

**ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR,  
PLANNING AND BOROUGH DEVELOPMENT**

**MAJOR PLANNING DEVELOPMENT COMMITTEE Date:  
26/09/12**

The Major Planning Development Committee is asked to note and agree the following amendments to the Committee Reports for the Strategic Sites Team.

<b>AGENDA ITEM</b>	STR7
Application Number	PP/12/01833
Address	Land at Lancaster Green, bounded by Silchester Road to the north, Grenfell Road and Bomore Road to the south, Dulford Street and Verity Close to the east and the Hammersmith and City Railway Line to the west, including the existing leisure centre.
Report Cover	<b><u>Amend Consultation Box</u></b>  Consulted box should read 1610. As stated in paragraph 5.1, 1610 people were consulted as part of the application.
Recommendation	<b><u>Amend Recommendation:</u></b>  <b>(1) Grant Planning Permission subject to the Planning Conditions specified in this Committee report and the Addendum report, subject to the provision of a completed Unilateral Undertaking containing the following S106 planning obligations to secure:-</b>  <b>(a) Contributions (apportioned between the residential and non-residential elements) to Health £25,600, Library Facilities £7,828.40, Play space £1,567.50, Open Space Contribution £21,213.33, Air Quality £23,600, Training Contribution £22,000, Construction Training Contribution £38,750, Monitoring Fee £4975.13, Construction Traffic Management Plan £2,800 (per plan), Travel Plan £1,000 (per plan), Transport £350,000;</b>

	<p>(b) public access to the public domain areas, adherence to the Council's local procurement code, provision of informal street crossings, a permit free requirement for the residential block and</p> <p>(c) the capital receipt from the sale of the land for the market residential units (or the surplus between the building and sale costs, if the applicant builds the residential development itself) to cross subsidise the provision of the school and leisure centre.</p> <p>(2) DELEGATE to the Executive Director, Planning and Borough Development the authority to issue the planning permission following completion of the Unilateral Undertaking.</p>
Conditions	<p><b><u>Amend Condition 6</u> –(see highlighted change (i) to (I))</b></p> <p><b>Full particulars of the following in respect of Phase 3 (Public Realm) as designated by Drawing No. 1265 RE 0009_05 of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of this phase of the development and the development shall not be carried out otherwise than in accordance with the details so approved and shall be so retained:</b></p> <p><b>a) details and samples of all external materials including fence to Academy building;</b></p> <p><b>b) detailed plan and sections to show the paving to north-south route and east-west route;</b></p> <p><b>c) detailed plan and sections of proposed drainage channels;</b></p> <p><b>d) details of cycle parking and cycle access arrangements;</b></p> <p><b>e) detailed sections of raised seated walls at scale 1:20;</b></p>

	<p>f) detailed plan and sections drawings at scale 1:20 of all external fitness equipment/table tennis tables/street furniture;</p> <p>g) details of all soft landscaping;</p> <p>h) details and location of all static and retractable bollards;</p> <p>i) details and location of all lighting;</p> <p>j) a landscaping and tree/shrub planting scheme including species type;</p> <p>k) details of bird and/or bat nesting boxes / bricks;</p> <p><b>l) details of all wayfinding provisions for the site.</b></p> <p><i>Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)</i></p> <p><b><u>Amend Condition 25</u></b> - (refer to condition 24)</p> <p><b>The use shall not commence until a noise survey report has been submitted to and approved in writing by the Local Planning Authority. The report shall show how noise emitted by the finally installed building services plant and equipment will comply with Condition 24.</b></p> <p><i>Reason - To safeguard the amenity of neighbouring property. (R042)</i></p>
	<p><b><u>Additional/Amended Conditions (Sport England)</u></b></p> <p>Sport England letter 25/09/12 (attached) withdraw objection to the scheme subject to additional and amended conditions. These are considered acceptable and are shown here below:</p> <p><b><u>Additional Condition 40</u></b></p> <p><b>The existing Kensington Leisure Centre shall not be</b></p>



