

Royal Borough of Kensington and Chelsea

Statement of Common Ground (SoCG)

October 2022



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

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## 1. Executive Summary

- 1.1 A Statement of Common Ground (SoCG) is a written record of the progress made by strategic policy-making authorities during the process of planning for cross-boundary matters. This SoCG has been prepared to demonstrate that the Royal Borough of Kensington and Chelsea (Kensington and Chelsea) New Local Plan Review (NLPR) is '*based on effective joint working on cross-boundary strategic matters*', in accordance with the requirements of paragraph 27 of the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) chapter on Maintaining Effective Co-operation.
- 1.2 This SoCG focuses on strategic cross-boundary matters being addressed and progress in cooperating to address them. It also forms part of the evidence demonstrating compliance with the 'duty to cooperate'.
- 1.3 The document is intended to be 'live', updated as circumstances change, and agreement occurs on any outstanding issues. Strategic matters overseen by other organisations will be addressed in other SoCGs if necessary. This will serve to make the documents more concise for relevant parties.

## 2. Parties involved

- 2.1 This SoCG will address strategic spatial policies which require direct collaboration with the relevant Local Planning Authorities. The London Boroughs and Mayoral Development Agency listed below have been included as they are immediately adjacent to Kensington and Chelsea or make up part of a shared market area. The Council is engaged with them on strategic matters on an on-going basis. The Mayor of London, due to his strategic planning powers has also been included.
- 2.2 This Statement of Common Ground (SoCG) has been prepared by Kensington and Chelsea to be agreed with:
  - London Borough of Brent
  - Westminster City Council (WCC)
  - London Borough of Hammersmith and Fulham (LBHF)
  - London Borough of Wandsworth
  - Old Oak and Park Royal Development Corporation (OPDC)
- 2.3 Kensington and Chelsea has agreed a separate SoCG with **LBHF** and **OPDC**, which documents cooperation and agreement on RBKC's waste apportionment targets.

### 3. Signatories

**London Borough of Brent** agree to matters referred to in this document which directly impact them, as outlined in the 'Strategic Matters' section.

Signed....

Position....

Date....

**Westminster City Council** agree to matters referred to in this document which directly impact them, as outlined in the 'Strategic Matters' section.

Signed.....

Position.....

Date.....

**London Borough of Hammersmith and Fulham** agree to matters referred to in this document which directly impact them, as outlined in the 'Strategic Matters' section.

Signed.....

Position.....

Date.....

**London Borough of Wandsworth** agree to matters referred to in this document which directly impact them, as outlined in the 'Strategic Matters' section.

Signed.....

Position.....

Date.....

**Old Oak and Park Royal Development Corporation** agree to matters referred to in this document which directly impact them, as outlined in the 'Strategic Matters' section.

