of the area. Development which interrupts, disrupts or detracts from strategic and local vistas, views, and gaps and the skyline should be resisted. Developments whose visual impacts extend beyond that of the immediate street, should demonstrate how views are protected or enhanced.
- 6.30.6 CLP Policy CL12 requires require new buildings to respect the setting of the borough's valued townscapes and landscapes, through appropriate building heights. Proposals should strengthen the traditional townscape in terms of building heights and roofscape by reflecting the prevailing building heights within the context and resist the use of buildings significantly taller than the surrounding townscape other than in exceptionally rare circumstances, where the development has a wholly positive impact on the character and quality of the townscape.
- 6.30.7 CLP Chapter 16 is devoted entirely to Notting Hill Gate and the vision it sets out is ambitious. It looks to significantly strengthen the area as a District Shopping Centre and a major office location, requiring development of the most exceptional design and architectural quality as part of a significantly strengthened retail offer. This should draw on innovative and modern approaches to create "iconic buildings and open spaces". Comprehensive proposals are sought to reconfigure and update the public realm to the highest standard, also to create an iconic identity for the area.

- 6.30.8 These aspirations come together in Policy CP16 which requires development to strengthen Notting Hill Gate's role as a District Centre by supporting high trip-generating uses, improving retail and restaurant provision and delivering a new distinctive identity through high quality architecture and design of the public realm.
- 6.31 The Townscape and Visual Impact Assessment Addendum ('TVIA Addendum') submitted in support of the Proposed Amendments concludes that the small increase in height of block WPB3 by two storeys and KCS1 by one storey, to the west and south of the Corner Building, will add positively to the overall composition of forms that comprise the Proposed Development and will be commensurate in scale to the street buildings viewed in the immediate townscape.
- 6.32 The minor elevation changes to the lower part of the Corner Building in relation to WPB3 are considered to enhance the combined visual relationship of this part of the Proposed Development. The changes to the elevations of KCS1 and 2 to accommodate internal layout changes will be minor and will not detract from the positive rhythms and proportions of the elevations as presented in the September 2017 Townscape and Visual Impact Assessment ('TVIA, 2017').
- 6.33 It is, therefore, concluded in the TVIA Addendum that the additional accommodation sought for the Proposed Development will be comfortably absorbed into the original design composition with only minor changes that will not change any of the conclusions reached for the TVIA 2017. The high quality of the architectural and urban design proposals and the creation of a new public square will significantly enhance the local townscape and the character and quality of Notting Hill Gate.
- 6.34 Furthermore, the TVIA Addendum demonstrates that no local or strategic views will be adversely impacted (7.7D: Ref 1-8, p.285), including impacts on listed buildings, conservation areas, and Registered Parks and Gardens (7.7E). These conclusions are the same for the TVIA Addendum 2018 as the TVIA 2017
- 6.35 The Proposed Development will, therefore, continue to comply with local, regional and national policy and guidance, as set out at paragraph 5.101 of the September 2017 Report.

Amenity

Daylight and Sunlight

- 6.36 The proposed amendments would not change the footprint of any of the buildings on the site and therefore the distance between the development and its neighbours remains as per the original application.
- 6.37 To assess the impact of the additional height on KCSB1 and WPB3, a revised Daylight, Sunlight and Overshadowing Report is submitted alongside this Addendum Report. The assessment concludes that future occupants would enjoy very good levels of natural light provision, both in respect of the proposed dwellings and external central public space in accordance with CLP Policy CLP5, which seeks to secure good levels of amenity for occupiers of new development.
- 6.38 The majority of existing neighbours would experience no noticeable difference to existing daylight and sunlight amenity, while some locations would experience beneficial gains.
- 6.39 The exception would be along Kensington Church Street to the east, where the existing massing on the Site is uncharacteristically low for the surrounding area. When massing commensurate with the prevailing heights in the local area is introduced to the site, there would inevitably be noticeable differences to existing neighbours opposite, given the unusually high baseline. Where these existing neighbouring properties also

feature self-limiting recesses and deep rooms, as set out in the BRE guidance, a greater degree of impact would be considered unavoidable and acceptable. However, the retained values for the existing neighbours would not be unusual in a dense urban environment and the relationship between the Proposed Development and its neighbours would be commensurate with nearby streets. A study of comparable developments is included within the Daylight, Sunlight and Overshadowing Report.

- 6.40 Planning policy and guidance is highly supportive of the approach taken to the site, in that it encourages the efficient redevelopment of highly accessible brownfield sites in order to deliver new homes, employment and services for new and existing communities. The Mayor of London's Housing SPG and emerging policy in the draft London Plan recognises that an appropriate degree of flexibility is needed when using BRE guidelines to assess the daylight and sunlight impacts of new development in a dense urban environment. The Housing SPG states:

"BRE guidelines on assessing daylight and sunlight should be applied sensitively to higher density development in London, particularly in central and urban settings, recognising the London Plan's strategic approach to optimise housing output (Policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development (Policy 3.3). Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London." (paragraph 2.3.47)

- 6.41 The Proposed Development would regenerate a town centre site that has been allocated by RBKC for the delivery of a mixed use scheme and a new public amenity space. The reports submitted with this Addendum Report and in September 2017 demonstrate how this has been achieved in the most sensitive way for the site's context, while also delivering a significant package of public benefits.
- 6.42 In this context, the results of the Daylight, Sunlight and Overshadowing Report demonstrate that the development would secure an appropriate standard of living for all new and existing residents and would therefore comply with the London Plan, Housing SPG and CLP.
- 6.43 The Daylight, Sunlight and Overshadowing Report also assesses the sunlight amenity of the public square. It concludes that the default BRE recommendation for sunlight would be exceeded, with more than 60.11% of the public square achieving more than 2 hours of sunlight on the average annual conditions day of March 21st against the default recommendation of at least 50%. During the summer, when the space is most likely to be used, this result would be even greater.

Local Microclimate

- 6.44 A Pedestrian Level Wind and Microclimate Assessment Addendum is submitted alongside this report in support of the Proposed Amendments.
- 6.45 When comparing the wind microclimate around the 2018 scheme to that of the 2017 scheme, conditions are found to be consistent and, in some cases, calmer than that of the previously tested scheme.
- 6.46 It has been demonstrated that the wind microclimate around the Proposed Development would be acceptable for its intended use. All thoroughfares are acceptable for leisure walking or calmer and all amenity spaces (the public square and terraces) would be acceptable for the intended amenity use (sitting and standing). As a result, mitigation measures in addition to those described in the September 2017

planning application and shown on the landscape plan, are not required and the Proposed Development would comply with CLP Policy CL5.

Residential Amenity of Occupiers

- 6.47 To ensure that the scheme continues to provide sufficient play space to meet the needs of the development and complies with Policy 3.6 of the London Plan, a minimum of 90 sqm play space would be provided between the 4th floor and level -1. This would meet the revised need for under 5s, as calculated using the Mayor’s Play Space Requirement Calculator following the amendments to the unit mix.
- 6.48 The basement level space would have a generous floor to ceiling height (over 3m FFL to underside of floor slab) and would be provided with heating, cooling, ventilation and lighting suitable for a high quality playspace all in accordance with the building regulations. It should be noted that the space proposed was previously intended for retail floorspace (restaurant seating area) and had, therefore, been fully coordinated to provide a high quality, accessible space. The communal amenity space would continue to benefit from the same level of performance and would have easy access to an emergency escape route. Following earlier comments from officers, roof lights are proposed to bring natural light into the basement and to create a connection between the communal amenity space and the public square. The materials proposed are traffic rated to prevent the need for bollards in the square.
- 6.49 On the fourth floor, the communal amenity space would be orientated south west and would face on to the square. It would benefit from secure access from the residential core that is entered from the square. The space could be open or covered by a new pergola to provide additional greening.
- 6.50 As noted in the Play and Informal Recreation SPG, the use of roofs, terraces and indoor space offers a reasonable alternative to ground floor open space (para 4.32), for example the internal space could be utilised for classes and activities. Indeed, for the reasons set out above, the overall offer is considered to be more useable and successful than the previous proposal notwithstanding the reduction to the overall area.
- 6.51 Older children within the development would also be able to use the play space, as well as the public square within the scheme and Kensington Gardens which lies within 400m of the site. Both dedicated communal amenity spaces would be maintained by the building management.

