

FIRST MISCELLANEOUS MATTERS CONSULTATION (Dec – Jan 2013)						
	Respondent Name	Organisation Name	Section	Comment	RBKC response	Changes Proposed
1	Barclays Bank Plc	Shireconsulting (Michael Fearn)	General comment	<p>1. Introduction</p> <p>We act as planning consultants for Barclays Bank plc ("The Bank") in respect of the emerging LDF for Kensington & Chelsea. The Bank is already a major stakeholder within the Borough, with a number of branches within the Council's area, such as Kensington High Street, Notting Hill Gate, Brompton Road, Earl's Court and Sloane Square. The Bank's representation within some of the Borough's centres will continue to evolve over the life of the emerging LDF as the Bank needs to respond to changing customer demand and patterns of use.</p> <p>In view of the likely requirement for improved provision of banking services the Bank would like to continue to contribute to the emerging plan process so that its views are heard and planning policy will take its future business needs into account. The Bank was an active participant in the process of adoption of the existing Core Strategy where attention was drawn to the key role played by financial services retailers generally and the Bank in particular within the Borough's various shopping centres. Representations were also made by the Bank in October 2012 to the previous Partial Review Submission document concerning public houses and shopping facilities and to the review of current Employment Policies in November 2012. The November representations are attached herewith for ease of reference.</p> <p>2. The National Planning Policy Framework or NPPF</p> <p>As set out in our previous representations, one of the Government's stated reasons for producing the NPPF was to cut down upon the amount of planning policy and in order to create a usable document which allows and promotes genuine participation by the wider community. The emerging Development Plan must be much more concise, as well as more positive in its tone, than the existing planning documents. Essentially, this will mean reducing the number of policies and extraneous verbiage in these two documents, and throughout the Plan. Indeed if the existing Core Strategy did not contain so much unnecessary detail, the Council would not have to put out so many consultations about revising it.</p>	<p>The comments relate to an interpretation of the contents of the National Planning Policy Framework to which the Council would not necessarily agree. It is unclear what unnecessary detail is set out in the Core Strategy as this has not been identified. It is not clear what policies are not required including reasoned justification.</p> <p>Paragraph 154 of the NPPF refers to the need to have clear policies on what will or will not be permitted and where. This does not chime with the comments on the NPPF which have been submitted – no change.</p> <p>Paragraph 158 of the NPPF states that each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. The uses relating to each shopping frontage in the Borough are monitored on an annual basis and given the low vacancy rates the Council maintains that there is a need for a primary frontage in Kensington and Chelsea. It is not accepted that the frontage designations are very out of date – they are actually fit for purpose. Review of the town centre boundaries is likely to take place this coming summer as part of the town centre monitoring exercise undertaken each year.</p>	No change

			<p>The "Miscellaneous Matters Draft Policy for Public Consultation" document states: "This document sets out proposed changes to the Core Strategy to ensure it complies with to the government's National Planning Policy Framework (NPPF), incorporating some existing policies from the Unitary Development Plan (UDP). It is not intended that the meaning of the policies, or of the Core Strategy as a whole, is altered as a result of the proposed changes." (our underlining) This is despite the acknowledgement in the document that the NPPF has "introduced changes to which the Council needs to respond."The current Core Strategy must be made consistent with its provisions so that it can be considered as "sound" when the Partial Review is submitted for Examination. To be 'sound' a plan must be "Positively prepared", "Justified", "Effective" and "Consistent with National Policy" (paragraph 182). The Bank therefore objects to the lack of necessary change in the current consultation on 'Miscellaneous Matters'.</p> <p>3. Points Arising from the Consultation Documents</p> <p>The current town centre frontage designations are very out-of-date and have clearly not been prepared having regard to the advice within the NPPF. Analysis of the frontages shows that in many cases (and in every frontage in the instance of the 'South Kensington District Centre') there are no opportunities for non-shop businesses to expand or relocate under the terms of the Core Strategy's policy threshold. Existing policy is not based upon any robust assessment but the current consultation on 'Miscellaneous Matters' could have provided the opportunity to address the Bank's several previous objections to the Borough's shopping frontage policies (the latest of these is appended for reference). The Bank objects that it does not do so and that there is no proposed revision to Policy CF3. In a chapter headed 'Fostering Vitality' one would expect to see policies intended to do that yet in Policy CF3, ironically headed 'Diversity within Town Centres', the Council persists in the arbitrary restriction of all except A1 uses in primary retail frontages. As the Bank's previous representations have shown, the Council has no evidence for this stance yet in contrast the Bank has provided the Council with evidence of how it facilitates vitality and viability in accordance with National Policy. In a document that is intended to update the Core Strategy in the light of the NPPF it is inappropriate to still base matters on superseded Planning Policy Guidance (paragraph 31.3 on page 41 of the 'Miscellaneous Matters') and furthermore to omit any revision to the wording of Policy CF3.</p> <p>The 'Conservation and Design' consultation document represents another missed opportunity to reduce the unreasonable burden of over-detailed policy in the Plan.</p> <p>4. Closing Comments</p> <p>Within the NPPF the Government has reconfirmed its commitment to HM Treasury's 'Plan for Growth' and its</p>		
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2	Sarah Round	Savills	Policy CE7	<p>Policy CL7</p> <p>The proposed policy CL7 introduces new restrictions on basement excavation and comments are provided below on certain aspects of this.</p> <p>CL7 Proposed criteria a:</p> <p>RBKC's adopted SPD Subterranean Development (2009) includes various requirements that applications for basement excavation must comply with. The current SPD states that no more than 85% coverage of the garden is allowed. The draft proposals reduce this to 75%. The justification for both requirements is to ensure that there is adequate surface water drainage. There does not appear to be a reasoned justification for the change in approach. The accompanying Report by Alan Baxter Associates does not adequately justify why 85% is considered insufficient - there appears to be no evidence of where this has had a negative impact and no evidence to substantiate why 75% is more appropriate.</p> <p>The current SPD requires the submission of a number of documents including a Construction Method Statement to ensure that there will be no unacceptable structural or other impacts. The proposed changes include replacing these with one document, a Basement Impact Assessment, which covers a number of elements and increases the level of information which must be submitted with the application. This document will provide further safeguards against any impacts from basement development and would demonstrate if</p> <p>85% coverage of the garden would result in unacceptable impacts. A 75% blanket requirement is therefore not considered necessary or justified.</p> <p>CL7 Proposed criteria b:</p>	This is covered as a response to the Basement consultation.	No changes proposed as part of the Miscellaneous Matters consultation.

