

# **Consultation Statement: Planning Contributions Supplementary Planning Document (SPD), September 2019**

## **Regulation 12 of The Town and Country Planning (Local Planning) (England) Regulations 2012**

The Council has prepared a Planning Contributions Supplementary Planning Document (SPD). In accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, this Consultation Statement sets out:

### **Regulation 12 (a) (i) the persons the local planning authority consulted when preparing the supplementary planning document**

The Council has undertaken two previous consultations as follows –

- (1) Draft Planning Contributions SPD: First Draft - 6 week consultation between 12 September and 24 October 2017
- (2) Second Draft Planning Contributions SPD – 8 week consultation between 27 November 2018 and 22 January 2019

For each of the above consultations the same consultation procedures were followed which are set out below:

The Local Planning Authority has a Local Plan consultation database which has in excess of 2,000 consultees. A mail out was sent to all consultees on the Local Plan database by email and post notifying them of the consultation and inviting comments. The documents were also available on-line under 'current consultations' on the planning pages of the Council's website and were open to anyone for comment. Documents were made available in all local libraries in the Borough for reference and hard copies were also available in Kensington Town Hall.

The Local Plan database includes 'general', 'specific', 'prescribed' and 'local' consultation bodies as required by legislation. The 'general consultation' bodies include voluntary bodies such as Kensington Society, Chelsea Society and Tenants and Residents Associations, bodies which represent the interests of different racial, ethnic or national groups such as London Gypsy and Traveller Unit, bodies representing religious groups such as Christ Church Kensington, bodies representing the interests of disabled persons such as Action Disability Kensington

and Chelsea and bodies which represent the interests of persons carrying out business in the Royal Borough such as KC Chamber of Commerce.

The 'specific' and 'prescribed' consultation bodies consulted included the Environment Agency; Natural England, Historic England, the Highways Agency, the Clinical Commissioning Group, Thames Water and the Mayor of London (GLA).

The 'local' consultation bodies consulted included individual residents and persons carrying on business in the Royal Borough who signed up to the above database or visited the specific pages of the Council's website.

In addition to the Council's website, in accordance with Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the documents were also made available for inspection during normal office hours at Kensington Town Hall and at local libraries in the borough.

### **Planning Contributions SPD Discussion Workshop**

The Council invited expressions of interest for taking part in a Discussion Group Workshop with other interested stakeholders and Council officers as part of the first consultation. The Council did not receive interest in such workshops.

## **Regulation 12 (a) (ii) a summary of the main issues raised by those persons**

### **(1) Draft Planning Contributions SPD: First Draft, September 2017**

A summary of the main issues raised are set out in the Summary of Responses document, available online:

[https://planningconsult.rbkc.gov.uk/gf2.ti/f/980642/43224677.1/PDF/-/1810SPD\\_Schd\\_Reps.pdf](https://planningconsult.rbkc.gov.uk/gf2.ti/f/980642/43224677.1/PDF/-/1810SPD_Schd_Reps.pdf)

### **(2) Second Draft Planning Contributions SPD, November 2018**

The Council received 14 individual responses to the consultation, with three bodies stating that they had no comments to make on the Second Draft Planning Contributions SPD. The key comments received are summarised below:

- There should be a role for both members and residents in determining the scale and the nature of s106 contributions.
- Further clarity should be provided on the nature of payments sought through s106 (and therefore) covered by the SPD, and those subject to CIL.
- Examples of typical mitigations and appropriate projects should be provided.

- The formulae/ provisions within the proposed SPD are likely to result in significantly higher contributions than the 2010 version. The justification for this is not clear, and the SPD does not include a relevant evidence base. Specific reference is made to concern over the levels of contributions likely to be sought from nil CIL development for library facilities, training contributions, sports and leisure facilities, parks and open spaces and air quality. The representor also objected to one aspect of the approach used to calculate the level of the monitoring fee.
- Further details were requested on how both CIL and s106 is allocated and spent.
- Further details were requested on the nature of Neighbourhood CIL and the processes by which Neighbourhood CIL will be organised as well how money can be spent.
- Assurance was requested that any contributions will be maximised.
- It was requested that any reference within this SPD to the forthcoming Kensal Opportunity Area SPD for determining infrastructure requirements on the Kensal site should be removed as the Council recognises that a localised approach is required for infrastructure delivery on the Kensal site.
- It was requested that further reference should be made to s106 contributing to policing infrastructure.
- The SPD should make more reference to provision of new or enhanced social and community uses, including health infrastructure.
- There should be reference to HUDU Planning Obligations model.
- There is a need to reflect changing regulations, in particular with regard the pooling of contributions gained through CIL and planning contributions/obligations.
- D2 uses, which may in themselves be sports and leisure facilities, should not be required to provide planning contributions/obligations.
- The respondent supports the approach set out. Reference to draft London Plan should be included.
- Contributions towards historic environment should be sought
- The Council should consider providing guidance on biodiversity and landscape enhancements within the SPD.

## **Regulation 12 a (iii) how those issues have been addressed in the supplementary planning document**

### **(1) Draft Planning Contributions SPD: First Draft, September 2017**

The Council has tabulated all the responses received by collating them according to the various sections of the Draft SPD and the questions in the accompanying response form. The Council's response to each comment was presented in these tables and sets out how comments have been addressed. The Council's responses were made available alongside the [Second Draft Planning Contributions SPD consultation](#).

## **(2) Second Draft Planning Contributions SPD, November 2018**

The Council has tabulated all the responses received by collating them according to the various sections of the Draft SPD and the questions in the accompanying response form. The Council has set out its response to the representations received in a separate report which has been published alongside Planning Contributions SPD.