

**THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA
PUBLIC REALM SCRUTINY COMMITTEE
26 March 2019**

REPORT BY COUNCILLOR WILL PASCALL

LEAD MEMBER FOR STREETS, PLANNING AND TRANSPORT

CURRENT ISSUES

The following are matters of current and future business. I can provide additional information at the Committee meeting if requested.

FOR CONSIDERATION AND COMMENT

PLANNING AND BOROUGH DEVELOPMENT

1 PLANNING POLICY TEAM

1.1 Local Plan Partial Review

Topics

The Council is undertaking a Partial Review of its existing¹ Local Plan to ensure it is up-to-date and fit for purpose. It covers a range of topics including housing and employment policies.

The Local Plan Partial Review has been at examination for quite some time (since May 2017). Public examination led by an Inspector appointed by the Secretary of State took place in February/March 2018. The Council has been waiting for the Inspector's report into the examination since October 2018. Given the delay, it is still uncertain when the report will be received. However, we will continue to keep members updated.

All the information is available on the examination webpage at <https://planningconsult.rbkc.gov.uk/consult.ti/LPPRexam>.

1.2. Planning Contributions SPD

The Council consulted on a second Draft of the Planning Contributions Supplementary Planning Document (SPD) from 27 November 2018 to 22 January 2019. This was reported in detail in the January PRSC report.

The adoption of the SPD will follow the receipt of the Inspector's report into the Local Plan Partial Review and adoption of the Local Plan. This is because the SPD provides more guidance on the new policies and these need to be adopted

¹ www.rbkc.gov.uk/planningpolicy

before the SPD can be adopted.

1.3 Code of Construction Practice

The Council adopted its current Code of Construction Practice in April 2016 and it mainly focused on noise, vibration and dust. The CoCP has been revised to cover all aspects of construction which will be monitored by the Council's cross cutting Construction Management team.

The Code was discussed at the meeting of PRSC on 11 December 2018. The action that was recorded at this meeting was that officers should consider if the code could include measures to reduce spoil on the highways and street works. Officers have now considered this and concluded that the basements policy and related SPD adopted in 2015 and 2016 respectively addressed this issue. The basements policy reduced the scale of development and part of the justification for this restrictive policy was to reduce spoil and construction waste.

The purpose of the Code is to provide a joined-up service to manage construction impacts in the borough. The Council is in the vanguard on this work and many of the requirements are more onerous, particularly for smaller developments than elsewhere. It is important that an appropriate balance is struck between allowing residents to extend their homes, for development to happen in the borough and mitigating residential impacts. The Draft Code strikes this balance. The success of the Code will depend on effective enforcement by the newly formed construction management team.

An eight-week consultation took place from 30 November to 25 January 2019. Comments were received from 24 consultees. This includes three statutory consultees, 16 residents/ resident associations, three councillors and a respondent from the broader development industry. In addition, the Council held a meeting with an invited focus group to explore the issues in greater detail. Many comments supported the new approach as set out in the Code. Others offered suggestions for extending the Code even further. Following consultation, the draft planning condition wording has been changed to make the process more effective and requiring applicants to submit details to the construction management team. A few changes to the structure of the document have also been made.

The Code is on the agenda for the Leadership Team meeting on 27 March 2019 to be adopted. The new requirements will come into effect for any planning permission granted after 1 April 2019.

1.4 Statement of Community Involvement

We are at the pre-engagement stage in producing a Statement of Community Involvement (SCI). The Planning Act² requires us to produce a SCI which sets out how we consult on planning matters. The existing SCI titled Involving People in Planning is from 2013 and needs to be updated to reflect our current values.

² Planning and Compulsory Purchase Act 2004 (as amended)

The SCI will cover three main areas and set out a range of consultation methods that will be used for each:

- 1. Planning Policy**
- 2. Planning Applications**
- 3. Neighbourhood Planning**

So far, we have met with a number of residents' associations and planning agents as well as Grenfell United. Further engagement will be undertaken to find out the consultation techniques that residents and stakeholders find useful in each of the above areas and at different stages. So far, the feedback has been positive on the approach to early engagement in producing the SCI.

We aim to commence a 6-week consultation in late spring of this year but this may be subject to change based on further on-going early engagement.

1.5 Article 4 Direction Office to Residential

In May 2019 the provisions of national planning regulations will change. A system of prior approval will replace the existing need for planning permission for changes of use from offices (Class B1(a) uses) to residential.