	<p>closed or demolished until evidence has been submitted to the Local Planning Authority, that a contract or contracts have been let for the construction of the replacement facility.</p> <p><i>Reason – To ensure that the replacement facility will be constructed.</i></p> <p><b><u>Additional Condition 41</u></b></p> <p>Prior to the demolition of the Kensington Leisure Centre, a scheme to protect and ensure the continuity of sports facility provision for existing users shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for implementation and ensure that alternative facilities are made available and are as accessible and at least equivalent in terms of size, usefulness, attractiveness and quality. The approved scheme shall be complied with in full throughout the carrying out of the development.</p> <p><i>Reason – To ensure provision of leisure services is maintained</i></p> <p><b><u>Amend Condition 31</u></b></p> <p>Prior to the occupation of the academy building, a Community Use Plan shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.</p> <p><i>Reason: To ensure the community benefits from the facilities on the site in accordance with policy CA4 of the Core Strategy and 3.18 of the London Plan.</i></p>
Report	<p><b><u>AMENDMENTS to Main Report</u></b></p> <p><b>Amend Paragraph 1.10</b> (existing trees on site 120)</p> <p>There are <b>120</b> trees existing on the site of which 6 are considered to be of high quality. The most notable of</p>

	<p>these is the London Plane tree to the south eastern corner of the site in a raised planter.</p> <p><b>Amend Paragraph 4.14 (Planning Obligation)</b></p> <p>This has been independently assessed on behalf of the Council and concludes that no affordable housing can be provided as the money from the private sale of the units estimated at £7.8 million is to cross subsidise the development of the leisure centre. <b>The money from the private sale of the residential units is to be secured by planning obligation to ensure it is used for the provision of the school and leisure centre.</b> The report therefore has concluded that the maximum reasonable amount of affordable housing has been provided in accordance with policy CH2 of the CS and policies 3.12 and 3.13 of the London Plan, and paragraph 5.6.3 of the SPD.</p> <p><b>Amend paragraph 2.29 (Additional Planning Obligation and S278 Works)</b></p> <ul style="list-style-type: none"> <li>• Planning obligation to ensure the money raised from the private sale units is used for the provision of the school and leisure centre.</li> </ul> <p><b>Additional S278 Works</b></p> <ul style="list-style-type: none"> <li>• The S278 would include works to the footway on Silchester within the site.</li> <li>• The Silchester Road/ North South Link junction works</li> <li>• Realigning the footways on Bomore Road and Walmer Road</li> <li>• Realigning the Bomore Road, Walmer Road junction</li> </ul> <p><b>Amend paragraph 4.57</b></p> <p>On the site as existing there is approximately <b>12,020</b> sq.m of public realm, excluding the buildings (5,033 sq.m), the car parks (2,762 sq.m) and the existing MUGA courts (1,782 sq.m) and service areas (2,449 sq.m). The open space is divided between hard landscaping (<b>6,870</b> sq.m) and soft landscaped areas (<b>5,250</b> sq.m). Many of these spaces are of poor amenity value and are not easily</p>
--	---

useable; the majority are undulating boundary treatments areas, with exceptions such as Lancaster Green, and adjoining land. These exceptions are considered to be formal open space and have an area of 2089 sq.m. The proposed scheme provides an increased amount of useable formal open space giving an increased area of 2,197 sq.m. When looking at the figures for public realm overall, there is a decrease to **11,401** sq.m (a loss of **719** sq.m). Within this public realm figure there is an overall gain in hard landscape (**7224** sq.m (increase of **354** sq.m)) and a reduction in soft landscape (**4177** sq.m (reduction of **1073** sq.m)). It is clear from this that there is an overall loss of public realm space but an increase in the amount of formal open space. The loss of public realm on the site is largely as a result of the new buildings proposed on the site. Whilst it is accepted that there is a loss of public realm across the site, the improvements and increase in the useable open space would provide benefits to the community in qualitative terms as well as quantitative terms, providing improved amenity space. The remaining areas of hard and soft landscaping proposed as part of the public realm would also enhance the space around the site. It is considered that there would be no loss of formal open space in accordance with policy CR5 of the CS, policy 7.18 of the London Plan, and paragraph 4.2.1(objective 3) of the SPD.

