

Local Plan Partial Review Issues and Options Consultation Schedule



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Section 14: Flooding and drainage

Issue 1: Flood risk

Critical Drainage Areas (CDAs)

Question 1: Should the Council use the vulnerability classification of the NPPF / Planning practice guidance to restrict highly vulnerable uses¹ (in terms of access and egress e.g. self-contained basements) in CDAs? Currently the Environment Agency restricts this type of land use in flood risk zone 3, inside the tidal breach?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		No	Noted.
Charles Bezoari Elder	If there is a flood (a once in one hundred years event) the damage will be borne by those who have built a basement. The council has no role in this.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section a).
Sonia Richardson	having been badly flooded I am concerned about all aspects of policy which may render buildings more vulnerable		Noted. Flood risk measures are included in the Flooding draft policy (section d).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section a).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section a).
Jo Poole		Don't Know	Noted.
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section a).
Bell Cornwell LLP (Simon Avery)		Don't Know	Noted.
Environment Agency (Simon Banks)	If you consider the available modelling is accurate and it shows a high risk, you may want to consider restricting highly vulnerable uses within your CDAs.		Noted. This is covered in the Flooding draft policy (section a).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section a).
Anonymous02	First, I appreciate the way the borough is trying to protect us from flooding using many different methods. Overall, I don't feel qualified to address most of the questions you pose at the end of the draft report. I just don't have the expertise. I hope the borough has employed a top hydrologist to tackle these concerns. I have some minor points I can make: the first map doesn't seem to clearly show the culverted water pathways; on page 4 the phrase "sequential test" isn't explained; and on page 15, yes, instinct tells me we should forbid basements being dug in CDAs.		Noted. Showing the sewer system could be confusing. Instead we have included a map in the Policy Formulation Report (figure 2.2) which shows the modelled drainage and sewerage capacity to manage future population growth and climate change for the 2050s. This illustrates the lack of

¹ www.planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-2-flood-risk-vulnerability-classification/

Name	Comment	Selected Option	Council's Response
			capacity in the sewer system. The Sequential Test is explained in the Glossary of the Draft Policies.
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	Section 14: Flooding and drainage Issue 1: Flood risk Critical Drainage Areas (CDA) Question 1 The StQW Forum supports Option 1 of using the vulnerability classification of the NPPF / Planning practice guidance to restrict highly vulnerable uses1 (in terms of access and egress e.g. self-contained basements) in CDAs?	Yes	Noted. This is covered in the Flooding draft policy (section a).
Greater London Authority Development (Stewart Murray)	In response to Question 1, yes, the borough should use the NPPF/Guidance flood risk vulnerability classification as it is applicable to surface water flood risks as well as fluvial and tidal flood risk.		Noted. This is covered in the Flooding draft policy (section a).

Question 2: Should the Council require specific measures to address flood risk in CDAs? What might those measures be?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	Stop this impulse you have of adding measures, requirements, policies and so on. It all leads to more restrictions on housing, and more public sector employees, and more taxes.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section d).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section d).
Victoria and Albert Museum (Steve Hyde)		Don't Know	Noted.
Jo Poole		Don't Know	Noted.
Cheyne Walk Trust (David Waddell)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section d).
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Environment Agency (Simon Banks)	We recommend you link your requirements to your Local Flood Risk Management Strategy (LFRMS). Do you have projects you want to deliver in these CDAs to reduce flood risk? If so, perhaps developers can help you deliver these projects, either by helping deliver some of the construction of projects or by providing contributions to the project. You may also want to consider reducing surface water runoff from any new sites to the greenfield runoff rate for that site within the CDAs.		Noted. This is covered in the Flooding draft policy (sections d and g).
Thames Water Utilities Ltd (Mark Mathews)	Questions 1 and 2 – Thames Water consider that the council should require standard flood risk measures in areas with at a high risk of flooding or for developments that may be susceptible to flooding together with details of how protection measures will be maintained.		Noted. This is covered in the Flooding draft policy (sections d and e).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft

Name	Comment	Selected Option	Council's Response
			policy (section d).
Greater London Authority Development (Stewart Murray)	Kensington and Chelsea should require specific measures to address flood risk in Critical Drainage Areas (CDA). However, these are not likely to be the same for every site. Some parts of a CDA will only be contributing rainwater to an area at risk from surface water flooding but they will not be at significant risk themselves. This can be seen from closer examination of CDAs in combination with the Environment Agency and/or Drain London surface water flood risk mapping. Some areas will be shown as being at high risk, other medium and others low risk.		Noted. This is covered in the Flooding draft policy (section d) and new paragraph number 36.3.19 of the reasoned justification.

Flood risk protection and prevention measures

Question 1: Should the Council ask for standard flood risk measures in specific areas? Should the Council require flood risk mitigation and resilience measures (such as raising threshold/floor levels, protection of light wells and basement entrances, raising electrical sockets, etc) in areas identified in the Surface Water Management Plan at high risk of flooding?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	When has flooding been an actual event in the borough? When was the last flood that affected these "high risk" areas? What was the cost of the damage? Is this not covered by insurance? It is a once in one hundred years event. And here you are preparing to introduce a whole set of rules; requirements; policies; measures for something that has an infinitesimal chance of occurring. And even if it did occur- is it worth imposing the costs of all these measures today, for something that might or might not occur a long time in the future ? You are using a howitzer to kill a flea.		There have been several flooding events in the borough. The most recent significant event, in 2007, affected over 550 properties. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section d).
J Neville		Yes	Noted. This is covered in the Flooding draft policy (section d).
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section d).
Jo Poole		Don't Know	Noted.
Cheyne Walk Trust (David Waddell)		No	Noted.
Turley (Ian Fergusson)		No	Noted. Reference to building regulations is covered in the Flooding draft policy (section d).
Turley (Ian Fergusson)	This should be a matter for building regulations.		Noted. Reference to building regulations is covered in the Flooding draft policy (section d).
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section d).
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft

Name	Comment	Selected Option	Council's Response
			policy (section d).
Environment Agency (Simon Banks)	Please see our comments for the two questions above. You may want to ask for specific flood risk mitigation and resilience measures depending on the confidence you have with your data and actions in your LFRMS which could be achieved through planning applications e.g. raising threshold/floor levels. You must ensure that data is available so that developers know what level to raise threshold/floor levels to.		Noted. This is covered in the Flooding draft policy (section d).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section d).
Greater London Authority Development (Stewart Murray)	On the issues of protection and prevention, the provision of standard flood risk measures is a welcome suggestion that should simplify the advice needed by developers. However, whilst a standard suite of measures may generally apply to some areas, the detail is likely to be determined by the site specific flood risk assessment which will show how deep flooding is likely to be.		Noted. This is covered in the Flooding draft policy (section d). This section refers to the importance of the recommendations of the site specific flood risk assessment.

Question 2: Should the Council require information about how these measures will be maintained to ensure they will be operational during a flooding event?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	Don't impose these measures and you wont have this problem. And you also will not have to hire another army of public sector employees to generate, collect, collate, analyse etc this info every year.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section e).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section e).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section e).
Cheyne Walk Trust (David Waddell)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Turley (Ian Fergusson)		No	Noted.
Turley (Ian Fergusson)	This should be a matter for building regulations.		Noted. This is covered in the Flooding draft policy (section e) and new paragraph number 36.3.19 of the reasoned justification.
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section e).
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Environment Agency (Simon Banks)	It is reasonable for the Council to request new developments demonstrate any flood risk mitigation and resilience measures are maintained for the lifetime of the development. This is supported by the Planning Practice Guidance (PPG), which requests all development demonstrate that it is safe for the lifetime of the development		Noted. This is covered in the Flooding draft policy (section e).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft

Name	Comment	Selected Option	Council's Response
			policy (section e).
Greater London Authority Development (Stewart Murray)	The Mayor agrees that flood resilience measures should remain operational during a flooding event, however the difficulty is that flooding events should be rare occasions, for example once every 75-100 years. With regular and frequent changes of owner and/or occupant, it is extremely difficult to maintain any measures that require regular activity or maintenance or human action to operate them. A policy that covers protection and maintenance of flood risk management assets would be appropriate.		Noted. This is covered in the Flooding draft policy (section e).
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	Flood risk protection and prevention measures. Questions 2, 3 and 4 the StQW Forum would favour an approach of keeping these options under close review but introducing them only in the event of further serious examples of surface water flooding (from rainfall rather than burst sewers) in the borough.		Noted. As explained in paragraph 2.4.7 of the Policy Formulation Report, this option is not reasonable as it is important that flood risk measures are in place and maintained before the next flooding event occurs.

