

**Planning and Borough Development**  
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**Executive Director for Planning and Borough Development**  
Graham Stallwood

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Stuart Liddington  
The Planning Inspectorate  
3G Hawk Wing  
Temple Quay House  
2 The Square  
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BS1 6PN



Friday 5 May 2017

My reference: Local Plan Partial Review

Dear Mr Liddington,

**Submission of the Royal Borough of Kensington and Chelsea Local Plan Partial Review for examination**

**Section 20 of the Planning and Compulsory Purchase Act 2004 and Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012**

I am pleased to submit the Council's Local Plan Partial Review to you for examination.

This cover letter explains a number of matters under the following sub-headings relating to the Local Plan Partial Review and its submission for examination:

- 1) History and chronology
- 2) Purpose, scope and topics
- 3) Policy Formulation Reports and the Duty to Cooperate
- 4) The Housing White Paper
- 5) Proposed Modifications
- 6) Document Index
- 7) Contacts and Programme Officer

**1) History and chronology**

To understand the 'Partial' nature of the Review and its scope, it is necessary to understand the history of the local development plan in the Borough:

<b>Date</b>	<b>Local development plan</b>
May 2002	Unitary Development Plan (UDP) adopted
2007	<i>A number of UDP policies 'expired' but some remained extant</i>
December 2010	Core Strategy adopted <i>Most UDP policies superseded but some remained extant</i>

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October 2013	Core Strategy Partial Review – Pubs and Local Character adopted
December 2014	Core Strategy Partial Review – Miscellaneous Matters adopted
December 2014	Core Strategy Partial Review – Conservation and Design adopted
January 2015	Core Strategy Partial Review – Basements adopted
July 2015	Core Strategy renamed as the Local Plan and a Consolidated Local Plan (SUB3) published <i>Some UDP policies superseded but some remained extant</i>
December 2015 – February 2016	<b>Local Plan Partial Review</b> – Issues and Options consultation Pre-Regulation 18 (SUB4)
October – December 2016	<b>Local Plan Partial Review</b> – Draft Policies consultation Regulation 18
February – March 2017	<b>Local Plan Partial Review</b> – Publication Policies consultation Regulation 19 (SUB5)
May 2017	<b>Local Plan Partial Review</b> – Submission Regulation 22

The most up-to-date timetable for the Local Plan Partial Review is set out in the Local Development Scheme (May 2017) (SUB14).

To summarise, the existing local development plan documents which are the starting point for the Local Plan Partial Review are the:

- Unitary Development Plan (May 2002) (Extant Policies) (SUB2); and the
- Consolidated Local Plan (July 2015) (SUB3).

## 2) Purpose, scope and topics

The purpose of the Local Plan Partial Review is to:

- Supersede all remaining extant policies of the UDP (May 2002);
- Review policies which have not been reviewed since the Local Plan was originally adopted in December 2010 (then known as the Core Strategy); and
- Review topics and policies in light of changing circumstances and Council aspirations.

The topics considered as part of the scope of the Local Plan Partial Review are:

- Chapters 1-4 Vision and Strategic Objectives
- Chapters 5-27 Places and Site Allocations
- Chapter 28 Proposals Map
- Chapter 29 Policies and Actions
  - Infrastructure and planning contributions
  - Planning enforcement
- Chapter 31 Fostering Vitality
  - Shops and centres
  - Business uses
  - Arts and cultural uses
  - Hotels
- Chapter 32 Better Travel Choices
  - Rail infrastructure
- Chapter 34 Renewing the Legacy
  - Archaeology
- Chapter 35 Diversity of Housing
  - Increasing housing supply

- Affordable housing
- Housing size mix and standards
- Specific housing needs
- Estate regeneration
- Gypsy and Traveller accommodation
- Chapter 36 Respecting Environmental Limits
  - Climate change
  - Flooding and drainage
  - Waste
  - Air quality
- Chapter 37 Infrastructure
- Chapter 38 Monitoring
- Chapter 39 Contingencies and Risks for Site Allocations
- Chapter 40 Housing Trajectory and Supporting Information
- Chapter 41 Policy Replacement Schedule
- Chapter 42 Town Centre Maps
- Chapter 43 Evidence Base
- Chapter 45 Glossary

Chapter 41 of the Local Plan Partial Review sets out a Policy Replacement Schedule in detail.

