**REPRESENTATIONS OF THE KENSINGTON SOCIETY**

**ROYAL BOROUGH OF KENSINGTON AND CHELSEA PARTIAL REVIEW OF THE CORE STRATEGY: MISCELLANEOUS MATTERS**

**Matter 1: Purpose and nature of the miscellaneous changes to the core strategy**

**Issue 1.1: Whether the miscellaneous changes are consistent with national policy and guidance relating to the form and content of local plans.**

**1. Do the miscellaneous changes bring the Core Strategy up to date and in line with the objectives of national policy and guidance in terms of setting the scene (chapter 1) and providing a practical and flexible framework for decision making?**

**Yes –** Para 14 of the NPPF sets out the positive approach to plan making and re-affirms that development proposals should be determined in accord with the development plan. Since the Borough has a fairly up-to-date development plan – the Mayor’s London Plan and the Borough’s Core Strategy – this will be the primary basis for determining applications.

**There is a need for a policy on Construction Traffic Management Plans** – it has become far more important “servicing” subject than coach parking. It has the air of addressing yesterday’s problems instead of today’s key issue.

**2. Do the miscellaneous changes properly reflect the Framework’s presumption in favour of sustainable development as stated in paragraph 1.1.6?**

Yes**Matter 2: Climate Change**

**Issue 2.1: Is the revised policy CE1 adequately justified by proportionate evidence?**

**3. What is the up-to-date evidence upon which revised policy CE1 is based, and does this provide a reasonable justification for the policy?**

**4. Is the evidence adequately reflected in the reasoned justification?**

**Issue 2.2: Is revised policy CE1 consistent with national policy?**

**5. Are the Code for Sustainable Homes and BREEAM targets for new buildings and extensions (policy CE1 part a) and for conversions and refurbishments (policy CE1 part b) aspirational but realistic?**

**6. Is revised policy CE1 consistent with the Government’s zero carbon buildings policy as required by paragraph 95 of the Framework?**

**Issue 2.3: Will revised policy CE1 be effective in ensuring that development makes an appropriate contribution to meeting national targets to reduce carbon dioxide emissions?**

**7. To be effective, should the policy include more challenging targets for later parts of the plan period which runs to 2028?**

The impact of construction, but particularly basements is huge, due to demolition, excavation and removal of large quantities of demolition and excavation waste, the large quantities of steel and concrete, and the energy required to heat, cool and ventilate the structures and to service swimming pools, saunas, etc.

The London Plan contains policies for assessing such projects including:

* sustainable design and construction (5.3) + an SPG
* retrofitting (5.4),
* overheating and cooling (5.9),
* flood risk (5.12),
* sustainable drainage (5.13),
* construction and demolition waste (5.18),
* water use and supplies (5.15),
* trees (7.12) and
* biodiversity (7.18/19)

Basement projects are inherently unsustainable in environmental terms, but the impact assessments of such projects fail to deal fully with the lifetime CO2 emissions. Retrofitting buildings to “offset” the huge CO2 emissions is minor contribution in CO2 reductions to offset the large “contribution”.

**8. Will the proposed monitoring indicators and triggers for review provide an effective mechanism to ensure that development achieves the highest possible standards of sustainability throughout the plan period?**

The monitoring arrangements were contained in the 2010 Core Strategy. However the Monitoring Report for 2013 (RBKC, December 2013) has very little to report in terms of achievement. The Society considers that the scepticism in the question is warranted. Nevertheless, given the inherent unsustainability of some of the developments, the efforts to secure even some off-setting by seeking the retrofitting of buildings to improve energy efficiency and reduce emissions is at least a contribution to meeting some of the targets.

**Matter 3: Noise and Vibration**

**Issue 3.1: Will policy CE6 be effective in controlling the impact of noise and vibration both during the construction and operational phases of development?**

**9. Should policy CE6 define what is meant by “local noise and vibration standards” and “unacceptable noise and vibration impacts”?**

**Yes** – the new basement policy CL7 talks about the “unreasonable inconvenience” due traffic and construction activity (CL7 (l)) and the need to “ensure that construction impacts such as noise, vibration and dust are kept to acceptable levels” (CL7 (m)). Similarly new para 34.3.69

**Working Hours**

At present the Borough has the longest working hours in London for construction sites – 08.00 – 18.30 Monday to Friday and 08.00 – 13.00 on Saturdays. Most other London Boroughs have 08.00 – 18.00 Mondays to Fridays and 08.00 – 13.00 on Saturdays. Westminster has no noisy work on Saturdays for basements. The Society is pressing for no noisy work on Saturdays.

**Noise**

At present the Borough, like many London Boroughs, has adopted a 75dBA 10-hour average as the standard for S61 agreements, regardless of the setting – whether near main roads or quiet residential areas. We are pressing for a distinction to be made and/or a lower Borough-wide maximum, as in Southwark where the maximum is 70dBA.

**Construction Traffic, Parking etc**

The Council’s SPD on Transport (2008) and the draft SPD on Transport and Streets (2013) both have a “presumption” in favour of retaining waste, materials, machinery and hoardings off the highway wherever possible. However, contractors are prepared to pay for the “convenience” of putting skips, materials, etc on the street, even though the Council has greatly increased the daily charges for parking suspensions.

All of these matters are the subject of conditions and/or informatives.

The Society considers that these basic requirements should be formalised as policy, and has previously proposed that there should be a formal policy for Construction Traffic Management Plans to provide the policy “hook” for the Transport and Streets SPD. The proposed Basements SPD will likewise require policy hooks in the basement policy which go beyond the fairly meaningless, “best endeavours” approach in the proposed Policy CL7 (i) and (m).