

Executive Director of Planning and Borough Development
The Royal Borough of Kensington and Chelsea
Room 331
The Town Hall
Hornton Street
London
W8 7NX

10 December 2009

By Email

Dear Sir,

REPRESENTATIONS MADE ON BEHALF OF KENSINGTON HOUSING TRUST TO THE CORE STRATEGY FOR THE ROYAL BOROUGH WITH A PARTICULAR FOCUS ON NORTH KENSINGTON: PUBLICATION EDITION

We write on behalf of our client, Kensington Housing Trust (KHT). Please find enclosed representations made on behalf of KHT to the Core Strategy for the Royal Borough with a particular focus on North Kensington: Publication Edition (referred to as the Core Strategy within these representations). KHT Officers have confirmed that the representations can be submitted in letter form.

KHT is part of the Catalyst Housing Group (CHG), a charitable Registered Social Landlord. CHG was formed in 2002 following the merger of the Ealing Family Housing Association with KHT. CHG owns and manages over 17,000 homes in London and the Home Counties, including homes for rent and sale, for families, single people, people with special needs and the elderly. CHG exists to provide affordable homes to those who cannot readily access them on the open market and to work with tenants, local authorities and other partners to create successful mixed tenure places in which tenants can thrive.

The Wornington Green Estate is owned by KHT and is KHT's largest single estate. Wornington Green is located in the northeast of the Royal Borough, within the Golborne Ward. The site is broadly bounded to the north by the mainline railway to Paddington, to the south by Portobello Road, to the east by Golborne Road and to the west by Ladbroke Grove. Wornington Green is approximately 5.66 hectares in extent and comprises, inter alia, 538 residential dwellings, arranged primarily as flatted development. The majority of the dwellings are arranged in 4 – 6 storey blocks, built in stages between 1964 and 1985.

KHT has been considering the future of Wornington Green, including the potential for total redevelopment, for a number of years. The pressure for change comes from a variety of sources, including the Government's 'Decent Homes' agenda, which requires that the existing 538 dwellings are brought up to 'Decent Homes' standards by 2014 and KHT's commitment to raise standards for its tenants.

The Royal Borough's Cabinet has accepted in principle that total redevelopment is the best long-term solution for the future of Wornington Green. Following ongoing engagement with KHT's tenants, RBKC Members and Officers, the wider local community, the Greater London Authority, Transport for London and

the Commission for Architecture and the Built Environment, a planning application for the comprehensive redevelopment of Wornington Green was submitted to the Royal Borough of Kensington and Chelsea in November 2009. It is in this context that the representations are made:

Policy CP 1 – 26,150 sq m of comparison floorspace to 2015 to the south of the Borough

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes that Policy CP 1 requires the Council to provide 26,150 square metres of comparison retail floorspace to 2015 in the south of the Borough. KHT recognises that c. 21,000 square metres of comparison retail floorspace has been identified in Knightsbridge, South Kensington, Brompton Cross and a number of smaller sites on the King’s Road, as stated in paragraph 4.3.6 of the Core Strategy. KHT therefore considers that the majority of comparison retail floorspace (c. 21,000 square metres) can be provided within the south of the Borough.

PPS6 and the London Plan positively encourage the provision of retail as part of mixed use developments in accessible locations. KHT considers that Policy CP 1 should acknowledge that comparison retail floorspace may be appropriate outside areas within the south of the Borough, as part of delivering mixed-use, balanced and sustainable development as advocated in PPS1 and PPS6 to meet local needs.

The proposed redevelopment of Wornington Green includes the provision of an element of comparison retail floorspace along the ground floor of Portobello Road. KHT considers it appropriate for an element of comparison retail floorspace to be provided as part of the comprehensive redevelopment of Wornington Green to meet the day-to-day needs of residents, to address the perceived qualitative deficiency as identified within the Core Strategy, to be consistent with the Wornington Green Planning Brief (Supplementary Planning Document) and with the principles set out in PPS6 and the London Plan. KHT also considers it appropriate for an element of comparison floorspace to be provided as part of the redevelopment of Wornington Green given the surplus identified within paragraph 4.3.6 of the Core Strategy.

KHT would welcome recognition within the Core Strategy that the provision of comparison retail floorspace, at an appropriate scale to meet the day-to-day needs of residents and perceived local deficiency, would be acceptable in locations outside the south of the Borough.

Paragraph 4.5.10

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes that paragraph 4.5.10 relates to Wornington Green and states, inter alia, that ‘in addition to the provision of new social rented accommodation and market housing, the redevelopment will connect Portobello Road to Ladbroke Grove at the Barlby Road junction.’