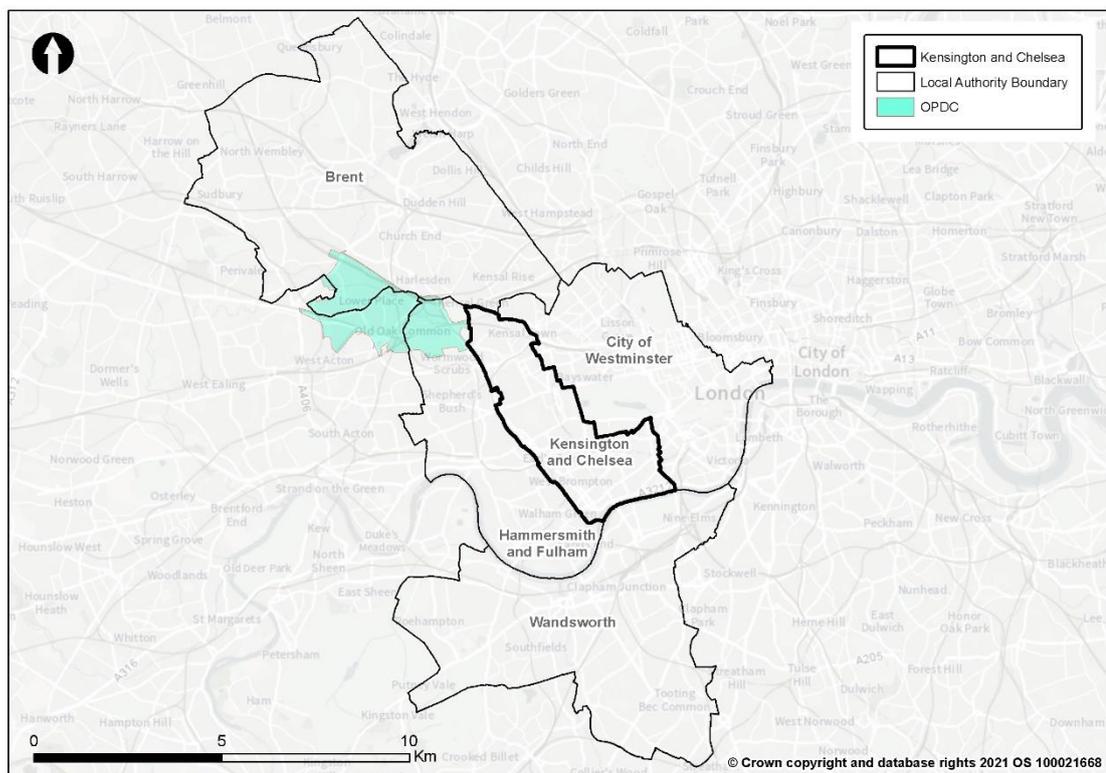
Signed.....

Position.....

Date.....

## 4. Strategic Geography

- 4.1 Kensington and Chelsea is an inner London Borough bordered by **WCC**, **LBHF** and the **London Boroughs of Wandsworth and Brent**. **OPDC**, a Mayoral Development Corporation (MDC), has also been included due to its position close to the northern boundary of the Borough within the neighbouring boroughs of LBHF and Brent.
- 4.2 The area shown in figure 1 below has been identified as the strategic planning area for the purposes of this SoCG. These boroughs represent key Duty to Co-operate partners and contain areas most likely to be directly affected by the policies set out in the Kensington and Chelsea NLPR.



**Figure 1:** Map showing the geographical relationship between RBKC and its neighbouring boroughs.

### London Plan

- 4.3 In the London context, strategic issues that go beyond borough boundaries is largely addressed through the London Plan.
- 4.4 The London Plan is the spatial development strategy for London, produced by the Greater London Authority (GLA) on behalf of the Mayor of London. The current plan was adopted in March 2021. Every London borough's local plan must be in general conformity with the published London Plan. Together, the policies in the London Plan and in each borough's Local Plan constitute the

statutory local development plan for that borough, along with any neighbourhood development plans, once made.

## 5. Strategic Matters

- 5.1 Strategic matters are those considered to be of cross-boundary significance arising from the potential impacts of the Kensington and Chelsea NLPR. These matters are what this SoCG will focus on. The statement sets out where agreement has or has not been reached and with who on each matter.