### **3) Policy Formulation Reports (PFRs) and the Duty to Cooperate**

Policy Formulation Reports have been submitted to cover each policy being reviewed, as set out in the Document Index.

Because the Council has considered the Duty to Cooperate on an ongoing basis, it has published ongoing commentary on its Duty to Cooperate actions as part of its Policy Formulation Reports for each respective topic area at both Draft Policies and Publication Policies stages. Rather than submit an over-arching standalone Duty to Cooperate statement, the submitted Policy Formulation Reports provide the latest commentary on the Duty to Cooperate for each respective topic area.

Policy Formulation Reports have not been produced for Archaeology (Chapter 34: Policy CL4) and Air Quality (Chapter 36: Policy CE5). This is because these issues were added to the scope of the Local Plan Partial Review after the Issues and Options consultation and so the proposed changes to the actual policy wording generally reflect factual updates and are relatively small-scale and self-explanatory.

### **4) The Housing White Paper and Neighbourhood Planning Act**

The Council commenced public consultation on the Local Plan Partial Review – Publication Policies – Regulation 19 (SUB5) document on Thursday 2 February 2017. Five days later on Tuesday 7 February 2017 the Government published the Housing White Paper ‘Fixing our broken housing market’.

The Council is keen to ensure its affordable housing policies, when adopted, are up-to-date, effective and are not overlooked if perceived to be out-of-sync with the emerging new national policy approach set out in the White Paper. At the same time, the Council is keen to ensure the Local Plan Partial Review is not delayed unnecessarily by waiting for the full implementation of the White Paper. Ensuring up-to-date Local Plans are in place, particularly for housing policies, is a long-standing and important national policy requirement and the Council intends to continue to be proactive in this regard.

The Council has considered the Neighbourhood Planning Act 2017 which received Royal Assent on Thursday 27 April 2017 and does not consider there are any immediate implications for the Local Plan Partial Review.

## **5) Proposed Modifications**

The Council has drafted some Proposed Modifications (SUB6) to the Publication Policies (SUB5) to deal with the emerging requirements in the White Paper (above) and to also deal with other minor matters relating to Publication Policies consultation responses, factual updates or correcting errors.

The Council formally requests that, should the appointed Inspector consider it necessary for legal compliance and soundness, they recommend modifications to the Publication Policies (SUB5) in accordance with Section 20(7C) of the Planning and Compulsory Purchase Act 2004. The Council expects it to be a matter of discussion during the examination whether the Proposed Modifications (SUB6) as submitted are ultimately recommended to be made by the Inspector or not, and whether there are any other modifications which the Inspector may recommend necessary to be added to the list of Proposed Modifications.

Should the Inspector be minded to recommend such modifications, the Council would, as a matter of course, expect the appropriate consultation and sustainability appraisal to be undertaken on those modifications. In addition to the Integrated Impact Assessment (IIA) Stage C Report (SUB70) published alongside the Publication Policies, the Council has also submitted a submission version of the IIA Report (SUB72) which includes consideration of the Proposed Modifications, to ensure that, should the Inspector recommend the Proposed Modifications, some of the sustainability impacts have already been considered.

The Council is aware of the National Planning Practice Guidance on Local Plans and The Planning Inspectorate's Procedural Practice in the Examination of Local Plans (June 2016) guidance relating to modifications and the relevant legislation. For the avoidance of doubt, the Council considers the Publication Policies, as submitted, to have been prepared in accordance with the Duty to Cooperate, to be legally compliant and sound, including being consistent with existing national policy.