PPS3 sets out the broad approach to the provision of affordable housing, emphasising the importance of viability, and clarifies the need for flexibility within policies to reflect this. The London Plan (Consolidated with Alterations since 2004) (February 2008) notes that affordable housing targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements. The Mayor’s Housing Supplementary Planning Guidance (November 2005) notes that estate renewal proposals

should be predicated on no net loss of affordable housing, which can be based on habitable rooms rather than units, where the redevelopment of an estate is providing a housing mix more appropriate to the needs of both existing and prospective future residents.

KHT considers that having regard to a range of considerations including the need to ensure that the proposed scale of development is appropriate to its context, the balance between seeking to maximise the re-use of the site and ensuring that the scheme is economically viable and ultimately deliverable, the comprehensive redevelopment of Wornington Green would not be of a scale sufficient to provide a net uplift in affordable housing. On this basis, KHT considers that paragraph 4.5.10 should be amended to be more consistent with paragraph 6.3.14 of the Core Strategy. For clarity and to avoid ambiguity, KHT suggests that the reference to 'new social rented accommodation' should be removed from paragraph 4.5.10; KHT considers that the 4th sentence of paragraph 4.5.10 is amended to state '**In addition to the minimum re-provision of the existing quantum of social rented accommodation (floorspace) within the Wornington Green Estate, and the provision of additional market housing...**'

'Key Issues and Potential Opportunities' diagram (page 58)

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT supports the reference within the 'Key Issues and Potential Opportunities' diagram on page 58 that a high quality Athlone Gardens and Community Centre is re-provided as part of any redevelopment, however, considers that this needs to be qualified to ensure that it is clear that this would only apply in the event that the land currently accommodating Athlone Gardens and the Community Centre form part of the comprehensive redevelopment of Wornington Green. KHT suggests that this is clarified within the Core Strategy.

Wornington Green Site Plan (pages 135 and 341) and paragraphs 21.2.8 and 21.4.4

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes that the Wornington Green site plan on pages 135 and 341 within the Core Strategy includes the Open Door Friendship Centre and Kensington and Chelsea College. This is consistent with the site plan within the adopted Wornington Green Planning Brief (Supplementary Planning Document).

The Wornington Green SPD clarifies that for the purposes of the Planning Brief, the site is defined as being wider than just the housing estate itself. In addition, the Wornington Green SPD notes that the redevelopment of the properties adjacent to the Wornington Green Estate are not a requirement of the brief, however, have been included to provide greater flexibility and to ensure the area is considered and planned for as a whole; it does not require planning applications to be the same physical extent. KHT considers that this should be explicitly reflected within the Core Strategy to avoid ambiguity.

Policy CA 2: Wornington Green

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? No (not consistent with national policy)

KHT supports the inclusion, through Policy CA 2, of Wornington Green as a strategic allocation within the Core Strategy. KHT notes the reference within part (a) of Policy CA 2 that RBKC will require development on Wornington Green to deliver a minimum of 538 affordable dwellings. KHT considers that this is not consistent with the adopted Wornington Green Planning Brief (Supplementary Planning Document) (November 2009) and fails to provide the flexibility which is critical in terms of meeting the objective of providing for the housing needs of the Estate's current tenants, and to ensure that the scheme is financially viable and ultimately deliverable.

PPS3 sets out the broad approach to the provision of affordable housing, emphasising the importance of viability, and clarifies the need for flexibility within policies to reflect this. The London Plan notes that affordable housing targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements. The Mayor's Housing SPG notes that estate renewal proposals should be predicated on no net loss of affordable housing. In addition, the Mayor's Housing SPG notes that calculations on whether there is a loss of affordable housing can be based on habitable rooms rather than units, where the redevelopment of an estate is providing a housing mix more appropriate to the needs of both existing and prospective future residents. The Wornington Green Planning Brief (Supplementary Planning Document) states that the Council will require the provision of at least 538 affordable units for rent (or 1,622 habitable rooms of affordable housing), and was drafted as such to provide the flexibility required to meet existing tenants' needs.

The proposal for the redevelopment of Wornington Green is predicated on the re-provision of the existing 538 affordable units or 1,622 habitable rooms, as stated in the Wornington Green SPD, to meet the existing tenants' housing needs, based on up-to-date housing needs assessments. The objective is to seek to ensure that the redevelopment provides for the housing needs of KHT's existing tenants.

