

NJ/BL/JR/P7891
25 October 2023

The Planning Department
Royal Borough of Kensington and Chelsea
Kensington Town Hall
Hornton Street
London
W87NX

For the attention of Cheryl Saverus

Dear Cheryl

Sainsbury's and surrounding former utilities land, Canal Way, London, W10

Planning Application Reference: PP/23/06575

On behalf of Ballymore (London Arena) Limited and Sainsbury's Supermarkets Ltd ("The Applicant"), we hereby submit a hybrid Planning Application for outline permission, with part in full and part with all matters reserved, to the Royal Borough of Kensington and Chelsea (RBKC) ("the Council") for the proposed redevelopment of Sainsbury's and surrounding former utilities land, Canal Way, London, W10 ("The Application Site").

The Description of Development as included on the associated Application Documents and Reports is as follows:

A hybrid application for the demolition of all existing buildings and structures to facilitate a mixed-use development comprising residential, retail, commercial and community uses with associated infrastructure.

The Outline element of the scheme will include residential floorspace and ancillary residential facilities (Class C3) and non-residential floorspace comprising flexible commercial, community and sui generis floorspace (Class E / Class F2 / Sui Generis), the provision of new pedestrian and vehicular access, open space, landscaping, car and cycle parking and other associated infrastructure works with all matters reserved for future consideration.

The Detailed element of the scheme will comprise of a large retail store and ancillary facilities (Class E(a)), small units at ground floor level for Commercial, Business and Service uses (Class E), Leisure floorspace (Class E(d)), residential facilities (Class C3), improvements to existing site access at Ladbroke Grove, provision of new pedestrian and vehicular access, internal roads and associated landscaping, car and cycle parking and associated infrastructure works including remediation.

Following discussions with RBKC, a further Description of Development has been agreed for consultation

purposes. The updated Description of Development follows the same format and structure of the original Description but provides further detail in regard to floorspace areas and existing uses. This has also been updated on the Application Form.

As a result, supporting documents within the application submission contain a slightly different description of development to that which has since been agreed with RBKC Officers. The update to the description of the development does not change any of the assessments or conclusions contained within the supporting documents.

The detailed Description of Development agreed with RBKC Officers is as follows:

Hybrid application for the redevelopment of Plots 1, 2, 4, 5 and 6 of the masterplan site through demolition of all existing buildings and structures (including supermarket, car park and petrol filling station (Use Class E), office building (Use Class E), community, sports and housing building (Use Class F2 and Use Class C3), and gas governor (sui generis)) and creation of a mixed-use development of residential, retail, commercial, and community uses (up to 339,458.9 sq.m GEA), in buildings ranging in height up to 29 storeys [maximum 98 metres from ground], with associated public realm and infrastructure, comprising:

Outline proposals for residential floorspace (up to 290,913.5 sq.m GEA and 2,519 homes) and ancillary facilities (Use Class C3) and non-residential floorspace (up to 15,950 sq.m GEA) comprising flexible commercial (Use Class E), community (Use Class F2) and sui generis floorspace, the provision of new pedestrian and vehicular access, open space, landscaping, car and cycle parking and other associated infrastructure works; and

Detailed proposals for a supermarket (Use Class E(a)) and ancillary facilities (23,248.9 sq.m GEA), ground floor commercial, business and service units (Use Class E) (732.7 sqm GEA), leisure floorspace (Use Class E(d)) (369.3 sq.m GEA), residential facilities (Use Class C3) (8,244.5 sq.m GEA), improvements to existing site access at Ladbroke Grove, provision of new pedestrian and vehicular access, internal roads and associated landscaping, car and cycle parking and associated infrastructure works including remediation.

[APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT FOR THE PURPOSES OF ENVIRONMENTAL IMPACT ASSESSMENT; MAJOR DEVELOPMENT; AND DEVELOPMENT AFFECTING THE SETTING OF CONSERVATION AREAS AND THE SETTING OF LISTED BUILDINGS]

Application Site

The Application Site comprises a very large former utilities site with an existing low density Sainsbury's store in the eastern portion of the Site and open storage at the western end. At the front of the Site (fronting onto Ladbroke Grove), are Canalside House, a 3-storey office building and associated car park, and the Boathouse Centre, a 4-storey building housing the London Sports Trust and 16 affordable homes above managed by Peabody.

The existing Sainsbury's store comprises a large, two storey retail building, with surface level car park providing space for 396 vehicles. A Petrol Filling Station is also located on Site which includes 8 pumps. The store opened in 1989 and has since served as an important retail destination for the local community and wider RBKC area.

