

## **Earl's Court and West Kensington SPD – Environmental Assessment Post Adoption Statement of Compliance**

The London Borough of Hammersmith and Fulham (LBHF) and the Royal Borough of Kensington and Chelsea adopted the Earl's Court and West Kensington Opportunity Area Supplementary Planning Document (SPD) on March 19<sup>th</sup> 2012 and 22<sup>nd</sup> March 2012 respectively.

This document is the Post-Adoption Statement of Compliance for the SPD (March 2012) and has been prepared in accordance with the provisions of Regulation 16 (4) of the Environmental Assessment of Plans and Programmes Regulations 2004 (The SEA Regulations). The Statement must include the following information:

1. How environmental considerations have been integrated into the plan or programme;
2. How the Environmental Report has been taken into account;
3. How opinions expressed in relation to the consultations on the Environmental Report have been taken into account;
4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

### **1. How environmental considerations have been integrated into the plan or programme**

The SPD underwent two rounds of public consultation before its adoption:

- 1<sup>st</sup> draft consultation: March-April 2011; and
- Revised draft consultation: November-December 2011.

At each stage in the preparation of the SPD, an environmental assessment was undertaken in accordance with the SEA Regulations 2004. This was set out in a document entitled "Sustainability Appraisal" (SA). The SA was undertaken in parallel to the emerging principles and objectives within the SPD, allowing for an iterative process of policy formulation, considering the outcomes of the emerging SA in the drafting of the principles and policies in the SPD.

The SA for the 1<sup>st</sup> draft of the SPD also outlined issues and impacts and possible mitigation resulting from the emerging objectives and principles, which were reflected in the revised draft SPD and adopted SPD. This is outlined in more detail in Section 2 below.

### **2. How the Environmental Report has been taken into account**

The 1<sup>st</sup> draft of the SPD was consulted on in March 2011. The SPD was accompanied by a SA that tested and evaluated the effects of the SPD's objectives. The outcomes of this assessment showed that broadly, the impact of the objectives was considered to be positive; however, Task B5 identified

possible impacts and mitigation measures that should be incorporated into any future draft of the SPD. The table below sets out these impacts and mitigation measures and actions that were taken to rectify this in the 2<sup>nd</sup> draft and adopted version of the SPD.

<b>Impact</b>	<b>Recommendation</b>	<b>Action</b>
It is unclear what measures are proposed to encourage the establishment of community organisations and strengthen existing organisations.	Identify requirements in terms of necessary support structures and facilities to enable community groups to establish and flourish within the Opportunity Area.	Wording inserted into para 9.23 requiring that the community space secured in Key Principle SC6 performs a role of helping community groups to flourish and providing help to residents to integrate into the new community.
Childhood obesity has been identified as an issue in primary school children within the Opportunity Area and access to play space, open space and playing fields needs to be established and/or improved to help address this issue.	Prioritising the creation of active play space and MUGA's within the proposed strategic open space	Key Principle UF11 inserted requiring the provision of a mix of leisure pursuits, including sports pitches, children's play and court games. Specific mention of childhood obesity made in para 4.43.
There is no key principle that underpins secure by design and requires it to be incorporated into the design of buildings and public space.	Insert a principles to ensure that safety and security are fundamental to the redevelopment of the Opportunity Area	Reference made in policy context to designing out crime in para 4.7. Key Principle UF39 inserted requiring streets and spaces to be overlooked, to reduce the incidence and fear of crime.
There do not appear to be measures to improve road safety for all users and reduce traffic speeds to avoid an increase in personal injury accidents.	Traffic calming, pedestrian and cycle friendly routes, green travel plans	Key Principle TRN4 requires streets to provide safe and direct north-south and east-west movement for pedestrians and cyclists. Para 12.86 inserted requiring any Low Emission Strategy submitted by developers to consider the implementation Green Travel Plans.
Station improvements by themselves will not improve PTAL, which relates more to the frequency and walking distance to public transport services.	Other interventions, including - New or revised bus routes; - New, revised or upgraded bus stops; - Bus priority measures;	- Key Principle TRN17 inserted requiring additional bus services, routes and stops funded by development.