### Housing

- 5.2 The delivery of new housing including affordable housing is arguably the biggest strategic issue in London. Through the London Plan, the Mayor of London sets 10-year housing targets for each local planning authority. London Plan Policy H1: Increasing housing supply Part A states that *“Boroughs must include these targets in the Development Plan Documents”*.
- 5.3 The London Plan (2021) sets Kensington and Chelsea’s housing target at a minimum of 4,480 dwellings in the period 2019/20 - 2028/29. Policy HO1 Delivery and Protection of Homes in the NLPR sets out our commitment to meet this target. Given the uniquely dense and historic nature of the Borough the policy aims to set a more realistic “stepped” housing target enabling us to have a lower delivery figure for the first five years and then stepping up the delivery in years six to ten. We will deliver this target with 1,500 homes delivered in the first five years and then stepping up to deliver 2,980 homes in years six to ten. Overall, the 4,480 homes target will be met over ten years. Our housing trajectory is set out in Chapter 3 and Appendix 1 of the NLPR – Publication Policies document. Further details are set out in the RBKC Five Year Housing Land Supply and Stepped Housing Trajectory, October 2022.
- 5.4 A stepped housing trajectory approach recognises that housing delivery may not be evenly distributed annually throughout the plan period. Therefore, it is possible to reflect housing delivery based on when development is likely to come forward. Such an approach is supported in certain circumstances both in the London Plan (paragraph 4.10) and the PPG (paragraph 21)<sup>1</sup> on Housing Supply and Delivery. We expect our approach to be supported by the GLA in their letter of conformity in due course.
- 5.5 The Council can demonstrate a five-year supply including a 20% buffer within its boundary. As such, it will not request that neighbouring local planning authorities indicate whether they have the capacity to meet any of Kensington and Chelsea’s target, nor will it be able to agree to accommodate any shortfall that they might have in achieving their targets.
- 5.6 **Kensington and Chelsea, Brent, LBHF, Wandsworth, the OPDC and WCC agree that in the Local Plans they will take forward, they will seek to meet**

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<sup>1</sup> <https://www.gov.uk/guidance/housing-supply-and-delivery#calculating>

**the housing targets within their boundaries and be in general conformity with the London Plan in meeting their housing targets.**

- 5.7 In terms of affordable housing, **Kensington and Chelsea, Brent, LBHF, Wandsworth, the OPDC and WCC all agree that it is up to individual boroughs to set out their own approach if different from the London Plan.** This will be based on individual housing needs. All authorities should be in general conformity with the Mayor's strategic target of 50% affordable housing across London, and a threshold approach of 35% affordable housing on private land and 50% on public land. The tenure mix of the affordable housing is a matter for individual authorities to base on their local affordable housing needs. The London Plan Policy H6 – Affordable Housing Tenure sets out that authorities can determine the 40% of the requirement according to local needs.

### Gypsy and Travellers

- 5.8 The London Plan sets out that boroughs must meet the identified need for permanent gypsy and traveller pitches and must include 10-year pitch targets in their development plans. Table 4.4 sets out the identified need for an additional 9 pitches based on evidence from the London Boroughs' Gypsy and Traveller Accommodation Needs Assessment published in March 2008.
- 5.9 Kensington and Chelsea is home to one Gypsy and Traveller site at Stable Way which has existed since 1974 and is jointly managed by the Kensington & Chelsea and LBHF Councils.
- 5.10 **In 2016 Kensington and Chelsea and LBHF prepared a Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA). Kensington & Chelsea and LBHF have updated the Joint Gypsy and Traveller Needs Assessment, it identifies no need for additional pitches across the two boroughs.**
- 5.11 Kensington and Chelsea also completed a Site Appraisal Study in 2017. **Kensington & Chelsea and LBHF Councils agreed to explore all available options in meeting the objectives of national policy in order to identify a NPPF compliant supply of sites. This will continue.**

### Commercial Development, Retail and Office Space

- 5.12 Kensington and Chelsea contains eleven larger or "higher order town centres" which have been designated within both the London Plan and our Local Plan. These form part of the London-wide network of town centres. They are supported by a large number of smaller neighbourhood centres. The function of these centres vary, as do their catchments and the people that they serve. Whilst the larger centres may serve people from across the capital, we do recognise that a small neighbourhood centre can also have a very useful

function in meeting the day to day needs of all those who live nearby, irrespective of the administrative area.

