

## ROYAL BOROUGH OF KENSINGTON & CHELSEA LOCAL PLAN PARTIAL REVIEW

### RESPONSE BY KENSINGTON SOCIETY TO INSPECTOR'S MATTERS, ISSUES AND QUESTIONS ON ISSUE 2c

#### 1. Policy CP2 - Places

**Q1. Is the strategic Policy CP2, in combination with the visions and principles, priorities and delivery expectations in each of the place chapters, consistent with national policy and is it capable of being applied effectively in future development management decisions?**

#### Vision for Kensal (CV5) and Kensal Canalside Opportunity Area (CA1)

**Q2. Given the strategic importance of Kensal for the delivery of housing and new transport infrastructure in the borough, are the updated vision for Kensal to 2028 (CV5) and the allocation for the Kensal Canalside Opportunity Area (CA1), as proposed to be modified in SUB6 and CED004, sound? In particular:**

**Q2a. Have they been positively prepared and is the mix of uses proposed justified as the most appropriate strategy for this area?**

**Not necessarily appropriate.** In its plans for Kensal, RBKC has been very focused in recent years on the prospects of an additional Crossrail station at Kensal. The higher of 3 original options for housing targets (3,500 new units) has been included in the LPPR, on the basis of assumed very high PTAL levels, but it remains uncertain whether the station proposal will ever be realised. The "proposed" Elizabeth Line station at Kensal is an aspiration rather than a firm proposal - it is not agreed or programmed by TfL.

Additional submission documents (SUB19, SUB20, and SUB21) have been published on the RBKC website. These are detailed reports from consultants on infrastructure, density and transport and were not publicised or consulted on by RBKC when first available. They are based on a range of scenarios for development at Kensal Gasworks, including 'with station' and 'without station' alternatives.

The August 2017 response from TfL to the OPDC Regulation 19 Draft Local Plan has only recently been made available by OPDC. This makes clear that any redevelopment affecting operational rail facilities at North Pole depot will need to take account of operational needs.

The concept of a new mixed use neighbourhood at Kensal Canalside is supported, but any 'vision' and site allocation policy should allow for a wider range of scenarios and much greater flexibility on how the area could develop over time.

**Q2b. Are they based on effective joint working which addresses cross-boundary strategic priorities, including the relationship with Old Oak Park Royal?**

Evidence of joint working on transport issues is limited. The OPDC Reg 19 Draft Local Plan refers to a '*movement network*' between Old Oak North/South and Kensal, without detail as to what this would be. The LPPR includes as a priority *Deliver a new road linking onto Mitre Way near Scrubs Lane in the London Borough of Hammersmith and Fulham*, but does not specify where this major road would run. As shown above, TfL and Network Rail are very protective of the North Pole Depot at Mitre Bridge.

**Q2c. Are they in general conformity with the London Plan and are they consistent with national policy in enabling the delivery of sustainable development?**

**Q2d. Will they be deliverable over the plan period, including the quantum of residential development proposed to 2031/32 and the proposed new road and rail infrastructure?**

Deliverability raises big question marks. The nearby 'Old Oak Park' proposals for 6,700 homes (43 acre Cargiant site off Scrubs Lane) are much further advanced than at Kensal Canalside, with a well developed masterplan and an outline application expected this year. Forecasts of build out rates at Kensal Canalside as projected by Cushman and Wakefield in the report for RBKC (SUB 22) may need substantive revision if this part of the West London housing market sees a housing glut.

**Q2e. Should the vision allow greater flexibility for residential uses within the Kensal Employment Zone to support the delivery of the housing target?**

The Society strongly supports the Council's policy for retaining the concentration of employment uses within Employment Zones, with some flexibility where there is no net loss of employment floorspace. See comments under Policy CF5 below. Kensal EZ has already seen new development that includes an element of residential use, within the limited flexibility that CF5 i, j and k allows.