Question 3: Should the Council include a policy about the protection and maintenance of flood defences and flood risk assets?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	Stop this nonsense before it begins.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section e).
J Neville		Yes	Noted. This is covered in the Flooding draft policy (section e).
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section e).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section e).
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section e).
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section e).
Environment Agency (Simon Banks)	We highly recommend that a policy included for the protection and maintenance of flood defences and flood risk assets as well as access and egress. A suggestion of policy wording for the tidal defences can be found in Kensington and Chelsea's Thames Estuary 2100 (TE2100) Local Council Briefing document. A copy is attached with this response.		Noted. This is covered in the Flooding draft policy (sections d(ii) and e).
Thames Water Utilities Ltd (Mark Mathews)	Question 3 – Thames Water consider that a policy should be included about protection and maintenance of flood defences.		Noted. This is covered in the Flooding draft policy (section e).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section e).

Name	Comment	Selected Option	Council's Response
Greater London Authority Development (Stewart Murray)	The Mayor agrees that flood resilience measures should remain operational during a flooding event, however the difficulty is that flooding events should be rare occasions, for example once every 75-100 years. With regular and frequent changes of owner and/or occupant, it is extremely difficult to maintain any measures that require regular activity or maintenance or human action to operate them. A policy that covers protection and maintenance of flood risk management assets would be appropriate.		Noted. The rarity of flood events is acknowledged, although as Lead Local Flood Authorities we should manage flood risk. This is covered in the Flooding draft policy (section e).
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	Flood risk protection and prevention measures. Questions 2, 3 and 4 the StQW Forum would favour an approach of keeping these options under close review but introducing them only in the event of further serious examples of surface water flooding (from rainfall rather than burst sewers) in the borough.		Noted. As explained in paragraph 2.4.7 of the Policy Formulation Report, this option is not reasonable as it is important that flood risk measures are in place and maintained before the next flooding event occurs.

Question 4: Should the policy cover access and egress and emergency exit routes to ensure development in high risk areas is protected from flooding?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	As you can see, if you have a policy there are a whole host of consequences that will suck the council into a vortex of ever expanding follow on actions that are costly, and will require loads of new staff to implement. And for what end exactly? If there is going to be a flood, it will happen regardless of what the council does.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
J Neville		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Turley (Ian Fergusson)	This should be a matter for other regulations.		Noted. Reference to building regulations is included in paragraph 36.3.19 and Flooding draft policy (section d).
Turley (Ian Fergusson)		No	Noted.
Christian Durie		Don't Know	Noted.
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Environment Agency (Simon Banks)	We highly recommend that a policy included for the protection and maintenance of flood defences and flood risk assets as well as access and egress. A suggestion of policy wording for the tidal defences can be found in Kensington and Chelsea's Thames Estuary 2100 (TE2100) Local Council Briefing document. A copy is attached with this response.		Noted. This is covered in the Flooding draft policy (sections e and d(ii)). Reference to the Thames Estuary 2100 is made in the Flooding draft policy (section f) and paragraph 36.3.20 of the reasoned justification.
Thames Water Utilities Ltd (Mark Mathews)	Question 4 – Thames Water consider that any flood risk policy should cover access and egress routes including emergency exit routes.		Noted. This is covered in the Flooding draft policy (section d(ii)).

Name	Comment	Selected Option	Council's Response
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section d(ii)).
Greater London Authority Development (Stewart Murray)	It is relevant to cover access/egress requirements at a general level. London Plan policy 5.12 refers to this, with an acknowledgement that in some cases it may be safer for occupants to remain within a building. In such circumstances buildings should be designed to remain as safe and comfortable as possible, for example by enclosing essential building utilities within Flood Proof enclosures.		Noted. This is covered in the Flooding draft policy (section d(ii)).
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	Flood risk protection and prevention measures. Questions 2, 3 and 4 the StQW Forum would favour an approach of keeping these options under close review but introducing them only in the event of further serious examples of surface water flooding (from rainfall rather than burst sewers) in the borough.		Noted. As explained in paragraph 2.4.7 of the Policy Formulation Report, this option is not reasonable as it is important that flood risk measures are in place and maintained before the next flooding event occurs.

Question 5: The maps in the Surface Water Management Plan show the possibility of surface water flood depth after a 1 in a 100 year storm event. Should the Council use a minimum depth threshold to require flood protection and resilience measures? Will a depth of 0.5m or deeper be an appropriate threshold?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	"the possibility" of a 1 in 100 event.....and you seriously want to plan for this????? And impose a whole set of plans; measures, policies, costs, etc? And you will have to hire an army of employees to handle all this nonsense to handle a one in one hundred year event?????? And increase our council taxes to pay for all this during those 100 years while we wait for the flood to happen? And when/if the flood does happen.....guess what- none of this will have prevented it.		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		No	Noted.
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section d(i)).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section d(i)).
Jo Poole		Don't Know	Noted.
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section d(i)).
Environment Agency (Simon Banks)	If the council decide to implement this, we suggest the wording is more open for example 'thresholds should be raised to prevent flooding in the 1 in 100 year storm event' as the depth may vary from one location to another. The council should also bear in mind that some flood resilience measures are less effective for surface water flooding as the onset of flooding is often rapid and without sufficient warning to put measures in place.		Noted. This is covered in the Flooding draft policy (section d(i)). The Council acknowledges the fact that some flood resilience measures are less effective for surface water flooding.
Thames Water Utilities Ltd (Mark Mathews)	Question 5 – Thames Water consider that flood protection and resilience measures should be incorporated for any development at risk of flooding and should not be linked to a minimum depth threshold.		Noted. As explained in paragraph 2.4.10 of the Policy Formulation Report, the option of requiring flood protection and resilience measures in flood risk areas not linked to a minimum depth threshold may become too onerous to implement and to enforce borough-wide.

Name	Comment	Selected Option	Council's Response
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section d(i)).
Kensington Society (Michael Bach)	Yes, but flooding to a depth of 0.5m is too high a threshold. Considerable damage can be done at a depth of 0.1m – the threshold should be lower than 0.5m.		Noted. As explained in paragraph 2.4.10 of the Policy Formulation Report, the option of requiring flood protection and resilience measures in flood risk areas not linked to a minimum depth threshold or a lower threshold may become too onerous to implement and to enforce borough-wide.
Earl's Court Partnership limited	Flood protection and resilience should be specified and designed in accordance with BS 85500 and as such, the need for measures should be based on the hazard rating of the flood, not a depth criteria specified by the Council. Applying a blanket threshold across all developments should be avoided and each development should be assessed on an individual nature to ascertain when flood protection and resilience measures are required.		Noted. As explained in paragraph 2.4.10 of the Policy Formulation Report, both, threshold and the reference to a specific storm event will focus the policy whereas this option may not lead to proper implementation and the provision of sustainable development. British Standards, however, will provide useful guidance to design the specific measures. Reference to British Standards is made in paragraph 36.3.19 of the reasoned justification.
Greater London Authority Development (Stewart Murray)	Careful consideration will be needed for any buildings that are designed to keep more than 0.5m depth of water out of the building. It is understood that this could lead to structural issues due to the pressure of the water. More detailed engineering advice should be sought in the development of such a policy or in its implementation.		Noted. Reference to British Standards and building regulations is made in paragraph 36.3.19 of the reasoned justification.

