

Mr J Bore

Royal Borough of Kensington & Chelsea
Kensington Town Hall
Horton Street
London
W8 7NX

Our ref: D&P/ LDF20/
LDD13/HS01
Date: 28 August 2013

Dear Jonathan Bore

**Royal Borough of Kensington and Chelsea - Local Development Framework
Partial review of the core strategy: housing, basements, design and miscellaneous
matters**

**Statement of general conformity with the London Plan (Planning and Compulsory
Purchase Act 2004, Section 24 (4) (a))**

Thank you for consulting the Mayor on the above document. The Mayor has delegated his planning powers to me in relation to this matter. As you will be aware, all development plan documents must be in general conformity with the London Plan under section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004.

On 13 December 2012 and again on 2 May 2013 my officers provided initial comments on the draft documents as part of the review of the Council's core strategy. The Council has responded to a number of matters raised as part of that process, however, at this stage it is my opinion that the proposed submission document is not in general conformity with the London Plan in respect of affordable housing.

I set out below my reasons and also other representations to clarify or improve policy in relation to the other policy areas subject of this review.

Basements

On 8 June 2012, the GLA considered a Basement Development Issues Paper, reference D&P/LDF20/LDD16/01 and supported the Council's approach to basement extensions. Policy 3.5 of the London Plan provides strategic support to boroughs in their Local Plan to introduce a presumption against development on back gardens where this can be locally justified. Guidance on the specific issue of subterranean extensions to existing dwellings is set out in the Mayor's Housing Supplementary Planning Guidance in paragraph 1.2.25.

As stated in the reasoned justification, this proposed policy is to apply to all land uses and is being introduced due to the impact of basement excavations on local amenity during construction, traffic management, on the structural stability of adjoining properties, on the character of the area (including the provision of trees and landscaping), on flooding and increased carbon emissions. The Council's approach is therefore also consistent with London Plan Policies 5.3 (Sustainable Design and Construction), 5.12 (Flood risk), 5.13 (Sustainable drainage), 5.18 (Construction, excavation and demolition waste), 6.3 (Assessing effects of development on transport capacity), 7.15 (Reducing noise and enhancing soundscapes), 7.12 (trees), 7.13 (Safety, security and resilience to emergency), 7.19 (Biodiversity), 7.12 (Trees and Woodland).

The Mayor's draft Sustainable Design and Construction Supplementary Planning Guidance (currently out for public consultation) sets out considerations boroughs may want to take into account when developing their local policies on basements and lightwells.

Summary

I trust these comments will be taken forward for discussion at any subsequent examination in public, however, if you would like to discuss any of my representations in more detail, please contact Hermine Sanson (020 7983 4290) or Martin Jones (020 7983 6567) who will be happy to discuss and arrange further meetings.

Yours sincerely



Sir Edward Lister
Deputy Mayor and Chief of Staff

cc Kit Malthouse, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning and Housing Committee
Eric Pickles, Secretary of State
National Planning Casework Unit, DCLG
Alex Williams, TfL