An Article 4 Direction was formally confirmed in February 2019, and as required by Regulation, the Secretary of State notified. It will come into force this May. This will ensure that planning permission will continue to be required for such changes of use. The Direction relates to the entire Borough.

1.6 Conservation Area Appraisals

The Council has now adopted 28 Conservation Area Appraisals (CAAs). Following consultation, work is currently underway for amendments to the CAAs for - Thames, Hans Town, Oxford Gardens – St Quintin and Norland. There are two consultations; Queen's Gate CAA which will close 26 March 2019 and the proposed new Chelsea Conservation Area Designation and CAA which closed on the 21 March 2019. This consultation seeks responses on the Council's proposal to designate a new conservation area. A Draft Conservation Area Appraisal setting out the architectural and historic interest of the area has also been produced in support of the proposed designation.

1.7 Ashburn Gardens

Planning permission was refused by members of the planning committee on 27/09/2018 for the redevelopment of the Kensington Forum Hotel site. The scheme was hotel-led with a residential element and incorporated a publically accessible Garden Square. A protected Garden Square (known as Ashburn Gardens) currently occupies the site but was fragmented and made largely unintelligible when the current hotel building was built in the early seventies.

An application under section 4 of the London Squares Preservation Act 1931 to

deregister and exchange part of the protected land (known as Ashburn Gardens) with other land (the proposed Garden Square) was submitted concurrently alongside the planning application. This application remains live and requires a key decision by the leadership team and prior public consultation.

Following the planning committee's decision to refuse, the application was referred back to the Mayor, known as a Stage 2 referral. The Mayor directed that he would take over the application, thus becoming the local planning authority. As such the final decision rested with the Mayor. However, the Council has challenged the call decision in the High Court because of inaccuracies with the reason for call in. Due to the Council's on-going legal challenge of the Mayor's Direction to call-in the associated planning application, the Council are not intending to start the public consultation at this time.

2 PLANNING IMPLEMENTATION TEAM

2.1 Asset of Community Value (ACV) Nominations

An application to renew an ACV designation at West London Bowling Club (112A Highlever Road, London, W10 6PL) has been submitted by the St Quintin and Woodlands Neighbourhood Forum.

2.2 Housing Delivery Test Action Plan

The government has finally published the results of the Housing Delivery Test (HDT). The Test assesses level of housing being built in local authority areas against housing requirements. Kensington and Chelsea passed the test this year but it is expected that our results will fall in future years and it is an area which we must continue to prioritise.

2.3 Revitalising Kensington High Street

An event is being held, in partnership with the Kensington Business Forum, in the Mayoral Suite at the Town Hall on 10 April 6.30-8.30pm to discuss ideas for revitalising the High Street. Lead Members, local ward Councillors, Members of the Public Realm Scrutiny Committee, local residents and businesses are being invited to attend.

This is intended to be the first stage in developing a strategy to revitalise the High Street. In advance of the event a short questionnaire is being sent to Councillors, residents and businesses in order to understand the issues affecting the High Street from as wide a perspective as possible. The results of this survey will be presented at the event along with some ideas for short-term initiatives and longer-term solutions.

2.4 Explore Kensington and Chelsea microsite

A new microsite to replace the Visit Kensington and Chelsea microsite is being launched shortly. This is intended to make residents aware of the full range of

attractions available in the borough, some of which they may not know about, and to encourage visitors to explore the borough.

We will be seeking suggestions for further events, attractions and businesses to feature on the microsite.

2.5 Kensington High Street Map

A map of the High Street and surrounding areas has been designed, in partnership with the Kensington Business Forum. It will be printed as a full page spread in the April edition of the Kensington Magazine and issued in A3 pads to local hotel concierges to help them to direct visitors, as the maps currently available to them do not show this area very well.

3 LEAD LOCAL FLOOD AUTHORITY

3.1 Local Flood Risk Management Strategy

The recommendations within the Local Flood Risk Management Strategy's Action Plan are being implemented, including the recent policy review (which is part of the Local Plan). Objective 3 of the strategy is to reduce flood risk and its consequences. The implementation of Sustainable Drainage Systems (SuDS) will aid this objective. On 10 January 2019 the Thames Regional Flood and Coastal Committee approved £500,000 levy funds to implement SuDS in North Kensington (Denbigh and Archer House, Henry Dickens Court and Avondale Park). Meetings have been held with colleagues from Parks and Highways to gain their support for this project and learn from their experience. The outline business case will be presented to the Environment Agency later in the spring for approval. Once approved, the Council can start drawing funds to start the tendering process.