## **6) Document Index**

The Document Index provided with this letter lists all of the documents which are being submitted and identifies the number of hard copies provided to the Planning Inspectorate as part of the submission. All documents include a hyperlink and are submitted electronically on a USB stick.

The number of documents submitted, as set out in the Document Index, has been kept to a minimum, including only those legally required, those required by The Planning Inspectorate's guidance and those the Council considers fundamental to understanding the Local Plan Partial Review included.

There are many more documents that the Council has had regard to in drafting the Local Plan Partial Review policies and these are set out in the respective Policy Formulation Reports. Should the Inspector request that some of these documents listed in the PFRs but not submitted should be added to the Document Index and/or hard copies provided, the Council would be willing to facilitate this.

## 7) Contacts and Programme Officer

The Council has appointed a Programme Officer whose contact details are:

Name	Title and Address	Email	Phone
Andrea Copsey	Programme Officer Examination Office Longcroft Cottage Bentley Road Clacton-on-Sea Essex CO16 9BX	<a href="mailto:copseyandrea@gmail.com">copseyandrea@gmail.com</a>	0784 2643 988

The contact details for the lead Council officers on the Local Plan Partial Review are:

Name	Title	Email	Phone
Jonathan Wade	Head of Forward Planning	<a href="mailto:jonathan.wade@rbkc.gov.uk">jonathan.wade@rbkc.gov.uk</a>	020 7361 2129
Rob Krzyszowski	Planning Policy Team Leader	<a href="mailto:robert.krzyszowski@rbkc.gov.uk">robert.krzyszowski@rbkc.gov.uk</a>	020 7361 2588
Joanna Hammond	Neighbourhood Planning Team Leader	<a href="mailto:joanna.hammond@rbkc.gov.uk">joanna.hammond@rbkc.gov.uk</a>	020 7361 2061

I would be grateful for confirmation of receipt of this submission.

Please do not hesitate to contact me should you require further information or clarification.

Yours sincerely,



Jonathan Wade  
Head of Forward Planning

Enc.

## Document Index

ID	Title & Hyperlink	Date	Number of hard copies submitted
SUB1	<u>Submission Cover Letter</u>	May 2017	1
SUB2	<u>Unitary Development Plan (UDP) Extant Policies</u>	May 2002	1
SUB3	Consolidated Local Plan <u>Full version [31.3MB]</u> <u>Chapter-by-Chapter</u> <i>This is the existing adopted Local Plan which the Local Plan Partial Review proposes to change</i>	July 2015	1
SUB4	<u>Issues and Options consultation document</u>	December 2015	1
SUB5	Publication Policies <u>Clean version [7.8MB]</u> <u>Tracked changes version [13.5MB]</u> <u>Chapter-by-Chapter</u> <i>This is the main Local Plan Partial Review document</i>	February 2017	2x clean 2x tracked
SUB6	<u>Proposed Modifications</u>	May 2017	1
SUB7	<u>Submission - Consultation Statement</u> <i>This document summarises the consultation undertaken for the Draft Policies (Regulation 18) stage and also includes summaries of the comments on the Publication Policies (Regulation 19) consultation</i>	May 2017	1
SUB8	<u>Publication Policies - Consultation Schedules</u> <i>This document sets out all of the consultation comments on the Publication Policies (Regulation 19) consultation and the Council's response</i>	May 2017	1x A4 1x A3
SUB9	<u>Letter of General Conformity with the London Plan (Greater London Authority)</u>	March 2017	1
SUB10	<u>Legal Compliance Checklist</u>	May 2017	1
SUB11	<u>Soundness Self-Assessment Checklist</u>	May 2017	1
SUB12	<u>Statement of Community Involvement (SCI): Involving People in Planning</u>	December 2013	1
SUB13	<u>Monitoring Report 2016</u>	December 2016	1
SUB14	<u>Local Development Scheme (LDS)</u>	May 2017	1
	<b>Chapters 1-4 Vision and Strategic Objectives</b>		