				Proposed criteria b of Policy CL7 states that the basement must not comprise more than one additional storey except on larger sites. The Trustees agree that basement excavation should not result in unacceptable impacts on the surrounding area, including structural stability and drainage. However, whilst we recognise that in some instances basements which are greater than 1 storey may result in unacceptable impacts, it is not the case that all such basements will be. The requirement to submit a Basement Impact Assessment to assess the impacts of subterranean development will provide further safeguards against any negative impacts. The extent of excavation which is allowed should be assessed on a case by case basis and there should not be a total restriction of basement extensions which are greater than 1 additional storey.		
3	Susie Parsons	Golborne Forum	Content	<p>MISCELLANEOUS MATTERS</p> <p>This consultation document sets out how the Council proposes to incorporate current planning policy contained in the Unitary Development Plan into the Core Strategy to ensure the policy is up to date and compliant with the Government's National Planning Policy Framework. The Golborne Forum notes that it is not intended that the meaning of the policies or of the Core Strategy as a whole will be altered as a result of the proposed changes. The Forum has no particular comments on the Miscellaneous Matters consultation document.</p>	Comments Noted.	No change
4	Richard Parish	English Heritage	36.3 PLANNING POLICIES - Climate Change	<p>Miscellaneous Matters</p> <p>English Heritage is content that the majority of the alterations proposed under 'Miscellaneous Matters' are to update the language of the Local Plan. To this end, we wish to recommend a further adjustment to paragraph 36.3.11 on page 72, regarding heritage conservation and energy efficiency. The reference to 'draft Planning Policy Statement 15' should be removed. We advise that the reference to our guidance Climate Change and the Historic Environment (2008) could be replaced with a web link as follows:</p> <p>www.english-heritage.org.uk/your-property/saving-energy/ [http://www.english-heritage.org.uk/your-property/saving-energy/] . This link accesses our vast array of guidance on this topic, and provides another link to our further website</p> <p>www.climatechangeandyourhome.org.uk [http://www.climatechangeandyourhome.org.uk/] , which is another valuable resource for homeowners interested in balancing these two aspects of sustainable development.</p>	The points that English Heritage make regarding up to date guidance are agreed. On this basis the suggested changes will be made.	<p>Change para 36.3.11</p> <p>English Heritage acknowledge the importance of making reasonable alterations to the existing building stock to mitigate climate change and state that often the energy efficiency of historic buildings can be increased in ways sympathetic with their historic character.</p> <p>Saving Energy in a Historic Property, English Heritage website 2013.</p>
5	Richard Parish	English Heritage	Policy CE7	English Heritage advises, in relation to Policy CE7 concerning Contaminated Land (and the justification paragraphs on pages 84 and 85) that archaeology can have a significant role to play in the remediation of such land. As pointed out, in paragraph 36.3.45, contaminated land is part of the legacy of industrial sites in the Royal Borough. English Heritage notes that such	The concerns of English Heritage are noted. An additional sentence can be added in the reasoned justification, but Policy CL\$ already addresses archaeological issues requiring a desk top assessment so it should not be introduced into the policy itself.	<p>30.3.45</p> <p>The Borough has predominantly residential in nature over 100 years and fortunately has inherited comparatively few areas of contaminated land. However, there are</p>

				sites have other valuable legacies to offer in archaeological form and, on occasion, the contaminated land itself may have archaeological value. English Heritage's main concern is that the processes for the remediation of contaminated land incorporate archaeological issues appropriately.		areas of the borough where small scale industry such as factories, garages, manufacturing works and wharves were once present. and these, as well as some past practices have left a legacy of contamination.. <u>This former industry and its industrial practices form part of the industrial legacy of an area and may have some archaeological significance. However, it has also left a legacy of contamination.</u>
6	Richard Parish	English Heritage	J-N	English Heritage notes the definition of 'listed building' in the glossary of the local plan. We consider that this now seems unusual in the context of the NPPF's preference for 'heritage assets' and would recommend that this term also be included in the glossary (assuming its use elsewhere in the document).	A definition for 'Heritage Assets' will be included in the glossary as recommended by English Heritage.	Include definition; <u>Heritage Asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).</u>
7	Michael Bach	Kensington Society	1.1.1 - 1.1.9	CHAPTER 1: Para 1.1.1: Rewrite new last sentence to make it more visionary, positive and giving a sense of direction to the place-making aspect of the Local Plan, drawing on paras 8 and 9 of the NPPF. The current sentence is bland, unexciting and downbeat - we need an upbeat start: planning should be exciting! "It contains the Council's policies for the planning and future development of the Borough- it will be used for guiding development which will secure positive improvements to the quality of the built, natural and heritage environment, and for improving people's life, including: * making it easier to create jobs * replacing poor design with better/good design * improving the conditions in which people live, work, travel and take leisure; and * widening the choice of high-quality homes for the Borough's residents" There is need to paint a picture - tailoring it to the needs of this Borough. This will set the scene - catch the reader's attention, excite them rather than just go through the bureaucratic descriptions and legal requirements!	Para 1.1.1 Not agreed that the first sentence could set a more stimulating scene. The Core Strategy is long enough already without adding additional superfluous text. Para 1.1.5 Paragraph 1.1.5 is simply giving information and explaining the Plan hierarchy – it is not the appropriate place to start to refer to growth and other issues – no change. Para 1.16 The additional sentence that applications not in accordance with the Development Plan will be refused is superfluous. The reference to para 12 of the NPPF is referred to elsewhere – no change. Para 1.1.7 Noted – no change Para 1.1.9 Noted – no change	No change

				<p>Para 1.1.5: Rewrite the first sentence:</p> <p>"The role of the Development Plan is to plan for the growth we need, manage change, shape the development of the Borough and guide decision making...."</p> <p>The current text perpetuates the public impression of planning as purely a regulatory exercise - deciding planning applications.</p> <p>Para 1.1.6:</p> <p>This emphasises the "policy presumption" but needs to also mention the legal requirement to determine applications in accord with development plan, unless material considerations indicate otherwise". It needs to be equally clear that applications will be determined in accord with the development plan, which includes refusing those that are not in accord with the development plan.</p> <p>Add: " Applications that are not in accord with the development plan will be refused, unless other material considerations indicate otherwise."</p> <p>NB: NPPF para 12 says all this much more succinctly:</p> <p>"Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise."</p> <p>Para 1.1.7: Compare with para 1.2.11</p> <p>Para 1.1.9: See also material in earlier paragraphs.</p>		
8	Michael Bach	Kensington Society	1.2.1 - 1.2.15	<p>Para 1.2.1: Lines 10/11: repeats 1.1.6</p> <p>Para 1.2.2: Line 3: The duty to have regard to the "desirability of achieving good design" has been given greater weight by the NPPF's "requirement to always seek to secure high-quality design" - 4th core principle in para 17 of the NPPF.</p> <p>Para 1.2.6: Why has the material on affordable housing been dropped?</p> <p>Para 1.2.7: Reinstate last two lines.</p> <p>Para 1.2.9: Need a map to show the Opportunity Areas.</p>	<p>Para 1.2.1</p> <p>Noted – no change</p> <p>Para 1.2.2</p> <p>The wording of the NPPF Core Planning principle will be used to update the sentence, so as to “seek to secure high quality design”</p> <p>Para 1.2.6</p> <p>The affordable housing target will also be mentioned.</p> <p>Para 1.2.7</p> <p>The last two lines are superfluous as air quality is mentioned in the next paragraph 1.2.8 – no change.</p>	<p>Wording amended in line with NPPF.</p> <p>Affordable Housing target mentioned.</p>

					<p>Para 1.2.9</p> <p>The London Plan contains information on Opportunity Areas – no change.</p>	
9	Michael Bach	Kensington Society	1.3.1 - 1.3.15	<p>Para 1.3.2: See proposals for para 1.1.5 above to make this more visionary and inspiring - this could stretch to few more lines about sustainable patterns of development, place-shaping, etc.</p> <p>Para 1.3.9: What is the cut-off for including sites? No. of flats/amount of floorspace?</p> <p>Para 1.3.13: Future documents: reinstate an updated section, including on flooding and Notting Hill Gate.</p>	<p>Para 1.3.2</p> <p>This paragraph is simply giving information to reflect the approach of the NPPF – it is not appropriate to start to refer to sustainable patterns of development – no change.</p> <p>Para 1.3.9</p> <p>Further information would be superfluous and not appropriate at this point – no change,</p> <p>Para 1.3.13</p> <p>The appropriate place for reference to future documents is the Local Development Scheme – no change.</p>	No change
10	Michael Bach	Kensington Society	4.4.1 - 4.5.8 (CP1 - CP2 - CP3)	<p>Chapter 4: Delivering Success: Our Spatial Strategy</p> <p>This chapter needs more factual updating to reflect what has happened over the last 3 years since it was finalised.</p> <p>Para 4.1.1: This needs rewriting on plain English so that it is understood by residents.</p> <p>Para 4.3.2: Last two lines: how is the "over 5,000 dwellings" made up?</p> <p>Para 4.3.3: Line 3: delete "when the new London Plan is adopted"</p> <p>Para 4.3.4: Update paragraph - bring up to date</p> <p>Para 4.3.5: Update floorspace requirement for offices to reflect further major losses - Charles House, Kingsgate House and 205 Holland park Avenue.</p> <p>Para 4.3.6: Update retail floorspace requirements following grant of large extension to Tesco, West Cromwell Road. Make clear that there is no need for additional convenience shopping floorspace. Delete Brompton Cross - not justified.</p> <p>Para 4.3.7: Update for latest position on North Kensington Academy and Leisure Centre, Counters Creek Sewer and Thames Tunnel.</p>	<p>Comments on Chapter 4 noted</p> <p>Para 4.1.1</p> <p>The paragraph was written with the layman in mind – no change.</p> <p>Para 4.3.2</p> <p>This is not the appropriate place to explain how the reference to 5,000 dwellings is made up – no change</p> <p>Para 4.3.3</p> <p>Agreed that this paragraph needs updating in the light of the London Plan adopted in July 2011.</p> <p>Para 4.3.4</p> <p>Agreed that the paragraph referring to Kensal needs updating.</p> <p>Para 4.3.5</p> <p>The floorspace requirement is not affected by the losses mentioned – they were already</p>	<p>Update in relation to London Plan</p> <p>Latest information on Kensal to be provided.</p>