The Application Site is bounded to the north by the Grand Union Canal and Kensal Green Cemetery, to the south by the Great Western trainline and to the east by Ladbrooke Grove. The Site covers a total area of 7.6 hectares.

Policy Context

The Application Site is designated for high density redevelopment as part of the Kensal Canalside Opportunity Area, which contains the Site, land to the west on which the former gas holders were located (owned by Berkeley St William) and largely vacant land to the south of the railway lines (owned by the Department for Transport).

Ballymore and Sainsbury's Supermarket Limited (SSL) have formed a joint venture to collaboratively redevelop a large portion of the northern Opportunity Area including reprovision of the existing Sainsbury's store and a significant number of new homes.

The adopted London Plan (2021) identifies the Opportunity Area as a whole to have the potential to deliver 3,500 new homes and 2,000 new jobs by 2041.

Further, the Council's current Local Plan Policy CA1 allocates Kensal Canalside Opportunity Area to deliver a minimum of 3,500 new homes, 10,000 sqm of new offices and 2,000 sqm of new non-residential uses. The Site Allocation also requires the relocation and reprovision of the existing Sainsbury's supermarket. As part of this allocation, it is advised that, 'comprehensive development of the site in accordance with an urban design framework that will be set out in the Kensal Canalside Opportunity Area SPD'.

The Kensal Canalside Opportunity Area SPD was adopted in July 2021. This document provides additional guidance on the application of the adopted Development Plan policies and is a material planning consideration in the assessment of any scheme that comes forward within the Opportunity Area. While the SPD goes into further detail regarding the redevelopment of the Opportunity Area, it echoes the Site Allocation requirements as set out within the London Plan and Local Plan.

RBKC are currently preparing their New Draft Local Plan, in which the Opportunity Area has retained its allocation for mixed use redevelopment in which a minimum of 3,500 new homes and 12,000 sqm of non-residential floorspace (in addition to the relocated supermarket) should be provided (Policy SA1). The Draft Local Plan is currently at Examination stage and as such its policies and allocations are considered to carry moderate weight in the consideration of this application. However, it is likely that the NLPR will have progressed further by the determination of this planning application and therefore should be afforded more weight with the passage of time.

The Proposed Development

The submitted hybrid planning application is in line with the Council's aspirations for the Opportunity Area, as set out in the adopted Kensal Canalside Supplementary Planning Document (SPD) and New Draft Local Plan. This includes the delivery of a new high quality residential neighbourhood (accommodating up to 2,519 new homes), alongside the reprovision of the existing Sainsbury's store (with continuity of trade secured throughout the construction period), a new Neighbourhood Centre providing retail, food and beverage, community and

leisure uses and major new public open spaces with two new publicly accessible parks, the reinstatement of a historic canal basin and high-quality public realm and landscaping throughout.

Table 4.1 of the London Plan identifies a ten-year housing target for RBKC of 4,480 new homes (448 new homes per annum). Furthermore, the Application Site is within the Kensal Canalside Opportunity Area which seeks to deliver up to 5,000 new homes (and a minimum of 3,500 new homes) as set out within the adopted Kensal Canalside Opportunity Area SPD, Site Allocations CA1 of RBKC's Local Plan and SA1 of the Draft Local Plan.

The Government's Housing Delivery Test 2021 (published 14 January 2022) covers the years 2018/19, 2019/20 and 2020/21. During the relevant three-year period (2018-2021), the Royal Borough of Kensington and Chelsea delivered only 809 homes, in comparison to their Government target of 1,892 new homes. The Borough therefore only managed to achieve 43% housing delivery.

There is clearly an urgent need within to provide new homes in RBKC, as identified through both the London Plan and the Local Plan. The inclusion of the Application Site within a Strategic Site Allocation and Opportunity Area that is specifically identified as appropriate for strategic housing of a minimum of 3,500 homes sets a clear expectation for housing delivery across the Opportunity Area.

The Applicant has been in detailed discussions with the Royal Borough of Kensington and Chelsea (RBKC), the Greater London Authority (GLA), the local community and other key stakeholders to bring forward a comprehensive mixed-use, high-quality redevelopment of the Application Site in line with the above policy designations and requirements. Further to this, the Applicant has sought to work collaboratively with other landowners within the Opportunity Area to ensure a well-considered comprehensive masterplan is brought forward.