Question 6: Should the Council refer to the importance of addressing flood risk and surface and foul water run-off from upstream development (White City, Old Oak Common and Park Royal, etc) which could have a potential effect in the capacity of the sewer system?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Sonia Richardson		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
J Neville		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Roy Burns		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Jo Poole		Yes	Noted. Reference to the importance of addressing the effects of upstream development

Name	Comment	Selected Option	Council's Response
			is included in paragraph 36.3.21 of the reasoned justification.
Christian Durie		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Bell Cornwell LLP (Simon Avery)		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Environment Agency (Simon Banks)	The council should consider how feasible this is for developers. It could potentially significantly increase the cost of a development, if a large scheme is required to reduce flood risk from upstream development. Additionally some upstream development may be outside the council's boundary and would need agreement with neighbouring boroughs which may not be guaranteed. We suggest this is discussed on a site by site basis (the three mentioned) rather than a requirement for all sites.		Noted. It is clear that developments in other sites outside the borough's boundaries should comply with the local policies and the London Plan which already consider feasibility. The Council is working in close partnership with neighbouring boroughs through Planning and Drain London. The Council is also working with the OPDC regarding its Integrated Water Management Strategy.
Thames Water Utilities Ltd (Mark Mathews)	Question 6 – The council should refer to the importance of addressing flood risk, surface and foul water run-off from upstream development. The developments listed upstream have the potential to adversely affect drainage in the Royal Borough of Kensington and Chelsea although it should be noted that the majority of Park Royal does not drain via the Royal Borough of Kensington and Chelsea with surface water directed into the River Brent and foul water draining west to Mogden Sewage Treatment Works in Isleworth. Thames Water are actively working with the GLA and associated Local Planning Authorities to ensure that upstream development does not cause downstream effects. The Old Oak Integrated Water Management Strategy is being produced with an objective to deliver a significant reduction in surface water entering the combined network via innovative SuDS and water recycling measures. Mini Integrated Water Management Strategies could also be developed for other major growth areas within the Counters Creek catchment.		Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification. The Council is working in close partnership with neighbouring boroughs and Thames Water through Planning and Drain London. The Council is also working with the OPDC regarding its Integrated Water Management Strategy.
Kensington Society (Michael Bach)	Yes – this is the catchment – unless a similar level of mitigation measures are taken in those areas, properties in this Borough could still be at risk.		Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Kensington Society (Michael Bach)		Yes	Noted. Reference to the importance of addressing the effects of upstream development is included in paragraph 36.3.21 of the reasoned justification.
Lauren Laviniere (OPDC)	In response to question 6 (Issue 1: Flood risk), OPDC is addressing flood risk and managing runoff within its area. It is understood that there is no capacity within Counters Creek to deal with additional development proposed in Old Oak and Park Royal, both within the existing sewerage infrastructure and within the programmed expansion by Thames Waste. In recognition of this, our Local Plan is supported by an Integrated Water Management Strategy (IW MS). The IW MS sets out a framework for how water and wastewater should be managed within the OPDC Area; its core objectives are: <ul style="list-style-type: none"> • to ensure that the rate of wastewater and surface water discharge to the sewer is no greater than it is from the site usage of the Opportunity Area in the present day; • to minimise the volume of water is discharged to the sewer; • to manage surface water runoff to a position that would match runoff from the site if it were undeveloped (greenfield); • to reduce as far as possible the demand for centralised water supply by re -using water resources and wastewater resource on site; and • to deliver these objectives in the most sustainable way bearing in mind the need to ensure the overall viability of the site. 		Noted. The Council acknowledges the efforts OPDC are doing to address surface water. The Council is working with the OPDC regarding the Integrated Water Management Strategy and will continue to do so in the future as development comes forward.

Name	Comment	Selected Option	Council's Response
	<p>OPDC established a stakeholder group to maintain oversight of the emerging IW MS. RBKC were part of this group and OPDC has valued RBKC's contributions to this process and welcomes RBKC's continuing involvement in the next stage of the study. The draft IW MS forms part of our current draft Local Plan consultation and we welcome any thoughts you might have on the initial options identified.</p> <p>OPDC welcomes the continued exploration of these, and other, issues further as we co - operate to develop our respective Local Plans. With specific regards to this, we do support the Localism Act, National Planning Policy Framework and national Planning Practice Guidance being used as the basis for defining strategic priorities and policies.</p> <p>However, we hope that any 'strategic matters', as described by the Localism Act, are identified and assessed on a case by case basis as part of ongoing specific engagement between our authorities.</p> <p>Michael Mulhern Director of Planning - Old Oak and Park Royal Development Corporation</p>		
Greater London Authority Development (Stewart Murray)	In response to question 6, it is an important strategic consideration to ensure that the surface and foul water from Old Oak and White City are considered at a wider scale. To this end the GLA with the Old Oak and Park Royal Mayoral Development Corporation have commissioned an Integrated Water Management Study for the area.		Noted. The Council acknowledges the efforts OPDC is doing to address surface water. The Council is working with the OPDC regarding the Integrated Water Management Strategy and will continue to do so in the future as development comes forward.

Issue 2: Surface water run-off and SuDS

Question 1: Should the Council specify the percentage improvement required in relation to greenfield runoff rate and different storm events? Or should the Council address only impermeable surfaces (not just in front gardens but any new impermeable surfaces)? Should the Council put an emphasis on requiring the most sustainable SuDS, the need to maximise green infrastructure (links to biodiversity policy), maximise water quality and provide amenity value?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		No	Noted.
Charles Bezoari Elder	<p>This whole section, and the previous 2 seek to extend the interference ability of the Council.</p> <p>This will require how many new bureaucrats to impose; monitor; assess; control; verify; report; and generally administer ?</p> <p>With what consequent increase in taxes to pay for all this?</p> <p>And all for the possibility of a 1 in 100 possible event???</p> <p>All of this effort and money for something that has a 99% probability of never happening!!!!!!!!!!!!!!</p> <p>Only the public sector could think of spending money it does not have in this new way.</p>		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources.
Onslow Neighbourhood Association (Eva Skinner)		No	Noted.
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section g).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section g).
J Neville		Don't Know	
Roy Burns	These three questions are not mutually exclusive. 'Yes' relates to Q1		Noted. This is covered in the Flooding draft policy (section g).
Roy Burns		Yes	Noted. This is covered in the Flooding draft