3.2 Counters Creek

The Counters Creek Flood Alleviation Scheme is progressing. Thames Water installed 12 new suitable pump devices to protect from basement flooding. The local sewer improvement scheme proposed for Queensdale Road is currently being reviewed as the site investigation showed that connectivity was more complex than originally envisaged. The Counters Creek Flood Alleviation Scheme, including Thames Water's decision to withdraw the strategic sewer, will be brought to a future the Public Realm Scrutiny Committee for discussion (probably the June committee meeting).

4. Kensal Canalside Opportunity Area Team

4.1 Work is progressing on the evidence for the development of a Supplementary Planning Document (SPD) for the site. Officers are working closely with the landowners on the format of the SPD, a masterplanning framework and infrastructure provision, to ensure that the project is focused on the long term delivery of site. This collaboration should ensure that works on the site commence in a timely manner and that we see real outcomes in the medium term.

Community Engagement

We have, as a part of our ongoing stage 1 community engagement work undertaken more than 30 meetings to introduce the team and project to the local communities of the KCOA. Those groups have included residents, community interest groups and businesses in and around the area such as Workspace, Kensal House residents' association, the Dalgarno Wedge Neighbourhood manager and Canalside House user group.

The 'early conversations' have been welcomed and, generally, residents and stakeholders have been pleased that the Council have come out to speak with them so early in the process with a largely blank canvass and been honest about the likely amount of development that will need to take place and there has been an acknowledgement of the need to provide new homes. They all had many questions, that have ranged from the type and amount of affordable housing to be provided, scale and density, parking provision, road safety, school provision and construction traffic.

Stage 2 will begin in March with a number of drop-in sessions to open up the introductory conversations to the wider community. These sessions will be run on or around the site with information boards and maps of the area to prompt questions and conversation regarding the development of the site. Sessions are as follows:

1. Sainsbury's café – 27 March
2. Grand Union Studios – 20 March
3. Dalgarno Trust Community Centre – 30 March
4. Canalside House – 18 March
5. Brent/Westminster - TBC

In order to publicise this the team has run less formal flyer sessions at key locations such as the Sainsbury's entry, Ladbroke Grove station and Kensal Green station. This has been accompanied by a series of leaflets that have been distributed to the wider area and online publicity using the Council's Social network ability. This marks the end of the phase 2 engagement process and will be completed by the end of this month.

The team were recently successful in a bid to the GLA's Good Growth Fund for £1m, match funded through the Council Capital Fund, to deliver a piece of work around employment and business in North Kensington, and how the Kensal site can boost the local economy. The team are currently drafting the grant agreement with the GLA and hope to go out to tender for a main consultant to lead the project in the next few months.

TRANSPORTATION AND HIGHWAYS

5 20mph limits

Members will have observed the Key Decision reporting on the outcome of the consultation this winter on our proposals to introduce 20mph speed limits in St Helen's and most of Dalgarno wards, and in several streets across the borough. Officers are now working on the detailed design of the sign scheme to support the

20mph limits, and have commissioned speed surveys in around 45 streets. These will give us robust data against which to test the effectiveness of the 20mph limits in reducing speeds – and particularly in reducing the numbers of vehicles exceeding 30mph.

6 Local Implementation Plan

Our Local Implementation Plan (LIP) sets out how we intend to implement the Mayor of London's Transport Strategy. Members of the Committee will have noted that in February I took a Key Decision to approve the submission of our draft final LIP to TfL. This followed the public consultation exercise in the winter. Officers made drafting changes in response to some of the comments we received but the thrust of the document was unchanged. At the time of writing, we awaited formal confirmation from TfL that the Mayor has approved the LIP.

7 Electric vehicle charging points

By mid-March we had 25 Source London charging points across the borough. A further 16 charging points are being installed and will be operational within the next few weeks. When completed 13 of the 41 charging points will be 22kw – offering residents faster charging.

Use of the Source London charging points remains high with the original 15 points being used for over 31,000 hours by 1,131 customers during 2018.

We currently have 62 Ubitricity lamp column charging points across the borough and will be adding to these in the near future in response to requests from residents.

