

## **OBJECTION TO THE FINAL VERSION OF THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA CORE STRATEGY**

Kensington & Chelsea Liberal Democrats  
Submission by Robin Meltzer, Chair

### **FLAWED AND INCOMPLETE CONSULTATION**

We are objecting to the Core Strategy on the basis that it fails the soundness test of whether the plan is 'justified'.

The Planning Inspectorate guidance on Local Development Frameworks states that to be 'justified', "a DPD needs to be founded on a robust and credible evidence base involving evidence of participation of the local community and others having a stake in the area."

The guidance asks the following question:

"Has the consultation process allowed for effective engagement of all interested parties?"

The answer, for the Royal Borough of Kensington & Chelsea, must be no. It cannot be said to have held proper and imaginative consultation that would allow this plan to be justified.

Firstly, a specific case study, then some generalities:

In the second draft of the Core Strategy, the Council slipped into the document an entirely new plan to redevelop Portobello Court, a housing estate owned by the Council of some 160 dwellings. The plan identified the estate as one where "redevelopment" would see shops and market housing built on the site as part of "estate renewal" and "retail need".

When this draft was published, not one resident in Portobello Court had been consulted on these plans using any method whatsoever, nor had the estate's own Residents Association been informed or notified about it. The policy had not been present in the first draft of the Core Strategy and it was not raised in any of the consultation sessions held between the first and second drafts. It simply appeared in the second draft, based on no public consultation whatsoever.

In the consultation between the second and third drafts of the Core Strategy, residents attending the first of two Portobello 'Places' consultations were expressly told by a member of the Cabinet that the discussion was not allowed to incorporate the (by then published) plans for Portobello Court. This was met with outrage but the rule was enforced. I was there myself and saw this happen and there are many other witnesses who will attest to this, including one Council Officer who demurred saying: "I know we're not supposed to talk about Portobello Court but the residents on my table want to talk about it."

The Liberal Democrats and others protested in the local press and in our own literature about the proposed redevelopment of the estate. Residents demanded meetings with the Council leadership and made their feelings known. Subsequently, the plan was quietly dropped by the Council (despite thousands of pounds being spent on a 'retail needs' survey of the area). Had community activists not drawn attention to the flagrant disregard for the future of the homes of the people concerned, this plan could have made its way into the third and penultimate version of the Core Strategy with no consultation having occurred.

Other examples of lack of consultation on the Core Strategy abound. The only residents consulted by post or email were i) a select group of (usually 'establishment') associations and ii) individuals who had already expressed an interest in planning policy.

As an example of a lack of notification, the Council failed to put up a notice about the Core Strategy on any of the many notice boards at the Kensington Sports Centre. They did not even inform the reception staff. All this despite the fact that this site features very heavily in the Council's regeneration plans for North Kensington and one could reasonably expect residents who use these public facilities to take an interest in its future.

The document is entitled "Core Strategy with a focus on North Kensington", yet no attempt was made to reach out to residents beyond the Council's own very limited mailing list of interested parties occurred in North Kensington. The Council could very easily have taken a stall in Portobello and Golborne markets on a Friday when the footfall is overwhelmingly local rather than tourist.

I have never seen so much as one notice in a public place saying "have your say". The document was displayed (though usually not prominently) in the libraries, but footfall there is low for adults.

The Council did put something in their own patchily distributed newspaper.

Consultation meetings were rigidly controlled and allowed no real discussion. During many (if not all) of the consultation sessions following the first draft, the document in question was not on display, nor available for people to read. Furthermore, no questions relating to specific parts of the document were asked by Officers whatsoever. Instead, consultees (who only knew about the session if they were on the Council's mailing list of previously interested parties, as discussed above) were asked to draw things on maps and to "brainstorm" about their area. This was consultation for children, not for engaged members of the community.

The majority of the officers were going through the motions so that they could say they had done it, not to gather ideas and responses. This was tick-box consultation.

I would, however, like to end my comments about consultation on one positive note. The final set of consultation meetings about the 'Places' – though subject to the usual problem of attendance only by known interested parties – did result in some noticeable changes to the wording of those sections. In particular, the wording of the Portobello 'place' (the only 'place' which required two sessions because residents were so angry with the Council during the original session) is unrecognisable to the draft originally presented to residents and the improvements are many. This was evidence of the power of residents persuading the Council how wrong they had been originally about their vision for this 'place'. This late effort at listening contrasts starkly with the rest of the process.

