



Capital & Counties
40 Broadway
London
SW1H 0BT

EARLS COURT REGENERATION AREA

CORE STRATEGY EVIDENCE BASE

PLANNING POLICY STUDY

JUNE 2009

DP9 Planning Consultants
100 Pall Mall
London
SW1Y 5NQ

CONTENTS

- 1. INTRODUCTION**
- 2. PLANNING POLICY FRAMEWORK OVERVIEW**
- 3. NATIONAL AND REGIONAL PLANNING POLICY EVALUATION**
- 4. EMERGING LOCAL PLANNING POLICY**
- 5. CONCLUSION**

1. INTRODUCTION

- 1.1 This study is submitted as part of the Core Strategy evidence base in support of the Earls Court Regeneration Area (Regeneration Area) and has been prepared for Capital & Counties on behalf of the Earls Court & Olympia Group. The study evaluates the planning policy context against which the allocation of the Regeneration Area in the Royal Borough of Kensington and Chelsea (RBKC) and London Borough of Hammersmith and Fulham (LBHF) Local Development Frameworks (LDF) should be assessed. An indicative land use budget for the Regeneration Area has been prepared and is considered in this study against the context of national, London and emerging local planning policy. The indicative land use budget is set out in Appendix A.
- 1.2 Planning policy from the national to the local level supports the indicative land use budget and the inclusion of the Regeneration Area as a place and site allocation in the Core Strategy which will realise a full range of social, economic and environmental opportunities. Specifically, there is planning policy support for redevelopment which:
- Supports redevelopment which delivers comprehensive regeneration;
 - Provides a mix of uses that will bring vitality to area including residential, business, retail, hotel, leisure, community, destination and cultural;
 - Maximises the potential of transport infrastructure and supports sustainable travel choices;
 - Maximises the density of development;
 - Supports appropriately designed and located tall buildings which meet an economic need;
 - Promotes and advances innovation in sustainability; and
 - Provides high quality design of both buildings and public realm.
- 1.3 An evaluation of the opportunities afforded by the land use budget and how these sit within the planning policy framework at national, London and local level is considered in the following sections.
- 1.4 A suite of evidence base documents has been prepared. These are listed in Appendix B.

2. PLANNING POLICY FRAMEWORK OVERVIEW

2.1 The planning policy context for the Regeneration Area comprises three levels of policy – national, regional and local. Within each level there is both planning policy and guidance, which combine to provide the framework for the consideration of the Regeneration Area indicative land use budget. In short, the key planning policy documents taken into account at this stage include the following:

- Planning Policy Guidance Notes
 - PPG4: Industrial, Commercial Development and Small Firms (November 1992)
 - PPG13: Transport (April 2001)
 - PPG15: Planning and the Historic Environment (September 1994)
 - PPG17: Planning for Open Space, Sport and Recreation (July 2002)
- Planning Policy Statements
 - PPS1: Delivering Sustainable Development (January 2005)
 - PPS1 Supplement: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)
 - PPS3: Housing (November 2006)
 - PPS6: Planning for Town Centres (March 2005)
 - PPS10: Planning for Sustainable Waste Management (July 2005)
 - PPS22: Renewable Energy (August 2004)
 - PPS25 Development and Flood Risk (2006)
- Consultation paper on a new Planning Policy Statement 4: Planning for Prosperous Economies (May 2009)
- The London Plan (2008) – consolidated with changes since 2004.
- London Borough of Hammersmith and Fulham Unitary Development Plan (2003)
- Royal Borough of Kensington and Chelsea Unitary Development Plan (2002)
- London Borough of Hammersmith and Fulham Core Strategy Options, June 2009
- Royal Borough of Kensington and Chelsea Core Strategy and the North Kensington Plan, *Towards Preferred Options*, July 2008
- Royal Borough of Kensington and Chelsea, Strategic Sites, Part of the Core Strategy with a focus on North Kensington, May 2009
- Royal Borough of Kensington and Chelsea, Places, Part of the Core Strategy with a focus on North Kensington, May 2009

2.2 This study provides an overview of the case for the indicative land use budget in relation to key planning policy documents as set out above. The other supporting

EARLS COURT REGENERATION AREA PLANNING POLICY STUDY

technical reports which comprise the evidence base in support of the indicative land use budget provide more detail and include reference to other relevant policy and guidance documents.

2.3 At both the regional and local level there is existing and emerging planning guidance which amplify policy and will help to inform a future Masterplan for the Earls Court Regeneration Area. Relevant guidance documents include:

- Planning for a Better London (2008).
- West London Sub Regional Development Framework (2006).
- London Housing Strategy (2009).
- London Strategic Housing Market Assessment (2009).
- London Transport Strategy (2006).
- London Transport Strategy Statement of Intent (2009).
- RBKC Transport SPD (2008).
- RBKC Draft Tall Buildings SPD (2008).
- LBHF Sustainable Construction SPD (2007).

National Planning Policy and Guidance

2.4 At the national level, Planning Policy Guidance notes ('PPGs') and Planning Policy Statements ('PPSs') provide the principal national planning guidance. Guidance can also be found in government white papers and advisory notes.

