



**COLEBROOK COURT,
75 SLOANE AVENUE, LONDON, SW3 3DH.**

PLANNING STATEMENT

MARCH 2024

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1. INTRODUCTION

- 1.1 This Planning Statement is submitted in support of an application for planning permission made on behalf of Colebrook Court Residents Association Limited (the 'Applicant'), at Colebrook Court, 75 Sloane Avenue, LONDON, SW3 3DH (the 'Site') within the Royal Borough of Kensington and Chelsea ('RBKC').

Description of Proposed Development

- 1.2 Planning permission is sought for the following proposals (the 'Proposed Development'):

"Demolition and redevelopment to provide a nine storey building incorporating residential units and reprovided Class E retail/commercial use, including all necessary enabling works".

Scheme Overview and Benefits

- 1.3 The enclosed planning application seeks planning permission for the demolition of an existing, out-dated, mixed-use commercial and residential building and erection of a new, replacement, modern, high-quality, and sustainable new mixed-use commercial and residential building providing on-site affordable housing.
- 1.4 The Proposed Development delivers a number of benefits that are summarised below and discussed, in greater detail, within this Planning Statement:
- Delivery of additional housing stock in the area;
 - Payment of a substantial contribution in lieu for the provision of affordable housing elsewhere within the Royal Borough;
 - Provision of a modern, high quality commercial unit at ground and lower ground floor levels;
 - Provision of cycle parking spaces on Site;
 - Removal of existing on-Site car parking spaces;
 - Provision of external amenity space for future residents of the Proposed Development;
 - Replacement of an unsustainable existing building with a new low carbon, energy efficient building; and,
 - Improvements to the attractiveness and activity of the street frontages at ground floor level.

Planning Application Deliverables

- 1.5 The purpose of this Planning Statement is to explain the Proposed Development and provide an assessment of the Proposed Development against the relevant planning policies and guidance.

1.6 This Planning Statement should be read, and considered, in conjunction with the following documentation submitted as part of this planning application:

- **Acoustic Report** prepared by Hoare Lea;
- **Air Quality Assessment** prepared by Hoare Lea;
- **Arboricultural Impact Assessment** prepared by OMC Associates;
- **Archaeology Assessment** prepared by Mola;
- **Circular Economy Statement** prepared by Hoare Lea;
- **Construction Method Statement** prepared by Evolve;
- **Construction Traffic Management Plan** prepared by Markides Associates;
- **Contaminated Land Assessment** prepared by Evolve;
- **Community Infrastructure Levy Form** prepared by DP9;
- **Daylight and Sunlight Report** prepared by Lumina;
- **Demolition Drawings** prepared by Squire and Partners;
- **Design and Access Statement** prepared by Squire and Partners including:
 - Landscaping and Planting Details;
 - Lighting Proposals;
 - Floorspace schedule; and
 - Unit mix schedule.
- **Drainage Strategy** prepared by Evolve;
- **Ecological Appraisal** prepared by MKA Ecology;
- **Energy Strategy** prepared Hoare Lea;
- **Existing and Proposed Drawings** prepared by Squire and Partners;
- **Fire Safety Statement** prepared by Hoare Lea;
- **Fire Safety Form** prepared by Hoare Lea;
- **Flood Risk Assessment** prepared by Evolve;
- **Planning Application Form** prepared by DP9;
- **Planning Statement (this document)** prepared by DP9 including:
 - Affordable Housing Details; and
 - Draft Heads of Terms.
- **RBKC S106 contributions proforma calculator** prepared by DP9;
- **Servicing Management Plan** prepared by Markides Associates;
- **Site Location Plan** prepared by Squire and Partners;
- **Site Plan** prepared by Squire and Partners;
- **Site Waste Management Plan** prepared by Markides Associates;
- **Statement of Community Involvement** prepared by Polity;
- **Sustainability Statement** prepared by Hoare Lea;
- **Heritage, Townscape and Visual Impact Assessment** prepared by Montagu Evans;
- **Transport Assessment** prepared by Markides Associates including:
 - Parking and Access Arrangements.
- **Travel Plan** prepared by Markides Associates;
- **Viability Assessment** prepared by Knight Frank;
- **Whole Life Cycle Carbon Statement** prepared by Hoare Lea.

Scope of Planning Statement

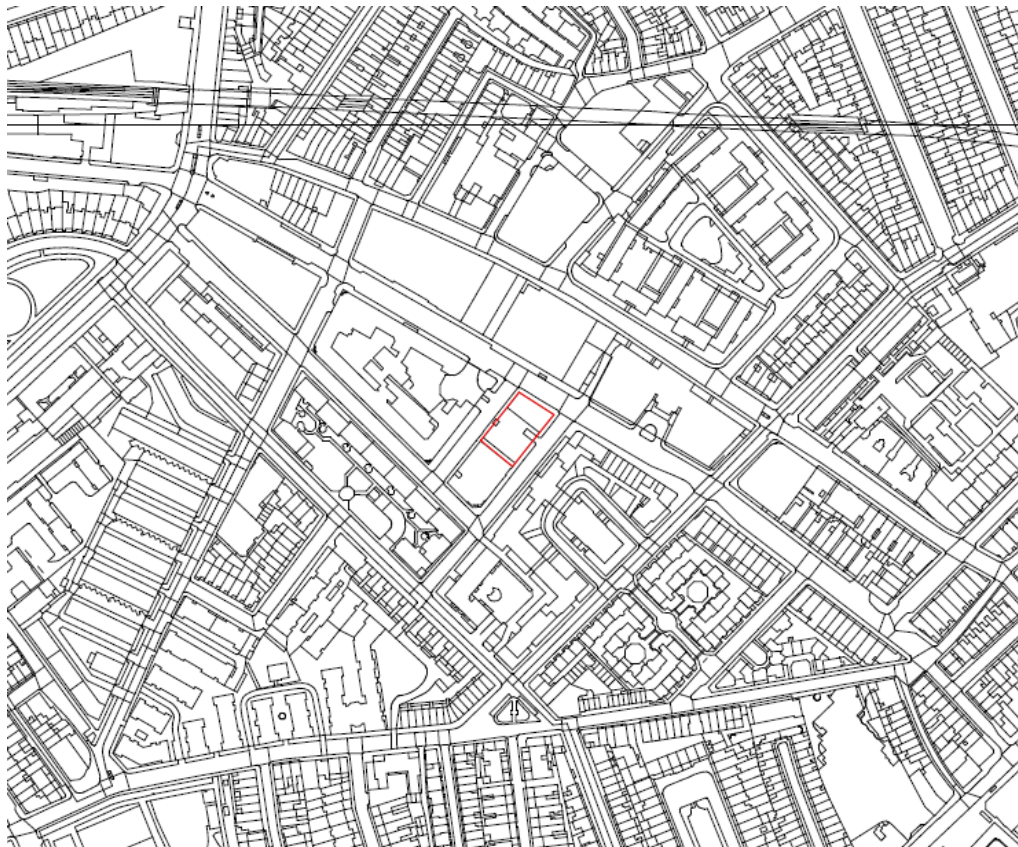
- 1.7 A description of the Site and the surrounding area is provided within section 2.0, a summary of the planning history of the Site in section 3.0 and a summary of the pre-application discussions regarding the Proposed Development is set out in section 4.0. Details of the Proposed Development is provided in section 5.0. An overview of the planning policy context is highlighted in section 6.0 with an assessment of the Proposed Development in section 7.0. Planning obligations and draft heads of terms are discussed in section 8.0 and conclusions are drawn in section 9.0.

2. SITE CONTEXT

Location

- 2.1. The Site, which measures circa 0.09ha, is located within the planning jurisdiction of RBKC and, specifically, within the Brompton and Hans Town Ward of the Royal Borough.
- 2.2. The Site, identified on the Location Plan at Figure 1 below, is currently bounded by Makins Street to the west, 2 Lucan Place (Former Police Station and now construction site) to the south, Petyward to the east and Sloane Avenue to the north.

