

Chapter 31 Fostering Vitality

Town centres, retail, arts and culture and business

31.1 Introduction

- 31.1.1 The borough has a finely-grained mix of uses such as shops, businesses, arts and cultural facilities, some of which are world class. These uses have benefited from the borough's high residential density and from visitors to the borough but are under pressure from higher value residential development. There is a risk that they could decline to such an extent that the collective quality of life of the borough could be diminished.
- 31.1.2 Fostering vitality is an integral part of the Local Plan's central vision of Building on Success. It lies at the heart of the Royal Borough's reputation as a national and international destination.

CO2 Strategic Objective for Fostering Vitality

Our strategic objective to foster vitality is that the quality of life of our predominantly residential borough is enhanced by a wide variety of cultural, creative and commercial uses which can significantly contribute to the well-being of residents and to the capital's role as a world city.

31.2 What this means for the borough

- 31.2.1 Most of these cultural, creative and commercial uses will continue to be concentrated within the borough's higher order town centres, namely: Portobello Road, Notting Hill Gate, Knightsbridge, Kensington High Street, Earl's Court Road, Fulham Road, Brompton Cross, South Kensington and the King's Road. This 'town centre first' approach ensures that as many people as possible can enjoy the benefits that this borough has to offer, as it is our town centres which are the parts of the borough best served by public transport.
- 31.2.2 The Council will direct new shopping, and other A Class town centre uses into existing town centres where ever possible. The scale of such uses will reflect the nature and the function of the centre in which it lies. The Council will, however, continue to recognise the positive contribution that such uses can have elsewhere within the borough. Properly planned and of an appropriate scale, A class uses can add activity and provide the local services needed by an area, without harming the vitality of nearby centres.
- 31.2.3 New hotels will be encouraged in those higher order centres with excellent links to the rest of the capital, particularly Knightsbridge, King's Road (East), Brompton Cross, South Kensington, Kensington High Street and Notting Hill Gate. They will also be supported in the wider Earl's Court Opportunity Area, a highly accessible location with its own cultural use proposed.
- 31.2.4 The strength of South Kensington as an area which offers an exceptional cultural experience will be supported further by its designation as a Strategic Cultural Area, and the inclusion of the museums complex within the Mayor's Central Activity Zone (CAZ).
- 31.2.5 The Council recognises that the borough is a dynamic place and that some areas will see improvements in their public transport accessibility in the lifetime of the plan. These areas, which are likely to include Kensal, may prove suitable locations for new concentrations of commercial development. Improvements in accessibility will not, however, be allowed to cause the homogenisation of uses within the borough. The important role that the Latimer, Lots Road and Kensal Employment Zones play in

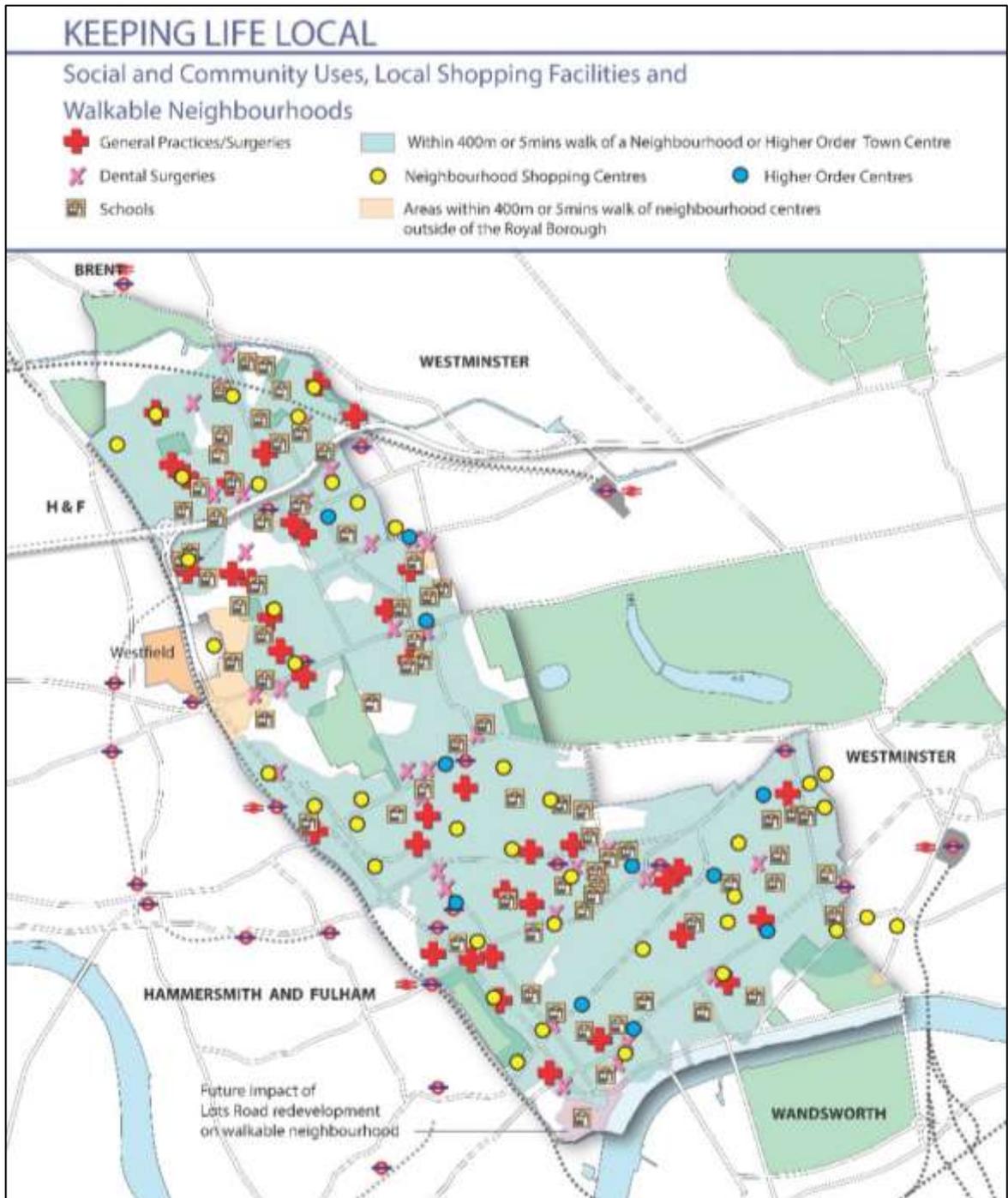
providing a mix of office, of light industrial, and of warehousing uses will continue to be supported. Whilst not enjoying the same accessibility levels of the town centres, the success of the Employment Zones rests on the diversity of the business uses within them. This can include large standalone premises, co-working hubs as well as the small office, workshop or hybrid use. Similarly, the important role that smaller offices have throughout the borough will continue to be recognised. It is these premises that are of particular value to the borough's thriving creative and cultural business sector.