SUB15	<u>Policy Formulation Report - Vision and Strategic Objectives</u> (including Planning Enforcement)	May 2017	1
SUB16	<u>The Future of Our Community: The Royal Borough of Kensington and Chelsea Community Strategy 2008-2018</u> (Kensington & Chelsea Partnership)	2008	1
SUB17	<u>Ambitious for Tomorrow 2014-2018</u>	December 2014	1
	<b>Chapters 5-27 Places and Site Allocations</b>		
SUB18	<u>Policy Formulation Report - Places and Site Allocations</u>	May 2017	1
SUB19	<u>Kensal Canalside Development Infrastructure Funding Study (DIFS) (PBA)</u> [18MB]	October 2016	1
SUB20	<u>Kensal Canalside and North Pole Transport Study (PBA)</u> [37MB]	October 2016	1
SUB21	<u>North Pole Depot and Kensal Gasworks Valuation Study (DTZ)</u>	July 2014	1
SUB22	<u>Development Uplift and Infrastructure Study for Kensal Opportunity Area</u> (Cushman & Wakefield)	September 2015	1
SUB23	<u>Considerations for Estate Regeneration Proposals - Silchester East and West</u>	January 2017	1
SUB24	<u>Considerations for Estate Regeneration Proposals - Treverton Estate</u>	January 2017	1
SUB25	<u>Considerations for Estate Regeneration Proposals - Warwick Road Estate</u>	January 2017	1
SUB26	<u>Flood Risk Sequential Test</u>	February 2017	1
	<b>Chapter 28 Proposals Map</b>		
SUB27	<u>Publication Policies - Proposals Map</u> [20MB]	February 2017	1
SUB28	<u>Publication Policies - Proposals Map - List of Changes and Inset Maps</u>	February 2017	1
	<b>Chapter 29 Policies and Actions</b>		
SUB29	<u>Policy Formulation Report - Infrastructure and Planning Contributions</u>	May 2017	1
SUB30	<u>Local Infrastructure Delivery Plan (IDP) Update</u>	May 2017	1
	<i>For Planning Enforcement, see above Chapters 1-4 Vision and Strategic Objectives</i>		
	<b>Chapter 31 Fostering Vitality</b>		
SUB31	<u>Policy Formulation Report - Fostering Vitality</u>	May 2017	1

SUB32	<u>Shops and Centres Background Paper [22MB]</u>	December 2015	1
SUB33	<u>Retail and Leisure Needs Study (NLP)</u>	April 2016	1
SUB34	<u>Impact of proposed changes to permitted development rights for RBKC (TBR)</u>	February 2013	1
SUB35	<u>Office Market Commentary in RBKC (Frost Meadowcroft)</u>	February 2013	1
SUB36	<u>Commercial Property Study (PBA)</u>	March 2013	1
SUB37	<u>Office Market Review and Viability in the RBKC (Frost Meadowcroft)</u>	July 2014	1
SUB38	<u>Latimer Road W10 Commercial Properties Viability Study (Frost Meadowcroft)</u>	April 2015	1
SUB39	<u>Evidence to inform Article 4 Direction to restrict the future relaxation of planning regulations to allow changes of use from offices to residential (TBR)</u>	February 2016	1
SUB40	<u>Employment Land Need and Availability (ELNA) Background Paper</u>	October 2016	1
	<b>Chapter 32 Better Travel Choices</b>		
SUB41	<u>Policy Formulation Report - Rail Infrastructure</u>	May 2017	1
	<b>Chapter 33 An Engaging Public Realm</b>		
	<i>See above Chapter 29 Policies and Actions regarding Infrastructure and Planning Contributions</i>		
	<b>Chapter 34 Renewing the Legacy</b>		
SUB42	<u>Archaeological Priority Areas Appraisal (Historic England)</u>	August 2016	1
	<b>Chapter 35 Diversity of Housing</b>		
SUB43	<u>Policy Formulation Report - CH1 Increasing Housing Supply</u>	May 2017	1
SUB44	<u>Policy Formulation Report - CH2 Affordable Housing</u>	May 2017	1
SUB45	<u>Policy Formulation Report - CH3 Housing Size Mix and Standards</u>	May 2017	1
SUB46	<u>Policy Formulation Report - CH4 Specific Housing Needs</u>	May 2017	1
SUB47	<u>Policy Formulation Report - CH5 Estate Regeneration</u>	May 2017	1
SUB48	<u>Policy Formulation Report - CH6 Gypsy and Traveller Accommodation</u>	May 2017	1



