

New Local Plan Review

Proposed Minor Modifications

January 2023



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

Chapter 1: Introduction

Reference	Policy/Para	Modification	Reason
		No modifications.	

Chapter 2: Green-Blue

Reference	Policy/Para	Modification	Reason
1	GB1 - 2.4	Sustainable retrofitting is when existing buildings can be upgraded to be more energy efficient and use cleaner energy, for example in the form of solar PV panels <u>and other technologies</u> .	Aid clarity in response to comments from Mark Macleod.
2	GB4 - 2.36	Add a new footnote to refer to the source of the sentence - The optimum glazing ratios for the UK climate are up to 25 per cent glazed on the southern elevation, no more than 20 per cent on the east/west elevations and as little as possible on the northern elevation. <u>New footnote – LETI Climate Emergency Design Guide</u>	In response to comment from Lots Village Residents Association.
3	GB5 – 2.56	Applicants proposing air conditioning, be it a single unit or at the whole building scale, should carefully consider the harmful environmental impact of air conditioning and fully explore passive cooling (<u>including roof and wall insulation as per Policy GB1: Sustainable Retrofitting</u>) and ventilation measures/solutions in the first instance. Where a number of air conditioning units are proposed, applicants should consider a whole system/property passive approach could and implement the most efficient solution possible.”	In response to comment from Kensington Society as a useful cross reference.

4	GB5 - 2.57	Add at the end of the paragraph - <u>Other policies in the Plan including Policies GB15 to 18 will also assist in reducing overheating risk.</u>	In response to comment from the Environment Agency.
5	GB6 – 2.65	The Council has produced a new five-year Air Quality Action Plan (2022-2027), which includes a dynamic list of measures to <u>monitor</u> , reduce pollution, reduce exposure, increase resilience, and influence behaviour change. It has been adopted alongside a new Climate Emergency Action Plan and Biodiversity Action Plan	To address comments from the Cheyne Walk Trust (David Waddell), Ref 2.
6	GB6 – footnote 53	Footnote 53 (P40) needs to be updated - this can now be found at https://www.rbkc.gov.uk/media/document/air-quality-action-plan-2022-27	Final Air Quality Action Plan had not been published at time of drafting.
7	GB6 – 2.63	<p>Comments from multiple sources are concerned that only three Air Quality Focus Areas have been defined, at the expense of other locations (particularly North Kensington and the Westway). We think the text would benefit from additional clarification. Paragraph 2.63 should be amended to the following</p> <p>The London Plan identifies three Air Quality Focus Areas (AQFAs) within the Borough. <u>This is not an exhaustive list of locations where air quality is of concern to the Council and its residents; the whole Borough is an Air Quality Management Area.</u> AQFAs, <u>defined by the GLA</u>, are locations that not only exceed the EU annual mean limit value for nitrogen dioxide (NO2) but are also locations with high human exposure. The three AQFAs located within the Borough are:</p> <ul style="list-style-type: none"> • Earl's Court Road and Warwick Road (A3220) from Cromwell Road to Cremorne Road. • A315 from Knightsbridge to Kensington High Street, A4204 Kensington Church Street to Notting Hill Gate. 	In response to several respondents who have raised this issue (Chelsea Society, Paul Level – Ref 1, Isis Amlak -Ref 7 and in part, Silvera Williams – Ref 22),