31.3 Planning Policies

Location of Town Centre Uses

- 31.3.1 The Council has published an update to its original Retail and Leisure Needs Assessment⁵⁷. This predicts retail need up to 2028, the end of the plan period. While long term forecasts may be more susceptible to uncertainty, the Council is satisfied that need until 2023 can be estimated to an acceptable degree of accuracy. The Local Plan, therefore, seeks to plan for, and accommodate, retail need to 2023 only. The Council will review retail and leisure need on a regular basis, and where necessary amend the Local Plan accordingly.
- 31.3.2 The Retail and Leisure Needs Assessment (RLNA) of 2016 paints a very different picture from that of 2009. It concludes that whilst the borough's centres may be successful places they are currently trading at, or close to, equilibrium. The RLNA has considered the impact of adjoining centres including Westfield London, the increasing role of e-shopping, the impact of the 2008 recession on the retail sector as well as future estimates of local expenditure. It concludes that, at just 700 sq m, there will not be a significant need for additional comparison retail floorspace across the borough to 2023. This figure may rise to 21,000 sq m (net) by 2028, but remains significantly less than the 145,000 sq m of comparison need to 2028, identified in 2009. The need for additional convenience floorspace has held up a little better, with a predicted need of 9,000 sq m (net) by 2023 or 11,000 by 2028. The RNLA also considers the ability to accommodate this need within existing centres by 2028. It concludes that the re-occupation of currently vacant units, (reducing the overall vacancy rate to 5%) could accommodate some 11,300 sq m (gross) of commercial space, or a little over a third of all retail floorspace needed.
- 31.3.3 The Council does recognise the uncertainty implicit within any assessment of future retail need. As such it remains prudent to identify a number of sites either within, or immediately adjoining, a centre which may have the capacity to accommodate new retail floorspace. These sites have been allocated within each of the Place chapters, and where appropriate, the site allocations.
- 31.3.4 The Council endorses the 'town centre first' approach and 'sequential test' for new town centre uses as set out within the NPPF and the London Plan. The NPPF definition of an edge-of-centre site for retail purposes (within 300m of a town centre boundary) is not however, considered to be relevant within this borough because almost the entirety of the borough would qualify as edge-of-centre within this definition. The Council considers edge-of-centre development to be that adjacent to an existing centre.
- 31.3.5 The Keeping Life Local Strategic Objective (Chapter 30) introduces the concept of walkable neighbourhoods, and includes a map which shows those parts of the borough that are not within a five minute walk of a centre. The main areas of existing deficiency are in the Latimer and Kensal areas and the area of the Earl's Court Exhibition Centre Strategic Site.

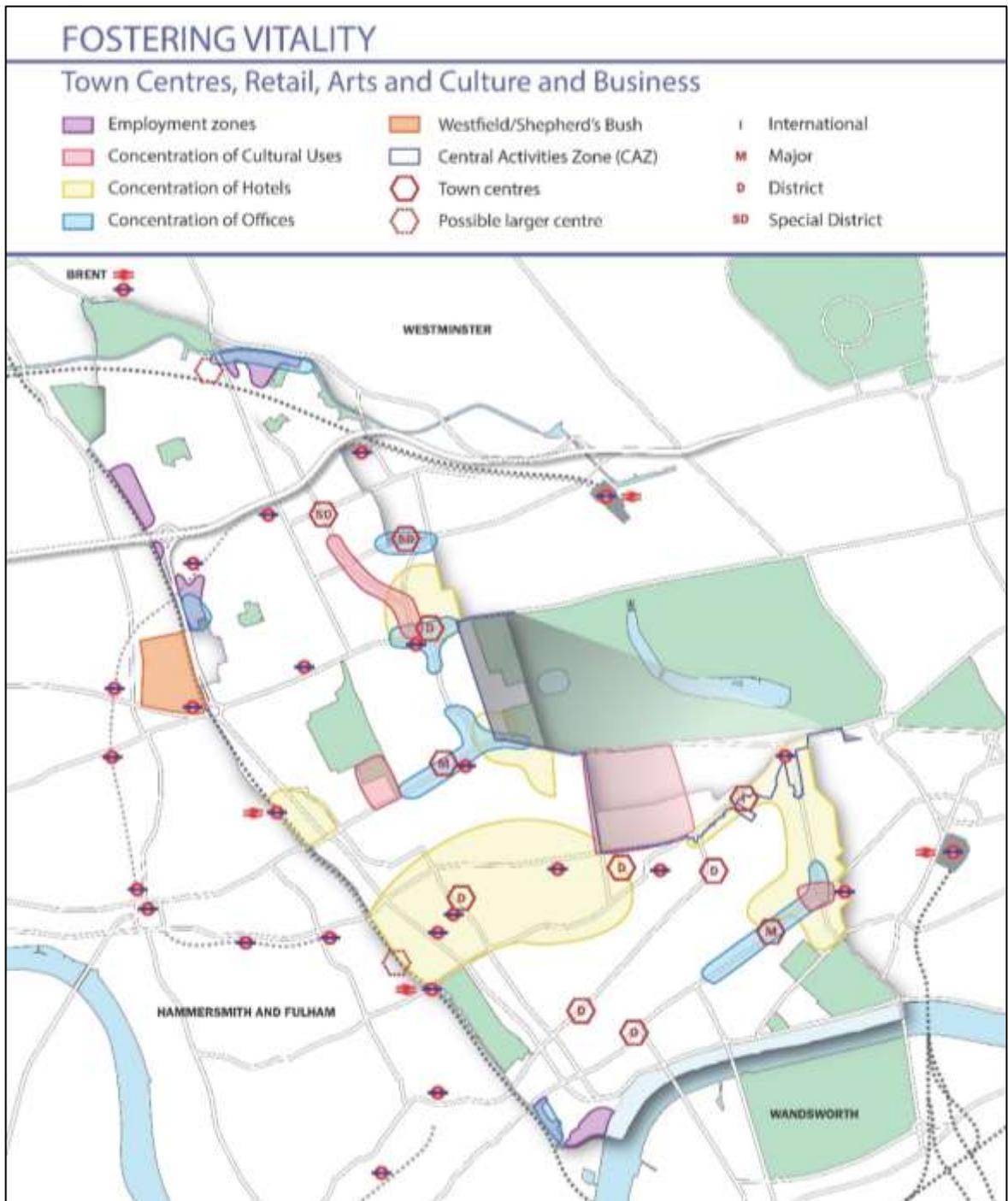
⁵⁷ RBKC, Retail and Leisure Needs Study, Nathaniel Lichfield and Partners, May 2016



This amended map is proposed to amend the map in Chapter 30 Keeping Life Local. Note that only the shopping centres and the deficiency area have been changed. No changes have been made to GP/Surgeries, Dental Surgeries or Schools

- 31.3.6 Some progress has been made since the adoption of the Core Strategy in 2010 in addressing this deficiency. The planning permission for the development of the Earl's Court Strategic Site is currently in the process of being implemented. In Kensington and Chelsea this includes the creation of a new neighbourhood town centre, its function being to serve the day to day needs of those living in the vicinity. Across the boundary in Hammersmith and Fulham a larger centre has been consented. This includes a significant amount of housing, retail floorspace, business uses, hotel floorspace, and a cultural destination. Any future expansion of either centre must be assessed against the relevant

national, regional and local policies with care being taken to ensure that the vitality of existing centres is not harmed.