Name	Comment	Selected Option	Council's Response
			policy (section g).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section g).
Natural England (Susie Murray)	Question 1 – Natural England considers it important that the Council place a requirement upon developments to provide the most sustainable SuDS as well as the need to maximise green infrastructure and improve water quality. Habitat Regulations Assessment (HRA) Screening report for the LPPR.		Noted. This is covered in the Flooding draft policy (section g). Other benefits of SuDS are included in section g(ii).
Natural England (Susie Murray)		Yes	Noted. This is covered in the Flooding draft policy (section g).
Environment Agency (Simon Banks)	We agree that the Council should put an emphasis on requiring the most sustainable SuDS that deliver multiple benefits such as biodiversity and green infrastructure. We recommend that the run off rates stipulated in the London Plan are required as a minimum. You may wish to consider more stringent requirements in CDAs if your evidence bases support this. Do other Local Plans specify the percentage improvement required in relation to greenfield runoff rate and different storm events?		Noted. This is covered in the Flooding draft policy (section g). The London Plan is complied with. The Council does not have other Local Plans which specify the percentage improvement. As explained in paragraph 4.2 12 of the Policy Formulation Report, the preferred option will ensure implementation by taking into consideration specific site constraints which may otherwise make the policy too onerous in some cases. It will provide flexibility by giving different options to provide the reduction in surface water run-off.
Thames Water Utilities Ltd (Mark Mathews)	Question 1 - We would support surface water attenuation to greenfield run off rates as a minimum for this borough for major developments and development of sites exceeding 1 ha. We would also like to see smaller scale developments facilitating surface water attenuation in line with the technical guidance outlined in the SIRIA SuDS manual.		Noted. This is covered in the Flooding draft policy (section g). As explained in paragraph 4.2 12 of the Policy Formulation Report, the preferred option will ensure implementation by taking into consideration specific site constraints which may otherwise make the policy too onerous in some cases. It will provide flexibility by giving different options to provide the reduction in surface water run-off.
Kensington Society (Michael Bach)	The Council should aim for no surface water run-off and require SUDS. This should be secured by as far as possible making all space around buildings permeable. At present the Council is not managing this for front gardens as it does not seek to make areas formerly impermeable replaced by guiding water to permeable sections of the space. All below garden developments must divert surface water run-off to SuDS.		Noted. This is covered in the Flooding draft policy (section g). As explained in paragraph 4.2 12 of the Policy Formulation Report, the preferred option will ensure implementation by taking into consideration specific site constraints which may otherwise make the policy too onerous in some cases. It will provide flexibility by giving different options to provide the reduction in surface water run-off. The option of no surface water run-off is potentially too onerous to implement, especially in smaller sites. Basement development is covered by Policy CL7 which is not part of the scope of the Local Plan Partial Review.
St Quintin and Woodlands Neighbourhood Forum (Henry Peterson)	Issue 2: Surface water run-off and SUDS The StQW Neighbourhood Plan includes a policy C3 to resist the introduction on non-permeable surfaces in front gardens (above size limits in Permitted Development Rights). It is however clear that the existing RBKC policy to the same effect has		Noted. The current policy only covers front gardens rather than all landscaped areas. This will be covered in the Flooding draft policy

Name	Comment	Selected Option	Council's Response
	been very widely ignored in the past decade, and that an awareness campaign by RBKC coupled with some enforcement is necessary, if further front gardens are not to be lost to hard and impermeable surfaces.		(section i).
Earl's Court Partnership limited	<p>Clarity should be presented by the Council on the requirements for Greenfield run-off. Much of the catchment (specifically Earl's Court) is already urban in nature and as such, providing full restrictions to greenfield runoff rates is not always achievable. Therefore, there should be a mechanism that allows for varied approaches to runoff rates dependant on the location, the constraints of the site (ground conditions, etc.) and any constraints imposed on the site by the downstream networks.</p> <p>In addition, criteria should be set that considers surface water drainage requirements over basements. It is not always sustainable to store surface water at a low level and then pump it out to a sewer just to meet strict discharge criteria. Therefore, it may be more sustainable to reduce the restrictions on discharge but have a much more sustainable solution at the surface level.</p> <p>Flexibility in design is the key criteria for SuDS and the legislation should not restrict or constrain what is achievable on site.</p>		<p>Noted. This is covered in the Flooding draft policy (section g).</p> <p>As explained in paragraph 4.2 12 of the Policy Formulation Report, the preferred option will ensure implementation by taking into consideration specific site constraints which may otherwise make the policy too onerous in some cases. It will provide flexibility by giving different options to provide the reduction in surface water run-off.</p> <p>The basement policy CL7 is not part of the scope of the Local Plan Partial Review.</p>
Greater London Authority Development (Stewart Murray)	<p>Surface water run-off and Sustainable Urban Drainage (SuDS)</p> <p>There is a balance of issues here to manage surface water run-off. London Plan Policy 5:13 has been in place for over 10 years and is relatively well understood and well implemented in relation to the large scale developments that are referred to the Mayor. It is less clear how well the policy is implemented on major planning applications but it is expected that following the changes to the NPPG in 2015, its application will become increasingly consistent. For most development proposals, including dense schemes in heavily built up areas, there is usually more than one form of sustainable drainage technique that can be applied. However, applicants often select sub-surface attenuation tanks/cells as these are readily quantifiable and reliable. Other SuDS techniques often offer a greater range of benefits. Overall it may often be more sustainable to have stored a little less water but to have introduced a green roof or rainwater harvesting system, for example. Therefore, the London Plan policy is applied flexibly in that whilst aiming for greenfield run-off rates, lower rates can be accepted, with a usual target of achieving at least a 50% reduction on the existing situation.</p>		<p>Noted. This is covered in the Flooding draft policy (section g).</p> <p>As explained in paragraph 4.2 12 of the Policy Formulation Report, the preferred option will ensure implementation by taking into consideration specific site constraints which may otherwise make the policy too onerous in some cases. It will provide flexibility by giving different options to provide the reduction in surface water run-off.</p>

Question 2: Should the Council require extra SuDS when swimming pools are proposed and/or whenever there is groundwater discharged into the sewer system?

Name	Comments	Selected Option	Council's Response
Charles Bezoari Elder	How many swimming pools exist in the borough? And how many will this effect? There are so few, that should this be of concern? how about a swimming pool tax??? This is what the public sector loves-- a new tax opportunity!		Noted. The Council does not have data on the number of private swimming pools that exist in the Borough.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft

Name	Comments	Selected Option	Council's Response
			policy (section g (iii)).
Environment Agency (Simon Banks)	No comments.		Noted.
Thames Water Utilities Ltd (Mark Mathews)	Question 2 - Swimming pools: Thames Water would support development that included swimming pools to have onsite discharge storage to reduce the peak flow being discharged into the public sewer. We would also support a management protocol that limits the timing of swimming pool discharge to "off peak" periods where discharge due to residential use is low and rainfall has not recently occurred. Groundwater: Thames Water has no statutory requirement to accept groundwater discharge into the public sewer system. We would therefore request that if discharge into the public sewer is proposed, that clear demonstration of the disposal hierarchy outlined in the London Plan is implemented for the site. We would furthermore expect this to be included in the overall site drainage and surface water disposal strategy for the development site, including attenuation of peak flow prior to discharge to the public sewer.		Noted. This is covered in the Flooding draft policy (section g (iii)). As explained in paragraph 4.2 13 of the Policy Formulation Report, to require a flow control system and a management protocol to store and slow the flow and reduce the peak could be an option applicants may choose to implement but it will be too restrictive and may lead to less sustainable SuDS proposed.
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section g (iii)).
Kensington Society (Michael Bach)	Yes – the objective should be to minimise discharge to the sewer system		Noted. This is covered in the Flooding draft policy (section g (iii)).
Cllr E Dent Coad	We need more monitoring of SUDS and other methods of water retention so our drains are not flooded during heavy rain, of existing homes as well as new homes.		Noted. This is covered in the Flooding draft policy (section g (iii)). All policies will be monitored annually.
Greater London Authority Development (Stewart Murray)	The discharge of groundwater into the sewer system from all sources should generally be prevented and where absolutely necessary should be factored into the rainwater discharge calculations. This will mean that additional attenuation would be required.		Noted. This is covered in the Flooding draft policy (section g (iii)).

