

# Local Plan Partial Review Issues and Options Consultation Schedule



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

**November 2014** Enterprise Issues and Options

Question 2: What planning policies should be adopted which will protect the premises used by the business sector and improve the nature of the premises available?

Part 2

(Questions 2.6 to 2.8)

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
Mizzi	Latimer Studios	Case by case basis	Case by case basis, as so many offices are in otherwise residential buildings and RBKC could lose a lot of offices/employment	There is a housing crisis in London, however we would lose so many businesses to residential – and RBKC would lose its vibrancy.	<p>Whilst the Council does recognise that there may be circumstances where it may be appropriate to support the creation of social and community uses at the expense of existing office floorspace a specific policy may have unintended consequences. It could result in the loss of a significant amount of B class uses – a use which plays a significant role in both the local and wider economy. The social and community sector is diverse, and as such it is considered that it is more appropriate to assess such proposals as and when an application is made. The presumption is that offices should be retained – unless a strong case for their loss (and replacement with the social and community use) is made.</p> <p>The exception is within a designated town centre, where a social and community use (an alternative town centre use) may benefit from such a highly accessible location.</p> <p>The Council recognises that affordable housing is a valued use. However, the Council takes the view that businesses are also greatly valued. Ordinarily, it would not be appropriate to see a business use be replaced by a residential use, even if the residential unit was affordable. Such an approach would be likely to see the wholesale erosion of the Borough's stock of business premises.</p> <p>The Council concurs with the consultee in that allowing the loss of offices within otherwise residential buildings could result in the loss of a significant amount of the Borough's stock of offices. This would be problematic given the contribution that the office sector plays to the local and the wider economy. As such the Local Plan does not support such changes of use.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
					The Council notes the consultee's view that an Article 4 direction would be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due to the inherent weakness of the office sector.
Town Planning Services (Chris Green)	Town Planning Services	<p>While the change of use of offices to affordable housing should be accepted, the guidance contained in the NPPF suggests a more flexible approach should be applied. It confirms that: "applications for alternative uses of land and buildings should be treated on their merits, having regard to market signals and the relative need to support sustainable communities". The NPPF does not seek to define reference to "sustainable communities" or restrict this to any particular uses. The NPPF therefore recognises that various uses, including residential, make are capable of making an equally valuable contribution to the local community.</p> <p>We would further note that many buildings converted from offices to residential, typically deliver smaller properties, often at relatively lower price levels. Accordingly, market housing can similarly make a valuable contribution to the range and type of housing available within the Borough as a whole.</p> <p>The NPPF also confirms that local planning authorities should:</p> <p>" ... identify and bring back into residential use empty housing and buildings ... they should normally approve planning applications for change to residential use ... from commercial buildings where there is an identified need for additional housing in that area, provided there are no strong economic reasons why such development would be inappropriate ... "</p>	<p>The Council's existing approach applies a blanket restriction. This fails to recognise the differences of each particular building and location. Although the consultation document (Paragraph 2.23) makes reference to the requirement of the NPPF, the existing policy approach treats the Borough as a whole.</p> <p>The NPPF confirms that: " ... applications for alternative uses of land and buildings should be treated on their merits ... ", and in this context, a considerably more flexible approach should be taken having regard to the circumstances relating to each case.</p> <p>Without prejudice to our view that the national permitted development should be applied without limitation, any policy that does apply, should at least recognise the specific circumstances. These may include (amongst other things) the character of the surrounding area, as well as the building itself and any other uses within it.</p>	<p>Q2.8 Subject to changes to national legislation proposed by the government, should the Council seek to require planning permission for changes of use from business uses to residential uses? If so, are there any particular areas or business sectors this should consider?</p> <p>We consider that the permitted development rights should be applied without exemption.</p> <p>The Council's existing blanket exemption, together with the unnecessarily restrictive policy is contrary to the thrust of the National Planning Policy Guidance. Specifically, the existing approach is contrary to the flexibility required in relation to the reuse of land and buildings for residential uses, and also the presumption in favour of sustainable development.