- 5.13 Whilst the borough is not a strategic office location in the way that the City of London or the Isle of Dogs are, it does contain approximately 470,000 sq m of business floorspace. Much of this is located within, or close to our larger town centres and within our three Employment Zones. However, one of the characteristics of this sector are the number of small business premises across the borough, including those in otherwise residential areas.
- 5.14 The importance of the wider E class sector has been recognised by the Secretary of State who, in August 2022, issued an Article 4 direction removing the freedoms offered by Class MA of the GPDO (Class E to residential) for over 95% of all E class premises in the borough. This includes most of our designated centres, the Employment Zones as well as many of the isolated business premises.
- 5.15 The Council recognises that the creation of additional retail floorspace in one area can have an impact on the vitality and the viability of town centres nearby. This may include centres in neighbouring boroughs as well as those within Kensington and Chelsea.
- 5.16 As such it remains appropriate for the Council to continue to have due regard to the impacts of its town centre policies on all town centres including those which lie within neighbouring boroughs.
- 5.17 The larger centres which are likely to attract significant numbers of visitors from outside the borough are:
- International Centres: Knightsbridge;
  - Major Centres: King's Road East and Kensington High Street;
  - District Centres: South Kensington, Brompton Cross, Notting Hill Gate, Westbourne Grove and Portobello Road.
- 5.18 In addition, the following neighbourhood centres lie close to the borough boundary and are of a nature likely to serve residents from neighbouring boroughs: North Pole Road, Golborne Road (North), Golborne Road, All Saints Road, Westbourne Park Road, Talbot Road, Lowndes Street, Pont Street, Lowe Sloane Street and the Billings. The scale of these neighbourhood centres is not, however, of strategic importance and the inflows of residents is likely to be modest.
- 5.19 **Kensington and Chelsea share the Knightsbridge International Town Centre, Westbourne Grove Special District Centre and Westbourne Park Road Neighbourhood Local Centre with WCC.**

- 5.20 The Council commissioned Urban Shape to prepare a Retail and Leisure Needs Assessment (RLNA). **We have asked and received, information from Brent, LBHF, WCC and Wandsworth concerning future supply of town centre floorspace.**
- 5.21 The RLNA concludes that while our centres remain healthy there will be a modest oversupply of comparison retail floorspace in some areas over the lifetime of the plan.
- 5.22 The Borough is home to some 470,000 sq. m of business floorspace. Our Employment Land Study (ELS)<sup>2</sup> identifies a need for circa 60,400 sq m of additional office floorspace. This assessment included consideration of the role that this borough plays in the local office market and the provision of additional floorspace in neighbouring boroughs. Much of the borough's additional need is already in the development pipeline, through existing allocations and planning permissions. We do not expect to have to identify a significant amount of additional new business floorspace.
- 5.23 We recognise that the functional economic market area may span an area wider than Kensington and Chelsea. **Kensington and Chelsea, WCC, LBHF, Brent, OPDC and Wandsworth all agree to meet the need for business floorspace within their boundaries.**

## Cultural Uses

- 5.24 The RBKC Local Plan (2019) identifies South Kensington as a Strategic Cultural Area. The area is shared with WCC and is identified in the London Plan, where it is designated as the Knightsbridge Strategic Cultural Area. This allocation will be taken forward into the new Local Plan.
- 5.25 **Kensington and Chelsea, WCC and the Mayor of London agree that existing arts and cultural uses around Exhibition Road should be protected, and the enhancement or growth of cultural uses supported in this area.**

## Infrastructure

- 5.26 As an inner London borough, many journeys within Kensington and Chelsea do not begin and end in the borough. It is therefore key that the Council works with strategic stakeholders and neighbouring boroughs to ensure that its infrastructure is managed appropriately. The major theme in the current RBKC Local Plan (2019), which continues in the NLPR, is encouraging the use of sustainable and active modes of transport, including public transport, cycling and walking.

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<sup>2</sup> [https://planningconsult.rbkc.gov.uk/NLPR\\_landO/consultationHome](https://planningconsult.rbkc.gov.uk/NLPR_landO/consultationHome)