Question 3: To ensure SuDS are maintained, should the Council include a policy to require maintenance schedules?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	And if it does require such a schedule, who will prepare it? And what will they do with it? and what will those who read it do with the info? and who will verify it? And who will ensure that such a schedule is actually adhered to? and what happens if it is not adhered to? and who will monitor adherence? and with what frequency? and who will prepare reports on adherence? and who will read these reports? and who will then decide something based on these reports? and what will the consequences of those decisions be? And who will be responsible for carrying out those consequences? And what will happen if they are not carried out? This is just an endless paper generating exercise that leads to what end?		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources, including monitoring the maintenance of SuDS.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section h).
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section h).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section h).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section h).
Jo Poole		Yes	Noted. This is covered in the Flooding draft

Name	Comment	Selected Option	Council's Response
			policy (section h).
Turley (Ian Fergusson)	The same objective can be more straightforwardly pursued through enforcement powers relating to a planning condition requiring maintenance. The alternative introduces an unnecessary administrative process on the part of the Council as well as applicants.		As explained in paragraph 2.2.14 of the Policy Formulation Report, maintaining the status quo is not a reasonable alternative as it will not reflect government policy. Since April 2015 SuDS for major applications have been required systematically. Experience has shown that SuDS are normally an afterthought and maintenance information is routinely not included in the application. The status quo will not lead to more sustainable development.
Turley (Ian Fergusson)		No	Noted.
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section h).
Environment Agency (Simon Banks)	We suggest either having a maintenance policy or including wording in a SuDS policy to make it clear that the maintenance of SuDS is the responsibility of the site owner/developer.		Noted. This is covered in the Flooding draft policy (section h) and in paragraph 36.3.24 of the reasoned justification.
Thames Water Utilities Ltd (Mark Mathews)	Question 3 – Thames Water would support the inclusion of a policy to require maintenance schedules for SuDS. For SuDS to be effective it is essential that they are maintained.		Noted. This is covered in the Flooding draft policy (section h).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section h).
Greater London Authority Development (Stewart Murray)	On non-statutory standards for SuDs, this is a matter for the Council, but in the interests of clarity and simplicity for developers, it would be desirable to have consistency with other London boroughs. With regards to what information should be required, the Mayor would encourage Kensington and Chelsea to seek agreement through the LoDEG/Drain London Forum to provide consistency between London boroughs. The requirement of a maintenance schedule is a sensible aspect of a policy and such requirements have been written into planning conditions in some boroughs.		Noted. This is covered in the Flooding draft policy (section, h) which includes reference to DEFRA non-statutory SuDS standards which should provide simplicity and clarity for developers.

Question 4: Should the Council use:

Option 1: DEFRA SuDS non-statutory standards ²

Option 2: Adopt its own standards

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		1	Noted. This is covered in the Flooding draft policy (section h) which includes reference to DEFRA non-statutory SuDS standards.
Norland Society (Clive Wilson)		2	Noted. As explained in paragraph 2.4.15 of the Policy Formulation Report, adopting the Council standards will lead to a lot of work and resources and the need for creating its own standards is not clear. The evidence base needed to deviate from national standards is not available at the moment. However, if future guidance is developed it should also be

² www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf

Name	Comment	Selected Option	Council's Response
			considered. Local guidance is referred to in the draft policy (section h).
Sonia Richardson	maximum protection should be enforced	0	Noted. SuDS are not considered as flood risk protection measures although they could prevent flooding by reducing surface water run-off.
Sonia Richardson		2	Noted. As explained in paragraph 2.4.15 of the Policy Formulation Report, adopting the Council standards will lead to a lot of work and resources and the need for creating its own standards is not clear. The evidence base needed to deviate from national standards is not available at the moment. However, if future guidance is developed it should also be considered. Local guidance is referred to in the draft policy (section h).
Roy Burns		1	Noted. This is covered in the Flooding draft policy (section h) which includes reference to DEFRA non-statutory SuDS standards.
Jo Poole		1	Noted. This is covered in the Flooding draft policy (section h) which includes reference to DEFRA non-statutory SuDS standards.
Environment Agency (Simon Banks)	The Council can adopt their own standards, but we recommend that the reason for deviating from DEFRA standards is made clear and is evidence based.	0	Noted. As explained in paragraph 2.4.15 of the Policy Formulation Report, adopting the Council standards will lead to a lot of work and resources and the need for creating its own standards is not clear. The evidence base needed to deviate from national standards is not available at the moment. However, if future guidance is developed it should also be considered. Local guidance is referred to in the draft policy (section h).
Thames Water Utilities Ltd (Mark Mathews)	Question 4 – Thames Water would support the council adopting its own standards for SuDS given the critical flooding issues within the borough.	0	Noted. As explained in paragraph 2.4.15 of the Policy Formulation Report, adopting the Council standards will lead to a lot of work and resources and the need for creating its own standards is not clear. The evidence base needed to deviate from national standards is not available at the moment. However, if future guidance is developed it should also be considered. Local guidance is referred to in the draft policy (section h).
Kensington Society (Michael Bach)	Don't know which would be most appropriate to our circumstances.	0	Noted.
Earl's Court Partnership limited	Ideally, a standardisation of SuDS practice across all Councils would be sensible and as such, adopting the DEFRA standards would be the most appropriate way to achieve this.		Noted. This is covered in the Flooding draft policy (section, h) which includes reference to DEFRA non-statutory SuDS standards.
Greater London Authority Development (Stewart Murray)	On non-statutory standards for SuDs, this is a matter for the Council, but in the interests of clarity and simplicity for developers, it would be desirable to have consistency with other London boroughs. With regards to what information should be required, the Mayor would encourage Kensington and Chelsea to seek agreement through the LoDEG/Drain London		Noted. This is covered in the Flooding draft policy (section, h) which includes reference to DEFRA non-statutory SuDS standards. This

Name	Comment	Selected Option	Council's Response
	Forum to provide consistency between London boroughs. The requirement of a maintenance schedule is a sensible aspect of a policy and such requirements have been written into planning conditions in some boroughs.		should provide clarity and simplicity for developers.

Question 5: Should the Council specify what information regarding the SuDS should be provided (i.e, construction, maintenance, ownership, etc)?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	And if it does require such a schedule, who will prepare it? And what will they do with it? and what will those who read it do with the info? and who will verify it? And who will ensure that such a schedule is actually adhered to? and what happens if it is not adhered to? and who will monitor adherence? and with what frequency? and who will prepare reports on adherence? and who will read these reports? and who will then decide something based on these reports? and what will the consequences of those decisions be? And who will be responsible for carrying out those consequences? And what will happen if they are not carried out? This is just an endless paper generating exercise that leads to what end?		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources, including monitoring the maintenance of SuDS.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Environment Agency (Simon Banks)	By providing this information it will make it easier and quicker for developers to submit the correct information the first time.		Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Thames Water Utilities Ltd (Mark Mathews)	Question 5 – Thames Water consider that the information requirements for SuDS should be clearly specified so that sufficient information is provided on how the SuDS will operate and be maintained.		Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.
Kensington Society (Michael Bach)	Guidance on SuDS would be very useful		Noted. This is covered in the Flooding draft policy (section h). Specific information will be required at planning application stage.