</p> <p>At the outset, the Government confirmed in 2013 that exemptions to the permitted development rights should be applied only in exceptional circumstances. To demonstrate such exceptional circumstances the Government sought clear evidence that the change to permitted development rights would lead to:</p> <ul style="list-style-type: none"> <li>• The loss of a nationally significant area of economic activity; or</li> <li>• Substantial adverse economic consequences that are not off set by the positive benefits ?</li> </ul> <p>In our view, there are areas within the Employment Zones that fail to meet these criteria; most particularly, Latimer</p>	<p>The Council recognises that affordable housing is a valued use. However, the Council takes the view that businesses are also greatly valued. Ordinarily, it would not be appropriate to see a business uses be replaced by a residential use, even if the residential unit was affordable. Such an approach would be likely to see the wholesale erosion of the Borough's stock of business premises. This is not to say that the individual circumstances of each case will not be assessed in determining an application, rather than a specific policy allowing changes of use from offices to residential would not be appropriate, for the reason set out above.</p> <p>An article 4 direction is essential if the Council is to protect its office stock. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector. The appropriateness of this approach has been confirmed by the CLG with its 2013 exemption for the Borough.</p> <p>The Council takes the view that Latimer Road is a viable office location, and as such any future article 4 direction should cover this area. The viability of the area as an office location has been supported by the Inspector at the 2015 examination into the StQWNP. The individual circumstances of a particular property can be considered as and when an application is made.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
		This again recognises the benefits arising from the delivery of market housing through the conversion of empty land and buildings		Road.  The area of Latimer Road continues to experience higher vacancy rates due to its limited accessibility and the lack of amenities and facilities to serve offices. Other developments in the vicinity have further diminished its relative attraction. The weaknesses in Latimer Road have been recognised in the Council's previous employment land studies, and the area is no longer identified as a Strategic Industrial Location in the London Plan. The area cannot be considered unique or of national importance, and there is no evidence to demonstrate that either exceptional circumstances exist to support any exemption. On this basis, we consider that the unnecessary exemption from national Permitted Development Rights should be lifted.	
Earl's Court Society (Malcolm Spalding)	Earl's Court Society		No retain PP.	Yes all business sectors	<p>The Council concurs with the consultee in that allowing the loss of offices within otherwise residential buildings could result in the loss of a significant amount of the Borough's stock of offices. This would be problematic given the contribution that the office sector plays to the local and the wider economy. As such the Local Plan does not support such changes of use.</p> <p>The Council notes the consultee's view that an Article 4 direction would be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>
K&C CHAMBER of COMMERCE (SPALDING)	K&C CHAMBER of COMMERCE			Agree – either exemption or remove permitted development rights - article 4	<p>The Council notes the consultee's view that an Article 4 direction would be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
Wentworth Andersen (Mr Biggin)	Wentworth Andersen	No, borough needs employment uses. Uplift in values should be used to facilitate increase in office accommodation	Dependent on scale of loss.	No.	<p>Comment on the loss of offices within residential buildings noted. The Local Plan does not support change changes of use in such circumstances as this would see a significant reduction in the Borough's stock of accommodation, with the corresponding loss to the Borough economy.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. This would appear to be at odds with the consultee's comments regarding the need to protect the employment sector. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>
Gerald Eve LLP (Neil Henderson)	Gerald Eve LLP (Cadagon Estate)	<p>The Estate would support the provision of flexibility within a policy that allows for the consideration of other planning benefits coming forward as part of a scheme to be balanced against any perceived harm. Indeed, this is the basis of the planning system and should be intrinsic to the general considerations for every planning application in any event. Notwithstanding this, for clarity it would be helpful for any future policy revision to acknowledge this consideration and not limit this just to benefits associated with social and community uses or affordable housing. Comprehensive and major redevelopment schemes can result in a range of substantial tangible and intangible benefits and it is important that any policy should be flexible enough to allow Planning Officers to make this judgement.</p> <p>The construction and wording of this policy will be critical to its effectiveness.