2.5 The Department for Communities and Local Government has recently published a consultation paper on the draft PPS4: Planning for Prosperous Economies. The draft PPS4 includes policies on retail and town centres and on economic development in urban and rural areas and will replace the existing PPG4, PPG5 and PPS6 if adopted in its current form.

Regional Planning Policy and Guidance

2.6 The London Plan is the guiding land use and planning document for the capital. As such it sets out the spatial strategy and policy context for how and where growth is to be accommodated. These objectives include optimising the development of previously developed land, promoting development in areas accessible by public transport and the potential of mixed use development to strengthen communities and local economies. The current London Plan was consolidated with alterations in February 2008.

2.7 The London Plan is about to undergo a period of review. The Mayor of London has recently published his initial proposals for a new London Plan. Adoption of a new London Plan is anticipated in the winter of 2011. Capital & Counties on behalf of the Earls Court & Olympia Group will be making representations on this and will, along with others, be promoting Earls Court Regeneration Area as an Opportunity Area.

Local Planning Policy and Guidance

2.8 Local planning policy and guidance is set out in the London Borough of Hammersmith and Fulham Unitary Development Plan (UDP) adopted in August 2003 as amended September 2007 and the Royal Borough of Kensington and Chelsea Unitary Development Plan (UDP) adopted in May 2002 as amended in September 2007.

- 2.9 The Planning & Compulsory Purchase Act 2004 provided for the saving of policies in adopted unitary development plans for a period of 3 years from the commencement of the Act, which was 28 September 2004. The boroughs identified policies that they wished to be extended which were submitted to the Secretary of State in accordance with a protocol issued by the Department for Communities and Local Government. The Secretary of State considered the boroughs' requests and on 27 September 2007 issued a direction under paragraph 1(3) of schedule 8 to the Planning and Compulsory Purchase Act 2004 to extend the life of certain saved policies. It is these policies which form the adopted UDPs for the boroughs.

Emerging Local Planning Policy and Guidance

- 2.10 The London Borough of Hammersmith and Fulham consulted on its Preferred Options on the Core Strategy and Site Allocations from June to August 2007. LBHF has recently published for consultation its Core Strategy Options, June 2009 which continues until mid July 2008. The borough currently expects adoption of the final Core Strategy in early 2011.
- 2.11 The nature of the Royal Borough of Kensington and Chelsea Core Strategy has evolved following formal consultation of Issues and Options (December 2005), Interim Issues and Options (February - April 2008) and Towards Preferred Options (July - October 2008). Following the current consultation on the 'Places' and 'Strategic Sites' sections of the Core Strategy RBKC plans to undertake further consultation on the Core Strategy from September to November 2009 ahead of its submission to the Secretary of State in March 2010.

3. NATIONAL AND REGIONAL PLANNING POLICY EVALUATION

- 3.1 This section evaluates the national and regional planning policy context against which the Earls Court Regeneration Area strategic site allocation and indicative land use budget should be considered.

Housing

National Policy

- *PPS3: Housing (November 2006)* seeks to widen opportunities for home ownership and affordability to ensure everyone can live in a decent home in a community they wish to be in that provides good access to jobs, services and infrastructure. In particular, it promotes “*making effective use of land, existing infrastructure and available public and private investment, particularly for mixed use developments*”. The objectives of the planning system are to deliver high quality housing; a mix of both market and affordable housing; a sufficient quantity of housing to meet housing need and demand; housing in locations which offer access to jobs and services; and a flexible and responsive supply of land which makes efficient use of land.

London Plan

- Increase the supply of housing in Hammersmith and Fulham and Kensington and Chelsea by the established targets – 450 and 350 homes per year, respectively (Policy 3A.1).
- Seek to exceed the targets and to address the suitability of housing development in terms of location, type of development, housing requirements and impact on the locality. Identify new sources of supply having regard to redevelopment of low density commercial sites to secure mixed use development. Intensification of housing provision through development at higher densities where consistent with the principles of sustainable residential quality (Policy 3A.2).
- Ensure development proposals achieve the maximum intensity of use compatible with local context, London Plan design principles and with public transport capacity (Policy 3A.3).
- Provide housing choice in terms of mix of sizes and types, taking into account the varying needs of residents and building to ‘Lifetime Homes’ standards (Policy 3A.5).
- Encourage large residential developments (and accompanying suitable non-residential uses) in areas of high public transport accessibility (Policy 3A.7).
- The strategic target for affordable housing provision is 50%, with a London-wide objective of 70% social housing and 30% intermediate, and the promotion of mixed and balanced communities (Policy 3A.9).
- Seek the maximum reasonable amount of affordable housing from residential and mixed-use schemes, having regard to borough affordable housing targets and the

need to encourage rather than restrain residential development and the individual circumstances of the site (including site costs, availability of public subsidy and other scheme requirements) (Policy 3A.10).

- Require affordable housing provision on a site which has capacity for 10 or more homes (Policy 3A.11).
- Prevent loss of housing, including affordable housing, without its replacement at existing or higher densities (Policy 3A.15)

Evaluation

- 3.2 The delivery of new housing in sustainable locations such as the Regeneration Area is supported by national, regional and local plan policy. The Regeneration Area has the potential to provide approximately 9,000 to 10,000 homes with a minimum of around 1,500 of these located within RBKC which would make a substantial contribution to meeting needs and targets of the London Plan. A regeneration scheme would provide a wide range of types of housing with different unit sizes and tenure arrangements. More detailed consideration of housing provision within the Regeneration Area is provided within the Housing Study.

