



# Responses to the Inspector

## Matter 4: Keeping Life Local

Core Strategy with a focus on North Kensington  
 Examination in Public  
 July 2010

# Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD

## Royal Borough of Kensington and Chelsea's Statement

### Matter 4 – Keeping Life Local

#### Question 1

*The emphasis in Chapter 30 appears to be on protecting and enhancing the present social and community facilities with the key role of the planning system identified as protecting uses that have lower land values, but high values to the community. **Should more account be taken of the need for social and community infrastructure to meet the needs of increased population?***

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- 1.0 *No. Sufficient account has been taken to ensure the needs of an increased population are met. The Council acknowledges that the demand for housing in the Borough is high. In order to sustain a local life and community cohesion, housing needs to be accompanied by a sufficient supply of social and community uses and to a degree, these uses will cater for the existing and additional residents. This is delivered through the Strategic Allocation policies as well as through Policy CK1 and Policy C1.*
- 1.1 Population estimates indicate that the Royal Borough of Kensington and Chelsea is set to grow to 200,000 residents over the course of this plan. Further to this, the Borough also caters for 129,000 employees (rising to a projected 151,000) (GLA Borough Employment Projections to 2031), many of whom are not local residents and use the Borough's community facilities near their place of work, such as libraries and dentists.
- 1.2 CV1, the Vision for the Royal Borough identifies a high residential quality of life. One facet of this is the availability of the widespread range of uses that support social and community activities. This is further reflected in Policy SO1 of the document.
- 1.3 In order to deliver this vision and Strategic Objective, the Core Strategy has three main approaches.
- 1.4 Firstly, the Core Strategy acknowledges the importance of the projected population increase and has allocated land within its Strategic Sites to ensure that the needs of future communities are met. The Council has identified the Strategic Sites as the primary locations for population increases and in the policies for those sites, sets out the known social infrastructure requirements to ensure an increased provision of social and community facilities.
- 1.5 Secondly, through infrastructure and s.106 agreement via Policy C1. Contributions will be expected from new development to fund suitable social and community facilities related to that development.

- 1.6 Enabling development to generate funds to invest in social and community facilities in the Borough should only be considered in exceptional circumstances , where it can be demonstrated that there is a greater benefit to the Borough through enabling development, rather than through the retention of land in social and community use. On this basis, social and community facilities are not only retained, but enhanced throughout the Borough.
- 1.7 Assuming it is agreed that a social and community use is to be relocated as part of a new development, Policy C1. The draft Planning Obligations SPD states:

“Any contribution sought will be based on the cost to establish appropriate community facilities. These could include community meeting space that may help to mitigate social and economic impacts and pressure on local communities as a result of individual or cumulative major development. Such provision will be based on the need arising, and may include subsidised space such as offices or meeting places”.
- 1.8 The Planning Obligations SPD sets out the conditions under which pooling might take place and how spending is to be measured to ensure the monies are spent in accordance with the terms of the relevant s.106 agreement.
- 1.9 Finally, the ‘land bank’ of existing social and community uses is protected from changes of use other than to different social and community uses or for enabling development. This is detailed within the Council’s response to Matter 4 – Question 2.

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### Matter 4 – Keeping Life Local

#### Question 2

*Policy CK1 protects social and community land and buildings for re-use for the same, similar or related uses. Should the Policy provide flexibility for the relocation of uses through 'use swaps'?*

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- 2.0 *No. Policy CK1 provides sufficient flexibility, it does not rule out use swaps. However, the Council does not consider that use swaps should be promoted, given the complexity of delivery and considering that the same ends can be met within the current policy.*
- 2.1 The Council is aware that the Core Strategy policy must allow for a degree of flexibility. It is for this reason that the Council has introduced the sequential approach to Policy CK1. Within this, provision is made for the relocation of social and community uses off site in order to provide a greater benefit to the Borough. This sequential approach allows for social and community uses to change and relocate within the Borough.
- 2.2 Policy CK1 does not preclude use swaps and they may be considered as part of a proposal to relocate a social or community facility. However, as a general rule, use swaps can be complex to arrange and in practice, they are difficult to deliver due to the need for the uses of the different sites or host buildings to be compatible with one another. Therefore, the Council does not consider a direct reference to use swaps as necessary.

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#### Question 3

*Policy CK1(c) applies a sequential approach to the protection of land or buildings currently or last used for a social or community use. It is proposed as a pragmatic approach to allowing necessary changes whilst maintaining the overall stock of such uses. Is the sequential approach too restrictive, hindering redevelopment proposals?*