KHT considers that Policy CA 2 should be amended to be consistent with the adopted Wornington Green Planning Brief (Supplementary Planning Document). KHT suggests that Policy CA2 is amended to state **'that RBKC will require development on Wornington Green to deliver at least 538 dwellings for rent (or 1,622 habitable rooms of affordable housing).'**

KHT notes that part (e) of Policy CA 2 requires development on the site to deliver A1 to A5 Uses in the order of approximately 2,000 square metres, provided that these animate the street frontage, extend the retail offering along Portobello Road and help reconnect the link from Portobello Road and/or Wornington Road to Ladbroke Grove with no unit being over 400 square metres. KHT supports the principle of providing a quantum of non-residential uses along Portobello Road as part of the comprehensive redevelopment of Wornington Green, and the London Plan positively encourages the provision of mixed used developments in accessible locations. KHT considers that the exact quantum of A1 to A5 uses should be based on identified need to be determined through the planning application process.

In addition, KHT supports the principle of part 'e', but seeks clarification in respect of the reference to no unit being over 400 square metres. KHT considers that part 'e' should seek to avoid unnecessary prescription and should contain a degree of flexibility; the Core Strategy should also define what constitutes a unit for the purposes of Policy CA 2 (i.e. Gross Internal Area, Gross External Area, Net etc).

KHT suggests that part (e) of Policy CA 2 is amended to state that the Council will require 'the provision of A1 to A5 Uses, in the order of approximately 2,000 square metres, **the precise quantum to be determined based on need and demand**, providing these animate the street frontage, extend the retail offer along

Portobello Road and help reconnect the link from Portobello Road and/or Wornington Road to Ladbrooke Grove with no one unit being **generally** over 400 square metres.'

Paragraph 21.3.2

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

The Wornington Green Planning Brief (Supplementary Planning Document) was adopted on 9th November 2009. KHT suggests that paragraph 21.3.2 is amended to reflect this.

Paragraph 21.4.3

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT submitted a planning application for the comprehensive redevelopment of Wornington Green in November 2009. The site area that is the subject of the planning application is approximately 5.66 hectares. KHT suggests that paragraph 21.4.3 is amended to reflect this.

Paragraphs 7.3.11 and 29.2.4

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes the possible requirement for 'affordable shops' within paragraphs 7.3.11 and 29.2.4. KHT considers that any policy requirement relating to 'affordable shops' should reflect the approach of the adopted London Plan, and should be based on robust and credible evidence.

Policy CK 2: Proposed Local Shopping Facilities and the 'Keeping Life Local: Social and Community Uses, Local Shopping Facilities and Walkable Neighbourhoods' diagram (page 164).

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT supports the recognition within the Core Strategy that national walkable neighbourhood indicators (i.e. 800 metre walk) are not appropriate within RBKC due to the relatively large numbers of shopping centres within the Borough. KHT considers that a 400 metre area is more appropriate in terms of assessing local shopping deficiency based on advice from CB Richard Ellis (Retail Planning).

KHT notes that part of Wornington Green is not identified within a 5-minute walk (400 metres) of a neighbourhood or higher order shopping centre on the 'Keeping Life Local: Social and Community Uses, Local Shopping Facilities and Walkable Neighbourhoods' diagram on page 164. KHT therefore recognises that part of Wornington Green is within an identified area of deficiency. KHT supports the reference within Policy CK 2 that the Council will ensure opportunities exist for convenience shopping in these locations, and considers that this is consistent with the positive encouragement in the London Plan for the provision of retail as part of mixed use developments in accessible locations for local provision. KHT considers that Policy CK 2 should also provide for the provision of comparison retail floorspace inside and outside areas of

deficiency, as part of delivering mixed-use, balanced and sustainable development as advocated in PPS1 and PPS6, where the provision would meet local needs. KHT suggests that in terms of comparison retail floorspace, the approach should reflect Policy CK 2 (with the amendments sought by KHT).

Policy CF 1: Location of New Shop Use

Do you consider the Core Strategy to be legally compliant? Yes

Do you consider the Core Strategy to be sound? Yes

KHT supports the recognition within the Core Strategy that areas within the Borough not within a five minute walk of a centre are within an area of deficiency. KHT notes that paragraph 31.3.5 refers to Latimer and Kensal as areas of deficiency. KHT considers that paragraph 31.3.5 should refer to part of Wornington Green being within an area of deficiency, reflecting the 'Keeping Life Local: Social and Community Uses, Local Shopping Facilities and Walkable Neighbourhoods' diagram on page 164.