(Table Included for Information)

	Existing	Proposed	Diff.
<b>Site area</b>	<b>24,140sqm</b>	<b>24,140sqm</b>	<b>N/A</b>
Built form coverage *	12,026sqm 50%	12,739sqm 53%	+713 +3%
Public Realm	12,120sqm 50%	11,401sqm 47%	-719 -3%
Hard landscape (exc car park)	6,870sqm 28% of total site	7,224sqm 30% of total site	+354 +2%
Soft landscape	5,250sqm 22% of total	4,177sqm 17% of total	-1073 -5%



	<div> <div>site</div> <div>site</div> </div> <p>*These figures are based upon the following footprints:</p> <p>Academy: 6078 sq.m - including all external areas that would not be publicly assessable, ie service yard, sub station.</p> <p>Leisure Centre: 5478 sq.m - including whole building, space under the canopy overhangs, sub stations and service corridors.</p> <p>Residential: 1183 sq.m - total including the internal courtyard area.</p>
Details	<p><b>ADDITIONAL Representations received.</b> Copies of additional representations are attached.</p> <p><b>The Kensington Society</b> (Additional Planning Objections)</p> <p><b>The addition of the green roofs 900sq.m into the total open space is not acceptable.</b></p> <p>The figures set out in the planning report paragraph 4.57 do not include the 900 sq.m for green roofs.</p> <p><b>Objection to loss of open space</b></p> <p>The application when submitted featured a set of figures relating to the public realm which did not adequately set out the position of the proposed application. Further information was requested with regards to this and a subsequent plan was submitted stating the figures for the application. The proposed open space figures are discussed in detail in the amended paragraph 4.57 (above). In terms of open space the Kensington Academy and Leisure Centre SPD states in 5.3.3 that the area known as Lancaster Green must be retained as public open space. This area is considered as useable open space and is being retained and increased in size by 108 sq.m. Therefore there is no loss of open space in accordance with paragraphs 5.3.3 and 4.2.1(objective 3) of the SPD and policy CR5 of the CS and policy 7.18 of the London Plan</p>

and the NPPF.

### **Loss of Amenity Space**

The open space identified in the Kensington Academy and Leisure Centre SPD known as Lancaster Green is being retained as open space, and increased in size and landscaped to create a more useable space for amenity purposes. This area of open space is being increased in size by 108 sq.m either side of the north – south route as stated above, and complies with the relevant policies. The existing five aside courts are not considered to be amenity space for Grenfell Tower, and are not relevant to this objection.

**Grenfell Tower is the only tower without balconies. The open space at the base of this building is extremely important to them and the loss will be felt by all.**

As stated above, this area is being increased in size and landscaped to provide more useable open space for amenity purposes.

### **Sport England's objection to the loss of land being used as a playing field.**

The objection relates to the existing 3 MUGA courts on the site. These pitches have a site area of approximately 1,782 sq.m. As stated in the main report, these courts are part of the leisure centre facilities and are supposed to be booked and paid for, but because they have been broken into and damaged, they are generally left open and are used as playspace. They are not considered to be open space or open community playspace for the purpose of the policies. There is considered to be no loss of sports provision either as the Council agreed to fund the re-provision of two pitches at the Westway Sports Centre. This work has already been carried out and provides a replacement 1406 sq.m of MUGA floorspace. This re-provision is considered to be acceptable. In addition to this the MUGA proposed as part of the academy will also be available for community use providing a further 594 sq.m of external sports space. This actually results in an



	<p>overall increase in the provision of facilities of 218 sq.m, but not all located on the site.</p> <p><b>Thames Water Objection</b></p> <p>The section of text outlined by the Kensington Society from Thames Water is not included in either of the consultation responses to the application. The requirements that Thames Water have made in their responses have been considered and form part of the conditions (condition 20 and 39)</p> <p><b>From the very beginning of the study of this site the local residents have opposed any vehicular access through the site.</b></p> <p>As stated in the main report, the north-south route is to be a pedestrian dominated space that has the capacity for controlled one way vehicular access for servicing and disabled parking, and coach drop-offs. A condition has been recommended to ensure that a management plan of this route is submitted to ensure that there is no harm to the amenity of the surrounding residents and that the route does not allow large volumes of traffic through the site (condition 8).</p> <p><b>We have been told to facilitate the 27 additional on-street parking on Bomore Road the street might need to be widened. This needs to be presented and reviewed before permission is granted.</b></p> <p>The provision of on street parking spaces on Walmer Road and Bomore Road will require highway works to be carried out. This work is subject to a S278 highway works agreement in the planning obligations for the application.</p> <p><b>Unacceptable uses of Westway Sport Centre</b></p> <p>The replacement pitches provided as discussed above do not require annual membership to be able to book. These pitches operate in the same way that the existing MUGA pitches at the Kensington Leisure centre are supposed to operate. The existing courts are supposed to be paid for and the increase in the charge for the courts at the</p>
--	--

Westway Sports Centre is not a planning consideration.