SUB49	<u>Strategic Housing Market Assessment (SHMA) (Cobweb)</u>	December 2015	1
SUB50	<u>The London Strategic Housing Land Availability Assessment 2013 and Appendix 8 (Mayor of London)</u>	January 2014	1
SUB51	<u>Affordable Housing Target: Viability Study (BNP Paribas)</u>	June 2015	1
SUB52	<u>Affordable Housing Payments in Lieu (BNP Paribas)</u>	July 2015	1
SUB53	<u>Affordable Housing Viability Study Update (BNP Paribas)</u>	July 2016	1
SUB54	<u>Affordable Housing Viability Study Update (BNP Paribas)</u>	April 2017	1
SUB55	<u>Homes for Londoners: Draft Affordable Housing and Viability Supplementary Planning Guidance (SPG) (Mayor of London)</u>	November 2016	1
SUB56	<u>Strategic Considerations for Estate Regeneration Proposals</u>	October 2016	1
SUB57	<u>Joint Gypsy and Traveller Accommodation Needs Assessment (GTANA)</u>	December 2016	1
SUB58	<u>Gypsy and Traveller Accommodation Site Appraisal Study (GTASAS) Joint Methodology</u>	May 2017	1
SUB59	<u>Gypsy and Traveller Accommodation Site Appraisal Study (GTASAS)</u>	May 2017	1
	<b>Chapter 36 Respecting Environmental Limits</b>		
SUB60	<u>Policy Formulation Report - Climate Change</u>	May 2017	1
SUB61	<u>Policy Formulation Report - Flooding and Drainage</u>	May 2017	1
SUB62	<u>Policy Formulation Report - Waste</u>	May 2017	1
SUB63	<u>Thames Estuary 2100 Local Council Briefing Document (Environment Agency)</u>	April 2015	1
SUB64	<u>Waste Technical Paper for Waste Planning Authorities in the Western Riverside Waste Authority Area (Anthesis)</u>	January 2017	1
	<i>See Chapters 5-27 Places and Site Allocations for Flood Risk Sequential Test (SUB26)</i>		
	<b>Chapter 37 Infrastructure</b>		
	<i>See above Chapter 29 Policies and Actions</i>		
	<b>Habitats Regulations Assessment (HRA) and Integrated Impact Assessment (IIA)</b>		

SUB65	<u>HRA Screening Report</u>	December 2015	1
SUB66	<u>HRA Screening - Natural England Response</u>	February 2016	1
SUB67	<u>IIA Scoping (Stage A) Report</u>	December 2015	1
SUB68	<u>IIA Scoping (Stage A) Report (Updated)</u>	August 2016	1
SUB69	<u>IIA (Stage B) Report (Arcadis)</u>	October 2016	1
SUB70	<u>IIA (Stage C) Report (Arcadis)</u>	February 2017	1
SUB71	<u>IIA (Stage C) Report - Non-Technical Summary (Arcadis)</u>	February 2017	1
SUB72	<u>IIA Report - Submission (Arcadis)</u>	May 2017	1
SUB73	<u>IIA Report - Submission - Non-Technical Summary (Arcadis)</u>	May 2017	1