KHT supports the principle of Policy CF 1 that new shops (A1) of less than 400 metres (gross external) will be permitted in areas of retail deficiency as shown within the diagram 'Keeping Life Local: Social and Community Uses, Local Shopping Facilities and Walkable Neighbourhoods' diagram on page 164. In addition, KHT supports the requirement that where proposals for new retail development do not comply with parts (a) to (d) that it is demonstrated either:

- I. That need for the proposal, and the development would meet the requirements of the sequential test, and the development would not have an unacceptable impact on existing centres; or
- II. That the new floorspace would underpin the Council's regeneration objectives and that the vitality of any existing centre would not be harmed.

PPS1 recognises that retail provision may be appropriate as part of delivering mixed-use, balanced and sustainable development, where the provision would meet local needs. PPS6 recognises that the provision of retail units can aid redevelopment and that local retail needs should be met. The London Plan positively encourages the provision of retail as part of mixed use developments in accessible locations for local provision. KHT notes that part 'c' of Policy CF 1 permits new shops of less than 400 square metres (gross external) in areas of retail deficiency. KHT considers that part 'c' should seek to avoid unnecessary prescription and should contain a degree of flexibility in order to assist the provision of new retail development in areas of retail deficiency. KHT considers it may be appropriate for the Council to permit new shops (A1) exceeding 400 square metres (gross external) as part of delivering mixed-use, balanced sustainable development, where the provision would meet local needs.

KHT suggests that the reference to 'need' within part 'e' (ii) of Policy CF 1 is removed. PPS6 requires impact tests to generally be undertaken for proposals in excess of 2,500 square metres gross floorspace, recognising that they may occasionally be necessary for smaller developments, such as those likely to have a significant impact on smaller centres, depending on the relative size and nature of the development in relation to the centre (paragraph 3.23). KHT suggests that this is reflected within Policy CF 1.

KHT suggests that Policy CF 1 should be consistent with the suggested amendments to Policy CA 2 reflected within these representations.

Policy CT 1: Improving alternatives to car use

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT supports the principle of Policy CT 1. KHT notes part 'k' of Policy CT 1 which seeks to resist new public car parks. KHT suggests that part 'k' is amended to differentiate from on-street Borough permit holder 'public' parking and private off-street parking. KHT suggests that part 'k' is amended to state 'resist new **off-street** public car parks'.

In addition, KHT notes part 'g' of Policy CT 1 which requires new development to incorporate measures to improve road safety, in particular the safety of pedestrians, cyclists and motorcyclists, and to resist development that compromises road safety. The proposed redevelopment of Wornington Green includes the reinstatement of the historical street pattern and reconnection of Portobello Road and Wornington Road to Ladbroke Grove at Barlby Road, as set out within the Wornington Green Planning Brief (Supplementary Planning Document). The street layout of the proposed redevelopment has been developed in close consultation with RBKC Officers, with road safety being an important consideration. KHT suggests that part 'g' of Policy CT 1 is amended to 'require new development to incorporate measures **consistent with the Borough's historic street pattern and usage** to improve road safety, and in particular the safety of pedestrians, cyclists and motorcyclists, and resist development that compromises road safety.'

Policy CF 5: Location of Business Uses

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes that Policy CF 5 seeks to protect very small and small offices (when either stand alone or as part of larger business premises) throughout the Borough, and medium sized offices within the Employment Zones, Higher Order Town Centres, other accessible areas and primarily commercial mews. KHT supports Policy CF 5 in that additional office floorspace may be appropriate outside of existing Employment Zones and Higher Order Town Centres, in accessible locations. This is consistent with the London Plan, which seeks the renovation and renewal of existing stock and positively encourages the provision of a variety of type, size and cost of office premises to meet the needs of all sectors.

Paragraph 34.3.4

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes the range of residential densities within paragraph 34.3.4. KHT could welcome clarification on the source and evidence to support the residential densities included within paragraph 34.3.4, and suggests that this is referenced within the Core Strategy.

Policy CL 1: Context and Character

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT supports the principle of Policy CL 1, and notes that part 'f' of Policy CL 1 requires a comprehensive approach to site layout and design including adjacent sites where these are suitable for redevelopment. PPS3 requires Local Planning Authorities to identify deliverable sites to deliver housing. PPS3 note that to be considered deliverable, sites should be available, suitable and achievable. KHT suggests that this is reflected within part 'f' of Policy CL 1, and suggests that part 'f' of Policy CL 1 is amended to 'require a comprehensive approach to site layout and design including adjacent sites where these are **deliverable and** suitable for redevelopment.'