				<p>Revise Policy CP1 accordingly, especially offices and retail floorspace.</p> <p>Para 4.4.11: Update Wornington Green</p> <p>Para 4.4.16: Update St Charles Hospital</p> <p>Map: overlap of town centres and employment is not shown except for Knightsbridge - revise map. This is vital in the current debate about offices.</p> <p>Para 4.5.3: Add Notting Hill Gate as a strategic site.</p>	<p>taken into account – no change.</p> <p>Para 4.3.6</p> <p>Retail floorspace requirements do not need updating at this stage. It is not appropriate to comment on convenience retail requirements. The reference to Brompton Cross as an area will remain – no change.</p> <p>Para 4.3.7</p> <p>The position regarding major projects in the Borough has been updated – no change.</p> <p>Policy CP1 is not in need of revision – no change.</p> <p>Para 4.4.11</p> <p>No need to update details on Wornington Green at this point – no change</p> <p>Para 4.4.16</p> <p>The reference to Primary Care Trust will change to NHS North West London. However, no update is required to the site itself.</p> <p>No need to revise map at this stage</p> <p>Para 4.5.3.</p> <p>Notting Hill Gate is not being added as a strategic site – no change</p>	
11	Michael Bach	Kensington Society	places map	Places Map: change Portobello/Notting Hill to "national or international reputation" not a regeneration area!!!	The Places map is not under consideration as part of this consultation.	No change
12	Kensington Society (Michael Bach)	Kensington Society	strategic sites	<p>Chapter 19</p> <p>Para 19.12: Table Items:</p> <p>13: Brompton Cross - delete</p> <p>16: Notting Hill Gate - name Newcombe House as strategic site</p>	<p>Chapter 19</p> <p>Para 19.2</p> <p>13. The reference to Brompton Cross will not be deleted – no change</p> <p>16. Newcombe House is not a strategic site – no change</p>	No change
13	Michael Bach	Kensington Society	20.2.9 - 25.6.12	<p>Chapters 20, 21, 23, 25 and 26</p> <p>All references to PPS25 should now refer to para 100 of the NPPF.</p>	Whilst it is acknowledged that para 100 of the NPPF refers to the new test, it was not the test that was used at the time as it was not in force so it cannot be referred to – no change.	No change

14	Michael Bach	Kensington Society	Policies and Actions	<p>Chapter 29: Policies and Actions</p> <p>Para 29.1.2: Fostering Vitality strapline should be expanded - after "Retail," replace with "Arts, Culture and Entertainment, Tourism and Business."</p> <p>Para 29.1.3: Changes to third bullet:</p> <p>Line 1: Delete "with" and add "for each Strategic Objective"</p> <p>Lines 4/5: Delete "criteria" and "complied with" and replace with: "actions the Council will take to deliver this, stating how the policy can be implemented"</p> <p>Line 6: Delete "addressing all the criteria"</p> <p>Reason: The plan has policies expressed as direct actions and has moved away from needing to have "criteria-based policies" especially where these are no more than a set of fairly standard material considerations. The proposed revision above seeks to describe what is in fact a set of clear statements of the courses of action the Council will take, not a series of caveats.</p>	<p>Chapter 29</p> <p>Para 29.1.2</p> <p>No need to expand the description of the contents of the 'Fostering Vitality' Chapter – no change.</p> <p>Para 29.1.3</p> <p>How the policy should be read is clear and the suggested changes will only confuse this – no change.</p>	No change
15	Kensington Society (Michael Bach)	Kensington Society	31.1.1 - 31.3.45	<p>Chapter 32: Fostering Vitality</p> <p>Para 31.1.1: Line 4: add "considerable" or even "extreme" before "pressure" - this should capture the degree of pressure experienced - we are at the extreme end of the spectrum which is why we need different, stronger policies to save our non-residential uses.</p> <p>Para 31.2.3: Lines 4/5: Is this accurate - if not, delete.</p> <p>Para 31.2.5: Any change in public transport accessibility over the lifetime of the plan will be highly localised and marginal - TfL have projected the PTAL map to 2031 - the difference between now and then is barely noticeable. Similarly, the "new concentrations of commercial development" are not likely to be significant.</p>	<p>Para 31.1.1</p> <p>Residential development is not a bad use in itself and it is considered that the reference to pressure for change is sufficient – no change.</p> <p>Para 31.2.3</p> <p>The reference to hotels is accurate. The reference to a destination cultural use at Earl's Court will be deleted – no change at this stage. Will be considered as part of forthcoming Enterprise Review.</p> <p>Para 31.2.5</p> <p>Noted – no change.</p>	No change

