

## **Local Plan Independent Examination**

### **OPDC Response to Matter and Issue 5**

**Matter 5: Whether the locations identified as suitable for tall buildings are justified (derived from the sixteenth Key Issue of table 5 of Key document 5 identified at Regulation 19(1) stage and the thirteenth Key Issue of table 7 of Key document 5 identified at Regulation 19(2) stage and representations 2/SP9/9 from Osborne Investments, 2/SP9/15 from Midland Terrace RA, 2/SP9/16 from Wells House Road RA, 2/SP9/26 from local residents, 2/P7/14 from TITRA, 2/P10/3 and 2/D5/7 from RBK&C, 2/D5/1 from LBB, 2/D5/3 from LBH&F and 2/D5/4 from Grand Union Alliance amongst others. At Regulation 18 stage, a number of organisations were concerned about tall buildings' effects on residential amenity.)**

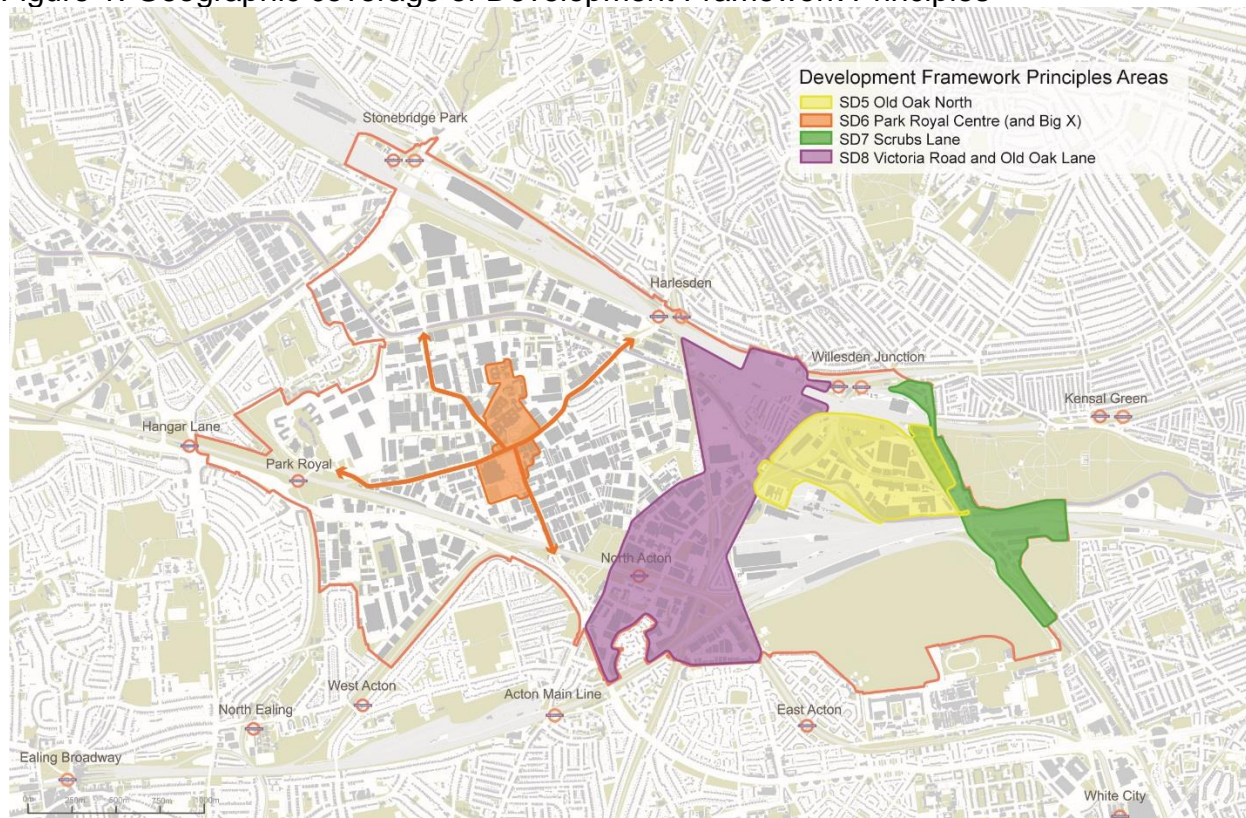
**Notwithstanding the officers' response to the Key Issues and representations set out in Appendices E and J to Key Document 5, this Matter would benefit from a discussion at a hearing session.**