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- 3.0 *No, the Council is right to protect the “land bank” of existing social and community uses from change of use to more valuable land uses such as housing. This is essential in ensuring the objectives of Policy CO1 and the vision for the Borough (CV1) are delivered.*
- 3.1 Due to the status of the Borough as one of London's most desirable residential areas, lower land value uses are difficult to maintain. It is for this reason that the Council has adopted a policy position to ensure that the land bank of social and community uses continue to benefit residents and that the Royal Borough does not simply become a dormitory suburb for the rest of central London. It is for this reason that the policy is restrictive. That being said, the policy provides flexibility where it can be proven that a particular social and community use can no longer be sustained.
- 3.2 To provide the context, the Council has identified the uses which it believes to be most valuable to a community. Whilst many of these uses (in particular education and health uses) are self explanatory, some of the other uses are more locally distinctive. This has been detailed within the Council's evidence base in Document 13. Together, these uses provide the cohesive framework for the community to function.
- 3.3 The very nature of Policy CK1 is that it restricts the loss of land in social and community use. It therefore ensures that no land or buildings are lost to other uses unless it is for enabling development that provides a greater social and community benefit to the Borough as a whole. Furthermore, it permits social and community uses throughout the Borough.
- 3.4 Policy CK1 is broken down into 3 main principles. Firstly, CK1(a) provides a policy framework for the delivery of a new school in the North of the Borough. Secondly, CK1(b) provides the mechanism for enhancing the Borough's current land bank of social and community uses and thirdly, CK1(c) introduces a sequential test in order to protect the existing land bank.

3.5 The sequential test within Policy CK1 can be broken down into three specific aims:

**A. Protecting existing facilities**

3.6 For the reasons outlined above and in paragraph 30.3.2 of Keeping Life Local, the Council is committed to protecting its existing land bank of facilities within social and community use. This is in line with the 2008 Community Strategy and Policy 3A.118 of the London Plan. The starting point is therefore, to retain the existing social and community land within that use.

**B. Allowing existing facilities change use to another social and community use**

3.7 The Council acknowledges that certain uses are no longer relevant and indeed cease to serve residents in the community. Policy CK1 therefore makes provision for the reuse or redevelopment of land as a different social and community use. In doing this, the Borough continues to maintain its current land bank of social and community uses, and allows for the provision of a different social and community use of greater benefit to the Borough and its residents.

**C. Enabling development**

3.8 Policy CK1c looks at that role of enabling development in providing investment into the social and community land bank in the Borough.

3.9 Firstly, the Council will consider enabling development on a site where the funds are used to improve existing social and community facilities.

3.10 Secondly, the Council would consider enabling development on a site where the funds are used to replace the existing social and community facility with a different social and community facility.

3.11 Finally, there is scope for social and community uses to be relocated elsewhere in the Borough providing that they serve a greater social and community benefit to the Borough. This would be achieved through enabling development allowing the site of the social and community facility to change into a use not classified as social and community use in paragraph 30.3.4 of the Core Strategy. This is with the proviso that the development was enabling the reprovision of the social and community use elsewhere in the Borough.

3.12 Furthermore, the Council consider that were the Inspector minded, amending the final bullet-point of Policy CK1(c)iii to read “Significantly improve or provide new Social and community uses elsewhere in the Borough...” would add credence to the policy and allow for a best possible social and community use to come forward from this scenario.

## Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD

### Royal Borough of Kensington and Chelsea's Statement

#### Matter 4 – Keeping Life Local

##### Question 4

*The Council is concerned with retaining local shopping facilities and enabling better access to them and Policy CK2 seeks to ensure that opportunities exist for convenience shopping throughout the Borough. At the same time Policy CF1 seeks to control the location of new shop uses on a 'town centre first' basis. Is this a source of potential policy conflict and is Policy CK2 strong enough to provide adequate protection for local facilities?*

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- 4.0 *No. Additional protection of local shopping uses is not necessary within Policy CK2 as this would duplicate policies contained within CF1, CF2 and CF3 of Fostering Vitality. Furthermore, there is no conflict in Policy with CF1 which specifically permits units of less than 400sqm within the areas of deficiency as shown on the Keeping Life Local map.*
- 4.1 The Council considers that the protection of local shopping facilities is clearly demonstrated in Policy CK2 and Policies CF1, CF2 and CF3.
- 4.2 The Vision for the Borough highlights the importance of building on the Borough's success and makes specific reference to improving local facilities for residents. Strategic Objective CO1 goes further by facilitating widely available and easily accessible neighbourhood shopping facilities in order for our residential communities to flourish. Policies to deliver this are then set out in the 'Keeping Life Local' and 'Fostering Vitality' chapters.
- 4.3 Policy CK2 protects retail uses located outside of the Borough's town centres, which serve an important community function. It achieved this by requiring that opportunities exist for convenience shopping throughout the Borough by maintaining and where possible increasing the percentage of the Borough within a 5 minute/400m walk of convenience retail facilities. This is explained further in the reasoned justification in paragraphs 30.3.7 to 30.3.10 and within the monitoring indicators in Chapter 38. The Council also consider that Policy CK2 falls within the 'walkable neighbourhood' concept and as such has recommended a minor amendment to the title of the policy. This is detailed further in paragraph 3.12 of the Council's response to Question 3 of Matter 4.
- 4.4 Protecting local shopping facilities is a necessary and important facet of the Core Strategy. Policies pertaining to local shopping within identified town centres are contained within the 'Fostering Vitality' chapter.