Sustainability

- 6.52 Addenda to the Energy Strategy and the Sustainability Statement are submitted in support of the Proposed Amendments to demonstrate how the commitment to achieving excellent levels of sustainability has been maintained.
- 6.53 The design incorporates features that will allow the commercial elements of the scheme to achieve a policy-compliant “Excellent” rating under the BREEAM UK New Construction 2018 scheme.
- 6.54 The latest development proposals have provided the opportunity to further enhance the PV Array, therefore additional PV Panels are also proposed on the roof of the KSC1 Building (as well as the WPB1 Building). This will maximise the overall achievable carbon reduction across the development.
- 6.55 In accordance with CLP Policy CE1 and Policy 5.2 of the London Plan, carbon emissions have been minimised as far as possible on site (34% reduction overall) and a payment of circa £125,000 would be paid to secure zero carbon status.

Air Quality

- 6.56 In accordance with CLP Policy CE5, an Air Quality Assessment was prepared in support of the September 2017 application and has been updated in relation to the Proposed Amendments. The assessment confirms that the Proposed Development is air quality neutral based on the total traffic and building emissions calculated against the benchmarks derived.
- 6.57 To assess the construction and operational impacts of the development, two scenarios have been considered: a worst case scenario which assumes there is no improvement in the background concentration and emission factors relative to the baseline; and a more optimistic scenario, which assumes that there will be an improvement in both the background concentration and emission factors in the future opening year.
- 6.58 Depending on the assumptions made with regards to the background concentration and emission factors, a range of potential levels of impact due to construction traffic are predicted at the receptors on Notting Hill Gate, Kensington Church Street, Kensington Mall and Linden Gardens. These vary between negligible and moderate adverse, and it is anticipated that the actual outcome will be between these two scenarios, which is not uncommon for such kind of developments in London due to the high baseline conditions. However, it should also be noted that the moderate adverse impact is due to the very high baseline concentration, and no new exceedances are created due to the construction traffic from the Proposed Development.
- 6.59 The impact from the operation of the Proposed Development on the nearby existing receptors is likely to be negligible under both the worst-case and the more optimistic scenarios. However, the annual mean NO₂ concentration is predicted to be above the air quality objective (again due to the high background levels) and the Proposed Development is likely to introduce residential dwellings to an area of elevated pollutant concentration in the worst-case scenario. Based on the more optimistic scenario, no exceedance is predicted at the Proposed Development. The actual outcome during the operation of the Proposed Development is likely to fall between the two scenarios. On account of the high baseline, it is proposed that a Mechanical Ventilation with Heat Recovery (MVHR) system with inlet away from pollution sources, or fitted with NO_x filter, would be provided.
- 6.60 Overall, the approach taken to the site has been to minimise the impacts on air quality and mitigate exceedances of air pollutants in accordance with Policy CE5.

Transport

- 6.61 The proposed amendments are accompanied by a small increase to the number of cycle parking spaces within the site. The total provision would be 204 long stay spaces and 61 short stay spaces.
- 6.62 The increased level of cycle parking exceeds the requirements of the London Plan (Table 5.1) and the RBKC Transport and Streets SPD. The conclusions of the September 2017 Transport Assessment remain valid, such that, the Proposed Development will deliver a high quality development which will be accessible by walking, cycling, buses and London Underground services. The development benefits from its location for encouraging sustainable transport choices. In addition, the Proposed Development meets the transport aspirations of the RBKC, the adopted London Plan and current governmental guidance in respect of sustainable development and will, through its design, encourage the use of sustainable modes of transport

Access

- 6.63 In general, access provisions within the Proposed Development as amended by the Proposed Amendments have considered inclusive design principles in accordance with Approved Document M (ADM) and BS 8300

in accordance with best practice requirements. The Proposed Amendments have enhanced the inclusive design provisions throughout the scheme, including general circulation throughout the site, an additional lift provided within WPB3 (the surgery building), and provision of evacuation lifts within each building to facilitate step-free egress

Noise and vibration

- 6.64 The impact of the proposed amendments to the 2017 proposed scheme have been reviewed in the context of the Environmental Noise and Vibration Strategy.
- 6.65 The results of this updated assessment indicate that the revised proposals do not alter the conclusions of the Environmental Noise and Vibration Strategy submitted in September 2017, which concluded that the proposals will meet all policy requirements and the development as proposed is entirely appropriate in terms of acoustic performance and therefore satisfies CLP Policy CL5.

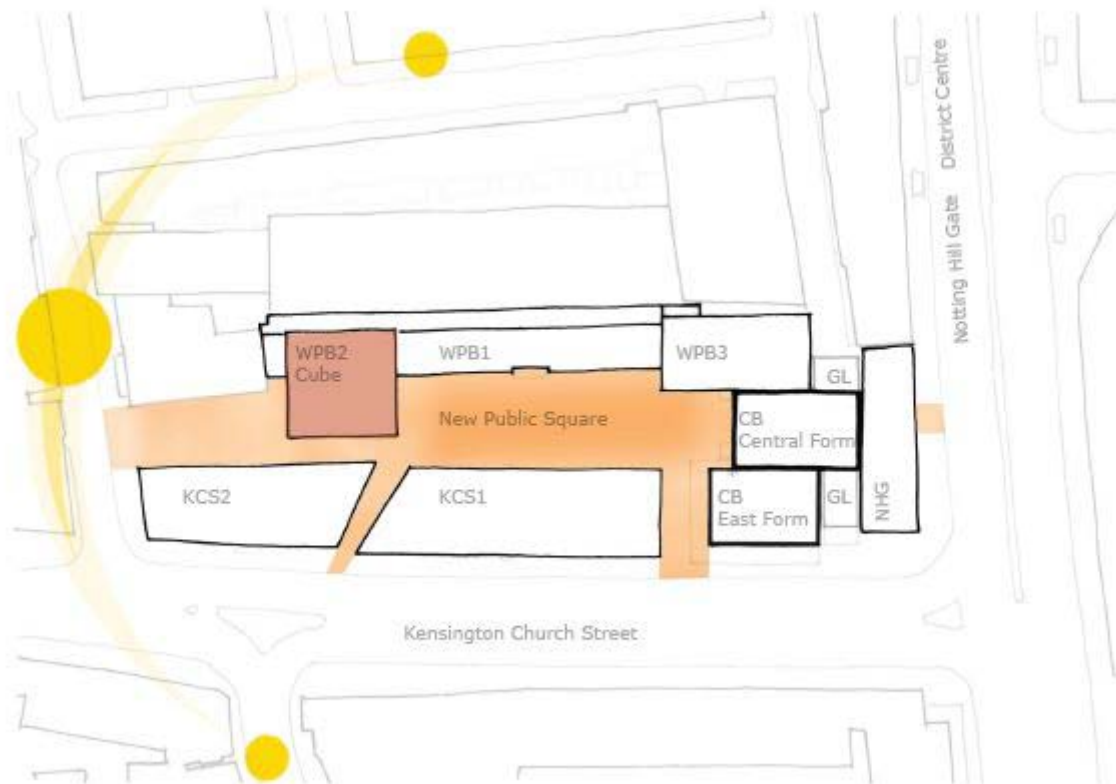
7 Summary and Conclusions

- 7.1 The Proposed Development as amended would generate a significant number of public benefits, in excess of those previously presented to the RBKC Planning Committee and supported by the Mayor of London.
- 7.2 The proposals respond directly to the need for new homes, modern employment floorspace, high quality retailing, new community facilities, new public realm and improvements to public transport on a highly sustainable brownfield site. In particular, the amendments respond directly to the need for affordable homes in RBKC.
- 7.3 The application proposals accord with the development plan. This statement has shown that each layer of planning policy supports the proposed amendments and consequently the conclusions from the Planning Statement dated September 2017 stand.
 - 7.3.1 This proposal is a unique opportunity to regenerate a tired, underutilised town centre location with an exceptionally high quality development and deliver substantial public benefits both for Notting Hill Gate and central London, including a significant number of new affordable homes across a range of tenures.
 - 7.3.2 The proposals would fulfil policy aspirations to create a vital new high quality urban quarter for Notting Hill Gate. The site is identified as a major development opportunity, where a replacement tall building is appropriate.
 - 7.3.3 The applicant has adopted a meticulous design-led approach to the redevelopment of the Site that responds to the site's context and delivers a composition of individual buildings that form a coherent urban quarter, with a new public square at its heart framed by local scale perimeter buildings and an elegantly proportioned Corner Building to define the centre of Notting Hill Gate.
 - 7.3.4 When compared with the existing poor quality of the site and the absolute imperative that its environment should be enhanced as soon as possible given its exceptional prominence, the case for the scheme is unequivocal.
 - 7.3.5 Policies also identify that regeneration should achieve important public benefits including, particularly, a transformation of the quality of public realm and connectivity through the area, exceptional design quality and respect for the amenity of others. The assessment demonstrates that each of these requirements has been met through the careful evolution and design of the application proposals. The proposals also respond to local and regional policy by including step free access to the Underground Station (of strategic importance to London), a new doctors' surgery and a high quality and permanent home for the locally popular Farmers Market.



