

# Local Plan Partial Review Issues and Options Consultation Schedule



THE ROYAL BOROUGH OF  
KENSINGTON  
AND CHELSEA

## Section 7: Business uses and hotels

### Issue 1: Call for Sites

**Question 1:** Are there any sites that should be considered as a site allocation as part of the Local Plan Partial Review for Class B business uses? If so, please complete the Call for Sites section of the Consultation Response Form.

Name	Comment	Council's Response
Charles Bezoari Elder	No.	Noted.
Kerry Davis-Head	If there are any they should not be high rise	Noted. The design of any new commercial buildings will have regard to the context of the area in which they are proposed and the other relevant planning policies.
The Institute of Cancer Research (Steven SurrIDGE)	Please see email / written response on behalf of the Institute of Cancer Research. (9 February 2016) - in Section 4 Question 4	The response includes discussion about the wider Brompton Hospital Site. It stresses the need to maintain social and community uses on the site. It does not propose the use of the site for additional A or B class uses. The Council concurs with the view that the site has a significant national role – and the social and community uses must be supported. The Council does however recognise that some enabling development (and creation of non-hospital uses) may play a part in the redevelopment of the wider site.
Barton Willmore (Paul Newton)	Chapter 7 – Business Uses and Hotels  19. The scale of office / commercial floorspace that could be delivered will be dependent on the transport solution for the Site. The site specific policy should therefore be worded to allow for appropriate flexibility depending on the solution.	In accordance with the NPPF, the Council supports a “town centre first” approach to new town centre uses. This will include both office and hotel uses. However, the Council also notes that other locations may also be appropriate for new commercial uses. This includes the Borough’s Employment Zones.
Kensington Society (Michael Bach)	7. Business uses and hotels Issue 1: What planning policies should the Council adopt which will help to bring forward new business development? Option 1: The Council should require business floorspace to be provided as part of new large-scale residential developments Yes – but it will need a legal agreement to prevent future conversion to housing.  Option 2: The Council should not support the loss of employment floorspace in one building unless it is being re-provided in an appropriate location elsewhere in the Borough. Only if it is equivalent or better – and policy compliant with regard to location.  Option 3: The Council should be prescriptive and require the provision of those particular types of unit which would meet the specific demands of the Borough's office sector. Yes	The Council does not intend to bring forward a policy where by all new development must include an element of commercial floorspace. Such an approach may have a negative impact on the viability of an otherwise viable residential scheme and either jeopardise its delivery or, when of an appropriate scale, the delivery of affordable housing.  The Council intends to support the provision of B class commercial uses across the Borough. Being prescriptive may run counter to the ambition to this aim and may ultimately cause a mismatch between what is provided and what the market seeks.
Savills London Planning Practice (Katie Hale)	We are acting as agent on behalf of both 60 SA Limited and Cessina Limited hereby enclose our response to the Issues and Options consultation regarding RBKC's Local Plan Review. Please note that the submission also includes a response to the 'Call for Sites' and puts forwards the following two sites:  • 60 Sloane Avenue, SW3 • 253 – 261 Kensal Road, W10	The Council notes that both sites are the subject of linked planning applications. 253-261 Kensal Road lies within the Kensal Employment Zone and as such an increase in B class floorspace will be welcomed. However, the Council does recognise that this development could be seen as dependent on a change of use for 60 Sloane Avenue from office to residential. As such it would not be appropriate to include the Kensal Road site as an allocation.
Earl's Court Partnership Ltd (ECPL)	Issue1, Questions 1, 2 and 3: On a strategic and bi-borough sites such as like Earl's Court the business case should	Noted.

Name	Comment	Council's Response
	be considered across the full redevelopment scheme, not in isolation. Support Option 2 on the basis that it clarifies the above.	

**Question:** Do you have any other comments, issues or options (reasonable alternatives) you would like to raise regarding this section?