31.3.7 The new centres at Kensal, Latimer and Earl's Court will serve a localised retail catchment, providing the convenience goods and services required by the local communities. The extent to which, from a retail perspective, there is scope for a larger centre in any of these sites, will depend on a detailed analysis of retail need, taking account of the vitality and viability of existing centres (both in this and within neighbouring boroughs) both at the time of the development and in the longer term.

31.3.8 The Council recognises that smaller scale parades of shops or isolated shops also have a role in serving the needs of residents across the borough. Out of centre units with a gross

floor area of less than 400sq.m are likely to have a convenience function as are of a scale which often equate to a 'local' format small supermarket. These are of a size which is usually to be considered a 'small shop' with regard to the restrictions for Sunday Trading (280sq.m (net)). Such units are unlikely to have a detrimental impact on the health of adjoining centres. Given the nature of the borough's retail sector and the tightly knit network of centres across it, the Council is concerned that proposals that include a net increase of more than 400 sq m (gross external) retail floorspace may have the potential to cause harm. A retail impact assessment will allow the Council to assess each such proposal on its merits. The nature of the assessment should be proportionate to the scale of the development proposed.

Policy CF1 Location of New Shop Uses

The Council will ensure vital and viable town centres through a town centre first approach to new retail floorspace.

To deliver this the Council will:

- a. support the creation of new shops and new shop floorspace within town centres;
- b. require new retail development with a floor area of 400sq.m (gross external) or more to be located within existing and proposed town centres, or where no suitable sites can be identified within these centres, within sites immediately adjoining them;
- c. permit new shops (A1) of less than 400sq.m (gross external) in areas of retail deficiency as shown on the plan within Chapter 30 (Keeping Life Local);
- d. support the establishment of new centres in the Latimer and Kensal areas to address identified retail deficiency and support the establishment of a new centre in the Earl's Court and West Kensington Opportunity Area with retail provision to serve the day-to-day needs of the development. Any new centre must comply with the requirements of the NPPF, and be of a scale that does not have an unacceptable impact on existing centres;
- e. require, where proposals for new retail development do not comply with parts (a) to (d), that it is demonstrated either:
 - i. that the development would meet the requirements of the sequential assessment; and that the development will not have an unacceptable impact on existing centres; or
 - ii. that the new floorspace would underpin the Council's regeneration objectives and the vitality of any existing centre will not be harmed and when within an Employment Zone, support the business function of that area.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

Character of Town Centres

- 31.3. 9 The borough contains some of London's finest shopping areas; including Knightsbridge, the King's Road, Kensington High Street and the Portobello Road. Each of these offers something special, be this access to world-class brands, to eclectic markets or to the quirky and the unexpected. Indeed, the significant contribution that Knightsbridge plays to the Capital's retail draw is reflected by its inclusion within the London Plan's CAZ. The boundary of the CAZ is shown on the Proposals Map.
- 31.3.10 The borough contains four levels of town centres. Three of these, the borough's higher order centres, form part of the London town centre network as designated within the London Plan. These are:

- International Centre: Knightsbridge
 - Major Centres: King's Road (East) and Kensington High Street
 - District Centres: South Kensington, King's Road (West), Notting Hill Gate, Fulham Road (Fulham Road (West) in the London Plan), Brompton Cross (Fulham Road (East) in the London Plan) and Earl's Court Road.
- 31.3.11 Portobello Road and Westbourne Grove have been designated by the Council as separate Special District Centres to reflect their unique function in having both a substantial local and international draw.
- 31.3.12 These higher order town centres are the main shopping areas in the borough, offering both comparison and day-to-day convenience shopping for residents and for those visiting the borough or working within it.
- 31.3.13 The Council has drawn up visions for each of the borough's higher order centres. These are included within the Places section of the Local Plan (Chapters 5-18).
- 31.3.14 The fourth type of centre, the borough's Neighbourhood Centres, have a different role, to meet the day-to-day needs of those living and working in the borough. Neighbourhood centres are therefore integral to building up the walkable neighbourhood as outlined in Chapter 30 (Keeping Life Local).
- 31.3.15 The Neighbourhood Centres are: Barlby Road, Ladbroke Grove (North), Golborne Road (North), North Pole Road, St Helen's Gardens, Ladbroke Grove Station, All Saints Road, Talbot Road, Latimer Road Station, Westbourne Park Road, Clarendon Cross, Holland Park Avenue, Holland Road, Napier Road, Kensington High Street (West), Thackeray Street, Pembroke Road, Earl's Court Road North, Kensington High Street (Warwick Road), Stratford Road, Gloucester Road, Cromwell Road Air Terminal, Gloucester Road (South), Old Brompton Road (West), Old Brompton Road (East), The Billings, Fulham Road (Old Church Street), Walton Street, Lowndes Street, Pont Street, Sloane Avenue, Elystan Street, Chelsea Manor Street, Lower Sloane Street and the World's End.
- 31.3.16 Golborne Road has been designated a Special Neighbourhood Centre to reflect its wider function and the close links between the Golborne and Portobello markets. The boundaries of the centres are shown on the Proposals Map and repeated in Chapter 42.
- 31.3.17 Each of the designated centres are considered to be a "key shopping area" in terms of Schedule 2, Part C of the General Permitted Development Order 2015 (as amended)⁵⁸.
- 31.3.18 The Retail and Leisure Needs Assessment concludes that the Council is in a fortunate position and that our centres are healthy and vibrant in character. However, the Council recognises that the borough is not immune from the changes in the local retail market, be these increasing competition from shopping centres outside the borough, or the pressure on diversity from an increasingly homogeneous retail sector. As such the Council will continue to monitor the health of the borough's centres very carefully.
- 31.3.19 The Council endorses the view of the Retail Commission⁵⁹ in recognising that the health of a centre does not depend merely on the number of shops within it. A successful centre is one which contains a diverse mix of uses and one which retains a distinct character. There are threats to this diversity, and while the Council recognises that multiple retailers are likely to form the spine of many of the borough's centres, some of the borough's iconic town centres are in danger of becoming 'cloned high streets'. Ninety-two per cent

⁵⁸ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

⁵⁹ A Balance of Trade: Everyone can help, Report of the Commission on Retail Conservation to RBKC, May 2007

of the shopping floorspace within Knightsbridge, 81 per cent of Kensington High Street and 68 per cent of King's Road (East) is occupied by multiple retailers⁶⁰, although many of these are top name international brands which have a limited representation in Britain.

