



Responses to the Inspector

Matter 11: Infrastructure/Monitoring, Risks and Contingencies and Proposals Map

Core Strategy with a focus on North Kensington Examination in Public July 2010

Public Examination of Royal Borough of Kensington and Chelsea's Core Strategy with a focus on North Kensington DPD

Royal Borough of Kensington and Chelsea's Statement

Matter 11 – Infrastructure/Monitoring, Risks & Contingencies/Proposals Map

Question 1

The Infrastructure Schedule shows a point in time picture of the key infrastructure requirements within the Borough whilst the Infrastructure Delivery Plan (IDP) is a 'living document' which sits outside the CS and will be continually updated. PPS12 (para 4.8) states that "The Core Strategy should be supported by evidence of what infrastructure is needed.."

The Schedule will be outdated as soon as the IDP is first updated. Is it necessary to include it within the Core Strategy?

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- 1.0 *Yes, the schedule in Chapter37 acts as a useful starting point for any user of the Core Strategy who is interested in infrastructure provision and it provides the appropriate strategic information. It also signposts the infrastructure Delivery Plan (IDP) for further detailed and up-to-date information on infrastructure. It is recognised that updating a 'living' document such as this will render the schedule outdated, but it is not intended that the Schedule be considered as exhaustive.*
- 1.1 PPS12 advises that the infrastructure planning process should identify as far as possible, infrastructure needs and costs, phasing, funding sources and responsibilities for delivery, and where necessary, contingency planning scenarios. However the budgeting processes of different agencies may mean there is less information available when DPDs come forward than would be ideal. It therefore is accepted that a proportionate approach to the level of evidence for different localities is expected.
- 1.2 In preparing the IDP as evidence for the Core Strategy, the Royal Borough has followed Planning Advisory Service (PAS) guidance on shared best-practice, as well as playing a central role in the Planning Officer's Society (POS) Infrastructure Group, which disseminates and develops good practice. The approach used in RBKC is the PAS "Steps Approach to Infrastructure Planning and Delivery"¹
- 1.3 The infrastructure delivery process is fully grounded in the Core Strategy requirements. As explained in the response to Matter 2, Question 7, the IDP has a framework flexible enough to accommodate changes of circumstances and priorities and is updated on an ongoing basis, so is more appropriate to contain the information than a Core Strategy. Formally updates and progress are reported in the Annual Monitoring Report, though aspects of the IDP can be updated more often,

¹ www.pas.gov.uk

taking account of the advice available from government and from PAS, and from the POS Infrastructure Groups.

- 1.4 Paragraph 37.2.5 of the Core Strategy explains that the schedule presented in Chapter 37 is a 'snapshot' of known infrastructure requirements. It explains that the IDP is regularly reviewed and updated in line with good practice. The schedule is repeated in the Core Strategy, as a useful marker to users of the Core Strategy, by referring them on to the other evidence – the IDP itself, and the AMR.
- 1.5 It is noted that other parts of the Core Strategy could equally become outdated due to changing circumstances, for example, risks that have been overcome, housing and site requirements as they progress through the planning system, and other changing circumstances. However, infrastructure planning forms an important part of a robust evidence base for Development Plan Documents (DPDs) and especially Core Strategies.
- 1.6 Whilst recognising the issue of keeping up-to-date, the schedule in Chapter 37 should be part of the document in order to ensure that infrastructure requirements have been taken into account in site planning. The schedule demonstrates that certain requirements and known infrastructure has been considered in arriving at the Core Strategy Strategic Site Allocations and Places, although it is acknowledged that this is simply a starting point. Further information on infrastructure will be identified in the preparation of AAPs or SPDs. These processes will inform the IDP updating and as a more flexible document, it is appropriate that information is contained in this document rather than the Core Strategy.

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Question 2

The Council has responded to representations by amending parts of the monitoring chapter. Does the delivery strategy now contain clear targets or measurable outcomes to meet the requirements in PPS12?