#### **OPDC response:**

##### Methodology for defining locations of tall buildings

- 1.1. OPDC considers that the locations identified as suitable for tall buildings are sound. The methodology for identifying appropriate locations within the OPDC area are set out in OPDC's Tall Building Statement (document SD13) in paragraphs 3.1 to 3.12. These are based on
  - a) an assessment of the visual, functional, environmental and cumulative impacts of potential tall buildings considered appropriate for the purposes of plan making;
  - b) the area's potential contribution to new homes, economic growth and regeneration; and
  - c) public transport connectivity.
- 1.2. This assessment has been informed by the following Local Plan supporting studies:
  - a) Old Oak North Development Framework Principles (document SD5)
  - b) Park Royal Development Framework Principles (document SD6)
  - c) Scrubs Lane Development Framework Principles (document SD7)
  - d) Victoria Road and Old Oak Lane Development Framework Principles (document SD8)
  - e) Views Study (document SD14)
  - f) Infrastructure Delivery Plan (document SD58)
  - g) Development Capacity Study (DCS) (document SD56)
- 1.3. The geographic coverage of the Development Framework Principle areas is shown in figure 1.

Figure 1: Geographic coverage of Development Framework Principles



1.4. The areas of Willesden Junction and Old Oak South do not currently have specific development frameworks. However, these areas have been considered as part of the methodology set out in paragraphs 3.1 to 3.12 of OPDC's Tall Building Statement. In particular, these areas will benefit from excellent local, regional public transport connectivity and delivery of walking and cycling routes to support active travel to enable the delivery of significant number of new homes and jobs within and beyond the plan period. Therefore, OPDC considers their identification as areas where tall buildings are an appropriate form of development in principle accords with Draft New London Plan policy D8 and is justified.

1.5. The approach taken in defining areas/locations where tall buildings are an appropriate form of development in principle meets the requirements of Draft New London Plan Policy D8 and paragraph 3.8.2 in relation to the evolving context of Opportunity Areas. OPDC also considers that the approach accords with the Draft New London Plan Minor Suggested Changes.

1.6. It should also be noted that the Mayor of London has not raised this as an issue in his representations on the Local Plan. A range of policies from the London Plan and the Local Plan will be material to the determination of planning applications for tall buildings as well as any other material considerations. The OPDC as decision making authority will take all of these into account in determining applications for development of tall buildings within its area in accordance with the relevant Schemes of Delegations with boroughs.

#### The Local Plan's approach to tall buildings should be assessed against existing London Plan policies

1.7. OPDC considers that the approach to defining the locations of tall buildings in accordance with the Draft New London Plan Policy D8 is justified. OPDC also considers that the approach accords with the requirements of current London Plan Policy 7.7(A) and (E) having defined the location of tall buildings based on a plan led approach and identifying areas appropriate, sensitive and inappropriate for tall buildings.

1.8. OPDC is a functional body of the Mayor of London and considers it appropriate to reflect the content of the Draft New London Plan in the Local Plan to help to deliver the Mayor's policies and aspirations. The Mayor of London, in his response to the OPDC Local Plan Regulation 19(2) consultation, confirmed the Local Plan is in general conformity with the London Plan. He also confirmed that:

*“OPDC’s Local Plan is required to be in general conformity with the current London Plan, however its policies will need to be considered alongside the draft London Plan. The draft London Plan and its evidence base is a material consideration in planning decisions, and gains more weight as it moves towards publication.”*

*“In this regard, the Mayor welcomes the fact that OPDC have, through this second Regulation 19 version, made amendments to reflect the draft London Plan.”*

1.9. OPDC notes that the content of the Draft New London Plan may change following the issue of the Inspectors Panel's report. OPDC considers that in relation to tall buildings, the Local Plan has sufficient flexibility to accommodate minor modifications to the related London Plan policies (see paragraph 1.5). OPDC officers are also attending all relevant London Plan hearing sessions and continue to liaise with the GLA London Plan Team officers to identify any further modifications that would impact OPDC's Local Plan. Should any be identified, OPDC will notify the Planning Inspector.

#### Impact of tall buildings on surrounding communities

1.10. OPDC considers that the approach to defining the locations of tall buildings has adequately considered the impact on surrounding existing communities appropriate to the purpose for plan making and is justified. The areas where tall buildings are an appropriate form of development in principle respond to the location of existing residential communities. This is reflected in the indicative illustration of these areas in figure 3.15. Policy SP9(a)(ii) requires development to respond appropriately to the setting of sensitive locations and ensure that sensitive locations help shape local character and townscape. Place policies also provide location specific guidance to ensure building heights appropriately respond to existing residential areas. References comprise: P1(k)(ii), P2(l)(iii), P7(l)(iv), P8(j)(iii) and P11(i)(iii).

1.11. Policy D6 provides guidance to ensure that all development provides an appropriate standard of amenity which would be implemented in relation to existing residential neighbourhoods. Paragraph 5.43 that supports Policy D5 references the need for specific consideration to be given to the impacts of tall buildings on the amenity of existing residential neighbourhoods.