	- More frequent peak time LUL services	- The SPD does not require additional capacity to be provided on LUL network as this is a strategic issue.
Although public transport interventions have the potential to significantly reduce vehicle trip generation, further mitigation measures need to be implemented to ensure vehicle generation is minimised.	<ul style="list-style-type: none"> <li>- reduction in parking ratios</li> <li>- car-free and permit free residential schemes</li> <li>- Travel Demand Management incorporating green travel plans</li> <li>- Service management plans and construction logistic plans</li> </ul>	<ul style="list-style-type: none"> <li>- Key Principle TRN24 requires car parking levels to be minimised. Para 10.74 inserted stating that even the levels of parking tested within the Transport Study resulted in some unacceptable impact on the highway network.</li> <li>- Para 12.86 inserted requiring any Low Emission Strategy submitted by developers to consider the implementation Green Travel Plans.</li> <li>- Para 10.78 requires Service Management Plans and Construction Logistics Plans to be included within any planning applications.</li> </ul>
There is a potential limitation on the extent to which SUDS can be implemented given comparatively small amount of open space, particularly in Development Capacity Scenario 3.	revisit the open space/green space allocation and look to increase it where possible	Key Principle UF14 inserted requiring that 10sqm of open space is provided per child. This ensures that open space provision relates to the size of population generated by development.
The anticipated increase in vehicle movements along with energy related emissions have the potential to negatively impact on air quality within the Opportunity Area.	<p>mitigation measures will help limit any long term deterioration of air quality, such as;</p> <ul style="list-style-type: none"> <li>• A comprehensive Low Emission Strategy to be submitted with all major applications with binding targets;</li> <li>• A reduction in parking ratios for residential schemes;</li> <li>• car-free and permit free residential and mixed-use schemes in conjunction with improvements to public</li> </ul>	<ul style="list-style-type: none"> <li>- Para 12.83 clarifies that a Low Emission Strategy will be required.</li> <li>- Key Principle TRN24 requires car parking levels to be minimised. Para 10.74 inserted stating that even the levels of parking tested within the Transport Study resulted in some unacceptable impact on the highway network.</li> </ul>

	<p>transport accessibility and capacity;</p> <ul style="list-style-type: none"><li>• bus priority measures;</li><li>• comprehensive public transport accessibility and capacity improvements;</li><li>• green travel plans for both residential schemes and sites of employment;</li><li>• Planted open space buffer areas between arterial routes and residential blocks; and</li><li>• Ventilation for residential blocks to be drawn from buffered/internal areas away from arterial routes.</li></ul>	<ul style="list-style-type: none"><li>- Key Principles TRN10-TRN17 inserted and deal with public transport improvements and set in place a framework for comprehensive improvements including but not limited to London Underground station improvements, new bus routes and more frequent bus services.</li><li>- Para 12.86 inserted requiring any Low Emission Strategy submitted by developers to consider the implementation Green Travel Plans.</li><li>- Key Principle TRN6 inserted requiring development to fund environmental improvements on existing streets surrounding the Opportunity Area.</li></ul>
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### **3. How opinions expressed in relation to the consultations on the Environmental Report have been taken into account**

The SPD is accompanied by a Statement of Consultation, which sets out how the public were consulted on the various drafts of the SPD. This can be found on LBHF's website at:

[http://www.lbhf.gov.uk/Images/Statement%20of%20Consultation\\_tcm21-170151.pdf](http://www.lbhf.gov.uk/Images/Statement%20of%20Consultation_tcm21-170151.pdf)

or on RBKC's website at:

[http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns\\_type=pdf&ns\\_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns\\_type=pdf&ns\\_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns\\_type=pdf&ns\\_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns\\_type=pdf&ns\\_url=http://www.rbkc.gov.uk/planningandconservation/planningpolicy/supplementaryplanning/idoc.ashx?docid=4448af90-6279-42fc-a8da-b4c4a92bb1ba&version=-1](http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns_type=pdf&ns_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns_type=pdf&ns_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns_type=pdf&ns_url=http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns_type=pdf&ns_url=http://www.rbkc.gov.uk/planningandconservation/planningpolicy/supplementaryplanning/idoc.ashx?docid=4448af90-6279-42fc-a8da-b4c4a92bb1ba&version=-1)

No comments were received that specifically related to the Sustainability Appraisal produced to accompany the 1<sup>st</sup> draft of the SPD, published for consultation in March 2011.

A total of 9 comments were received on the Sustainability Appraisal produced to accompany the 2<sup>nd</sup> (revised) draft of the SPD, published in November 2011.