- 31.3.20 Despite the threats, many of our centres currently retain a high proportion of retailers which are either independent or are not part of national chains. This is true for the Portobello Road, with twenty-eight per cent⁶¹ of the total retail floorspace of the centre being occupied by multiple retailers. The Council cannot however, be complacent, and recognises that it is the low proportion of national multiples that helps maintain the special character of some of our centres. The Council recognises that the planning system does not allow a local planning authority to consider the nature of a particular shopkeeper when determining a planning application. Councils are, however, encouraged to promote diversity within town centres, using the tools available to them.
- 31.3.21 The 'town centre first' approach to new shopping development is central to maintaining the character of successful and diverse centres. Similarly, the Council recognises that for new retail development to help support the function of a centre and its position within the town centre hierarchy, it must be of an appropriate scale and provide a mix of shop unit sizes.
- 31.3.22 The Council endorses the view of the Retail Commission⁶² that, in order to ensure the continued supply of small units that are more likely to be occupied by start-up, independent or specialist traders it may be appropriate to use s106 agreements (or conditions) to provide a mix of unit sizes. This will only normally be suitable within major shopping developments (with a net increase in retail floor area of 1,000sq.m gross or more), where the viability of the wider scheme is not jeopardised.
- 31.3.23 The Council does recognise that the planning system does not normally allow a local planning authority to control the amalgamation of shop units as amalgamation is not normally considered to be development which requires planning permission. Conditions do, however, allow the Council to protect newly created small units where they are considered to play a significant role in maintaining the character of a centre and to help support a dynamic, competitive and diverse town centre.

Policy CF2 Retail Development within Town Centres

The Council will promote vital and viable town centres and ensure that the character and diversity of the borough's town centres is maintained.

To deliver this the Council will:

- a. require the scale and nature of development within a town centre to relate to the size, role and function of that town centre, to reflect the position of the centre within the retail hierarchy and to assist in the implementation of the vision for that centre as set out within Section 1B Places (Chapters 4-15); and
- b. require a range of shop unit sizes in new major retail development, and resist the amalgamation of shop units, where the retention of the existing units contributes to achieving the vision for the centre.

⁶⁰ GLA, London-wide Town Centres Health Check, 2013 Analysis Report (Annexes), March 2014

⁶¹ *ibid*

⁶² A Balance of Trade: Everyone can help, Report of the Commission on Retail Conservation to RBKC, May 2007 and Response to Report from Retail Commission: A Balance of Trade, September 2007

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

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Diversity within Town Centres

- 31.3.24 The Glossary to the National Planning Practice Guidance (NPPG) on Ensuring the Vitality of Town Centres lists the main town centre uses. These include shops as well as banks, building societies and other professional services, leisure and entertainment facilities, the more intensive sport and recreation uses (including cinemas, restaurants, bars and pubs, night-clubs, casinos, health and fitness centres); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities). The NPPG also notes that housing may be an appropriate town centre use when on upper floors. Social and community uses, are also considered to be appropriate town centre uses. Some, including police contact points, are particularly suited to central town centre locations. Social and community uses and local convenience shopping are considered in both this chapter and in Keeping Life Local (Chapter 30).
- 31.3.25 It is important to keep concentrations of shops together at the heart of a town centre to make it easy to compare goods between retailers. This 'critical mass' of shops is necessary to encourage shoppers into a centre and to encourage its vitality. Town centres are, however, about more than just shopping. They are preferred locations for other town centre uses, uses which support the borough's function as a place to live and which to work, and uses such as restaurants and bars, which draw people into the centres and encourage them to linger. These supporting uses can play an important role in ensuring that a centre offers something that the internet cannot.
- 31.3.26 The Council recognises that these differing roles are served by different parts of the borough's larger centres. It is the primary retail frontages which provide the critical mass of shops, and the secondary retail frontages, while still being mostly shops, contain a greater diversity of town centre uses serving non-shopping needs of visitors. Taken together, the primary and secondary retail frontages provide the range of town centre uses necessary to make the borough's centres the diverse and successful places that they are. This is an approach supported by the provisions of the NPPF and not diminished by the recent liberalisation of the relevant statutory instruments. The Council will continue to have regard to the mix of uses within particular parts of a centre whenever planning permission is required.
- 31.3.27 The Council is concerned with the mix uses within differing parts of the centre, as well as in the centre as a whole. In any one street frontage (between successive intersecting vehicular highways) the Council will take account of the concentration of units in any non-shop use and the length of break in the retail frontage. The primary and secondary retail frontages of the borough's higher order town centres are set out in Chapter 42. These will be reviewed as necessary.
- 31.3.28 The Council recognises that restaurants and drinking establishments continue to have an important role in supporting the diversity of the borough's town centres and in providing a useful day-to-day service to our residents. Care must be taken to ensure that an over concentration of such uses does not harm the function of an area. In addition the Council recognises that such uses can be unneighbourly and cause particular problems to the quiet enjoyment of our residential areas. The impact of such uses on residential amenity are considered elsewhere in the Local Plan.

- 31.3.29 It is not appropriate to draw such a distinction between the primary and secondary retail frontages within the borough's neighbourhood centres. The maintenance of strong neighbourhood centres is integral to the creation of walkable neighbourhoods, and all shops in such locations will be essential to the centres' character. The only exception to this is where a new social community use is to be provided, as the function of the neighbourhood centres is to serve both the shopping and other day-to-day need of the residents of the area. The main retail function cannot, however, be allowed to be lost.
- 31.3.30 There have been particular problems associated with the concentration of estate agents (a Class A2 use) in Notting Hill Gate - a concentration that has harmed the retail character of parts of the centre. In 2015 the GPDO⁶³ was amended and removed the need for planning permission for changes of uses from shops to estate agents. This liberalisation could allow the retail character of both Notting Hill Gate and of other areas to be weakened still further. Whilst ordinarily planning permission is no longer required for a change of use from a shop to an estate agent, the Council will continue to seek to resist such changes of use which will harm the character of an area, when it has the powers to do so.
- 31.3.31 In 2016 the St Quintin and Woodlands Neighbourhood Plan was made. This Plan takes a different approach to Council's Local Plan with regard to the appropriate balance of uses within the St Helens Gardens, North Pole Road and Barlby Road Neighbourhood Centres. Within these centres any change of use between an A1, A2, A3, D1 and D2 use will be permitted, subject to amenity considerations (Policies S1 and S2 of the Neighbourhood Plan.)