APPENDIX 1

KEY BUILDING DIAGRAM



The location of the principal constituent parts of the proposal is shown on the key plan. For ease of reference, the buildings are given a key code, as follows:

Perimeter Buildings:

Kensington Church Street Buildings

- KCS1 Kensington Church Street Building 1.
- KCS2 Kensington Church Street Building 2.

West Perimeter Buildings

- WPB1 West Perimeter Building 1.
- WPB3 West Perimeter Building 3.

Cube Building

- WPB2 Cube West Perimeter Building 2 - Cube.

Notting Hill Gate Building

- NHG Notting Hill Gate Building with Glass Link (GL).

Corner Building

- CB Corner Building - Central Form & East Form.

New Public Square - New Publicly Accessible Open Space.

Collectively, the buildings would form a new urban quarter.



APPENDIX 2

POLICY ASSESSMENT AGAINST EMERGING POLICY FRAMEWORK

Policy Text	Evaluation of Proposed Development	
Principle of Redevelopment		
Draft NPPF	<p>11. Making Effective use of land [118] Planning policies and decisions should:</p> <p>a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access;</p> <p>b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;</p> <p>c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated and unstable land;</p> <p>d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); [...]</p>	<ul style="list-style-type: none"> • The scheme proposes a more efficient use of previously developed land through provision of a higher density, mixed use development on an urban site.
Draft London Plan	<p>GG2: Making the best use of land To create high-density, mixed-use places that make the best use of land, those involved in planning and development must:</p> <p>A. Prioritise the development of Opportunity Areas, brownfield land, surplus public sector land, sites which are well-connected by existing or planned Tube and rail stations, sites within and on the edge of town centres, and small sites.</p>	<ul style="list-style-type: none"> • The proposal is entirely aligned with these ambitions. • The site is brownfield land that is centrally located and highly accessible – such land is a very scarce resource and it is essential that its development potential is optimised.

	<p>B. Proactively explore the potential to intensify the use of land, including public land, to support additional homes and workspaces, promoting higher density development, particularly on sites that are well-connected by public transport, walking and cycling, applying a design-led approach.</p> <p>C. Understand what is valued about existing places and use this as a catalyst for growth and place-making, strengthening London’s distinct and varied character; [...]</p>	
Draft LPPR	<p>CV1: Vision for the Royal Borough Our vision for Kensington and Chelsea to 2028 is to build on success. To further develop the strong and varied sense of place of the borough, we will, in partnership with other organisations, and importantly with our residents.</p> <p>Stimulate regeneration across the borough and in areas of change through the provision of better transport, better housing and better facilities, aiding better health.</p> <p>CV11: Vision for Notting Hill Gate Notting Hill Gate will have strengthened its distinct identity as one of the Borough’s main district centres benefitting from a high level of public transport accessibility. It will continue to be a major office location and build upon its long-standing reputation for arts, culture and the evening economy as well as serving the needs of local people.</p> <p>As one of the arrival points for Portobello Road the public realm (e.g. paving, crossings, wayfinding) will have been improved to accommodate the high volumes of footfall in Pembridge Road / Kensington Park Road and to make Notting Hill Gate more pedestrian friendly. Opportunities set out in the Notting Hill Gate Supplementary Planning Document will have been taken to refurbish, or in some cases redevelop, outdated 50s buildings.</p>	<ul style="list-style-type: none"> • The proposal is for a high density, mixed use development on an urban site. • The proposed mix of uses (residential, office, retail, surgery and public space) will transform this tired and dated site and will act as a catalyst for the regeneration of Notting Hill Gate.

Land Use Residential – Housing Supply		
Draft NPPF	<p>5. Delivering a sufficient supply of homes</p> <p>[60] To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.</p>	<ul style="list-style-type: none"> • The proposed development would deliver 55 new homes, including 23 homes for affordable housing, within a mixed use development.
Draft London Plan	<p>Policy H1 Increasing housing supply</p> <p>A Table 4.1 sets the ten-year targets for net housing completions which each local planning authority should plan for. Boroughs must include these targets in their Development Plan documents.</p> <p>B To ensure that ten-year housing targets are achieved:</p> <p>1) boroughs should prepare delivery-focused Development Plans which:</p> <p>a) allocate an appropriate range and number of sites that are suitable for residential and mixed-use development and intensification</p> <p>b) encourage development on other appropriate windfall sites not identified in Development Plans through the Plan period, especially from the sources of supply listed in B2</p> <p>c) enable the delivery of housing capacity identified in Opportunity Areas, working closely with the GLA.</p> <p>2) boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially the following sources of capacity:</p> <p>a) sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a Tube station, rail station or town centre boundary</p> <p>b) mixed-use redevelopment of car parks and low-density retail parks</p> <p>c) housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses</p> <p>d) the redevelopment of surplus utilities and public sector owned sites</p> <p>e) small housing sites (see Policy H2 Small sites)</p> <p>f) industrial sites that have been identified through the processes set out in Policy E4 Land for industry, logistics and services to support London’s economic function,</p>	<ul style="list-style-type: none"> • The proposed new housing target for RBKC is lower than that in the adopted London Plan, however, the target is still for a significant number of new homes per annum. • The delivery of 55 new homes on a highly accessible brownfield site (PTAL 6b) would make a meaningful contribution towards this target.

	<p>Policy E5 Strategic Industrial Locations (SIL), Policy E6 Locally Significant Industrial Sites and Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London’s economic function.</p> <p>C Boroughs should proactively use brownfield registers and permission in principle to increase planning certainty for those wishing to build new homes.</p> <p>D Boroughs should publish and annually update housing trajectories based on the targets in Table 4.1 which identify the sources of housing capacity (including windfall) expected to contribute towards achieving housing targets and should work with the Mayor to resolve any anticipated shortfalls.</p> <p>E Where new sustainable transport infrastructure is planned, boroughs should re-evaluate the appropriateness of land use designations and the potential to accommodate higher-density residential and mixed-use development, taking into account future public transport capacity and connectivity levels.</p> <p>F On sites that are allocated for residential and mixed-use development there is a general presumption against single use low-density retail and leisure parks. These developments should be designed to provide a mix of uses including housing on the same site in order to make the best use of land available for development.</p> <p>Table 4.1 – 10 year targets for net housing completions (2019/20 – 2028/29)</p> <table border="1" data-bbox="450 847 1176 981"> <thead> <tr> <th>Planning Authority</th> <th>Ten-year housing target</th> <th>Annualised average</th> </tr> </thead> <tbody> <tr> <td>Kensington and Chelsea</td> <td>4,880</td> <td>488</td> </tr> </tbody> </table>	Planning Authority	Ten-year housing target	Annualised average	Kensington and Chelsea	4,880	488	
Planning Authority	Ten-year housing target	Annualised average						
Kensington and Chelsea	4,880	488						
Draft LPPR	<p>CO6 Strategic objective for Diversity of Housing</p> <p>Our strategic objective is to boost the supply of housing to further the aim of sustainable development including a diversity of housing that, at a local level, will cater for a variety of housing needs of borough residents, and is built for adaptability and to a high quality.</p>	<ul style="list-style-type: none"> • The delivery of 55 homes, including 23 affordable homes, would make a meaningful contribution towards the supply of housing in the Borough. • There would be no net loss of affordable floorspace, or units on site. 						

Policy CP1 Core Policy: Quanta of Development

The Council will:

1. seek to meet and exceed the London Plan target for new homes in the borough, which is currently a minimum of 733 net additional dwellings a year; of which 35% of residential floorspace on qualifying sites will be affordable;
 2. seek to provide 47,100 sq.m of additional office floorspace to 2028;
 3. seek to provide 9,700sq.m of retail floorspace to 2023 across the borough;
- [...]