The comments received can be viewed on LBHF's website at:

[http://www.lbhf.gov.uk/Images/SPD%20Supporting%20Evidence%20Document%20-%20Sustainability%20Appraisal\\_tcm21-170120.pdf](http://www.lbhf.gov.uk/Images/SPD%20Supporting%20Evidence%20Document%20-%20Sustainability%20Appraisal_tcm21-170120.pdf)

or on RBKC's website or at:

[http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns\\_type=pdf&ns\\_url=http://www.rbkc.gov.uk/planningandconservation/planningpolicy/supplementaryplanning/idoc.ashx?docid=f19cfee3-5127-40b7-863d-4904e752880e&version=-1](http://uk.sitestat.com/rbkc/rbkc/s?idoc&ns_type=pdf&ns_url=http://www.rbkc.gov.uk/planningandconservation/planningpolicy/supplementaryplanning/idoc.ashx?docid=f19cfee3-5127-40b7-863d-4904e752880e&version=-1)

In response to comments by English Heritage, the SA, and in particular paragraphs 2.2.3 and 2.2.4 of the SA, were revised to highlight the importance of the heritage value of the surrounding area, including the heritage value of Brompton Cemetery and listed buildings.

English Heritage and the Hammersmith and Fulham Historic Buildings Group requested that the SA refers to PPS5, including consideration of designated and undesignated heritage assets, and includes consideration of Parks and Gardens of Historic Interest (Brompton Cemetery) or archaeology, which was incorporated in the final SA.

In response to a comment by the Hammersmith and Fulham Historic Buildings Group, Sustainability Objective 9 was revised to 'optimising development' instead of 'maximising development'.

In response to comments by English Heritage and the Hammersmith and Fulham Historic Buildings Group, Table 3 was also be revised to clarify that new development has the potential to conflict with enhancing and respecting the character and appearance of heritage assets and their settings.

English Heritage raised concerns that the SA tests the 'worse case' scenario and by doing so removes the opportunity of testing the sustainability of less intensive development. The SA was revised to clarify that the SPD is a framework against which planning applications will be determined. The SA therefore tests the Key Principles of the SPD, not a development quantum, against the Sustainability Objectives.

English Heritage raised concerns that the SA is unwilling to develop solutions to areas of incompatibility identified between SA Objectives. These areas of conflict were further clarified under table 6. Reference was also be made to the need for these conflicts to be resolved in the SPD and required mitigation measures to resolve these conflicts are set out in table 9.

Finally, English Heritage stated regret that the SPD did not use various development scenarios to identify where tall buildings could be located, in order to resolve the potential conflict between new development and heritage assets. Alternatively, EH requested that the SA require a tall building strategy in accordance with the CABE/EH guidance on tall buildings. The Councils responded that the SPD is a framework to assess various development proposals. The SPD contains a number of Key Principles to control the impact of development on heritage assets and this will be revised to specifically control the setting of heritage assets surrounding the Opportunity Area. The SPD was also amended to include reference to the CABE/EH Guidance on Tall Buildings. The SA was be revised to require a Design and Access Statement with planning applications that thoroughly assess the impact of the proposal within the OA on heritage assets (listed buildings and structures, conservation areas and registered parks and gardens) surrounding the Opportunity Area.

Natural England and the Environment Agency were also consulted on the SPD and SA as part of both 1<sup>st</sup> and 2<sup>nd</sup> consultations but the Councils did not receive any comments from either organisation directly relating to the SA.

#### **4. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with**

The first draft of the SPD included three development capacity scenarios:

1. 4,000 homes, not including the West Kensington or Gibbs Green estates;
2. 6,000 homes, including the West Kensington or Gibbs Green estates;  
and
3. 8,000 homes, including the West Kensington or Gibbs Green estates.

The SA produced to accompany the first draft of the SPD assessed the impact of each of these scenarios. The 2<sup>nd</sup> (revised) draft of the SPD and the adopted

SPD assessed the worst case scenario, which equated to the third development capacity scenario that was assessed in the first draft of the SPD. The SA states that the reason for adopting this approach was that the SPD was a framework against which planning applications will be determined and that the SA therefore tests the Key Principles of the SPD, not a development quantum, against the Sustainability Objectives.