</p>	In circumstances where there are individual uses which have clearly emerged on an ad-hoc basis over the passage of time and where they do not sit comfortably with surrounding land uses, it is clearly appropriate for their loss to be considered acceptable as a matter of principle without the requirement for relocation.	<p>The Estate would support measures which require the consideration of the change of use from employment floorspace to residential through the submission of a planning application. Notwithstanding this, there should be a clear basis where exceptional circumstances might justify the loss of employment floorspace. Such circumstances could include the following:</p> <ul style="list-style-type: none"> <li>• Existing use has an unacceptable impact on surrounding amenity;</li> <li>• Existing use is no longer commercially viable;</li> <li>• Re-use of the site for an alternative use uses would bring about greater planning benefits to the Borough outweighing the loss or partial loss of the employment floorspace;</li> <li>• The existing use is relocated or replaced elsewhere in the vicinity.</li> </ul> <p>The construction and wording of this policy will be critical to its effectiveness.</p>	<p>The nature of the planning system is that all relevant material planning considerations are considered when determining an application. A policy which sets out all these possible "exceptions" is therefore unnecessary, and may have unintended consequence. It may, in reality, encourage proposals which include the loss of B1 uses to come forward, to the detriment of the Borough's stock of business premises. This will be the case for new social and community uses as well as proposals seeking to see the loss of a business use in an otherwise residential block. There is no reason to believe that a business use in a residential block is inherently unsuitable.</p> <p>The Council notes the consultee's view that an Article 4 direction would be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>
Woofie Ltd (Tanya Sarne)	Woofie Ltd	Yes	YES	YES	The consultee's views are noted. However, the Council considers that such an approach would see the wide spread degradation of the Borough's stock of offices. This would harm the local and the wider economy as well as have a detrimental effect on the character of the Borough.

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
					Support for the use of an article 4 direction to continue to require planning permission for changes of use from offices to residential is noted.
N/A (Chadi Semaan)	N/A	The council should allow the loss of office floorspace – Period. If it is underused, the council should do all it can to encourage the space to be used.	If it is underused, yes. There is a huge cost to underused space, particularly when there is a housing crisis.	Parades of shops on high streets should be need planning. All other buildings should have permitted development rights like the rest of the country	<p>The consultee's views are noted. However, the Council considers that such an approach would see the wide spread degradation of the Borough's stock of offices. This would harm the local and the wider economy as well as have a detrimental effect on the character of the borough.</p> <p>The Council does however recognise that if a business use is unused, has been so for some time, and inherently unsuitable for continued business use, loss may be appropriate. This will be assessed as and when an application is made.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>
Clobb Properties Ltd (Richard Ehrman)	Clobb Properties Ltd	Yes, flexibility on this could bring real benefits, especially to the less affluent parts of the borough	Yes, this would seem to make sense.	No, the council should not seek to thwart national policy on housing, especially when London faces an urgent need for more homes.	<p>Whilst the Council does recognise that there may be circumstances where it may be appropriate to support the creation of social and community uses at the expense of existing office floorspace a specific policy may have intended consequences. It could result in the loss of a significant amount of B class uses – a use which plays a significant role in both the local and wider economy. The social and community sector is diverse, and as such it is considered that it is more appropriate to assess such proposals as and when an application is made. The presumption is that offices should be retained – unless a strong case for their loss (and replacement with the Social and community use) is made.</p> <p>The exception is within a designated town centre, where a social and community use (an alternative town centre use) may benefit from such a highly accessible location.</p> <p>The Council recognises that affordable housing is a valued use. However, the Council takes the view that businesses are also greatly valued. Ordinarily, it would not be appropriate to see a business uses be</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
					<p>replaced by a residential use, even if the residential unit was affordable. Such an approach would be likely to see the wholesale erosion of the borough's stock of business premises.</p> <p>The loss of offices within otherwise residential buildings could result in the loss of a significant amount of the Borough's stock of offices. This would be problematic given the contribution that the office sector plays to the local and the wider economy. As such the Local Plan does not support such changes of use.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherence weakness of the office sector. The Council notes that it does have a five year housing supply, and as such an approach is not needed to meet its housing need.</p>