Policy CF3 Diversity of uses within Town Centres

The Council will secure the success and vitality of our town centres by protecting, enhancing and promoting a diverse range of shops and by ensuring that these uses will be supported, but not dominated by, a range of complementary town centre uses. To deliver this the Council will:

- a. protect all shops and shop floorspace at ground floor level in primary retail frontages of:
 - i. Knightsbridge, King's Road (East and West), Fulham Road, Brompton Cross, South Kensington, Kensington High Street, Earl's Court Road and Westbourne Grove town centres unless the change is to another town centre use and where 80 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and the non-shop use is not adjacent to another non-A1 use;
 - ii. Notting Hill Gate unless the change is to another town centre use, but not an estate agents, bureaux de change (Class A2) or hot food takeaway (Class A5) use and where 80 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and the non-shop use is not adjacent to another non-A1 use;
 - iii. Portobello Road Special District Centre;
- b. protect all shops and shopping floorspace at ground floor level within the secondary retail frontages of:
 - i. Knightsbridge, King's Road (East and West), Fulham Road, Brompton Cross, South Kensington and Kensington High Street, Earl's Court Road and Portobello Road town centres, unless the change is to a town centre use and where 50 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and there are no more than 3 non-A1 uses in a row;
 - ii. Notting Hill Gate District Centre unless the change is to another town centre use, but not an estate agents, bureaux de change (Class A2) or hot food takeaway (Class A5) and the change is to a town centre use and where 50 per cent of the ground-floor units in the relevant street frontage will remain in an A1 (shop) use and there are no more than 3 non-A1 uses in a row;

⁶³ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

- c. protect shop uses above or below ground floor level within town centres unless it is successfully demonstrated that their loss will not adversely affect the essential shopping character and function of the centre;
- d. protect all shops within neighbourhood centres, unless the proposal is to change to a social and community use, and where 66 per cent of the relevant street frontage remains in an A1 use (shop).

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

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Street Markets

- 31.3.32 Street markets are a form of shopping greatly valued by many of the borough's residents. Their role is diverse, supporting the day-to-day shopping needs of local people, as well as, in the case of the Portobello and Golborne Road markets, attracting large number of visitors from outside the borough. The existing markets are considered to be an integral part the borough's retail offer and to play a vital role in maintaining the special character and the diversity of the borough's centres. Storage for market traders is essential for the market to operate successfully. This storage will be for both the goods sold and for the stalls themselves, and, as such, must be in reasonable proximity to the market pitches if they are to serve any useful function. The expansion of the Portobello Road Street market, north up to the Golborne Road, has been supported within both the Golborne and Portobello Road Places, in Chapters 6 and 10 respectively, as it is considered to be an initiative that will greatly assist in generating increased footfall in this part of the borough.

Policy CF4 Street Markets

The Council will ensure that street markets remain a vibrant part of the borough's retail offer.

To deliver this the Council will:

- a. protect all of the borough's street markets including those at Portobello Road, Golborne Road and Bute Street;
- b. support new, or the expansion of existing, street markets where this fits in with our broader retail strategy and our strategic objectives for the town centres in which they would be located within or adjacent to;
- c. require the protection of existing storage lockups for street traders, or their equivalent re-provision.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

Business uses

- 31.3.33 Business uses are considered to be those which fall under class B of the Use Classes Order, and include office, light industrial, storage and distribution uses. The retail, catering and hotel sectors are therefore excluded.

Offices

- 31.3.34 There are some 4,000 office occupiers within the Borough⁶⁴, occupying nearly 720,000 sq m of business floorspace⁶⁵. Whilst this stock of premises is widely distributed across the borough, there are particular concentrations around Kensington High Street, South Kensington, Knightsbridge, Notting Hill Gate and within the Employment Zones.
- 31.3.35 The borough has a cross section of business types. However, in the same way as the City of London is known for its financial and insurance services, so Kensington is known for its music, fashion and creative businesses. Some of these are of national and international significance. The borough is, for example, home to the four major record labels, some 400 associated independent studios and production facilities, providing an estimated 28 per cent of all the country's employment in the music publishing sector.
- 31.3.36 The importance of the borough's office sector was recognised by the Government in 2013 when the Council was one of only two authorities in the country granted a borough-wide exemption to the office to residential permitted development rights. This exemption was on the grounds that the borough's businesses had been shown to be both "locally" and "nationally significant." They employ an estimated 20,300 people, have a turnover of £5.8 billion and an economic output of £1.5 billion (GVA).⁶⁶
- 31.3.37 One of the strengths of the borough's office sector is its diversity, both in terms of location and in terms of premises type. A larger office in, for example, a town centre location, will serve a different need from a shared workspace within an Employment Zone. It is the Council's ambition to support this diversity through the provision of a wide range of office types in different locations with a distribution across the borough. The borough can build upon its strengths as an increasingly popular location for the creative sector, whilst retaining the premises required by the more traditional accounting, legal or real estate sectors. Reconfiguration and re-provision of business floorspace within a single property, or within a number of properties within the immediate area, may allow the more efficient uses of space without reducing this diversity. Land use swaps which result in the migration of office floorspace from one area to another, or one type of area to another, will reduce diversity. This will be particularly problematical when the loss of floorspace is from an accessible high value area within a town centre. The Council will have regard to the benefits associated with an uplift in the quantum of the business floorspace over the swap sites, over and above that which could reasonably be expected to have come forward over the lifetime of the plan. This will be assessed against the dis-benefits associated with any loss of diversity.
- 31.3.38 There is a forecast demand of 46,240 sq m of additional office floorspace between 2011 and the end of the plan period in 2028⁶⁷. When including the B1(a) floorspace which has been lost since 2011 and the net loss of B1 floorspace currently in the development pipeline this translates to an undersupply of 86,600 sq m. Whilst the Council has identified some 2,000 sq m of additional B1 office space likely to come forward outside of the recognised pipeline, this still leaves an under supply of approximately 84,600 sqm, or some 6,500 sq m pa from 2016 to the end of the plan period.
- 31.3.39 The Council recognises that some further B class floorspace is likely to be forthcoming through the intensification of business uses on existing sites. However, given the differential in value between office and residential land such windfalls are likely to be

⁶⁴ Office Market Review and Viability in RBKC, 2014, Frost Meadowcroft

⁶⁵ Frost Meadowcroft Report: Office Market Review (2014)

⁶⁶ TBR: Impact of Proposed Change to Permitted Development 2013

⁶⁷ London Office Floorspace Projections, Peter Brett Associates, July 2014.

relatively modest. Any loss of the existing business stock will widen the under supply still further.

