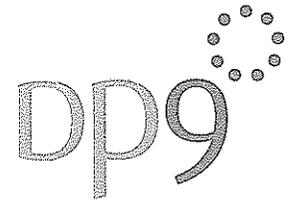


Planning Consultants

OBS/EC/DP2427

9th December 2009



The Royal Borough of Kensington and Chelsea
Planning Services
Policy Team
Room 328
The Town Hall
Hornton Street
LONDON
W8 7NX

100 Pall Mall
London SW1Y 5NQ

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By email and post

Dear Sir/Madam,

**RBKC LOCAL DEVELOPMENT FRAMEWORK
PROPOSED SUBMISSION CORE STRATEGY FOR THE ROYAL BOROUGH OF
KENSINGTON AND CHELSEA WITH A FOCUS ON NORTH KENSINGTON OCTOBER
2009**

We write on behalf of our client Treasury Invest Ltd in relation to the Proposed Submission Core Strategy for the Royal Borough of Kensington and Chelsea.

Please find enclosed a copy of the publication stage representation form and attachments.

Should you have any queries please do not hesitate to contact Emma Cleasby or Oliver Sheppard of this office.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'DP9'.

DP9

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: planningpolicy@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 that the document must be:
- founded on a 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 with National Policy" means that it is consistent with government guidance contained within Planning Policy Guidance and Planning Policy Statements

Do you consider the core strategy to be legally compliant?

Yes

No

Do you consider the core strategy to be Sound?

Please tick the appropriate box

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.

Please attach additional pages as required

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 tick the appropriate box

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.

PLEASE REFER TO ATTACHED SUBMISSION

Please attach additional pages as required

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

We write on behalf of our client, Treasury Invest to provide representations on the Proposed Submission Core Strategy for the Royal Borough of Kensington and Chelsea with a Particular Focus on North Kensington. Our client submits that the Core Strategy is unsound because it is not consistent with National Policy. The comments are made in relation to Policy CH 2 “Housing Diversity” parts (i), (j) and (k) of the Proposed Submission Core Strategy, with regard to the section on affordable housing.

Policy CH 2: Housing Diversity

Affordable Housing

National planning guidance for affordable housing is detailed in Planning Policy Statement 3: Housing (2006) (PPS3). Paragraph 29 states that *“Local Planning Authorities will need to undertake an informed assessment of the economic viability of any thresholds and proportions of affordable housing proposed, including their likely impact upon overall levels of housing delivery and creating mixed communities.”*

This is reflected at a Regional level in Policy 3A.11 of the London Plan (consolidated with alterations since 2004) which states that *“boroughs should normally require affordable housing provision on a site which has the capacity to provide 10 or more homes...”* This Policy is intended to be read in the context of policy 3A.10 of the London Plan which states that:

“Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to their affordable housing targets adopted in line with Policy 3A.9, the need to encourage, rather than restrain development and the individual circumstances of the site. Targets

should be applied flexibly, taking in to account of individual site costs, the availability of public subsidy and other scheme requirements.”

Proposed Policy CH 2 of the Submission Core Strategy parts (i), (j) and (k) set thresholds for affordable housing provision of 800m² and 1200m² of gross external residential floorspace. It is considered that these thresholds will have an impact upon levels of overall housing delivery as they will discourage smaller development sites from coming forward. These thresholds are not flexible and do not take in to account the need to encourage development, and the individual circumstances and costs involved with the redevelopment of sites. As a consequence, it is considered that this policy will jeopardise the creation of mixed communities and directly conflict with national planning policy.

More specifically, part (j) of Policy CH 2 requires the provision of affordable housing to be in the form of a commuted sum in lieu of affordable housing where less than 1,200m² of gross external residential floorspace is proposed. PPS3 is clear that financial contributions in lieu of on-site provision should only be considered where it can be robustly justified. Paragraph 29 of PPS3 identifies the approach that Local Planning Authorities should take towards seeking developer contributions to facilitate the provision of affordable housing: *“in seeking developer contributions, the presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing.”*

The suggested affordable housing thresholds within Policy CH 2 are too low and will discourage smaller development sites from coming forward. These sites are so small that on-site provision of affordable housing is not a reasonable option and that a payment in lieu is the only alternative; this does not follow the guidance contained within PPS3 which prioritises on-site provision of affordable housing to create mixed and sustainable communities.

For the reasons described above in relation to Policy CH 2 parts (i), (j) and (k), the Proposed Submission Core Strategy is unsound as it does not comply with national planning policy.