Policy CH1 Increasing Housing Supply

The Council will boost the supply of homes in the borough. To deliver this the Council will:

Housing Target

- a. seek to meet and exceed the London Plan target for new homes in the borough, which is currently a minimum of 733 net additional dwellings a year.

Amalgamations

- b. resist the loss of residential units through amalgamations of existing or new homes unless the amalgamation will result in the net loss of one unit only and the total floorspace of the new dwelling created will be less than or equal to 170 sq m gross internal area (GIA);
- c. require development that results in the amalgamation of residential units to be subject to a s106 agreement to ensure the resultant units are not further amalgamated in the future.

Restrict very large units

- d. optimise the number of residential units delivered in new developments by taking into account the London Plan policy on housing density;
- e. protect market residential units and floorspace except:
 - i. in higher order town centres, where the loss is to a town centre use;
 - ii. in employment zones, where the loss is to a business use, or other use which supports character and function of the zone;
 - iii. in a predominantly commercial mews, where its loss is to a business use;
 - iv. where the proposal is for a very small office; or

	<p>v. where the proposal is for a new social and community use which predominantly serves, or which provides significant benefits, to borough residents; or an arts and cultural use;</p> <p>vi. where proposals meet criterion b. above.</p> <p>f. resist the net loss of affordable housing floorspace and units throughout the borough;</p> <p>NOTE: Other policies within the Local Plan set out where the Council will permit new residential uses and floorspace. Refer to policy CF3 in relation to introducing new residential use at ground floor level within town centres; CK2 in relation to loss of shops outside of town centres; CF5 in relation to business uses and in relation to new development within employment zones; CF8 in relation to hotels and policy CK1 in relation to social and community uses.</p>	
Land Use Residential – Housing Density		
<p>Draft NPPF</p>	<p>11. Making effective use of land</p> <p>[123] Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:</p> <p>a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;</p> <p>b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and</p> <p>c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a</p>	<ul style="list-style-type: none"> • The existing site comprises outdated buildings and two large open spaces that are under-utilised (podium to the north and car park to the rear of the site). The site is clearly not being used effectively given its highly sustainable location. • The proposal is entirely aligned with the ambitions of the draft NPPF by delivering a mix of uses layered across the site, whilst also providing a new public open space in an area of need.

	flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.	
Draft London Plan	<p>Policy D6 Optimising housing density</p> <p>A Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to: 1) the site context 2) its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL) 3) the capacity of surrounding infrastructure. Proposed residential development that does not demonstrably optimise the housing density of the site in accordance with this policy should be refused.</p> <p>B The capacity of existing and planned physical, environmental and social infrastructure to support new development should be assessed and, where necessary, improvements to infrastructure capacity should be planned to support growth.</p> <p>1) The density of development proposals should be based on, and linked to, the provision of future planned levels of infrastructure rather than existing levels.</p> <p>2) The ability to support proposed densities through encouraging active travel should be taken into account.</p> <p>3) Where there is currently insufficient capacity of existing infrastructure to support proposed densities (including the impact of cumulative development), boroughs should work with applicants and infrastructure providers to ensure that sufficient capacity will exist at the appropriate time. This may mean, in exceptional circumstances, that development is contingent on the provision of the necessary infrastructure and public transport services and that the development is phased accordingly.</p> <p>C The higher the density of a development, the greater the level of scrutiny that is required of its design, particularly the qualitative aspects of the development design described in Policy D4 Housing quality and standards, and the proposed ongoing management. Development proposals with a residential component that are referable to the Mayor must be subject to the particular design scrutiny requirements set out in part F of Policy D2 Delivering good design and submit a management plan if the proposed density is above:</p> <p>1) 110 units per hectare in areas of PTAL 0 to 1; or</p>	<ul style="list-style-type: none"> • The proposal is entirely aligned with the ambitions of the draft London Plan by delivering a mix of uses layered across the site, whilst also providing a new public open space in an area of need. • The development proposes: <ul style="list-style-type: none"> - 665 habitable rooms per hectare - 198 units per hectare - 437 bedrooms per hectare - Floor Area Ratio of 4.47 - Site Coverage Ratio of 0.49 <p>[Note, site area is 0.52 hectares and residential floorspace accounts for 53.19% of allocated uses.</p> <ul style="list-style-type: none"> • Appropriate assessments are submitted with the planning application to demonstrate the quality of the development

	<p>2) 240 units per hectare in areas of PTAL 2 to 3; or 3) 405 units per hectare in areas of PTAL 4 to 6.</p> <p>D The following measures of density should be provided for all planning applications that include new residential units:</p> <ol style="list-style-type: none"> 1) number of units per hectare 2) number of habitable rooms per hectare 3) number of bedrooms per hectare 4) number of bedspaces per hectare. <p>E The following additional measures should be provided for all major planning applications :</p> <ol style="list-style-type: none"> 1) the Floor Area Ratio (total Gross External Area of all floors / site area) 2) the Site Coverage Ratio (Gross External Area of ground floors /site area) 3) the maximum height in metres above ground level of each building and at Above Ordinance Datum (above sea level). These built form and massing measures should be considered in relation to the surrounding context to help inform the optimum density of a development. 	
Draft LPPR	<p>Policy CH1 Increasing Housing Supply</p> <p>The Council will boost the supply of homes in the borough. To deliver this the Council will:</p> <p>[...]</p> <p>d. optimise the number of residential units delivered in new developments by taking into account the London Plan policy on housing density;</p> <p>[...]</p>	<ul style="list-style-type: none"> • The proposed density of 665 habitable rooms per hectare is within the London Plan guidance range of 200- 700 habitable rooms per hectare for an urban site with PTAL 6b.
Affordable Housing		
Draft NPPF	<p><u>5. Delivering a sufficient supply of homes</u></p> <p>[62] Within this context, policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).</p>	<ul style="list-style-type: none"> • The Proposed Development would deliver 55 homes, including 23 affordable homes, within a range of sizes and tenures.