- 31.3.40 Land owners may seek to reconfigure existing office floorspace in order to allow an increase in value through the introduction of residential uses on a site. It is essential that the overall quality of the existing floorspace is not degraded by, for example, the re-provision of floorspace within a basement with little or no natural light.
- 31.3.41 The Council wishes to meet the objectively assessed need for new office floorspace within the plan period. As a 'town centre use', offices are subject to the requirements of the NPPG on Ensuring the Vitality of Town Centres. The Council, therefore, seeks to direct new large office⁶⁸ premises to town centre locations, to edge of centre sites⁶⁹, to other accessible areas or to the Employment Zones. This will assist in the provision of the range of premises needed, support the continued vitality of the borough's town centres and ensure that as many people as possible can reach these areas without having to rely on the private car. This is a central tenet of a sustainable pattern of development. The relationship is symbiotic with office premises benefiting from, as well as contributing to, the range of facilities which may be available from an accessible town centre location. Large scale office proposals may be appropriate in other areas including within the Employment Zones, when shown to meet the requirements of the sequential test. The Council recognises that any large scale business developments may have the potential to cause a material increase in traffic congestion and, therefore, will be carefully assessed against the requirements of Policy CT1.
- 31.3.42 An 'accessible location', is one with a Public Transport Accessibility Level (PTAL) score of 4 or greater.
- 31.3.43 While medium-size offices⁷⁰ do benefit from proximity to a town centre, their wider distribution across the borough shows that they can also thrive in other locations. They are an integral part of the mix of premises available to those who wish to locate, or expand their business within the borough. As such, they will also be supported in all accessible locations, within the employment zones and within primarily commercial mews.
- 31.3.44 The availability of small and very small business premises⁷¹ across the borough is also valued as these are the premises which are in demand by both the creative sector and by the borough's residents. They are not 'high trip generators', and do not require a highly accessible or a town centre location to be successful. These smaller units are often provided within purpose built business centres. These offer flexibility and the scope for a successful business to expand in situ. The use of s106 agreements to control amalgamation may, be appropriate for newly built business centres and other proposals which provide small workspaces. This will allow the Council to support the expansion of growing businesses but resist the incremental creation of large scale single occupier buildings outside of higher order town centres and other accessible areas.

Industrial and warehouse uses

- 31.3.45 The borough's light industrial and warehousing sectors are much smaller in scale, estimated by the GLA⁷² to be some 4.5 ha. Much of this is made up by studios and hybrid

⁶⁸ A large office is one with a floor area of more than 1000 sq m (GEA)

⁶⁹ For office development the NPPF defines an edge of centre location as one within 500 metres of a public transport interchange.

⁷⁰ A medium sized office is one with a floor area of between 300 and 1,000 sq m (GEA)

⁷¹ A very small and small office premises have floor area of less than 100 sq m and between 100 and 300 sq m respectively (All GEA)

⁷² London Industrial Land Supply and Economy Study, GLA 2015

workshop/office uses, rather than traditional factories, workshops or warehouses.⁷³ The general industrial sector is smaller, located largely in the north of the borough.

- 31.3.46 The borough's remaining stock of light industrial premises continues to decline as property owners make the use of the freedoms offered within the GPDO and convert to higher value B class office uses. Uses evolve organically, and it has become increasingly difficult to distinguish the light industrial from the hybrid use, the workshop or the makerspace. This is a pattern which reflects the changing nature of the borough from an area with a small but functionally important manufacturing base to one now increasingly sought by entrepreneurs, by creative professionals and by small business employers. The Council does not wish to hinder this process.
- 31.3.47 There are a number of car repair garages and MOT centres across the borough which serve a particular need for many of the borough's residents. This is akin to a form of social and community use. The Council recognises that these uses may not sit neatly within the use classes order. Their "use" will depend on the actual operation, and whether neighbourly or not. In many cases these garages may be best considered to be a *sui generis* use. Where planning permission is required, such uses will be protected.
- 31.3.48 The borough contains a small number of storage and distribution uses. Whilst these are not of a scale that serve a strategic function they do provide a particular service which is used by both residents and by the small businesses scattered across the borough. As with industrial premises, this dwindling sector is under pressure from changes of use to higher value uses. Whilst loss to office uses may see a change of function it will ensure that the important business function is retained. This will not be the case if the loss of storage and distribution uses is to a residential use. Such a change of use will have a detrimental impact on the borough's economy and upon employment opportunities with it.

Employment Zones

- 31.3.49 The borough's Employment Zones continue to evolve from concentrations of industrial, warehousing and office uses to highly dynamic employment areas so popular with the creative industries. If these areas are to become the innovation districts of the future they must be allowed to provide a wide range of premises to attract the widest range of businesses and occupiers. To this end, the Council will support the provision of a spectrum of business types and premises which encourage the successful start-up company, and which then allows this start up to grow and to thrive. There is a need for micro-offices for start-up businesses, the premises suitable for the larger well established businesses, and for everything in between.
- 31.3.50 Whilst many of the business uses within the Employment Zones do still fall within the traditional classification of office, light industrial or warehouse use, many do not. The Council does not wish to constrain the evolution of such uses and support flexibility within the B class uses in these areas and across the borough.
- 31.3.51 A range of non-business uses will be welcomed within the borough's Employment Zones where they help provide the range of facilities used by those working within, and visiting the Employment Zones. These are the uses which are often an integral part of the new models of business premises and could include shops, cafes and other A class uses, gyms, or cultural spaces. They are the uses which may help create vibrant and exciting places. Places which thrive through the linkages associated with the synergies of a creative sector. Whilst these supporting uses have value, it is essential that a balance is retained and these uses are only encouraged where they support the business function of these areas. For clarity it should be noted that the Employment Zones have not been

⁷³ RBKC Commercial Property Study, Peter Brett Associates, 2013

identified as locations for new town centres. Any new town centre use with a floor area greater than 400 sq m will also be subject to the sequential test and an impact assessment.

- 31.3.52 As a borough with some of the highest land values in the country, there is a danger that lower value land uses, such as light industrial or offices, will be replaced by higher value uses such as housing (including student accommodation). It is therefore essential that the function of the Employment Zones is clear – that these are commercial areas, areas whose function is to accommodate a range of B class business types which support the local and the wider economy.
- 31.3.53 The Council does, however, recognise that the introduction of some residential floorspace within an Employment Zone can help bring forward new business development and deliver housing supply. In order to ensure that business uses are maximised, residential uses will only be permitted when they can be shown to be necessary to enable a significant uplift in business floorspace. As well as being a significant uplift, this floorspace must be of at least equal quality to that being re-provided with no more residential floorspace being provided than that necessary to enable the uplift. It is also essential that the commercial character and function of an Employment Zone is not jeopardised by the introduction / expansion of residential uses. This will normally be ensured through appropriate design, the retention of the business character of ground floor frontages and through ensuring that only a small proportion of the floorspace of a given site is residential. If the Council is not satisfied that the business character can be retained, the introduction of residential floorspace will be resisted.
- 31.3.54 The St Quintin and Woodlands Neighbourhood Plan takes a different approach to the Council's Local Plan with regard to what is seen as appropriate uses within the part of the Freston/Latimer Road Employment Zone which lies north of the Westway. In this area any A1, A2, A3, A4, D1 or D2 use will be encouraged "where such uses contribute to the vitality of the street and to the wider neighbourhood area" or where "increase employee numbers on sites" (Policies LR2 and LR3 of the Neighbourhood Plan). In addition Policy LR1 allows residential uses on the upper floors in redeveloped buildings at Units 1-14 Latimer Road provided that the ground (and any mezzanines) remain a commercial use.
- 31.3.55 The protection of offices as set out in Policy CF5 includes the protection of both units and floor space.