Overall, this major redevelopment scheme will provide a high quality new mixed-use redevelopment on an underutilised brownfield site. The high-quality and carefully developed masterplan seeks to achieve the aspirations of the Kensal Canalside SPD, creating a vibrant place to live, work and socialise.

Summary of Key Benefits

A detailed assessment of the proposed development in light of adopted and emerging planning policy is set out in the Planning Statement (September 2023) prepared by Rolfe Judd Planning and submitted in support of the planning application. However, by way of a summary, the redevelopment of the Application Site will deliver a number of substantive benefits for the local area. These will include:

- / The opportunity to transform an existing underutilised brownfield site into a high quality new urban neighbourhood in line with the adopted Opportunity Area framework, Local Site Allocations and SPD;
- / Use of largest brownfield site in the Borough for the delivery of up to 2,519 new homes to greatly assist in meeting the urgent need for housing within RBKC and across London;
- / The provision of high quality affordable and family homes which integrate into the wider design, including social rent and intermediate units;

- / The provision of a new, larger, Sainsbury's store with additional amenities and improved shopping experience;
- / Existing Sainsbury's store to remain open throughout the construction period and retention of existing staff within the new store;
- / The delivery of significant public open space across the Application Site, including a Canalside Park and public green space at the entrance of the Site for use by the local community and new residents;
- / A high-quality development, externally and internally, which takes inspiration from local character and distinctiveness;
- / Replacement of the existing roundabout with an improved signalised junction onto Ladbroke Grove, improving pedestrian and cyclists' safety and access into the Site;
- / Opportunity for new connections between the Site and the surrounding areas in the form of new pedestrian routes and two bridges;
- / The provision of two new community leisure facilities, for use by incoming residents and the existing surrounding community;
- / Flexible commercial and retail units across the masterplan, creating a new Neighbourhood Centre to meet the needs of existing and incoming residents;
- / The provision of flexible workspace units, including affordable workspace, providing significant employment opportunities;
- / Pedestrian priority streets to create a safe environment for pedestrians and cyclists;
- / Enhanced biodiversity through new public open space, biosolar roofs and significant soft landscaping, including tree planting, throughout the public realm;
- / Re-opening of the historic canal basin to provide leisure space for all;
- / The provision of sustainability technologies, resulting in an overall CO2 reduction of 59.9% across the Site;
- / The provision of 3% on street blue badge parking spaces from the outset, alongside resident long stay cycle parking spaces, commercial staff cycle spaces and short stay cycle spaces for visitors;

- / The creation of apprenticeships and jobs through both the construction and operational phases; and
- / The inclusion of a number of substantial financial contributions through Mayoral CIL and S106 obligations, contributing towards local infrastructure including education and healthcare.

The Planning Application

This application seeks a hybrid planning permission where part of the scheme is submitted in Detail with the remainder of the scheme submitted in Outline. All Outline Elements of the scheme will be subject to future Reserved Matters applications requiring approval of the detail across these plots by RBKC.

This approach seeks to respond to the predicted programme of Development and the requirement to ensure that the Development can respond to changing regulations within the industry, when required. An example of this is the recent change to fire legislation and building regulations, to improve safety within new developments, as well as the recently updated Building Regulations. This also includes allowing flexibility to improve sustainability measures as the development progresses, through the inclusion of new technologies.

While the Outline Element seeks to allow flexibility for such changes to regulations and technology, the Application is supported by strict Design Code principles, Parameter Plans and a Development Specification, which provide limited flexibility within the built footprint and scale of development. It is also accompanied by an Environmental Statement (October 2019) prepared which assesses the impact of development on the local and wider context.

The illustrative masterplan associated with the Outline Element shows one way in which the Outline Elements could be delivered and adopts the aforementioned site-wide principles to establish the overall character and design ethos of the wider site's redevelopment, while allowing the necessary flexibility for the Outline blocks to be designed and constructed in the future with due consideration to the changing context and regulations.

The requisite application fee for the proposal has been calculated as **£74,449**. This is based on a fee of £60,809 for the Detailed Element (24,350.9sqm GEA commercial floorspace) and £13,640 for the Outline Element (4.02 hectares).

Next steps

Following submission of this application, the Applicant is committed to continuing discussions with the Council, the GLA, the local community and other stakeholders. This will assist in the progression of the development proposals for the Site.

We trust that the submitted information will enable you to validate our clients' application at the earliest opportunity and is also sufficient for you to support the application. Should you have any queries pertaining to the application please do not hesitate to contact the undersigned.

Yours sincerely

Bethany Lennon

Bethany Lennon

For and on behalf of
Rolfe Judd Planning Limited