Draft London Plan	<p>Policy H5 Delivering affordable housing</p> <p>A The strategic target is for 50 per cent of all new homes delivered across London to be affordable. Specific measures to achieve this aim include:</p> <ol style="list-style-type: none"> 1) requiring residential and mixed-use developments to provide affordable housing through the threshold approach (Policy H6 Threshold approach to applications) 2) using grant to increase affordable housing delivery beyond the level that would otherwise be provided 3) affordable housing providers with agreements with the Mayor delivering at least 50 per cent affordable housing across their portfolio 4) public sector land delivering at least 50 per cent affordable housing across its portfolio 5) strategic partners with agreements with the Mayor aiming to deliver at least 60 per cent affordable housing across their portfolio. <p>B Affordable housing should be provided on site in order to deliver communities which are inclusive and mixed by tenure and household income, providing choice to a range of Londoners. Affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.</p> <p>Policy H6 Threshold approach to applications</p> <p>A The threshold approach applies to development proposals which are capable of delivering more than ten units or which have a combined floor space greater than 1,000 sqm (see paragraph 4.6.14 for exclusions to the threshold approach and 4.6.15 for scheme types with bespoke approaches).</p> <p>B The threshold level of affordable housing is initially set at: 1) a minimum of 35 per cent 2) 50 per cent for public sector land 3) 50 per cent for Strategic Industrial Locations, Locally Significant Industrial Sites and other industrial sites deemed appropriate to release for other uses (see Policy E7 Intensification, co-location and substitution of land for industry, logistics and services to support London’s economic function). The 35 per cent threshold will be reviewed in 2021 and if appropriate increased through Supplementary Planning Guidance.</p> <p>C To follow the Fast Track Route of the threshold approach, applications must meet all the following criteria: 1) meet or exceed the relevant threshold level of affordable housing on site without public subsidy 2) be consistent with the relevant</p>	<ul style="list-style-type: none"> • A Financial Viability Assessment Addendum has been prepared in support of the Proposed Amendments to demonstrate that the maximum reasonable quantum of affordable housing would be secured. • The proposal is for 35% affordable housing by habitable room, to be split equally between social rented and London Living Rent. • An additional scenario has also been tested to understand the value of the other ‘planning benefits’ which align with other Mayoral priorities. The conclusion is that an equivalent provision of only affordable housing would have been significantly greater.
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	<p>tenure split (Policy H7 Affordable housing tenure) 3) meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant 4) demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent.</p> <p>D Fast tracked applications are not required to provide a viability assessment at application stage. To ensure an applicant fully intends to build out the permission, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough).</p> <p>E Where an application does not meet the requirements set out in part C it must follow the Viability Tested Route. This requires detailed supporting viability evidence to be submitted in a standardised and accessible format as part of the application:</p> <ol style="list-style-type: none"> 1) the borough, and where relevant the Mayor, should scrutinise the viability information to ascertain the maximum level of affordable housing using the methodology and assumptions set out in this Plan and the Affordable Housing and Viability SPG 2) viability tested schemes will be subject to: <ol style="list-style-type: none"> a) an Early Stage Viability Review if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by the borough) b) a Late Stage Viability Review which is triggered when 75 per cent of the units in a scheme are sold or let (or a period agreed by the borough) c) Mid Term Reviews prior to implementation of phases for larger phased schemes. <p>F Where a viability assessment is required to ascertain the maximum level of affordable housing deliverable on a scheme, the assessment should be treated transparently and undertaken in line with the Mayor's Affordable Housing and Viability SPG.</p> <p>Policy H7 Affordable housing tenure</p> <p>A The Mayor is committed to delivering genuinely affordable housing. The following split of affordable products should be applied to development:</p> <ol style="list-style-type: none"> 1) a minimum of 30 per cent low cost rented homes, allocated according to need and for Londoners on low incomes (Social Rent/ London Affordable Rent) 	
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	<p>2) a minimum of 30 per cent intermediate products which meet the definition of affordable housing, including London Living Rent and London Shared ownership</p> <p>3) 40 per cent to be determined by the relevant borough based on identified need, provided they are consistent with the definition of affordable housing. These minimums will be reviewed in 2021, and if necessary, updated through Supplementary Planning Guidance.</p> <p>B Only schemes delivering the threshold level of affordable housing with a tenure split that meets the requirements set out in part A can follow the Fast Track Route for viability.</p>	
Draft LPPR	<p>Policy CH2: Affordable Housing</p> <p>The Council will seek the maximum reasonable amount of affordable housing. To deliver this the Council will require:</p> <p>a. developments to provide 35% of all residential floorspace as affordable housing including affordable home ownership products on sites that provide 650 sq m or more of gross residential floorspace (gross internal area), once the threshold is met all gross residential floorspace is liable for an affordable housing contribution;</p> <p>b. overall 50% of the affordable housing provision to be social rent / affordable rent and 50% to be intermediate including intermediate rent and affordable home ownership products;</p> <p>c. provision of affordable housing to be on-site unless exceptional circumstances justified by robust evidence exist which support provision off-site or providing a payment in lieu;</p> <p>d. an application to be made for any 'off site' affordable housing concurrently with the main planning application and that the two applications are linked through a s106 agreement or unilateral undertaking;</p> <p>e. where a qualifying scheme providing 650 sq. m or more gross residential floorspace (gross internal area) does not provide 35% as affordable floorspace on-site, the applicant must demonstrate all of the following:</p> <p>i. the maximum reasonable amount of affordable housing is provided through the provision of an open book financial viability assessment;</p> <p>ii. supporting evidence for the exceptional site circumstances or other public benefits to justify the reduced affordable housing provision;</p> <p>iii to calculate payments in lieu for affordable housing, two viability assessments comparing residual land values on a site-by-site basis – one reflecting the maximum</p>	<ul style="list-style-type: none"> • A Financial Viability Appraisal Addendum is submitted with this Addendum Report to demonstrate that the maximum reasonable amount of affordable housing is proposed. • The proposal for 35% affordable housing by habitable room and 41.8% by unit would achieve a return for the Applicant that is well below that previously agreed with RBKC (and reviewed on behalf of the Mayor) as appropriate for a scheme of this nature. • The affordable homes will be split equally between Social Rent and London Living Rent. • The affordable units would be provided within three separate blocks and would be tenure blind, each building having been designed previously for private residential use.

	<p>reasonable amount of affordable housing provision on-site and the second with 100% private housing;</p> <p>f. affordable housing and market housing to be integrated in any development and have the same external appearance;</p> <p>h. the affordable and market housing to have equivalent amenity in relation to factors including views, siting, daylight, noise and proximity to open space, playspace, community facilities and shops.</p>	
Land Use – Retail		
Draft NPPF	<p><u>3. Ensuring the vitality of town centres</u></p> <p>[86] Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:</p> <p>a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and change in a way that supports a diverse retail offer, provides customer choice, allows a suitable mix of uses (including housing) and reflects their distinctive characters;</p> <p>b) define the extent of town centres and primary shopping areas, identify primary and secondary frontages, and make clear which uses will be permitted in such locations;</p> <p>c) retain and enhance existing markets and, where appropriate, re-introduce or create new ones;</p> <p>d) allocate a range of suitable sites in town centres to meet the scale and type of development needed, looking at least ten years ahead. Meeting needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review;</p> <p>e) allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre, where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre;</p>	<ul style="list-style-type: none"> • The delivery of a mix of uses, including high quality retail, office and surgery uses, within the District Centre is entirely aligned with this policy. • The introduction of retail frontage along Notting Hill Gate and within the square (in addition to along Kensington Church Street) would be a significant improvement over the existing situation. • The double fronted retail units along Kensington Church Street will draw people into the square to create a new vibrant place to dwell within the District Centre. The units will benefit from basement space for back of house functions to ensure active frontages are maintained. • The retail units would comprise a mix of A1 and A3 and are appropriately sized to secure a range of occupiers. • An Independent Retail Strategy would be secured by the S106 Agreement.

	<p>f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites; and</p> <p>g) support diversification and changes of use where town centres are in decline, as part of a clear strategy for their future, while avoiding the unnecessary loss of facilities that are important for meeting the community's day-to-day needs.</p>	
Draft London Plan	<p>Policy E9 – Retail, markets and hot food takeaways</p> <p>A A successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported in line with the wider objectives of this Plan, particularly for town centres (Policy SD6 Town centres, Policy SD7 Town centre network, Policy SD8 Town centres: development principles and Development Plan Documents and Policy SD9 Town centres: Local partnerships and implementation).</p> <p>B In Development Plans, boroughs should:</p> <ol style="list-style-type: none"> 1) identify future requirements and locations for new retail development having regard to the town centre policies in this Plan and strategic and local evidence of demand and supply 2) identify areas for consolidation of retail space where this is surplus to requirements 3) bring forward capacity for additional comparison goods retailing particularly in International, Metropolitan and Major town centres 4) support convenience retail in all town centres, and particularly in District, Local and Neighbourhood centres, to secure inclusive neighbourhoods and a sustainable pattern of provision where there is less need to travel 5) provide a policy framework to enhance local and neighbourhood shopping facilities and prevent the loss of retail and related facilities that provide essential convenience and specialist shopping 6) identify areas under-served in local convenience shopping and related services and support additional facilities to serve existing or new residential communities in line with town centre Policy SD8 Town centres: development principles and Development Plan Documents 7) support the range of London's markets, including street markets, covered markets, specialist and farmers' markets, complementing other measures to 	<ul style="list-style-type: none"> • The proposals would deliver a new vibrant shopping quarter within the District Centre as set out above. • The public square has been designed to accommodate the popular local Farmers' Market and Heads of Terms for a License to Operate have been agreed have been agreed with the existing operator.

