

# Responses from Specific Consultees, July 2013 Publication

## Gulati Tyagi, Preeti: PC-Plan

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**From:** Elphick, Nick [nick.elphick@highways.gsi.gov.uk]  
**Sent:** 11 July 2013 17:05  
**To:** Planning Policy  
**Subject:** Statement of Representation Procedure - Review of the Core Strategy

Dear Sirs,

Thank you for your publication dated July 2013 inviting the Highways Agency (HA) to comment on the **Statement of Representation Procedure (Basements Publication, Housing Publication, Miscellaneous Matters, Conservation and Design - Planning Policies) Partial Review of the Core Strategy**.

The HA is an executive agency of the Department for Transport (DfT). We are responsible for operating, maintaining and improving England's strategic road network (SRN) on behalf of the Secretary of State for Transport. The HA will be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN.

We have reviewed the consultation and do not have any comment at this time.

I hope this is helpful.

Regards,

*N Elphick*

**Nick Elphick, Route Team Executive**

Highways Agency | Federated House | London Road | Dorking | RH4 1SZ

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**Web:** <http://www.highways.gov.uk>

**GTN:** 3904 8109

Safe roads, reliable journeys, informed travellers  
Highways Agency, an executive agency of the Department for Transport.

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Date: 27 August 2013  
Our ref: 91333



FAO: Jonathan Wade,  
The Policy Team  
The Royal Borough of Kensington and Chelsea  
The Town Hall,  
Hornton Street  
LONDON  
W8 7NX

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**BY EMAIL ONLY**

Dear Mr Wade,

**Planning consultation:** Partial review of the Core Strategy with a focus on North Kensington.  
**Location:** Kensington and Chelsea.

Thank you for your consultation on the above dated 09 July 2013.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**Natural England does not consider that this Partial review of the Core Strategy with a focus on North Kensington poses any likely or significant risk to those features of the natural environment<sup>1</sup> for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.**

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely,

Piotr Behnke  
Development Plan Network – Land Use Ops  
[Piotr.behnke@naturalengland.org.uk](mailto:Piotr.behnke@naturalengland.org.uk)  
0300 060 1963

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<sup>1</sup> Cases which might affect a SSSI, Natura 2000 site, National Park, Area of Outstanding Natural Beauty or a large population of a protected species and/or cases or generic issues which affect a large suite of sites or may set a precedent and thereby affect a significant quantity of habitat across the country

**Mr J Bore**  
Royal Borough of Kensington & Chelsea  
Kensington Town Hall  
Horton Street  
London  
W8 7NX

**Our ref:** D&P/ LDF20/  
LDD13/HS01  
**Date:** 28 August 2013

Dear Jonathan Bore

**Royal Borough of Kensington and Chelsea - Local Development Framework  
Partial review of the core strategy: housing, basements, design and miscellaneous  
matters**

**Statement of general conformity with the London Plan (Planning and Compulsory  
Purchase Act 2004, Section 24 (4) (a))**

Thank you for consulting the Mayor on the above document. The Mayor has delegated his planning powers to me in relation to this matter. As you will be aware, all development plan documents must be in general conformity with the London Plan under section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004.

On 13 December 2012 and again on 2 May 2013 my officers provided initial comments on the draft documents as part of the review of the Council's core strategy. The Council has responded to a number of matters raised as part of that process, however, at this stage it is my opinion that the proposed submission document is not in general conformity with the London Plan in respect of affordable housing.

I set out below my reasons and also other representations to clarify or improve policy in relation to the other policy areas subject of this review.

**Basements**

On 8 June 2012, the GLA considered a Basement Development Issues Paper, reference D&P/LDF20/LDD16/01 and supported the Council's approach to basement extensions. Policy 3.5 of the London Plan provides strategic support to boroughs in their Local Plan to introduce a presumption against development on back gardens where this can be locally justified. Guidance on the specific issue of subterranean extensions to existing dwellings is set out in the Mayor's Housing Supplementary Planning Guidance in paragraph 1.2.25.