**Q2f. Should the vision and site allocation policy be modified to allow for the development of the Kensal Canalside with or without a new railway station?**

The Society thinks it essential that such a modification is made. Even were Crossrail to be persuaded of the merits of an additional station, and current GRIP work proves successful in demonstrating technical feasibility, there must now be significant questions over RBKC's ability to contribute capital funding to such a project, given re-prioritisation of the Council's funds post Grenfell. This station should be referred to as a 'possible' or 'potential' station in Policy CA1 and elsewhere.

**Q2h. Do any of the 'minor modifications' proposed to Policy CA1 and its reasoned justification materially affect the Plan? Should they be considered as 'main modifications' necessary for soundness?**

The modified wording shown at Main 54 does not appear to affect the Plan.

**Vision for Earl's Court (CV8) and Site Allocations for Earl's Court Exhibition Centre (CA6) and Warwick Road sites (CA7)**

**Q4. Given the importance of this location for the delivery of new housing and commercial floorspace in the borough over the plan period, are the updated**

vision for Earl's Court to 2028 (CV8) and the sites allocations for the Earl's Court Exhibition Centre (CA6) and the Warwick Road sites (CA7) sound? In particular:

**Q4a Have they been positively prepared and is the mix of uses proposed justified as the most appropriate strategy for this area?**

**Yes** – although the Society has reservations about the density and height of buildings within the Earl's Court/West Kensington Opportunity Area. The Warwick Road sites have produced an unbalanced mix of housing types and a series large blocks with no regard for creating a new community.

**Q4b Are they based on effective joint working which addresses cross-boundary strategic priorities with the London Borough of Hammersmith and Fulham?**

**No** – there is considerable uncertainty due to, on the one hand the unresolved future of the social housing estates in Hammersmith and Fulham and, on the other, that the developer (Capco) wishes to increase the quantity of development in the Hammersmith and Fulham part of the Opportunity Area, which could involve the loss of local social infrastructure.

**Q4d Will the combination of sites be deliverable, including the quantum of residential development proposed within the first 10 years of the Plan period and the quantum of commercial floorspace proposed for the Earl's Court Exhibition Centre site?**

This may be dependent on the developer resolving current uncertainties.

**Q4e Are the minimum dwelling numbers for each site justified?**

**Yes**

**Q4f Are the site allocation policies CA6 and CA7 justified and consistent with national policy in respect of their approach to infrastructure and planning obligations?**

**Yes**

**Vision for Notting Hill Gate (CV11)**

**Q6. Is the updated vision for Notting Hill Gate (CV11) sound? In particular:**

- a. **Has it been positively prepared and is it justified as the most appropriate strategy for Notting Hill Gate?**

**Yes**

- b. **Is it effective in identifying opportunities for development and redevelopment?**

**Yes**, although paragraph 11.4 of the LPPR refers to refurbishment of Newcombe House as 'an appropriate option'. RBKC recently refused a revised application for the redevelopment of the Newcombe House site, following a June 2017 decision by the Planning Inspectorate to dismiss an appeal on a previous application, for lack of affordable housing. Reurbishment is not seen as viable, by the building owners.

**c. Is it in general conformity with the London Plan?**

Yes

**d. Is it consistent with national policy in enabling the delivery of sustainable development in Notting Hill Gate?**

Yes

**Vision for Kensington High Street (CV12)**

**Background:**

One of the key issues which arose out of the LPPR consultations was an understanding that the High Street provided a town centre with all the mix of uses that this usually encompasses.

The uses which abound along the High Street are of course a diverse range of retail, leisure, including the Odeon cinema, catering, museums including existing buildings and the new Design Museum, ancillary service industries, residential, civic buildings, medical facilities and other related activities.

In the current document under consideration the emphasis is placed on the development of the High Street as a Cultural Centre of national and international importance. The Society favours seeking a more focused form of retailing, with opportunities to attract specialist traders and create a unique Kensington character..