16	Michael Bach	Kensington Society	Location of Town Centre Uses	<p>Location of Town Centre Uses</p> <p>Para 31.3: There needs to be a short introduction which lists/defines "town centre uses" - now in the 6th bullet of para 23 of the NPPF. In particular, it includes retail, leisure, commercial office, tourism, cultural, community and residential uses. This stresses that "the needs of for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability."</p> <p>This section should recognise the strong emphasis in the NPPF to locate and retain offices within town centres.</p> <p>Para 31.3/31.3.1: There is a need to update the retail needs assessment which is now 5 years old and only runs to 2015. There is a need for a review.</p> <p>Para 31.3.2: Delete need for new comparison retail - already taken by Tesco!!</p> <p>Para 31.3: Reference to PPS4 - replace "PPS4" with "the NPPF"</p> <p>NPPF refers to positively seeking to meet the development needs of their area (para 14) and to assess the needs for land or floorspace for economic development, including retail and leisure, over the plan period (para 161)</p> <p>Para 31.3.2: What is the need for additional convenience shopping floorspace, especially after the permission for Tesco to expand?</p> <p>Para 31.3.3: Line 2: Replace the reference to PPS4 with one to the NPPF</p> <p>Line 3: delete "a town centre boundary" and replace with "the primary shopping area" see glossary of NPPF under "edge-of-centre"</p> <p>Para 31.3.4: Another reference to PPS4</p> <p>Para 31.3.5: Line 7: delete "draft" and insert "(2011)" after "London Plan"</p> <p>Line 9f: Update status of the Earl's Court SPD/OAPF</p> <p>Policy CF1 (d) line 5: another reference to PPS4</p> <p>Para 31.3.16: Lines 6-10: Update on impact of Westfield.</p> <p>Para 31.3.17: The proportion of multiple retailers needs updating 6 years on.</p> <p>Para 31.3.18: Notting Hill Gate is also vulnerable to increase in multiples.</p>	<p>Location of Town Centre Uses</p> <p>Para 31.3</p> <p>Paragraph needs updating in the light of the NPPF – however, this will be undertaken as part of the Enterprise Review – no change at this stage.</p> <p>Paras 31.3.1 – 31.3.18</p> <p>These will be reviewed as part of the Enterprise Review – no change at this stage.</p>	No change
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17	Michael Bach	Kensington Society	Diversity within Town Centres	<p>Diversity within Town Centres</p> <p>Para 31.3.21: Line 1: Rewrite as "The NPPF lists the main town centres uses." See also Line 5 - delete "The PPS also notes that".</p> <p>Para 31.3.22: The last lines justify more and more bars and cafes without recognising that that this can go too far - the cumulative effect.</p> <p>Para 31.3.25: Add at end "The Council will keep under review the mix of uses in town centres to ensure that the cumulative effect of changes of use within each centre does not unbalance the offer of the centre."</p> <p>This is essential to maintain the balance of the offer of the centre.</p> <p>Para 31.3.26: Penultimate sentence - give example of social and community uses that would be encourages eg GP surgery.</p> <p>Policy CF3 (d):</p> <p>Line 1: After "all shops" add "and shopping floorspace"</p>	<p>Paras 31.3.21 – 31.3.26</p> <p>These will be reviewed as part of the Enterprise Review – no change at this stage.</p>	No change
18	Michael Bach	Kensington Society	Location of Business Uses	<p>Location of Business Uses</p> <p>Para 31.3.9: Add Knightsbridge and Sloane Street</p> <p>Para 31.3.30: Update all the 2005/2007 data</p> <p>Para 31.3.32: Update</p> <p>Para 31.3.33: Update March 2008 data</p> <p>Para 3.3.31: Update - delete reference to PPS4</p> <p>Policy CF5 Location of Business Uses:</p> <p>First paragraph - present list as bullet points.</p> <p>CF5(a) Offices: Present more clearly.</p> <p>CF5(c) ditto - add "predominantly" before "commercial"</p> <p>NB: CF5 (a) This is the main policy under threat!! (see also CF6)</p> <p>Para 31.3.42: Update 2006 data - does Cultural Placemaking have an evidence base or any status?</p> <p>Para 31.3.38: Update 2007 data.</p> <p>Hotels</p> <p>Para 31.3.51: Update - all data sources from 2005 -2009 need</p>	<p>Paras 31.3.9 – 31.3.38</p> <p>These will be reviewed as part of the Enterprise Review – no change at this stage.</p> <p>Hotels</p> <p>Para 31.3.51</p> <p>Updated information is not yet available, but it may be rolled into the Enterprise Review – no change at this stage.</p> <p>Para 31.3.52</p> <p>The reference to the Olympics will now be deleted.</p> <p>Policy CF8 regarding hotels will be reviewed as part of the Enterprise Review – no change at this stage.</p> <p>Para 31.3.57</p> <p>The Council actually designates the boundaries of the Strategic Cultural Area, not the Mayor – no change.</p> <p>Policy CF9</p>	<p>No change</p> <p>Sentence referring to Olympics deleted as part of Enterprise review work.</p>

				<p>updating.</p> <p>Para 31.3.52: Update all Olympic material</p> <p>CF8: Hotels: Delete "except in Earl's Court ward"</p> <p>Para 31.3.57: Line 2: Change "Council" to "Mayor".</p> <p>CF9: Line 1: delete "provision of" and add "change of use to"</p>	There is no need to alter the wording in this case – no change.	
19	Michael Bach	Kensington Society	Corporate and Partner Actions	<p>Corporate & partner Actions: Update all actions.</p> <p>1. Does Town Centres Initiative Manager post still exist? What work has been done or will be done on Town Centre Action Plans?</p>	This will be reviewed as part of the Enterprise Review – no change at this stage.	No change
20	Michael Bach	Kensington Society	32.3.4 - 32.3.9a	<p>Chapter 32: Better Travel Choices</p> <p>Need a new policy to protect existing garages as part of houses or blocks of flats.</p> <p>Para 32.3.4: Line 4: after "residential development" add "or where an off-street parking space or garage is to be lost."</p> <p>Para 32.3.5: Explain the locations where very limited or no car parking should be provided - such as close to public transport.</p>	<p>Chapter 32: Better Travel Choices</p> <p>A policy is not required to protect existing garages – where there loss adds to existing parking pressure this is covered by Policy CT1 (b).</p> <p>Para 32.3.4</p> <p>The approach of not issuing parking permits for the scenario mentioned is not accepted – no change.</p> <p>Para 32.3.5</p> <p>Additional information referring to the availability of public transport and parking is not required in this paragraph – no change.</p>	No change
21	Michael Bach	Kensington Society	Policy CT1	Policy CT1 (b) delete - this is pretty irrelevant!	Policy CT1 (b) which refers to material increases is very relevant – no change.	No change
22	Michael Bach	Kensington Society	Policy CT2 (32.3.14 - 32.4.5)	Policy CT2 (e) add Notting Hill Gate	CT2 (e) is referring to the upgrading of the West London Line and Earl's Court. Notting Hill Gate station is not part of this – no change.	No change
23	Michael Bach	Kensington Society	Policy CT2 (32.3.14 - 32.4.5)	<p>Where is the reference to the Streetscape Guidelines?</p> <p>32.4.3: Why is this omitted? It is still needed.</p>	<p>The Streetscape Manual is referred to in 'The Engaging Public Realm' chapter.</p> <p>The reference to the Modes of Travel Survey is outdated and that is why it is omitted – no change.</p>	No change

24	Michael Bach	Kensington Society	Introduction	<p>Chapter 36: Respecting Environmental Limits</p> <p>The Society is concerned that although the London Plan is an integral part of the development plan for Kensington and Chelsea, much of the content of Chapter 5 of the London Plan is not covered in this chapter. Whilst the Local Plan cannot and should not duplicate what is in the London Plan, it should cross-refer to the relevant London Plan policies in the text and by name (not just a numbers in footnotes).</p> <p>This is particularly important since the development management teams seem to be unaware of the London Plan policies. This chapter should identify which London Plan policies are relevant to particular types of development.</p> <p>Sustainability: The current use of the BREEAM standards used for assessing basement projects only tackles the retrofitting of the building to which the basement is being added and does not address the broader sustainability issues of:</p> <ul style="list-style-type: none"> * excavation of large quantities of soil and its removal along with large quantities of demolition waste, * the use of large quantities of concrete with huge embodied energy, * energy use in operation, such as for heating swimming pools, saunas, etc, cooling and mechanical ventilation, and * where it involves swimming pools, water use. <p>The London Plan contains policies dealing with these issues, and since they are part of the development plan, need to be covered in passing in the revised plan policy and spelled out in the proposed SPD. None of these issues - essential to assessing basement projects, especially the larger ones - are dealt with in the Core Strategy or the existing SPD</p> <p>Whilst the London Plan is an integral part of the development plan for Kensington and Chelsea, the London Plan policies in Section 5 of the 2011 London Plan seem not to be taken into account:</p> <ul style="list-style-type: none"> * in the coverage of the Core Strategy; nor * in making decisions. <p>In particular, as set out in para 1.2.25 of the Mayor's SPG on Housing (November 2012) for basements the following London Plan policies are highly relevant:</p> <ul style="list-style-type: none"> * 5.3: sustainable design and construction * 5.4: retrofitting * 5.9: overheating and cooling * 5.12: flood risk from surface water flooding * 5.13: sustainable drainage * 5.15: water use and supplies * 5.18: construction, excavation and demolition waste * 7.12: trees 	<p>Chapter 36</p> <p>It is not the purpose of the Core Strategy to replicate policies in the London Plan – no change.</p> <p>Policy CE1 regarding Climate Change and relevant BREEAM standards is subject to further public consultation. No changes proposed as part of this consultation.</p>	No change
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				<p>* 7.18/19: biodiversity</p> <p>This would require at the very least a listing of the relevant policies or, better, to add additional material and policies to Chapter 36 with regard to:</p> <ul style="list-style-type: none"> * excavation and demolition waste * total energy use - including demolition and construction * energy and water use in operation <p>Para 36.1.2: Replace this with material from the London Plan, such as issues like reducing energy use and energy planning.</p>		
25	Michael Bach	Kensington Society	36.3 PLANNING POLICIES - Climate Change	<p>Planning Policies</p> <p>Paras 36.3.1 - 36.3.4: update all the evidence. (references 36, 38, and 39)</p> <p>Para 36.3.7: update</p> <p>Para 36.3.9: 2011 figure is 166.5 litres/person/day - the target is 105 litres/person/day London Plan policy 5.15. What are implications for swimming pools?</p> <p>Para 36.3.11: Update "draft PPS15"?</p> <p>Para 36.3.12: Are these planning applications received or granted? What about 2012? Update.</p> <p>Lines 3/5: Rewrite and refer to London Plan policies:</p> <p>"This type of development consumes a significant amount of energy and produces a significant amount of greenhouse gases through demolition and excavation and transport of waste, the amount of concrete used, heating, cooling and ventilation, and water use. These issues are covered by London Plan policies 5.18, 5.3 and 5.15 respectively. It is right for the planning system to address sustainability issues as well as environmental impact."</p> <p>Para 36.3.13 and Footnote 45: update</p>	Policy CE1 regarding Climate Change and relevant BREEAM standards is subject to further public consultation. No changes proposed as part of this consultation.	No change
26	Michael Bach	Kensington Society	Policy CE1	<p>CE1: Introductory paragraph - Line 1 after "targets" add "and the London Plans policies"</p> <p>CE1(a): 800sqm is too low a threshold - does this eliminate all basements?</p> <p>Policy CE1(c): why is this deleted or provided with new text?</p> <p>Policy CE1(e)(ii) Delete everything after proposals, otherwise it would not apply to other schemes not yet chosen.</p> <p>Policy CE1(i) Delete "in due course"</p>	Policy CE1 regarding Climate Change and relevant BREEAM standards is subject to further public consultation. No changes proposed as part of this consultation.	No change