- 2.0 *Yes, clear targets or measurable outcomes have now been provided for all policies in the Submission Core Strategy. However, it is acknowledged that in a very limited number of cases the targets are not as explicit as they could be and a timeframe for implementation would have been useful. The Council is amenable to any suggested changes on this basis and will put forward some amendments as part of the Schedule of Rolling Changes. However, the monitoring targets for the Strategic Site Allocations and the Housing Trajectory which are critical to the success of the Core Strategy are clearly set out and meet the requirements contained within PPS12.*
- 2.1 Paragraph 4.47 of PPS12 states that monitoring is essential for an effective strategy and will provide the basis on which contingency plans within the strategy would be triggered. The delivery strategy should contain clear targets or measurable outcomes to assist this process. Chapter 38 of the Submission Core Strategy deals with monitoring and for each policy a target and monitoring indicator has been developed. The frequency of monitoring is also identified (normally annually) as is the source of monitoring information. On this basis there is a clear and identifiable structure to assess the success of each policy in the Plan.
- 2.2 The Annual Monitoring Report (AMR) will report on the progress of all of the policies and related targets in the Core Strategy and it will highlight any unintended significant effects of the implementation of the policies on the social, environmental and economic objectives of the Plan. In the case of the Submission Core Strategy the targets and monitoring indicators for each of the strategic sites have been clearly expressed and they should be read in conjunction with the delivery milestones to ascertain the timeframe for delivery. For example on the Kensal Gasworks Strategic Site the target for Policy CA1 (a) is to deliver 2,500 new dwellings by 2023 and the monitoring indicator is the number of dwellings that are being provided. In practice, and in recognition of the fact that the quantum of development on this site is dependent on certain infrastructure coming forward, the success of this policy will be monitored on an annual basis and account will be taken of the phasing of development. Therefore we would not wait until 2023 to monitor the quantum of development, but would be aware as part of the delivery of the first phase as to whether a contingency plan would need to be triggered. Policy CA1 (c) has a target

of a Crossrail station being open and operational by 2017. However, well before this timeframe we would be aware of whether a station is possible and would have reported on the situation to the public and civic leaders. It is therefore very clear whether a contingency plan needs to be triggered.

- 2.3 In terms of the 'Places' we have taken the view that we should monitor the implementation of each 'Place' vision rather than the 'Place Shaping' policy as this only deals with one aspect of delivery. To this end, each 'Place' has a section under 'Delivery' which clearly sets out how we will monitor the success of the 'Place' vision. Careful thought has been given to ensure that the monitoring criteria have clear targets or a measurable outcome can be achieved. For example, the output indicators for the South Kensington 'Place' ask a series of questions which will clearly identify to the public and civic leaders whether we have achieved the outcome for South Kensington that is described in the vision. If the outcomes are not achieved it will be transparent and progress towards achieving the vision will be set out in the Annual Monitoring report. However, unlike the strategic site allocations a critical quantum of development does not have to be delivered in a specific timescale so the approach to monitoring is more flexible in terms of a timeframe. It also reflects the need for an integrated approach. However, clear targets or measurable outcomes have been identified and the requirements of PPS12 have been satisfied.
- 2.4 In terms of the Development Management policies the targets and monitoring indicators are clearly laid out. It is acknowledged that certain policies may be more challenging to monitor, especially when they deal with qualitative rather than quantitative outcomes. However, in a Borough where quality and detail matter it would be wrong to avoid qualitative policies and we are confident that they can be monitored – it has just required more thought as to how to identify the measurable outcomes. However, with respect to the guidance laid out in PPS12 we have sought to avoid qualitative judgements as far as possible.
- 2.5 To conclude we consider that the Submission Core Strategy contains extensive and detailed monitoring criteria expressed in terms of a clear target or a measured outcome. However, to ensure that the Core Strategy policies are as effective as possible we will revisit all our targets and monitoring criteria to ensure that they are explicit so that unintended consequences can be identified at an early stage. Any amendments will be included in the Schedule of Rolling Changes although no substantive changes are envisaged.