Dominance of streets, including secondary frontages, by single uses should be resisted. We are concerned that the primary retail frontages have recently seen an increase in A2 uses, particularly banks, and A3 and quasi-A3 uses, mainly cafes, due to changes in permitted development rights for change of use from A1 (shops).

The Odeon site at the western end of the High Street has the potential to work well with the new Design Museum and a little further on the historic quarter of artists houses and the Leighton House Museum. The loss of the cinema has been a great disadvantage for both residents and other commercial units who benefited from the footfall. We are concerned that the demolition of the building and the delay in providing an alternative detracts from the potential of the western end of the High Street and a strong case to retain the cinema must be maintained. This is supported by CF7 (a) which seeks to protect all land and/or buildings where the current or last use was a cultural one.

There is a need for the Council to enforce policies already in existence for achieving **step-free access** wherever possible and maintaining **control over shop fronts and signage**. There needs to be **specific shopfront guide for the High Street** – other centres and this should be reinforced via the proposed Place making policy but will require rigorous monitoring.

**Q7. Is the updated vision for Kensington High Street (CV12) sound? In particular:**

- a. **Do the proposed ‘minor modifications’ MINOR/036 and MINOR/037 materially affect the future consideration of development in Kensington High Street? Should they be regarded as ‘main modifications; which are necessary for soundness?’**

MINOR/036 This should be a **‘main modification’** for consistency with 12.5 bullet point 1 where businesses are referred to as part of the mix of interests to be brought together to deliver the Place Making strategy and for soundness they should be referred to here. This was a key element in the consultation process where it was believed that this would be a means of ensuring a wider commitment to development of the understanding and commitment to the Placemaking Strategy.

MINOR/037 For soundness this should be a **‘main modification’**. It does not change the intention of the clause but makes it clear that as well as relevant legislation similar guidance should be considered.

- b. **Are the other modifications to the vision suggested in representations necessary for soundness?**

MINOR/033 YES for consistency.

MINOR/034 YES for consistency and clarity particularly with regard to the public realm improvements related to the Tube Station.

**Vision for South Kensington (CV14) and Strategic Cultural Area (Policy CF11)**

Background:

The key issues here are:

- South Kensington been designated as a district centre in successive London Plans and Local Plans.
- The area including the South Kensington Museums, Imperial College and the Albert Hall is split between Kensington & Chelsea and Westminster.
- Successive London Plans since 2004 have designated the South Kensington Museums Complex as a Strategic Cultural Area, which was extended in 2011 to include the Albert Hall.
- The Exhibition Road Cultural Group (ERCG) successfully pressed the Mayor of London and the two Councils to reconfigure the public realm of Exhibition Road as a shared space for traffic and for pedestrians and pressed for more catering facilities for their visitors in South Kensington District Centre.

**Q9. Is the updated vision for South Kensington (CV14) sound? In particular:  
a. Is it justified and effective, in combination with Policy CF3, in seeking to protect A1 retail uses and resist a further increase in Use Class A3 and A4 food and drink uses within South Kensington?**

The content of the South Kensington “place” chapter in the 2010 Core Strategy was drawn up with the strong participation of the ECRG, SKE and businesses between 2008 and 2010, but did not reflect the input of local residents or local groups representing them who consistently expressed concern in their representations about the changing character of the area and the change in the retail offer as result of the move away from retail to increased numbers of food and beverage outlets

The creation of more food and beverage outlets in South Kensington District Centre to meet the perceived needs of visitors to the South Kensington Cultural Area and the change in focus towards a plethora of “food and beverage” (A3, but also “takeaway” food and drink) uses has been highly profitable for the landowners in this area (which include South Kensington Estates).