Figure 1 – Location Plan



Existing Building and Land Use

- 2.3. The existing building on the Site is a four-storey property including two separate retail units located at ground and basement floor levels.
- 2.4. As set out in the accompanying Design and Access Statement, prepared by Squire and Partners (architects), the existing building is considered to be of a poor architectural quality and incongruous in its context. Montagu Evans (townscape and heritage consultants) share this stance and set out, in the accompanying Heritage, Townscape,

and Visual Impact Assessment (referred to, herein, as the ‘HTVIA’) that the Site is currently characterised by an existing ‘low quality built form’.

- 2.5. Three stories of private residential accommodation (set back from the primary Sloane Avenue façade) is located above existing retail uses at ground floor level. The existing residential accommodation comprises 12 private residential units. There are currently no affordable residential units at the Site.
- 2.6. None of the existing residential units benefit from access to either private or communal outdoor amenity space.
- 2.7. In respect of access, the existing residential units are accessed via a pedestrian entrance located on Makins Street and the commercial space from Sloane Avenue.

Existing Floor Area

- 2.8. The total floor area of the existing building, both gross internal area (‘GIA’) and gross external area (‘GEA’) is set out at Table 1 below.

Table 1 – Existing Floor Area

Use	Area GIA (sqm)	Area GEA (sqm)
Commercial	906	945
Residential (including residential car parking)	1,334	1,422
TOTAL	2,240	2,367

- 2.9. It is important to note that of the existing commercial floorspace, only 342sqm (GIA) is located at ground floor level and is publicly accessible. The residual commercial floorspace is back of house space, primarily at basement level. This back of house space is not publicly accessible and does not provide any public interest, or create any activity / footfall to this part of Sloane Avenue.

Existing Car Parking Provision

- 2.10. The Site comprises a large car park providing 12 residential parking spaces for use by the residents of the existing residential units plus 1 maintenance bay. These existing car parking spaces are accessed via a ramp from Makins Street.

Existing Cycle Parking Provision

- 2.11. There are currently no dedicated cycle parking spaces within the Site.

Local Context

- 2.12. The accompanying Design and Access Statement, prepared by Squire and Partners, sets out a detailed analysis of the surrounding context to the Site.
- 2.13. The immediate surrounding context to the Site is characterised as follows:
- To the south of the Site, along Lucan Place, Crown Lodge is a seven-storey mansion block;
 - To the immediate south west of the Site, a planning application at 2 Lucan Place was recently approved for the demolition of the former police station and in its place a scheme that included ten stories and 31 residential units in 2020 (under planning ref. PP/19/06712). Currently the former police station has been demolished and preparations are in motion for the development of the planned residential building;
 - To the west along Making Street, Chelsea Cloisters is an eleven-storey building including the lower ground floor; and
 - To the east along Petyward, Cranmer Court is an eight-storey building.
- 2.14 In summary, the Site is predominantly surrounded by existing residential buildings which are of a larger height and scale than the existing building at the Site (as illustrated at Figure 2 below).

Figure 2 – Existing Building Heights

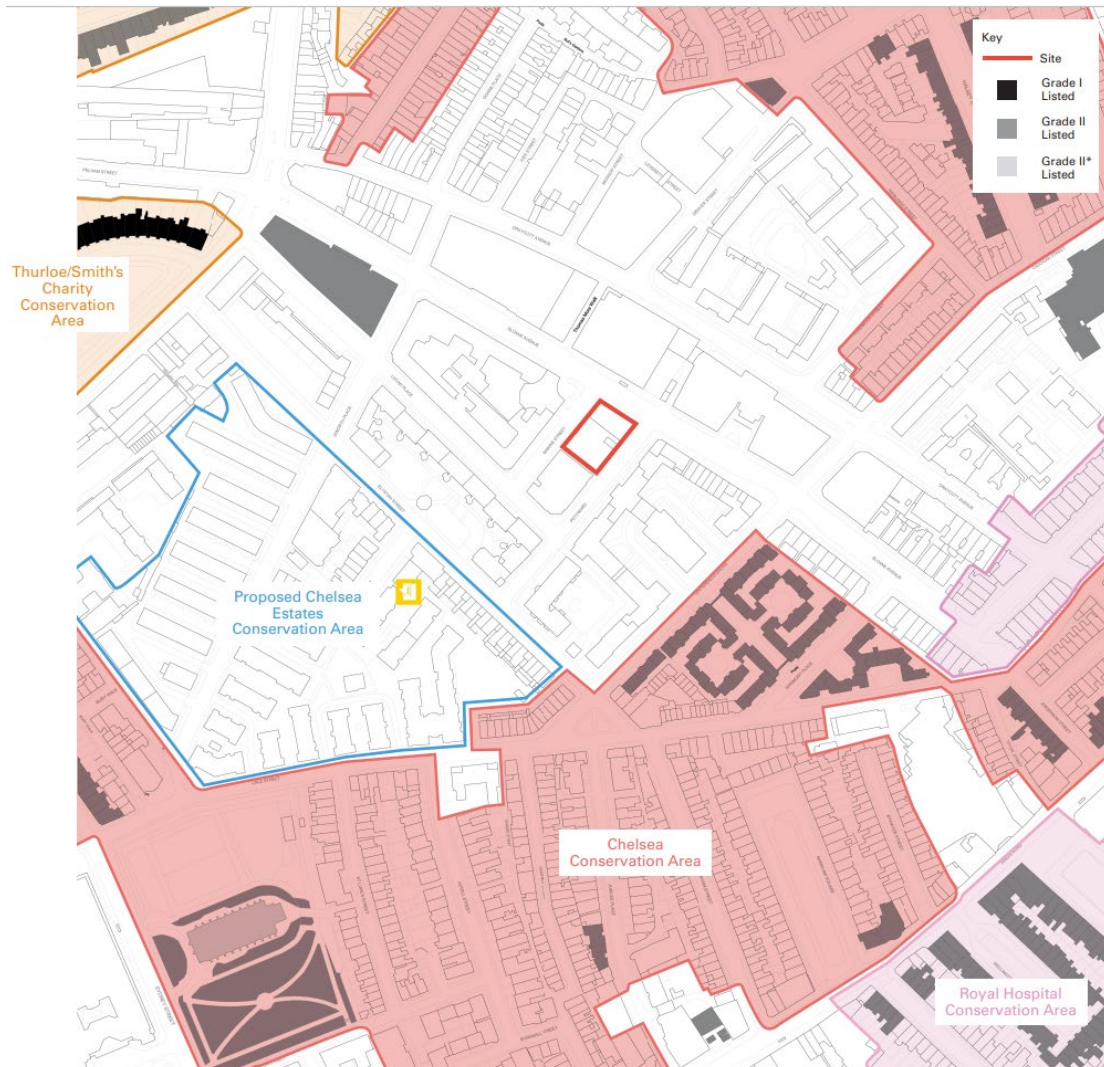


- 2.15 The existing building is separated, from a visual perspective, into almost two separate buildings as a result of the existing upper residential element being set back from the existing lower commercial element.

Heritage Assets

- 2.16 There are no statutorily listed buildings either within the demise of the Site or within the in the immediate vicinity as set out in Figure 3 on the following page.
- 2.17 The closest listed buildings to the Site is the Grade II Listed Michelin House (the Bibendum building) at the junction of the Fulham Road and Sloane Avenue, and the Grade II Listed ‘The Gateways’ housing buildings located between Whitehead’s Grove and Sprimont Place. Details of these heritage assets are set out in the accompanying HTV&TBA, prepared by Montagu Evans, and are discussed in further detail within this Planning Statement.

Figure 3 – Map of Heritage Assets



- 2.18 As identified in Figure 3 above, the Site (edged in red) falls outside any of RBKC's designated conservation areas.

RBKC Planning Policy Designations

- 2.19 The Site is identified / designated, within the RBKC 2019 Local Plan, as follows:
- Article 4 Direction: Office to Residential;
 - Mayoral Community Infrastructure Levy ('MCIL') Charging Band 1: Kensington and Chelsea;
 - Within a Neighbourhood Shopping Area;
 - Within a Critical Drainage Area; and
 - Within an Air Quality Management Area.
- 2.20 The Regulation 19 Proposed Draft Local Plan identifies the Site as Allocation SA15 for a minimum of 20 residential units and Class E retail on the ground floor.