Employment

National Policy

- *PPG4: Industrial, Commercial Development and Small Firms (November 1992)* seeks to encourage economic development in a way which is compatible with environmental objectives. This involves weighing the importance of industrial and commercial development with that of maintaining and improving environmental quality. In order to achieve this the following should be considered:
 - new development should be encouraged in accessible locations;
 - commercial and industrial development in areas which are primarily residential should not be unreasonably unrestricted if there would be no adverse affect on residential amenity; and
 - whether particular proposals for new development may be incompatible with existing industrial and commercial activities.
- *Consultation paper on a new PPS4: Planning for Prosperous Economies (May 2009)* seeks to encourage sustainable growth; support existing business sectors; identify and plan for new emerging sectors; recognise the benefits of certain types of business being located within proximity of each other or with other compatible land uses; take account of the different location requirements of businesses; and make use of planning tools where this will assist business development.

London Plan (2008)

- Provide a range of premises of different types, sizes and costs to meet the needs of different sectors of the economy and firms of different types and sizes and to

remove supply side blockages for key sectors, including the finance and business services sector (Policy 3B.1).

- To meet office demand and supply:
 - Seek a significant increment to current office stock through changes of use and development of vacant brownfield sites
 - Seek the renovation and renewal of existing stock to increase and enhance the quality and flexibility of London's office market offer, in line with policies for maximising the intensity of development
 - Seek the provision of a variety of type, size and cost of office premises to meet the needs of all sectors, including small and medium sized enterprises (Policy 3B.2)

Evaluation

- 3.3 The Regeneration Area has the potential to deliver a significant amount of employment floorspace and opportunities through the redevelopment of brownfield land in a strategic and accessible location. Evidence contained within the supporting Summary Office Land Use Study indicates that there is demand to create a new business district or Urban Quarter with a substantial enough office element to attract workers from across London and the south east. Job opportunities would also be created through other elements of a comprehensive scheme providing an economic stimulus for the area. National policy guidance and the London Plan support the increase in the range, quality and flexibility of employment space and job creation through the mixed-use redevelopment of sites such as the Regeneration Area.

Town Centres and Retailing

National Policy

- *PPS6: Planning for Town Centres (March 2005)* seeks to promote the vitality and viability of town centres whilst making provision for a range of services to meet the needs of the entire community, encouraging investment to regenerate areas and promoting the economic growth of economies. This is intended to be achieved by enhancing consumer choice by making provision for a range of shopping, leisure and local services which meets the needs of the community; supporting efficient, competitive and innovative retail, leisure, tourism and other sectors, with improving productivity; and improving accessibility.
- *Consultation paper on a new PPS4: Planning for Prosperous Economies (May 2009)* seeks to promote the vitality and viability of town and other centres as important places for communities and ensure they are all economically successful recognising that they are important drivers for regional, sub-regional and local economies. In order to achieve this new economic growth and development should be focused in existing centres; and competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, to meet the needs of the community is required.

London Plan

- Develop and enhance the network of international, Metropolitan, Major, District and specialist centres (Policy 2A.8).
- Identify more local and neighbourhood centres and those with distinct roles in meeting special needs (Policy 2A.8).
- Enhance access to goods and services and strengthen the wider role of town centres by:
 - Enhancing the quality of retail and other consumer services in town centres
 - Supporting a wider role for town centres as locations for leisure and cultural activities as well as business and housing and their key role in developing a sense of place and identity for sustainable local communities (Policy 3D.1)
- Prevent the loss of retail facilities that provide essential convenience and specialist shopping and to encourage mixed use development (Policy 3D.3).

Evaluation

- 3.4 The principle of additional retail development is consistent with national policy which aims to meet local needs and increase consumer choice. The scale of development envisaged for the Regeneration Area will generate additional demand for local retail facilities. The Retail Study explains the quantum of retail floorspace that could be justified by indigenous demand and concludes that the level of floorspace proposed in the indicative land use budget can be sustained without giving rise to unacceptable levels of impact.
- 3.5 Designating the Regeneration Area as a new district centre would be in accordance with national policy and objectives to encourage investment, regeneration and economic growth. It would also be consistent with London Plan aims to develop and enhance the retail hierarchy and support for the wider role of town centres and their contribution to sense of place and identity for sustainable local communities.