As stated in the reasoned justification, this proposed policy is to apply to all land uses and is being introduced due to the impact of basement excavations on local amenity during construction, traffic management, on the structural stability of adjoining properties, on the character of the area (including the provision of trees and landscaping), on flooding and increased carbon emissions. The Council's approach is therefore also consistent with London Plan Policies 5.3 (Sustainable Design and Construction), 5.12 (Flood risk), 5.13 (Sustainable drainage), 5.18 (Construction, excavation and demolition waste), 6.3 (Assessing effects of development on transport capacity), 7.15 (Reducing noise and enhancing soundscapes), 7.12 (trees), 7.13 (Safety, security and resilience to emergency), 7.19 (Biodiversity), 7.12 (Trees and Woodland).

The Mayor's draft Sustainable Design and Construction Supplementary Planning Guidance (currently out for public consultation) sets out considerations boroughs may want to take into account when developing their local policies on basements and lightwells.

### Summary

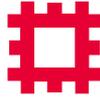
I trust these comments will be taken forward for discussion at any subsequent examination in public, however, if you would like to discuss any of my representations in more detail, please contact Hermine Sanson (020 7983 4290) or Martin Jones (020 7983 6567) who will be happy to discuss and arrange further meetings.

Yours sincerely



**Sir Edward Lister**  
Deputy Mayor and Chief of Staff

cc Kit Malthouse, London Assembly Constituency Member  
Nicky Gavron, Chair of London Assembly Planning and Housing Committee  
Eric Pickles, Secretary of State  
National Planning Casework Unit, DCLG  
Alex Williams, TfL



## ENGLISH HERITAGE

The Executive Director of Planning and Borough  
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Fao: The Policy Team  
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3 September 2013

Dear Sir/Madam

### **Royal Borough of Kensington and Chelsea – Partial Core Strategy Review: Basements, Conservation and Character, and Miscellaneous Matters**

Thank you for the opportunity to provide comment on the Royal Borough of Kensington and Chelsea's Partial Review of its Core Strategy (pertaining to the policies on Basements, Conservation and Design, and a range of Miscellaneous Matters). As the Government's adviser on the historic environment, English Heritage is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of local planning.

English Heritage has reviewed the document in light of the National Planning Policy Framework (NPPF), which includes, as one of its core principles, that heritage assets be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Having done this, English Heritage advises that we are broadly content with the soundness of the proposed revisions in terms of the historic environment.

We would ask the Royal Borough to consider the potential for a more detailed approach to matter of retrofitting heritage assets for improved energy performance, perhaps via a dedicated Supplementary Planning Document. We also note that the relevant reference (Footnote 20 on page 58, Miscellaneous Matters) is out of date and is probably best replaced with a reference to our website as follows: [www.english-heritage.org.uk/your-property/saving-energy](http://www.english-heritage.org.uk/your-property/saving-energy).

For the avoidance of doubt it must be stated that this advice is based upon information provided by you and does not affect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently arise from this or later versions of the SPD, and which may have adverse effects on the environment.

Yours sincerely

**Claire Craig**  
Historic Environment Planning Adviser (London)  
Email: [Claire.Craig@english-heritage.org.uk](mailto:Claire.Craig@english-heritage.org.uk)



## The Policy Team

Sent by email: [planningpolicy@rbkc.gov.uk](mailto:planningpolicy@rbkc.gov.uk)

### Thames Water Property Services

Your ref  
Our ref  
Contact Mark Mathews  
Phone 0203 577 9077  
E-Mail [thameswaterplanningpolicy@savills.com](mailto:thameswaterplanningpolicy@savills.com)

3 September 2013

Dear Sir/Madam

### Partial Core Strategy Review

Thank you for consulting Thames Water regarding the above mentioned documents.

Thames Water has previously commented on the earlier stages of consultation, most recently in May 2013. Having reviewed the proposed planning policies Thames Water has no further comments.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Mark Mathews".

Mark Mathews  
Town Planning Manager  
**Thames Water Property Services.**

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