Public Transport Connections

- 2.21 The Public Transport Accessibility Level ('PTAL') rating of the Site is 6a which identifies that the Site has excellent access to public transport links.
- 2.22 The nearest bus stops to the Site are located on Sloane Avenue. Additional bus services are available on the Kings Road to the southeast of the Site.
- 2.23 The Site is also situated between two London Underground tube stations (Sloane Square and South Kensington).

Flood Risk

- 2.24 The Environment Agency has categorised the Site as within a Flood Risk Zone 1 Area and is located within the Sloane Square Critical Drainage Area.

3. PLANNING CONTEXT

Relevant Planning History

- 3.1 A full planning history search for the Site has been undertaken using RBKC's online search facility. The available search results indicate that there have been no applications of relevance in relation to the proposed comprehensive redevelopment of the Site.
- 3.2 The Site does not have any relevant planning history. A previous application for a 13 storey building comprising 41 residential units was withdrawn by the applicant in July 2022.
- 3.3 There is a relevant emerging context around the Site. Recent consents for the redevelopment of nearby sites are summarised below:
- **2 Lucan Place** (immediate south to the Site): Demolition of the existing police station and replacement with a residential led mixed use building (consented in 2020 and under construction) (RBKC permission reference: PP/19/06712);
 - **60 Sloane Avenue** (north west to the Site, an approximate 2 minute walk): Consent granted for partial demolition of the existing building and re-development of a commercial-led building along the same street as the Proposed Development (consented in 2020) (RBKC permission reference: PP/19/06879); and
 - **The Clearings** (north to the Site, an approximate 4 minute walk): Consent was granted for the demolition of the existing building and re-development of a residential-led mixed-use building (consented in 2019) (RBKC permission reference: PP/16/01795).
- 3.4 These above referenced consented / under construction schemes, in the vicinity of the Site, are illustrated within the accompanying Design and Access Statement prepared by Squire and Partners.
- 3.5 These consented schemes / under construction schemes have also been included, for context, within the townscape analysis set out in the accompanying HTVIA prepared by Montagu Evans.

4. PRE-APPLICATION DISCUSSIONS & CONSULTATION

Officer Pre-Application Discussions

- 4.1 A comprehensive programme of pre-application discussions following withdrawal of the previous application in 2022 has been carried out during the evolution of the design of the Proposed Development.
- 4.2 Pre-application advice has been very useful to help inform the key elements of the Proposed Development (such as the proposed land uses within the development and the proposed architectural form, scale and massing of the proposed building).
- 4.3 The detail of the Proposed Development has evolved, significantly, throughout the pre-application process in order to respond to officer comments. The evolution of the scheme, along with a summary of the design changes made during this process, is set out, in detail, within the accompanying Design and Access Statement, in Section 4.3.

RBKC Key Comments and Responses

- 4.4 Set out below is a short summary of key comments from RBKC officers issued following the most recent pre-application meeting in 2021. The comments below demonstrate an overarching support, from RBKC for the redevelopment of the Site. RBKC Officers confirmed, during early pre-application discussions, that *“it is accepted that the site is definitely suitable for redevelopment”*.

Functionality

- The current orientation of the core works well in the upper levels to the tower.

Design

- The facades show a traditional hierarchy, expressing a good sense of a base, middle and top, which is contextual. This is welcome in helping to ease townscape fit;
- The architectural language to the proposed buildings has moments of visual interest;
- The choice and colour of brick are well chosen and help to ease townscape fit;
- The materials and colouration work well.

Form, Scale and Massing

- Pre-application comments raised concerns regarding the height of earlier iterations of the Proposed Development. These earlier iterations were at 26 storeys and, subsequently, 15, 13, and 12 storeys at the highest point.

- The proposed set back from the corner junction of Petyward and Sloane Avenue would prove generous public realm, which is welcome;
- The setting back of the tower from the corner junction of Petyward and Sloane Avenue provides 'relief' from the generally dense urban form of the area.

4.5 The pre-application advice concluded that *"The redevelopment of the Colebrook Court site offers opportunities to make more efficient use of this highly accessible site and to improve the local townscape and character through introducing a development that is more in keeping with its context. The proposed height has now been reduced significantly to match the surrounding townscape, and the overall approach to massing, with a podium, shoulder block and tower appears to be much improved and relates well to its context. As such, it is likely that the design is now acceptable subject to conditions."*

Affordable Housing

- The Council's affordable housing target is for schemes to deliver 35% affordable housing on Site. RBKC encouraged the applicant to review the affordable housing provision and push for a scheme that comprises this 35% provision on Site. The pre-application advice does, however, note that this target provision of 35% is subject to viability.
- As a result of the reductions in quantum of development, two options were presented which were identical in scale, massing and design but varied in the provision of either 2 affordable housing units on-site or no provision on-site with instead a payment towards the affordable housing fund for the creation of additional affordable housing off-site elsewhere in the borough.

4.6 The Options for the provision of affordable housing were rigorously tested in terms of the financial viability to ensure that the maximum reasonable provision was being made. The Council employed an external expert consultant to review the viability information. This exercise concluded that *"The proposals would provide an appropriate mix of units and sufficient 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; the scheme has now been amended with a detailed and considered viability assessment, which is welcomed. The Silver option is a 100% market housing scheme and offers no affordable housing on site but would offer a payment in lieu of £1,349,843... the Silver option is the preferred scheme and appears, based on the GE assessment, to be that which provides the maximum reasonable amount. GE have tested the options and have concluded that the Silver option could be viable and subject to justification around a commuted payment, would likely be supported by officers."*

Fire Safety

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- 4.7 Given the changes in approach to Fire Safety matters resulting from the introduction of the Building Safety Act, the applicant considered it critically important that the Fire Statement and approach to fire safety be reviewed in advance of application submission to confirm the proposed development would be appropriate. A further pre-application consultation took place specifically in this respect which concluded that *"...the submitted Fire Statement and associated plans demonstrate forward thinking on fire safety matters as they relate to land use planning, therefore no objections would be raised. Some matters should have been included in the submitted Fire Statement; however, these matters could be conditioned."*

Broader Public Consultation

- 4.8 In addition to formal pre-application discussions a wider consultation exercise with relevant stakeholders and neighbours has also been undertaken.
- 4.9 The wider public consultation process, as explained within the accompanying Statement of Community Involvement prepared by Polity, has involved the following additional key groups accordingly:
- Ward Councillors;
 - Residents' Associations;
 - Community Groups;
 - Nearby owners; and
 - Neighbouring residents.
- 4.10 Consultation activities included an exhibition and several meetings with residents groups as well as online consultations and webinars.
- 4.11 The consultation activities that have taken place, as summarised above, are in accordance with the RBKC's own revised Statement of Community Involvement in Planning (2020) and reflect the principles for consultation in the Localism Act (2011) and in the National Planning Policy Framework ('NPPF') (2021).
- 4.12 The proposals have been consulted upon locally with neighbouring residents, occupiers, amenity groups and Councillors through various methods including webinars, presentations and a well-attended public exhibition. The clear message from attendees was that they were content that the proposals had responded positively to previous requests for a lower building with a design and form to be more in keeping with the local character.

Feedback and Scheme Revisions

- 4.13 The Applicant has fully considered the feedback received throughout the public consultation process and, where possible, has responded to and incorporated this feedback within the Proposed Development. Changes made in direct response to public consultation comments are set out in full in the accompanying Design and Access Statement, prepared by Squire and Partners, and are broadly summarised below:

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- Revisions to heights of the buildings across the Proposed Development;
 - Altered design and reduced massing of the proposed buildings to allow maximum amount of daylight and sunlight to the surrounding buildings and within the Proposed Development itself;
 - Revisions to the amount of residential units provided and the residential unit mix; and
 - Changes to the proposed materiality.

5. APPLICATION PROPOSALS

Description of Development

- 5.1 As set out in Section 1.0 of this Planning Statement, the enclosed planning application seeks planning permission for the following proposals (the ‘Proposed Development’):

“Demolition of existing building and redevelopment of Site to provide a mixed use commercial and residential building and all necessary enabling works”.