Question 6: Should the Council include a policy to support retrofitting existing buildings with SuDS when an associated planning permission is required, even if the proposal will not have direct drainage implications?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	And if it does require such a schedule, who will prepare it? And what will they do with it? and what will those who read it do with the info? and who will verify it? And who will ensure that such a schedule is actually adhered to? and what happens if it is not adhered to? and who will monitor adherence? and with what frequency? and who will prepare reports on adherence? and who will read these reports? and who will then decide something based on these reports? and what will the consequences of those decisions be? And who will be responsible for carrying out those consequences? And what will happen if they are not carried out? This is just an endless paper generating exercise that leads to what end?		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources, including monitoring the maintenance of SuDS.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		No	Noted.
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section j).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section j).
J Neville		Don't Know	Noted.
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section j).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section j).
Cheyne Walk Trust (David Waddell)		No	Noted.
Turley (Ian Fergusson)	Many applicants would see this as an expensive and disproportionate burden. It may therefore make development less likely to come forwards.		Noted. This will not be a requirement for developers and they would be able to choose to implement SuDS or not so it should not be a burden.
Turley (Ian Fergusson)		No	Noted.
Bell Cornwell LLP (Simon Avery)		Yes	Noted. This is covered in the Flooding draft policy (section j).
Environment Agency (Simon Banks)	Retrofitting of SuDS is recommended, but the council should consider that it may not always be feasible to implement.		Noted. This is covered in the Flooding draft policy (section j).
Thames Water Utilities Ltd (Mark Mathews)	Question 6 – Thames Water consider that the council should include a policy supporting retrofitting of existing buildings with SuDS when an associated planning permission is required even if the proposal has no direct drainage implications. This approach would assist with maximising the capacity of existing infrastructure assets helping to cater for climate change and growth.		Noted. This is covered in the Flooding draft policy (section j).
Kensington Society (Michael Bach)	Yes – it is the only way we can mitigate the problems without building stock.		Noted. This is covered in the Flooding draft policy (section j).
Kensington Society (Michael Bach)		Yes	Noted. This is covered in the Flooding draft policy (section j).
Greater London Authority Development (Stewart Murray)	Supporting retrofitting of SuDS on existing buildings/infrastructure is in line with the emerging London Sustainable Drainage Action Plan. However, it is recognised that there are limits on what the planning system can deliver regarding retrofit of buildings that are not themselves the subject of a planning application.		Noted. This is covered in the Flooding draft policy (section j). This policy will only affect those developments requiring planning permission.

Question 7: Should the Council require permeable surfaces instead of impermeable surfaces when hard surfaces are proposed in any garden / landscaped areas?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	And if it does require such a schedule, who will prepare it? And what will they do with it? and what will those who read it do with the info? and who will verify it? And who will ensure that such a schedule is actually adhered to? and what happens if it is not adhered to? and who will monitor adherence? and with what frequency? and who will prepare reports on adherence? and who will read these reports? and who will then decide something based on these reports? and what will the consequences of those decisions be? And who will be responsible for carrying out those consequences? And what will happen if they are not carried out? This is just an endless paper generating exercise that leads to what end?		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources, including monitoring the maintenance of SuDS.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Yes	Noted. This is covered in the Flooding draft policy (section i).
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section i).
Sonia Richardson	Vital		Noted. This is covered in the Flooding draft policy (section i).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section i).
J Neville		Yes	Noted. This is covered in the Flooding draft policy (section i).
Roy Burns		Yes	Noted. This is covered in the Flooding draft policy (section i).
Jo Poole		Yes	Noted. This is covered in the Flooding draft policy (section i).
Christian Durie		Yes	Noted. This is covered in the Flooding draft policy (section i).
Environment Agency (Simon Banks)	Ideally it would be good to require permeable surfaces instead of impermeable surfaces in gardens/landscaped areas, as this would have the potential to have cumulative benefits. The council should consider how feasible this would be to implement, for example would this increase costs unreasonably for smaller scale householder development?		Noted. This is covered in the Flooding draft policy (section i). Permeable surfaces do not necessarily involve more costs, in some cases the reverse is true.
Thames Water Utilities Ltd (Mark Mathews)	Question 7 - Thames Water support the inclusion of permeable surfaces. Where impermeable surfaces are proposed peak flow attenuation should be provided to attenuate the flow rate down or the surfaces should drain to permeable areas.		Noted. This is covered in the Flooding draft policy (section i). However, the policy does not refer to peak flow attenuation as that may be too onerous to implement. It is good practice to drain impermeable areas into permeable ones.
Kensington Society (Michael Bach)	This must be done (but has not) for front gardens. Side and back gardens should be made permeable as a part of any development.		Noted. This is covered in the Flooding draft policy (section i).
Earl's Court Partnership limited	Consideration must be given to the below ground constraints and any loading on the surface. Permeable surfaces may not be suitable in all locations and as such, each site should be assessed on an individual basis and permeable surfaces constructed where appropriate only.		Noted. As explained in paragraph 2.4.18 of the Policy Formulation Report, flexibility has been added in the implementation of SuDS. Permeable surfaces can be located in all circumstances regardless of whether the soil is clay or not if the permeable surfaces are well designed.
Greater London Authority Development (Stewart Murray)	In general there should be a preference for permeable surfaces. However in some cases this will not be appropriate due to factors such as ground conditions, sub surface utility services etc. In such cases, it would be preferable to direct run-off from impermeable surfaces to another SuDS technique such as a raingarden, swale or other form of attenuation.		Noted. As explained in paragraph 2.4.18 of the Policy Formulation Report, flexibility has been added in the implementation of SuDS.

Name	Comment	Selected Option	Council's Response
			Permeable surfaces can be located in all circumstances regardless of whether the soil is clay or not if the permeable surfaces are well designed. It is good practice to drain impermeable areas into permeable ones.

Question 8: Should the Council include a separate policy for minor and for major applications in relation to the provision of SuDS? Should the Council require the use of the SuDS tool and if so review the tool to that effect?

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder	And if it does require such a schedule, who will prepare it? And what will they do with it? and what will those who read it do with the info? and who will verify it? And who will ensure that such a schedule is actually adhered to? and what happens if it is not adhered to? and who will monitor adherence? and with what frequency? and who will prepare reports on adherence? and who will read these reports? and who will then decide something based on these reports? and what will the consequences of those decisions be? And who will be responsible for carrying out those consequences? And what will happen if they are not carried out? This is just an endless paper generating exercise that leads to what end?		Noted. The Council, as a Lead Local Flood Authority has a responsibility to manage flood risk from different sources, including monitoring the maintenance of SuDS.
Charles Bezoari Elder		No	Noted.
Onslow Neighbourhood Association (Eva Skinner)		Don't Know	Noted.
Norland Society (Clive Wilson)		Yes	Noted. This is covered in the Flooding draft policy (section g).
Sonia Richardson		Yes	Noted. This is covered in the Flooding draft policy (section g).
J Neville		Don't Know	Noted.
Roy Burns	These two questions are not mutually exclusive		Noted. This is covered in the Flooding draft policy (section g).
Jo Poole		No	Noted.
Environment Agency (Simon Banks)	Separating requirements for major and minor applications may be clearer for applicants if they are to be different. The decision as to whether the make the use of the SuDS tool mandatory is the Council's, although we suggest that it may be sufficient for the applicant to demonstrate the use of SuDS without using the tool.		Noted. This is covered in the Flooding draft policy (section g). The use of the Council's SuDS tool has not been required in the draft policy.
Thames Water Utilities Ltd (Mark Mathews)	Question 8 – In line with our comments above on the existing Policy CE2 Thames Water consider that the local plan should require that all major developments (greater than 10 dwellings) restrict surface water discharge into the public combined sewer system to Greenfield run-off rates. Furthermore we would also request that all developments less than 10 dwellings (and change of use for existing buildings) demonstrate no net increase in combined flows into the public sewer system by implementing sustainable drainage solutions.		Noted. This is covered in the Flooding draft policy (sections g and g (iii)).
Kensington Society (Michael Bach)	A SuDS tool should be used to identify the appropriate type of SuDS.		Noted. This is covered in the Flooding draft policy (section g). The use of the Council's SuDS tool has not been required in the draft policy to allow for flexibility. The tool is freely available on our website.
Earl's Court Partnership limited	Small sites are often more constrained than larger sites and as such, should be subject to an individual assessment early on in the design process. Separate policies recognising this would be appropriate. The Council should not impose the use of the SuDS tool, however, each development is required to produce a sustainable drainage		Noted. This is covered in the Flooding draft policy (section g). The use of the Council's SuDS tool has not been required in the draft

Name	Comment	Selected Option	Council's Response
	assessment and within this the detail of each site should be assessed on the opportunities for the implementation of SuDS.		policy. The tool is freely available on our website.
Greater London Authority Development (Stewart Murray)	The 2015 changes to the NPPF in relation to sustainable drainage specifically related to major development. The Mayor considers that the changes should be applicable to all development. In London, a significant proportion of new development is less than the major threshold and this offers a good opportunity to improve the sustainability of rainwater management in London. Therefore, if such a policy can be justified in light of the NPPF, the Mayor would support this and indeed encourage other boroughs to consider a similar approach.		Noted. This is covered in the Flooding draft policy (section g).