	<p>improve their management, enhance their offer and contribute to the vitality of town centres and the Central Activities Zone</p> <p>8) manage existing edge of centre and out of centre retail (and leisure) by encouraging comprehensive redevelopment for a diverse mix of uses in line with Policy SD6 Town centres, Policy SD7 Town centre network, Policy SD8 Town centres: development principles and Development Plan Documents and Policy SD9 Town centres: Local partnerships and implementation to realise their full potential for housing intensification, reducing car use and dependency, and improving access by walking, cycling and public transport</p> <p>9) manage clusters of retail and associated uses having regard to their positive and negative impacts on the objectives, policies and priorities of the London Plan including:</p> <ul style="list-style-type: none">a) town centre vitality, viability and diversityb) sustainability and accessibilityc) place-making or local identityd) community safety or securitye) mental and physical health and wellbeing. <p>C Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance of an existing or proposed primary or secondary school. Boroughs that wish to set a locally-determined boundary from schools must ensure this is sufficiently justified. Boroughs should also consider whether it is appropriate to manage an over-concentration of A5 hot food takeaway uses within Local, District and other town centres through the use of locally-defined thresholds in Development Plans.</p> <p>D Where development proposals involving A5 hot food takeaway uses are permitted, these should be conditioned to require the operator to achieve, and operate in compliance with, the Healthier Catering Commitment standard.</p> <p>E Large-scale commercial development proposals (containing over 2,500 sqm gross A Class floorspace) should support the provision of small shops and other commercial units (including affordable units where there is evidence of local need).</p> <p>F Development proposals involving the redevelopment of surplus retail space should support other planning objectives and include alternative town centre uses on the ground floor where viable (and in accordance with town centre Policy SD8 Town centres: development principles and Development Plan Documents) and residential development.</p>	
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<p>Draft LPPR</p>	<p>Policy CP1 Core Policy: Quanta of Development</p> <p>The Council will: [...] 3. seek to provide 9,700sq.m of retail floorspace to 2023 across the borough; [...]</p> <p>Policy CF1 Location of New Shop Uses</p> <p>The Council will ensure vital and viable town centres through a town centre first approach to new retail floorspace. To deliver this the Council will:</p> <p>a. support the creation of new shops and new shop floorspace within town centres; b. require new retail development with a floor area of 400sq.m (gross external) or more to be located within existing and proposed town centres, or where no suitable sites can be identified within these centres, within sites immediately adjoining them; c. permit new shops (A1) of less than 400sq.m (gross external) in areas of retail deficiency as shown on the plan within Chapter 30 (Keeping Life Local); d. support the establishment of new centres in the Latimer and Kensal areas to address identified retail deficiency and support the establishment of a new centre in the Earl’s Court and West Kensington Opportunity Area with retail provision to serve the day-to-day needs of the development. Any new centre must comply with the requirements of the NPPF, and be of a scale that does not have an unacceptable impact on existing centres; e. require, where proposals for new retail development do not comply with parts (a) to (d), that it is demonstrated either: i. that the development would meet the requirements of the sequential assessment; and that the development will not have an unacceptable impact on existing centres; or ii. that the new floorspace would underpin the Council’s regeneration objectives and the vitality of any existing centre will not be harmed and when within an Employment Zone, support the business function of that area.</p>	<ul style="list-style-type: none"> • The proposals would deliver a new vibrant shopping quarter within the District Centre as set out above. • Only four of the fourteen units have been designated for a restaurant / café use (Use Class A3), with a minimum of ten provided for retail use (Use Class A1). • The range and size of units has been selected in accordance with detailed advice from agents Shelley Sandzer, and feedback from local residents, to create a place that is appropriate for local, independent retailers, which should in turn enhance the vitality and profile of Notting Hill Gate. • The public square has been designed to accommodate the popular local Farmers’ Market and Heads of Terms for a License to Operate have been agreed with the existing operator.
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Policy CF2 Retail Development within Town Centres

The Council will promote vital and viable town centres and ensure that the character and diversity of the borough's town centres is maintained. To deliver this the Council will:

- a. require the scale and nature of development within a town centre to relate to the size, role and function of that town centre, to reflect the position of the centre within the retail hierarchy and to assist in the implementation of the vision for that centre as set out within Section 1B Places (Chapters 4-15); and
- b. require a range of shop unit sizes in new major retail development, and resist the amalgamation of shop units, where the retention of the existing units contributes to achieving the vision for the centre.

Policy CF3 Diversity of uses within Town Centres

The Council will secure the success and vitality of our town centres by protecting, enhancing and promoting a diverse range of shops and by ensuring that these uses will be supported, but not dominated by, a range of complementary town centre uses. To deliver this the Council will:

- a. protect all shops and shop floorspace at ground floor level in primary retail frontages of:
 - [...]
 - ii. Notting Hill Gate unless the change is to another town centre use, but not an estate agents, bureaux de change (Class A2) or hot food takeaway (Class A5) use and where 80 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and the non-shop use is not adjacent to another non-A1 use;
- b. protect all shops and shopping floorspace at ground floor level within the secondary retail frontages of:
 - [...]
 - ii. Notting Hill Gate District Centre unless the change is to another town centre use, but not an estate agents, bureaux de change (Class A2) or hot food takeaway (Class A5) and the change is to a town centre use and where 50 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and there are no more than 3 non-A1 uses in a row;

	<p>c. protect shop uses above or below ground floor level within town centres unless it is successfully demonstrated that their loss will not adversely affect the essential shopping character and function of the centre;</p> <p>d. protect all shops within neighbourhood centres, unless the proposal is to change to a social and community use, and where 66 per cent of the relevant street frontage remains in an A1 use (shop).</p> <p>Policy CF4 Street Markets</p> <p>The Council will ensure that street markets remain a vibrant part of the borough's retail offer. To deliver this the Council will:</p> <p>a. protect all of the borough's street markets including those at Portobello Road, Golborne Road and Bute Street;</p> <p>b. support new, or the expansion of existing, street markets where this fits in with our broader retail strategy and our strategic objectives for the town centres in which they would be located within or adjacent to;</p> <p>c. require the protection of existing storage lockups for street traders, or their equivalent provision.</p>	
Land Use – Surgery		
Draft NPPF	<p>3. Plan-making</p> <p>[20] The strategic policies required for the area of each local planning authority should include those policies, and strategic site allocations, necessary to provide:</p> <p>a) an overall strategy for the pattern and scale of development;</p> <p>[...]</p> <p>e) community facilities (such as health, education and cultural infrastructure); and</p> <p>[...]</p>	<ul style="list-style-type: none"> • The Proposed Development includes a mix of uses appropriate for the District Centre, including a new surgery to serve a patient population of 18,000.
Draft London Plan	<p>Policy S2 Health and social care facilities</p> <p>A Boroughs should work with Clinical Commissioning Groups (CCGs) and other NHS and community organisations to:</p> <p>1) identify and address local health and social care needs within Development Plans taking account of NHS Forward Planning documents and related commissioning and</p>	<ul style="list-style-type: none"> • The Proposed Development includes a mix of uses appropriate for the District Centre. • The inclusion of a surgery within WPB3 responds to the need identified within the Notting Hill Gate SPD.

	<p>estate strategies, Joint Strategic Needs Assessments and Health and Wellbeing Strategies</p> <p>2) understand the impact and implications of service transformation plans and new models of care on current and future health infrastructure provision in order to maximise health and care outcomes</p> <p>3) regularly assess the need for health and social care facilities locally and sub-regionally, addressing borough and CCG cross-boundary issues</p> <p>4) identify sites in Development Plans for future provision, particularly in areas with significant growth and/or under provision</p> <p>5) identify opportunities to make better use of existing and proposed new infrastructure through integration, co-location or reconfiguration of services, and facilitate the release of surplus buildings and land for other uses.</p> <p>B Development proposals that support the provision of high-quality new and enhanced facilities to meet identified need and new models of care should be supported.</p> <p>C New facilities should be easily accessible by public transport, cycling and walking.</p>	<ul style="list-style-type: none"> • The surgery space has been designed to respond to consultation with the NHS Commissioning Group. • An agreement for lease has been secured with two local surgeries (Pembroke Villas Surgery and Westbourne Grove Medical Centre).
Draft LPPR	<p>CO1 Strategic objective for Keeping Life Local</p> <p>Our strategic objective to keep life local is for strong, effective local centres, for social and community facilities to be widely available, and for neighbourhood functions, including neighbourhood shopping facilities, to be easily accessible, so that residential communities can flourish.</p>	<ul style="list-style-type: none"> • The proposals are entirely aligned with this policy as set out above. • The delivery of a new surgery in Notting Hill Gate would address the need identified within the Notting Hill Gate SPD. • It's location within Notting Hill Gate would make the surgery highly accessible.
Land Use – Office		
Draft NPPF	<p><u>3. Ensuring the vitality of town centres</u></p> <p>[86] Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Planning policies should:</p> <p>a) define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and change in a way that supports a diverse retail offer, provides customer choice, allows a suitable mix of uses (including housing) and reflects their distinctive characters;</p> <p>[...]</p>	<ul style="list-style-type: none"> • The delivery of 5,306 sqm of office floorspace and 2,935 sqm of retail floorspace in the District Centre is supported.