		<ul style="list-style-type: none"> • A4 Cromwell Road from Talgarth/Earl’s Court/Gloucester Road/Thurloe Place/Knightsbridge. 	
8	GB6 – 2.67	All the policies in this chapter of the Local Plan come together to contribute towards improving air quality in the Borough. Green infrastructure, tree planting, biodiversity, sustainable building design, energy efficiency, travel and construction site management all play a role in reducing air pollution, and improving air quality, <u>health, and well-being.</u>	Suggestion by Amanda Frame (reference 10) from the Kensington Society that there should be reference to trees within the AQ policy and how they improve health and well-being.
9	GB6 – 2.67	All the policies in this chapter of the Local Plan come together to contribute towards improving air quality in the Borough. Green infrastructure, tree planting, biodiversity, sustainable building design, energy efficiency, travel and construction site management all play a role in reducing air pollution, and improving air quality, <u>health, and well-being.</u> <u>Other relevant chapters within the Plan include (but are not limited) to Chapter 8 ‘Streets and Transport’, covering Healthy Streets, sustainable transport and active travel - all of which are key for reducing emissions of air pollutants.</u>	In response to comments from TfL (reference 24) who wish that the policy or supporting text to cross refer to Healthy Streets, reducing car use, promoting sustainable servicing and deliveries, and strategies to promote active, healthy travel and the use of public transport.
10	GB8	To add a foot note at the end of policy GB8 and below point F to state “Further in depth information regarding local noise and vibration standards can be found within the noise supplementary planning document (SPD) - <u>https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/noise-spd</u> ”	Additional information as requested to add clarification to the policy from the Ballymore Group Limited and Sainsbury’s Supermarkets Limited
11	GB16, para 2.119	Footnote 94 needs to be updated – the new Biodiversity Action Plan 2022-2027 supersedes the previous 2010/11-2014/15 version and can now be found at <u>Biodiversity Action Plan 2022 -2027 (rbkc.gov.uk)</u>	Final Biodiversity Action Plan had not been published at time of drafting.

12	2.129 onwards	Paragraph referencing beyond 2.129 is incorrect. The remaining 29 paragraphs in Chapter 2 will be renumbered so that they are 2.130, 2.131, 2.132 to 2.158.	Correct numbering error. This modification has already been made to the Publication Plan with the minor modifications indicated in brackets). This has been done to assist to avoid any confusion with referencing paragraphs during the examination.
13	GB20 – footnote 113	Footnote 113 reference to the EA Source Protection Zone information, within Section 2.29 on page 74 contains a document that has now been superseded so can this be changed to Groundwater Source Protection Zones (SPZs) - GOV.UK (www.gov.uk)	Factual correction.
14	GB20 – 2.29 (changed para 2.158)	Section 2.29 should be slightly updated as indicated. Source Protection Zones, designated by the Environment Agency, are particularly vulnerable to pollution, <u>and</u> central and southern areas of the Borough are also underlain by shallow groundwater”	Minor typographical update (deletion of comma and replacement with word ‘and’) - but not essential.

Chapter 3: Homes

Reference	Policy/Para	Modification	Reason
1	3.14 Smaller HMOs which have three to six residents sharing facilities are in planning Use Class C4 and do not need planning permission to change to a self-contained home. HMOs <u>are distinct from short term lets which are covered in Policy TC8 D</u> and play a role in the private rented sector in providing low cost accommodation.....	Comment from Leufroy, Kensington Society and others to clarify HMOs are distinct from short term lets.
2	3.19	Small sites are those which have an area less than 0.25 hectares. The London Plan housing target includes 1,290 <u>net</u> homes in the next ten years from small sites.	Comment from Kensington Society to clarify this is a net target. The addition of the word net when referring to the target may also be added elsewhere for clarification as a minor modification.

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3	3.19	Our design policies are set out in Chapter <u>4 6</u>	Correct cross reference.
4	3.74	The quality of the schemes should meet the criteria set out in London Plan Policy <u>D6 H16</u> .	Correct cross reference.