#### Previous sensitive locations are identified as locations appropriate for tall buildings in principle

1.12. OPDC considers that the approach to defining the locations of tall buildings where proposed Local Heritage Listings are located is justified. Figure 3.15 was amended from the first Regulation 19 Local Plan to remove proposed Locally Listed assets reflecting their proposed status. Should these be confirmed as locally listed by OPDC prior to the Independent Examination, their depiction in Figure 3.15 will be proposed as a minor modification. Subject to the Planning Inspector's decision, these assets will be shown alongside the areas and specific locations where tall buildings are an appropriate form of development in principle. These will be managed by Local Plan Policy D8 and other relevant material considerations

## Impact on RBKC heritage sites

- 1.13. OPDC considers that the approach to tall buildings within the Local Plan is justified in relation to the potential impact on heritage assets within the Royal Borough of Kensington and Chelsea. Any proposal for a tall building will need to accord with Local Plan and London Plan policies in relation to building design, tall buildings and conserving and enhancing the historic environment. Relevant Local Plan policies include SP2, SP9, D2, D5 and D8. Policy D8 provides guidance for conserving and enhancing the significance of designated heritage assets, including their settings. This would include heritage assets outside of the OPDC area. In addition to the Local Plan and London Plan policies, proposals for tall buildings will need to accord with the relevant requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as national policies and other material considerations.
- 1.14. In relation to impacts of tall buildings along Scrubs Lane on the significance of Kensal Cemetery, please see the following section.

## Tall buildings along Scrubs Lane

- 1.15. OPDC considers that tall building locations along Scrubs Lane are justified. This is based on the recommendations in the Scrubs Lane Development Framework Principles. This supporting study seeks to locate tall buildings in four clusters along the street reflecting movement routes, public transport access and sensitive locations. This approach accords with current London Plan (Policy 7.7A) and Draft New London Plan (Policy D8B) by ensuring the guidance for tall buildings is part of a plan led approach to developing Scrubs Lane. This approach identifies appropriate, sensitive and inappropriate locations for tall buildings.
- 1.16. A Scrubs Lane Strategic Views Assessment (part of document SD7) on the impact on relevant heritage assets was carried out to inform the Scrubs Lane Development Framework Principles. This was published to support the Scrubs Lane Development Framework Direction of Travel Document. Both these documents were published in December 2016. The Scrubs Lane Development Framework Principles document supersedes the Scrubs Lane Direction of Travel document; however, changes to recommendations set out within those respective documents were minimal.
- 1.17. The Scrubs Lane Development Framework Principles document undertook a comprehensive development capacity assessment which was shaped to deliver a range of building heights including 4 locations for tall buildings. The assessment was context based considering:
- the role of Scrubs Lane as a busy north-south connector route
  - the role of tall buildings to assist in the legibility of new east-west routes into Old Oak North
  - the proposed location of active land use clusters to support legibility and serve communities
  - the location and significance of heritage assets (see Strategic Views Assessment below)
  - the location of open spaces and existing residential communities
  - the location of less sensitive locations, includes adjacent to railway lines
- 1.18. The result of this work is set out in page 41 of the Scrubs Lane Development Framework Principles relating to general building heights and page 42 which justifies the locations of tall buildings. This information has been reflected in Local Plan Policy P10.

This evidence base material and the emerging policies were taken into account as part of the determination to grant planning permission for three of four sites in this area. The sites which have planning permission are:

- 2 Scrubs Lane (22 June 2018)
- Mitre Yard (1 February 2018)
- North Kensington Gate South (11 June 2018)

1.19. The Strategic Views Assessment was carried out by Built Heritage Consultancy in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA), Third Edition (2013), An Approach to Landscape Character Assessment (2014), Landscape Institute and IEMA guidelines and policy set out in the NPPF (2012) and Historic England guidance.

1.20. The viewing points were defined by the OPDC Heritage Strategy (document SD11) and were located within and outside of the OPDC area including Kensal Green Cemetery. Two development options were assessed. The development options were based on the massing defined within the Scrubs Lane Development Framework Direction of Travel Document. The two options were:

1. Generally 6-8 storeys along Scrubs Lane with lower heights responding to sensitive areas, greater heights along the railway and a single ten-storey building in each cluster; and
2. Generally 6-8 storeys along Scrubs Lane with lower heights responding to sensitive areas, greater heights along the railway and a single eighteen-storey building in each cluster.