	<p>d) allocate a range of suitable sites in town centres to meet the scale and type of development needed, looking at least ten years ahead. Meeting needs for retail, leisure, office and other main town centre uses over this period should not be compromised by limited site availability, so town centre boundaries should be kept under review;</p> <p>e) allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre, where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, policies should explain how identified needs can be met in other accessible locations that are well connected to the town centre;</p> <p>f) recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites; and</p> <p>g) support diversification and changes of use where town centres are in decline, as part of a clear strategy for their future, while avoiding the unnecessary loss of facilities that are important for meeting the community's day-to-day needs.</p>	
Draft London Plan	<p>Policy E1 Offices</p> <p>A Improvements to the competitiveness and quality of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed use development.</p> <p>B Increases in the current stock of offices should be supported, where there is authoritative, strategic and local evidence of sustained demand for office-based activities, taking into account projected demand for office-based employment and office floorspace to 2041 in Table 6.1.</p> <p>[...]</p> <p>D The diverse office markets in outer and inner London (outside the CAZ and NIOD) should be consolidated and - where viable - extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity including:</p> <ol style="list-style-type: none"> 1) the strategic outer London office location at Croydon town centre 2) other town centre office locations (see Town Centre Network office guidelines in Figure A1.4) 3) existing urban business parks (such as Chiswick Park, Stockley Park and Bedfont Lakes), taking steps towards greater transport sustainability of these locations 	<ul style="list-style-type: none"> • The delivery of 5,306 sqm of office floorspace within the District Centre is entirely aligned with this policy. • The large floorplates would enable flexible use by large or subdivision for small to medium occupiers.

	<p>4) locally-oriented, town centre office provision to meet local needs.</p> <p>E Existing viable office floorspace capacity in outer and inner London locations outside the CAZ and NIOD should be retained, supported by borough Article 4 Directions to remove permitted development rights where appropriate, facilitating the redevelopment, renewal and re-provision of office space where viable and releasing surplus office capacity to other uses (see Policy SD9 Town centres: Local partnerships and implementation and office guidelines in Figure A1.4).</p> <p>F Boroughs should consult upon and introduce Article 4 Directions to ensure that the CAZ, NIOD, Tech City, the Royal Docks Enterprise Zones, Kensington & Chelsea and geographically-defined parts of other existing and viable strategic and local office clusters (such as those in and around the CAZ, in town centres and other viable business locations – see part D.3 above) are not undermined by office to residential permitted development rights. G Development proposals should:</p> <ol style="list-style-type: none"> 1) take into account the need for lower cost and affordable workspace (see Policy E2 Low-cost business space and Policy E3 Affordable workspace) 2) examine the scope for the re-use of otherwise surplus large office spaces for smaller units 3) support the redevelopment, intensification and change of use of surplus office space to other uses including housing. 	
Draft LPPR	<p>Policy CF5 Business Uses</p> <p>The Council will ensure that there is a range of business premises within the borough to allow businesses to grow and thrive. To deliver this the Council will, with regard to: Offices a. protect offices and office floorspace throughout the borough, except where:</p> <ol style="list-style-type: none"> i. the office is within an Employment Zone and is being replaced by a light industrial use, workshop or other use which supports the character and function of the zone; ii. the office is within a town centre and is being replaced by a shop or shop floorspace, by a social and community use which predominantly serves, or which provides significant benefits to, borough residents; or by another (not residential) town centre use where this allows the expansion of an adjoining premises; <p>b. permit very small, small and medium-sized offices anywhere in the borough save for ground floor level of town centres;</p> <p>c. require new large scale office development to be located within a town centre, other accessible areas or within an Employment Zone unless the development</p>	<ul style="list-style-type: none"> • The delivery of 5,306 sqm of office floorspace within the District Centre is entirely aligned with this policy as set out above. • The slight loss in office floorspace when compared to the existing is in accordance with draft Policy CF5, on the basis that the shortfall is to deliver the surgery (a social and community use).

	<p>would meet the requirements of the sequential test and not have a detrimental impact on traffic generation in the area;</p> <p>d. require all new business floorspace over 100sq.m to be flexible, capable of accommodating a range of unit sizes;</p> <p>[...]</p>	
Character, Appearance and Views		
Draft NPPF	<p><u>2. Achieving sustainable development</u></p> <p>[9] These objectives should be delivered through the preparation and implementation of plans and the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.</p> <p><u>11. Making effective use of land</u></p> <p>[122] Planning policies and decisions should support development that makes efficient use of land, taking into account:</p> <p>a) the identified need for housing and other forms of development, and the availability of land suitable for accommodating it;</p> <p>b) local market conditions and viability;</p> <p>c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;</p> <p>d) the desirability of maintaining an area’s prevailing character (including residential gardens), or of promoting regeneration and change; and</p> <p>e) the importance of securing well-designed, attractive places.</p> <p><u>12. Achieving well-designed places</u></p> <p>[124] Planning policies and decisions should support the creation of high quality buildings and places. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as</p>	<ul style="list-style-type: none"> • The high quality of the architectural and urban design proposals and the creation of a new public square will significantly enhance the local townscape and the character and quality of Notting Hill Gate in accordance with the draft NPPF. • The Townscape and Visual Impact Assessment, 2017 and TVIA Addendum conclude that the Proposed Development will enhance and promote sustainable development.

	<p>possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics.</p> <p>Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> <p>[130] In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they are sensitive to the overall form and layout of their surroundings.</p>	
Draft London Plan	<p>Policy HC1 Heritage conservation and growth</p> <p>A Boroughs should, in consultation with Historic England and other relevant statutory organisations, develop evidence that demonstrates a clear understanding of London’s historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access to the heritage assets, landscapes and archaeology within their area.</p> <p>B Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings. This knowledge should be used to inform the effective integration of London’s heritage in regenerative change by: 1) setting out a clear vision that recognises and embeds the role of heritage in place-making 2) utilising the heritage significance of a site or area in the planning and design process 3) integrating the conservation and enhancement of heritage assets and their settings with innovative and creative contextual architectural responses that contribute to their significance and sense of place 4) delivering positive benefits that sustain and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing.</p> <p>C Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings, should also be actively managed. Development proposals should seek to avoid harm and identify</p>	<ul style="list-style-type: none"> • The Townscape and Visual Impact Assessment, 2017 and TVIA Addendum conclude that the Proposed Development will enhance and promote sustainable development. • The high quality of the architectural and urban design proposals and the creation of a new public square will significantly enhance the local townscape and the character and quality of Notting Hill Gate. • The Site does not contain any listed buildings but it is surrounded by conservation areas and there are listed buildings in the wider surrounding area. The significance of relevant conservation areas and the settings of heritage assets will be left unharmed or improved. • The TVIA Addendum 2018 demonstrates that no local or strategic views will be adversely impacted, including impacts on listed buildings, conservation areas, and Registered Parks and Gardens. These conclusions are the same for the TVIA Addendum 2018 as the TVIA 2017. • A range of technical assessments are submitted with the application to demonstrate that a high quality environment will be secured within and around the Proposed Development.

enhancement opportunities by integrating heritage considerations early on in the design process.

D Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

[...]

Policy HC3 Strategic and Local Views

A Strategic Views include significant buildings or urban landscapes that help to define London at a strategic level. They are seen from places that are publicly-accessible and well-used. The Mayor has designated a list of Strategic Views (Table 7.1) that he will keep under review. Development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view.

B Within the designated views, the Mayor will identify landmarks that make aesthetic, historic, cultural or other contributions to the view and which assist the viewer's understanding and enjoyment of the view.

C The Mayor will also identify Strategically-Important Landmarks in the views that make a very significant contribution to the image of London at the strategic level or provide a significant cultural orientation point. He will seek to protect vistas towards Strategically-Important Landmarks by designating landmark viewing corridors and wider setting consultation areas. These elements together form a Protected Vista. Each element of the vista will require a level of management appropriate to its potential impact on the viewer's ability to recognise and appreciate the Strategically-Important Landmark. These and other views are also subject to wider assessment beyond the Protected Vista.

D The Mayor will also identify and protect aspects of views that contribute to a viewer's ability to recognise and appreciate a World Heritage Site's authenticity, integrity, and attributes of Outstanding Universal Value. This includes the identification of Protected Silhouettes of key features in a World Heritage Site.

E The Mayor has prepared Supplementary Planning Guidance on the management of the designated views – the London View Management Framework

Supplementary Planning Guidance (LVMF SPG). The Mayor will, when necessary, review this guidance.