Kerry Davis-Head		Not if the proposed use creates more traffic and disruption for surrounding residents. An office potentially means quieter weekends/evenings	Not necessarily. Small scale office areas can be a real asset to security if residents are mainly out to work 9-5. It keeps the area alive at all times of the day particularly where there are a lot of commuters	Strict controls should be sought. No change of use should be automatic. For example, the council lost all control with regard to change of use for food outlets. So now we have outlets that used to serve sandwiches and not cook on the premises being able to cook and serve hot food day and night to the detriment of residents above and surrounding them.	<p>The Council recognises that non office uses do have the potential to cause disruption. The impact of any proposal will always be considered having regard to the suite of policies within the Local Plan. This includes those policies concerning the impact upon residential amenity.</p> <p>The Council notes that offices in residential blocks can add to security by increasing daytime use of a property. The Local Plan does not encourage the loss of business uses within otherwise residential blocks, as such an approach would lead to the degradation of the Borough's stock of business premises.</p> <p>Support for the use of an article 4 direction to continue to require planning permission for changes of use from offices to residential is noted. This would allow the Council to assess the impact of such proposals.</p>
Cremorne Residents' Association of Lots Village (Davis-Head)	Cremorne Residents' Association of Lots Village	In principle any further loss of business space should be resisted whether it is within a largely residential block or otherwise. The redevelopment of Lots Road Power Station will involve limited office and retail space and largely		Yes, the council should seek to require planning permission for changes of use from business uses, and therefore strive to continue to secure an exemption as previously successfully argued for. Each	Support for the continued protection of business uses is noted. Such uses play an important role in supporting the local and wider economy as well as in helping maintain the diverse character of uses within the Borough.

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
		residential units within the Power Station itself, and this mix should not now, or in the future, be altered to further reduce the amount of job space within this site which was originally entirely employment space. Large units could be encouraged to become several small units, smaller offices tend to integrate more with the local community		sector and classification should require permission and consultation.	Support for the use of an article 4 direction to continue to require planning permission for changes of use from offices to residential is noted. This would allow the Council to assess the impact of such proposals.
333 Latimer road (Corrett)	333 Latimer road	Again, this could help revive Latimer Road	Yes	No to both questions	<p>The Local Plan supports the introduction of both residential and social and community uses as long as the primary business function of these areas is not harmed. Residential uses in particular do have the potential to enable a significant uplift in both the quantity and quality of business floorspace in these areas.</p> <p>The loss of offices within otherwise residential buildings could result in the loss of a significant amount of the Borough's stock of offices. This would be problematic given the contribution that the office sector plays to the local and the wider economy. As such the Local Plan does not support such changes of use.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due to the inherent weakness of the office sector.</p>
DP9 LTD (Hannah Willcock)	DP9 LTD (for BH NHS)	<p>Our Client strongly supports Option six that states 'the Council should allow the loss of office floorspace when the loss is to a social and community use and/or to affordable housing, or where the uplift value is used to gain other significant benefits.'</p> <p>Relaxation on the protection of office floorspace in some instances can deliver significant public benefits that substantially outweigh the loss of floorspace. For example, the loss of office floorspace within 250 King's Road and 151 Sydney Street and its re-provision with residential will generate a significant uplift in value, will be above</p>	Option seven outlines that "the council should allow the loss of business floor space when lying within otherwise residential buildings." By recognising the loss of business floorspace which is no longer suitable for business floorspace is looked upon favourably. As outlined in Q2.1 the market will change over the lifetime of the Core Strategy and uses which are deemed suitable for office floorspace now may not be in the future. Allowing for flexibility is therefore essential	This option is not relevant to the Chelsea Masterplan development proposals and we have no comments.	<p>The Council recognises the value that a large scale social and community use such as the Royal Brompton Hospital can have. The particular circumstances of the case will be considered as and when an application is made. It should be noted that the Draft SPD on the Hospital Site explicitly recognises the role that "enabling" development can have in assisting in bringing forward the improvements/ expansion of the hospital.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