Issue 3: Water infrastructure projects

Question: Which option should the Council take?

Option 1: The Council should not introduce a general policy on flooding and drainage infrastructure provision or upgrade works and instead use its existing wider Local Plan policies to determine any such applications.

Option 2: The Council should introduce a general policy on flooding and drainage infrastructure provision or upgrade works, against which any future proposals could be determined.

Name	Comment	Selected Option	Council's Response
Charles Bezoari Elder		1	Noted. As explained in paragraph 2.4.20 of the Policy Formulation Report, this option, although reasonable, will not reflect the fact that the Thames Tideway Tunnel has been granted development consent and the need for further sewerage infrastructure in the borough.
Onslow Neighbourhood Association (Eva Skinner)		1	Noted. As explained in paragraph 2.4.20 of the Policy Formulation Report, this option, although reasonable, will not reflect the fact that the Thames Tideway Tunnel has been granted development consent and the need for further sewerage infrastructure in the borough.
Sonia Richardson		2	Noted. The Flooding draft policy (section I) introduces a general policy on flooding and drainage infrastructure provision or upgrade works.
Roy Burns		2	Noted. The Flooding draft policy (section I) introduces a general policy on flooding and drainage infrastructure provision or upgrade works.
Jo Poole		2	Noted. The Flooding draft policy (section I) introduces a general policy on flooding and drainage infrastructure provision or upgrade works.
Cheyne Walk Trust (David Waddell)		1	Noted. As explained in paragraph 2.4.20 of the Policy Formulation Report, this option, although reasonable, it will not reflect the fact that the Thames Tideway Tunnel has been granted development consent and the need

Name	Comment	Selected Option	Council's Response
			for further sewerage infrastructure in the borough.
Thames Water Utilities Ltd (Mark Mathews)	<p>Section 14.5.4 – Water infrastructure projects In addition Thames Water would welcome the inclusion of positive references within any update to Policy CE2 in relation to the Counters Creek Flood Alleviation Scheme. The following text is suggested:</p> <p>- The council support the delivery of the Counters Creek Flood Alleviation Scheme subject to the proposals minimising any adverse impacts on land use and the environment. Counters Creek Storm Relief Sewer (p224)</p> <p>Thames Water are currently undertaking a phase 2 consultation on the proposed Counters Creek storm relief sewer. Further information can be found at: www.thameswater.co.uk/counterscreek.</p> <p>Should you require a copy of the latest route alignment plan from the consultation documents please do not hesitate to contact us. The consultation will end on 5th April 2016 and it is anticipated that applications for the new storm relief sewer will be submitted for the development in June 2016. Thames Water would support the inclusion of a general policy on flooding and drainage infrastructure provision or upgrade works. A suggested policy is provided below:</p> <p>"Provision of new drainage infrastructure to address flooding and drainage issues will normally be permitted where needed to address existing flooding issues or where required in connection with new proposed development in accordance with the provisions of the Development Plan, provided that the need for such facilities outweighs any adverse land use or environmental impact and that any such adverse impact is minimised."</p> <p>Additional comments Thames Water would support a policy on surface water from the public realm and roadways to attenuation. This could include transport facilities (walkways, bus stops, etc) , public amenity facilities, and civil facilities. We believe that there are significant advantages to reduce peak surface water run off from these areas</p> <p>I trust the above and enclosed comments are satisfactory, but please do not hesitate to contact me if you have any queries. We look forward to continuing to work closely with the Borough officers on developing their policies particularly in relation to flood risk.</p>		Noted. The Flooding draft policy (section I) introduces a general policy on flooding and drainage infrastructure provision or upgrade works. SuDS will be required for all development.
Kensington Society (Michael Bach)		2	Noted. The Flooding draft policy (section I) introduces a general policy on flooding and drainage infrastructure provision or upgrade works.
Tideway (Helene Andersen)	<p>In regards to chapter 14 'Flooding and Drainage' Tideway are happy with the existing policy CE2h. However Tideway would like a new policy to be added in line with the London Plan March 2015 (Further Alterations to the London Plan) Policy 5.14 'Water Quality and Wastewater Infrastructure' Part D and E which states: Policy 5.14: 'Water Quality and Wastewater Infrastructure' Planning Decisions Part O The development of the Thames Tideway Sewer Tunnels to address London's combined sewer overflows should be supported in principle.</p> <p>LDF Preparation Part E Within LOFs boroughs should identify wastewater infrastructure requirements and relevant boroughs should in principle support the Thames Tideway Sewer Tunnels. 2 Suggested policy Policy XX: Thames Tideway Tunnel The Council will work with Thames Water, Tideway, their contractors and other relevant authorities to support the timely implementation of the Thames Tideway Tunnel. The Council will support and safeguard the sites in the borough along with the tunnel route for the construction of the Thames Tideway Tunnel, which will require the interception of the Ranelagh combined sewer overflow, the Lots Road Pumping Station combined sewer overflow and the northern low level sewer no. 1, resulting in reduced storm water discharges</p>		Noted. The Flooding draft policy (sections k and l) refresh the reference to the Thames Tideway Tunnel as required by the London Plan and introduce a general policy on flooding and drainage infrastructure provision or upgrade works.

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	<p>into the River Thames and improved water quality.</p> <p>Proposals Map We would also suggest that if the Proposals Map is to be updated that the safeguarded route of the tunnel be shown in order to assist those preparing development proposals over the permitted route.</p>		The Proposals Map will be amended as requested to include the safeguarded route of the Thames Tideway Tunnel.