Chapter 4: Conservation and Design

Reference	Policy/Para	Modification	Reason
1	Para 4.2	Reference to 21 st Century architecture to be included: and there are also <u>20th and 21st century</u> buildings which ...	In recognition of the quality not just of 20 th Century architecture but also more recent interventions. At the suggestion of Mark Macleod.
2	Para 4.23	Development should demonstrate that local, regional and national design guidance has been taken on board when developing design proposals, <u>including the National Model Design Code</u> .	Specific reference to be made to the NMDC, as suggested by the St Quintin and Woodlands Neighbourhood Forum (Henry Peterson).
3	Para 4.77	Additional clause added to this para.: - It is important that the impact of development on views within the townscape, including in and around conservation areas, as well as of landmarks defining points of townscape interest is taken into account. In addition to the strategic view from St Paul's to King Henry's Mound in Richmond Park, identified in the London Plan, the Borough also has specifically recognised views that are important to protect, <u>which were originally identified within the Building Heights SPD (2010)</u> , are shown in Figure 4.5 below.	Suggested by the Kensington Society (Amanda Frame) and thought helpful in explaining the origin of the protected views, which otherwise is not given.

Chapter 5: Town Centres

Reference	Policy/Para	Modification	Reason
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Chapter 6: Business

Reference	Policy/Para	Modification	Reason
1	Key fact 5th bullet	<u>A small business economy with</u> 69 per cent individual offices less than 100 sq m is size, and 90 per cent employ less than 10 people.	At the request of the Kensington Society. Helpful emphasis.
2	Para 6.10	The London Plan notes that as a “main town centre use” any proposal which includes the provision of new offices (when they are not in accordance with the Development Plan) will be subject to the provisions of the town centres first principle, the sequential test and where appropriate, require an impact assessment. <u>(Also see paragraphs 5.13 to 5.15)</u>	Responding to the comments by Savills for Adena Property Investments. A helpful cross reference to requirement for Impact Assessment for town centre uses.
3	Para 6.11	An accessible location is one with a Public Transport Accessibility (PTAL) score is of 4 or greater.	Correct a typo
4	Para 6.12 and 6.13	Swap paragraph order.	Paragraph 6.13 is concerned with new large scale offices, and as such should follow on from para 6.11. No wording changed.

Chapter 7: Social Infrastructure

Reference	Policy/Para	Modification	Reason
1	7.11	“The Council also acknowledges that the needs of communities change as well as the frameworks in which some of the social infrastructure providers operate. Therefore, while criterion D(1) of Policy SI1 requires the same or similar use or related use, if this need cannot be demonstrated other types of social and community uses can be provided. Robust evidence in the form of prolonged marketing and local needs assessment of social and community infrastructure should be submitted to demonstrate why criterion D(1) cannot be met. <u>If the development is concerned with the loss of sports or leisure use, the approach set out in paragraph 99 of the NPPF will</u>	To cross refer to policy with the NPPF paragraph 99 in response to the Sports England comments.

		also apply . Similar evidence will be required if criterion D(2) also cannot be met. Where a proposal is seeking to meet the policy requirements to demonstrate benefits to the local community or the Borough, evidence should be submitted in the form of a local needs assessment of social and community infrastructure need and the applicant should justify in some detail how the local community will be served by the development.”	
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Chapter 8: Streets and Transport

Reference	Policy/Para	Modification	Reason
1	T3A	“Require opportunities to be taken within the street environment to create places that support outdoor life, are inclusive to all, and add to their attractiveness and vitality.”	Amanda Frame of the Kensington Society requested that the wording of the policy be improved by making this minor modification.
2	8.15	“The Council has produced online guidance entitled the Streetscape Guide which forms a reference manual of good practice for all concerned with the design and implementation of streetscape schemes and the maintenance of the highway. Development proposals will be assessed on whether they have taken opportunities to contribute positively towards achieving, maintaining or improving a good streetscape. A new edition of the Streetscape Guide is expected to be published in 2023. Development proposals close to the Transport for London “Red Route” Road Network should also be informed by TfL’s Streetscape guidance (2022), available online.	TfL requested that a reference to their published Streetscape guidance be included in the text of our Local Plan. We consider this reference to be worthwhile as it will assist those developing sites close to streets managed by Transport for London.
3	8.20	Front gardens offer a valuable contribution to the streetscape. The loss of front gardens to off-street parking has long had harmful effects upon visual amenity, and townscape and sustainability (see Policy GB12 E) quality . It can also reduce public safety. The introduction of high opaque garden walls	To provide a useful cross reference to Policy GB 12 E which addresses drainage and the need for permeable paving. This positive suggestion came from the Kensington Society.