- 5.27 Increasing the modal share of more sustainable modes of transport is also a priority within the London Plan and the Mayor's Transport Strategy (MTS). The Mayor has set a target of 80% of trips being undertaken by sustainable modes by the end of the plan period.
- 5.28 **Kensington and Chelsea, Brent, WCC, LBHF, Wandsworth and the OPDC, all agree with the Mayor's objectives to increase the modal share of sustainable transport and work to ensure developments within their area will meet this aim.**
- 5.29 **Where strategic or more localised cross border solutions for transport infrastructure are required, Kensington & Chelsea will work with our neighbours, as well as bodies such as Network Rail, TfL and Highways England to consider how these are best addressed.**
- 5.30 **Kensington and Chelsea and WCC agree that the Grand Union Canal offers opportunities to enhance the setting of new developments and provide attractive walking and cycling routes.** Opportunities also exist for any such enhancements to stretch beyond the city's boundaries, for example at the Kensal Canalside Opportunity Area. **Kensington & Chelsea and WCC therefore agree with the principle of enhanced access and movement along and across the canal.**

### Heritage, Tall Buildings and Protected Views

- 5.31 With one of the most cherished townscapes in London and 38 individual conservations areas, the historic environment is central to the character of the borough. **Kensington & Chelsea work will with our neighbouring boroughs to ensure the impacts of development, particularly of tall buildings on our heritage and protected views are fully understood and mitigated as appropriate.**
- 5.32 In accordance with London Plan Policy D9 the Council has identified locations where tall buildings may be a suitable form of development. The two Opportunity Areas – Kensal Canalside OA and the RBKC side of the Earl's Court and West Kensington OA are such locations. Given the need for these sites to fully realise their growth and regeneration potential as per London Plan Policy SD1, the scale of development will include tall buildings. This is also indicated in the adopted Kensal Canalside Opportunity Area SPD. **A study of townscape impact of development on these two sites has been undertaken with an assessment of key sensitive views for each site, including views affecting heritage assets and from key locations in neighbouring boroughs (LBHF, Brent, WCC and Wandsworth).** The study considers an appropriate townscape response for each site and identifies suitable locations for points of height and maximum building heights. It also concludes with a number of townscape principles that provide guidance in

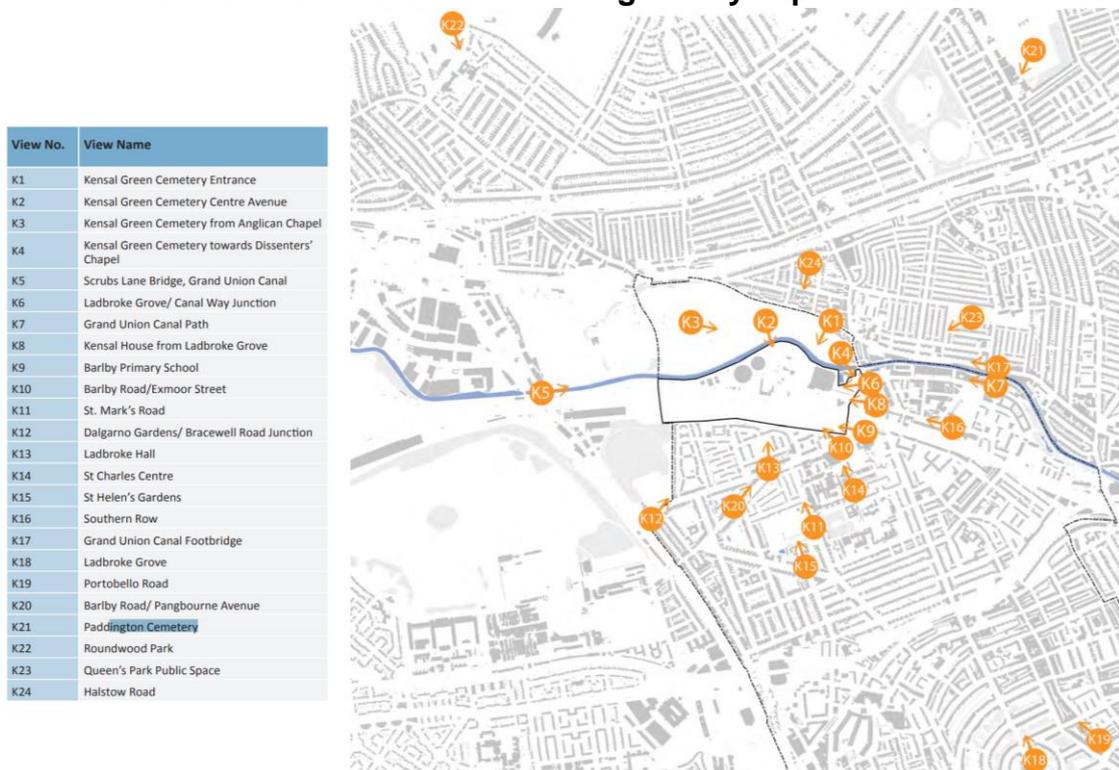
relation to particular views and will shape development, alongside the height parameters. These parameters and principles are set out in policies SA1 Kensal Canalside and SA2 Earl's Court Exhibition Centre. The maximum height of any building at Kensal Canalside is set indicatively at 31 storeys, depending on floor to ceiling heights; at Earl's Court it is set at approximately 20 storeys.

