

Local Plan Partial Review Issues and Options Consultation Schedule



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Section 13: Climate change: energy and water housing standards

Issue 1: Energy

Question: Which option should the Council take?

Option 1: The Council should delete references to the Code for Sustainable Homes and any other standard such as BREEAM related to residential development from Local Plan policy.

Option 2: The Council should keep references to the Code for Sustainable Homes and any other standard such as BREEAM related to residential development in Local Plan policy.

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Onslow Neighbourhood Association (Eva Skinner)		1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Sonia Richardson		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Roy Burns		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy..
Jo Poole		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Cheyne Walk Trust (David Waddell)		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Sainsbury's Supermarkets Ltd (Indigo Planning)	Issue 1 - Energy Sainsbury's support Option1 which proposes to delete references to the Code for Sustainable Homes and any other standard such as BREEAM related to residential development from Local Plan Policy. References to BREEAM in relation to commercial developments should also be removed as trying to achieve these		The deletion of the reference to the Code for Sustainable Homes is required by national policy and the housing standards review. However, the Local Plan policy retains reference to the relevant BREEAM standard for new non-residential development as this is unaffected by the housing standards review.

Name	Comment	Selected Option	Council's Response
	standards often affect the viability of a commercial development.		
Christian Durie		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Austin Mackie Associates Limited (Private Clients)		1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Royal British Society of Sculptors (A Rawcliffe-King)		1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Royal Brompton & Harefield NHS Foundation Trust (RBHT)		1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Barton Willmore (Paul Newton)	Issues 1 & 2 30. We support the Council's proposed approach not to include a policy on Code for Sustainable Homes and BREEAM, as well as to use the London Plan in respect of water consumption. This approach will be in line with national guidance and avoid the need for unnecessary duplication with the London Plan	1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.
Kensington Society (Michael Bach)	Option 1 The Council should delete references to the Code for Sustainable Homes and any other standard such as BREEAM related to residential development from Local Plan policy. No – this would be opting out. The Borough desperately needs to improve the energy efficiency of its building stock Option 2 The Council should keep references to the Code for Sustainable Homes and any other standard such as BREEAM related to residential development in Local Plan policy. This is the Society's preferred option	2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Cllr E Dent Coad		2	Noted. The Government has rationalised housing standards as part of the Housing Standards Review. The Written Ministerial Statement of March 2015 announced that Councils should not set any additional local technical standards or requirements relating to construction and performance of new dwellings over and above the national standards. The Government has also announced that the Code for Sustainable Homes has been withdrawn. As such continued reference to the CSH or BREEAM for residential would not be consistent with national policy.
Greater London Authority Development (Stewart Murray)	Climate Change Whilst the Written Ministerial Statement of 25 March 2015 seeks to limit energy efficiency targets to Code 4 equivalent, the Planning and Energy Act 2008 (until clause 43 of the Deregulation Act 2015 is enacted) enables local authorities to set energy		Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.

Name	Comment	Selected Option	Council's Response
	<p>efficiency standards that exceed the buildings regulations. The Mayor is committed to implementing his London Plan policy 5.2, including zero carbon housing from later this year and zero carbon buildings from 2019. He will shortly issue further guidance on how this will be implemented. Evidence to support this energy trajectory was produced for the MALP.</p> <p>The Code for Sustainable Homes has been withdrawn by the Government and therefore Kensington and Chelsea's existing approach will have to be amended. BREEAM remains an appropriate sustainability tool for other forms of development</p>		
Jo Poole	Council must actually police the execution of schemes consented under the BREEAM to ensure that standards are met.		Permitted schemes will be subject to conditions. These remain relevant unless an applicant seeks to amend them. Any new application to amend a condition, to for example, to remove the CSH requirement, will have regard to the housing standards review and the relevant WMS.
DP9 (on behalf of Earl's Court Partnership Limited)	Option 1 is the only credible suggestion and is therefore supported.	1	Noted. The Council concurs with the view of the consultee that this approach is necessary if the Local Plan is to be consistent with national policy.

Question: Do you have any other comments, issues or options (reasonable alternatives) you would like to raise regarding this section?

No comments.