## HOUSING

We are also objecting under the soundness test of 'justification' on the Council's very controversial plan for housing which would see the building of thousands of new market homes in the poorer wards in the Borough without due effort to create mixed communities in the wealthier wards. We think this fails the basic test of whether a policy is, as the guidance says "the most appropriate strategy when considered against the reasonable alternatives".

The Diversity of Housing map shows all wards north of Holland Park Avenue except for Pembridge as unsuitable for off-site affordable housing. (It would be better to reverse the proposition and show the wards with low social housing as being suitable for off-site Affordable Housing.) The map makes a nonsense of the fact that during the very period of

the Core Strategy consultation process, the Council granted affordable housing off-site for their own planning application to sell off the playground of the Holland Park School. The affordable housing for this development is to be placed in Notting Barns in the poorer, north of the Borough. Also during the Core Strategy consultation period, the Commonwealth Institute and Odeon Cinema developments on Kensington High Street failed to trigger any affordable housing whatsoever, on or off-site.

The Holland Park School planning approval has been seen by residents as particularly offensive, not simply because of the sale of educational land to developers but also because the land was once part of Holland Park itself, a park which has been eaten into steadily.

The inspectorate may wish to examine the extent to which the awkward bifurcation of the new school building itself and the private housing planning plan for one third of the same site was a deliberate attempt to get around the Core Strategy policy, putting affordable housing in a ward which already has a high proportion of social housing.

Even the generalities of the affordable housing policy are in disarray. The Council has significantly watered down their commitment to on-site affordable housing. In the first draft of the Core Strategy, the wording was: "The provision of affordable housing on site is of such strategic importance, no alternatives to this approach are being offered." Presumably realising that recent major decisions have entirely ignored this, they now merely say: "On-site provision is not always possible, in which case provision should be within the area that does not reinforce the broad spatial pattern of housing tenure in the Borough". (p.216, 35.3.14). They proceed to give some very stretchable examples of when off site will be allowed – design, size of site etc.

The aspiration to have residential accommodation return to spaces above shops in Notting Hill, Brompton Cross, Kings Road and Fulham Road should apply to all the southern places from Chapter 11 to Chapter 17.

The Council is keen to state its wish to "reinforce the spatial pattern" in Knightsbridge, High St Ken South Ken, Fulham Road and Notting Hill Gate. This means that any affordable housing whatsoever will only be encouraged in High St Ken (p.89, 11.3.18), South Ken (p.95, 12.13.13) and Knightsbridge (p.104, 14.13.18) if it doesn't affect the "vitality" of the area. Indeed, there is no mention at all of any plans for affordable housing in Notting Hill Gate area (p. 116, 16.3.17), nor in Fulham Road area (p. 120, 17.3.9).

This is all a clear contravention of the diversity/housing mix stated policy. As a result of the detail in this Strategy, the 'vitality' of the wealthier areas (with no evidence base shown to back up what this 'vitality' takes into account) can now be used by the Council as an excuse for not permitting affordable housing in those areas. Meanwhile, the policies of estate renewal, whereby developers build market homes to help pay for the upkeep of social housing, will see demographics in the currently poorer wards change dramatically. There is no mention of the current 'vitality' of those areas or the importance of social cohesion when a neighbourhood changes so dramatically. Nor is there any reference to the plan to suddenly accelerate the gentrification of the poorer wards without any corresponding efforts to use the planning system to diversify the wealthier communities.

## PROVISION FOR THE ELDERLY

We are also objecting under the soundness test of 'justification' to the Council's proposals for the elderly.

The strategy Council defines "social and community uses" to include elderly homes, care homes and schools. (p.165., 30.3.4).

The effect of policy CK1 (p.165) is that developers are free to develop land that falls into this category if they include some new community usage on the development. This is presumably the principle behind the developments planned for the Edenham residential home and the Holland Park School playground site. This means that the amount of land in "social and community use" will diminish over time. There is no justification for this because the great need for land which falls under this category is already established.

Further, the Edenham home has not been replaced elsewhere in the Borough, and the Council have made no proposals to do so, despite the findings of the review of housing for elderly people (Ref: Evidence Base section on Housing Institute of Public Care May 2008 – Older People's Housing needs).

[ENDS]