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

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Environment Agency (Simon Banks)	<p>Strategic Flood Risk Assessment We do not consider that you will need to update your Strategic Flood Risk Assessment at this point, as mapping was undertaken to accompany the revisions to policies of the Core Strategy. You should be aware that we are currently undertaking further breach modeling of the River Thames and this is due to be completed this year.</p> <p>Thames Estuary 2100 The revised policies in your Local Plan should include greater emphasis and reference to the Thames Estuary 2100 plan. I have attached a briefing to this response which includes the key policy messages relevant to Kensington and Chelsea on page eight.</p> <p>Climate Change Revised climate change allowances for peak river flow based on river basin districts are due to be published early this year. These allowances will replace the current allowance for peak river flow which is 20%. The revised allowances are based on improved climate science and reflect the catchment characteristics within each river basin district. Please find attached the draft allowances in lieu of the final publication. If you have any further questions about this please contact us.</p> <p>Call for sites We do not have any specific sites to refer, however you should consider the treatment of the River Thames (e.g. softer embankments or hard walled defences) and whether there are plans for creating cycle paths and amenity which would require space. Further details on potential land requirements for flood defences along the River Thames are included on page five of the attached TE2100 briefing.</p>	<p>Noted. The Strategic Flood Risk Assessment will not be updated as advised.</p> <p>Noted. Reference to the Thames Estuary 2100 is made in the Flooding draft policy (section f) and paragraph 36.3.20 of the reasoned justification.</p> <p>Noted.</p> <p>Noted. Reference to the Thames Estuary 2100 is made in the Flooding draft policy (section f) and paragraph 36.3.20 of the reasoned justification.</p>
Greater London Authority Development (Stewart Murray)	<p>Kensington and Chelsea should require specific measures to address flood risk in Critical Drainage Areas (CDA). However, these are not likely to be the same for every site. Some parts of a CDA will only be contributing rainwater to an area at risk from surface water flooding but they will not be at significant risk themselves. This can be seen from closer examination of CDAs in combination with the Environment Agency and/or Drain London surface water flood risk mapping. Some areas will be shown as being at high risk, other medium and others low risk.</p> <p>On the issues of protection and prevention, the provision of standard flood risk measures is a welcome suggestion that should simplify the advice needed by developers. However, whilst a standard suite of measures may generally apply to some areas, the detail is likely to be determined by the site specific flood risk assessment which will show how deep flooding is likely to be.</p> <p>The Mayor agrees that flood resilience measures should remain operational during a flooding event, however the difficulty is that flooding events should be rare occasions, for example once every 75-100 years. With regular and frequent changes of owner and/or occupant, it is extremely difficult to maintain any measures that require regular activity or maintenance or human action to operate them. A policy that covers protection and maintenance of flood risk management assets would be appropriate.</p> <p>It is relevant to cover access/egress requirements at a general level. London Plan policy 5.12 refers to this, with an acknowledgement that in some cases it may be safer for occupants to remain within a building. In such circumstances buildings should be designed to remain as safe and comfortable as possible, for example by enclosing essential building utilities within Flood Proof enclosures.</p> <p>Careful consideration will be needed for any buildings that are designed to keep more than 0.5m depth of water out of the building. It is understood that this could lead to structural issues due to the pressure of the water. More detailed engineering advice should be sought in the development of such a policy or in its implementation.</p> <p>Surface water run-off and Sustainable Urban Drainage (SuDS) There is a balance of issues here to manage surface water run-off. London Plan Policy 5:13 has been in place for over 10 years and is relatively well understood and well implemented in relation to the large scale developments that are referred to the Mayor. It is less clear how well the policy is implemented on major planning applications but it is expected that following the changes to the NPPG in 2015, its application will become</p>	<p>Noted. This is acknowledged in paragraph 36.3.19 of the reasoned justification.</p> <p>Noted. This is covered in the Flooding draft policy (section d).</p> <p>Noted. This is covered in the Flooding draft policy (section e).</p> <p>Noted. This is covered in the Flooding draft policy (section d (ii)).</p> <p>Noted. This is covered in the Flooding draft policy (section d (i)).</p> <p>Noted. This is covered in the Flooding draft policy (section g).</p>

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	<p>increasingly consistent. For most development proposals, including dense schemes in heavily built up areas, there is usually more than one form of sustainable drainage technique that can be applied. However, applicants often select sub-surface attenuation tanks/cells as these are readily quantifiable and reliable. Other SuDS techniques often offer a greater range of benefits. Overall it may often be more sustainable to have stored a little less water but to have introduced a green roof or rainwater harvesting system, for example. Therefore, the London Plan policy is applied flexibly in that whilst aiming for greenfield run-off rates, lower rates can be accepted, with a usual target of achieving at least a 50% reduction on the existing situation.</p> <p>The discharge of groundwater into the sewer system from all sources should generally be prevented and where absolutely necessary should be factored into the rainwater discharge calculations. This will mean that additional attenuation would be required.</p> <p>On non-statutory standards for SuDS, this is a matter for the Council, but in the interests of clarity and simplicity for developers, it would be desirable to have consistency with other London boroughs. With regards to what information should be required, the Mayor would encourage Kensington and Chelsea to seek agreement through the LoDEG/Drain London Forum to provide consistency between London boroughs. The requirement of a maintenance schedule is a sensible aspect of a policy and such requirements have been written into planning conditions in some boroughs. Supporting retrofitting of SuDS on existing buildings/infrastructure is in line with the emerging London Sustainable Drainage Action Plan. However, it is recognised that there are limits on what the planning system can deliver regarding retrofit of buildings that are not themselves the subject of a planning application.</p> <p>The 2015 changes to the NPPF in relation to sustainable drainage specifically related to major development. The Mayor considers that the changes should be applicable to all development. In London, a significant proportion of new development is less than the major threshold and this offers a good opportunity to improve the sustainability of rainwater management in London. Therefore, if such a policy can be justified in light of the NPPF, the Mayor would support this and indeed encourage other boroughs to consider a similar approach.</p>	<p>Noted. This is covered in the Flooding draft policy (section g(iii)).</p> <p>Noted. This is covered in the Flooding draft policy (section h).</p> <p>Noted. This is covered in the Flooding draft policy (section g).</p>
Thames Water Utilities Ltd (Mark Mathews)	<p>Thank you for consulting Thames Water on the above document. Thames Water is the statutory water and sewerage undertaker for the area and is hence a "specific consultation body" in accordance with the Town & Country Planning (Local Development) Regulations 2012.</p> <p>Thames Water support the Local Plan Review and particularly the strong emphasis on policies to address flood risk within the Borough. With regard to the proposed review Thames Water have the following comments to make on the proposals and questions raised.</p> <p>Site Specific Comments Thames Water has the following comments to make on the potential new site allocations set out under Section 4.4 of the Issues and Options consultation document:</p> <p>Royal Brompton Hospital / Chelsea New development needs to address surface water to reduce the peak flow into the combined sewer network such that surface water discharge into the network is restricted to greenfield run-off rates.</p> <p>Pembroke Road New development needs to address surface water to reduce peak flow into the combined sewer network such that surface water discharge into the network is restricted to greenfield run-off rates. It should also be noted that the existing Counters Creek sewer passes underneath Warwick Road in this location.</p> <p>Barbly and Treverton Estates New development needs to address surface water to reduce peak flow into the combined sewer network such that surface water discharge into the network is restricted to greenfield run-off rates.</p> <p>Silchester East and West New development needs to address surface water to reduce peak flow into the combined sewer network such that surface water discharge into the network is restricted to greenfield run-off rates. It should also be noted that the existing Counters Creek sewer passes underneath Freston Road in this location.</p> <p>39-49 Harrington Road New development needs to address surface water to reduce peak flow into the combined sewer network such that surface water discharge into the network is restricted to greenfield run-off rates.</p> <p>Other Comments</p>	<p>Noted.</p> <p>Noted. This will be considered in site specific sections.</p> <p>Noted. As explained in section 2.4.21 of the Policy Formulation report water consumption is already covered by Building Regulations</p>

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	<p>Issue 2 – Water Thames Water support option 2 for the inclusion of a specific policy on water consumption.</p>	<p>and the London Plan so there is no need to repeat existing policy.</p>
<p>Earl's Court Partnership limited</p>	<p>In terms of tidal flood risk, the site is located within Flood Zone 3 (high risk area) but is defended to a very high standard, so the main tidal flood risk to the site is from a breach of the defences, not a complete failure of the defences. The Council should note that the EA have updated their breach modelling associated with the Borough (and LBHF). The breach modelling takes the Earl's Court site, and other areas within the Borough out of a breach area. As such, the risk to the area from tidal flooding from a breach has now reduced, however, the local plan and the SFRA do not reflect this. This is important because, even though the site is shown to be in Flood Zone 3 (defended), in reality, flood water will never reach the site as the main mechanism of failure will be from a breach. So land use classification is being restricted in areas that are in Flood Zone 3 when in reality they are defended and a breach won't reach the site. It would be useful for the RBKC (and LBHF) and the EA to clarify their position on this so as not to constrain development in areas that are unlikely to ever flood.</p>	<p>Noted. This will be considered in site specific section. Noted. The Council is aware of the EA's new breach modelling. The breach modelling will be used in the Sequential Test.</p>