Policy CF5 Business Uses

The Council will ensure that there is a range of business premises within the borough to allow businesses to grow and thrive.

To deliver this the Council will, with regard to:

Offices

- a. protect offices and office floorspace throughout the borough, except where:
 - i. the office is within an Employment Zone and is being replaced by a light industrial use, workshop or other use which supports the character and function of the zone;
 - ii. the office is within a town centre and is being replaced by a shop or shop floorspace, by a social and community use which predominantly serves, or which provides significant benefits to, borough residents; or by another (not residential) town centre use where this allows the expansion of an adjoining premises;
- b. permit very small, small and medium-sized offices anywhere in the borough save for ground floor level of town centres;

- c. require new large scale office development to be located within a town centre, other accessible areas or within an Employment Zone unless the development would meet the requirements of the sequential test and not have a detrimental impact on traffic generation in the area;
- d. require all new business floorspace over 100sq.m to be flexible, capable of accommodating a range of unit sizes;

Industrial and Warehouse Uses

- e. protect all general and light industrial uses and warehousing throughout the borough unless where the loss is to an alternative B Class business use;
- f. protect vehicle repair garages and MOT centres throughout the borough;
- g. require new light industrial uses to be located within Employment Zones, predominantly commercial mews and other areas where amenity is not harmed;
- h. require the provision of a mix of unit sizes suitable for the creative and cultural businesses, as appropriate;

Employment Zones

- i. require there be no net loss of business floorspace unless to uses which support the function and character of the zone;
- j. support A class and other town centres uses where they help support the business character and function of the Employment Zones;
- k. resist residential uses including for student housing or any form of living accommodation, unless the use can be shown to be necessary to support a significant uplift in both the quantity and the quality of the business use on the site;
- l. promote employment zones as centres for innovation, locations for large and small businesses and for workshops (whether stand alone or part of large business centres).

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

Creative and Cultural Businesses

- 31.3.56 As a share of total employment in the borough, the cultural and creative sector is unusually large, accounting for around 15,000 people across over 2,500 firms.⁷⁴ These industries are well represented across the borough, but particularly within the Employment Zones and the town centres⁷⁵.
- 31.3.57 The borough has long been a centre for innovation, initially attracting artists and artisans, and now as a centre for the new media, for the film, music and fashion businesses, for advertising and publishing, for architects and for the antiques trade. These remain vibrant industries that contribute to the borough's economy and to its reputation as a desirable place in which to work.
- 31.3.58 As a local planning authority it is difficult for the Council to use the planning system to promote one form of business over another. However, it does recognise that the provision

⁷⁴ Evidence to inform Article 4 Direction to restrict the future relaxation of planning regulations to allow changes of use from office to residential. TBR (2016)

⁷⁵ 16 RBKC, Employment Land Review Update, Roger Tym and Partners, September 2009

of a mix of unit sizes, flexible work-spaces, co-working spaces and lower cost units can all help the creative and cultural sector set up, expand and thrive within the borough.

- 31.3.59 The Council also recognises that the creative industry thrives on the linkages associated with being parts of wider 'clusters'. Therefore, while the policies within this chapter support the creation of premises suitable for the creative and cultural business sectors across the borough, concentrations of creative industries are specifically supported in the Kensal, Earl's Court and Lots Road Places (Chapters 5, 8 and 9).

Policy CF6 Creative and Cultural Businesses

The Council will promote and protect the workspaces needed to support the creative and cultural industries across the borough.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

Arts and Culture uses

- 31.3.60 The borough contains a number of major arts and cultural attractions, including the Natural History, Science and Victoria and Albert museums, the Royal Court Theatre and the Saatchi Gallery, as well as hosting the Notting Hill Carnival and the Chelsea Flower Show. It also contains a wealth of more local attractions, including the Museum of Brands, nine cinemas and eight smaller theatres, as well as being home to more than six hundred arts organisations and artists⁷⁶.
- 31.3.61 Arts and cultural uses at local level can help underpin and secure communities which are central to the residential character of the borough. They can be a means of retaining and enhancing familiar landmarks and can increase stability by reinforcing neighbourhood identity. In short, they add variety and richness to the life of the borough.
- 31.3.62 The South Kensington cultural institutions' international reputation and their strategic role in defining London as a world city is reflected by their inclusion within the London Plan's Central Activities Zone. Their popularity and their importance is indisputable, with 12 million visits being made to the Natural History, the Victoria and Albert and Science museums in 2015⁷⁷.
- 31.3.63 The borough's arts and cultural uses include museums, art galleries, auction houses, exhibition spaces, theatres, cinemas and studios. Several of these facilities are enjoyed by more than just a local audience, but have a national, and, in some cases, an international draw.
- 31.3.64 The requirements of arts and cultural operators change over time. Sometimes it may be necessary to be pragmatic and to support enabling development on a given site where the proposal will result in an overall improvement to the arts and cultural use provided in the borough. The temporary and meanwhile use of vacant buildings and sites by creative, cultural and community organisations will also be supported, particularly where they help activate and revitalise town centre locations.

⁷⁶ RBKC, Arts Strategy 2004 – 2008,

⁷⁷ Association of Leading Visitor Attractions (2015)

- 31.3.65 The Council recognises that in a climate of reduced core funding, the borough's cultural institutions need to expand their own sources of revenue. Retail and cafes associated with these institutions can play a significant role. Where ancillary to the principal use, they will not be subject to the requirements of a retail impact assessment.

Policy CF7 Arts and Cultural Uses

The Council supports the borough's role in both local and world-class arts and culture. The Council will welcome new cultural institutions and facilities across the borough and protect, nurture and encourage those which already exist. In particular the Council will support proposals which enhance the cultural draw of South Kensington, King's Road/Sloane Square, the Notting Hill Gate and Portobello Road area and Kensington High Street.

