

**Notting Hill Gate Draft SPD – consultation comments
[7 - Developer contributions]**

Document Section	Respondent name	Respondent company / organisation	Comment	Council response	Recommended change to draft SPD
7. 1 Developer contributions	Michele Hillgarth		When a developer approaches the council, it should be put to the local residents to make some impact on the project having taken on the comments of everyone from this survey before allowing anything to go ahead, and have very specific details in terms of what it will bring to Notting Hill Gate, and try to avoid having subsequently a building site for years to come. The projects should be taken one at a time to avoid decades of disturbance.	The purpose of an SPD document is to set a framework to shape the redevelopment of Notting Hill Gate in consultation with local residents. Individual development proposals will be the subject of separate planning applications, which will deal with the detailed design issues. There will be an opportunity at that point to make comments before any decisions are made. The lease structures and differing owners associated with the separate sites makes it unlikely that all development will occur at the same time.	No change
7. 2 Developer contributions	English Heritage (Richard Parish)	English Heritage	Section 7 Developer contributions. You may wish to incorporate reference to the Community Infrastructure Levy and clarification of how these funding contributions are apportioned within this section.	This section has been removed from the SPD.	Section 7 removed from SPD.

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7. 3 Developer contributions	The Kensington Society (Amanda Frame)	The Kensington Society	Trade-offs The Society considers that the priorities combined with potential sources of funding demands a more pragmatic approach and a clear presentation of priorities for S106 and other funding, recognising the trade-offs – we have produced a new table to convey our priorities and who should be expected to pay. There is confusion between priority and who should pay in current draft – for example: * Public realm improvements – is high priority for the strategy overall, but will be low priority for funding through S106 – the main source of funding RBKC (Parking Reserve Account) and TfL funds for highways * New public space – absolutely essential – but designed in/funded through Newcombe House * Cultural facility – large: no priority; small: low priority – funded entirely through Newcombe House * affordable housing – important, Newcombe House will be main provider * town centre management	Section 7 has been removed from the SPD. Negotiations will be conducted with individual developers based on the viability of each scheme and the priorities identified by site.	Section 7 removed from SPD.

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			<p>– revenue contributions based on rateable value/floor space * public art – part of S106 tariff * primary health care etc – essential – premises/shell from Newcombe House, fit out from S106 tariff health pot * Underground station – TfL, including receipts from development of substation and station/interchange funding NB: This table is critical in conveying not only our priorities and trade-offs, but who should bear the costs.</p>		
7. 4 Developer contributions	Savills Planning (Round)	Savills Planning	<p>7. Developer Contributions Comments: It is agreed that the various sites within the SPD should mitigate against the impact of their development and in this instance should also contribute towards the public realm in order to assist regeneration. Individual sites have different constraints and pressures and the contributions made should be assessed upon the merits of any detailed proposals put forward. It is</p>	Section 7 removed from SPD.	Section 7 removed from SPD.

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			not considered that a table of contributions, as set out within the SPD is appropriate. In addition to this the proposal for a town centre manager is not supported. It is not clear what this role would be or what the tangible planning benefits of such a role would be.		
7. 5 Developer contributions	Gerald Eve LLP (Samuel Palmer)	Gerald Eve LLP	Chapter 7 – Developer Contributions With regards to affordable housing paragraph 7.2 states that ‘as a rule of thumb, one might expect to deliver 10 affordable homes for £1 million’. We are unclear from where this calculation has been sourced and consider it to be inappropriate and potentially misleading in the context of a formal policy document. Reference should be made here to the Core Strategy. Paragraph 7.5 states that the provision of a significant cultural facility is sought through the provision of a shell of 2000 sq m which has been valued at £8million. We request	Section 7 removed from SPD.	Section 7 removed from SPD.

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			clarification as to how this figure has been calculated.		
7. 6 Developer contributions	Mr. Roome		Beware black holes between 5.106 and CIL regimes? Timescales? - will these be deployed tactically by developers?	Section 7 removed from SPD.	Section 7 removed from SPD.
7. 7 Developer contributions	Way West Press (Tim Burke)	NHIG	S106 SPEND? How is the £11m S106 to be better spent? The Group agrees, no to the £8m for cultural institute/ 3m public realm, as outlined in SPD. ? We also notice there are limited contributions from the Pears Group 6.1.1 If there is to be consideration of a „cultural institute it should make a smaller claim on the S106, the majority directed towards the public realm: 6.1.2 For example £3m Culture institute (in Notting Hill or off-site). £1m Public Art. £7m Public Realm/ Master Plan (to include all of Notting Hill (from Kensington Garden to Holland Park Ave, Kensington Church Street, & Pembridge Road to Portobello Road. 6.1.3 Or: (preferred) much smaller.	Section 7 removed from SPD.	Section 7 removed from SPD.

