

Mike Hayden BSc(Hons) DipTP MRTPI
Inspector

FAO: Andrea Copsey
Programme Officer

9th February 2018

Dear Mr Hayden,

RBKC Local Plan Partial Review – Matters, Issues and Questions

Thank you for the opportunity for Hammersmith and Fulham Council (LBHF) to comment on the Royal Borough of Kensington and Chelsea (RBKC) Council Local Plan, Matters, Issues and Questions. Please find our comments below for the **deadline of Friday 9th February 2018**.

- 1.1 Please note, we have reiterated our comments to the Regulation 19 document where our comments have not been taken forward or where it is unclear whether they have been considered.

Issue 2c: Places and Site Allocations (Policy CP2, Visions CV5-6, CV8-9 and CV11-15, and Site Allocations CA1, CA3-4, CA6-7 and CA9-12)

Vision for Earl's Court (CV8) and Site Allocations for Earl's Court Exhibition Centre (CA6) and Warwick Road sites (CA7)

e. Are the minimum dwelling numbers for each site justified?

- 1.2 Policy CA7 – Warwick Road Sites – Points a (i) and (ii) give an exact figure for housing as opposed to a maximum or minimum. We note that RBKC have included this to reflect current planning permissions, but we would question whether providing a rigid figure is appropriate or flexible enough to optimise development on site in line with the London Plan. We would recommend including an indicative or minimum figure for housing in this site policy.

Vision for Lots Road/World's End (CV9) and Site Allocations for Lots Road Power Station (CA9) and the Site at Lots Road (CA10)

e. Does Policy CA10 effectively address the cross-boundary relationship with that part of the site within the London Borough of Hammersmith and Fulham?

- 1.3 Policy CA10 – Whilst the site allocation is for land in RBKC, part of the overall site is within LBHF. Given that RBKC own the piece of land within LBHF, we remain concerned about the extent to which this allocation will be used to influence the development of the overall site. Given that the overall site is within both boroughs, we continue to welcome further discussion on this site allocation and we consider the supporting text would benefit from a reference to this ongoing cross-boundary relationship.
- 1.4 Policy CA10 - LBHF wish to secure the provision for a future potential pedestrian/ cycle link underneath the viaduct to Lots Road, as identified by the council’s South Fulham Riverside SPD. TfL also welcomes this commitment. There are concerns regarding land ownership, licenses and the link onto RBKC land on the northern bank of Chelsea Creek in order to deliver this link. We would welcome some further text on this potential linkage within the policy or supporting text.
- 1.5 Policy CA10 – The second line of this policy is not clear – “The council allocates development...”. We would suggest this is reworded to: “The Council allocates the portion of the site within the Royal Borough for development.....”

d. Has Policy CA10 for the Site at Lots Road Site been positively prepared in respect of the quantum of commercial floorspace proposed?

- 1.6 Policy CA10 – The land use proposals for this site include 4,000 sqm of A1 and B1 uses. This is a significant amount of floorspace for town centre uses outside of a town centre and therefore we would recommend that scale and impact are appropriately considered in accordance with the NPPF and other RBKC Local Plan Policies. Reference to the relevant town centre policies may be appropriate here. It may also be appropriate to include some policy criteria to indicate whether RBKC would entertain other A class uses on this site as part of the overall mix.

Vision for Sloane Square/King’s Road (CV15) and Chelsea Farmer’s Market site (CA12)

a. Is the vision positively prepared, justified and based on effective joint working in respect of its proposals for a Crossrail 2 station in King’s Road?

- 1.7 LBHF are bidding for an alternative Crossrail 2 Station at Imperial Wharf, as indicated in the Hammersmith and Fulham Local Plan. Whilst it is acknowledged that TfL’s currently preferred option is a station at King’s Road, we are hopeful that an alternative station at Imperial Wharf could be agreed given the much greater regeneration benefits to London and therefore object to the Crossrail 2 station at Kings Road. The RBKC Local Plan Review makes frequent reference to a Crossrail 2 station at Kings Road and we consider the language misleading as it is important to be clear in your text throughout your

Local Plan that the Crossrail 2 route is yet to be finalised (eg. Policies CV1, CV14 and CT2).

Issue 10: Gypsy and traveller accommodation (Policy CH6)

10. Is the RBKC LPPR's approach to providing for gypsy and traveller accommodation in the borough as set out in Policy CH6 and the supporting evidence base, positively prepared, justified and consistent with national policy in the NPPF and the Planning Policy for Travellers Sites? In particular:

a. Has the joint Gypsy and Traveller Accommodation Needs Assessment robustly and comprehensively assessed all needs arising from within the community based on the PPTS definition of gypsies and travellers?