To deliver this, the Council will:

- a. protect all land and/or buildings where the current or last use is/was an arts and cultural use unless that use is re-provided to an equivalent or better standard on site, or if this is not possible, in the immediate vicinity of the site;
- b. permit new arts and cultural uses, or the expansion of these uses, which are likely to generate large numbers of visitors in higher order town centres and other areas of the borough which have a PTAL score of 4 or above, or will achieve this level through improvements to public transport during the lifetime of the plan. Smaller scale arts and cultural uses which are likely to attract fewer visitors will be welcomed throughout the borough;
- c. permit enabling development on land and/or buildings where the current or last use is/was an arts and cultural use, in order to provide alternative arts and cultural uses on site or improve arts and cultural uses elsewhere within the borough, where it is successfully demonstrated that there is greater benefit to the borough resulting from this proposal.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

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Hotels

- 31.3.66 Tourism is one of the borough's key economic drivers. In 2008, it was estimated that some £3.1 billion was spent by tourists in the borough⁷⁸. About half of this is spent in the borough's shops. A quarter relates to stays in hotels. With an estimated 19,300 "visitor" rooms⁷⁹ the borough is one of London's main providers of visitor accommodation. In 2014 19,210 people were employed in the "accommodation" and "food and beverage service activities", the concentration of those employed in the "accommodation" sector being nearly three and a half times greater than one would expect in London.⁸⁰
- 31.3.67 The borough has not been identified within the London Plan as an area that is 'strategically important' for new hotels. The Council does, however, recognise that it can play a role in assisting the London Plan in achieving its ambition of creating an additional 40,000 bedrooms across the capital by 2036. The need within the borough has been identified as being 2,700 additional rooms.⁸¹
- 31.3.68 The upgrading of existing hotels can have considerable benefits to the nature of the borough's stock of visitor accommodation. It can keep the borough's hotel offer relevant and, by allowing overnight stays, can ensure that the vitality of our town centres is supported. Often refurbishment will not require planning permission, but where it does it is essential that it is not at the expense of existing permanent residential units or of the living conditions of those living nearby. Refurbishment which results in the loss of a modest number of bedspaces or floorspace may be appropriate where it can be shown to be necessary to allow the quality of the of the remaining rooms, or of the associated facilities, to be improved significantly.
- 31.3.69 While hotels contribute greatly to both the borough's economy and to its reputation, they are not always good neighbours. Poorly run hotels can cause problems, and a concentration of hotels in a residential area can change the area's character. The Council does however, recognise that the benefits of hotels can be maximised, and their negative impact minimised, when hotels are located in the borough's international or major centres; when they lie close to major tourist attractions; or when they lie in areas which enjoy excellent links to Central London. This is not to say that the expansion of existing hotels elsewhere within the borough will necessarily be inappropriate. Thoughtfully designed and managed, such expansion could make a significant contribution to meeting the need for additional rooms and not harm the character of residential areas.

Policy CF8 Hotels

The Council will ensure that the visitor economy is supported through appropriate hotel provision.

To deliver this the Council will:

- a. protect hotels and hotel bedrooms across the borough;
- b. require new hotels to be located within, or immediately adjoining, the borough's higher order town centres, and in particular Knightsbridge, South Kensington, Kensington High Street, King's Road (East), Brompton Cross and Notting Hill Gate and within the Earl's Court Exhibition Centre Strategic Site;

⁷⁸ RBKC, Study of the Visitor Economy, 2009.

⁷⁹ Understanding the demand and supply of visitor accommodation in London to 2036, GLA, August 2013. This figure is for "all rooms". This includes 15,280 "serviced rooms"

⁸⁰ Evidence to inform Article 4 Direction to restrict the future relaxation of planning regulations to allow changes of use from offices to residential, TBR (2016)

⁸¹ Understanding the demand and supply of visitor accommodation in London to 2036, GLA, August 2013

- c. encourage the upgrading of existing hotels where:
 - i. this will assist in maintaining the vitality of the centre;
 - ii. this will not result in the loss of any residential accommodation;
 - iii. there will be no material harm to amenity.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

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No changes are proposed to the existing Local Plan sections and policies on Temporary Sleeping Accommodation (Policy CF9) and Diplomatic and Allied Uses (Policy CF10).

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South Kensington Strategic Cultural Area

- 31.3.72 In recognition of its outstanding universal value as a visitor destination, the Council and the London Plan have designated the museums complex as a Strategic Cultural Area⁸². A vision for the area forms part of the South Kensington Place (Chapter 12) section of the Local Plan.
- 31.3.73 The Council recognises that any development within the Strategic Cultural Area must be of the highest quality and reflect the historic and architectural interest of the area. This is considered in detail within An Engaging Public Realm (Chapter 33) and Renewing the Legacy (Chapter 34). The Council also recognises the changing commercial reality of the institutions that give the area its raison d’etre. These two demands do not have to conflict.
- 31.3.74 The boundary of the Strategic Cultural Area is shown on the Proposals Map.

Policy CF11 The South Kensington Strategic Cultural Area
 The Council will protect and enhance arts and cultural uses in the South Kensington Strategic Cultural Area.

Do you consider this policy: satisfies the **tests of soundness (positively prepared; justified; effective; and consistent with national policy)**; is **legally compliant**; and is in accordance with the **duty to cooperate**?

Please complete the Response Form at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRPP/>

31.4 Corporate and Partner Actions

- 31.4.1 Delivering the strategic objective of Fostering Vitality will take more than the planning policies above. A range of activities undertaken across the Council and by our partner organisations will also deliver this objective. This section sets out the main strategies and action plans that have been prepared that will play a part in delivering this objective. It then sets out specific actions that will be undertaken to further the objective.

⁸² The designation within the London Plan relates to the South Kensington Museums and to the Royal Albert Hall. The latter does not lie within the Royal Borough, and as such does not form part of this policy.

Corporate or Partnership Strategies that will contribute to the delivery of the Strategic Objective

The Royal Borough of Kensington and Chelsea Arts and Culture Policy 2009-20

- 31.4.2 This document considers the role of the arts and cultural sector within the Royal Borough and makes 15 recommendations as to how the Council can best meet the interests of the sector to the benefit of local residents and others who live or work within the borough. While the implementation of these recommendations will require the cooperation of a number of Council departments, it is the Arts Service which is responsible for their implementation.

Corporate and Partner Actions for Fostering Vitality

1. Planning officers will work with land owners and other stakeholders to deliver two new town centres in the north of the borough, in the Kensal and Latimer areas.
2. The Council's Planning and Borough Development team will work with South Kensington Estates to improve the island site between Thurloe Street and Thurloe Place. This will be an ongoing process.
3. The Council's Economic Development and Regeneration team will work with partners to provide a diverse range of support to residents who wish to start and grow their own business. This will be an ongoing process.
4. The Council's Economic Development and Regeneration team will work with members of the Worklessness team to support local residents into employment. This will be an ongoing process.
5. The Council's Economic Development Team will work with JobCentre Plus, local health services and partners in the central London Working Capital pilot. This pilot provides access to one-to-one support for long term unemployed leaving the Government's Work Programme.
6. The Council's Market Development Manager will develop the borough's markets. This in an ongoing process.
7. The Directorate of Planning and Borough Development will explore opportunities for using Article 4 Directions to control permitted changes of use within each of the land use classes.
8. The Council will deliver cultural place-making initiatives to ensure that residents and visitors are aware of the full range of cultural facilities that are available, particularly in King's Road, Kensington High Street, Portobello Road and the South Kensington Strategic Cultural Quarter.