Design

Massing

- 5.2 The design (i.e. height, scale, massing, architecture, materiality) of the Proposed Development has been carefully designed by Squire and Partners and considered in collaboration with Montagu Evans (authors of the accompanying HTVIA).
- 5.3 As set out in the accompanying Design and Access Statement, prepared by Squire and Partners, the Proposed Development has been designed, and has evolved, to positively respond to a number of key factors and considerations, as summarised below, carefully considered:
- Nearby heritage assets;
 - Nature of surrounding land uses;
 - Surrounding urban Grain and scale;
 - Surrounding character and materials;
 - Emerging context (consented / under construction schemes in the vicinity of the Site);
 - Impacts on daylight and sunlight; and
 - Scheme viability.
- 5.4 The Proposed Development is for a new high quality mixed-use commercial and residential building.
- 5.5 The Proposed Development rises to 9 storeys (plus a basement level) at its tallest point and comprises:
- Commercial provision at Ground and Lower ground floor articulated by a single storey podium element;
 - A 4-storey linking element incorporating set back terraces and protruding balconies; and
 - An 9-storey octagonal element which sits above the podium.
- 5.6 The Design and Access Statement explains in detail the evolution of, and rationale for, the proposed bulk, scale, and massing of the Proposed Development.

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- 5.7 In summary, Squire and Partners, along with Lumina (daylight / sunlight consultants) conclude that a more traditional mansion block type building would create unacceptable impacts, in respect of daylight and sunlight, to existing residential buildings and occupants in the vicinity of the Site. This is explained in greater detail in the accompanying supporting documents.
- 5.8 As such, various alternative massing options were prepared, tested, and reviewed by Squire and Partners in collaboration with Montagu Evans. The preferred, and selected massing that is applied for under this planning application, is broken down into 3 elements as summarised below:
- A single storey podium housing the retail provision and maintaining existing building lines along Sloane Avenue, Petyward and Makins Street;
 - A higher octagonal element of 9 storeys which houses residential accommodation and creates a slender, focal point of relief amongst a dense townscape of tall mansion blocks (this element sits above and is recessed from the podium);
 - A 4-storey linking element to the rear of the site which houses residential accommodation and maintains building lines along Petyward and Makins Street. This also has setbacks which relate to the massing of the 2 Lucan Place scheme which is currently under construction.

Layout

- 5.9 The Proposed Development utilises the full site footprint as per the existing building.
- 5.10 At Ground Floor level there is a proposed commercial space which fronts onto Sloane Avenue.
- 5.11 The main residential entrance is located off Makins Street with separate front doors for the duplex units fronting onto Petyward as well as the cycle entrance and access to the refuse and recycling stores.
- 5.12 The lower ground floor accommodates the following uses and elements:
- Commercial floorspace;
 - Residential accommodation;
 - Cycle stores; and
 - Plant areas.
- 5.13 The upper levels of the building are comprised of residential accommodation.

Land Use

Residential Use

- 5.14 The proposed development comprises of 29 residential units.

5.15 Table 3 below provides a summary breakdown of the proposed new homes by size and tenure:

Table 3 – Summary Breakdown of Proposed Residential Units (habitable rooms shown in brackets)*

Unit Size	Total	% of Total
1 bedroom	5 (10)	17.2%
2 bedroom	18 (54)	62.1%
3 bedroom	6 (24)	20.7%
Total	29 (88)	100%

*totals may not tally due to rounding.

5.18 All of the proposed residential units as illustrated on the accompanying drawings and within the accompanying Design and Access Statement, meet and exceed the technical space standards for the relevant unit size. The units meet the London Plan dwelling space standards and Lifetime Homes standards accordingly.

5.19 Furthermore, the proposed residential units will be compliant, in terms of accessibility, and will comply with the Building Regulations Approved Document ‘M’ accordingly.

5.20 Within the Proposed Development, all apartments are provided with private outdoor amenity space located either on balconies, lightwells or on terraces.

5.21 In addition to the provision of private amenity space, all residents would have access to a communal terrace within the Proposed Development. The communal terrace is provided at level 04. This space features greenery that contributes to the urban greening of the area and softens the building’s impact at street level and provides under 5’s playspace on site.

Proposed Commercial Use

5.22 The Proposed Development comprises, in addition to private and affordable residential units, a commercial (Use Class E) space at ground floor and basement levels. It is noted that there will be no primary cooking of food taking place on Site and it is considered likely that this proposed commercial space will be occupied by a retail tenant and therefore, likely to operate as a similar use to the existing Sainsburys retail use on Site.

Parking

Car Parking

5.23 The Proposed Development provides no car parking spaces on-Site accordance with the Local Plan Policy CT1(c). As such, there will be a reduction in vehicle trips to the Site by comparison to the existing situation and both residents, and visitors to the

commercial unit will have a reliance on more sustainable modes of transport such as public transport and cycling.

Cycle Parking

5.24 The Proposed Development provides a number of cycle parking spaces on Site as set out below:

- 30 long-stay cycle parking spaces for the residential units; and,
- 2 long stay cycle parking spaces for the commercial use at ground floor level.

Waste and Refuse Collection

5.25 It is proposed that refuse generated by occupants of the residential dwellings will be collected bi-weekly from a private provider.

5.27 The commercial unit has its own dedicated refuse store with independent exit on Petyward. Collection will be arranged to suit the tenant's requirements.

Deliveries

5.28 A Framework Delivery and Servicing Management Plan has been prepared and accompanied the planning application submission.

5.29 The Proposed Development comprises a commercial unit that, essentially, replaces and upgrades the existing two commercial units on Site. As such, there is envisaged to be little impact (by comparison to the existing arrangement), from a delivery perspective. As set out in the accompanying document, deliveries to the new commercial unit will be carefully managed and, in summary, large deliveries will be scheduled to take place outside of the peak periods on the local highway network and sensitive to the neighbouring nursery and hours at which children may be arriving/departing.

Energy and Sustainability

5.30 The planning application is supported by an Energy Strategy, prepared by Hoare Lea, and a Sustainability Statement, also prepared by Hoare Lea.

5.31 The Energy Strategy concludes that the passive design and energy efficiency measures will provide the cornerstone to the energy demand and CO₂ emission reduction achieved for the Proposed Development.

5.32 The Energy Strategy has been developed using the 'Be Lean, Clean, Green and Seen' energy hierarchy which utilises a fabric first approach to maximise reduction in energy through passive design measures.

5.33 The Proposed Development is anticipated to achieve up to 61.8% reduction in CO₂ emissions beyond the notional building baseline with the inclusion of Air Source Heat Pumps.

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- 5.34 In addition, as set out in the accompanying Energy Strategy, a feasibility assessment of integrating low and zero carbon energy systems has been undertaken. Air Source Heat Pumps ('ASHP') have been deemed to be the most suitable option to provide space heating, cooling, and domestic hot water.
- 5.35 The inclusion of these low-carbon technologies suggests that the proposed development will see a total 61.8% reduction in regulated CO₂ on site, compared to the notional building baseline.
- 5.36 The 61.8% betterment over the baseline results in a residual 13 T/CO₂ per year. Using the carbon emission value of £95 per tonne of CO₂ for 30 years (or £2,850 per tonne) the scheme will also provide a financial carbon-offset financial payment of £35,926 to RBKC.
- 5.37 In conclusion, as set out in the accompanying Energy Strategy, the Proposed Development will result in a highly efficient, low-carbon scheme. New, high efficiency servicing equipment and efficient façades will minimise the energy usage of the building accordingly.

Public Realm

- 5.38 As set out in the accompanying Design and Access Statement, the Proposed Development improves the public realm by fully activating the ground floor frontage which, in the existing building, is mostly muted and used as back of house and car park. Additional planting and greenery is provided at ground floor on Makins Street and Petyward.

6. PLANNING POLICY FRAMEWORK AND OVERVIEW

The Development Plan

- 6.1 Section 38(6) of the 2004 Planning and Compulsory Purchase Act requires that determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise.

The adopted 'Development Plan' for RBKC comprises the:

- RBKC Local Plan 2019 (the 'Local Plan'); and
- The London Plan 2021 (the 'London Plan').