		that give a closed feel to the streetscape has also had harmful effects.	
4	8.30	Cycle parking standards are set out in the London Plan 2021 and are expressed as minima. <u>Quality standards for cycle parking are set out in the London Cycling Design Standards (LCDS)</u> . Additional bicycle hire docking stations or other shared micromobility facilities will be sought where appropriate.	TfL requested that a reference to the London Cycling Design Standards be included. These standards are referred to within the London Plan, which of course forms part of the development plan. We agree it is helpful to also provide the reference here.

Chapter 9: Places – Areas for Growth and Change

Reference	Policy/Para	Modification	Reason
1	9.9	The requirements and design principles specific to each Opportunity Area are contained in their respective site allocations. See Chapter <u>3.10</u> . The two Opportunity Areas and their vision statements are included here:	Error correction of chapter location.
2	9.10	Kensal Canalside lies in the very north of the Borough. The site sits close to borders with the London Boroughs of Brent, Hammersmith and Fulham and Westminster. The Old Oak and Park Royal Development Corporation (OPDC) site adjoins the Opportunity Area site to the south west.	To avoid subjective views of degrees of north.
3	PLV6	'Complimentary' replaced with 'complementary'.	Spelling error
4	Additional para added after 9.59	<u>The hinterland south of Chepstow Villas is recognised as important for the wider economy and that it is an entry point for visitors to the market.</u>	Helpful context and recognition of the role that the hinterland plays in supporting the local economy Comments from: Notting Hill and North Kensington Liberal Democrats (Samuel Dodgshon)

			The Pembridge Association (Fiona Fleming Brown)
5	Figure 9.10	Map to be amended so that the public realm improvements boundary matches the Designated Town Centre boundary	Drafting error Comment from Mark Macleod
6	PLV11 Figure 9.11	Map to be amended reflecting correct Borough boundary that excludes The Royal College of Art and The Royal Albert Hall Remove shading on Imperial College	Drafting error Comment from: Cynthia Oakes Kensington Society (Amanda Frame), Onslow Neighbourhood Association (Susanna Trostdorf)
7	Para 9.65	Additions to Priority List: Priority 1 text amended to: <u>Support opportunities to deliver more accessible community uses in the centre including the provision of public toilets</u> Priority 4 text amended to include <u>'greener'</u> Priority 7 text amended to include <u>in particular for innovative, start-up and small businesses</u>	Additions offer valuable support to the vision for the area. In response to comments from: Onslow Neighbourhood Association (Susanna Trostdorf) Renata Cesar
8	PLV17/ Fig 9.17	Comment that Figure 9.17 appears to show that the Knightsbridge Estate is within the Knightsbridge International Centre town centre designation, with the exception of most properties fronting Basil Street	Additional map or clarification on figure 9.17 required Comment from DP9 Ltd (for Knightsbridge Estates)

9	PLV17	Vision text amended to reflect the inclusion of an additional sentence at the end: <u>The public realm will also be retained for the benefit of the wider public and made more beautiful.</u>	Useful clarification on priority Comment from Knightsbridge Neighbourhood Forum (Simon Birkett)
10	Para 9.81	Correction to text in Priority 4 reflecting new BID name: <u>Support the development of the Knightsbridge Partnership BID</u>	Spelling error Comment from Knightsbridge Neighbourhood Forum (Simon Birkett)

Chapter 10: Site Allocations

Reference	Policy/Para	Modification	Reason
1	SA1	C. A minimum of 12,000 sq m of <u>Class E</u> commercial floorspace of which 5,000 sq m is E(g) <u>office, research and development or light industrial</u> , as part of a new Neighbourhood Centre.	Clarify definition of E(g)
2	SA1 Planning constraints	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 <u>to be to greenfield run-off rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.
3	SA1 Z	Z. The overall water infrastructure need (including potable water demand and sewerage capacity) will be informed by an Integrated Water Management Strategy. Surface water runoff rates to be restricted <u>to equivalent greenfield rates to be in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.