In the Examination of the 2010 Local Plan, local residents made strong representations at the Examination in 2010 about the unbalanced “priorities” in favour of visitors and against residents’ needs, but the issue got little exploration or attention in the context of a completely new plan. Residents were extremely concerned about the then existing imbalance and the prospect of yet more food and beverage outlets serving visitors

The “priorities” were also in direct conflict with Policy CF3: Diversity of Uses within Town Centres, which, in its opening section, is very clear about “enhancing and promoting a diverse range of shops and .. ensuring that these uses will be supported but not dominated by a range of complimentary town centre uses.” [our emphasis]

Residents have objected to continual “creep” from A1 to A3 or quasi A3 uses, which has displaced “a diverse range of shops” which Policy CF3 is committed to “protecting, enhancing and promoting”, but the Council has, through permissions or lack of enforcement, allowed “food and beverage” uses predominantly serving visitors to dominate a large part of South Kensington District Centre, especially north of South Kensington Station.

Transport for London (TfL), who are currently proposing to refurbish the listed South Kensington Station, also have a significant number of shops within and on the north and west side of the station. Their Retail Survey (September 2016) particularly identified the current dominance of food and beverage uses in South Kensington District Centre – this was an important issue for residents’ groups in discussing the future mix of their portfolio.

**b. Does the proposed ‘minor modification’ MINOR/038 to paragraph 14.2 materially affect the vision for South Kensington? If so should it be considered as a ‘main modification’ which is necessary for soundness?**

**c. Is paragraph 14.5 in respect of the delivery of the vision justified and effective and consistent with national policy in balancing the commercial**

## **needs and heritage interest of the main institutional buildings in South Kensington?**

For the planning appeal in relation to a change of use application (night-club to A3), the Society mapped the retail v “food and beverage” mix for South Kensington. This recognised that many of the alleged A1 uses were in fact catering establishments for visitors rather than for residents. This map showed the total domination of a significant part of the District Centre by such uses.

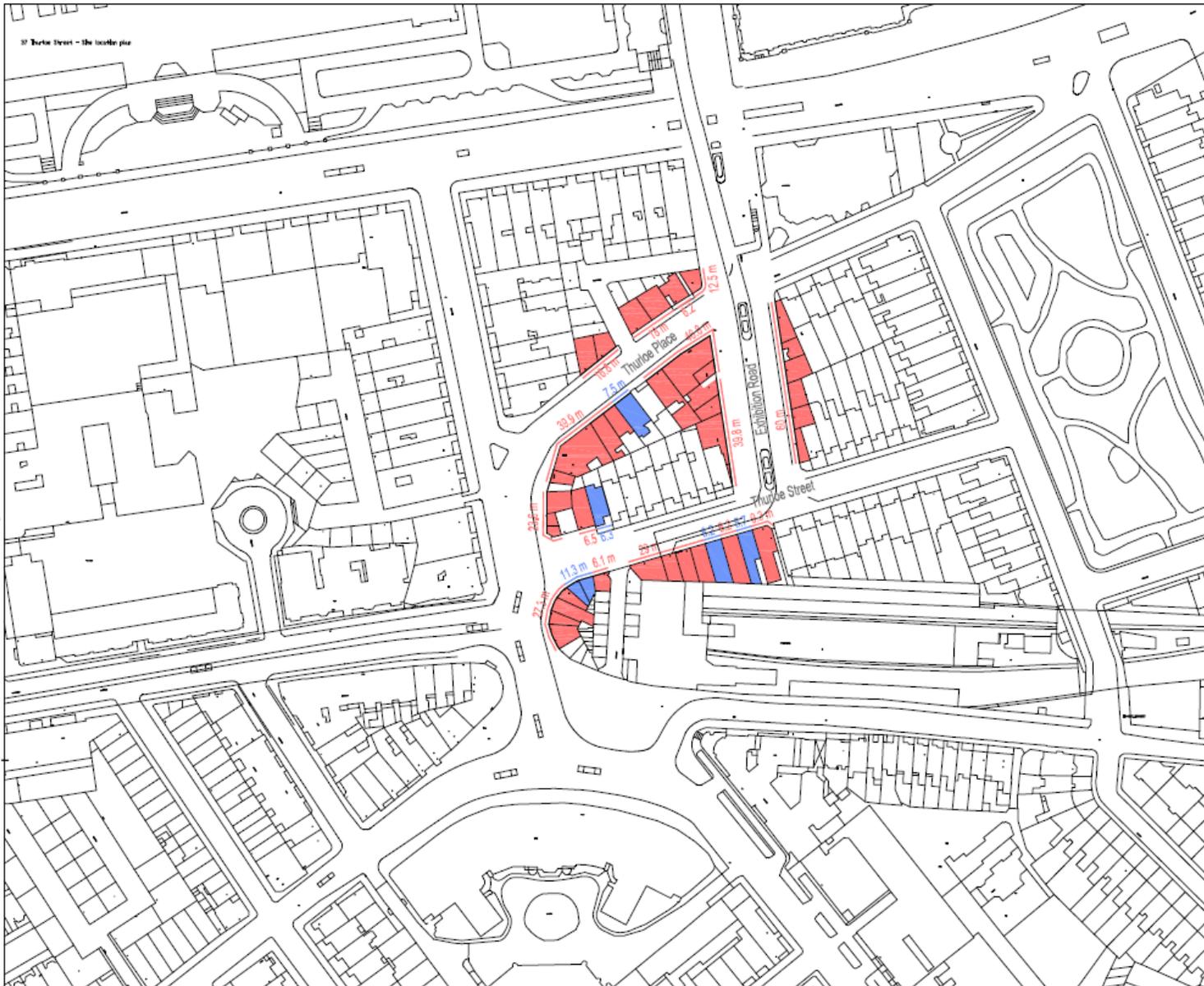
Although it could be argued that for parts of South Kensington District Centre the horse has bolted, the interpretation and use of Policy CF3 needs to be given the emphasis that was clearly intended and that it deserves as an overarching policy in order to prevent the situation deteriorating further.