Name	Comment	Council's Response
Charles Bezoari Elder	Again, you ask for input on this and retail. But you never ask, in this whole questionnaire, on input for residential expansion, new locations, extra floors on existing buildings, conversion of office to residential; use of Public sector land for residential etc.....	The consultation does include a call for sites for residential uses.  The 2015 consultation on business uses does ask a specific question as to the appropriateness of allowing the conversion of office uses to residential. The 2016 consultation made it clear that it did not intend to repeat this exercise, with all views being considered at this stage.
Victoria and Albert Museum (Steve Hyde)	In relation to Issue 4: "Hotels" the partial review of the plan should also consider the need for additional visitor accommodation to support the role and function of the South Kensington Strategic Cultural Area.  The Strategic Cultural Area is of national and international importance and the provision of visitor accommodation which meets these needs and supports the quarter's role needs to be considered - for example, hotel development being acceptable use, in principle, within the South Kensington (Special?) District Centre.	Local Plan Policy CF8 does note that South Kensington, and environs may be a suitable location for new hotels.
The Institute of Cancer Research (Steven Surridge)	Please see email / written response on behalf of the Institute of Cancer Research. (9 February 2016) -	The response includes discussion about the wider Brompton Hospital Site. It stresses the need to maintain social and community uses on the site. It does not propose the use of the site for additional A or B class uses. The Council concurs with the view that the site has a significant national role – and the social and community uses must be supported. The Council does however recognise that some enabling development (and creation of non-hospital uses) may play a part in the redevelopment of the wider site.
ESSA (Anthony Walker)	Issue 1 Option 2 would be acceptable provided that the alternative site is as good, or better, from a business point of view as the site where a loss of employment is being contemplated. Issue 2 The Council should seek positively to encourage and support creative industries which will enhance both employment in the area and also its character and liveliness. It is considered that perhaps partnerships with the Design Museum to encourage a mix of small, creative workshops with an innovative 'setup' would be beneficial to the whole Borough.	Noted. The Council hopes that the Design Museum will help spark creative industries within the Borough. However, the Council does note that the Design Museum site itself does not include any B class workshop uses.
Kensington Society (Michael Bach)	Issue 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?  Option 1: The Council should take a flexible approach and allow changes of use between the B class uses. No  Option 2: The Council should seek to protect warehousing within the Borough. Perhaps  Option 3: The Council should support a loss of business floorspace on a site where that which remains is of a better quality, or of a nature better suited to the local market  No – it should promote improvement via mixed-use development with no net loss of offices  Option 4: The Council should promote the creation of new districts - to attract	The Council considers that a greater flexibility within the B classes would be appropriate as will help a vibrant business sector. There is little value in requiring the retention of a particular B class uses when no longer serving the needs of the market – where being replaced by an alternative B class use. Losses to other uses, and in particular residential will be resisted as this will lead to the degradation of the Borough's stock of business uses. The Council also recognises that changes of uses within the B class uses do not, ordinarily require planning permission.  The Council endorses a general protection of B class uses across the borough. Whilst there may be circumstances where the loss of some floorspace may be appropriate to improve the quality of that remaining, it is not considered appropriate to enshrine this approach in policy. Such an approach may prove counterproductive and lead to the un-intended loss of B class uses.  Support to resist the re-provision of office uses within basements is noted.  The Council concurs with the view that whilst there may be circumstances where it would be appropriate for an office to be replaced by a social and community use a specific policy may have unintended consequences.