- 1.9 As part of the Duty to Cooperate, LBHF has worked with RBKC to prepare a joint GTANA. We consider the GTANA comprehensively assesses all needs arising from within the community based on the PPTS definition. The GTANA definition encapsulates a broad definition of a Gypsy and Traveller. The joint GTANA has been the basis of LBHF's Local Plan, which has been found sound following an Examination in Public in June 2017. LBHF's Local Plan will be adopted 28th February 2018.
- 1.10 LBHF made a previous response to paragraph 35.3.88 – LBHF retains these comments as the high cost of land goes without saying and is made in relation to new Gypsy and Traveller sites. If this is in relation to the protection of Stable Way, new wording would be welcomed to ensure this is made clear.

b. Has the duty to co-operate been employed sufficiently widely in the search for additional pitches?

- 1.11 Both authorities have worked with a range of partners under the Duty to Cooperate and continue to do so. At paragraph 35.3.89 (Publication Policies, Tracked version), RBKC make a reference to a Site Appraisal Study. To clarify, both authorities are separately undertaking Site Appraisal Studies to assess capacity in each borough, but have agreed a joint methodology. LBHF are currently assessing capacity in LBHF and discussions will continue with a range of partners in order to find short and long-term solutions.

Issue 1a: Duty to Cooperate (d) & Issue 3c: Respecting Environmental Limits (Policy CE3 Waste)

4. Is Policy CE3, as revised in the RBKC LPPR, positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan in meeting the borough's waste apportionment targets and delivering an effective waste management strategy for the borough? In particular:

a. Is there a signed agreement in place to pool the London Plan waste apportionment figures within the Western Riverside Waste Authority area?

b. If not what measures are proposed to manage any shortfall in waste arisings in the borough to the end of the plan period?

c. Should the Plan commit to identifying and safeguarding further sites for waste management in the borough?

d. Do the proposed modifications (MINOR/071-073) to the reasoned justification to policy CE3, including the deletion of the apportionment capacity gap table, ensure an effective, justified and positively prepared plan in respect of waste? If so should they be

- 1.12 On 23rd January, RBKC sent a letter to LBHF which requested that we commit to agreeing one of two options (A or B) regarding surplus waste management capacity in LBHF/OPDC.
- 1.13 Please see our response to this letter (below) which states that at this point in time, we are unable to confirm our position going forward on pooling apportionments and surplus capacity until our members have made a decision and this has been agreed with OPDC. We are currently in the process of discussing this with the OPDC.
- 1.14 In their letter, RBKC indicated to us that if a decision cannot be reached on Option A, they will propose a major modification to Policy CE3 whereby they will commit to preparing a waste DPD (Option B). If this is proposed, LBHF wish to be consulted on the wording of this modification.
- 1.15 Email response sent to RBKC on 29th January:
- 1.16 Thank you for your letter (sent by e-mail) on 23rd January regarding the matter of waste as part of RBKC's forthcoming Local Plan Examination.
- 1.17 As part of the requirements of the Duty to Cooperate, we have been working with the boroughs within the Western Riverside Waste Authority Area (Kensington & Chelsea, Lambeth & Wandsworth) including OPDC, which has involved the preparation of a joint evidence base document (the Waste Technical Paper) in January 2017. Based on its conclusions, officers from the boroughs agreed to investigate the option of pooling apportionments and capacity through an agreed Memorandum of Understanding.
- 1.18 In February 2017, the boroughs within the Western Riverside Waste Authority met with the GLA to present the findings of the Waste Technical Paper. At this meeting, the GLA raised a number of concerns with the Waste Technical Paper, including the assumptions used for the Powerday site (within OPDC).
- 1.19 Following the meeting with the GLA, given the uncertainties around Powerday capacity, we (LBHF) advised RBKC that we would not be able to consider a draft Memorandum of Understanding committing to pooling until capacity at

Powerday was resolved with the GLA. Only then, would we be in a position to consider how we wish to proceed with joint working arrangements on waste going forward, whether this is through pooling or another mechanism, but continuing to work together as part of the duty to cooperate.

- 1.20 Since the meeting with the GLA, OPDC have been leading on the work to resolve the Powerday issue through seeking further information from the operators of the site. This has involved the preparation of a Powerday Position Statement which sets out how Powerday will optimise its capacity over time, through maximising the use of canal and rail. This paper concludes that there is surplus capacity available at Powerday beyond that required to meet our Borough's apportionment.
- 1.21 Last month, subject to a number of minor changes, the GLA confirmed they were supportive of the assumptions used for Powerday in the Position Statement. Therefore, on this basis, we are only recently in a position to consider how we proceed with joint working arrangements going forward. As you are aware, we are in the process of discussing this internally and also externally with the OPDC, which includes the consideration of pooling apportionments and what happens to surplus capacity available within our Borough.
- 1.22 At this stage, therefore, given we have only recently reached an agreed point with the GLA, we are unable to confirm our position going forward on pooling arrangements in respect of the surplus waste capacity at Powerday. As stated in our Local Plan, any potential surplus capacity at Powerday beyond that required to meet our apportionment will be the joint responsibility of LBHF and OPDC, therefore any decision over the surplus will need to be made jointly with OPDC.