Issue 2: Water

Question: Which option should the Council take?

Option 1: The Council should not include a specific policy on water consumption in new dwellings in the Local Plan.

Option 2: The Council should include a specific policy on water consumption in new dwellings in the Local Plan.

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	<p>The Council should stop interfering and adding more regulations, restrictions etc on new dwellings. These new regs just increase the costs to the buyers of new housing, and make it even more difficult and expensive to buy a property. All dwellings have a water meter. If they use a lot of water they will have to pay for it. More policies just mean you will need more bureaucrats to vet; review; approve, monitor and so on all of these same new policies. This means you will have to hire even more council employees, and the public sector will get even larger. And our taxes will rise endlessly to pay for the ever burgeoning public sector.</p>	1	<p>The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. The Council does, however, have a different reason for such an approach. The Council does not intend to include this standard as this would merely repeat the recently adopted policy within the London Plan. It does take the view that such a standard is necessary. In this it differs with the views of the consultee. Use of water should not merely reflect the ability or an owner to pay. The Council does, however, recognise that effective enforcement is central to an effective planning system. It must be cost effective it is to be practicable.</p>
Sonia Richardson		2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's

Name	Comment	Selected Option	Council's Response
			development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
J Neville		2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Roy Burns		2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Jo Poole	This must be policed and fines given for infringement.	2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication. A condition should only be used when it can be effectively enforced. There is no reason to believe that the standards for water consultation cannot be enforced. They will relate to the design on the dwelling rather than water use on a daily basis.
Cheyne Walk Trust (David Waddell)		1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication.
Sainsbury's Supermarkets Ltd (Indigo Planning)	issue 2 - Water Sainsbury's support Option 2 which states that the Council should not include a specific policy on water consumption in new dwellings in the Local Plan.		Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Turley (Ian Fergusson)	This should be a matter for building regulations.	1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication. It would not be appropriate to consider standards relating to water consumption through Part G of the Building Regulations alone. The optional 110 litre per person per day "limit" must be adopted by a local planning authority in its development plan. The optional limit would then be triggered by a planning condition associated with a planning application. The London Plan, as part of the Borough's development plan, allows the use of the necessary condition.
Greater London Authority Development (Stewart Murray)	The borough should adopt the higher optional water standard, or refer to emerging London Plan policy 5.15B. In this regard the evidence the Mayor prepared for his MALP was found to be proportionate and sufficiently robust by the Inspector, will support this approach.		The Council concurs with the view of the GLA. It has, as suggested, referred to the latest London Plan Policy.
Barton Willmore (Paul Newton)	Issues 1 & 2 30. We support the Council's proposed approach not to include a policy on Code for Sustainable Homes and BREEAM, as well as to use the London Plan in respect of water consumption. This approach will be in line with national guidance and avoid the need for unnecessary duplication with the London Plan	1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication.
Christian Durie		2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's

Name	Comment	Selected Option	Council's Response
			development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Austin Mackie Associates Limited (Private Clients)		1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication.
Barton Willmore (Paul Newton)	We support the Council's proposed approach not to include a policy on Code for Sustainable Homes and BREEAM, as well as to use the London Plan in respect of water consumption. This approach will be in line with national guidance and avoid the need for unnecessary duplication with the London Plan	1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication.
Thames Water Utilities Ltd (Mark Mathews)	Other Comments Issue 2 – Water Thames Water support option 2 for the inclusion of a specific policy on water consumption.	2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Kensington Society (Michael Bach)		2	Effective standards concerning water use within domestic dwellings are necessary. However, the Council takes the view that the London Plan is the appropriate location for such a policy. The London Plan forms parts of the Borough's development plan and must be used in determining planning applications. Repeating a policy within the Local Plan will merely add duplication.
Cllr E Dent Coad		1	The Council concurs with the views of the consultee in that including a specific policy within the Local Plan on water consumption in new dwellings would not be appropriate. Instead, use of the London Plan, part of the Borough's Development Plan, would ensure consistency and avoid duplication.

Question: Do you have any other comments, issues or options (reasonable alternatives) you would like to raise regarding this section?

No comments.