**We are concerned that there may be territorial issues. We have not seen any response from the police. The courts are not proper substitutes for courts in "at your own back door".**

There is no evidence to suggest that there would be an issue in terms of territory in relation to the use of the courts at Westway. As part of the application, the Police were consulted. They were also asked the above question as requested by the Kensington Society, but to date no response or comments have been made.

### **Lack of Parity with Holland Park School**

No consideration is given to this objection as the proposed Academy is not comparable with Holland Park School as the proposal is for a brand new school on a new site. The Kensington Academy is directly comparable with the Chelsea Academy. See the table below for the comparison of footprints and floorspace provided at Chelsea Academy and the proposed Kensington Academy.

### **Comparison Table (For Information)**

Comparison table for Proposed Kensington Academy with Chelsea Academy.

	Chelsea Academy	Kensington Academy
Footprint	5,905 sq.m	6,078 sq.m*
Floorspace	11,060 sq.m	11,289.5 sq.m

\*This figure includes the whole footprint of the proposed academy site including external play area and cycle store. The figure referred to in paragraph 2.28 of the Officer's report is the proposed footprint of the building only.

### **Question Facilities for Autistic Students**

The individual facilities to be provided in the proposed Academy have not been provided in detail as part of the planning application submission. This objection is not

	<p>considered to be a material planning consideration in the determination of the application.</p> <p><b>CCHP</b></p> <p>As stated in the main report the provision of a CCHP or CHP system for the site and wider area was shown to be unviable, and an alternative energy provision has been proposed. The proposed heating system for Grenfell Tower forms part of a separate application and does not form part of this application.</p> <p><b>Misleading Application Description</b></p> <p>The application description in the committee report accurately describes the development proposed. The 31 spaces proposed are provided as 7 off-street disabled spaces on the north-south route, and 24 on-street parking spaces.</p> <p><b><u>Additional Questions asked but not answered</u></b></p> <p><b>1. Can you tell me if the plans and development documents for the academy been assessed by the RBKC Education department and the Family and Children's Services department?</b></p> <p>The proposals are fully supported by the Leisure and Education, and both have been involved heavily in the proposals.</p> <p><b>2. Has an assessment of the level of existing coach uses for both the school and the Leisure Centre been produced? I know it is proposed that there be coach parking on Silchester Road. How many coaches will park there? If the SPD requires 2 min and 4 max for the Leisure Centre...how many coaches are needed for the school?</b></p> <p>This is discussed in paragraph 4.72 of the main report.</p> <p><b>3. Has an assessment of the level of existing coach uses for both the school and the Leisure Centre been produced? I know it is proposed that there</b></p>
--	---



	<p><b>be coach parking on Silchester Road. How many coaches will park there? If the SPD requires 2 min and 4 max for the leisure centre...how many couches are needed for the school?</b></p> <p>This is discussed in paragraph 4.72 of the main report.</p> <p><b>4. How is the disabled parking proposed to be divided between the school and the Leisure Centre?</b></p> <p>The proposed leisure centre is to be allocated 4 of the disabled spaces with the remaining 3 allocated to the academy.</p> <p><b>We were told that the following questions were not a planning issue and that may be so...however, the questions all came from a review of the HPS Major planning officer's report. If noted as important for HPS we feel the questions are of equal importance to this application:</b></p> <p><b>5. Can you confirm that the KA meets the requirements of the '90 -Lighting Design for Schools plus Lighting Systems in Schools - Standard Specifications, Layouts and Dimensions', 2007?</b></p> <p><b>6. According to the 2008 Major Planning Committee report HPS has 34.5% of the pupils entitled to free school meals. Is there any information about the anticipated number of students in the new academy who will be entitled to free lunches?</b></p> <p><b>7. English was an additional language for 60% of the HPS pupils. Is there any such information on the pupils for the new academy?</b></p> <p>These questions are presented to the committee but are not material planning considerations in the determination of this case.</p>
	<b>Grenfell Action Group</b> (additional planning objections)

### **Consultation Process**

As stated in the report for the planning application 1,610 addresses were notified of the proposal in the surrounding area, 5 site notices were erected around the site and the proposal was advertised in the local press. This first consultation period ran from 25<sup>th</sup> June to 20<sup>th</sup> July 2012. Following receipt of revised documents and plans a second round of consultation was made, which ran from 22<sup>nd</sup> August to 5<sup>th</sup> September 2012. New documents were being uploaded from the 10<sup>th</sup> August as stated; however the second consultation period only started when all the documents were uploaded and available to be viewed. At the time of submission the applicants did not provide a list of alterations to the documents or plans, but this is not a statutory requirement. The second consultation included all those consulted in the original consultation and to any stakeholders who had made representations regarding the application.