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	<p>innovative, creative, and growing businesses. If so, where would they be most appropriate and what policies could enable them?</p> <p>By allocating sites for employment uses either in single-use buildings or part of mixed-use developments in accessible locations.</p> <p>Option 5: The Council should normally resist the replacement of floorspace in basements and other sub-optimal areas.</p> <p>Yes – but the usual ploy is to put offices in basements, such as Lancer Square and certain mews. However, this approach should not be applied to the basement of shops – this has been used by developers cannibalising shops for housing (eg St Helen's Gardens and Victoria Grove)</p> <p>Option 6: The Council should allow the loss of office floorspace when the loss is to a social and community uses and/or to affordable housing, or where the uplift in value is used to gain other significant local benefits.</p> <p>No – but depends on the case whether there are sufficient material considerations – creating exceptions builds in an exit strategy.</p> <p>Option 7: The Council should allow the loss of business floorspace when lying within otherwise residential buildings.</p> <p>No – but a swap might be acceptable where the offer is equivalent or better.</p> <p>Option 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>Yes – a Borough-wide Article 4 Direction will be needed to maintain the existing stock</p> <p>Issue 3: What, if any, spatial policies should the Council adopt in respect of business use?</p> <p>The Council should strengthen its policy toward maintaining business uses on upper floors in town centres and tighten the locational policy for large offices – or at least to apply the current criterion of a minimum of PTAL 4.</p> <p>Option 1: The Council should take a different approach for business uses within town centres than elsewhere. No – except the presumption about retention of offices should be even stronger.</p> <p>Option 2: The Council should take a different approach to the protection of business floorspace in Earl's Court than that taken elsewhere the Borough. Why?</p> <p>Option 3: The Council should continue take a different approach to development within the Employment Zones than elsewhere in the Borough.</p> <p>Yes but tailored to the circumstances of the zone Option 4: Should the Council develop policies tailored to the character of each Employment Zone?</p>	<p>The Council concurs with the view that it would not be appropriate to support the loss of business uses within an otherwise residential property. Such uses can play a valuable contribution to the Borough's stock of office accommodation.</p> <p>Support for a Borough-wide article 4 direction to require planning permission for changes of use from offices to residential is noted.</p> <p>The Council notes the consultees suggestion that the Council should maintain the approach within the Local Plan that large offices should only be allowed in accessible areas. Whilst the Council does support a town centre first approach to such uses it also recognises that value that large uses can have elsewhere. This recognises the reality of the market and that new large scale office floorspace is unlikely to be delivered in sufficient numbers to meet the Borough's need for new office floorspace.</p> <p>The Council recognises the importance that the Employment Zones play to the Borough's economy. Whilst the business character of these areas must be maintained, the Council does not wish to be overly restrictive with regard the nature of new business floorspace being provided.</p> <p>Support for new hotels when they can be shown to support the function of the area noted.</p> <p>Support for protection of hotels across the Borough, including Earl's Court ward noted.</p>

Name	Comment	Council's Response
	<p>Yes</p> <p>Issue 4: Hotels Option 1: The Council should support the creation of new hotels and hotel bed spaces, across the Borough, where they can be shown to support the function of that area. Yes</p> <p>Option 2: The Council should allow the loss of hotels and hotel bed spaces to residential uses. No</p> <p>Option 3: The Council should differentiate between Earl's Court Ward and the rest of the Borough. No</p>	
Savills (Charlotte Handscomb)	<p>The 'Business uses and hotels' Chapter is part of the Local Plan Review, as set out within paragraph 1.2.3 of the consultation document. As such, we are surprised that the Council have not invited detailed comments towards this Chapter. We appreciate that consultation was carried out in 2014, however this was over a year ago and national and regional policy and guidance has moved on since then. For instance, the London Plan was revised in 2015; and amendments have been made to national permitted development regulations in relation to B uses (i.e. PD rights for office to residential have become permanent, PD rights for B8 to residential have been introduced, etc.). The policy context in relation to business uses has clearly changed and as such it is not appropriate to rely on consultation responses received in 2014, which in any case were limited in number suggesting the publicity of this consultation may have been limited.</p> <p>As such the following provides our brief comments in regards to this Chapter.</p> <p><b>Business Uses</b> It is clear that the general direction of travel for national policy is to allow more flexibility in relation to 'B' use classes. This approach appears to be reflected in the responses received during the previous round of consultation.</p> <p>We appreciate that the Council are subject to increasing annual housing targets and the ability to be able to unlock sites in 'B' use classes will be key to meeting these targets. It is clear from the consultation document that both commercial and residential uses are considered priority land uses. Without seeking to weigh the competing pressure for commercial and residential development, the plan is missing an opportunity to seek an appropriate balance based on assessment of up to date competing needs.</p> <p>We consider that the Council should introduce a policy which specifically encourages land use swaps, where equivalent or better quality floorspace is proposed as part of a swap between two sites.</p> <p><b>Hotel Uses</b> We are surprised that the previous round of consultation did not reflect support for the relaxation on the protection of existing hotels. Savills represent a number of clients who would support this relaxation of policy.</p> <p>We note that the London Plan sets a target of achieving 40,000 hotel rooms by 2036. However, it is important to note that for the last ten years, the growth rates have been</p>	<p>The Council recognises that it has an increased annual housing target. It also recognises that changes of use from offices to residential could assist in increasing the delivery of housing. However, the Council is also satisfied that it can meet its housing targets without the loss of business floorspace. It has both a five year housing supply and a housing trajectory to the end of the plan period.</p> <p>The Local Plan does not preclude land use swaps where these will not harm the diversity of uses within the Borough or of particular areas. As such the nature of the swap will be important, with the Council resisting swaps which merely see the loss of offices in town centres to less valuable sites within the north of the Borough. The supporting text to the Local Plan has been amended to reflect this concern.</p> <p>The Council wishes the Borough to play its full contribution to the stock of hotel accommodation across London. To this end it seeks to meet its target as set out within the GLA's report of 2013 (Understanding the demand and supply of visitor accommodation in London to 2036) of 2,700 additional rooms to 2036. Whilst this study recognises a degree of uncertainty associated with the Borough level projections they do remain a useful indication of need. Whilst growth rates across the capital may be satisfactory this is not currently the case within the Borough. The Council's Monitoring Report shows for the reporting years 2013, 2014 and 2015 combined there has been a net loss of 77 hotel bedrooms. Clearly the Council would review the position should the Mayor's target change or should the Council be satisfied that the target is being met earlier than required. Until this time it is considered appropriate to maintain the protection of the Borough's stock of hotels bedrooms. The long term viability of a particular hotel will be material when considering individual applications.</p>