Tourism, Visitor Accommodation and Facilities

London Plan

- Enhance the quality and appeal of London's existing tourism offer and create integrated and sustainable tourism provision in town centres and other locations across London with good public transport access (Policy 3B.9).
- Achieve 40,000 net additional hotel rooms by 2026 and improve the quality, variety and distribution of visitor accommodation and bring forward an international convention centre:
 - Develop new hotels in areas with good public transport to central London and international and national transport termini

**EARLS COURT REGENERATION AREA
PLANNING POLICY STUDY**

- Accommodate smaller scale provision in CAZ fringe location with good public transport and resist further intensification of provision in areas of existing concentration, except where it will not compromise local amenity or the balance of local land uses
- Support existing and encourage development of new tourist attractions which complement the wider policies of this plan, especially for regeneration and town centre renewal (Policy 3D.7)

Evaluation

- 3.6 The Regeneration Area is well located to provide hotel development to help meet London Plan targets for additional hotel rooms by 2026. The Summary Hotel Study highlights the level of unmet demand across London and shortcomings of existing facilities in the area. Based on the external demand drivers it is considered that 45,000 – 65,000 sqm (900 – 1,300 rooms) would provide adequate hotel accommodation for the Regeneration Area.
- 3.7 The Regeneration Area (excluding the current site occupied by EC1 and EC2) could be a potential location for an International Convention Centre if Olympia or another site were not to come forward, as explained in the Summary Potential International Convention Centre Study. This would be subject to further assessment and viability.

Community Services

National Policy

- *PPSI: Delivering Sustainable Development (January 2005)* seeks to provide key services for all members of the community to ensure that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs.

London Plan

- Ensure that the adequate provision of social infrastructure and community facilities are provided in major areas of new development and regeneration. These needs include primary healthcare facilities, children's play and recreation facilities, services for young people, older people and disabled people, as well as libraries, sports and leisure facilities, open space, schools, nurseries and community halls. These facilities should be within reach by walking and public transport for the population that will use them (Policy 3A.18).
- Support the provision of additional healthcare as identified by the strategic health authority and primary care trusts. The preferred location for hospitals, primary health care centres, GP practices and dentists should be identified in appropriate locations accessible by public transport (Policy 3A.21).
- When approaching the provision of different types of educational facilities Boroughs should take into account the need for new facilities, with particular reference to Areas for Regeneration; the potential for expansion of existing provision; the possibility of inter-borough provision; safe and convenient access by pedestrians, cyclists and by public transport users; and proximity to homes and workplaces (Policy 3A.24).

Evaluation

- 3.8 Allowance for new local community facilities has been included in the indicative land use budget. In accordance with national and London Plan policy the vision proposes creating a sustainable community including local facilities which will derive from other land uses within the Regeneration Area. Such local community facilities could include educational, training, health, libraries, community hall etc. There is scope to integrate such facilities to provide convenient access, as explained in the Earls Court Regeneration Area Framework and the Design Principles Summary Study. The approach to local community facilities will be developed as a masterplan for the Regeneration Area comes forward.

Leisure, Culture and Recreation

National Policy

- *PPG17: Planning for Open Space, Sport and Recreation (July 2002)* - this relates to ensuring the provision of open space, sport and recreation facilities within proposed developments, to meet the needs of the local community. Local networks of high quality well managed and maintained open spaces, sports and recreational facilities can help urban environments that are attractive, clean and safe. These facilities can also help promote social inclusion and community cohesion by providing a focal point for community activities. By ensuring that these facilities are easily accessible by walking and cycling and that more heavily used facilities are planned for locations well served by public transport this help promote more sustainable development.

London Plan

- Promote London's cultural and art facilities as visitor attractions and foster their contribution to both local regeneration and London's global economic offer (Policy 3D.4).
- Protect, promote and improve access to London's network of open spaces. All developments will be expected to incorporate appropriate elements of open space that make a positive contribution to and are integrated with the wider network (Policy 3D.8).
- Ensure that all children have safe access to good quality, well designed, secure and stimulating play and informal recreation provision. Provision for play and informal recreation in new housing developments should be based on the expected child population generated by the scheme and an assessment of future needs (Policy 3D.13).

Evaluation

- 3.9 Leisure, culture and recreation facilities will be an important component of any scheme coming forward in the Regeneration Area, providing amenities for those living and working on the site as well as potentially acting as a draw in their own right. The type and nature of these uses proposed will reflect trends and respond to other uses within the regeneration scheme. They will contribute to creating a sense of place,

adding vitality and diversity in accordance with national and London Plan policy. As explained in the Culture, Destination and Leisure Study there is sufficient demand and requirement for a sustainable mix of uses to support the level of this type of floorspace in the indicative land use budget.

- 3.10 In addition, formal and informal areas of open space and improved linkages to existing facilities will provide recreation and amenity opportunities in accordance with the London Plan. This is described in the Design Principles Summary Study.

Sustainability and Energy

National Policy

- *PPS 1: Delivering Sustainable Development (January 2005)* seeks to facilitate and promote sustainable and inclusive patterns of development by making land available for development in line with economic, social and environmental objectives to improve people's quality of life; contributing to sustainable economic development; protecting and enhancing the natural and historic environment and existing communities; and ensuring high quality development through good inclusive design, and the efficient use of resources.
- *PPS: Planning and Climate Change - Supplement to Planning Policy Statement 1 (December 2007)* - this document sets out how the planning system should contribute to reducing emissions and stabilising climate change, emphasising the fundamental importance of planning in delivering sustainable development. The UK Government's Energy White Paper aims "to put the UK on a path to cut its carbon dioxide emissions by some 60% by 2050, with real progress by 2020".
- *PPS22: Renewable Energy (August 2004)* – Support is given for on-site renewables where it is viable given the type of development proposed, its location, and design. Increased development of renewable energy resources is considered to be vital to facilitating the delivery of the Government's commitment on both climate change and renewable energy.