Policy CL 2: New Buildings, Extensions and Modifications to Existing Buildings

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT broadly supports Policy CL 2 which requires new buildings, extensions and modifications to existing buildings to be of the highest architectural and urban design quality, taking opportunities to improve the quality and character of buildings and the areas and the way they function. KHT notes part 'h' of Policy CL 2 which seeks to resist proposals which exceed the prevailing building height within the context, except where the proposal is:

- i. of a slender profile and proportion; and
- ii. not within any identified linear views; and
- iii. of exceptional design quality.

PPS1 seeks to avoid unnecessary prescription or detail and notes that design policies should concentrate on guiding the overall scale, density, massing, height, landscape, layout and access of new development in relation to neighbouring buildings and the local area more generally. KHT considers that part 'h' of Policy CL 2 should reflect this and should not arbitrarily constrain development.

Policy CH 1: Housing Targets

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes that the Council will make provision for a minimum of 350 net additional dwellings a year until the London Plan is replaced. From this date, the Council is planning to make provision for a minimum of 600 net additional dwellings a year until c. 2021/22. KHT notes that the comprehensive redevelopment of Wornington Green should yield a net uplift of c. 460 of market units, which would make a positive contribution to RBKC's Borough-wide housing requirement.

Policy CH 4: Estate Renewal

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT strongly supports the principle of estate renewal and welcomes the inclusion of Policy CH 4 within the Core Strategy. KHT supports the principle of part (a) of Policy CH 4 which states that the Council will require the maximum reasonable amount of affordable housing, with the minimum being no not loss of existing social rented provision. KHT suggests that part (a) of Policy CH 4 should clarify that the calculation on

whether there is a loss of affordable housing provision should be based on habitable rooms rather than units, where the redevelopment of an estate is providing a housing mix more appropriate to the needs of both existing and prospective future residents, to be consistent with the Mayor's adopted Housing SPG. In addition, KHT supports part (d) of Policy CH 4 which notes that the Council will require that where estate renewal is being funded through the provision of private housing or other commercial development, schemes must be supported by a financial appraisal.

KHT notes that part (c) of Policy CH 4 requires the mix of house sizes for the reprovided social-rented accommodation to be determined by the housing needs of the tenants of the estate and by the housing needs of the Borough, at the time an application is submitted. KHT considers that the mix of house sizes should be based on the housing needs of existing estate tenants only; the housing needs of the Borough in general should only apply if the net uplift in units proposed as part of the comprehensive redevelopments is sufficient in terms of quantum to sustain provision of net new affordable units. KHT therefore suggests that the reference to 'the housing needs of the Borough' should be removed from part (c) of Policy CH 4.

Chapter 37: Infrastructure

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes the references to Wornington Green within the Infrastructure Table of the Core Strategy. KHT agrees with the principle of the potential requirements, although suggests that the precise nature and scope of provision should be based on a number of considerations including need, demand, financial viability, and should be balanced with the wider objectives of the Wornington Green redevelopment. KHT also considers that the content of the Infrastructure Table should be amended to reflect the content of KHT's representations to the Core Strategy, set out in this letter.

KHT notes the possible requirement for new health premises as part of comprehensive redevelopment of Wornington Green. Following discussions with RBKC, KHT understands that such premises would not need to be provided onsite. KHT would welcome recognition of this within the Infrastructure Table of the Core Strategy.

In addition, KHT notes the requirement within the Infrastructure Table for the provision of CCHP as part of the comprehensive redevelopment of Wornington Green. KHT considers that this is overly prescriptive, and this is a particular concern given that KHT has been advised that CCHP would not be feasible. KHT would suggest that the Core Strategy should not focus on the specific technical solution; rather, it should provide flexibility to enable technically and commercially feasible solutions to be identified to meet the criteria/objectives. KHT considers that the Infrastructure Table should be amended to reflect this more flexible approach.

Contingencies and Risks (Chapter 39.1)

Do you consider the Core Strategy to be legally compliant? Yes
Do you consider the Core Strategy to be sound? Yes

KHT notes the inclusion of Wornington Green within the Contingencies and Risk schedule on pages 302 and 303. KHT will continue to liaise with RBKC Officers to seek to mitigate the risks outlined within the schedule.

I would be grateful if you could confirm receipt, and that the representations have been duly made.

Yours sincerely

TOM PIKE
ASSISTANT PLANNER