		<p>that which could be achieved from office. This increased value funds the delivery of the state-of- the art hospital facility that would clearly be of public benefit, and outweigh the loss of office :floorspace.</p> <p>To ensure that the correct balance is struck regarding the loss of office :floorspace, the policy should require applications to demonstrate the substantial benefit derived, in accordance with other policies within the Core Strategy.</p>			<p>between the B class and the residential uses rather than due the inherent weakness of the office sector.</p> <p>The Council notes that it does have a five year housing supply, and as such a relaxation is not needed to meet the Borough's housing need.</p>
DP9 Ltd (Rachel Crick)	DP9 Ltd For SA 60 Ltd	<p>3.21 Option Six 'The Council should allow the loss of office floorspace when the loss is to a social and community use and/or to affordable housing, or where the uplift value is used to gain other significant benefits'. Our client strongly supports this option which would allow schemes which provide a range of inherent benefits, such as affordable housing provision, and a range of social and community uses. This approach should be promoted not just applications in isolation, but it should also apply to larger sites where the loss of office floorspace on one site can help deliver affordable housing and social and community uses elsewhere. This would be in accordance with the NPPF which supports the delivery of social and community facilities and services to meet local needs.</p>	No comment	<p>Option Eight 'subject to changes to national legislation proposed by the government, should the Council seek to require planning permission for changes of use from business uses to residential uses? If so, are there any particular areas of business sectors this should consider?' The Core Strategy Review: Enterprise paper identifies a number of business properties which are considered to be 'at risk' of conversion to residential. We consider that this is a negative approach to assessing the implications of the perceived 'threat' of residential uses, and we believe that the opportunity to deliver mixed use schemes, which include residential can have a significant positive benefit on investment in the borough, and help to unlock potential development sites.</p> <p>3.23 We consider that RBKC's exemption from the proposed extension of permitted development rights (as outlined in the Government's 'Technical Consultation on Planning'), should be reconsidered because applying a blanket change of use requirement would provide an overly protective response in locations where we consider greater flexibility to land uses should be applied. Therefore RBKC should consider specific locations for any future exemption, rather than the whole borough. For example, the PBA report concludes that even in the borough's leading office locations, such as Kensington High Street, Knightsbridge</p>	<p>Whilst the Council does recognise that there may be circumstances where it may be appropriate to support the creation of social and community uses at the expense of existing office floorspace a specific policy may have intended consequences. It could result in the loss of a significant amount of B class uses – a use which plays a significant role in both the local and wider economy. The social and community sector is diverse, and as such it is considered that it is more appropriate to assess such proposals as and when an application is made. The presumption is that offices should be retained – unless a strong case for their loss (and replacement with the social and community use) is made.</p> <p>The exception is within a designated town centre, where a social and community use (an alternative town centre use) may benefit from such a highly accessible location.</p> <p>The Council recognises that affordable housing is a valued use. However, the Council takes the view that businesses are also greatly valued. Ordinarily, it would not be appropriate to see a business use be replaced by a residential use, even if the residential unit was affordable. Such an approach would be likely to see the wholesale erosion of the borough's stock of business premises.</p> <p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the whole scale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
				<p>and South Kensington, and King's Road, there is no reason why existing stock should not be safeguarded, however they recognise that pressures to deliver housing (both from the market and from housing targets) may influence whether the retention of office stock is a more important priority than the delivery of housing.</p> <p>3.24 This is further evidenced by the relative importance and competitiveness of the RBKC office market in the wider London context. PBA identify that the office market in the London Borough of Hammersmith and Fulham (LBHF) is highly attractive to creative industries, and that for some occupiers the LBHF offer may be superior 'in that it could provide the modern buildings with large floorplates that are sought by corporate occupiers in the creative sectors' (paragraph 4.29). We are of the opinion, that the demand for large scale office floorplates in certain areas and submarkets of the borough, such as South Kensington, may often be very limited as a result of, inter alia, relative lack of accessibility, interchange options, day to day amenities and competing office locations. We also consider that there is significant market competition from rival fringe locations including Paddington, Kings Cross, Euston and London Bridge.</p> <p>3.25 The PBA study concludes that the main hindrance to local economic growth is the lack of opportunities in the borough for significant office development, however they acknowledge that this does not hinder the economic growth of London as a whole, 'because there are compensating development opportunities elsewhere, especially in the neighbouring borough of Hammersmith and Fulham' (paragraph 5.2). This indicates that the role of the borough's commercial market on London is limited, which is reflected in the fact RBKC is not identified as a strategic office location in the London</p>	<p>The Council notes that it does have a five year housing supply, and as such a relaxation is not needed to meet the Borough's housing need.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