London Plan

- The Mayor will, and boroughs and other stakeholders should promote, support and encourage the development of London in ways that secure the plan's social, environmental and economic objectives. This will include using the following criteria:
 - Optimise the use of previously developed land and vacant or underutilised buildings;
 - Ensure development occurs in locations that are currently, or will be, accessible by public transport, walking and cycling; and
 - Take account of the sustainability of sites for mixed use development and the contribution that development might make to strengthening local communities and economies including opportunities for local businesses and for the training of local people (Policy 2A.1).
- Ensure future developments meet the highest standards of sustainable design and construction (Policy 4A.3)

- Facilitate and encourage the use of all forms of energy efficiency measures and renewable energy where appropriate (Policy 4A.7)

Evaluation

- 3.11 The Regeneration Area will allow future development proposals to achieve high levels of design in sustainability and construction. The Summary Sustainability Approach explains strategies that could be employed in accordance with national and regional policy objectives.
- 3.12 The site location, size and surroundings provide an opportunity to deliver sustainable development on a large community level in accordance with national and London Plan policy. The Regeneration Area has the potential to provide a wide range of building types and tenures as well as public and private open space. The varied mix of uses will provide opportunities for creating spaces of high architectural quality and interest, with the potential for implementing large scale community energy and waste strategies contributing to a socially, economically and environmentally sustainable local community.

Transport

National Policy

- *PPG13: Transport (April 2001)* seeks to “integrate planning and transport to promote more sustainable transport choices; promote accessibility to jobs, shopping, leisure facilities and services by public transport and cycling, and; reduce the need to travel, especially by car”. By influencing factors such as the location, scale, density, design and mix of land uses, planning can help reduce the need to travel and the length of journeys while promoting sustainable modes of travel such as transport, walking and cycling. Specifically, major transport generating development and uses (including offices, retail, commercial, leisure, hospitals and conference facilities) should be located near public transport interchanges so that the fullest use can be made of this infrastructure. Wherever possible, a mix of uses, including residential, should be combined to achieve this level of use.

London Plan

- Ensure the integration of transport and development by:
 - Encouraging patterns and forms of development that reduce the need to travel especially by car
 - Improving public transport capacity and accessibility, where it is needed, for areas of greatest demand and areas designated for development and regeneration
 - Supporting high trip generating development only at locations with high levels of public transport accessibility and capacity, sufficient to meet the transport requirements of the development. Parking provision should reflect the levels of public transport accessibility (Policy 3C.1)
- Support sustainable transport:

- Support measures that encourage shifts to more sustainable modes and appropriate demand management
- Improve provision of bus services, cycling and pedestrian facilities and local means of transport to improve accessibility to jobs and services for the residents of deprived areas (Policy 3C.3)

- Improve links between London and the surrounding regions (Policy 3C.5).

- Improve the strategic public transport system by extending the East London Line and other enhancements to the London Overground network, which incorporates the West London Line, towards completion of an orbital rail network (Policy 3C.12).

- Ensure road scheme proposals contribute to economic regeneration and development, provide a net benefit to London's environment, improve safety and conditions and integrate with local and strategic land use planning policies (Policy 3C.16).

Evaluation

- 3.13 The Regeneration Area benefits from good transport links. A regeneration scheme would be based on a sustainable transport strategy, encouraging non car borne modes of transport, in accordance with national and London Plan policy. The implications arising from a large scale mixed use development have been assessed in the Transport Study. The study indicates that the transport demand resulting from the indicative land use budget can be accommodated with the provision of additional transport infrastructure complemented by a package of planning and transport measures to promote sustainable travel choices. A regeneration scheme also has the opportunity to improve existing transport issues local to the Regeneration Area which is advocated by national and London Plan policy.

Design, Tall Buildings and Built Heritage

National Policy

- *PPS1 – Delivering Sustainable Development (January 2005)* seeks that good design should:
 - address the connections between people and places by considering the needs of people to access jobs and key services;
 - be integrated into the existing urban form and the natural and built environments;
 - be an integral part of the process for ensuring successful, safe and inclusive villages, town and cities;
 - create an environment where everyone can access and benefit from the full range of opportunities available to members of society; and
 - consider the direct and indirect impacts on the natural environment.

- PPS1 seeks to ensure that developments:

- are sustainable, durable, adaptable and make efficient use of resources;
 - optimize the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;
 - respond to their local context;
 - create safe and accessible environments;
 - address the needs of all society and are accessible, usable and easy to understand; and
 - are visually attractive as a result of good architecture and appropriate landscaping.
- *PPG15: Planning and the Historic Environment (September 1994)* - provides a full statement of government policies for the identification and protection of historic buildings, Conservation Areas and other elements of the historic environment. There is a general Government commitment to preserve the historic environment. It explains that the objective of planning processes should be to reconcile the need for economic growth with the need to protect the natural and historic environment (paragraph 1.2).

PPG15 provides that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This requirement extends to all powers under the Planning Acts, not only those that relate directly to historic buildings. The desirability of preserving or enhancing the area should also, in the Secretary of State's view, be a material consideration in the planning authority's handling of development proposals that are outside the Conservation Area but would affect its setting, or views into or out of the area (Paragraph 4.14).

