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Miss Louise Nurser  
Planning Inspector  
Planning Inspectorate  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

12<sup>th</sup> February 2024

Dear Miss Nurser,

**Re: EXAMINATION OF THE KENSINGTON AND CHELSEA NEW LOCAL PLAN  
REVIEW: RBKC FAILURE TO ACCEPT THE INSPECTOR'S MAIN  
MODIFICATIONS**

**Introduction**

I am writing as a matter of urgency in my capacity as Chair of the Lots Road Neighbourhood Forum to raise a number of instances where RBKC officers have failed to accept and implement your Main Modifications as set out in your Post Hearings letter dated 25<sup>th</sup> October 2023. Moreover, RBKC has made misleading statements in relation to the conformity of the Main Modifications contained in your 25<sup>th</sup> October letter and the Main Modifications public consultation that was launched on 30<sup>th</sup> January 2024.

If RBKC continues to resist the Inspector's Main Modifications we do not believe that the New Local Plan Review can be found to be sound. Moreover, this misleading public consultation is symptomatic of the approach that RBKC officers have taken throughout the Review process, raising further systemic concerns as to the soundness of the Plan.

**Inspector's Main Modifications**

Following your public hearings and the representations you received from the Lots Road Neighbourhood Forum and others, you proposed the following Main Modifications to Site Allocation SA6, Lots Road South:

Criterion A: Amend to make explicit that any mixed-use development should be employment led with levels of residential consistent with the employment use of the site.

Criterion B: Amend to read, 'A ~~minimum~~ of Around...'.  
~~A minimum of Around...~~

Criterion C: Amend to read, 'A ~~minimum~~ of Around...'.  
~~A minimum of Around...~~

The effect of the amendment to Criterion A would have ensured that the planned Lots Road South development, which takes place within an Employment Zone, was both employment-led in nature and that any residential development on the site was subject to a proportionality and consistency test, with the Employment Zone designation.

The changes to the wording of Criterion B and Criterion C reflected a broader concern as to how the proposed levels of residential and social housing could be delivered on such a constrained site without adversely impacting the Employment Zone and the wider community. The approximate cap of 100 new homes and 65 extra care homes was widely welcomed by the Lots Road community.

### **RBKC Proposed Main Modifications**

In the RBKC consultation on the Main Modifications, which opened on 30<sup>th</sup> January 2024, RBKC officers have proposed the following wording:

MM311 252 SA6 A      The site will deliver a high-quality mixed-use development that is employment led, to include residential and employment floorspace.

MM312 252 SA6 B      Around ~~A minimum of~~ 100 or more new gross residential (C3) units.

MM313 252 SA6 C      Around ~~A minimum of~~ 65 or more gross affordable extra care units.

With regard to Criterion A it is self-evident that RBKC's wording lacks any reference to the need for the residential level to be 'consistent with the employment use of the site'. This qualification is fundamental for any future planner to be able to balance the residential and employment floorspace in assessing whether the development is employment led.

With regard to Criterion A and Criterion B, the insertion of the new wording 'or more', obliterates the effect of your original modification and reinstates RBKC's original intention of setting 100 residential units and 65 extra care units as a minimum with an unfettered discretion to go beyond these numbers.

### **RBKC's misleading statements**

At varying places on the RBKC website RBKC officers imply that the consultation on the Main Modifications that was opened on 30<sup>th</sup> January is a consultation on your proposed changes, following the public hearings and your Inspection. At no point do they make clear that they have so altered your proposed Main Modifications as to nullify their effect, as outlined above. This is disingenuous and misleading and should cast clear doubt on the soundness of whole exercise. I have not had the time or opportunity to assess whether a similar approach has been taken to your other proposed Main Modification, but I would suggest that this exercise is undertaken for the Plan as a whole.

### **Conclusions**

In your letter of 25<sup>th</sup> October 2023 you make clear your belief that your proposed Main Modifications are 'necessary' to find the plan sound. Given that RBKC officers have rejected your proposed modifications and have undertaken a further misleading consultation exercise, the

Lots Road Neighbourhood Forum urges you to intervene now to rectify the situation and ensure the public have the opportunity to fairly consider the modifications you have proposed.

In the event that RBKC officers are unwilling to accept your proposed modifications the Lots Road Neighbourhood Forum urges you to find the New local Plan Review unsound.

Given the late stage of this process and the behaviour in question I have given this letter a broad circulation.

Yours sincerely,



Richard Jacques

CC:

**The Planning Inspectorate**

Lee McClean

**RBKC**

Cllr Elizabeth Campbell, Leader

Cllr Cem Kemahli, Lead Members for Planning

Cllrs Gerard Hargreaves, Sonia Zvedenuik, Laura Burns, Ward Councillors

Maxine Holdsworth, CEO

Amanda Reid, Director for Planning and Place

Jonathan Wade, Head of Spatial Planning

Helen Wilson, Programme Officer

**Local organisations**

Kerry Davis-Head, Lots Village Chelsea

David Waddell, Cheyne Walk Trust

Dr James Thompson, Chelsea Society

The Rt Hon. Greg Hands MP