				<p>Plan, nor does it lie within the CAZ, with the exemption of Knightsbridge.</p> <p>3.26 Accordingly we consider that in light of increasing pressures on housing need, in areas such as South Kensington, where there is no strategically important office market, there should be greater flexibility in relation to loss of office to residential, without the requirement for planning permission. An approach to require planning permission for change of use from business to residential would also adversely impact on the strategies outlined in Options Three, Four and Six above, and hinder opportunities to provide better suited and higher quality employment accommodation either on site or in other areas in the borough as a result of the proposed residential use.</p> <p>3.27 Overall we consider that the proposed changes above would improve the quality and nature of the business space within the Borough, directing it towards more suitable areas in the north of the Borough, which will enable the creation of successful new mixed use districts and have an overall beneficial impact on other social and community uses and affordable housing provision.</p>	
N/A (Laura Michaud)	N/A	The council should promote the use of under used office space in any way that uses it more efficiently. Any type of housing should be permitted	If it is being underused, then the need for residential is so large that this relatively small percentage will help to balance out the requirement for residential and the oversupply of business units	The council should understand the government's concerns and promote people with underused units to convert them. Naturally this should not apply in parades of shops with high occupancy rates. Roads like North Pole Road, Latimer Road, and St Helen's Road have seen low occupancy rates for years. This is a total under use of space that could be used for housing or businesses of a different use class	<p>The Council does not consider that there is an "over supply" of business units. This is illustrated by the historically low availability rates, significantly below the 8% bench mark value set out within the 2012 LOPR as a level below which there will be upward pressure on rents. However, the individual circumstances of each case will be considered as and when an application is made. It would not be appropriate to have a policy where the starting point would be to allow the degradation of the Borough's stock of business accommodation.</p> <p>The article 4 direction would allow the Council to consider the circumstances of each case and to protect business where viable. Total liberalisation would result in the wholesale loss of premises in the business sector.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
Kensington Society (Michael Bach)	Kensington Society	<p>Some social and community uses, such as premises for voluntary organisations, require office space – so no change of use is necessary. For example, the Lighthouse in Lancaster Road is occupied by voluntary organisations for their offices and has been for some time. This is why it was registered as an Asset of Community Value. Thus, there is not necessarily any conflict between premises both being offices and being occupied by social and community uses. The same is true of the Westway Information Centre at 140 Ladbrooke Grove.</p> <p>Since there is a shortage of premises for social and community uses, such as doctor's surgeries and dentists, it may be appropriate to allow personal and/or time-limited changes of use on a case-by-case basis.</p> <p>Any change of use to housing, however, is a one-way trip. Kingsgate House in King's Road (3,660 sqm) was converted to affordable housing as off-site provision for the De Vere Gardens development. This dates from 2010 but before the change in policy in December 2010 and should not be seen as a precedent – affordable housing should have been provided on-site. Such a conversion would not comply with current policy and would be seen as a major loss in office floorspace. Change of use to affordable housing, despite the need for more affordable housing should be seen as exceptional.</p> <p>Capturing the uplift in value of a change of use from offices to finance improvements in public realm and/or local infrastructure should be rejected. Public realm improvements can and should be funded from the Car Parking Reserve Account not by seeking to "tax" planning gain.</p> <p>Only exceptionally should this be considered for funding local social infrastructure, such as a doctor's</p>	<p>The only circumstances where this would be appropriate would be to secure swaps where the offices provided are of an equivalent standard and in an appropriate location (eg in a town centre). The Council successfully defended a refusal at 27-33 Earl's Court Road. (See current case PP/14/8206 where loss of offices should not be lost unless a swap can be arranged)</p> <p>Generally, mixed-use development should be encouraged and maintained as part of the diversity of the Borough. We do not want ghettos of single-use luxury flats. RBKC resisted the change of use of the ground floor of the Golly's Garage building (and it was upheld on appeal so they should have confidence that this is a viable policy).