4	SA2	C. A minimum of 40,000 sq m non-residential floorspace, of which a minimum 20,000 sq m should be <u>Class E(g) office, research and development or light industrial</u> for offices or research and development as per Class E(g)	Clarify definition of E(g)
5	SA2 Planning constraints	A Flood Risk Assessment should be submitted to support any future planning application as site is over one hectare and is partially located in Flood Zones 2 and 3. This assessment should take into account the new climate change allowances and requirements, especially for surface water flooding. 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 <u>to be to greenfield run-off rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.
6	SA2 W	W. The overall water infrastructure need (including potable water demand and sewerage capacity) will be informed by an Integrated Water Management Strategy. Surface water runoff rates to be restricted <u>to be to equivalent greenfield rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.
7	SA3	A Flood Risk Assessment should be submitted to support any future planning application. This assessment should take into account the new climate change allowances and requirements, especially for surface water flooding. 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 <u>to be to greenfield rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.
8	SA6 Site information	0.50 ha (land within RBKC, as shown on map)	To correct a drafting error. This was noted by Lots Road Neighbourhood Forum.

	Site area	Total <u>development</u> site area including <u>land 0.71 ha</u> within LBHF: <u>0.714.24</u> ha	The site allocation area is correct. However, the overall development site (land ownership including land within LBHF, likely to come forward as one cross-boundary development) area needs to be corrected. Note that correct site areas were used for capacity testing; this is a drafting error only.
9	SA6	D. A minimum of 4,000 sq m (GIA) of commercial floorspace (Class E and B8) of which at least 3,000 sq m will be business floorspace (Class E(g) <u>office, research and development or light industrial</u> or <u>B8 storage or distribution</u>).	To clarify the definition of E(g) and B8
10	SA6	The site lies within Flood Zones 2 and 3. An Exception test and a Flood Risk Assessment should be submitted to support any future planning application. The assessments should take into account the new climate change allowances and requirements, especially for surface water flooding. 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 <u>to be to greenfield rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.
11	SA9 Current uses	Offices, <u>studios, retail, workshops, a theatre,</u> light industrial and warehouse and storage <u>uses.</u>	To clarify that the units are largely non-industrial in nature.
12	SA7 Planning constraints	A Flood Risk Assessment is not required to support any future planning application. However, the site should assess the new climate change allowances and requirements, especially for surface water flooding. 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 <u>to be to greenfield run-off rates in line with the requirements of Policy GB12.</u>	To align with proposed main modification to Policy GB12.

13	Para 9.86	“So whilst all our residents should live within a 20 minute walk of a secondary school, a library or a larger shopping centre, a 5 minute walk will be more appropriate for a choice of shops <u>and other local facilities</u> which meet day-to-day needs.”	At the request of the Kensington Society to better reflect the vision, and that the walkable neighbourhood is concerned with a range of services and not merely shops.
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Chapter 11: Infrastructure and Planning Contributions

Reference	Policy/Para	Modification	Reason
		No modification.	

Glossary

Reference	Policy/Para	Modification	Reason
		No modification.	

Appendix 1: Sites within the Housing Trajectory

Reference	Policy/Para	Modification	Reason
		No modification.	

Appendix 2: Schedule of Saved and Superseded Policies

Reference	Policy/Para	Modification	Reason
		No modification.	

Appendix 3: Strategic Policies

Reference	Policy/Para	Modification	Reason
		No modification.	

Appendix 4: Monitoring

Reference	Policy/Para	Modification	Reason

		No modification.	
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