Members will have noted the recent Key Decision in which gave approval to procure around 170 lamp column sockets using Go Ultra Low Cities Scheme and Local Implementation Plan funding. At the time of writing, officers were about to place the order with the supplier. Locations for deployment of the sockets will be identified in two ways: as part of our programme of lamp column replacements, and in response to specific requests from residents for sockets near their homes.

8 Revised guidance on Construction Traffic Management Plans

The Council introduced a new version of the template Construction Traffic Management Plan (CTMP) in February, in order to improve adherence to the Council's adopted planning policies and guidance.

The Council provides a template CTMP for applicants to use to produce the comprehensive policy-compliant documents we require. Our CTMP template is now universally used by applicants as it is the most effective way of satisfying the Council's policy requirements. Since the CTMP template was last changed - three years ago - we have learned what works well and what could be improved to

achieve better outcomes for developers, neighbours and highway users alike. The new template addresses shortcomings that we have identified in managing construction traffic under previously approved CTMPs.

The most notable change is the introduction of a one page summary CTMP that would be affixed to the frontage of sites where it can be publicly read. This requirement will assist Council officers to monitor active sites and will inform members of the public what to expect. As this new requirement has only been applied to planning permissions issued since the beginning of this month, it will be some time before summary CTMPs begin to appear.

In addition, we now request that construction vehicle operators achieve FORS silver accreditation in the interests of cycle safety and air quality.

Officers are also investigating how the Council could better monitor the construction traffic generated by large development sites using emerging data technology.

9 “Floating car clubs”

I am minded shortly to propose a Key Decision that would permit car club operators to provide so-called floating car club services within the borough. We have had “round trip” car clubs in the borough for many years, with car club members collecting a car from a designated bay and returning it at the end of the hire period to the same bay.

Floating car club services permit users to pick up a car and to drop it elsewhere with a defined operating area. The cars are not parked in designated bays, but in resident parking bays. Such services are already available in other parts of London, including three of our neighbouring boroughs. Allowing our residents to make use of similar services in Kensington and Chelsea would support our strategic transport objectives to provide residents with an alternative to car ownership, to reduce trips by private car and to make more efficient use of our streets. Experience from other London Boroughs has shown that floating car clubs can play a key role in reducing car ownership and associated parking demand.

Should the Key Decision be confirmed, operators will be invited to provide floating car club services under contracts based on a framework agreement from Summer 2019. Floating car club operators are at the vanguard of the switch to electric vehicles and a significant proportion of floating car club fleets would be electric. The Council shall seek to build residents’ awareness of the car clubs, in order to increase car club membership and the policy benefits that would follow.

10 Cycle route update

Construction work is well underway on the new route from Kensington High Street to Shepherd’s Bush. Works concluding in March include introduction of a raised table at the junction with Kensington High Street and new sinusoidal speed humps

along the length of Russell Road. The entire route is due to be complete by the end of May following resurfacing work in Elsham Road.

11 Exhibition Rd / Portobello Rd – safety measures

We continue to investigate how we can improve public safety at two of the borough's key visitor attractors, Exhibition Road and Portobello Road.

At Portobello Road we recently closed a public consultation seeking the views of residents and traders on how the market is used in future, and the appetite for additional road closures. The results of the consultation are being analysed, and the intention is to report back on the results with a recommendation of how to proceed. This will help determine the most appropriate safety measures based on how the market is managed in future.

On Exhibition Road, I have been chairing meetings with the Exhibition Road Cultural Group, residents and ward councillors, to develop an approach to improve public safety in high footfall areas. We have subsequently met the Exhibition Road Access Group to ensure that all users' needs are considered, and are working with other partners such as Westminster City Council and Transport for London to finalise the design, ensuring that we coordinate our proposed work with those plans for future events in Exhibition Road. We will continue to develop the design, and promote the necessary parking changes and implement measures later this year.