27	Michael Bach	Kensington Society	Flooding - (Policy CE2)	<p>Flooding:</p> <p>Para 36.3.16 and footnote 47: Update London Plan policy 5.12D</p> <p>Para 36.3.17: Update - we have the evidence - we need the surface water flooding map in the plan. Note Environment Agency has no responsibility at all for sewer and surface water flooding - now with DEFRA and Offwat.</p> <p>Para 36.3.19 and 36.3.20: Update - also footnote 50 and 52 - London Plan Policy 5.14</p> <p>Policy CE2 Flooding</p> <p>This policy does not reflect the evidence now available from Thames Water, including the updated Counters Creek Study. This policy now needs to be updated as was promised to the Inspector at the EiP.</p> <p>Policy CE2 (a) Update -</p> <p>Update policy to reflect that areas subject to surface water flooding can now be identified.</p> <p>CE2(f) add ",especially" after "surfaces"</p>	<p>Flooding</p> <p>Para 36.3.16</p> <p>Update footnote to refer to London Plan Policy 5.12D</p> <p>Para 36.3.17</p> <p>The reference to PPS25 needs updating now that the NPPF has superseded it. The Surface Water Flooding Map will not be included at this stage. Other matters will be updated when the Flooding work is completed.</p> <p>Para 36.3.19 and 36.3.20</p> <p>These paragraphs will be updated as part of the Flooding review work.</p> <p>Footnote 52 referring to the London Plan policy will be updated.</p> <p>Policy CE2 will be reviewed as part of work for the Flooding review – no changes proposed at this stage.</p>	<p>No change</p> <p>Update footnote when reviewed.</p>
28	Michael Bach	Kensington Society	Waste	<p>Waste</p> <p>Para 36.3.22: Update</p> <p>Para 36.3.24: Update</p> <p>Para 36.3.26 and footnotes: Update - London Plan policies 5.16 and 5.17 respectively.</p> <p>Para 36.3.38: Does low emissions strategy apply to transport of waste and construction traffic?</p>	<p>Waste</p> <p>Paras 36.3.22 and 36.3.24</p> <p>It is not proposed that the Waste policy or reasoned justification is changed as part of the current review – no change.</p> <p>The London Plan footnotes can be updated.</p> <p>Air Quality</p> <p>Para 36.3.38</p> <p>Policy CE5 covers the criteria that are required and credits for BREEAM can be obtained from sustainable methods of transport.</p>	<p>No change</p> <p>Update footnote when required.</p>
29	Michael Bach	Kensington Society	Noise and Vibration (Policy CE6)	<p>Noise and Vibration</p> <p>With the loss of PPS24 this section may need fleshing out, especially for major construction projects.</p> <p>Para 36.3.42: London Plan Policy 7.15 and NPPF para 123.</p>	<p>Noise and Vibration</p> <p>Comment noted.</p> <p>Para 36.3.42</p> <p>The amount of detail quoted is not required for the paragraph in question – no change.</p>	<p>No change</p>

30	Michael Bach	Kensington Society	Policy CE7	<p>Contaminated Land</p> <p>Policy CE7: this requires studies and a strategy but does not require remedial work too be done.</p> <p>36.4 All of this section needs to be updated - they have all time expired! The same is true of the Corporate or partner Action section.</p> <p>Items 8 and 10 should say DEFRA and not the Environment Agency.</p>	<p>Contaminated Land</p> <p>Policy CE7 states that the Council will ensure that contaminated land is adequately mitigated before development proceeds. Therefore remedial work is required – no change.</p> <p>Corporate and Partner Actions</p> <p>The strategies referred to will be updated if updated documents are available.</p>	<p>No change</p> <p>Corporate and partnership actions have been updated.</p>
31	Miranda Pennington	Metropolis Green LLP	Policy CE1	<p>Miscellaneous Matters Core Strategy Review</p> <p>Metropolis Green welcomes the revisions to Policy CE1 clarifying the application of BREEAM environmental assessment schemes to development. However, please note the following comments:</p> <p>* Policy CE1 b. could be revised to clarify the quantum of development that triggers a BREEAM requirement. It is not explicit if the floor area figures (800 m2 for residential and 1,000 m2 for non-residential) apply to the entire building or the refurbished portion of a building only.</p> <p>* The reliance on the BREEAM Non-Domestic Refurbishment scheme in Policy CE1 b. is problematic and we continue to have concerns if the Royal Borough accepts an environmental assessment standard which has not been released and which has not been fully tested through the actual certification of any refurbishment projects in Kensington and Chelsea. BRE have not provided a release date for BREEAM Non-Domestic Refurbishment. The Royal Borough should ensure that the policy is clear with respect to the current BREEAM scheme that can be applied to non- domestic refurbishment projects, i.e. either BREEAM 2008 or BREEAM 2011 at the discretion of the design team as per BREEAM guidance.</p>	<p>Policy CE1 regarding Climate Change and relevant BREEAM standards is subject to further public consultation. No changes proposed as part of this consultation.</p>	<p>No change</p>

