



**Shireconsulting**

8 Spicer Street, St. ALBANS

Hertfordshire AL3 4PQ

t : 01727 838455

f : 01727 835047

e : michael.fearn@shire-uk.com

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P-07-289/PB/Kensington & Chelsea

Chris Banks, Programme Officer  
RB Kensington & Chelsea Core Strategy  
C/O Banks Solutions  
21 Glendale Close  
Horsham  
West Sussex RH12 4GR

Dear Mr Banks

**PLANNING & COMPULSORY PURCHASE ACT 2004**  
**Local Development Framework for the Kensington & Chelsea**  
**CORE STRATEGY EXAMINATION - MATTER 7 FOSTERING VITALITY**

We act as planning consultants for Barclays Bank plc ("the Bank") in respect of the Local Development Framework (LDF) for the Royal Borough of Kensington & Chelsea. We submitted representations on all Core Strategy consultations and in considerable detail on the Pre-Submission Draft version of the Core Strategy (July 2009), including the provision of evidence to support the Bank's case that it is a major attractor of footfall and thus has a beneficial effect upon vitality and viability. Despite this, the Council's restrictive policies towards bank uses remains in the Publication version (November 2009) so further representations were made that are now before the Inspector. As the Inspector may not be aware of the evidence provided to the Council in July 2009, we append a copy of those representations and that evidence. We are not instructed by our Client to attend the hearings but ask that you pass these further written representations to the Inspector for his consideration in conjunction with our representations on the Publication Core Strategy.

In our Publication representations we concluded that:

"Pursuing restrictive policies to keep significant generators of footfall out of central shopping areas will actively work against the achievement of the Core Strategy's strategic objectives and is inconsistent with national policy. In fact there is nothing in Government policy that recommends or supports imposing an embargo upon acceptable town centre uses at all. The continuation of historic primary frontage policy is unjustified by any robust and credible evidence. To succeed a strategy should set clear goals which should be both measurable and attainable. Thus, the evidence gathering process is essential to being able to produce a strategy, rather than a set of aspirations. In the Bank's many previous representations upon the Borough's emerging LDF it has repeatedly drawn attention to the many failings of the documents and explained that to be 'sound', the LDF must be consistent with national policy."

The Bank recommended that the Council address these deficiencies as a matter of urgency, but the Council's documents show no indication that it has gone through an objective process and audit trail of assessing alternatives, or indeed that alternatives have even been considered at all. At present the Core Strategy approach to A2 retail uses is neither Justified nor Consistent with National Policy and the Bank does not accept that it is a sound Development Plan Document.

We refer to the Inspector's questions in the Draft Matters to be examined under the title 'Fostering Vitality', in particular **"Should CF3 refer to a fuller range of town centre uses?"** and **"Is CF3 too restrictive in relation to non retail uses?"** The Bank's response to both questions is essentially yes.

The Core Strategy does not define frontages at all, but relies upon existing definitions in the out-of-date UDP. Furthermore it includes restrictive policies about which uses will be permitted without any evidence to support those policies. These two matters form the basis of our judgement that this aspect of the Core Strategy is unsound as it simply continues the approach of existing development plan policies that are no longer in conformity with national policy and that are therefore likely to undermine the aims of the Strategy. The Bank believes that the Council has provided no explanation for the decisions taken about the most appropriate strategy to follow when considered against the reasonable alternatives.

In its representations the Bank provided clear evidence of how it contributes to maintaining the vitality, viability and diversity of centres. We urged the Council to recognise the important contribution of financial service retailers such as the Bank in both bringing investment and acting as attractors for investment by others, in the wording and application of policies in all relevant LDF documents.

Therefore we ask the Inspector to rewrite Core Strategy Policy CF3 making it clear that A2 uses such as the Bank are appropriate in all shopping frontages. The Bank suggests that the under the title "Diversity of uses within Town Centres", the first paragraph is retained, to be followed by:

***"Uses such as shops, banks and building societies which contribute to the vitality, viability and diversity of the Town Centres will be encouraged. Such active ground floor uses will be maintained and enhanced throughout the centres and will predominate in the designated primary and secondary shopping frontages, supported by a wider range of appropriate uses in the other parts of the centres."***

The remainder of the unjustified wording in sections a, b, c and d of policy CF3 should then be deleted. The Bank believes that this change would provide consistency with National Policy and therefore enable this aspect of the Core Strategy to be found sound.

Yours sincerely



**Michael Fearn of Shireconsulting**  
**On behalf of BARCLAYS BANK PLC**

Encl.