Material Considerations

- 6.2 In addition to the Development Plan and the NPPF, the following guidance documents are important material considerations, and their content has been considered during the evolution of the proposed development:

National Planning Policy

- National Planning Policy Guidance (2021).

Regional Planning Policy and Guidance

- Character and Context SPG (2014);
- Housing SPG (2016);
- Affordable Housing and Viability SPG (2017);
- Circular economy statements LPG (draft); and
- Fire safety LPG (draft, pre-consultation).

Local Planning Policy and Guidance

- Access Design Guide SPD (2010);
- Building Height SPD (2010);
- Planning Contributions SPD (2019); and
- Transport and Streets SPD (2016).

7. PLANNING POLICY ASSESSMENT

Principle of Development

- 7.1 At the heart of the NPPF is the presumption in favour of sustainable development, achieved through meeting the three ‘overarching aims’ set out in Section 2 of the NPPF: building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to, protecting and enhancing the natural, built and historic environment.
- 7.2 Paragraph 119 of the NPPF requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.3 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, taking into account identified needs, market conditions, the availability of infrastructure, the desirability of preserving an area’s character or promoting regeneration and change, and the importance of securing well designed, attractive and healthy places.
- 7.4 Paragraph 126 of the NPPF states that good design is a key aspect of sustainable development, creates a better place in which to live and work and helps make development acceptable to communities.
- 7.5 In accordance with the aforementioned aims of the NPPF, the Proposed Development seeks to enhance and make the most effective use of the Site relative to its location and consideration of the local context and environmental considerations.
- 7.6 The following Section of this Planning Statement assesses planning policies relevant to the Proposed Development and provides an assessment of how the development addresses these accordingly.

Land Use

Commercial

- 7.7 Local Plan Policy CF3 seeks to 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.
- 7.8 The Site is located within the Sloane Avenue Neighbourhood Shopping Centre. As set out earlier in this Planning Statement, the Site currently comprises two retail units measuring 906sqm (GIA) cumulatively. Of this existing commercial floorspace only 342sqm (GIA) is located at ground floor level and is publicly accessible. The residual commercial floorspace is back of house space, primarily at basement level. This back of house space is not publicly accessible and does not provide any public interest or create any activity / footfall to this part of Sloane Avenue.

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- 7.9 By comparison to the existing building, the Proposed Development comprises is 499sqm (GIA) of commercial (Use Class E) floorspace. 320sqm (GIA) is located at ground floor level.
- 7.10 In the context of Local Plan Policy CF3, the Proposed development results in a minor reduction of 43sqm of accessible ground floor commercial space. This reduction is considered to be offset by the fact the existing space is outdated and being replaced by a more modern, attractive and environmentally friendly / sustainable space. In conclusion, the proposed alterations to commercial floorspace at the Site is not considered to 'adversely affect the essential shopping character and function of the centre' and is in accordance with Local Plan Policy CF3 accordingly.

Residential

- 7.11 The Development Plan places an emphasis on increasing residential unit numbers (both private and affordable) both across London and within RBKC more specifically.
- 7.12 London Plan Policy H1 seeks to achieve provision of at least 522,870 net additional homes each year across London during the period 2019/20 – 2028/29.
- 7.13 London Plan Table 4.1 identifies that RBKC, specifically, has a target to provide 448 net additional homes annually and 4,480 homes between the ten-year period 2019/20 -2028/29.
- 7.14 Local Plan Policy CH1 sets out that RBKC has an objectively assessed need for the delivery of a minimum 733 net additional dwellings a year.
- 7.15 The Proposed Development comprises 29 new residential units (by comparison to the existing 12 units at the Site). This proposed uplift of 17 residential units is wholly in accordance with the aim to boost housing numbers that is set out in both the London Plan and the Local Plan.

Affordable Housing

- 7.16 London Plan Policy H5 and Local Plan Policy CH2 require housing schemes to contribute toward affordable housing provision.
- 7.17 Criterion (e) of the Policy CH2 states:

“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:

- i. the maximum reasonable amount of affordable housing is provided through the provision of an open book financial viability assessment;*
- ii. supporting evidence for the exceptional site circumstances or other public benefits to justify the reduced affordable housing provision;*
- 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 reasonable amount of affordable housing provision on-site and the second with 100% private housing.”*

- 7.18 As discussed in Section 4 of this Statement, the reduced quantum of development proposed by comparison to earlier scheme designs places significant pressure on the capability of the development to afford any affordable housing provision. Two alternative approaches were presented in pre-application discussion, one with two on-site affordable units and the other with a payment in lieu to demonstrate equivalence in viability terms so that there is no financial incentive not to provide affordable housing on-site.
- 7.19 Criterion (c) of the Policy CH2 states that the provision of affordable housing generally is expected to be on site, *“unless exceptional circumstances justified by robust evidence exist which support provision off-site or providing a payment in lieu”*.
- 7.20 Taking account of the size of the Site, the reduced quantum of development now proposed, the quality of the proposed accommodation, the limited capacity to provide only two units on-site, the lack of interest from Registered Providers in taking on two units in this location and supported by the financial viability assessment it is considered that the proposal to provide a financial contribution in lieu of on-site provision is the preferred approach to maximising the prospects and provision of housing and affordable housing through this development in accordance with criterion (c).
- 7.21 A Viability Assessment of the Proposed Development has been undertaken by Knight Frank and accompanies this planning application submission. The accompanying Viability Assessment demonstrates that the proposal represents the maximum reasonable provision and is equivalent to the on-site option studied and discounted for the reasons set out in paragraph 7.20.

Mix

- 7.22 Local Plan Policy CH3 sets out that new residential developments should include a mix of types and sizes of homes to reflect the varying needs of the Royal Borough. As set out in Table 8 below, the Proposed Development comprises a rich mix of units in terms of both size and tenure and, therefore, is in accordance with Local Plan Policy CH3:

Table 8 – Summary Breakdown of Proposed Residential Units (habitable rooms shown in brackets)*

Unit Size	Total	% of Total	LHNA Need
1 bedroom	5 (10)	17.2%	35%
2 bedroom	18 (54)	62.1%	40%
3 bedroom	6 (24)	20.7%	20%
Total	29 (88)	100%	

General Design

General Design Policy Summary

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- 7.23 Local Plan Policy CL1 states that RBKC will require all development to respect the existing context, character and appearance of the surrounding area, 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 must contribute positively to the townscape considering elements such as scale, height, proportion, plot width, building lines, materials. RBKC will require development to respond to the local context.
- 7.24 Local Plan Policy CL2 sets out that RBKC will require 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. Development must be functional, robust, attractive, locally distinctive, sustainable, inclusive and secure. An appropriate architectural style will be required.
- 7.25 Local Plan Policy CL12 outlines that the RBKC will require new buildings to respect the setting of the borough's valued townscape and landscapes, through appropriate building heights. Proposals should strengthen the traditional townscape and reflect the prevailing heights and provide a roofspace that reflects the context of the site.

Loss of Existing Building

- 7.26 As set out in the accompanying Design and Access Statement, prepared by Squires and Partners, the existing building is considered to be of a poor architectural quality and incongruous in its context. Montagu Evans share this stance and set out, in the accompanying HTVIA that the Site is currently characterised by an existing 'low quality built form'.
- 7.27 The Site is not listed nor is it located within a Conservation Area. Given the poor quality of the building and absence of any heritage designations the demolition of the existing building is considered acceptable and will allow for the Site to be redeveloped accordingly.

General Design Considerations of the Proposed Development

- 7.28 The design approach is considered in detail in the supporting Design and Access Statement and Townscape, Heritage and Visual Impact Assessment, prepared by Squire and Partners and Montagu Evans respectively.
- 7.29 The proposed replacement building has been designed to respect the local context, character and appearance of the site and surroundings in terms of form, materials and detailed design.
- 7.30 The Proposed Development has also evolved significantly, over time, to respond to pre-application comments from officers and comments received during an extensive public consultation exercise.
- 7.31 As set out earlier within this Planning Statement, the form of the proposed building (podium, 4-storey shoulder and 9 storey element) has been carefully considered. The form of the Proposed Development has been informed by daylight and sunlight studies and ensures that the Proposed Development does not create any unacceptable impacts on neighbouring properties in this respect. Alternative forms of

massing, including traditional; mansion block arrangements were considered and explored by, unlike the Proposed Development, would create unacceptable levels of harm, from a daylight and sunlight perspective, on surrounding properties.