32	Michael Bach	Kensington Society	Chapter 41: Policy Replacement Schedule	<p>Chapter 41: Policy Replacement Schedule</p> <p>ST35, ST 36 and ST 37 are all moved to a Highways and Transport document. When is this to be produced? Are the UDP policies still current in the meantime?</p> <p>ST39 refers to PPS6 which is replaced by NPPF.</p> <p>Views with the CD's. Key views are not specially covered in CL11 and as key views, should be:</p> <ul style="list-style-type: none"> &middot; CD1 riverside &middot; CD2: Chelsea riverside &middot; CD8: Royal Hospital &middot; CD10: around south Kensington Museums area &middot; CD13: Height around Kensington Gardens and Hyde Park &middot; CD14: Kensington Palace <p>CD16 (Kensal Green and Brompton Cemeteries is not mentioned in CR5 and should.</p> <p>CD17 is not covered by CR5. It is a view and should be covered in CL11</p> <p>CD23 we do not see that the policy to "resist the loss of public and private open space" is within CR5. Add in first sentence "The Council will protect, enhance, resist the loss and make the most of existing parks, gardens, open spaces, both private and public"...</p> <p>CR 5 c. change to resist development that has an adverse effect on garden squares including proposals for basements". This is more in keeping with CD24.</p> <p>CD26 is not covered in CL5. Add h. to cover it.</p> <p>CD28 is also covered in CL1 b ; not just CR2.</p> <p>CD32 says it is replaced by CL2g but there is no CL2g. This is "resist subterranean development" and is saved but there is no correct note as to where it is.</p> <p>CD64 is now CL3 (e) not CL3 (a).</p> <p>CD65 is now CL4 (c) not CL4 (a).</p> <p>CD66 is not covered in CL4(b). It is not covered and should be.</p> <p>CD70, CD71 is not saved in CL2 but in CL10</p>	<p>Chapter 41</p> <p>It is proposed that UDP policies will remain live until the new Local Plan is adopted – no change.</p> <p>The reference to ST 39 will refer to the NPPF.</p> <p>All the views mentioned are already in the 'Buildings at Height' SPD. There are not to be included in the Core Strategy – no change.</p> <p>Core Strategy Policy CR5 specifically refers to the protection of open space.</p> <p>CR5c – subterranean development would include basements if necessary – no change.</p> <p>CD26 – encouragement policies are not included in the Core Strategy – no change.</p> <p>CD28 – Policy CL1b refers to analysis of context being proportional. Add this to the reference.</p> <p>Other references to Conservation and Design policies will be amended in line with the changes proposed as part of the Conservation and Design review.</p>	No change
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				<p>CL6 does not mention flagpoles and does not save CD78. It is important with the growing use of flags everywhere.</p> <p>CD86: this is not within CL4 (h). Where is this saved?</p> <p>CD87: no policy saved.</p> <p>CD89 is not saved in CL1 as there is no mention of religious buildings</p>		
33	The Royal Brompton and Harefield NHS Trust		Policy CE7	<p>Miscellaneous Draft Policy</p> <p>9) Revision: Policy CE7</p> <p>We propose that further clarification and an explanation of when the specified information is required be provided within this policy i.e. is the information required prior to the site being cleared or prior to the implementation of any planning consent? Details of when each element of information is required would be welcomed.</p>	<p>Policy CE7</p> <p>The details as to when specific work has to be done is specified as part of a planning condition, rather than in the policy itself – no change.</p>	No change
34	Andy Goymer	Environment Agency	Chapter 36: Respecting Environmental Limits	<p>Chapter 36 (page 36)</p> <p>I am satisfied that the amendments to Chapter 36: Respecting Environmental Limits do not affect the original policy.</p>	Comments noted – no change.	No change
35	Andy Goymer	Environment Agency	Flooding - (Policy CE2)	<p>Flooding</p> <p>CE 2 - Page 75, 76</p> <p>There are no amendments to the wording of this policy.</p> <p>Any future review of this policy should consider the recommendations set out within the Royal Boroughs Surface Water Management Plan and the published Thames Estuary 2100 (TE2100) plan.</p> <p>36.3.16 (page 75)</p> <p>Further supporting information can be found within the TE2100 Plan published in November 2012. This document sets out the strategic direction for managing flood risk in the Thames estuary to the end of the century and beyond and details the need to not only maintain the existing flood defence structures, but also the long term requirement to raise the defence walls.</p> <p>Paragraphs 36.3.17 (page 75), 36.3.19 (page 76) will need to be updated to reflect the requirements of the NPPF.</p>	<p>Flooding</p> <p>CE2 – Page 75, 76.</p> <p>Comments noted – no change at this stage.</p> <p>36.3.16 (page 75)</p> <p>Comments noted – no change at this stage.</p> <p>Paragraphs 36.3.17 (page 75), 36.3.19 (page 76) will be updated as part of the Flooding review – no change at this stage.</p>	No change
36	Andy Goymer	Environment Agency	Policy CE4	<p>Policy CE 4 (page 80)</p> <p>I am happy with the amendments of this policy.</p>	Comments noted – no change	No change

37	Andy Goymer	Environment Agency	Policy CE7	<p>Development of potentially contaminated land - Page 84</p> <p>Policy CE 7 - Page 85</p> <p>I am happy with the wording of Policy CE 7 and welcome the inclusion of paragraphs 36.3.45, 36.3.46, 36.3.47, 36.3.48 and 36.3.49.</p>	Comments noted – no change	No change
38	Andy Goymer	Environment Agency	F-I	<p>Chapter 45: Glossary</p> <p>Flood Zone (page 123)</p> <p>This paragraph will need to be updated following the release of the NPPF.</p>	Will be updated as part of the Flooding review – no change at this stage.	No change

SECOND MISCELLANEOUS MATTERS CONSULTATION (March – May 2013)				
Section	Comment	Respondent Name	Council Comment	Change
33.3.35	The Golborne Forum supports the additional reference to Coach Management Plans.	Golborne Forum (Susie Parsons)	Noted	No change
36.1.1	<p>36.1.1 "The Council recognises the scientific consensus that climate change and global warming is happening; that human activity is contributing to it significantly; and that it has potentially damaging environmental, social and economic impacts" (RBKC Climate Change Strategy 2008 - 2015).</p> <p>36.1.2"Development plans should contribute to global sustainability by addressing the causes and potential impacts of climate change; through policies which reduce energy use, reduce emissions, promote the development of renewable energy resources, and take climate change impacts into account in the location and design of development" (Planning Policy Statement 1, Delivering Sustainable Development, 2005).</p> <p>The Golborne Forum opposes the above deletion as it believes that development plans should contribute to global sustainability.</p>	Golborne Forum (Susie Parsons)	The wording of paragraph 36.1.2 has been deleted because the document from which it originated – PPS1 has been superseded by the National Planning Policy Framework (NPPF). The NPPF is referred to in updated wording with regard to climate change.	No change
36.1.2	The Golborne Forum supports the above addition.	Golborne Forum (Susie Parsons)	Noted – this is the updated wording in the NPPF	No change
36.1.3 - 36.1.4	<p>Para 36.1.4:</p> <p>There is a missing element - encouraging the right development in the right place (see NPPF para 34; London Plan Policy 6.1 and Local Plan Policy CT1(a)) as well as encouraging more sustainable travel to and from existing activities.</p> <p>Line 2: After "including" add "ensuring travel-generating developments are limited to areas of high public transport accessibility"</p>	Kensington Society (Michael Bach)	The need to encourage the right development in the right place is already covered by Policy CT1 (a).	No change
36.1.5	Para 36.1.5: Add a reference to demolition, excavation and construction waste	Kensington Society (Michael Bach)	The specific reference to construction waste is already addressed in paragraph 36.3.25 of the Core Strategy. Repetition of points that are made already is to be avoided.	No change
36.1.6	<p>Para 36.1.6:</p> <p>Line 4: Delete "comfort" in "comfort cooling" - this is for all cooling not just "comfort" cooling.</p>	Kensington Society (Michael Bach)	The cooling of buildings is mentioned in the preceding sentence – there is no reason to delete the word 'comfort' in this context given the fact that the cooling of buildings has already set the context.	No change