- 5.33 The other appropriate locations are site at SA7 Edenham Way and SA5 Site at Lots Road. The indicative heights for Edenham Way are between 8-50m or 2-14 storeys and for Lots Road indicative heights are between 22-34m or 6-10 storeys. The heights set for these sites are subject to further testing and may only be appropriate on part of the site. The modelling work referred to and further consultation will determine what the maximum building heights should be on these sites. It is expected that the height ranges for these sites will not have impact on neighbouring boroughs.
- 5.34 Site allocations with extant planning permission for tall buildings are also recognised as locations that are appropriate for tall buildings. These are SA3 100/100A West Cromwell Road, SA4 245 Warwick Road and SA10 Newcombe House. The potential impact of proposed building heights was considered as part of the planning application process for each of these sites.
- 5.35 In addition, the Council will ensure that the strategic view from St Paul's to King Henry's Mount in Richmond Park is protected, which is also identified in the London Plan. The only site allocation we have within this viewing cone is Chelsea Farmer's Market which now has planning permission for a 4-5 storey building and is away from the borough boundary.

### Opportunity Area Sites

- 5.36 There are two Opportunity Areas within the Borough both close to the borough boundary with Earl's Court straddling the boundary to LBHF. Both Kensal Canalside and Earl's Court are expected to bring forward significant development. The Earl's Court site allocation includes the eastern part of the wider Earl's Court and West Kensington Opportunity Area (OA), the rest of the OA falling within LBHF. **Given with the site runs across the two boroughs, we are committed to working with LBHF to ensure the development at Earl's Court meets the requirements and needs of both Councils as far as possible.**
- 5.37 The Kensal Canalside Opportunity Area is located on the northern boundary of RBKC, with Brent to the north. It also lies close to the boundary with LBHF and the Old Oak and Park Royal Development Corporation to the west. **We recognise that development here does have the potential to have an impact on the neighbouring areas of Brent and the OPDC. The Council will work closely with our neighbours to ensure the impact of development in Kensal is fully understood and mitigated where possible.**

- 5.38 The Council has undertaken an Opportunity Area Heights Analysis, February 2022 to inform the indicative building heights. For Earl’s Court views were tested from the Round Pond (view E11) Westminster, Battersea Park (view E15) Wandsworth and Britannia Road (view E16) from LBHF. The height guidance and indicative scenario provided in this study for Earl’s Court in section 9 would mitigate any impacts on these views.
- 5.39 For Kensal Canalside views were tested from Scrubs Lane Bridge (view K5) LHBF, Dalgarno Gardens/Bracewell Road Junction (view K12) LBHF, Grand Union Canal Footbridge (view K17) WCC, Paddington Cemetery (view K21) Brent, Queen’s Park Public Space (view K23) WCC, Roundwood Park (view K22) Brent and Halstow Road (view K24) Brent. The height guidance and indicative scenarios provided in this study for Kensal Canalside in section 6 would mitigate any impacts on these views.