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Question 3

PPS12 also states that the Core Strategy should not place undue reliance on critical elements of infrastructure whose funding is unknown, and that contingency planning may be necessary where provision is uncertain. **Is the degree of uncertainty relating to critical elements – such as a Crossrail station- clear and are different scenarios properly considered and documented?**

- 3.0 *Yes, contingency planning for the delivery of critical infrastructure has been identified in Chapter 39. Different scenarios have been properly considered and they are documented in a contingency and risk table together with a comprehensive assessment of the degree of uncertainty involved and an assessment of the most appropriate alternative option.*
- 3.1 PPS 12 requires Councils to show that alternative strategies have been prepared to handle any uncertainty regarding the delivery of the Core Strategy. Monitoring provides the basis on which contingency plans will be triggered. To achieve the vision for the Borough it is important that the quantum of development identified in the strategic sites comes forward when envisaged and that Development Management policies are working effectively. To this end both have been included in the contingency and risk table.
- 3.2 The contingency and risk table provides an appropriate level of detail that ensures that different development scenarios can be properly considered and documented. For this to happen in a comprehensive and consistent manner five questions are posed which identify what would happen if a policy or critical element of infrastructure was not implemented. These are: whether it is central to the delivery of the Core Strategy vision; what could prevent it from happening; the level of risk; the impact of this risk and whether a Plan B is required as a result. The response to whether a Plan B is required then identifies what the alternatives might be and if the option has previously been considered from the source from which it has been drawn. The reason for selecting the option is given together with the reason for rejecting other options. The implications of Plan B are identified together with what effect this may have on delivery. By developing the table in this manner a structured and consistent approach has been taken to considering different scenarios and these have been considered in a comprehensive and consistent manner.
- 3.3 The risk and contingency table, by its very nature, can only be a summary of the approach to contingency planning and the development of alternative strategies.

Clearly more detail would be developed than the summary in the table and to an extent this is commensurate on the degree of risk involved and the likely outcome if an effective Plan B was not developed. It is best illustrated by the Council's response to contingency planning in the absence of a critical piece of infrastructure - the Crossrail station at Kensal. Bus based improvements have been identified as the principal alternative as they provide the most effective Plan B for developing the accessibility of the Kensal site. However, the actual level of detail for this contingency has been taken a step further with a statement of common ground with TfL agreeing in principle to such an approach and an agreement in principle for funding for the bus services from the landowners of the site. In addition improvements to the accessibility of the site to the north have been explored with a bridge link over the canal and dialogue with the General Cemetery Company for a dedicated pedestrian route through the site.

- 3.4 The delivery implications of the Crossrail station not coming forward and the HSE exclusion zone remaining in force are also explored in the table. The level of risk is also clearly identified (low, medium or high) together with how this might affect the quantum of development coming forward.
- 3.5 in terms of critical infrastructure the recommended additional wording to paragraph 39.1.9 makes it clear that the only critical element of infrastructure which could have an affect the quantum of development coming forward is the non-delivery of a Crossrail station at Kensal. All other quanta of development are not considered to be affected by infrastructure not coming forward when envisaged although it is acknowledged that there may be a delay. It should also be borne in mind when reading the table that the contingency provided will be commensurate with the identified level of risk and the delivery implications. The construction of a Crossrail station at Kensal has rightly been identified as the highest risk and the one critical element of infrastructure that could have an effect on the quantum of development. It therefore has more development scenarios than the other strategic sites.
- 3.6 All of the strategic sites have been assessed on the basis of the criteria in the contingency and risk table, but it has been concluded that a critical element of infrastructure only exists at Kensal and therefore there has not been a need for a Plan B to be identified at this stage of the process for the other sites. However, potential alternatives for the other sites such as Wornington Green and the North Kensington Sports Centre have been documented and considered together with a level of risk and the impact on the strategy if that risk occurs. On this basis it is concluded that the degree of uncertainty in every case has been made clear and that different scenarios have been properly considered and documented.

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Question 4

Proposals Map/Key and other diagrams

4.0 The Council has broken down the Inspectors questions (shown in bold) and will answer each one in turn.

i. The boundary to the Earl's Court Strategic Site has not been amended on the Proposals Map Inset.

4.1 This has been noted and the Council requests than an amendment be made to the Proposals Map inset on page 374 of the Submission Core Strategy.

ii. Are areas at risk from flooding correctly shown?