36.1.6	The Golborne Forum supports this addition. This is a matter of fact.	Golborne Forum (Susie Parsons)	Noted	No change
36.2.2	This does not appear to be a material change to the Core Strategy so the Golborne Forum has no comment to make.	Golborne Forum (Susie Parsons)	Noted	No change
36.3.1	This does not appear to be a material change to the Core Strategy so the Golborne Forum has no comment to make.	Golborne Forum (Susie Parsons)	Noted	No change
36.3.1	These two paragraphs do not explain the potential impacts or the range of actions/policies needed to mitigate the risk or take action to manage and reduce the problems. This needs beefing up - at the moment it ends up looking like it is only offering air quality management! Para 36.3.1: What was the 1990 baseline reading? Line 3: change "saving" to "reduction".	Kensington Society (Michael Bach)	The paragraph deals with carbon di-oxide emissions and updates the emission data for the Royal Borough. It is not clear why it need 'beefing up'. The effects of climate change are adequately covered elsewhere. This paragraph supplies the context for the required actions – it is not the right place to commence on discussing the risks or mitigating the problems. With additional text that is not required the Core Strategy is at risk of becoming an overlong and more opaque document. This approach is resisted.	No change
36.3.11a	Please look again at this section - the reference to basements sits very oddly in a section about greening buildings. Surely the point here is that any change to a building that significantly harms a listed building is likely to be refused - not just in relation to basements?	Brompton Association (Ms Whewell)	It is not accepted that the reference to basements sits oddly here. The majority of the paragraph is in connection with listed buildings, alterations to them and their retrofitting in terms of carbon reduction. The preceding paragraph refers to listed buildings, conservation areas and climate change and sets the context. Clearly there is a separate basements policy (which is referred to at the end of Policy CE1) where the majority of information is provided, but the new paragraph seems to make sense here.	No change
36.3.11a	These changes seem to be rather confused. There is no necessary connection between preserving historic buildings while making them more energy efficient, which the Golborne Forum would support and basement extensions.	Golborne Forum (Susie Parsons)	Whilst there is no necessary connection between listed buildings and mitigating climate change there can be an impact on the fabric of listed buildings if climate change mitigation measures are adopted. Clearly there is a legitimate link as English Heritage has done a considerable amount of work in this area. It is not clear why this leads to confusion. The reference to basements is specifically in connection with retrofitting for climate change mitigation and how this is very challenging if a listed building is involved.	No change
36.3.7	The Golborne Forum opposes the above deletion as reducing carbon emissions is a good objective for Section 106 - planning gain.	Golborne Forum (Susie Parsons)	The reference to s106 contributions is being deleted because they are being scaled back and replaced by the Community Infrastructure Levy (CIL). Policy C1 will be amended to reflect this change as part of the forthcoming Enterprise Review.	No change

36.3.7	<p>Para 36.3.7:</p> <p>Why has the last sentence been deleted? S106 agreements are not just about money, but also about agreements to do or not do something. This will not be affected by the CIL system.</p>	Kensington Society (Michael Bach)	The last sentence has been deleted because although s106 agreements can still be used in certain circumstances it is unlikely that they will have a role to play in carbon reductions – this was accepting money to do carbon reduction work elsewhere. This will be replaced by CIL. However, if a financial mechanism can exist outside of the CIL system this will be explored.	No change
36.3.8	The Golborne Forum does not oppose the above deletions - the essential is that the zero carbon by 2016 target is met.	Golborne Forum (Susie Parsons)	Noted	No change
36.3.8	<p>Para 36.3.8:</p> <p>The Society does not consider that Code for Sustainable Homes Level 4 is a high enough target by the time these changes are made in 2014. We propose Code Level 6.</p>	Kensington Society (Michael Bach)	The Council has taken what it considers to be a realistic target for promoting growth as well as good stewardship when it comes to protecting the environment. Code Level 6 is carbon neutral and unfortunately the design implications for this to happen have not kept pace with the desire. Code level 4 is considered realistic at this present time Further work may be undertaken in the run up to 2016 when carbon netral development will be required as to how this standard can best be reached and this is likely to be the subject of a further policy review.	No change
36.3.9	The Golborne Forum supports the above addition.	Golborne Forum (Susie Parsons)	Noted	No change
36.3.9a	<p>Para 36.3.9a:</p> <p>Line 3: Delete "requires" and insert "will require" to reflect that this will be a policy requirement.</p> <p>Second sentence: The Society welcomes this mention of "carbon reduction, water and waste minimum standards" but where are the policies?</p> <p>Third sentence: The Society welcomes the mention of "reducing the carbon footprint, enable water to be saved and ensure that construction and demolition waste is diverted to landfill." The list should also contain excavation waste. But where are the policies? How will they be applied to assessing applications?</p>	Kensington Society (Michael Bach)	<p>The word "requires" is the same as "will require" in terms of being a policy requirement. It is also in the active tense rather than passive. This change is not required.</p> <p>The policies are shown in Policy CE1 which refers to waste, energy, water and materials criteria.</p> <p>With regard to the third sentence the policies are in the policy – just to be clear Policy CE1 which follows the reasoned justification which is always the case.</p>	No change
CO 7	<p>Strategic Objective CO7:</p> <p>This provides the menu - it should include resilience as the justification for the action taken. But where are the policies to back these issues.</p>	Kensington Society (Michael Bach)	To repeat the policies are within the Climate change policy - Policy CE1 – it is unclear what the problem is as to where to find it.	No change
CR7 - GENERAL	The Golborne Forum supports the addition of references to coach parking, coach drop-of and pick-up facilities and Coach Management Plans.	Golborne Forum (Susie Parsons)	Noted	No change

<p>General Comments</p>	<p>Servicing</p> <p>This section needs rethinking to include a wider range of servicing, including servicing construction sites and retail servicing.</p> <p>The Local Plan at present is silent on the issue of construction traffic management plans (CTMPs), although it has become one of the key issues for assessing the impact of construction projects, such as basements, where collection of demolition, excavation and construction waste and deliveries of concrete and building material generates a lot of traffic and parking problems. In a tightly built-up environment servicing such operations can be a major logistical problem, and there will be circumstances where extreme ingenuity will be required or, in some cases, it will need to be accepted that servicing such a development is not feasible.</p> <p>In some cases it will be necessary to deal with the cumulative effects of several projects in the same street or locality</p> <p>A strong lead policy is required in the Local Plan to provide the policy basis for the SPDs on Transport and on Basements.</p> <p>=====</p> <p>=====</p> <p>Proposed Reasoned Justification:</p> <p>Construction projects give rise to servicing requirements for the removal of demolition and excavation waste and the delivery of equipment, machinery, scaffolding and materials. This can give rise to traffic congestion and parking problems. To minimise the impact of these activities on traffic, parking and pedestrian movement, as well as on the local environment, the Council will require developers and contractors to provide a construction traffic management plan to manage these activities without requiring the deposit of hoardings, site offices, machinery, materials or skips within the highway. This will need to be submitted with the application. Where several projects are proposed or under way within the vicinity applicants will be required to consider the cumulative impact of their proposals on traffic management, congestion and parking in the area.</p> <p>=====</p> <p>=====</p> <p>A policy is also needed for:</p> <ul style="list-style-type: none"> * retail servicing, including conditions relating to hours of on-street servicing; and * tourist attractions, such as museums, which rely on coach-borne visitors. <p>=====</p> <p>=====</p> <p>Chapter 36: Respecting Environmental Limits</p>	<p>Kensington Society (Michael Bach)</p>	<p>Policy CR7 sets out the Council's requirements for the design of servicing facilities and the management of servicing activity. It applies to any servicing activity in the Borough, including the servicing of construction sites, retail premises and tourist attractions. No land use or servicing activity is excluded from the scope of this policy. The detail of how the policy requirements should be incorporated into development proposals will be included in the forthcoming Draft Transport and Streets SPD. Specific sections on construction traffic management and retail servicing will be included.</p> <p>Construction traffic management plans are secured and assessed under policies CS CT1 (b), (h) and (n). This would not change as result of the proposed modifications. X CTMPs were agreed last year under the existing policy framework. The Council do not consider there is a policy gap that needs to be filled by a new CS policy on CTMPs. Additional guidance on our requirements for CTMPs will be included in the forthcoming Draft Transport and Streets SPD.</p> <p>Chapter 36: Respecting Environmental Limits</p> <p>The issues raised here are all adequately covered by existing adopted policies. Policy CE1 (d) deals with energy efficient building design; decentralised heating, cooling and energy supply and on site renewable and low carbon energy sources. The London Plan (July 2011) also forms part of the Development plan for the borough and its policies will be relevant when determining major applications.</p> <p>There is a concern of repetition here – a local plan needs to provide the relevant information for the policy but in a succinct form –it does not superficially deal with issues, but provides a proportional evidence base to justify the policies. The existing policy and reasoned justification covered by Policy CE1 deals with all the issues that are raised here. The BREEAM Very Good standard is being introduced in the revisions to Policy CE1 and this specifically deals with Waste as part of the criteria where credits are required.</p> <p>Policy CE2 deals with Flooding and adopted Policy CE3 deals with waste including Policy CE3 (e) which requires applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste. There is no need to repeat this again and clearly waste from basements is dealt with under the new BREEAM very good standard.</p>	<p>No change</p>
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	<p>This chapter does not address the range of issues it raises, let alone provide policies. Section 36.2 - What this means for the Borough - is no more than a checklist/wishlist. Chapters 5 and 7 of the London Plan provide for each of the relevant policies a clear indication of what Boroughs need to provide in the way of Local Plan policies.</p> <p>This chapter lacks anything on the wider sustainability issues raised by major construction projects, including:</p> <ul style="list-style-type: none"> * construction, demolition and excavation waste; and * lifetime energy consumption. <p>The London Plan Housing SPG para 1.2.25 says:</p> <p>"Where subterranean extensions to existing dwellings pose planning policy (as opposed to enforcement/regulation) issues, boroughs are advised to consider the bearing of such development on London Plan policies addressing sustainable design and construction (5.3), retrofitting (5.4), overheating and cooling (5.9), flood risk (5.12), sustainable drainage (5.13), construction and demolition waste (5.18), water use and supplies (5.15), trees (7.12) and biodiversity (7.18/19)"</p> <p>These issues, especially sustainable design and construction and, especially, the generation of construction, demolition, excavation and construction waste need to be flagged up in this chapter as well as being an integral part of the basements policy. (See comments on para 36.3.9a below)</p> <p>Section 36.1 skips far too superficially through the issues - greenhouse gases, climate change, flood risk, waste, air pollution, noise and vibration. (See CO7 below)</p>			
General Comments	<p>Proposed new Policy:</p> <p>The Council will:</p> <ul style="list-style-type: none"> require developers to submit a proposed construction traffic management plan for all developments which would involve frequent collection of demolition, excavation and construction waste and delivery of materials, with the application for the development; require developers and contractors to provide any site office, and store machinery, materials and skips within the site wherever possible, and, where this is not, to minimise the extent and duration of any requirements to use the highway; and require construction traffic management plans to respond to the site-specific needs, the limits to movement and parking on local streets, the cumulative effects of other construction projects within the immediate area and other construction traffic along the access route. 	Kensington Society (Michael Bach)	Construction traffic management plans are secured and assessed under policies CS CT1 (b), (h) and (n). This would not change as result of the proposed modifications. X CTMPs were agreed last year under the existing policy framework. We do not consider there is a policy gap that needs to be filled by a new CS policy on CTMPs. Additional guidance on our requirements for CTMPs will be included in the forthcoming Draft Transport and Streets SPD.	No change