F Boroughs should include all designated views, including the protected vistas, in their Local Plans and work with relevant land owners to ensure there is inclusive public access to the viewing location, and that the view foreground, middle ground and background are effectively managed in accordance with the LVMF SPG.

G Boroughs should clearly identify important local views in their Local Plans and strategies. Boroughs are advised to use the principles of Policy HC4 London View Management Framework for the designation and management of local views.

Where a local view crosses borough boundaries, the relevant boroughs should work collaboratively to designate and manage the view.

Policy D8 Tall buildings

Tall buildings have a role to play in helping London accommodate its expected growth as well as supporting legibility across the city to enable people to navigate to key destinations. To ensure tall buildings are sustainably developed in appropriate locations, and are of the required design quality, Development Plans and development proposals must undertake the following:

A Based on local context, Development Plans should define what is considered a tall building, the height of which may vary in different parts of London.

B Tall buildings should be part of a plan-led approach to changing or developing an area. Boroughs should identify on maps in Development Plans the locations where tall buildings will be an appropriate form of development in principle, and should indicate the general building heights that would be appropriate, taking account of:

- 1) the visual, functional, environmental and cumulative impacts of tall buildings (set out in part C below)

- 2) their potential contribution to new homes, economic growth and regeneration
- 3) the public transport connectivity of different locations.

C The impacts of a tall building can be visual, functional or environmental. All three elements should be considered within plan-making and in deciding development proposals:

- 1) Visual impacts

- a) The views of buildings from different distances need to be considered, including:

	<p>i Long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views</p> <p>ii Mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality</p> <p>iii Immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.</p> <p>b) Whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding</p> <p>c) Architectural quality and materials should be of an exemplary standard to ensure the appearance and architectural integrity of the building is maintained through its lifespan</p> <p>d) Proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area.</p> <p>[...]</p> <p>g) Buildings should not cause adverse reflected glare.</p> <p>2) Functional impact</p> <p>a) The internal and external design, including construction detailing, the building’s materials and its emergency exit routes must ensure the safety of all occupants.</p> <p>b) Buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process</p> <p>c) Entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas</p>	
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	<p>d) It must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building</p> <p>e) Infrastructure improvements required as a result of the development should be delivered and phased appropriately</p> <p>f) Jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area</p> <p>g) Buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings.</p> <p>3) Environmental impact</p> <p>a) Wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building</p> <p>b) Air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect streetlevel conditions</p> <p>c) Noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building.</p> <p>4) Cumulative impacts</p> <p>a) The cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.</p> <p>Public access</p> <p>D Publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings</p>	
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Amenity

Draft NPPF

12. Achieving well-designed places

[126] Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and effective landscaping;
- c) respond to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8. Promoting healthy and safe communities

[93] To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

- The proposals respond to the site’s context and consequently deliver a successful composition of buildings that form a coherent urban quarter.
- Previously underutilised spaces would be regenerated to create a welcoming and safe environment at the heart of the District Centre.

Draft London Plan

Policy D1 London’s form and characteristics

Development Plans, area-based strategies and development proposals should address the following:

A The form and layout of a place should:

- A minimum of 10% of the residential units would meet the Building Regulation requirements for M4(3) ‘wheelchair user dwellings’ and all remaining units would meet the Building

	<p>1) use land efficiently by optimising density, connectivity and land use patterns 2) facilitate an inclusive environment 3) be street-based with clearly defined public and private environments 4) deliver appropriate outlook, privacy and amenity 5) achieve safe and secure environments 6) provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest 7) provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity 8) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and desire lines in the area 9) help prevent or mitigate the impacts of noise and poor air quality 10) facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users.</p> <p>B Development design should:</p> <p>1) respond to local context by delivering buildings and spaces that are positioned and of a scale, appearance and shape that responds successfully to the identity and character of the locality, including to existing and emerging street hierarchy, building types, forms and proportions 2) be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan, through appropriate construction methods and the use of attractive, robust materials which weather and mature well 3) aim for high sustainability standards 4) respect, enhance and utilise the heritage assets and architectural features that make up the local character 5) provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water 6) achieve comfortable and inviting environments both inside and outside buildings.</p>	<p>Regulation requirements for M4(2) 'accessible and adaptable dwellings'.</p> <ul style="list-style-type: none"> • The layout proposed will open up the currently impermeable site to create a new and publicly accessible destination on Notting Hill Gate, accessible to the existing community, to future residents, and to businesses and visitors alike. • An appropriate relationship with surrounding properties would be secured, as demonstrated within the supporting reports submitted with the application. • All residential units would be provided with private amenity space, in addition to communal amenity space (external and internal) and the public square at the heart of the development. • The number of single aspect units has been minimised, with all benefiting from east or west views.
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Policy D4 Housing quality and standards

A To optimise the development of housing on sites across London a range of housing typologies will need to be built. To bring forward development on constrained sites, innovative housing designs that meet the requirements of this policy, including minimum space standards, are supported. In ensuring high quality design, housing developments should consider the elements that enable the home to become a comfortable place of retreat and should not differentiate between housing tenures.

B New homes should have adequately-sized rooms and convenient and efficient room layouts which are functional, fit for purpose and meet the changing needs of Londoners over their lifetimes. Particular account should be taken of the needs of children, disabled and older people.

C Qualitative aspects of a development are key to ensuring successful sustainable housing and should be fully considered in the design of any housing developments.

D Housing developments are required to meet the minimum standards below. These standards apply to all tenures and all residential accommodation that is self-contained. Private internal space

1) Dwellings must provide at least the gross internal floor area and built-in storage area set out in Table 3.1.

2) A dwelling with two or more bedspaces must have at least one double (or twin) bedroom that is at least 2.75m wide. Every other additional double (or twin) bedroom must be at least 2.55m wide.

3) A one bedspace single bedroom must have a floor area of at least 7.5 sqm and be at least 2.15m wide.

4) A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sqm.

5) Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage (If the area under the stairs is to be used for storage, assume a general floor area of 1 sqm within the Gross Internal Area).

6) Any other area that is used solely for storage and has a headroom of 0.9-1.5m (such as under eaves) can only be counted up to 50 per cent of its floor area, and any area lower than 0.9m is not counted at all.

7) A built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. Any building area in excess of 0.72 sqm in a

	<p>double bedroom and 0.36 sqm in a single bedroom counts towards the built-in storage requirement.</p> <p>8) The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.</p> <p>Private outside space</p> <p>9) A minimum of 5 sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. This does not count towards the minimum Gross Internal Area space standards required in Table 3.1.</p> <p>10) The minimum depth and width for all balconies and other private external spaces should be 1.5m.</p> <p>E Residential development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirements of Policy D1 London’s form and characteristics than a dual aspect dwelling and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating.</p> <p>F The design of development should provide sufficient daylight and sunlight to new housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.</p> <p>G Dwellings should be designed with adequate and easily accessible storage space that supports the separate collection of dry recyclables (for at least card, paper, mixed plastics, metals, glass) and food. The Mayor will produce guidance on the implementation of this policy for all housing tenures.</p>	
Draft LPPR	<p>Policy CH3: Housing Size Mix and Standards</p> <p>The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough and improve housing standards. To deliver this the Council will require:</p> <ol style="list-style-type: none"> a. new residential developments to include a mix of types and sizes of homes to reflect the varying needs of the borough, taking into account the characteristics of the site, and current evidence in relation to housing need; b. new residential developments to be designed to meet the housing standards on space and access as set out in the London Plan; c. housing schemes to include outdoor amenity space 	<ul style="list-style-type: none"> • The affordable units would be provided within three separate blocks and would be tenure blind, each building having been designed previously for private residential use. • All residential units would be provided with private amenity space, in addition to communal amenity space (external and internal) and the public square at the heart of the development.

	<p>Policy CH2: Affordable Housing</p> <p>[...]</p> <p>h. the affordable and market housing to have equivalent amenity in relation to factors including views, siting, daylight, noise and proximity to open space, playspace, community facilities and shops.</p>	
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APPENDIX 3

SUSTAINABILITY STATEMENT ADDENDUM



APPENDIX 4

ADDENDA TO ARUP TECHNICAL DOCUMENTS



APPENDIX 5

FIRE SAFETY STRATEGY ADDENDUM