</p>	<p>Yes – the Society's starting point is to resist change of use to residential. Unless the Government offers additional criteria for assessing prior notification applications, the Borough should use Article 4 Directions to retain the office supply.</p>	<p>The Council notes that “bespoke offices for the voluntary sector” are both an office and a social and community use.</p> <p>Whilst the Council does recognise that there may be circumstances where it may be appropriate to support the creation of social and community uses at the expense of existing office floorspace a specific policy may have unintended consequences. It could result in the loss of a significant amount of B class uses – a use which plays a significant role in both the local and wider economy. The social and community sector is diverse, and as such it is considered that it is more appropriate to assess such proposals as and when an application is made. The presumption is that offices should be retained – unless a strong case for their loss (and replacement with the social and community use) is made.</p> <p>The exception is within a designated town centre, where a social and community use (an alternative town centre use) may benefit from such a highly accessible location.</p> <p>The Council concurs with the consultee's views concerning loss of business uses to affordable housing. The Council recognises that affordable housing is a valued use. However, the Council takes the view that business are also greatly valued. Ordinarily, it would not be appropriate to see a business uses be replaced by a residential use, even if the residential unit was affordable. Such an approach would be likely to see the wholesale erosion of the Borough's stock of business premises.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
		surgery in Notting Hill Gate (i.e. reducing the requirement to replace offices in a redevelopment of Newcombe House).			
Tate		Yes		This asks, in effect, whether, if the Governments makes the B1 to residential PD right permanent, as it is considering, and rescinds the exemptions to it (including RBKC's) the Council should accept this? My answer is Yes	<p>The Council notes the consultee's view that an Article 4 direction would not be appropriate to ensure that planning permission should continue to be required for changes of use from offices to residential. Without it the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p> <p>The Council notes that it does have a five year housing supply, and as such a relaxation is not needed to meet the Borough's housing need.</p>
Jane Heffron			Q2.7 Yes, I think the Council should allow loss of business space in an otherwise residential building	Q2.8 Not sure but in general I think the Council should not prevent change of use from business to residential where there is demand for housing. It will help keep RBKC vibrant and alive at night.	<p>Allowing the loss of offices within otherwise residential buildings could result in the loss of a significant amount of the Borough's stock of offices. This would be problematic given the contribution that the office sector plays to the local and the wider economy. As such the Local Plan does not support such changes of use.</p> <p>Without an article 4 direction the Borough would see the wholesale and rapid loss of its office sector. This would be a reflection of the differential in value between the B class and the residential uses rather than due the inherent weakness of the office sector.</p> <p>The Council notes that it does have a five year housing supply, and as such a relaxation is not needed to meet the Borough's housing need.</p> <p>Whilst the loss of office uses to residential may result in greater uses in the evening it may also result in a less vibrant Borough in the daytime.</p>
Ross Anthony	Theatres Trust			For the most part, the issues and options within the document do not fall within our remit, however, we are concerned about question 2.8 and any proposal to allow office or employment space to be converted to residential use adjacent to cultural and community facilities as this can harm the operation of that facility. These facilities would include your theatres, leisure venues, pubs and music venues, or child care centres where noise issues, and	<p>Support for the continued protection of business uses is noted. Such uses play an important role in supporting the local and wider economy as well as in helping maintain the diverse character of uses within the Borough.</p> <p>The Council does note the particular concerns of the Theatres Trust – in that newly created residential uses can be in conflict with the use of cultural and community facilities. The Council recognises that such uses are central to the very character of the Borough and should be protected. A liberalisation</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