PPG15 requires authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building (Paragraph 2.16).

London Plan

- Ensure that developments should:
 - Maximise the potential of sites
 - Promote high quality inclusive design and create or enhance the public realm
 - Provide or enhance a mix of uses
 - Contribute to adaptation to, and mitigation of, the effects of climate change
 - Respect local context, history, built heritage, character and communities
 - Provide for or enhance a mix of uses
 - Be accessible, usable and permeable for all users
 - Be sustainable, adaptable and durable in terms of design, construction and use
 - Address security issues and provide safe, secure and sustainable environments
 - Be practical and legible
 - Be attractive to look at, and, where appropriate, inspire, excite and delight
 - Respect the natural environment and biodiversity

- Address health inequalities (Policy 4B.1)
- Promote world-class high quality design (Policy 4B.2).
- The Mayor will promote the development of tall buildings where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activities and/or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. The Mayor will, and boroughs should, consider all applications for tall buildings against the criteria set out in Policies 4B.1, 4B.3 and 4B.9.

The Mayor will work with boroughs and the strategic partnerships to help identify suitable locations for tall buildings that should be included in UDPs and Sub-Regional Development Frameworks. These may include parts of the Central Activities Zone and some Opportunity Areas.

Boroughs should take into account the reasons why the Mayor may support tall buildings when assessing planning applications that are referable to the Mayor. Boroughs may wish to identify defined areas of specific character that could be sensitive to tall buildings within their UDPs. In doing so, they should clearly explain what aspects of local character could be affected and why. They should not impose unsubstantiated borough-wide height restrictions.

- All large scale buildings including tall buildings should be of the highest quality and design and in particular:
 - Meet the requirements of the View Management Framework
 - Be attractive city elements as viewed from angles and where appropriate contribute to an interesting skyline, consolidating clusters within that skyline or providing key foci within views (Policy 4B.10)
- Protect and enhance London's historic environment and seek to maintain and increase the contribution of the built heritage (Policy 4B.11).
- Ensure the protection and enhancement of historic assets in London and identify areas, spaces, historic parks and gardens and buildings of special character or quality for protection and opportunities for enhancement (Policy 4B.12).

Evaluation

3.14 Any development coming forward within the Regeneration Area would achieve high levels of urban design and architectural treatment respecting its townscape context. A masterplan and subsequent scheme would be worked up within established policy guidance and the terms of recognised good practice, consistent with planning policy (specifically PPS1, PPG15 and the London Plan). The masterplan would consider layout principles, urban grain, massing envelopes, architectural typologies and urban form and would identify the specific parts of the Regeneration Area where tall buildings are appropriate.

3.15 The suitability of the Regeneration Area for tall buildings is considered in the Summary Townscape and Tall Building Study, which concludes that the Regeneration

Area can be an appropriate location for tall buildings. The justification for this includes:

- Due to its size and accessibility there is scope for the Regeneration Area to establish its own architectural identity and accommodate tall buildings;
- Tall buildings would optimise the potential of the Regeneration Area in accordance with PPS1.
- The Regeneration Area is capable of accommodating tall buildings that are appropriate to local context in accordance with PPG15. A Masterplan for the Regeneration Area would come forward in line with the Design Principles Summary Study and would be appropriate to the settings of local conservation areas. Tall buildings, visible from greater distances, would be designed so as to enhance views into and out of conservation areas further afield.
- The Regeneration Area has excellent transport connections that could support the population density brought by a cluster of tall buildings, and such a central London location requires the efficient land-use that tall buildings allow, freeing up room for open spaces and improved routes through the area.
- The Regeneration Area provides the opportunity to deliver a new economic cluster of related activities. Tall buildings are supported in such locations by the London Plan. Also in accordance with the London Plan, tall buildings within the Regeneration Area could act as a catalyst for regeneration, renewal and economic activity in their own right.

3.16 According to the existing planning policy framework, the Regeneration Area is an appropriate location for tall buildings in principle. Future proposals will ensure that tall buildings will be appropriately sited within the Regeneration Area itself and designed so as to enhance the local and wider townscape, in accordance with policy criteria. In accordance with national and regional policy and guidance, design proposals for tall buildings should be judged in the round and on their specific merits: policy supports the notion that tall buildings may have an acceptable impact on even sensitive views if they are well designed.

Waste

National Policy

- *PPS10: Planning for Sustainable Waste Management (July 2005)* – seeks to protect human health and the environment by promoting the production of less waste and use of it as a resource wherever possible. Through more sustainable waste management PPS10 promotes the management of waste up the waste hierarchy of reduction, re-use, recycling and composting, using waste as a source of energy, and only disposing as a last resort. It should also be ensured that the design and layout of new development supports sustainable waste management.