4.2 Yes, the proposals map shows Flood Risk Zones identified in PPS25 as areas having a low, medium and high probability of river and sea flooding. The information in the proposals maps comes from the Environment Agency. Response to Matter 9b question 2, gives thorough details of the evidence available to the Council in relation to flooding in the Borough. It also explains the complex problem that flooding represents in the Borough and the need for further research (some already being undertaken) to understand this issue more accurately.

iii. Should the local views and vistas be identified (and managed)?

4.3 The existing Strategic View from King Henry's VIII Mount (Richmond) to St Paul's Cathedral is shown on the UDP Proposals Map. As the Core Strategy is only highlighting new or amended layers, this has not been included. However, the final Core Strategy Proposals Map will include this layer, together with others from the UDP.

4.4 With the exception of Strategic Views, all views and vistas within the Borough are zonal and as such cannot be specifically listed within a Proposals Map. Information pertaining to other views and vistas are detailed within the Council's Conservation Area Proposal Statements and further to this, a Views Methodology SPD and Views SPD are scheduled for adoption in December 2010 and April 2013 respectively (in line with the Council's LDS).

iv. Is the boundary of the Notting Hill Gate District Centre correctly shown?

4.5 Yes: The Council is satisfied that the boundary of the Notting Hill Gate District Centre is correctly shown. The boundary reflects the distribution of Class A 'town-centre' uses in the area. The Council recognises that Newcombe House (on the corner of

Notting Hill Gate and Kensington Church Street) is a 'redevelopment opportunity' likely to contain A class use on the lower floors and, as such, it is likely to be included within the Notting Hill Gate Centre in the future. The ground floor does not, however, currently function as part of the centre. However, it is an Edge of Centre site and as such would be a first choice for additional retail space that cannot otherwise be accommodated within existing town centres.

- v. Does the Proposals Map correctly show the locations of Notifiable Installations?**
- 4.6 No: The Council notes that whilst the HSE Inner Consultation Zone around the Kensal Gasworks gasholders are shown on the Proposals Map, the installations themselves have not been individually located. Therefore the Council recommends that these facilities are added and that this be added to the legend. Furthermore an inset map should be included to show this in greater detail.
- vi. Should the frontage of Brompton Road be amended on the Knightsbridge International Centre map?**
- 4.7 No: the Council is satisfied that the boundary of the International Centre is correct and accurately reflects the distribution of Class A 'town-centre' uses in the area. Whilst a number of units on the Brompton Road frontage do not have an international function this should not preclude them from sharing the wider international designation of the Knightsbridge International Centre. These units are functionally part of the wider centre. They contribute to its vitality and to its viability and help ensure that the needs of residents are met. This is reflected within the vision for the centre (CV14) which states that the principal function of the centre will remain as a "national and international shopping destination" but that Knightsbridge will "continue its role as a service centre for residents in both Kensington and Chelsea and Westminster."
- vii. The Key Diagram does not show a new centre within the Earl's Court site, but does show one at Lot's Road. Other diagrams show neither.**
- 4.8 The Council consider that there will be an element of retail within the Earl's Court Opportunity Area but this may not be of the size to require its designation as a Neighbourhood Shopping Centre. Should a centre be designated, this may not be in the Royal Borough of Kensington and Chelsea, therefore the Council is keen not to allocate land in a neighbouring borough. However, as the key diagram is purely indicative, the Council would not object to an addition being included on the key diagram. Should this change be made, the Council would
- viii. The Key diagram does not show Lot's Road as a broad location of development. Should it?**
- 4.9 Yes. This is a graphical error and should be amended. However, it is noted that the Proposals Map includes the Lots Road Power Station Site as a Strategic Site. Planning permission for this site has already been granted and as such, Lots Road Power Station has only been included within the Core Strategy for information purposes, and not as a Strategic Site allocation, the Council recommends that the Inspector removes this from the Proposals Map.

ix. Are the new stations correctly shown and labelled on the Key diagram?

4.10 Yes. The locations of the maps are considered to be in the correct indicative location. However the Wood Green Underground Station near White Cite/Westfield has now been completed and is operational. Were the Inspector minded to amend the Key Diagram to reflect this, the Council would support his decision.