**Figure 2:** Kensal Canalside identified views tested in the Opportunity Area Heights Analysis study.

## Green Infrastructure

- 5.40 Kensington and Chelsea is home to some of the best green open spaces in London, such as Kensington Gardens and Holland Park. However, these are not easily accessible for all our residents, particularly those in the North of the Borough. Therefore, Kensington & Chelsea require development to make planning contributions towards improving existing or providing new publicly accessible open space to address this.

- 5.41 **Kensington and Chelsea, Brent, WCC, LBHF, Wandsworth and the OPDC, all agree with the Mayor's adopted London Plan 2021 green infrastructure strategies and policy, including the UGF score set out Policy G5.**
- 5.42 **There is and will continue to be cross-boundary use of green open spaces. Kensington & Chelsea, Brent, WCC, Wandsworth, LBHF, and the OPDC all seek to provide sufficient open space and sports facilities in association with new development to meet the additional need created. Where cross border demands are created, all boroughs have agreed to work with their neighbours to consider how these are best addressed. In addition, Kensington & Chelsea will give due consideration to Biodiversity Action Plans of neighbouring boroughs in our Biodiversity Plan to ensure a joined-up approach as far as possible.**

## Waste

- 5.43 The London Plan sets waste apportionment targets for each London Borough. The targets are set to increase over the life of the London Plan, with the aim for London to become net self-sufficient in managing its waste.
- 5.44 Kensington and Chelsea is within the Western Riverside Waste Authority (WRWA) area, the WRWA is responsible for the management of the waste delivered to it by Kensington and Chelsea, LBHF, Wandsworth, and Lambeth. Kensington and Chelsea do not have the facilities or waste management capacity to manage our waste apportionment within the Borough, and therefore waste is managed outside of the Borough.
- 5.45 **LBHF and the OPDC have agreed with Kensington and Chelsea the intention to share surplus capacity arising within their area to meet Kensington and Chelsea's London Plan waste apportionment target.** This arrangement will be formalised in separate Statement of Common Ground on Waste.
- 5.46 **The Council will continue to engage with the authorities in the WARWA area and our immediate neighbours Brent, LBHF, WCC, Wandsworth, as well as boroughs further afield and the GLA on cross-boundary waste issues.**

## Education

- 5.47 School catchment areas cross borough boundaries. In addition to this, pupils and parents have the right to choose which school they attend even if it is outside of their catchment. This makes education, and the provision of educational facilities of strategic cross boundary significance.
- 5.48 According to the most recent national statistics 7.5% of all primary school pupils who live in Borough attend school outside the Borough; 29% of secondary

school pupils who live in the Borough attend school outside the Borough; and 100% of special needs pupils who live in the Borough attend school outside the Borough.

- 5.49 **Kensington and Chelsea will continue to work with its neighbouring boroughs in seeking to meet educational needs within the borough and supporting our neighbours in doing the same through the provision of new or improved facilities.**
- 5.50 **All parties agree that there are no further strategic issues to consider in this SoCG other than those outlined above.**

## 6. Governance Arrangements

- 6.1 Requirements for the signing of documents differ between Local Authorities depending on their structure. It will be for each body to decide who is the appropriate person to sign the Statement.

### Engagement

- 6.2 The information and actions outlined in this statement have been informed by various evidence base documents, and through on-going engagement between signatories. In addition to Duty to Cooperate meetings, the Council also regularly partakes in the Association of London Borough Planning Officer (ALBPO) meetings. The details of the meetings and discussion held, including agendas and minutes are set out within the Duty to Cooperate Statement.
- 6.3 This statement focuses on the impact of spatial policies within the NLPR. The impacts from adjacent London Boroughs will be considered in their respective Statements. This improves the fluidity of the document, allowing it to be updated efficiently whenever necessary.
- 6.4 This SoCG has been circulated and updated at each stage of consultation of the NLPR and its contents have been discussed with signatories in Duty to Cooperate meetings that were also held at each stage of consultation. As stated above, details of these meetings, including agendas and minutes are set out in the Duty to Cooperate Statement.