7.32 In addition to the broader massing, the finer architectural Features and detailing of the proposed building have been carefully considered and designed. Key elements to reflect the existing townscape have been incorporated as follows:

- The base-middle-top composition of the massing;
- Red brick materiality with contrasting horizontal stone banding / corncicing; and
- Active ground floor frontages with commercial units.

7.33 In summary, the Proposed Development has been designed by leading Architects Squire and Partners in consultation with Montagu Townscape consultations. The Proposed Development has a high-quality architectural appearance and has been designed to positively respond to a number of key factors and considerations, as summarised below, carefully considered:

- Nearby heritage assets;
- Nature of surrounding land uses;
- Surrounding urban Grain and scale;
- Surrounding character and materials;
- Emerging context (consented / under construction schemes in the vicinity of the Site);
- Impacts on daylight and sunlight; and
- Scheme viability.

7.34 In conclusion, given the high quality of the Proposed Development and careful consideration to the wider context to the Site, the Proposed Development is considered to comply with Local Plan Design focused policies accordingly.

Heritage, Townscape and Visual Impact Assessment

Scope of Report

7.35 As set out earlier in this Planning Statement, Squire and Partners have worked closely with Montagu Evans (Townscape and Heritage consultants) throughout the design evolution of the Proposed Development.

7.36 Montagu Evans have reviewed various iterations of the Proposed Development and this close collaborative approach has helped to ensure that the Proposed Development is wholly acceptable from both a townscape and heritage perspective in the immediately following sections of this Planning Statement.

7.37 Montagu Evans have provided an independent assessment of the townscape, visual and heritage impacts of the final Proposed Development. The findings of this assessment are set out in the accompanying HTVIA accordingly.

- 7.38 The accompanying HTVIA provides an assessment of the impact of the Proposed Development on heritage, townscape and visual receptors. The assessment is informed by 8 Accurate Visual Representations ('AVRs') prepared by Miller Hare which demonstrate how the proposals will be experienced by people using the area, as well as to help understand the effect on heritage assets and townscape.

The accompanying HTVIA is cognisant of recent permitted scheme in the vicinity of the Site. The key schemes are as follows:

- 2 Lucan Place (immediate south to the Site): Demolition of the existing police station and replacement with a residential led mixed use building (consented in 2020 and under construction) (RBKC permission reference: PP/19/06712);
- 60 Sloane Avenue (north west to the Site, an approximate 2-minute walk): Consent granted for partial demolition of the existing building and re-development of a commercial-led building along the same street as the Proposed Development (consented in 2019) (RBKC permission reference: PP/19/06879); and
- The Clearings (north to the Site, an approximate 4-minute walk): Consent was granted for the demolition of the existing building and re-development of a residential-led mixed-use building (consented in 2019) (RBKC permission reference: PP/16/01795).

The HTVIA, therefore, provides an assessment of the impacts of the Proposed Development both in isolation and also cumulatively (in the event that these other relevant cumulative schemes are also built out.

Townscape Assessment

- 7.39 The accompanying HTVIA sets out a rigorous assessment of the townscape and visual impacts of the proposed development., The assessment considers the proposed development in a number of verified views both, in isolation and in cumulative terms with other recent consents.
- 7.40 As a result of the proposed development being carefully designed by Squire and Partners and evolving significantly. Over time, as a consequence of pre-application meetings with RBKC officers, it is concluded, by Montagu Evans, that the Proposed Development responds appropriately, in terms of scale and proportion, to the surrounding residential, large-scale mansion block context, and will sit comfortably within the immediate townscape. The building will appear as a distinctive, high quality element, well-considered and attractively detailed, whilst remaining subordinate to the prevailing building heights of the area.
- 7.41 Conclude that In our judgement the Proposed Development will complement the existing townscape and reinforce the residential character of the area, improving public realm and aiding legibility to the emerging pedestrian route from Fulham Road through the new Clearings development towards Chelsea Green.

7.42 The sculpted form of the building, with well-detailed elevations to each of the surrounding streets, will provide a point of relief in the townscape. Active frontages at street level, given animation through the retail use proposed here, will enhance the vitality of this part of the townscape. Therefore, we conclude that the Proposed Development will improve the character of the Site and thus that of this townscape area.

Heritage Assessment

7.43 Local Plan Policy CL3 (Heritage Assets – Conservation Areas and Historic Spaces) states that the Council will require development to “preserve and to take opportunities to enhance the cherished and familiar local scene” and specifically to “preserve or enhance the character and appearance of the conservation area and protect the special architectural or historic interest of the area and its setting.”

7.44 Local Plan Policy CL4 (Heritage Assets – Listed Buildings, Scheduled Ancient Monuments and Archaeology) states that the Council will require development to “protect the heritage significance of listed buildings” including their setting or any features or special architectural or historic interest. The Site does not contain any listed buildings, however many fall into the study area of this report.

7.45 Local Plan Policy CL4 requires that proposed developments protect the built heritage of the area and support Strategic Objective Five “Renewing Legacy”. This Strategic Objective presents an active approach to renewing legacy as “not simply to ensure no diminution in the excellence we have inherited, but to pass to the next generation a borough that is better than today, of the highest”. The Strategic Objective outlines that this is done by “by taking great care to maintain, conserve and enhance the glorious built heritage we have inherited and to ensure that where new development takes place it enhances the borough.”

7.46 As set out earlier in this Planning Statement, the Site does not comprise any listed buildings. Also, unusually for the Royal Borough, the Site does not lie within a conservation or within the immediate vicinity of any designated heritage assets (as set out on the Heritage Asset Plan within the accompanying HTV&TBIA).

7.47 There are, however (as set out in the HTVIA) heritage assets in the wider area and the HTVIA assesses (with the above-mentioned policies in mind) the potential of the Proposed Development to impact upon the setting of these heritage assets.

7.48 The setting of the following Four key heritage assets are assessed within the HTVIA:

- Grade II Michelin House;
- Grade II Gateways development;
- Chelsea Conservation Area, (including the grade II listed Jubilee Cottages); and
- Chelsea Estates Conservation Area.

7.49 The impacts of the Proposed Development on these assessed heritage assets, as concluded by Montagu Evans in the HTVIA, is set out below.

Grade II Listed Michelin House

- 7.50 In terms of perception and visual setting considerations it is considered that the effect of the Proposed Development would be negligible beneficial, and that one's ability to appreciate the special interest of the listed building unaffected.

Gateways (Grade II)

- 7.53 There would be no effect on one's appreciation of the special interest of the listed complex, and statutory provisions and policy requirements would be met.

Chelsea Conservation Area (including Grade II Listed Jubilee Cottages)

- 7.54 One's ability to appreciate the significance of the buildings is therefore unaffected by the Proposed Development. Therefore, we consider that the effect of the Proposed Development would be negligible beneficial as the Proposed Development will remove a poor-quality building from the asset's setting.

Chelsea Estates Conservation Area

- 7.55 One's ability to appreciate the quality of the buildings and the sense of enclosure gained throughout the CA would not be affected, and the designated heritage asset will not be harmed.

Heritage Conclusion

- 7.56 Overall, therefore, and in our judgement, the proposals do not give rise to any harmful impacts on the ability to understand, appreciate or experience the significance (architectural or historical) of any of the assessed assets. This is due to the factors identified analysis, but which include the lack of meaningful visual setting interactions which arise from the location of the property relative to the assets, the scale of the proposals, interposing development and/or angle of view and distance as between the asset and the proposals."

Amenity Space

- 7.57 Local Plan Policy CH3 sets out that housing schemes should include outdoor amenity space.
- 7.58 It should be noted that, currently, there is no landscaped area or public realm provided currently on the Site. Furthermore, there is currently no outdoor amenity space offered by the Site to benefit either the public realm or private residential accommodation. This further compounds the impression of the site being a low-quality residential offering and detrimental to the area in terms of visual appearance.
- 7.59 As set out in the accompanying Design and Access Statement, prepared by Squires and Partners, all proposed residential units include the provision of private outdoor amenity space in the form of either balconies, lightwells or terraces.
- 7.60 The DAS outlines the reasoning behind where and why the balconies are positioned.