- 4.5 However at present, the Borough currently has around 100 retail premises located outside of designated town centres. These uses are important to the strategic objective of keeping life local by ensuring our communities maintain a high level of accessibility. The facilities serve an important function in providing opportunities for convenience retail in areas beyond the Borough's town Centres and thus, aiding the walkability of the Borough.
- 4.6 Policy CK2 therefore, states the principle of protecting shops. However, the detail only provides cover for individual shops outside of centres. The bulk of policy protection is contained in the 'Fostering Vitality' chapter.
- 4.7 The Council also acknowledges that shopping centres - and in particular neighbourhood shopping centres - are central to maintaining community life. Policy CF1 adopts a town centre first approach to ensure that centres remain vital and viable. However, paragraph 31.3.6 recognises the role of isolated shops and parades in providing a convenience retail function. This is articulated in Policy CF1c which permits A1 uses of less than 400sqm in areas of deficiency as identified on the map in 'Keeping Life Local' (p.167).
- 4.8 Policies pertaining to the function of the Borough's town centres are contained within the 'Fostering Vitality' chapter. These policies are the mechanism for successfully implementing Policies CO1 and CK2. In particular policy:
- CF1 – by requiring the creation of new neighbourhood centres in Kensal and Latimer and by permitting A1 uses of less than 400sqm in area of local shopping deficiency;
  - CF2 – by promoting vital and viable centres; and,
  - CF3 – by specifically protecting shop uses in neighbourhood centres.
- 4.9 This is detailed within a footnote in Policy CK2, which directly cross-references the policies within the 'Fostering Vitality' chapter.
- 4.10 It is therefore considered that local shopping facilities are adequately protected by Policy CK2 and it does not conflict with the town centre first approach taken in Policy CF1.



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##### Question 5

*Having local neighbourhood facilities within a short walking distance is seen as an essential characteristic of local life and it is suggested that existing facilities need protecting. Policy CK3 indicates that policies CK1 and C1 provide the policy mechanisms for delivery. **Should CK3 be more explicit in the actions required to give support to walkable neighbourhoods?***

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- 5.0 *No. The thrust of Policy CK3, working alongside the policy mechanisms in CK1 and C1 and working in conjunction with Policy CK2, give ample support to the concept of walkable neighbourhoods within the Core Strategy.*
- 5.1 The Council supports walkable neighbourhoods as a new and progressive means of assessing and tackling areas of deficiency within the Borough. This has been mapped in the appendix of Document 13 of the Council's evidence base.
- 5.2 Throughout the Core Strategy consultation process, the Council has been made aware of the importance of social and community uses to residents and has written policy in order to provide a means of directly identifying spatial deficiency. The uses identified are those considered essential for day-to-day community life. These uses include education, health and retail. Fundamentally, these are the three uses most residents, irrespective of age, will value most highly.
- 5.3 In view of the fact that the concept of walkable neighbourhoods is a relatively new approach and only limited guidance is available, the Council has developed its own methodology and appropriate parameters.
- 5.4 Walkable neighbourhoods have been divided into two specific areas;
- Policy CK2 – which addresses local shopping; and,
  - Policy CK3 – which addresses other day-to-day uses
- 5.5 The use of the 800m radius is in line with paragraph 4.4.41 of the Department for Transport's "Manual for Streets" (2007), however, using local shopping facilities is considered to be unsuitable for Kensington and Chelsea.
- 5.6 The Borough is extremely well served in terms of local shopping provision (featuring 34 local shopping centres and around 100 out-of-centre convenience retail units) and due to the Borough's size, our residents have come to expect a shorter walking

distance for their convenience retail needs, therefore the 400 metre walking distance has been used to measure local shopping deficiency.

- 5.7 Ideally, the mapping would take into account the population as opposed to a geographic area. However, this would require a continually updated map together with an accurate calculation of the number of residents living in each property in the Borough. Due to the number of residents and the large transient population (second-homeowners, backpackers etc) there is no means of calculating this to level of accuracy which would be required for the successful implementation of the policy.
- 5.8 Further information regarding the proposed methodology is included in Document 13 of the evidence base.
- 5.9 The use of the walkable neighbourhoods concept should be viewed alongside the sequential test within Policy CK1 as one means of assessing whether relocation of facilities would provide a greater benefit to the Borough. The walkable neighbourhoods policy will also be used as means of negotiating planning obligations in line with Policy C1 by assessing how a development's contribution could address a local deficiency.
- 5.10 However, in view of the need for clarity, the Council considers that a minor amendment to the current wording would make the role of walkable neighbourhoods clearer. On this basis and were the Inspector minded, the Council would support the following amendment to the title of Policy CK2 and the chapter sub-heading to read: "Walkable Neighbourhoods and Local Shopping Facilities". This will ensure that the reader is aware that local shopping facilities are considered to be part of the walkable neighbourhood concept.
- 5.11 On this basis, the Council, considers that Policies CK2 and CK3 together with the mechanisms in C1 and CK1 provide a suitable means of protecting and promoting successful walkable neighbourhoods.