London Plan

- It is the Mayor's aim to ensure that facilities with sufficient capacity is provided to manage up to 85% (20.6 million tonnes) of waste arising within London by 2020; minimise the level of waste generated; increase re-use and recycling and composting of waste, and reduce landfill disposal; minimise the amount of energy used, and transport impacts from, the collection, treatment and disposal of waste; and promote generation of renewable energy and renewable hydrogen from waste (Policy 4A.21).
- In support of the aim of driving waste up the waste hierarchy, the objectives of communities taking more responsibility for their own waste and the need to plan for all waste streams the Mayor aims to:
 - safeguard all existing waste management sites;
 - require the re-use of surplus waste transfer sites for other waste uses;
 - identify new sites in suitable locations for new recycling and waste treatment facilities;
 - require the provision of suitable waste and recycling storage facilities in all new developments;
 - support appropriate developments for manufacturing related to recycled waste;
 - support treatment facilities to recover value from residual waste;
 - where waste cannot be dealt with locally, promote waste facilities that have good access to rail transport or the blue ribbon network; and
 - safeguard waste sites, including wharves, with and existing or future potential for waste management and ensure that adjacent development is designed accordingly to minimise the potential for conflicts of use and disturbance. (Policy 4A.22)
- Boroughs should identify sites and allocate sufficient land for waste management and disposal, employing the following criteria:
 - proximity to source of waste;
 - the nature of activity proposed and its scale
 - the environmental impact on surrounding areas;
 - the full transport impact of all collection, transfer and disposal movements; and
 - primarily using sites that are located on Preferred Industrial Locations or existing waste management locations (Policy 4A.23).
- Boroughs should identify adequate provision for the scale of waste use identified. The broad locations for these facilities are Strategic Industrial Locations (Preferred Industrial Locations and Industrial Business Parks), Local Employment Areas, and Existing Waste Management Sites. Suitable brownfield sites and contaminated land elsewhere may also provide opportunities (Policy 4A.27).

Evaluation

- 3.17 A regeneration scheme would deal with waste arising from the development as part of a sustainable waste strategy in accordance with national and London Plan policy.

3.18 The site is not suitable for managing waste generated by activities elsewhere in the borough, as explained in the Summary Infrastructure and Waste Study. In particular the Regeneration Area land within RBKC does not fall within one of preferred type of locations identified in the London Plan as suitable for waste facilities to meet borough apportionment requirements, nor in the context of national and London Plan policies, is it suitable for managing waste generated in the wider area.

Flooding

National Policy

- *PPS25: Development and Flood Risk (2006)* – seeks to ensure that flood risk is taken in to account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. PPS25 requires Local Planning Authorities in determining planning applications to:
 - Ensure that planning applications are supported by site-specific flood risk assessments;
 - Apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk;
 - Ensure that all new development in flood risk areas is appropriately flood resilient and resistant.

London Plan

- Boroughs should carry out strategic flood risk assessments to identify locations suitable for development and those required for flood risk management. Within areas at risk from flooding (flood zones) the assessment of flood risk for development proposals should be carried out in line with PPS25 (Policy 4A.12).
- Where development in areas at risk from flooding is permitted, the Mayor will, and boroughs and other agencies should, manage the existing risk of flooding, and the future increased risk and consequences of flooding as a result of climate change (Policy 4A.13).

Evaluation

- 3.19 The area located north west of the existing Earls Court Exhibition complex is in Flood Zone 3 as defined in PPS25, with a flood event risk of greater than 0.5% chance of occurring annually (a 1 in 200 year event). However, as with most London sites, the Environment Agency's classification does not take into account the presence of the flood defences which will clearly significantly reduce any flood risk. The same applies to many sites across London.
- 3.20 A small part of the Regeneration Area is located in Flood Zone 2 (medium probability of flooding), and the remainder (in and around the Exhibition Building) is located outside the fluvial floodplain (within Flood Zone 1).

4. EMERGING LOCAL PLANNING POLICY

- 4.1 This section considers London Borough of Hammersmith and Fulham and Royal Borough of Kensington and Chelsea emerging planning policy.
- 4.2 The London Borough of Hammersmith and Fulham has recently published for consultation its Core Strategy Options, June 2009. Building on the Community Strategy for the borough, key priorities for delivering the spatial vision for Hammersmith and Fulham are identified:
- Promoting home ownership.
 - Regenerating the most deprived parts of the borough.
 - A top quality education for all – schools of choice.
 - Setting the framework for a healthy borough.
 - Tackling crime and anti-social behaviour.
 - Creating a cleaner, greener borough.
 - Delivering high quality, value for money public services.
- 4.3 The consultation document presents a number of alternative scenarios for the future development of the borough and sets out a preferred option for the Regeneration Area. This preferred option seeks a comprehensive development of the three landholdings comprising the Regeneration Area for a mix of uses, including residential, employment, hotel, leisure and office uses. Envisioned as a vibrant world class new urban quarter, the option presented includes:
- A full range of new community facilities and open space.
 - Support for improving connectivity both within the Regeneration Area and beyond.
 - The potential for an ICC as part of a major refurbishment and/or development within the existing Earls Court & Olympia complexes.
 - The phased redevelopment of Gibbs Green and West Kensington estates.
 - Support for tall buildings.
- 4.4 Consultation on the Core Strategy Options continues until mid July 2009. The Borough currently expects adoption of the final Core Strategy in early 2011.
- 4.5 The Royal Borough of Kensington and Chelsea in its Towards Preferred Options, July 2008 identified seven strategic objectives to guide development over the period the LDF is in place:
- Keeping life local – ensuring local shops and community facilities are accessible to residents.
 - Fostering diversity – ensure a rich mix of entertainment and creative uses.
 - Better travel choices – to promote sustainable travel choices.
 - Caring for the public realm – to ensure an attractive borough and reflect its values of mutual respect and responsibility.
 - Renewing the legacy – to preserve and build upon the borough’s built environment.
 - Diversity of housing – to ensure a range of new homes in terms of size and tenure, built in high quality mixed communities.