Where a large landlord manages a centre, they will seek to manage the mix of uses in the centre, usually distinguishing between retail shops and the “food and beverage” offer – see TfL’s analysis for their South Kensington retail portfolio and Capco’s analysis of the uses in their properties in Covent Garden (attached).

### **d. Is the vision, in combination with the policy for the South Kensington Strategic Cultural Area (CF11), otherwise positively prepared and justified in respect of its approach to Exhibition Road and the Strategic Cultural Quarter?**

We ask that the chapter be amended in the light of our representations, with clear emphasis being placed on the need to retain and encourage genuine retail uses. The chapter should set out a way forward as below:

- Tighten up or reinterpret Policy CF3 to ensure that it delivers the Council’s clear intention to avoid centres becoming dominated by non-A1 uses.
- Recognise that South Kensington has a large residential neighbourhood. It is not an area of offices, neither is it like the South Bank (as ERCG seek to assert). The shopping need and general amenity of the residents should be respected and given greater weight in decision making.
- Strongly resist pressure for food outlets /kiosks on the street both around South Kensington and in Exhibition Road.
- Maintain Exhibition Road as a road open to traffic, maintain the shared space with pedestrians and resist pressure from ERCG to remove traffic from the area.
- Resist ERCG’s efforts to create a “South Bank style” pedestrian-only space so that a proper balance can be struck between the needs of residents and those of visitors to the area.
- Press the Museums to provide more catering facilities within their properties



**COMMERCIAL DESIGNATION AND TOTAL LENGTH OF FRONTAGES**

- Food & drinks  
348 m / 91.9 %
- Shops / non-food & drinks  
30.7 m / 8.1 %

Total frontage  
378.7 meters



SOUTH KENSINGTON STATION  
WEST LONDON  
STREET SCENE /  
FRONTAGE ASSESSMENT REV C  
not to scale