General Comments	<p>Introduction</p> <p>The Golborne Forum has previously commented on and contributed to the Royal Borough of Kensington & Chelsea Council's Core Strategy. This is a key planning document. The Council has now decided to make further amendments to two policies within the Core Strategy: the policy relating to Servicing (Policy CR7); and that relating to Climate Change, and in particular the carbon standards that the Council will seek for new development and appropriate extensions. (Policy CE1). The Council has decided to publish and consult on the proposed changes to these two policies. The Golborne Forum is responding to this consultation.</p> <p>Please note that the Council's proposed additions to the Core Strategy are shown as underlined text and its proposed deletions are shown as scored-through text. Comments from the Golborne Forum are shown in red.</p>	Golborne Forum (Susie Parsons)	Noted	No change
Policy CE 1 - Climate Change	<p>CE1 (i)</p> <p>The Golborne Forum opposes this change and supports the progression to Level Six.</p> <p>CE1 (ii)</p> <p>The Golborne Forum opposes the loss of progression from Excellent to Outstanding.</p>	Golborne Forum (Susie Parsons)	<p>It was recommended in the consultant's report for the relevant BREEAM standard that Code for Sustainable Homes Level 4 is used. Furthermore, the Inspector at the 2010 examination into the soundness of the Core Strategy downgraded the requirement for Levels 5 and 6 to a 'to seek' policy rather than a requirement.</p> <p>Unfortunately building design has not kept pace with the requirement for carbon neutral or Level 6 and in view of the fact that a 'to seek' policy was adopted Level 4 is considered an appropriate standard at the present time. As technology moves on and the Council explores whether carbon offsetting may be realistic then the position will be reviewed.</p> <p>With regard to the loss of progression from 'Excellent' to 'Outstanding' this reflects the need to encourage economic growth under the NPPF and strike a suitable balance as to what is achievable given current design technology and standards and the need for new development to reflect the very high quality townscape in the Borough.</p>	No change
Policy CE 1 - Climate Change	<p>CE1(a)(i) Code for Sustainable Homes Level 4 is too low - it should be Level 6.</p> <p>This policy would appear to be limited to residential developments of 800sqm or more and non-residential development of 1,000sqm or more. The cross reference to Policy CL7 and policy CL7(i) do not highlight that the policy for basements applies to much buildings of any size. This could be more explicit. It is not immediately evident and Policy CE1(b) might give the impression that houses smaller than 800sqm might not be affected by this requirement.</p>	Kensington Society (Michael Bach)	<p>It was recommended in the consultant's report for the relevant BREEAM standard that Code for Sustainable Homes Level 4 is used. Furthermore, the Inspector at the 2010 examination into the soundness of the Core Strategy downgraded the requirement for Levels 5 and 6 to a 'to seek' policy rather than a requirement.</p> <p>Unfortunately building design has not kept pace with the requirement for carbon neutral or Level 6 and in view of the fact that a 'to seek' policy was adopted Level 4 is considered an appropriate standard at the present time. As technology moves on and the Council explores whether carbon offsetting may be realistic then the position will be reviewed.</p>	No change

			<p>The policy applies to major development only which is considered practical and reasonable as to where such standards should apply.</p> <p>With regard to new basements it is clearly signposted that Policy CL7 will apply. If a basement is built as part of a new development Policy CE1 will still only apply if there is an increase of over 800 sq m, the threshold for major development.</p>	
Policy CE1 (c)	After new CE1(c) insert a new policy on transport and disposal of demolition, excavation and construction waste making clear what requirements will be for developers.	Kensington Society (Michael Bach)	This would constitute repetition of existing policies. Policy CE3 (e) which requires applicants for major developments to prepare and implement Site Waste Management Plans for demolition and construction waste. There is no need to repeat this again and clearly waste from basements is dealt with under the new BREEAM very good standard.	No change
Policy CE1 (h)	New CE1(h) remove ", in due course,"	Kensington Society (Michael Bach)	"In due course" is still required as this is a statement of intent to introduce new measures when the technology becomes available.	No change
Policy CR7: Servicing	<p>Servicing</p> <p>The Council wishes to include coach parking as a matter to be considered in the servicing policy. As the highway and traffic authority for many, if not all, of the 'strategic traffic routes' mentioned in 33.3.35, TfL support the need for detailed consideration of coach parking in new developments, where relevant. It is suggested that the supporting text for the policy mentions potential impact upon bus services and infrastructure and on other transport operations. The policy itself could refer to consideration of impacts on bus services and infrastructure and other transport infrastructure and operations.</p> <p>Coaches play an important role in London's transport network, particularly in supporting the visitor economy. As such, the policy or supporting text should make it clear that this policy relates to ancillary, rather than general, coach parking and that both impacts and benefits of proposals will be considered.</p>	Greater London Authority (Colin Wilson)	<p>Policy CR7 (d) requires developers to demonstrate that proposals can function satisfactorily without adversely impacting on bus routes.</p> <p>The supporting text for the policy does not explicitly mention potential impacts on bus services or infrastructure. It does however highlight that servicing activity (including coach drop off and pick up) can adversely impact on road function and can give rise to traffic congestion. Notwithstanding, this response could be addressed by adding "impact on bus operations" after traffic congestion at 33.3.35.</p> <p>At, 33.3.35, I note the word 'both' is applied to a group of three words. This is grammatically incorrect. Remove 'both'.</p> <p>Given that proposals to provide general coach parking in the Borough are unlikely to materialise, specific text covering such proposals is not considered necessary.</p>	<p>Add "impact on bus operations" after traffic congestion at para 33.3.5</p> <p>Delete the word 'both'</p>