				<p>therefore potential conflicts with new residents can arise.</p> <p>The Thrust would be particularly opposed to any plan to allow office to residential conversions without the need for planning permission.</p> <p>From our experience across the UK, having a residential use in close proximity to a theatre, cultural or community facility inevitably creates serious issues for both the venue and the new residents. These types of venues are in operation seven days a week, and at all hours of the day. They are a source of potential noise and vibration from amplification, the loading and unloading of production equipment, special effects, and noise associated with audiences and attendees. In order to safeguard the ongoing operation of your existing cultural venues, development proposals adjoining cultural facilities need to ensure that any new residents will not be disturbed to the extent that Council would be required to take action, e.g. issue a noise abatement order. Given the age and construction of many older cultural buildings, it is difficult to install noise mitigation measures to deal with these issues.</p> <p>You may be aware of the Planning Inspectorate decision of 26 March 2013 (Reference APP/ X5990/A/12). The Inspector refused consent for conversion of offices to residential adjacent to the London Palladium (also in the City of Westminster) after reviewing specialist acoustic evidence from appellants and third parties on behalf of the owners of the London Palladium. The Inspector concluded (at paragraph 15) that '...the proposal would not provide satisfactory living conditions...and would have an adverse effect on the operation of the adjacent theatre'. At the hearing, and in written evidence, a number of examples were cited where theatres have had to close,</p>	<p>which removes the need for planning permission for the creation of new residential units, which may, or may not, be in conflict with a long established cultural use would not be appropriate. A planning application would allow all these issues to be considered in the round. The continuation that new residential uses can have in meeting housing need, and the impact that a residential use can have in the successful operation of an area.</p> <p>The Theatre's Trust concern will be reported in any future report seeking an article 4 direction within the Borough.</p>

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
				<p>restrict their operation, or incur very substantial expenditure to overcome the problems of having residential development nearby. These included the Cambridge Theatre, the Theatre Royal Drury Lane, the Shaftesbury Theatre and the Lyric Theatre (all in London). The Inspector attached weight to evidence in relation to these theatres in the appeal decision referred to above.</p> <p>More recently, Planning Inspector S Glover (Reference APP/K5600/A/14/2222551, 15 October 2014) dismissed an appeal for the creation three residential units on the upper levels of the building containing the Finborough Theatre, London. The Inspector concluded (at paragraph 21) that 'there would be harm to future residents living conditions in respect of ... disturbance from theatre activities' and that 'the long term operation of the theatre would not be safeguarded'.</p> <p>The importance of protecting cultural facilities is stressed in the National Planning Policy Framework (NPPF) as one of the Core Planning Principles (para.17) and is further addressed in para. 70, which states that in 'promoting healthy communities', planning decisions should 'plan positively for cultural buildings' and 'guard against the loss of cultural facilities and services'. The loss of a cultural facility because of inappropriate development permitted nearby would be contrary to the Framework and undermine the principle of your Core Policy CF6.</p> <p>The Trust also recommends Council consider an Article 4 Direction to remove permitted development rights for the conversion of offices to residential use in locations near your cultural facilities, should the existing exemption be removed.</p>	
GVA (Tom Edmunds)	Notting Hill Gate KCS Ltd	We support flexibility towards the protection of business floorspace where improvements can be delivered that would benefit the wider town centre,			The Council recognises that viability is important in determining an application, and that the replacement of some business uses with residential may help bring forward higher quality business floorspace.

Name	Company / Organisation Name	Q2.6 Option six: allow the loss of office floorspace to a S and C and/or to affordable housing,	Q2.7 Option seven: loss of business floorspace within otherwise residential buildings.	Q2.8 Require PP/Article 4	Comments
		<p>including other business uses in that centre.</p> <p>In these instances it should be possible to bring forward development that would improve the physical conditions, having regards to viability and the cost of such works.</p> <p>It will be possible to use other uses - such as residential - to cross subsidise the provision of an element of floorspace where it would have otherwise been unviable.</p> <p>This holistic approach to the provision of employment floorspace is based upon viability being a key development consideration as set out in the NPPF.</p> <p>In addition, and in tandem with Q2.3, it may be possible to use other uses such as residential use to cross subsidise the provision of an element of dedicated employment floorspace where it would have otherwise been unviable. The re-provision of high quality, modern and fit for purpose business floorspace would enable further planning or community benefits, for example new public open space or public transport infrastructure improvement.</p>			<p>Similarly it may allow wider benefits, and cross subsidise other desired elements of a proposal.</p> <p>Such a proposal could be assessed on its own merits. A specific policy may have undesired consequences and may see the unwanted degradation of the Borough's stock of business premises.</p>