

Penelope Tollitt
London Borough of Kensington &
Chelsea
Policy Team
Town Hall Hornton Street
London
W8 7NX

Our ref: NE/2006/000064/OT-01

Your ref:

Date: 9th December 2009

Dear Ms Tollitt,

RE: Proposed Submission Core Strategy for Royal Borough of Kensington and Chelsea with a focus on North Kensington.

Thank you for your letter dated 30th October 2008. We have responded in the format as provided by your website (Publication stage application form). We trust this is the correct format, if not please inform me directly and at earliest opportunity.

In the main we find the document sound but we **recommend** changes to Policy CE 2 Flooding. We would like to make further comments on this document and hope that the following comments are taken into account.

Policy CE 2 Flooding.

We are disappointed that this policy fails to mention the Sequential Test. We propose that the following additional point should be shown within this policy,

“where required undertake the Sequential Test for planning applications within flood zones 2 and 3”

This statement should preferably be located before point b. of Policy CE2 Flooding (Page 229-230). We acknowledge the fact that the sites allocated for development have been sequentially tested, but it would appear that the sequential approach has been overlooked with regards to planning application.

Policy CE2 Point G

The Thames Tideway Tunnel policy is welcomed, but it would preferable to include this as an entirely separate policy. The Thames Tideway Tunnel will not have any implications for flood relief, but will have implications for water quality. As such this policy should be place elsewhere within the Core Strategy.

We politely request that these additional comments are taken into consideration and are included in further drafts.

Please contact me if you have any questions regarding the above or the format in which these representations have been submitted.

Yours sincerely

Matt Brown
Planning Liaison Officer

Direct dial 020 7091 4081

Direct e-mail matt.brown@environment-agency.gov.uk

Proposed Submission Core Strategy for the Royal Borough of Kensington and Chelsea with a focus on North Kensington

Development Plan Document

Local Development Framework

Publication Stage Representation Form

Please e-mail this form to: planning policy@rbkc.gov.uk

Alternatively send this form to:

Planning Services
Policy Team
Room 328
The Town Hall
Hornton Street
London W8 7NX

For further information:

Visit our website at: <http://ldf-consult.rbkc.gov.uk>

Phone the LDF hotline on: 020 7361 3879

Responses must be received no later than midday Thursday 10 December 2009

Personal Details

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To be "sound" a core strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY.

"Justified" means the document must be:

- Founded on robust and credible evidence base
- The most appropriate strategy when considered against the reasonable alternatives

"Effective" means that the document must be:

- Deliverable
- Flexible
- Able to be monitored

"Consistent National Policy" means that it is consistent with government guidance within Planning Policy Guidance and Planning Policy Statements

	YES	NO
Do you consider the core strategy to be legally compliant?	√	
	YES	NO
Do you consider the core strategy to be Sound?	√	

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below
Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: C07 Strategic Objectives for Respecting Environmental Limits

Page no: 41

Paragraph

Why it is legally compliant or Sound?
We support this policy as it complies with the general themes of Planning Policy 1(Delivering Sustainable Development) 2005, Planning Policy Statement 9 (Biodiversity) Planning Policy Statements 23 (Planning and Pollution Control) 2004, Planning Policy Statement 25 (Development and Flood Risk), policies within the London Plan 2008.

If you have selected NO do you consider the core strategy to be unsound because it is not.

JUSTIFIED EFFECTIVE CONSISTENT WITH NATIONAL POLICY

Please give details of why you consider the core strategy to be unsound or not legally compliant. Please be as precise as possible when setting out your comments below.

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: CV 18 Lots Road / World's End in 2028

Page no: Page 122

Paragraph:

Why it is legally compliant or Sound?

We consider this policy legally compliant and sound but would have preferred to have seen a greater emphasis on the Flood Risk associated with development this close to the River Thames. It is noted that the Thames Path has been taken into consideration along with ecological enhancements to Chelsea Creek.

Paragraph 18.3.12 states "However, any development in this areas should consider the potential flood risk from the River Thames"

This allocation largely complies with National and Regional policies (PPG1, PPG 9, PPG23, PPG25 and the London Plan.)

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: Strategic Sites 20 Kensal Gasworks (Sites north and south of the railway)

Page no: Page 130

Paragraph 20.2.29

Why it is legally compliant or Sound?

We support this paragraph as it states that this site has been sequentially tested to examine flood risk and also makes note that land contamination is an issue on site. These accords with PPS1, PPS23 and PPS25.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: Policy CA1

Page no: 132

Paragraph: Part d

Why it is legally compliant or Sound?

We consider this policy legally sound as it accords with the themes of Planning Policy Statement 23 Planning and Pollution control.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: Earls Court 26

Page no: Page 154

Paragraph: 26.2.12

Why it is legally compliant or Sound?

We agree with the supporting text to Policy CA7 which states that the site is located in within Flood Zones 2 and 3. It has also stated that the site has passed the sequential test as required PPS25 and requires that an exception test would be required for this site.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: CR5 Parks Gardens, Open Spaces and Waterways (pre-cursor)

Page no: 195

Paragraph: 33.3.28

Why it is legally compliant or Sound?

We approve of the supporting text to Policy CRE5. It states that river Thames like the Grand Union Canal to the north, the potential of the Thames as a leisure as a leisure recreation, biodiversity and transport resource. This accords with Blue Ribbon Network and London Rivers Action Plan.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: Policy CE2 Flooding

Page no: 229

Paragraph:

Why it is legally compliant or Sound?

PLEASE SEE OUR ATTACHED LETTER TO PENELOPE TOLLITT.

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: CE3 Waste

Page no: 231

Paragraph:

Why it is legally compliant or Sound?

This policy is legally compliant and sound by virtue of it making reference to the London Plan. The policy also states major application be supported by Site Waste Management Plans this is in line with national policy. It also states that there are plans for a DPD exclusively for waste. This is encouraged

If you have selected YES and you wish to support the legal compliance or soundness of the core strategy, please be as precise as possible when setting out your comments below

Please make it clear which paragraph number, vision box number, policy box number or objective box number you are commenting on.

Policy no: CE4 Biodiversity

Page no: 232

Paragraph:

Why it is legally compliant or Sound?

The policy is legally compliant and sound by virtue of it stating that it will protect the biodiversity in and adjacent to Sites of Nature Conservation Importance and producing Biodiversity Area Action Plans. The Blue Ribbon Network has been used to as evidence. This evidence has been used to inform Policy CE4 Biodiversity.