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- 7.61 In addition to the provision of private amenity space, all residents would have access to the communal terrace within the Proposed Development. The communal terrace is provided at level 04. These spaces feature greenery that contributes to the urban greening of the area and softens the building's impact at street level.
- 7.62 In conclusion, the Proposed Development carefully considers, and provides, a range of both private and communal amenity spaces accordingly. All proposed residential units (both private and affordable) have access to outdoor amenity space in accordance with the requirements of Local Plan Policy CH3. Furthermore, the inclusion of outdoor amenity space within the Proposed Development represents a significant enhancement by comparison to the existing Site which has no outdoor amenity space.

Daylight and Sunlight

- 7.63 London Plan Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings.
- 7.64 Local Plan Policy CL5 Living Conditions sets out that to assess whether acceptable levels of daylight and sunlight are available to habitable, outdoor amenity and open spaces, the Council will consider the most recent guidance published by the Building Research Establishment. The policy underlines that there is a requirement to ensure that good standards of daylight and sunlight are achieved in the new development and on the close existing properties affected by the proposal; and where they are already substandard, that there should be no material worsening of the conditions.
- 7.65 A Daylight and Sunlight Report prepared by Lumina accompanies the planning application submission and considers the impacts of the Proposed Development in detail. A summary is set out in the following paragraphs accordingly.

Daylight and Sunlight Impact to Surrounding Properties (Mansion Block Option)

- 7.66 As set out earlier in this Planning Statement, and within the accompanying Design and Access Statement prepared by Squires and Partners, Massing With regards to the concept massing, as a starting point, the massing of a simple mansion block matching the height of the consented scheme on 2 Lucan Place was tested.
- 7.67 Squire and Partners have worked in close collaboration with Lumina (Daylight and sunlight Consultants) throughout the evolution of the Proposed development. It is concluded, in the DAS (copied below) that for daylight and sunlight reasons the Mansion Block tested option is not feasible:
- 7.68 The results for an alternate design Mansion Block massing for the Vertical Sky Component (VSC) analysis demonstrated that the percentage losses of VSC would be well in excess of 40% and in some cases exceed 50% within Cranmer Court as far as 4th floor level and perhaps more importantly, the residual VSC values that will remain will be well below mid-teens in many cases. Such levels of loss when expressed as a percentage loss, coupled with the low levels of actual remaining daylight following the development would significantly fail to meet the advice and recommendations of the

flexibility that the London Plan and Planning Inspectorate have considered to be acceptable.

- 7.69 As a result of these findings and having concluded that a conventional Mansion Block would not be feasible, from a daylight and sunlight perspective, various further Massing Studies were undertaken to establish a form of Building Envelope that could be achieved on the Site working within acceptable daylight and sunlight constraints / parameters. The form of the Proposed Development evolved during this study work and the daylight and sunlight implications associated with the Proposed Development are considered in the following section.

Daylight and Sunlight Impact to Surrounding Properties (Proposed Development)

- 7.70 The shape and form of the current proposals have therefore been largely driven by following these principles where it was found to be more efficient to safeguard the availability of daylight passing around the structure as more beneficial than light over the proposed new building leading to the slim cylindrical mass and podium form of massing.
- 7.71 All of the existing neighbouring residential properties in close proximity of the site together with the serviced apartments at Chelsea Cloisters and the Marlborough Primary School have been modelled and tested in order to assess the potential impact on the Daylight & Sunlight amenity they presently enjoy.
- 7.72 In addition to the above, the Marlborough Primary School on the opposite side of Sloane Avenue has been included in the assessment as although it is not in residential use, it is common practice to include schools when assessing the impact on neighbouring amenity.
- 7.73 The daylight and sunlight report concludes that, unlike the earlier mansion block scheme, the results from the various BRE tests show that the resultant form of the Proposed Development fulfils daylight /sunlight objectives and that neighbouring occupiers would, in the context of the Proposed Development, continue to enjoy adequate levels of Daylight and Sunlight amenity commensurate with the area in general.

Daylight and Sunlight within the Proposed Development

- 7.74 93.2% (82 of the proposed 88 habitable rooms) will receive good levels of natural lighting under the new more stringent BRE tests, which is a very good rate of performance when assessed against the previous ADF methodology and compares favourably to other developments in central and inner London.

Daylight and Sunlight Conclusions

- 7.75 Given the above analysis and narrative, it is considered that the proposed development is in accordance with London Plan Policy D6 and the Local Plan in respect of daylight and sunlight.

Energy and Sustainability

- 7.76 Paragraph 96 of the NPPF states that local authorities should expect new development to comply with adopted Local Plan policies on requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. The NPPF also outlines that new development should take account of landform, layout, building orientation, massing, and landscaping to minimise energy consumption.
- 7.77 The London Plan climate change policies set out in Chapter 8 and 9 collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions.
- 7.78 London Plan Figure 9.2 The Energy Hierarchy and associated targets sets out an energy hierarchy (Be lean, Be clean, Be green) within which development proposals should seek to minimise carbon dioxide emissions. The Policy also sets a target for zero carbon residential buildings from 2021.
- 7.79 The London Plan 2021 has provided further assessments that were previously not included in the London Plan 2016 within the sustainability section of planning applications. Hoare Lea have provided a Whole Life Cycle Carbon Assessment and a Circular Economy Assessment. Alongside the two new reports are a Sustainability Statement, an Energy Statement and a BREEAM report all prepared by Hoare Lea.
- 7.80 The Statement reports the sustainability requirements and assesses the proposed development against the requirements of the Building Regulations, the London Plan and the Kensington and Chelsea Local Plan. As such, the proposed development is in accordance with the NPPF, the London Plan and Local Plan Policies CC1 and CC2 in respect of energy and sustainability.
- 7.81 Local Plan Policy CE1 recognises the Government's targets to reduce national carbon dioxide emissions by 34 per cent against 1990 levels by 2020 in order to meet an 80 per cent reduction by 2050 and will require development to make a significant contribution towards this target. The Council will therefore require an assessment to demonstrate that major residential development meets the carbon reduction requirements set out in the London Plan, require an assessment to demonstrate that non-residential development of 1,000 sqm or more meets BREEAM very good with 60 per cent of the unweighted credits available in the energy, water and materials sections and conversions and refurbishments of 1,000sq.m and require that carbon dioxide and other greenhouse gas emissions are reduced in accordance with the hierarchy as mentioned in the policy.
- 7.82 The planning application is supported by an Energy Strategy, prepared by Hoare Lea, and a Sustainability Statement, also prepared by Hoare Lea.
- 7.83 The Energy Strategy sets out that the passive design and energy efficiency measures will provide the cornerstone to the energy demand and CO2 emission reduction achieved for the Proposed Development.

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- 7.84 The Energy Strategy has been developed using the 'Be Lean, Clean, Green and Seen' energy hierarchy which utilises a fabric first approach to maximise reduction in energy through passive design measures.
- 7.85 The Proposed Development is anticipated to achieve up to 4.7% reduction in CO2 emissions beyond the gas boiler baseline via passive design and energy efficiency measures.
- 7.86 In addition, as set out in the accompanying Energy Strategy, a feasibility assessment of integrating low and zero carbon energy systems has been undertaken. Air Source Heat Pumps ('ASHP') have been deemed to be the most suitable option to provide space heating, cooling and domestic hot water.
- 7.87 The inclusion of these low-carbon technologies suggests that the proposed development will see a total 61.8% reduction in regulated CO2 on site, compared to the Gas Boiler Baseline (when using SAP10 carbon factors).
- 7.88 The 62.8% betterment over the baseline results in a residual 13 T/CO2 per year. Using the carbon emission value of £95 per tonne of CO2 for 30 years (or £2,850 per tonne) the scheme will also be obligated to provide a carbon offset fund figure of £35,926.
- 7.89 In conclusion, as set out in the accompanying Energy Strategy, the Proposed Development will result in a highly efficient, low-carbon scheme. New, high efficiency servicing equipment and efficient façades will minimise the energy usage of the building accordingly.