- Respecting our environmental limits – to be at the cutting edge of environmental sustainability.
- 4.6 RBKC is now consulting on a series of places and strategic sites that are central to achieving the strategic objectives of the Core Strategy. It has identified 14 “places” requiring specific attention to place-making and integration of strategic objectives. The wider Earls Court area, of which the Regeneration Area is part, is one such place. The portion of the Regeneration Area located within Kensington and Chelsea has also been designated a Strategic Site, meaning its development is considered by the borough to be central to the achievement of strategic objectives for both the wider area and the Core Strategy itself. A brief delivery strategy has been proposed for the site which proposes continued exhibition centre uses and / or convention centre use, with additional potential for significantly more residential and office accommodation, subject to improved accessibility to the site
- 4.7 The Royal Borough of Kensington and Chelsea is currently scheduled to release a draft LDF Core Strategy in autumn 2009. The Examination in Public is expected to take place in autumn 2010.
- 4.8 Whilst emerging planning policy is still evolving, the strategic policy direction for the boroughs is identified in the emerging Core Strategies. Both Core Strategies seek to deliver comprehensive, well design and sustainable development. The Regeneration Area is an important strategic regeneration opportunity for both boroughs and has the ability to deliver key policy priorities and objectives.
- 4.9 The direction in which the Core Strategies are moving supports the principle of the Regeneration Area as a strategic mixed use development opportunity. Capital & Counties is making a number of representations to both Core Strategy consultations seeking various text adjustments to reflect the full opportunity of the Regeneration Area.

5. CONCLUSION

5.1 In conclusion, there is planning policy from the national to the local level which supports the indicative land use budget and the inclusion of the Earls Court Regeneration Area as a strategic site allocation and place in both Hammersmith and Fulham and Kensington and Chelsea Core Strategies which will realise a full range of social, economic and environmental opportunities. Specifically, there is planning policy support for redevelopment which, inter alia:

- Supports redevelopment which delivers comprehensive regeneration;
- Provides a mix of uses that will bring vitality to area including residential; business, retail, hotel, leisure, community, destination and cultural;
- Maximises the potential of transport infrastructure and supports sustainable travel choices;
- Maximises the density of development;
- Supports appropriately designed and located tall buildings which meet an economic need;
- Promotes and advances innovation in sustainability; and
- Provides high quality design of both buildings and public realm.

5.2 Whilst emerging planning policy is still evolving, the strategic policy direction for the boroughs is identified in the emerging Core Strategies. The vision for the Regeneration Area generally accords with the principles set out by the boroughs and provides the opportunity to deliver their key priorities and strategic objectives. Capital & Counties is making a number of representations to both Core Strategy consultations seeking various text adjustments to reflect the full opportunity of the Regeneration Area and to reflect national and London policy guidance.

DP9, June 2009

APPENDIX A

Indicative Land Use Budget

User Type	Low to High (Sq m) (GEA)
Office	400,000 to 550,000 sq m
Residential	850,000 to 900,000 sq m
Retail	40,000 to 55,000 sq m
Hotel	45,000 to 65,000 sq m
Culture, Destination and Leisure Uses	35,000 to 50,000 sq m
Education and Other Social and Local Community Facilities	10,000 to 20,000 sq m
Total	1,380,000 to 1,640,000 sq m

The above areas represent floorspace ranges. They are indicative at this stage and further analysis will be required to tailor the land use mix and quantum and its disposition across the Regeneration Area.

APPENDIX B

Evidence Base Documents

The following documents have been prepared in support of the comprehensive redevelopment of the Earls Court Regeneration Area:

- **Earls Court Regeneration Area Framework (June 2009).**
Produced by Urban Strategies Inc.
- **Design Principles Summary Study (June 2009).**
Produced by Benoy.
- **Summary Townscape and Tall Building Study**
Produced by Professor Robert Tavernor Consultancy and Cityscape (June 2009).
- **Summary Socio Economic Study (June 2009).**
Produced by King Sturge.
- **Office Land Use Summary Study (June 2009).**
Produced by King Sturge.
- **Retail Land Use Summary Study (June 2009).**
Produced by King Sturge.
- **Hotel Land Use Summary Study (June 2009).**
Produced by King Sturge.
- **Summary Culture, Destination, Leisure Land Uses Study (June 2009).**
Produced by King Sturge and Locum Consulting.
- **Summary Potential International Convention Centre Study (June 2009).**
Produced by Locum Consulting.
- **Housing Land Use Summary Study (June 2009).**
Prepared by RPS and First Base.
- **Summary Transport Study (June 2009).**
Produced by WSP and Halcrow.
- **Summary of Sustainability Approach (June 2009).**
Produced by Hoare Lea.
- **Summary Infrastructure and Waste Study (June 2009).**
Produced by Hoare Lea, Arup and WSP Environmental Ltd.