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	<p>in the region of 3,320 hotel rooms per annum and this is forecast to continue. As such, the London-wide target for hotel bedrooms is likely to be achieved by 2027, nine years earlier than is currently forecast by the Mayor.</p> <p>Conversely, the Borough's housing target has been increased and as such we consider there should be some flexibility, on a case-by-case basis, for the loss of hotel use to residential.</p>	
<p>Greater London Authority Development (Stewart Murray)</p>	<p>Business and Hotels</p> <p>Although it is clear that Kensington and Chelsea is not seeking comments on this issue in this consultation, the Council may find it helpful to study the forthcoming Industrial Land Study undertaken for the GLA, to be published in Spring 2016, as the up to date information in this study may help the borough formulate policy in this area.</p> <p>In addition, whilst the London Plan has strong policies to protect employment uses, where required, the borough may need to ensure it has fully considered all potential sources of housing supply, including mixed use schemes on existing employment sites, where appropriate</p>	<p>Noted. The Council has had regard to the Industrial Land Study.</p> <p>The Council supports mixed use proposals on previously entirely business sites. Local Plan Policy CF5 has been amended to specifically recognise that residential uses may be appropriate within Employment Zones where the business nature of these areas is not harmed.</p>
<p>Bilfinger GVA (Thomas Edmunds)</p>	<p>As set out above, policies should be flexible in order to take into account the local context of a specific development proposal, rather than seek to apply overly restrictive and prescriptive policies. On occasion there will be situations where the existing business floorspace on a site is outdated and coming to the end of its economic life, and a qualitative improvement tailored to specific local needs will facilitate the delivery of wider sustainable development objectives.</p> <p>In this regard, we support the flexibility afforded by Issue 2 Option 3. The Council should have the option to support a loss of business floorspace on a site where that which remains (or is being re-provided) is of a better quality or of a nature better suited to the local market.</p> <p>Furthermore, we support land use swaps where offices can be re-provided elsewhere in the Borough. Such flexibility should be encouraged when considering wider development objectives, the scheme benefits a development may be delivering, and whether re-provision elsewhere would allow a better quality of office accommodation to meet local needs to be delivered. In these circumstances, development options should be explored where the overall result is more beneficial to the Borough and its residents.</p> <p>This is one of the 'Core Planning Principles' set out by para.17 of the NPPF (3rd bullet) which states that plans should "take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities."</p> <p>Flexibility, in order to be able to meet and respond to modern occupier requirements, is therefore essential. It may be necessary to focus on introducing an appropriate offer designed to attract specific types of occupier, as opposed to a prescriptive approach to re-providing a pre-determined level of floorspace.</p> <p>We also welcome the flexible approach afforded by Issue 2 Option 6. The Council should have the option to consider allowing the loss of office floorspace when the loss is to a social and community use and/or to affordable housing, or where the uplift in value is used to gain other significant local benefits.</p> <p>We support this wording as it offers flexibility in delivering the overarching vision and objectives of the plan, and in adhering to the principles of sustainable development.</p>	<p>The Council recognises that any proposal will be assessed using the policies within the development plan and any other material considerations. The quality of the existing building and the ability of a proposal to deliver wider objectives will be one such issue. The Council also recognises that viability and deliverability is an important material consideration.</p> <p>The Council recognises that localised land use swaps may be appropriate, but only where they do not reduce the diversity of uses across the borough. Care must be taken that swaps are not used to see the migration of offices currently in high value locations within the south and centre of the Borough to lower value locations in the north.</p> <p>The Council endorses flexibility within the B class uses. This is reflected within the amended Policy CF5, which whilst supporting a diversity of uses is not prescriptive about the type, or scale of B class uses being provided. Clearly any proposal must have regard to the requirements of the NPPG. Of particular relevance is business uses being a town centre use, and large scale office uses therefore being subject to the sequential test.</p> <p>Whilst there may be circumstances where it would be appropriate for an office to be replaced by a social and community uses a specific policy may have unintended consequences. It may give the impression that any such use will be appropriate, when in reality the Council considers office uses to have value in their own right. The value of a social and community use will depend on the nature of that use.</p> <p>The Council does not support the outright loss of offices to affordable housing. Whilst both uses may have value, office uses are considered to play a significant contribution to both the diversity of uses within the Borough and to both the local and the wider economy.</p>