**Our first and most serious objection arises from the impact that the development will have on the resident community through loss of residential amenity, loss of open space, loss of green space in particular, and the accompanying over-development of the site.**

As discussed above in the response to the Kensington Society, the space identified as open space in the Kensington Academy SPD is to be retained, increased in size and landscape improved. These changes will make the existing poor quality open space more useable and of higher amenity value to the residents of the surrounding area. The proposal is not considered to be over-development of the site as discussed in the main report.

### **Compliance with Building Bulletin 98**

BB98 (Building Bulletin) offers guidance for size requirements for new secondary schools. Urban (confined) sites have differing guidance than more generous sites (particularly in the provision of playing fields) and the guidance has been a determinant for the design of the

	<p>Academy.</p> <p>As with many urban sites, the proposal is a derogation from the requirement as there is no way it can be fully met. In particular the proposals do not meet the requirements for external playing fields but this is noted in the Building Bulletin as a likely derogation in urban sites. Sports provision is provided through the proposed MUGA and informal kickabout area at lower ground level. The site is directly comparable with Chelsea Academy as shown in the table above.</p> <p><b>Destruction of Trees</b></p> <p>The loss of any trees on the site is discussed in paragraphs 4.58-4.62 and this accurately reflects the latest plans. This information has been assessed by the Council's Arboricultural Officer who also carried out a survey of the trees. The best trees on the site are proposed to be retained and the proposed loss of trees on the site is acceptable.</p> <p><b>Loss of Open Space and Inconsistency of Figures</b></p> <p>Please refer to amended paragraph 4.57 above for the correct figures. The figures provided with the application and subsequent revisions were assessed by the Local Planning Authority Officer and were not considered to give a true indication of the proposals. The figures shown above in the amended paragraph and table take all areas into account and give a realistic figure which shows a loss of public realm areas. However there is an increase in the land designated as open space to be retained in the SPD.</p> <p><b>Formal Open Space</b></p> <p>The reference to formal open space in paragraph 4.57 is related to a drawing provided by the applicants to show the increase in open space as identified by the SPD to be retained. This is not a specific term to designate a piece of land in relation to the policy.</p> <p><b>Unworkable And Inadequate Car Parking</b></p>
--	--



	<p><b>Arrangements</b></p> <p>The parking provision proposed to service the site has been discussed in detail in the report paragraphs 4.68-4.74. The proposed replacement parking is acceptable and the spaces are located on the roads around the site, but contrary to the objection are not located on Walmer Road in front of Foreland House. Any proposals to carry out work on the highway in relation to the application will be advertised on site before any works commence. The pavement widths will be required to remain in accordance with the Council's standards to remain safe for pedestrians to move freely.</p> <p>There is a loss of off street parking provision; however, there is no policy to protect this provision and the proposal provides adequate parking.</p> <p><b>Inadequate Coach Parking Arrangements</b></p> <p>The application proposes two coach bays on Silchester Road outside of the proposed academy. These bays will serve both the Academy and Leisure Centre when necessary. Coach drop offs will also be possible on the north-south route through controlled access. Conditions are recommended requiring a coach management plan and traffic management plan to be submitted (conditions 7 and 8) to ensure that these bays work effectively for both buildings.</p> <p><b>The planning application proposes the creation of a new stretch of vehicular road to replace the existing pedestrian route linking Silchester Road to Grenfell Road. This will bisect the existing Lancaster Green open space.</b></p> <p>The proposed link will be pedestrian and cycle dominated route similar to the existing but with controlled vehicular access for disabled parking and servicing and possible coach drop offs. The existing Lancaster Green is being retained.</p> <p><b>The applicant appears to be unaware of his responsibilities under the Open Spaces Act 1967 to</b></p>
--	--

	<p><b>seek the consent of the Secretary Of State for the creation of the proposed new road through Lancaster Green.</b></p> <p>This consent is not required as a result of the application.</p> <p><b>No District Heating Network</b></p> <p>See response to Kensington Society.</p> <p><b>No Environmental Impact Assessment</b></p> <p>As in the main report paragraph 5.55.</p>
	<p><b>Additional Representations (Including Planning Aid)</b></p> <p>All issues raised in additional representations are covered in the main report.</p>