1.21. The assessment defined the significance of impact having considered the magnitude of impact and heritage sensitivity. The results were grouped into spatial areas and presented in table 1:

Table 1: Summary of assessment by area

Area	Assessment
<b>Scrubs Lane and Cumberland Park Factory</b>	<ul style="list-style-type: none"> <li>• Generally moderate significance of impact on the streetscape and Cumberland Park Factory</li> <li>• Increased massing and heights may be appropriate if designed to a high quality</li> </ul>
<b>Wormwood Scrubs and Little Wormwood Scrubs</b>	<ul style="list-style-type: none"> <li>• Generally minor significance of impact</li> <li>• Increased massing and heights may be appropriate to provide legibility improvements for local orientation.</li> <li>• Buildings would be visible and would need to be designed to a high quality to ensure a positive impact</li> </ul>
<b>St. Mary's and Kensal cemeteries</b>	<ul style="list-style-type: none"> <li>• Generally major significance of impact on character and openness</li> <li>• Increased massing and heights may be appropriate in certain locations if development is of the highest quality design – individually and cumulatively</li> <li>• Needs to be considered in the context of wider development of Old Oak in the background of views</li> </ul>
<b>Grand Union Canal</b>	<ul style="list-style-type: none"> <li>• Generally moderate to major significance of impact</li> <li>• Needs to be considered in the context of wider development of Old Oak in the background of views Increased massing and heights may be appropriate if designed to a high quality</li> </ul>
<b>College Place</b>	<ul style="list-style-type: none"> <li>• Moderate impact</li> <li>• Increased massing and heights may be appropriate if developments</li> </ul>

- 1.22. The assessment recognises the potential range of significance of impacts, including major significance on St. Mary's and Kensal cemeteries and the Grand Union Canal, and critically the need for the highest quality design. The Local Plan and London Plan provide guidance to ensure that tall buildings deliver the highest quality design. Relevant Local Plan policies include SP2, SP9, D2, D5 and D8. In addition to Local Plan and London Plan policies, proposals for tall buildings will need to accord with national policies and other material considerations.
- 1.23. Based on the robust assessment of the local context, development capacity and resultant heights and impacts on heritage assets likely to be impacted by the proposed tall building locations along Scrubs Lane, OPDC considers that the policies and supporting text which support the principle of tall buildings along Scrubs Lane is sound.

### Tall buildings in North Acton and Acton Wells

- 1.24. OPDC considers that North Acton and Acton Wells are in principle appropriate locations for the development of tall buildings. This designation is justified based on the recommendations in the Victoria Road and Old Oak Lane Development Framework and the existing context of North Acton.
- 1.25. This seeks to locate tall buildings around North Acton Station, Old Oak Common Lane Station and key destinations along Old Oak major town centre, North Acton neighbourhood town centre and other key routes. This approach accords with current London Plan (Policy 7.7A) (document OSD27) and Draft New London Plan (Policy D8B) (document OSD14) by ensuring the guidance for tall buildings is part of a plan led approach for North Acton and Acton Wells. This approach identifies appropriate, sensitive and inappropriate locations for tall buildings.
- 1.26. The Victoria Road and Old Oak Lane Development Framework Principles document undertook a comprehensive development capacity assessment which was shaped to deliver a range of building heights including locations for tall buildings. The assessment was context based considering:
- the movement network
  - the role of tall buildings to assist in the legibility of new routes into Old Oak North and locations of stations
  - the proposed location of active land use clusters to support legibility and serve communities
  - the location and significance of heritage assets (see Strategic Views Assessment below)
  - the location of open spaces and existing residential communities
  - the location of less sensitive locations, includes adjacent to railway lines
- 1.27. The result of this work is set out in page 39 of the Victoria Road and Old Oak Lane Development Framework Principles. This information has been reflected in Local Plan Policy P7.
- 1.28. Based on the robust assessment of the local context, development capacity and resultant heights, OPDC considers that the guidance for tall buildings within North Acton and Acton Wells is sound.

1.29. Boden House and surrounding land is identified on Figure 3.15 as an area where tall buildings are an appropriate form of development in principle. Specific locations where tall buildings are an appropriate form of development in principle, and illustrated by a star, are those that benefit from further analysis for suitability of tall buildings and/or planning permissions for tall buildings.

### Summary

1.30. In summary, OPDC considers that the locations identified as suitable for tall buildings are sound in light of:

- a) the use of the London Plan methodology in defining locations, informed by supporting studies, excellent public transport accessibility levels and the OPDC area's potential contribution to new homes, economic growth and regeneration both locally and for the whole of London;
- b) the detailed consideration of tall building locations along Scrubs Lane; and
- c) the range of legislation, national policy, London Plan policies, Local Plan policies and other relevant material considerations which together will ensure delivery of a high quality built environment, and therefore provide an appropriate framework for the determination of planning applications for the development of tall buildings. This will provide an appropriate standard of amenity and conserve and enhance heritage assets.