Alternative options for land use were not tested within the SPD or SA for the SPD as the London Plan and borough Core Strategies set in place clear policies for the area in terms of land use. Alternative options for development within the Earl's Court and West Kensington Opportunity Area were assessed in LBHF's Core Strategy Options 2009 document and RBKC's Core Strategy 2009 and in both cases, the accompanying SA, undertaken under the Planning and Compulsory Purchase Act 2004, tested the alternative options against the borough's respective sustainability objectives. The SA for LBHF's Core Strategy Options 2009 document can be found at:

[http://www.lbhf.gov.uk/Images/SA%20REPORT%20June%202009\\_tcm21-123060.pdf](http://www.lbhf.gov.uk/Images/SA%20REPORT%20June%202009_tcm21-123060.pdf)

Pages 73-75 assess the impact of the preferred option and two alternative options for the Earls Court Exhibition Centre 2, Lillie Bridge Depot, West Kensington and Gibbs Green estates, and adjacent land Strategic Site and Housing Renewal Area.

The SA for RBKC's Core Strategy 2009 can be found at:

<http://www.rbkc.gov.uk/pdf/101-Pre-submission%20SA%20Report%2028%20October%202009.pdf>

Chapter 3.4 of the SA sets out the reasons for selecting the preferred strategic site allocations in the Core Strategy. Figure 4 (at para 3.4.4) illustrates when and where strategic site options were considered in the development of the plan. For the Earls Court Strategic Site, alternative options were considered in the 'Towards Preferred Options' document (July 2008). At para 3.4.24 the reasons for not selecting options for the Earls Court Strategic Site are given. The RBKC document 'Towards Preferred Options' (July 2008) identifies three options: residential led, office led, or including a convention or exhibition centre. This last option could be compatible with either of the first two. Representations received to that consultation identified that the land owner had aspirations for retail on the site. This option was then also assessed, and rejected because of its impact on existing town centres. For this reason the SA of the RBKC Core Strategy (Oct 2009) identifies that the options rejected at proposed submission stage included retail and status quo.

## **5. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme**



Based on the prediction and evaluation of effects, the SA concluded that there are several areas where a high density redevelopment may result in negative effects and/or where mitigation further to that proposed may enhance positive effects.

The SA recommended further mitigation measures with respect to the following sustainability objectives:

#### Equality and diversity

- Provide a 'needs assessment' of community groups in and around the Opportunity Area and take the recommendations into account in the final development.

#### Safety and security

- Assess planning applications against Policy 7.3 of the London Plan (Designing out Crime) and RBKC's Designing out Crime SPD for development within RBKC

#### Transport and travel

- Ensure a reduction in personal injury accidents by preparing a road safety strategy, segregating pedestrian and cycle routes, providing signalised crossings and providing traffic calming measures;
- Require green travel plans for residential schemes, education and sites of employment;
- Require car-free and permit free residential schemes in conjunction with improvements to public transport accessibility and capacity; limit vehicle speeds to 20mph; encourage as much planting and screening as possible; minimise vehicle parking ratios well below 0.4 spaces per unit; and require Travel Demand Management incorporating green travel plans for residential schemes and employment sites.

#### Water resources

- Allocate more open space for Sustainable Urban Drainage Systems and more permeable surfaces;
- Water efficiency devices should be provided throughout the development.

#### Air quality

- Require green travel plans for both residential schemes, education and sites of employment;
- Planted open space buffer areas between arterial routes and residential blocks; and
- Ventilation for residential blocks to be drawn from buffered/internal areas away from arterial routes.

#### Heritage and Built Environment

- Requiring a Design and Access Statement with planning applications that thoroughly assess the impact of the proposal within the OA on heritage assets surrounding the SA.

Appendix 8 of LBHF's Adopted Core Strategy (2011) contains within it a list of monitoring indicators. Para 9.9 of the Core Strategy notes that this is '*to enable the council to know whether the Core Strategy policies and programmes for infrastructure are achieving their objectives and targets.*' The monitoring information is collected as part of the preparation of the Annual Monitoring Report (AMR) and also supplies information into annual monitoring systems set up by the GLA. Para 9.9 goes on to state that '*where policies and targets are not being met or implementation is delayed or are having unintended effects, reasons will be provided in the AMRs along with any appropriate actions to redress the matter.*'

RBKC's Adopted Core Strategy (2010) contains a Monitoring Framework, which set out in Section 2D, Chapter 38. The monitoring framework includes a list of performance indicators listed under each of the 'Strategic Themes'. The monitoring information is collected as part of the preparation of the Annual Monitoring Report and also supplies information into annual monitoring systems set up by the GLA.

Where it would appear through monitoring that targets are not being met it may be necessary to review the policies within the Core Strategy to establish whether they need to be amended in order to secure delivery of the spatial vision. The need to review policies will be identified in the Council's Annual Monitoring Report.