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			£1m Cultural Institute. £1m Public Art. £9m Public Realm (to include all of Notting Hill)/ New Underground lift/ lifts from streets to ticket hall level, disabled lift access to Circle Line Platforms.		
7. 8 Developer contributions	David Marshall		One final point. The last thing we want at this stage is to be talking about section 106s grant money towards museums etc. Let's see what the architecture can produce. Let's also agree that the developers want to create flats they can sell on long leases out of offices, increase higher spaces, even sideways which does not yet exist then there is a price to pay. That price is producing something beautiful and creative and then writing into the bargain affordable homes, not just ghettos for the absentee rich.	References to the cultural attraction have been removed.	References to the cultural attraction have been removed.
7. 9 Developer contributions	GVA (Fred Drabble)	GVA	Developer Contributions 7.1 Section 7 of the SPD sets a menu of Council aspirations with regard to planning benefits (in the form of	Section 7 removed from SPD and the Development Guidelines significantly rewritten.	Section 7 removed from SPD.

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			<p>Section 106 contributions and obligations) that the sites within the SPD may deliver. National and London Plan guidance is clear that local authorities should not place unnecessary burdens on developments that may threaten their viability. 7.2 Given that the Council requires contributions from the Newcombe House site towards six of the seven benefits as set out in the Table of Contributions, we note that the regeneration of Notting Hill Gate is largely reliant upon the redevelopment of the Newcombe House site, as the burden of providing those benefits is significantly on Newcombe House. 7.3</p> <p>Recommendation: On the basis of the above, we request that an introductory paragraph is inserted confirming that the benefits sought are aspirational and the final package of benefits to be agreed on a site-by-site basis should be subject to an assessment of</p>		

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			<p>scheme viability. Furthermore, the Council should remain focused throughout the SPD on providing positive guidance which will ensure significant redevelopment opportunities, including that at Newcombe House, can be viably and feasibly delivered within the lifetime of the SPD. 7.4 Paragraph 7.5 – This refers again to a cultural facility of 2,000 sq, m. We have already commented at Section 5 and 6 that it is inappropriate to prescribe a facility of such a size. Recommendation: Paragraph 7.5 should be deleted. The Table of Contributions asks that Newcombe House delivers both a cultural institution and primary health care centre. We note that the primary health care centre is only sought from the Newcombe House sites (note plural) in Option 2 (the comprehensive approach). The Council must acknowledge that, if Newcombe House was developed in isolation (i.e. if</p>		

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			not part of a comprehensive approach with David Game House and the LUL substation – which we have already noted is not deliverable within the lifetime of the SPD), it may not be feasible for the Newcombe House site to deliver both a cultural institution and a primary health care centre on-site. Recommendation: It must be made clear that Newcombe House has been asked to deliver a cultural facility and / or a primary health centre (subject to viability and feasibility).		
7. 10 Developer contributions	Architects Appraisal Panel AAP (Paul Williams)	Architects Appraisal Panel AAP	Lastly, the Panel supports the programme of public consultations and encourages further presentations to the AAP as part of the process. ,	Noted.	No change
7. 11 Developer contributions	Knox-Peebles		7.2 YES affordable housing ONSITE. BUT developers try to prove that this is financially impossible for them - thus blackmailing the planners by saying they will not go ahead unless they can put the affordable	Comments noted this will come down to negotiations on individual planning applications. Support for the priorities identified noted, but this chapter has been removed from the SPD.	Section 7 removed from SPD.

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			<p>housing at as great a distance as possible - CAN YOU STAND UP TO THEM? I.e. how much affordable housing in the development on the Holland Park school games pitch? How much in the Campden Hill development? How much in the development by the old Commonwealth building? 7.7 Yes to a lot these - they are necessary rather than cosmetic 7.8 Essential but they must be very good and very strong if they are to succeed 7.9 this would be very useful. 7.10 improvement to the underground essential - at present it is overcrowded most of the time and particularly during rush hour and on Saturdays - it is very unpleasant having to make ones way through the crowds - so redesign entrances and the concourse and there should be step-free access to ALL LINES.</p>		