

CBRE

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Dear Sir / Madam

JOHN LEWIS PARTNERSHIP**PROPOSED SUBMISSION CORE STRATEGY FOR THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA WITH A FOCUS ON NORTH KENSINGTON**

CB Richard Ellis is responding on behalf of John Lewis (JL) in connection with the above consultation document.

JL have been trading as an established retailer in the Royal Borough of Kensington and Chelsea for over 100 years, employing over 1200 partners. In recent years, the Partnership have invested over £100m refurbishing the Peter Jones department store and therefore are significant investors as well as employers in the area.

The Partnership also owns the Clearings I and II site on Draycott Avenue, SW3. This site is allocated for mixed use development in the 2002 adopted UDP and is also the subject of a draft planning brief which was published for public consultation in July 2007. In addition, the Partnership owns Waitrose stores on Gloucester Road, Kings Road and Kensington High Street.

Legal Compliance and Soundness

In formulating our response to this Core Strategy consultation, we have had regard to the fact that comments made at this stage of the consultation process must relate to matters of legal compliance and whether the DPD is justified, effective or consistent with national policy.

Whilst JL generally supports the Core Strategy, there are certain elements of this which we do not consider to be sound and therefore require further analysis and/ or amendments. We set out below our response to the relevant numbered sections of this consultation document in the order in which they appear.

Policy CF2 (Retail Development within Town Centres)

In representations to earlier stages of the Core Strategy consultation we have set out concerns regarding the impact a section 106 requirement to fund small affordable units can have on development viability. As previously stated, JL consider that a vibrant and varied retail sector should

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be encouraged through mechanisms such as investment in high streets and the public realm to retain local character, greater public and private collaboration and support for business improvement districts.

We note that the supporting text (paragraph 31.3.18) to policy CF2 of the Core Strategy makes reference to the consideration of the viability in assessing the appropriateness of whether a mix of unit sizes and affordable shops should be provided, which is welcomed.

The wording of policy CF2(b) and (c) is however prescriptive in its requirement for large scale retail development to provide a range of shop unit sizes and affordable shops. These policies give no indication that the appropriateness of these requirements for individual schemes will be assessed on a case by case basis, with reference to development viability. We consider that the wording of policy CF2(b) and CF2(c) as it stands is not in accordance with the Circular 05/2005 as it does not take into consideration the requirement as set out in this Circular that planning obligations are only sought where they meet all the following tests:

- (i) relevant to planning
- (ii) necessary to make the proposed development acceptable in planning terms
- (iii) directly related to the proposed development
- (iv) fairly and reasonably related in scale and kind to the proposed development
- (v) reasonable in all other respects.

For these reasons, we consider policies CF2(b) and CF2(c) to be **unsound** as they are **not consistent with national policy**.

Policy CH2 (Housing Diversity)

We note that policy CH2(b) requires new residential dwellings, including conversions, amalgamations and changes of use, to be designed to meet all the following standards:

- (i) lifetime homes
- (ii) floorspace and floor to ceiling heights
- (iii) wheelchair accessibility for a minimum of 10% of dwellings

We are particularly concerned about the imposition of floorspace and floor to ceiling height standards (CH2.b.ii). There is no reference to any evidence base in support of this policy. Whilst it is clearly very important that suitable standards of residential amenity are achieved, there is no indication in the Core Strategy as to what the proposed floorspace and floor to ceiling height standards will be and how these will be applied where there are existing site constraints (e.g. in residential conversion schemes). There is also no indication that the implications of this policy approach on overall housing delivery and affordability within RBKC has been addressed.

As there does not appear to be a robust and credible evidence base in place, we consider policy CH2(b)(ii) to be **unsound** on the basis that it is **not justified**.

(10.2) Climate Change

JL takes the issue of climate change seriously in the way in which it runs its business and serves customers. Sustainability measures must be viewed in the context of other obligations and requirements. We consider that measures to decentralise energy should be planned strategically, addressing the existing stock as well as development, rather than required in new major developments on a site by site basis.

Whilst the principle of seeking a high level of energy efficiency and carbon reduction is supported, we are concerned that the wording of policy CE1 is potentially too prescriptive. We consider that a degree of flexibility is introduced into this policy in order that proper regard is had to the scale, type and location of the proposed development.

As currently worded, we do not consider that this policy accords with Planning and Climate Change (Supplement to Planning Policy Statement 1) which at paragraphs 33 and 42 states that issues of feasibility and viability are taken into consideration, having regard to the overall costs of bringing sites to the market and the need to avoid any adverse impact on the development needs of communities. We therefore consider this policy to be **unsound** on the basis that it is **not consistent with national policy**.

We look forward to receiving acknowledgement of these representations to the Proposed Submission Core Strategy as soon as possible. Should you have any queries or require any additional information please do not hesitate to contact me.

Yours sincerely



GRAHAM TIMMS
SENIOR PLANNER