

Ref: KOC/ab/060314

6 March 2014

Ms P Gulati  
Royal Borough of Kensington and Chelsea  
Planning Department  
Kensington Town Hall  
Horton Street  
London W8 7NX

Dear Preeti

**Re: Basements Publication Planning Policy – Partial Review of the Core Strategy –  
February 2014**

With reference to the above please treat this letter as a formal request made under the Freedom of Information Act.

You have produced two reports from Eight Associates as evidence for the proposed planning policy changes.

As you are aware during previous policy consultation in July 2013 we raised extremely serious concerns over the lack of information which was available from Eight Associates relating to earlier documents and brought to your attention factual errors in both the calculations and the content of the Eight Associates reports – we note that those reports have been withdrawn.

The two reports from Eight Associates which form the evidence base for your February 2014 policy are nothing more than a series of conclusions.

The reports do not contain any calculations relating to size, area, volume or mass and as a consequence it is impossible to confirm if the conclusions are accurate.

The reports do not provide a schedule of documents upon which the non-disclosed calculations and unproven assumptions have been based.

The Eight Associates reports which you have provided are merely a set of conclusions unsupported by any evidence.

The reports which have been produced are padded with irrelevant data which does nothing to support or evidence the conclusions that have been reached.

By definition you have failed to provide the evidence which is required under the National Planning Policy Framework to support your Carbon Policy Objectives because your assumptions and conclusions are not factually based or supported by any calculations.

In bringing forward the proposed policy changes it is the responsibility of the Local Authority to provide the evidence to support the intended changes or risk rejection by the Inspector.



FS 39931



It is the Local Authority that wishes to change policy and under National Planning Policy Framework and associated guidelines it is the responsibility of the Local Authority to produce evidence to support the changes proposed.

In the interest of transparency we formally request that you provide full details of the calculations and methodologies which have been used to inform those calculations.

In particular we formally request that you provide the following information:

1. Case Study – 2 Ruston Mews, London, W11 1RB
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
  - d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.
2. Case Study – 8 Lamont Road, London, SW10 0HL
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
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3. Case Study – 36 Markham Square, London, SW3 4XA
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.

- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
  - d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.
4. Case Study – 17 Neville Street, London, SW7 3AS
- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
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5. Case Study – 5 Eldon Road, London, W8 5PU
- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
  - d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

6. Case Study – 49 Redcliffe Road, London, SW10 9NJ
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
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7. Case Study – 8 Holland Villas Road, London, W14 8BP
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
  - d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.
  
8. Case Study – 16 Radnor Walk, London, SW3 4BN
  - a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
  - b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
  - c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.

- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

9. Case Study – 37 Jubilee Place, London, SW3 3TD

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

10. Case Study – 19 Clareville Grove, London, SW7 5AU

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

11. Case Study – 24 Chelsea Square, London, SW3 6LF

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.

- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

#### 12. Case Study – 16a St Luke’s Street, London, SW3 3RS

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

#### 13. Case Study – 30 Brompton Square, London, SW3 2AE

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

14. Case Study – 30 Milner Street, London, SW3 2QE

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

15. Case Study – 2 Tregunter Road, London, SW10 9LR

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.
- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

16. Case Study – 149-151 Old Church Street, SW3 6EB

- a) Please provide a full and detailed schedule of each document that has been relied upon by Eight Associates to complete their calculations and report.
- b) Please provide a full set of calculations together with detailed workings and conclusions for each constructional element. For the avoidance of doubt we are requesting copies of all detailed calculations in order that we may check these calculations for accuracy.
- c) Please provide written confirmation of any “assumptions” made with regard to this Case Study so far as those assumptions affect the calculations carried out.

- d) Please provide a copy of document which was relied upon to determine the extent to which each project would be measured for calculation and the constructional elements contained therein. For the avoidance of doubt it would appear that certain key construction components have been omitted from the above ground case studies and we wish to determine why those elements which have a high carbon content have been ignored.

Please note that precise dimensional information to allow a calculation of height, width, volume and mass is required. This information is not available by simple reference to the RBKC website because we do not have a schedule of documents relied upon for the purposes of the calculations nor do the plans contain dimensions and in a significant number of cases are simply scanned documents which are unreliable.

Clearly the calculations which we have requested are available and must have been produced to inform the conclusions reached by Eight Associates. We can see no reason why these calculations should remain “secret” unless RBKC and Eight Associates are not certain that the calculations are accurate.

It is extremely disappointing that this fundamentally important information was not provided as part of the documentary pack. We are surprised that RBKC does not welcome a sensible debate on what are extremely important matters and the Inspector will draw his own conclusions in that regard.

We hope that RBKC will provide the information which has been requested by return with full disclosure. In the event that we do not received the information which we have reasonably requested our advisors will make appropriate legal representation to the Inspector regarding the validity of the Eight Associates Reports on the basis that they are not supported by evidence.

Yours sincerely



Kevin O'Connor  
Managing Director