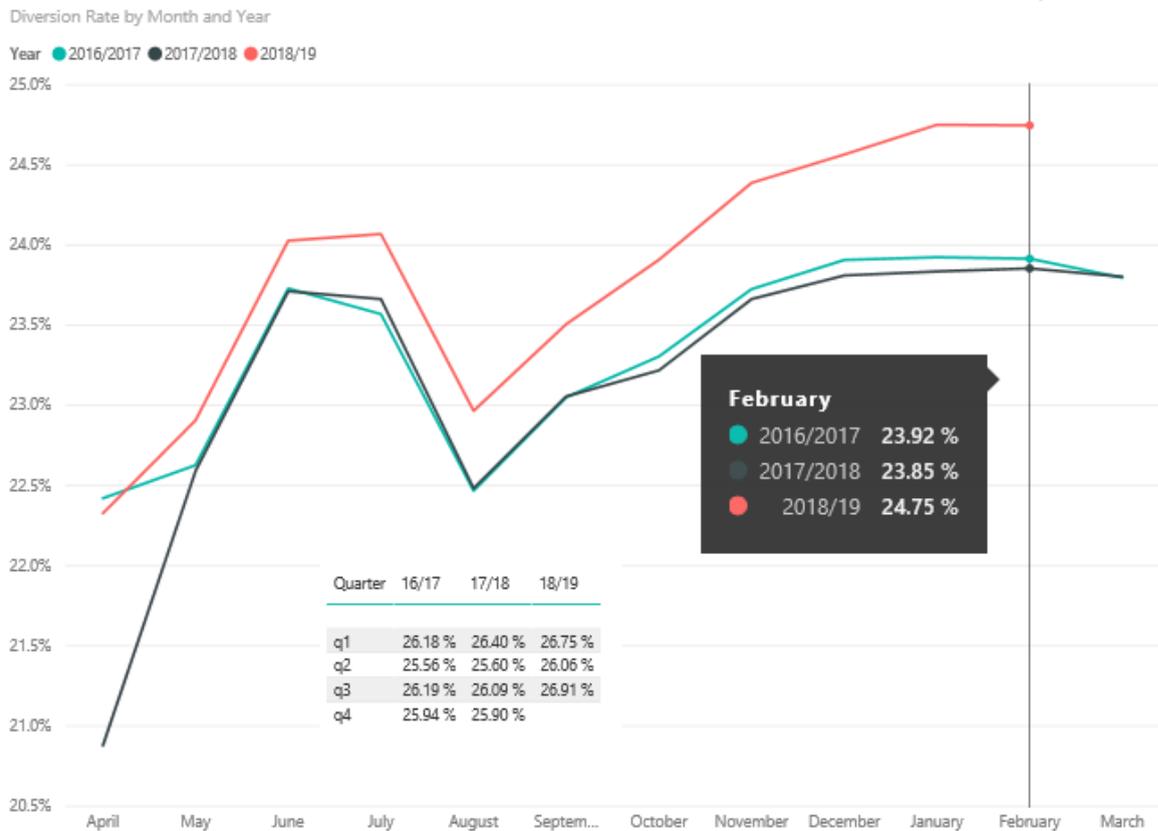
CLEANER GREENER & RESIDENTS SERVICES

12 Waste and recycling statistics 2018/19

Below is a summary of the most important figures for measuring waste reduction and recycling performance. Note that all present year data is not final until approved by the Environment Agency, after the end of the financial year. Estimates, based on the previous years are used for some data such as HWRC tonnages, which are only provided by WRWA 1-2months after each quarter.

WM2 overall household recycling rate compared with previous years

In February, WM2 is 0.9% higher than at the same point in the previous year.



Note that quarterly WM2 data is always higher than its constituent monthly figures, as it includes the tonnages received at the Household Waste and Recycling Centre (HWRC).

WM1 and WM5 quarterly performance

	WM1 [NI 191] Residual waste per household (Kg)	WM5 Contamination rate
Quarter 3	105.66	11.62%
<i>Difference from 17/18</i>	-1.56	-0.66%
January	37.59	9.93%
<i>Difference from 17/18</i>	-2.40	-1.41%
February	30.96	12.95%
<i>Difference from 17/18</i>	-0.08	1.29%

13. Single Use Plastics

The Council wants to be as green as possible, and reducing our plastic waste is an essential part of this. We will soon adopt a new Plastic Free policy which sets out how we will achieve our goal of having council operations and properties free of non-essential single use plastics by 2020. The policy will also detail how we will work with our contractors, suppliers, local businesses, and residents to help reduce the use of plastics throughout the borough. Through this policy we will develop and deliver a significant programme of improvements designed to help the council realise its ambition for minimising single-use plastic consumption. The programme will be delivered by officers, and overseen by a member led steering group.

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