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	<p>On occasion, constrained nature of the site and the many competing demands for space may make full re-provision of floorspace difficult to accommodate within redevelopment proposals. All proposals should be assessed in the round and in the context of the full package of benefits provided by the scheme, paying special attention to a scheme that is viable and deliverable.</p> <p>In our view proposals involving the loss of office floorspace should be judged on their merits, and any assessment of the wider development proposals should take into account the type and quality of the floorspace being provided, and the context of the wider scheme benefits.</p> <p>We would support wording in a policy that catered to the need for greater flexibility.</p>	
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	<p><b>Section 7 Business use and Hotels</b></p> <p>7.1 The Partial Review document explains that the Council consulted on Issues and Options in 2014. It repeats the questions asked then and states <i>'For the avoidance of doubt, the Council is not seeking responses to these questions as they were consulted on in 2014'</i>.</p> <p>The StQW Forum is submitting a separate paper with a further response on these questions, along with a study carried out by ULL Ltd on viability in Latimer Road. The questions are important ones in terms of a Partial Review of the 2010 Core Strategy and its policies. The Council's proposal for a Borough-wide Article 4 Direction removing Permitted Development rights is a radical step, worthy of continued consultation with affected property owners.</p> <p>Para 7.4.16 of the Partial Review document accurately reflects the StQW view on a Borough-wide Article 4 Direction, and this is welcomed.</p>	The Council notes that the Neighbourhood Forum considers a Borough-wide article 4 direction to remove permitted development rights otherwise allowing changes of use between B1 offices and residential to be "a radical step". The Council takes the view that it is the proposed liberalisation is the radical step, with the article 4 direction merely maintaining the status quo. The changes to the GPDO will take effect in May 2019. Any article 4 direction would be subject to the appropriate consultation.
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	<p>We appreciate that the Partial Review document says that the Council is not seeking further responses on the Business and Hotels section, having consulted in 2014. We feel that the issues involved are important ones, that events have moved in terms of Government PD rights, and that the Council received only a modest number (30) of responses last time round. These issues are likely to need addressing at a future EIP and hence we think that an inspector should have as much relevant information before him/her as possible.</p> <p>Separate online responses have been made to the 'call for sites', identifying the west side of Latimer Road and 142a Highlever Road as potential new housing sites, as allocated in the StQW Draft Plan.</p>	<p>The Council notes the consultee's view on the appropriateness, or otherwise, of the use of an Article 4 direction to continue to require planning permission for changes of use from offices to residential uses. This is not the subject of this review, with any future article 4 direction unlikely to be confirmed until 2019.</p> <p>The Council recognises that the referendum version of the StQWNP includes allocations for the sites 1-14 Latimer Road and 142A Highlever Road. Once 'made', the StQWNP is in itself part of the Borough's development plan, and as such it would not be appropriate or necessary to repeat the allocation.</p>
Earl's Court Partnership Ltd (ECPL)	<p>Issue 2, Questions 1, 3 and 6: Options 1, 3 and 6 are supported.</p> <p>Issue 3, questions 1, 2, 3 and 4: These questions must be evidence driven. What does the evidence suggest? The supporting 'Enterprise' document referred to on page 121 should be used to determine which is appropriate.</p>	Noted.