Car Parking

- 7.90 The Proposed Development provides no car parking spaces in accordance with the Local Plan Policy CT1(c). As such, there will be a reduction in vehicle trips to the Site by comparison to the existing situation and both residents, and visitors to the commercial unit will have a reliance on more sustainable modes of transport such as public transport and cycling.

Cycle Parking

- 7.91 Cycle parking will be provided in accordance with the London Plan standards. A total of 32 cycle spaces will be provided, 30 for the residential units and 2 for retail uses.
- 7.92 The residential long-stay cycle stores are located at lower ground floor. They are accessed via the cycle lift from the entrance on Makin Street. Access will be controlled by a secure key fob. The commercial long-stay cycle store is located off Petyward.
- 7.93 The Transport Statement, prepared by Markides Associates highlights that although short term cycle parking cannot be supplied there are some 60 spaces within 250m of the site.

Environmental Considerations

Air Quality

- 7.94 Local Plan Policy CE5 sets out how RBKC will control the impact of development on air quality, requiring, in part, an air quality assessment for all major developments. Local Plan Policy CE5 requires that development must not materially increase exceedance levels of local air pollutants, and must control any further emissions of particles and mono nitrogen oxides.
- 7.95 The Site is in an Air Quality Management Area ('AQMA'), which has been declared for the entire administrative area of the RBKC.
- 7.96 The enclosed planning application is supported by an Air Quality Assessment prepared by Hoare Lea which reviews the existing air quality conditions at, and in the vicinity of, the Proposed Development and assess the potential changes in air quality arising from the construction and operation of the proposed development. The assessment finds:
- A qualitative assessment of the potential dust impacts during the construction of the Proposed Development has been undertaken. Through good practice and implementation of appropriate mitigation measures, it is expected that the release of dust would be effectively controlled and mitigated, with resulting impacts considered to be 'not significant'. All dust impacts are considered to be temporary and short-term in nature;
 - An air quality screening assessment of the air quality impacts of traffic generated by the Proposed Development has been undertaken and the effects are not predicted to be significant. Therefore, further assessment is not required;
 - Energy provision for the Proposed Development will not involve any on-site combustion processes or release of combustion emissions during normal operation. As such, the air quality effects will not be significant, and further assessment is not required;
 - A Site Suitability assessment has been undertaken using ADMS-Roads dispersion model to assess the suitability of the Application Site for its proposed use. There are not expected to be any exceedances of the annual mean NO₂ AQO or WHO guideline in residential spaces, or of the 1-hour mean NO₂ AQO in any of the commercial or residential spaces on any of the floors. Therefore, NO_x mitigation is not required;
 - There are not expected to be any exceedances of the annual mean PM₁₀ AQO, 24-hour PM₁₀ AQO, or annual mean PM_{2.5} AQO at any of the proposed receptors in residential locations. However, there are expected to be exceedances of the annual mean PM₁₀ WHO guideline on ground floor level and of the PM_{2.5} WHO guideline on all floors. As such it is recommended that filters with a PM_{2.5} efficiency of 50% are installed on the MVHR units on all

levels of the Proposed Development to reduce PM concentrations in line with the requirements of the London Plan 2021; and

- The Proposed Development is considered air quality neutral according to the GLA's benchmarking assessment methodology with regard to building and transport emissions, and as such no mitigation is required.

7.97 In Conclusion, the Proposed Development has been carefully designed and potential associated air quality impacts carefully considered. As such, the Proposed Development is considered to be wholly compliant with Local Planning Policy relating to Air Quality.

Noise

7.98 Local Plan Policy CE6 sets out how RBKC will control the impact of noise and vibration generating sources and development that fails to meet adopted local noise and vibration standards will be resisted.

7.99 This planning application is supported by an Acoustic Report prepared by Hoare Lea. In summary, the noise assessment indicates that through incorporation of good acoustic design and selection of appropriate glazing, suitable residential amenity would be provided.

7.100 The potential impacts associated with the operation of the development can be controlled to a level of negligible significance provided careful attention is paid to the building design, plant selection, installation and noise attenuation and therefore it is considered compatible with surrounding land uses and would not adversely impact on the existing residential amenity.

7.101 In conclusion, the Proposed Development has been carefully designed and potential associated noise quality impacts carefully considered. As such, the Proposed Development is considered to be wholly compliant with Local Planning Policy relating to Noise Impacts.

Flood Risk and Surface Water Drainage

7.102 Local Plan Policy CE2 sets out RBKC's requirements to adapt to fluvial flooding and mitigate the effects of surface water and sewerage flooding. The Site is considered in the area that constitutes flood risk zone 1 and therefore in normal circumstances a basic flood risk assessment would only be needed. However, as the Site sits within the Sloane Square Critical Drainage Area, Local Plan Policy CE1 Climate Change identifies that a Sequential Test and Exception Test will most likely be required when the development proposed has any drainage implications which could lead to flooding elsewhere or could be more vulnerable as a result of the development proposed (due to the land use being more vulnerable). As a result, of some part of the development being below ground floor level a Sequential and Exception Test has been completed.

7.103 A flood risk assessment prepared by Evolve demonstrates that the proposed development has a low probability of flooding from tidal, fluvial, groundwater and

artificial sources. The states that overall, it has been demonstrated that the development would be safe, without increasing flood risk elsewhere, and that a positive reduction in flood risk would be achieved through the inclusion of surface water attenuation.

- 7.104 In conclusion, the Proposed Development has been carefully designed and potential associated flood risk impacts have been carefully considered. As such, the Proposed Development is considered to be wholly compliant with Local Planning Policy relating to Flood Risk.

8. PLANNING OBLIGATIONS & DRAFT HEADS OF TERMS

- 8.1 In support of the application the applicant is willing to enter into a S106 agreement in relation to the following. Please note at the time of submission these Heads of Terms have not been confirmed or agreed.
- 8.2 The accompanying submitted RBKC S106 contributions proforma calculator identifies the requirement for a financial contribution of £432,477.50 excluding legal fees. The financial contributions relate to:
- Public Art;
 - Carbon offset;
 - Construction phase skills and training contribution;
 - Local procurement code fee; and
 - Monitoring fee.
- 8.3 In addition it is anticipated that the S106 will also obligate the development in relation to the following heads of terms:-
- Permit free development;
 - Travel plan;
 - Affordable housing provision with a commuted sum payment of an additional £1,349,843;
 - Affordable housing viability review;
 - Highway works;
 - Provision of renewable energy;
 - Employment and training opportunities;
 - Training, employment and business strategy; and
 - Local procurement obligation.

9. CONCLUSIONS

9.1 This Planning Statement has been prepared to accompany an application for planning permission for the redevelopment of the Site.

9.2 The enclosed application seeks planning permission for the following works (the 'Proposed Development'):

"Demolition and redevelopment to provide a nine storey building incorporating residential units and reprovided Class E retail/commercial use, including all necessary enabling works".

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals for development to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

9.4 This Planning Statement has assessed the Proposed Development against the provisions of the Development Plan and other material considerations including Supplementary Planning Guidance and National Planning Policy.

9.5 It is considered that, overall, the Proposed Development accords in all material respects with the relevant policies and delivers significant benefits by providing, inter alia:

- Delivery of additional housing stock in the area;
- Payment of a £1,349,843 commuted sum payment in lieu for the provision of affordable housing elsewhere within the Royal Borough;
- Provision of a modern, high quality commercial unit at ground and lower ground floor levels;
- Provision of cycle parking spaces on Site;
- Removal of existing on-Site car parking spaces;
- Provision of external amenity space for future residents of the Proposed Development;
- Replacement of an unsustainable existing building with a new low carbon, energy efficient building; and,
- Improvements to the attractiveness and activity of the street frontages at ground floor level.

9.6 The likely impacts of the development have been fully assessed by supporting technical documents which demonstrate that the development is wholly acceptable in all regards.

9.7 The Development has been progressed through extensive discussions with stakeholders and responds to comments received, including those from RBKC. In summary the scheme is considered to provide significant benefits to the borough and is in accordance with the relevant policies.

9.8 The presumption in favour of sustainable development. approving development proposals that accord with an up-to-date development plan without delay.